

Haines Borough
Borough Assembly Meeting #486
AGENDA

April 9, 2024 - 6:30pm

Location: In Assembly Chambers and on ZOOM

The GAS Committee requests that you:
THINK before you speak

T is it True?

H is it Helpful?

I is it Inspiring?

N is it Necessary?

K is it Kind?

Thomas Mophet
Mayor

Natalie Dawson
Assembly Member

Gabe Thomas
Assembly Member

Kevin Forster
Assembly Member

Debra Schnabel
Assembly Member

Ben Aultman-Moore
Assembly Member

Craig Loomis
Assembly Member

Annette Kreitzer
Borough Manager

Alekka Fullerton
Borough Clerk

Kiersten Long
Deputy Clerk

Haines Borough ZOOM information (You must download Zoom first)

Webinar ID: 881 7953 6455

Passcode: 083575

- 1. CALL TO ORDER/PLEDGE TO THE FLAG/ROLL CALL**
- 2. APPROVAL OF AGENDA & CONSENT AGENDA**

[The following Consent Agenda items are indicated by an asterisk () and will be enacted by the motion to approve the agenda. There will be no separate discussion of these items unless an assembly member or other person so requests, in which event the asterisk will be removed and that item will be considered by the assembly on the regular agenda.]*

Consent Agenda:

3 - Approve Minutes from 3/26/24 Regular Assembly Meeting

- *3. APPROVAL OF MINUTES** - Approve the 3/26/24 Regular Assembly minutes
- 4. PUBLIC COMMENTS** – [For any topics not scheduled for public hearing. Individual comments are limited to 3 minutes unless another yields 3 minutes to the speaker in advance] *Note: during this section of the agenda, the assembly will listen and take notes. No official action will be taken at this time.*
- 5. ASSEMBLY COMMENTS**
- 6. MAYOR'S REPORT AND COMMENTS** – Attached.
- 7. PUBLIC HEARINGS**

A. Ordinance 24-02-668

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Section 3.72.105 Exchange of Information

This Ordinance was postponed from the last meeting - it is eligible for adoption.

Motion: Adopt Ordinance 24-02-668 (If amended, request is made to schedule the Ordinance for an additional public hearing).

B. Ordinance 24-03-670

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Section 18.40.030 Procedure – Staff decision.

This ordinance is already scheduled for another public hearing April 23, 2024.

8. STAFF/FACILITY REPORTS

A. Borough Manager Report – Supplemental Report

B. Finance Director Report – Property tax History Compared to Inflation

9. COMMITTEE/COMMISSION/BOARD REPORTS & APPROVED MINUTES –

A. Assembly Standing Committee Referred Topics

B. Ports and Harbors Advisory Committee – February 22, 2024 Minutes

C. Parks & Recreation Advisory Committee –February 22, 2024 Minutes

10. UNFINISHED BUSINESS – None

11. NEW BUSINESS

A. Resolutions (Individual comments are limited to 3 minutes unless another yields 3 minutes to the speaker in advance)

1. Resolution 24-04-1107

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a construction contract with Glacier Construction, Inc. dba Southeast Road Builders for the Dalton Street Repairs project for an amount not to exceed \$753,822.00.

Motion: Adopt Resolution 24-04-1107.

B. Ordinances for Introduction

1. Ordinance 24-04-669

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Defining Ore and Requiring Bulk Ore and Ore Concentrate Shipments through the Haines Borough be Containerized.

This ordinance is being introduced by the Assembly Members Ben Aultman-Moore and Gabe Thomas.

Motion: Introduce Ordinance 24-04-669 and set a first public hearing for 4/23/24 and a second public hearing for 5/14/24.

2. Ordinance 24-04-671

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Section 3.70.040(F) Local Exemptions and Exclusions-Hardship Exemption.

This ordinance is being introduced by the Mayor.

Motion: Introduce Ordinance 24-04-671 and set a first public hearing for 4/23/24 and a second public hearing for 5/14/24.

3. Ordinance 24-04-672

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Section 7.08.050 Historic Dalton Trail Road Maintenance Service Area to Provide for Commercial Fees.

This ordinance is being introduced by the Mayor.

Motion: Introduce Ordinance 24-04-672 and set a first public hearing for 4/23/24 and a second public hearing for 5/14/24.

4. Ordinance 24-04-673

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Section 2.08.060 Meetings of the Assembly to Change Regular Assembly Meeting Time.

This ordinance is being introduced by the Mayor.

Motion: Introduce Ordinance 24-04-673 and set a first public hearing for 4/23/24 and a second public hearing for 5/14/24.

11. NEW BUSINESS

B. Ordinances for Introduction – *Continued*

5. Ordinance 24-04-674

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Section 2.84.010 Personal Leave Accrual.

This ordinance is being introduced by the Mayor.

Motion: Introduce Ordinance 24-04-674 and set a first public hearing for 4/23/24 and a second public hearing for 5/14/24.

C. Other New Business

1. **Request for Reconsideration: Ordinance 24-02-666**

An Ordinance of the Haines Borough Assembly Repealing and Replacing Haines Borough Code Section 3.72.110 Board of Equalization; Adding Section 3.72.115 Hearing Panels of the Board of Equalization; and Amending 3.72.100 Appeals.

Assembly Members Schnabel and Forster have requested that Ordinance 24-02-666 be reconsidered. HBC 2.10.170 allows an assembly member who voted on the prevailing side (the vote was unanimous) to move for reconsideration at the next succeeding meeting. A motion for reconsideration requires a majority of affirmative votes, and, if it prevails, the subject shall be open to debate and amendment in the same manner as the original question. Debate on the motion to reconsider shall be limited to 25 minutes and no member shall speak for more than five minutes.

2. **Amendment of Previously Adopted Legislation: Resolution 24-03-1105** **A Resolution of the Haines Borough Assembly Authorizing a Change Order and Reconciliation for the Professional Design and Engineering Contract with proHNS LLC for the December 2020 Natural Disaster Borough Road Repairs Projects for an amount not to exceed \$85,951.43**

At the last meeting, the Assembly adopted Resolution 24-03-1105 which authorized a change order for additional funds, however, the resolution neglected to extend the time needed to complete the additional work.

Motion: Amend the previously adopted Resolution 24-03-1105 to include and extension of time until December 31, 2025 for completion of the work.

3. **Appeal of Planning Commission Decision – Southeast Road Builders, Conditional Use Permit for Resource Extraction Permit #23-87.**

On 10/23/23, the Haines Borough planning commission approved a conditional use permit (#23-87) for Glacier Construction Inc. dba Southeast Road Builders for a Resource Extraction Permit located at Site A: C-LTR-04-0090/0700/0010, Site B: C-LTR-04-1000/2940/0900/0800 | Waterfront Industrial Zone. The permit was appealed to the Assembly who remanded it to the Planning Commission. On 3/14/24 the Planning Commission vacated the permit. Glacier Construction Inc. dba Southeast Road Builders (SERB) timely filed an appeal. The burden of proof is on SERB to make the case that a rehearing by the assembly is warranted.

Assembly Action Needed at THIS meeting: Per HBC 18.30.060, following the appellant's presentation, the assembly must decide by motion:

- whether or not to rehear the commission's decision and, if so,
- whether to rehear the entire decision or a particular portion.

Note: Any rehearing must take place at the next regularly scheduled assembly meeting and include a duly-noticed public hearing.

11. NEW BUSINESS

C. Other New Business - Continued

4. Appeal of Planning Commission Decision - Southeast Road Builders, Conditional Use Permit for Resource Extraction Permit #23-87B.

On 3/14/24, after vacation of the permit described above, the Haines Borough planning commission considered and denied conditional use permit (#23-87B) for Glacier Construction Inc. dba Southeast Road Builders for a Resource Extraction Permit located at Site B: C-LTR-04-1000/2940/0900/0800 | Waterfront Industrial Zone. Glacier Construction Inc. dba Southeast Road Builders (SERB) timely filed an appeal. The burden of proof is on SERB to make the case that a rehearing by the assembly is warranted.

Assembly Action Needed at THIS meeting: *Per HBC 18.30.060, following the appellant's presentation, the assembly must decide by motion:*

- *whether or not to rehear the commission's decision and, if so,*
- *whether to rehear the entire decision or a particular portion.*

Note: *Any rehearing must take place at the next regularly scheduled assembly meeting and include a duly-noticed public hearing.*

5. PRAC Request for Action: Adoption of RERC

Motion: **Adopt the Haines Community Action Plan from the Recreation Economy for Rural Communities.**

6. Letter of Support for House Bill 347 – Supplemental Document

12. CORRESPONDENCE

13. SET MEETING DATES

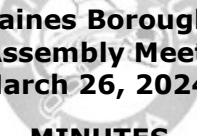
A. Lutak Dock Worksession – May 8

B. Townhall Meeting re Haines Community Safety & Training Center- May 22

14. PUBLIC COMMENT

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS/DIRECTION TO OFFICERS

16. ADJOURNMENT


Haines Borough
Borough Assembly Meeting #485
March 26, 2024 **Draft**
MINUTES

1. **CALL TO ORDER/PLEDGE TO THE FLAG/ROLL CALL:** Mayor **MORPHET** called the meeting to order at 6:00 pm in the Assembly Chambers and led the pledge to the flag.

Present: Mayor Thomas **MORPHET**, Assembly Members Gabe **THOMAS**, Debra **SCHNABEL**, Kevin **FORSTER**, Craig **LOOMIS**, Ben **AULTMAN-MOORE** and Natalie **DAWSON**.

Staff Present: Annette **KREITZER**/Manager, Alekka **FULLERTON**/Clerk, Kiersten **LONG**/Deputy Clerk

Visitors Present: Robert **VENABLES**, Donnie **TURNER**, Blythe **CARTER**, Kim **ROSADO**, Ellen **LARSON**, Brenda **JOSEPHSON**, Holly **THOMAS**, Roy **JOSEPHSON**, Burl **SHELDON**, Eric **HOLLE**, Joe **PARNELL**, Lori **LAPYERI-SMITH**, Ann **MYREN**, Katie Emma **BEGLEY**, Bill **THOMAS**, Erica **MERKLIN**, Andrew **LETCHWORTH**, Kimberly **STRONG**, Joanie **WAGNER**, Ann **McENTIRE**, Don **TURNER JR**,

2. **APPROVAL OF AGENDA & CONSENT AGENDA**

LOOMIS asked to remove Approval of the minutes from the consent agenda;

Motion: **AULTMAN-MOORE** moved to "postpone item 11B1 until the next meeting," and the motion carried unanimously.

Motion: **SCHNABEL** moved to "approve the agenda as amended" and the motion carried unanimously.

3. **APPROVAL OF MINUTES:** - Approve the following Minutes:

- A. 3/12/24 Regular Assembly Meeting Minutes

Motion: **AULTMAN-MOORE** moved to "Approve the minutes of the March 12, 2024 meeting," and the motion carried unanimously.

4. **PUBLIC COMMENTS:**

VENABLES: Update on Southeast Conference

SHELDON: Thank you for all of your work

B.JOSEPHSON: Read prepared statement from Paul Rogers; and her own comments

HOLLE: Lutak Dock comments

LAPYERI-SMITH: Assessment Notice not code compliant

ROSADO: Assessment Notice is confusing; Read Joe Casie email

MYREN: Lutak Dock thank you

TURNER: Not a fan of the earlier meeting times

CARTER: Survey they completed received 72 responses

BEGLEY: Assessment Notice not code compliant; Need of Taxpayer Bill of Rights

R.JOSEPHSON: Please approve all Ordinances as drafted by Advisory Committee

PARNELL: Worried about nuisance buildings in Ft Seward Area

B.THOMAS: My comments at the last Assembly Meeting were my comments

MERKLIN: Where are we with the Mosquito Lake Facility MOA?

STRONG: CIV has no position on kind of dock being built at Lutak Dock; SEARHC – she wants a long term care facility and hospital- wants support from the Assembly

LETCHWORTH: Apology re Lutak Dock

5. **ASSEMBLY COMMENTS:**

DAWSON: MARAD extension on time for obligation for an additional 3 years; reported that the Alaska Mining put out a video

6. MAYOR'S REPORT and COMMENTS:

The Mayor has submitted a written report. Reminds people about PFD and Senior Exemption deadline of Sunday, March 31.

7. PUBLIC HEARINGS

A. Ordinance 24-02-664

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Title 10.09.090 Prohibiting the Use of Engine (Jake) Brakes in the Townsite.

The Mayor opened the public hearing at 6:55 pm and the following members of the public chose to speak with respect to this issue: **CANFIELD, TURNER, BEGLEY, WAGNER**. Hearing no further comments, the public hearing was closed at 7:01 pm.

Motion: **LOOMIS** moved to "Adopt Ordinance 24-02-664," and the motion carried unanimously in a roll call vote.

B. Ordinance 24-02-666

An Ordinance of the Haines Borough Assembly Repealing and Replacing Haines Borough Code Section 3.72.110 Board of Equalization; Adding Section 3.72.115 Hearing Panels of the Board of Equalization; and Amending 3.72.100 Appeals.

The Mayor opened the public hearing at 7:05 pm and the following members of the public chose to speak with respect to this issue: **B. JOSEPHSON, CARTER, ROSADO, BEGLEY, McENTIRE**. Hearing no further comments, the public hearing was closed at 7:11 pm.

Motion: **AULTMAN-MOORE** moved to "Adopt Ordinance 24-02-666 with the amendment,"

Primary Amendment: **DAWSON** moved to "amend (*Section 5 – HBC 3.72.115*) b) to make the hearing panel five members,"

Secondary Amendment: **DAWSON** moved to "make (*Section 5 – HBC 3.72.115*) section C) four rather than three members and require a super majority vote," and the motion carried unanimously.

And the primary amendment, as amended, carried unanimously.

Primary Amendment: **FORSTER** moved to add the amendment to allow the Assembly may, by ordinance, appoint itself to sit as the board of equalization," and the motion carried unanimously.

And the main motion, as amended, was adopted by unanimously in a roll call vote.

C. Ordinance 24-02-667

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Section 3.72.020 Full and True Value.

The Mayor opened the public hearing at 7:40 pm and the following members of the public chose to speak with respect to this issue: **ROSADO, B. JOSEPHSON**. Hearing no further comments, the public hearing was closed at 7:42 pm.

Motion: **FORSTER** moved to "Adopt Ordinance 24-02-667," and the motion carried unanimously in a roll call vote.

7. PUBLIC HEARINGS - Continued

D. Ordinance 24-02-668

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Section 3.72.105 Exchange of Information

The Mayor opened the public hearing at 7:43 pm and the following members of the public chose to speak with respect to this issue:

B. JOSEPHSON, CANFIELD, SHELDON, STOCKBRIDGE, CARTER, ROSADO, TURNER JR, BEGLEY

Hearing no further comments, the public hearing was closed at 8:04 pm.

Motion: **FORSTER** moved to "Postpone Ordinance 24-02-668 and schedule it for a third public hearing April 9," and the motion carried 4-2 with **THOMAS** and **LOOMIS** in opposition.

8. STAFF/FACILITY REPORTS

A. Borough Manager Report – Supplemental Report

Motion: **SCHNABEL** moved to "Direct the Manager to request Constantine to share the 2024 and possibly 2025 Operational Plan and permitting schedule," and the motion carried 5-1 with **THOMAS** in opposition. (*The Manager reported she has already made the request*).

Motion: **SCHNABEL** moved to "Direct the Manager to hire a Planner or similarly credentialed professional to redraft Title 18 specifically 18.5 and 18.6 to aid and facilitate the Planning Commission and staff in a discernable, understandable evaluation of proposed development activities in the Haines Borough," and the motion carried unanimously.

Motion: **LOOMIS** moved to "Direct the Manager to schedule a workshop with tribal participation regarding Lutak Dock in April," and the motion carried 5-1 with **THOMAS** in opposition.

9. COMMITTEE/COMMISSION/BOARD REPORTS & APPROVED MINUTES –

A. Assembly Standing Committee Referred Topics

B. Tourism Advisory Board – Record of Decision

C. Tourism Advisory Board – January 18, 2024 Minutes

D. Planning Commission – Clerk’s Excerpt of Minutes re referred Resolution 23-09-1064 and Approved 2-8-24 Minutes

E. Fire Service District #3 – Annual Report

10. UNFINISHED BUSINESS – None

11. NEW BUSINESS

A. Resolutions

1. Resolution 24-03-1105

A Resolution of the Haines Borough Assembly Authorizing a Change Order and Reconciliation for the Professional Design and Engineering Contract with proHNS LLC for the December 2020 Natural Disaster Borough Road Repairs Projects for an amount not to exceed \$85,951.43

No member of the public chose to speak with respect to this resolution.

Motion: **SCHNABEL** moved to "Adopt Resolution 24-03-1105," and the motion carried unanimously in a roll call vote.

11. NEW BUSINESS

A. Resolutions - Continued

2. Resolution 24-03-1106

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a construction contract with Glacier Construction, Inc. dba Southeast Road Builders for the Jenae's Playground design and build project for an amount not to exceed \$672,896.00.

Chilkoot Indian Association, through Zach Wentzel, voiced their support for the Resolution.

Motion: AULTMAN-MOORE moved to "Adopt Resolution 24-03-1106," and the motion carried unanimously in a roll call vote.

B. Ordinances for Introduction

1. Ordinance 24-03-669

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Requiring Bulk Ore Shipments through the Haines Borough be Containerized.

** This Ordinance was postponed to the next meeting at the beginning of the meeting.*

Motion: AULTMAN-MOORE moved to "Extend the meeting past 10:00 pm" and the motion carried unanimously.

Motion: THOMAS moved to suspend the rules to move public comment to before the scheduled executive session and the motion carried unanimously.

2. Ordinance 24-03-670

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Section 18.40.030 Procedure – Staff decision.

Motion: THOMAS moved to "Introduce Ordinance 24-03-670 and set a first public hearing for 4/09/24 and a second public hearing for 4/23/24," and the motion carried unanimously.

C. Other New Business

1. Historic Dalton Trail RMSA Recommendation for Commercial User Fees

Motion: SCHNABEL moved to "Bring an Ordinance to codify the HDTRMSA recommendation for Commercial User Fees," and the motion carried unanimously.

2. Appointment to Board of Equalization

Motion: SCHNABEL moved to "Appoint George Campbell, Brenda Josephson, Jerry Lapp, Gabe Long, Barbara Nettleton and Joann Waterman to the Board of Equalization,"

Primary Amendment: FORSTER moved to include Col. Mark Smith and Kyle Ponsford," and the motion carried unanimously.

And the motion, as amended, carried unanimously.

11. NEW BUSINESS

C. Other New Business - Continued

3. Executive Session Regarding Pending Litigation with Chilkat Valley Rural Citizens

Prior to the Executive Session, Nicholas Szatkowski, summarized his request to discuss the litigation with the Borough Assembly.

Motion: AULTMAN- MOORE moved to "Move into executive session as allowed by AS 44.62.310(d)(1) to discuss with the Chilkat Valley Rural Citizens regarding pending litigation in the Chilkat Valley Rural Citizens v. The Haines Borough; this qualifies for executive session because AS 44.62.310(c)(1) allows the Borough to discuss matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the government unit" and the motion carried unanimously.

Motion: AULTMAN-MOORE moved to invite the Chilkat Valley Rural Citizens, Charles Cacciola, the Borough Clerk and the Borough Deputy Clerk into the executive session," and the motion carried unanimously.

Motion: SCHNABEL moved to "file a motion before 3/29 to request a 60 days extension to file opening briefs", and the motion carried unanimously.

Motion: SCHNABEL moved that "the Assembly is on record indicating that permit #23-22 expires May 16, 2024," and the motion carried unanimously.

Motion: DAWSON moved to "direct the Borough Attorney to cooperate in filing all necessary motions to deconsolidate the two cases," and the motion carried unanimously.

12. CORRESPONDENCE

13. SET MEETING DATES

A. School Board Meeting – June 4, 2024 at 5:30 pm

14. PUBLIC COMMENT:

** Pubic comments were moved to be heard prior to item 11C3.*

CARTER: Comments regarding an individual assessment

CANFIELD: Explained why she is so upset

B. JOSEPHSON:

ROSADO: Disappointed the Ordinances were not all adopted

BEGLEY: Handed out Skagway Ordinance extending the Senior Exemption

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS/DIRECTION TO OFFICERS: None

16. ADJOURNMENT 11:27 pm

ATTEST:

Thomas C. Morphet, Mayor

Aleka Fullerton, MMC, Borough Clerk

Mayor's Report, April 9, 2024

Help Clean Up the Town

The annual Haines Community Cleanup is scheduled for April 26-28. It's sponsored by the Haines Chamber of Commerce, Haines Borough, and Community Waste Solutions. Yellow cleanup bags are available at the Chamber office in the Gateway Building and at the borough office. Full bags can be dropped off at the pool parking lot. The cleanup kicks off on 8 a.m. Friday, April 26, when Haines School students will patrol for litter around the school. On Saturday and Sunday, a station at the school will be set up starting 8 a.m. with coffee, donuts and snacks for volunteers. For questions or a cleanup assignment, call Amanda at the Chamber at 766-2202. Takshanuk Watershed Council and Haines Friends of Recycling are combing efforts for a shoreline cleanup of marine debris May 1-8. For information, call Tracy at TWC, 766-3542.

Borough Working on Hiking Trails

The Haines Borough's Parks and Recreation Advisory Committee (PRAC) has been reconstituted and is working on trail issues, including a local trail inventory, easements, and prioritization of needs and improvements. The discussion includes sidewalks and trails downtown. Recent meetings have included discussions with Eric Borass, who is addressing trails on behalf of Haines Huts and Trails. Eric is hoping to organize monthly trail work parties. Thom Ely and Kathleen Menke co-chair the PRAC. The PRAC meets at every third Thursday, 5:30 p.m. at assembly chambers.

Pre-Paid Trash Bags Available at City Hall

Please don't dump your household garbage on our roadsides. If you're having trouble paying for your garbage bill or you know a person who is, the mayor is offering pre-paid garbage bags that can be filled and taken to the FAA Road landfill at no charge. Call Mayor Tom Morphet at 766-6405 or 314-3193 for more information or to get a bag.



7A

**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 24-1364
Assembly Meeting Date: 04/09/24

Business Item Description:	Attachments:
Subject: Adding HBC Section 3.72.105 Exchange of Information	1. Ordinance 24-02-668 as introduced 2. Borough Attorney's Memo 3. Assessor's Memo
Originator: Property Tax Assessment Ad Hoc Committee	
Originating Department:	
Date Submitted: 2/22/24	

Full Title/Motion:
 This Ordinance is eligible for adoption. If the Assembly would like to make changes , after amendment, the Clerk requests that the Ordinance be scheduled for another public hearing April 23, 2024.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$	\$	\$	N/A

Comprehensive Plan Consistency Review:
 Comp Plan Goals/Objectives: _____
 Consistent: Yes No

Summary Statement:
 Update: The Borough Attorney has submitted the attached Memo for consideration.
 At the Committee of the Whole meeting on February 20, 2024, the Exchange of Information recommendations from the Property Tax Assessment Ad Hoc Advisory Board were discussed and item (D) was added to clarify that the Appellant and Assessor may continue to share information and negotiate until the appeal hearing.

Referral:
 Referred to: _____ Referral Date: _____
 Recommendation: _____ Meeting Date: _____

Assembly Action:
 Meeting Date(s): 2/27/24 Public Hearing Date(s): 3/12/24, 3/26/24, 4/9/24
 Postponed to Date: _____

**An Ordinance of the Haines Borough Assembly Amending Haines
Borough Code Section 3.72.105 Exchange of Information**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Addition of Section 3.72.105. Section 3.72.105 shall be added as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

3.72.105 Exchange of Information.

- A. **Information to be presented to the board of equalization by the assessor's office shall be made available to the appellant at least 10 working days prior to the appeal hearing date scheduled for the appeal.**
- B. **The appellant shall be notified by email or first-class mail when the information is available and how to obtain it. A link to the information on the borough web site is permissible.**
- C. **The appellant must provide their information by first-class mail, email or by personally delivering it to the Haines Borough office at least five working days before the appeal hearing date scheduled for the appeal.**
- D. **Notwithstanding the above, the appellant and the assessor may continue to exchange information and negotiate directly until the appeal is heard.**

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 26th DAY OF MARCH, 2024.

ATTEST:

Thomas C. Morphet, Mayor


Aleka Fullerton, MMC, Borough Clerk

Date Introduced: 02/27/24
Date of First Public Hearing: 03/12/24
Date of Second Public Hearing: 03/26/24

CHANDLER, FALCONER, MUNSON & CACCIOLA, LLP

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MEMORANDUM

TO: Annette Kreitzer
FROM: Charles A. Cacciola 
RE: Information Disclosure for Assessment Appeals
DATE: April 4, 2024

Introduced Ordinance 24-02-668 would establish a procedure for the assessor and appellant to exchange information prior to the board of equalization hearing an assessment appeal. The assessor opined that the ordinance would shift the burden of proof from the appellant to the assessor. You asked whether the proposed ordinance is lawful and for identification of drafting and practical issues that the assembly may wish to consider.

This proposed ordinance is lawful. It does not conflict with AS 29.45.210(b) or the parallel HBC 3.72.10(B), which provide that the appellant has the burden of proof.

A. Drafting Considerations

The following are suggestions to improve Ordinance 24-02-668 without altering the intent or substance. These suggestions do not address the practical concerns presented by the ordinance, which are discussed further below.

1. *Deadlines.* It's unclear how the ten- and five-day deadlines in proposed HBC 3.72.105 (A) and (C) function as relates to mailing. We recommend that the ordinance specify that the deadlines are from the time information is received, not when it is mailed. A minor point, but the borough code generally uses "business days" not "working days" to establish deadlines.
2. *Notice of Information Availability.* Under the ordinance, the assessor is required to make information available at least ten days before the board of equalization hearing. The assessor can satisfy that requirement by putting the information on the borough website. Together, these provisions render email or mail notification of availability of the information superfluous. We recommend that (B) be deleted and (A) restated as:

“Information to be presented by the assessor to the board of equalization shall be available on the borough’s website not less than ten business days before the scheduled date of the appeal hearing.” The appellant can retrieve the information from the website, knowing when it will be available. No additional notice is necessary. Requiring additional notice imposes an unnecessary burden on the borough administration and is a potential ground for error.

3. *Information.* “Information” should be defined. The board of equalization has historically allowed oral statements of fact during arguments on assessment appeals. Based on that practice, we assume that the intent of this ordinance is to require disclosure of documents, photos, sales data, appraisals and other such material that the party will rely upon and that it is *not* intended to require disclosure of “testimony” and argument to be presented to the board. If this is the intent, we recommend adding a new subsection that reads: “For the purpose of this section, “information” consists of documents, photographs, and other recorded or printed materials.”
4. *Use of Undisclosed Information.* It appears the intent of the ordinance is to preclude the parties from presenting to the board information that was *not* disclosed in accordance with (A) and (C). However, this is not explicit. If this is the intent, it should be stated in the code that information presented to the board of equalization shall be limited to information disclosed in accordance with HBC 3.72.105. Additionally, the current subsection (D) specifies that the appellant and assessor may continue to exchange information. It is unclear if this later-exchanged information may also be presented to the board. The ordinance should be revised to clarify these issues.
5. *Resolution by Agreement.* We recommend that (D) be revised to read: “Nothing in this section shall preclude the assessor and appellant from conferring to resolve an alleged error in an assessment prior to the board of equalization hearing the appeal.”

B. The Ordinance in Practice

While the proposed ordinance does not shift the burden of proof from the appellant to the assessor in contravention of AS 29.45.210(b) and HBC 3.72.10(B), the assessor’s concern is understandable. In short, this proposed procedure has the appellant responding to the appellee, not the other way around. The appellant still has the burden of proof legally, but less so in practice.

The proposed procedure prevents the assessor from effectively responding to the appellant’s facts and arguments. In judicial and quasi-judicial appeals, and in argument and debate generally, the party with the burden presents their position first and the other party then presents rebuttal to show that the burden has not been satisfied. For assessment appeals to the board of equalization, the appellant first argues that the valuation is unequal, excessive, or improper. Then the assessor responds to the facts and arguments presented by the appellant.

Exchange of information to be used as in support of an appellant's position and of the assessor's rebuttal should generally follow the same sequence: The party with the burden provides the information intended to satisfy the burden and the other party then discloses rebuttal information.

Requiring the responding party (here, the assessor) to disclose information to be used for rebuttal without first knowing what needs to be rebutted does not make sense and stymies effective rebuttal. Say an appellant provides the board of equalization with two comparable sales, one for \$300,000 and another for \$325,000 to show that the assessor's \$500,000 value is excessive. However, the seller of the first comp was the buyer's parent (at a non-market in light of the familial relationship) and the second comp was the sale of a home with extensive lead paint and asbestos. If the appellant does not present these facts (which the appellant may not be aware of), the assessor cannot demonstrate that the first sale is not indicative of market value and the second sale is not of comparable property.

Property owners may view information disclosure by the appellant followed by information disclosure by the assessor as simply putting the appellant in the same disadvantageous position that the assessor would be in as described above. (And if one party must shoulder this disadvantage, why not the subject matter expert?) However, this view doesn't consider the burden of proof. The situation is not that either the assessor or appellant must guess at what will need to be rebutted because the law imposes the burden of proof on the appellant. It is the assessor who responds to the appellant, not the other way around.

An appellant needs a summary of the property information that the assessor relied upon for the assessment to make an informed decision as to assessment error. For each assessed property, Haines Borough has a property card that contains this information. An example of such a property card is attached.¹ Property cards are public records open to inspection. Some municipalities have this information available on their websites as part of a searchable database and/or accessible by a link in the GIS parcel viewer.

Ideally, a property owner should obtain the property card information *before* appealing an assessment because the information obtained in the card is often necessary for an owner to determine if there is an error in the assessment. Property card information is information that a property owner should certainly have and review before gathering and disclosing information to be used in support of proving an error. This information enables the appellant to specifically identify the alleged error and provide information that supports a specific alleged error.

As noted, property cards are public records. Any person, including a property owner, is entitled to request or inspect a property card. However, having every property owner who believes there may be an error in an assessment request a copy or inspection of a property card imposes an unnecessary burden on property owners and borough staff. Mailing a copy of a

¹ Although this property card, like all property cards, is a public record that any person may request or inspect, we have nevertheless redacted the name of the owner and address.

property card with each assessment notice is at least as inefficient. In our experience, the best practice is for property card information to be available on the municipality's website.

With the benefit of the property card information, a property owner can make an informed decision to accept an assessment or appeal based on an alleged error. In addition to enabling an owner to identify erroneous facts assumed by the assessor, simplified public access to property cards better enables a property owner to determine if property has been assessed unequally. Should the owner decide to appeal, the owner can gather, and then disclose, information that supports the owner's allegation of error that the owner will present to the board of equalization to prove error. The assessor can subsequently provide the appellant with the assessor's rebuttal information.

The proposed ordinance incentivizes a significant increase in the work burden on the assessor (and thus on the borough's finances), on the appellant, and on the board of equalization. Without knowing what information the assessor will need to respond to or rebut, the assessor's rational action is to provide a massive information dump – everything the assessor thinks could possibly be relevant in responding to the appellant – for every appeal. The assessor is incentivized to submit *all* available information on *all* potentially similar properties, assessment history, and professional resources and methodologies. This could be hundreds, if not thousands, of pages for each appeal. The *appellant* will then need to wade through voluminous information, most of which will be irrelevant to the appeal. If the appeal is not resolved and is heard by the board of equalization, the board will also have before it a tremendous volume of information that it will need to consider. On the other hand, if the assessor knows what information needs to be responded to, the assessor can tailor rebuttal information to information that actually responds to the appellant's position rather than providing a document dump.

Moreover, having the appellant's information disclosure occur first eliminates appeals where the assessor concludes that the appellant is correct. Errors are often obvious to the owner and easily proven. If an assessment is based on a 2,800 sq. ft. home and the appellant shows that it's actually 1,800 sq. ft., the assessor can correct the error without preparing extensive information for a moot appeal.

Finally, the assessor's concerns with adopting this ordinance about a month before board of equalization hearings is understandable. Public comment at the March 26, 2024 assembly meeting included expressions of frustration with perceived delay and that action needed to be taken lest potential code changes drag on. The assessor's concerns and those expressed during public comment can be reconciled by adopting an ordinance with an effective date following completion of 2024 appeal hearings (*e.g.*, July 1, 2024). This would enable immediate legislative action without altering the 2024 appeal process mid-stream.

In summary, our view is that sequence of information disclosure should consist of:

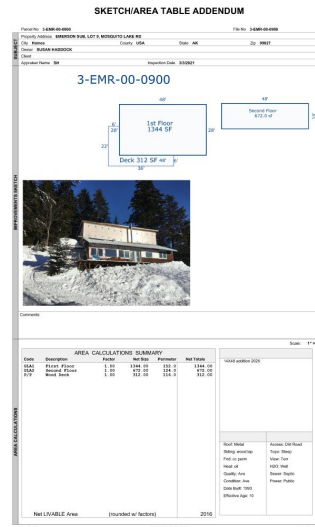
1. Online access to property card information, which allows the owner to make an informed decision as to assessment error.

2. Disclosure by the appellant of documents and other media that the appellant intends to present to the board of equalization in support of an allegation of error.
3. Disclosure by the assessor of documents and other media that the assessor intends to present to in response or rebuttal to the appellant's position and information.

CONCLUSION

Introduced Ordinance 24-02-668 is lawful, legally enforceable legislation. Clarity of the proposed legislation can be improved while retaining the intent. However, the intent of the ordinance, even following clarification, poses challenges to effective and efficient resolution of assessment appeals.

Please let us know if you have any further questions regarding this matter.



CURRENT OWNER

HAINES AK 99827

Property Identification

Parcel # **3-EMR-00-0900** Use **R-Residential**
 City Number Property **SFR**
 Service Area **FD3**

Property Information

Improvement Size **2,016 SF** Year Built **1993** Estimated Land Size **4.5** AC
 Basement Size Effective Age **20** Zone **General**
 Garage Size Taxable Interest **Fee Simple**

Legal Description

Plat # Lot # **9** Block Tract Doc # Rec. District **106-HAINES**
 Describe **EMERSON SUB, LOT 9** Date recorded

PROPERTY HISTORY

Year	Taxable Interest	Land	Improvement	Assessed Value	Exempt Value	Taxable Value	Trending
2024	Fee Simple	\$71,700	\$182,600	\$254,300	\$0	\$254,300	
2023	Fee Simple	\$71,700	\$112,400	\$184,100	\$0	\$184,100	
2022	Fee Simple	\$58,000	\$94,700	\$152,700	\$0	\$152,700	
2021	Fee Simple	\$58,000	\$52,400	\$110,400	\$0	\$110,400	

NOTES

% comp updated 08/09/2021. DMO
 Updated % complete 4/7/2022 DML



LAND DETAIL

Market Neighborhood **1106** Site Area **4.5** **A** Topo **STEEP** Vegetation **Brushy**

Access **PUBLIC ROAD** Frontage **Ft** View **NEUTRAL** Soil **Buildable**

Utilities Typical Water Sewer Telephone Electric LQC

Comments

SITE IMPROVEMENTS

Site Improvements Total

Description	Area	Unit Value	Adj.	Value	Comments
	4.5	AC x \$15,933.33		= \$71,700	No changes noted. Land Values were imported from the 2023 Certified Roll Spreadsheet. Imported Assessed value was \$71700. Rounding discrepancies may occur
		AC x		=	
		AC x		=	
		AC x		=	
Total	4.5	AC Fee Value:		\$71,700	

SUMMARY FEE SIMPLE VALUATION

Inspected By **Scott Hansen** Date Inspected **2/24/2021** Valued By **Dean Olsen** Date Valued **8/9/2021**

VALUATION CHECK	FEE VALUE SUMMARY
The Total Fee Value \$254,300/2,016 SF Indicates \$126.14 Value/SF GBA	Total Residential \$182,600
Income Value = NOI Ratio = NOI / =	Total Commercial
Comments <input type="text"/>	Other Improvements
	Total Improvements \$182,600
	Land & Site imp \$71,700
	Total Property Value \$254,300



RESIDENTIAL

Description **Main House** Property Type **SFR** Design **1.5** Bedrooms **4**

Quality **Q5 - Fair** Plumbing Fixture Count **Fixtures -** Energy Efficiency **Typical** Bathrooms **1**

Other Rooms **3** Total Rooms **8**

Roof Typical Comp Metal Wood shingles Other

Exterior Typical Wood Metal Cement Fiber Log Vinyl Other

Foundation Typical Concrete Perim Slab Piling Other

Heat Fuel Typical Oil Electric Wood Other

Heat Type Typical BB Space Heater Radiant Forced Air Heat Pump Other

Interior Typical Sheetrock Plywood Panel WD Other

Floor Typical Slab Plywood Carpet Vinyl Wood - Laminate Other

Year Built **1993** Estimate

Effective age **20**

Total Life **55**

Condition **C4 -**

Effective age Status **Not**

Extra Lump Sums Total

Porches, **Deck 312SF \$5,248** Total **\$5,935**

Garage

Built-in SF Basement Garage SF Attached SF Detached SF Carport SF Finished SF

Comments

Basement

Size Finished Size Describe

Description	Status	Area	Base Value	Factor	Unit Value	RCN	% Good	Net Value
1.5 Unfin. Hous	Unfinishe	2,016	SF \$83.92	1.45	\$121.68	\$245,315	72%	\$176,627
			SF		\$0.00	\$0		
			SF		\$0.00	\$0		
			SF		\$0.00	\$0		
			SF		\$0.00	\$0		

Additional Adjustment

Lump Sum Total **\$5,935**

Main House **Total** **\$182,600**

Comment



From: Martins Onskulis
Appraisal Company of Alaska
405 W. 27th Ave.
Anchorage, AK 99503
907.334.6312 (Office)

To: Haines Borough Assembly

I am writing to address my concerns regarding the proposed Ordinance 24-02-668, as I find several aspects of it perplexing and potentially contradictory to State of Alaska Statutes.

Timeline

Firstly, I would like to draw attention to the issue of timing outlined in the proposed ordinance. The designated timeline for the assessor & property owner to submit their final review to the Board of Equalization (BOE) a mere 10 days & 5 days prior to the meeting presents significant challenges in effectively planning BOE sessions and planning for the workflow of the assessor's office. While this framework may be suitable under conditions of minimal appeals, it becomes problematic in scenarios involving a high volume of appeals, potentially leading to considerable delays. This is particularly exacerbated by the substantial time required for compiling necessary documentation for presentation before the BOE, coupled with efforts to contact property owners who may not have been reached previously.

Alaska State Statutes

In consultation with other assessors and based on information from other communities - assessors should be required to submit relevant information to the BOE at least one week prior to its convening, in some communities submission is a day or two before the scheduled meeting. The primary rationale behind this recommendation is to ensure that the BOE members are adequately equipped to make informed decisions based on the information **presented during the proceedings**. During recent meetings, concerns were raised by property owners who expressed frustration in attempting to engage with BOE members prior to scheduled hearings. It is imperative that the efficacy of BOE deliberations not be contingent upon members conducting independent investigations or reviews of materials in public forums.

In the context of Anchorage, property owners are afforded a timeframe of 45 days to furnish all relevant evidence, encompassing a 30-day window for initiating an appeal followed by an additional 15-day period allocated for the submission of supporting documentation. However, it is noted that this timeline may not be feasible for implementation in Haines this year, given the constraints imposed by Alaska State requirements and the timeline for mailing assessment notices.

The proposed ordinance, in its current form, appears to advocate for a reversal of roles, wherein the assessor is tasked with assembling documentation for the defense, thereby placing property owners in the position of relying solely on materials provided by the assessor. Such a framework contradicts established principles, wherein property owners should derive their appeal from diligent research and independent findings, rather than relying solely on the assessor's data for defense. This approach potentially contravenes the burden of proof as outlined in Alaska Statutes. Per Alaska Statutes, property owners are mandated to prove that the assessed value is unequal, excessive, improper, or undervalued.

Upon review of the evidence submitted by property owners, it is essential to maintain the protocol whereby the assessor diligently examines the provided evidence. This ensures a thorough and equitable assessment process, contrary to the proposed approach by the Ad Hoc committee. As outlined in the Anchorage municipal code, property owners are obligated to present their defense within 45 days of receiving assessment notices. Subsequently, the assessor meticulously reviews the submitted information and engages in discussions with property owners. In the event of appeals proceeding to the Board of Equalization (BOE), the assessor is mandated to submit the final findings to the BOE at least one week prior to the scheduled hearing. The proposed ordinance by Ad Hoc is opposite of what other communities across the State does.

It is imperative to emphasize that any proposed ordinance, including that of the Ad Hoc committee, must not override state statutes or undermine existing legal frameworks. Given the significance of legal compliance, it is advisable to seek guidance from your legal advisor to ensure alignment with applicable laws and regulations.

Has the proposed ordinance undergone thorough legal review to ascertain its consistency with prevailing state statutes and legal mandates? Such scrutiny is essential to uphold the integrity of our assessment procedures and ensure adherence to statutory requirements.

Here is an example from Anchorage:

What happens after I file my appeal?

Your appeal will be assigned to an appraiser for review following the informal review period. You will be notified of who has been assigned your appeal and how to contact them. You must provide the appraiser with your evidence within 45 days of the date notices (green cards) were mailed. The appraiser may require further information and/or an inspection of your property. Once the appraiser reviews the information or performs any requested property visit, the appraiser will make a value recommendation, and you will receive an 'Appeal Withdrawal Form' noting the recommended value. If you sign the Withdrawal Form your appeal will be finalized at the recommended value, and you will get your appeal deposit back; approximately 75% of appeals are resolved in this manner. If you choose not to sign the Withdrawal Form, your appeal will be scheduled for a hearing at the Board of Equalization (BOE). You will receive a notification for the hearing two weeks prior, and you will receive an appeal packet including a copy of your appeal and a summary of the Assessor's position that will be presented to the BOE one week prior to the hearing.

[Return to Top](#)

What information must I provide with my appeal?

When submitting an appeal, provide the following:

- Parcel number of the property you are appealing;
- Specific reasons why you believe the Assessor's valuation does not reflect the value of the property (the amount of tax, percent of increase, personal hardship, and other matters unrelated to the value, are not sufficient grounds for appeal.);
- Comparable sales or other supporting evidence (see the list below); and
- Your signature (and agency authorization, if someone else will represent you).
- Complete both sides of the appeal form.

By Alaska State law, "THE APPELLANT BEARS THE BURDEN OF PROOF. The only grounds for adjustment of assessment are proof of unequal, excessive, improper, or under valuation based on facts that are stated in a valid written appeal or proven at the appeal hearing. If a valuation is found to be too low, the Board of Equalization may raise the assessment." Alaska Statute 29.45.210.(b)

You must present clear and convincing evidence to support your appeal. All evidence must be provided within 45 days from the date the assessment notice was mailed (30 days to file an appeal plus 15 days to provide all supporting evidence). The Assessor may agree to extend the time limit to provide evidence under certain circumstances. Contact the assessor's office regarding any extension request. *Appeals without supporting information will be dismissed by the Board. New or additional documentation may not be introduced at the hearing.*

Upon careful review, it appears that points A and C may require either revision or removal to ensure alignment with current best practices or regulatory frameworks. Given the significance of these points, it is imperative that they undergo thorough scrutiny and potential updating.

3.72.105 Exchange of Information.

- Information to be presented to the board of equalization by the assessor's office shall be made available to the appellant at least 10 working days prior to the appeal hearing date scheduled for the appeal.**
- The appellant shall be notified by email or first-class mail when the information is available and how to obtain it. A link to the information on the borough web site is permissible.**
- The appellant must provide their information by first-class mail, email or by personally delivering it to the Haines Borough office at least five working days before the appeal hearing date scheduled for the appeal.**
- Notwithstanding the above, the appellant and the assessor may continue to exchange information and negotiate directly until the appeal is heard.**

In reference to point D, it is noted that the inclusion of the term "negotiate" may warrant reconsideration. The essence of our assessment procedures should indeed be rooted in factual substantiation rather than subjective bargaining or compromise. Therefore, it is advisable to refine the language to underscore the importance of evidence-based decision-making rather than implying a negotiation or compromise process – **appeal is not a negotiation.**

Has this gone through the legal review to ascertain their compliance with applicable statutes and regulations?

Here is what I am proposing:

A. Information to be presented to the Board of Equalization by the assessors office will be made available to the appellant one week prior to the appeal hearing date scheduled for the appeal.

B. No change

C. **“Proposed amendment will not work for this year due to state requirements and given timeline but can be reviewed/adopted for the next year”** The appellant must provide all evidence within 45 days from the date the assessment notice was mailed (30 days to file an appeal plus 15 days to provide all supporting evidence that will be presented to the BOE). The Assessor may agree to extend the time limit to provide evidence under certain circumstances. Appeals without supporting information will be dismissed by the Board. New or additional documentation may not be introduced at the hearing.

D. Notwithstanding the above, the appellant and the assessor may continue to communicate until the appeal is heard.

Finally, it is essential to acknowledge the importance of comprehensive analysis and deliberation in the development of such ordinances. Rushing through these amendments without due diligence could compromise their effectiveness and integrity, which is a risk we must strive to avoid.

Additionally, it would be advantageous for the Ad Hoc committee to seek consultation with assessors - either from us or from other municipalities within the state. Collaborating with industry experts can offer valuable perspectives and help to identify any potential pitfalls or oversights in the proposed amendments.

Considering these concerns, I respectfully urge the Borough Assembly to carefully reconsider the proposed ordinance, ensuring alignment with the State of Alaska Statutes, giving a time for a legal team to review it and addressing the practical challenges outlined above. A thorough review and adjustment of the timeline and procedural ambiguities would contribute to the efficient and equitable implementation of the ordinance.

Thank you,

Martins Onskulis



7B

Agenda Bill No.: 24-1372

Assembly Meeting Date: 4/09/24

Business Item Description:	Attachments:
Subject: Amending Borough Code for Land Use Permits	1. Ordinance 24-03-670
Originator: Manager	
Originating Department: Administration	
Date Submitted: 3/19/24	

Full Title/Motion:
No motion necessary since this item is scheduled for it's second public hearing 4-23-24

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$	\$ 0	\$ 0	

Comprehensive Plan Consistency Review:
Comp Plan Goals/Objectives: Consistent: Yes No

Summary Statement:
This Ordinance is recommended by the Manager. Due to staff shortages, a 10 day presumption of land use permit completeness is not realistic. The Manager has asked for extensions of land use permit deadlines.

Referral:
Referred to: Referral Date:
Recommendation: Meeting Date:

Assembly Action:
Meeting Date(s): 03/26/24 Public Hearing Date(s): 04/9/24, 04/23/24
Postponed to Date:

**An Ordinance of the Haines Borough Assembly Amending Haines
Borough Code Section 18.40.030 Procedure – Staff decision.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Section 18.40.030. Section 18.40.030 shall be amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

18.40.030 Procedure – Staff decision.

...

B. Staff Procedure.

1. The manager will determine if the application is complete ~~and correct~~ and if the application meets the submission requirements. If the requirements are not met, the manager shall return the application to the applicant for modification or correction. ~~If the manager fails to act on acceptance of the application within 10 business days the application shall be considered complete and accepted for review.~~

2. If the application for a land use permit is complete and accepted, the manager shall determine, within ~~10 business~~ **30** days, whether the use meets the requirements of this title, the general approval criteria in HBC 18.60.010 and any special conditions for the applicable zone. The manager may place reasonable conditions on the approval to ensure that the use will comply with this title.

3. If the use does not implement all the requirements of this title, the manager shall deny the permit and note which requirements are not implemented and why. The manager shall issue a decision within ~~10 business~~ **30** days of acceptance of the application.

4. The manager shall ~~mail~~ **send** a copy of the application and the decision to the developer and shall keep a permanent record thereof. The commission shall review all permit decisions at the next regularly scheduled meeting.

Adopted by a duly constituted quorum of the Haines Borough Assembly this 23rd day of April, 2024.

ATTEST:

Thomas C. Morphet, Mayor

Aleka Fullerton, MMC, Borough Clerk

18.40.030 Procedure – Staff decision.

A. *Submission.* The developer shall submit one copy of a completed and properly executed permit application, appropriate for the type of proposed development, to the manager. The following information shall be required:

1. Site description, including a complete legal description, street address, dimensions of property and any improvements existing or proposed, zoning and current use of adjacent properties.
2. Proposed development, including existing uses of the property, proposed uses, a time frame for development, and any information regarding phased development.
3. Elevation drawing and site plan, drawn to scale, and including any streets, alleys, pedestrian improvements, driveways, existing buildings and other structures, proposed improvements, shorelines, slopes, other evidence of natural hazards, parking areas, utility connections, landscaping, signs (location, size and wording), and other pertinent data the manager may deem relevant to the permitting process. If documentation of property boundaries is inadequate to ascertain with certainty their location relative to proposed buildings, the manager may require a property survey or partial survey by a registered land surveyor prior to approval. In addition, an as-built drawing completed by a registered land surveyor may be required upon completion of construction. In addition to the print version, an electronic drawing compatible with borough software shall be submitted.
4. The owner of the property shall sign the permit application, providing the owner's mailing address, e-mail address, date submitted and contact phone number.
5. If a developer, engineer, surveyor or any other agent for the owner will be involved with the project, the names of the parties shall be provided with mailing addresses, e-mail addresses and phone numbers.
6. Fees shall be paid at the time of submission of the application and prior to any staff or commission review.
7. The applicant's statement regarding compliance with all general and special conditions shall be contained in the final submission of this application.
8. The application shall be completed in a legible manner. Any applications containing illegible information shall be rejected by the manager and returned to the applicant for clarification.

B. *Staff Procedure.*

1. The manager will determine if the application is complete and correct and if the application meets the submission requirements. If the requirements are not met, the manager shall return the application to the applicant for modification or correction. If the manager fails to act on acceptance of the application within 10 business days, the application shall be considered complete and accepted for review.

2. If the application for a land use permit is complete and accepted, the manager shall determine, within 10 business days, whether the use meets the requirements of this title, the general approval criteria in HBC [18.60.010](#) and any special conditions for the applicable zone. The manager may place reasonable conditions on the approval to ensure that the use will comply with this title.
3. If the use does not implement all the requirements of this title, the manager shall deny the permit and note which requirements are not implemented and why. The manager shall issue a decision within 10 business days of acceptance of the application.
4. The manager shall mail a copy of the application and the decision to the developer and shall keep a permanent record thereof. The commission shall review all permit decisions at the next regularly scheduled meeting. (Ord. 12-05-291 § 7; Ord. 11-03-259 § 6)

The Haines Borough Code is current through Ordinance 23-10-662, and legislation passed through November 28, 2023.

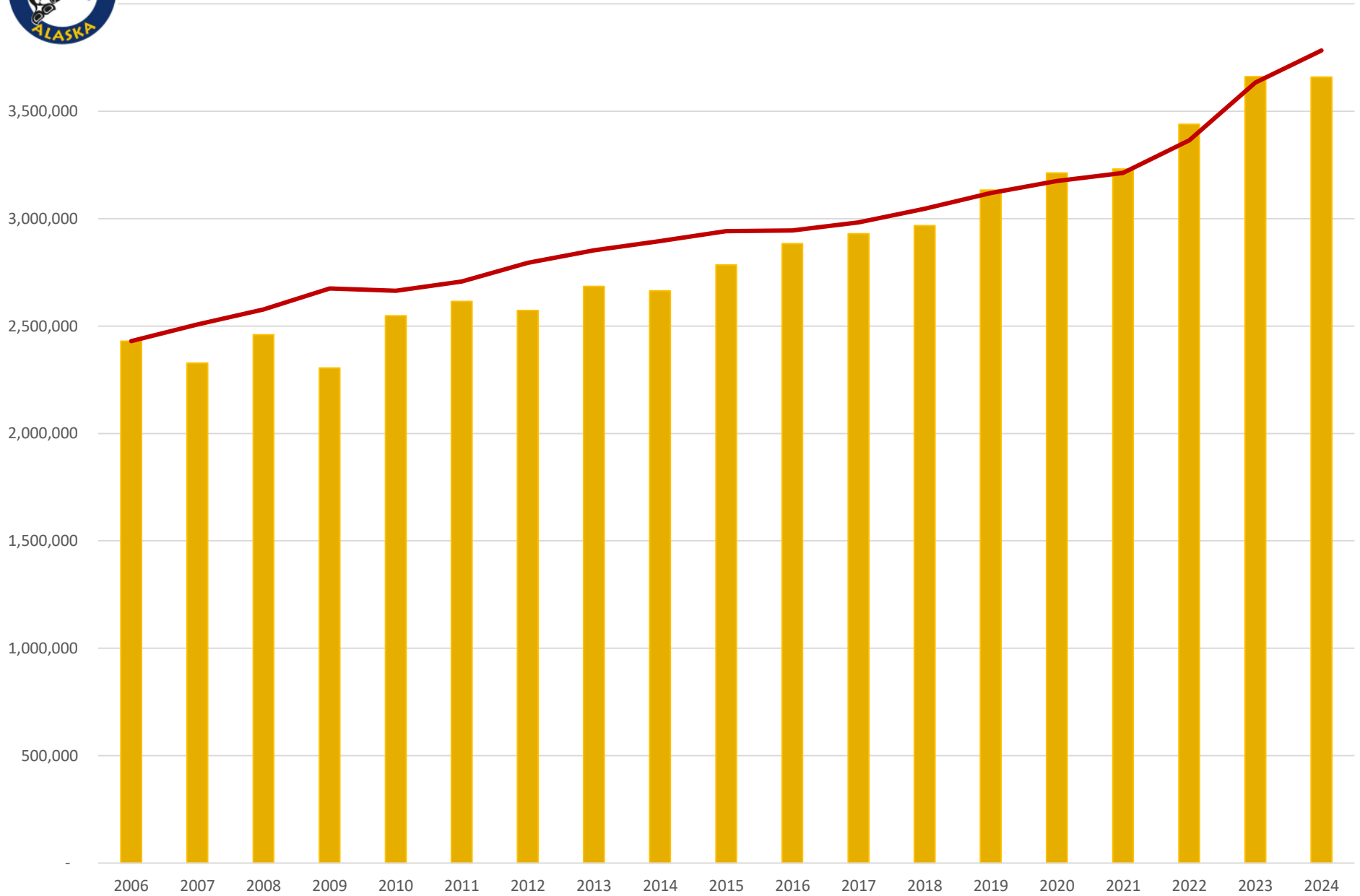
Disclaimer: The borough clerk's office has the official version of the Haines Borough Code. Users should contact the borough clerk's office for ordinances passed subsequent to the ordinance cited above.

[Borough Website: www.hainesalaska.gov](http://www.hainesalaska.gov)

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Haines Borough Property Tax Increase Since 2006 Compared to Inflation*



* CPI for all urban consumers

Property Tax Inflation

DRAFT

Referred Standing Committee Topics

Committee	Tues	Date	Topic
Finance	2nd	04/09/24	FY25 Budget Overview
Commerce	3rd	04/16/24	Severance Tax
Personnel	4th	04/23/24	Moving Reimbursement Policy Training Reimbursement Policy
Govt. Affairs & Services	1st	05/07/24	Budget Meeting – Water & Sewer, Vehicle Impound & Land Development
Finance	2nd	05/14/24	Capital Improvement Projects
Commerce	3rd	05/21/24	Budget Meeting – Boat Harbor, PC Dock, Lutak Dock, Tourism, Econ Dev, CPV, Permanent Fund & Debt Service
Personnel	4th	05/28/24	TBD
Govt. Affairs & Services	1st	06/04/24	Anti-Bullying Policy Elected Officials IT Policy/Public Records Request

MINUTES
Port and Harbor Advisory Committee
Meeting Date: February 22, 2024

1. **Call to Order:** A meeting of the Haines Borough Ports and Harbors Advisory Committee took place at 10:30 am, February 22, 2024, Jake Eckhardt as Chair.

2. **Roll Call:**

Members in Attendance: Gray, Ackerman, Eckhardt, Dunbar, Turner

Members Not in Attendance: Hughes

Others in Attendance: Kiersten Long/Deputy Clerk, Jila Stuart/CFO, Rebecca Hylton/Tourism Director, Assembly Member Thomas, Assembly Member Loomis

3. **Approval of Agenda:**

Motion: TURNER moved to “approve the agenda” and the motion carried unanimously

4. **Approval of Minutes:**

Motion: DUNBAR moved to “approve the minutes from the last meeting” and the motion carried unanimously.

5. **Public Comment:** None

6. **Harbormaster’s Report:**

- A. Harbor Gangway Float Water Line
- B. Lutak Dock Design Progress
- C. Oil Waste Processing Shed Update
- D. PC Dock – Conceptual Float Design Update
- E. Letnikof Harbor Conceptual Drawings Update
- F. CAPSIS – Harbor Projects
- G. Aging Report

7. **Unfinished Business:** None

8. **New Business:** None

8. **Public Comments:**

LOOMIS – Waste Oil Processing should be used oil processing shed, work float should have more priority.

10. **Committee Comments:**

11. **Set Meeting Dates:** Next PHAC Meeting March 28, 2024 at 10:30 a.m.
12. **Adjournment:** 11:58 am

Board Members:

Thom **ELY**, Chair
Kathleen **MENKE** Vice-Chair
George **FIGDOR**
Lori **SMITH**
Shannon **SPRING**
Evangeline **WILLARD**
Darsie **CULBECK**

Assembly Liaison Debra SCHNABEL

Haines Borough Parks and Recreation Advisory Committee

Regular Meeting Agenda

Thursday, February 22, 2024, 5:30 pm

1. **CALL TO ORDER** – Mayor MORPHET called the Parks and Recreation Advisory Committee to order at 5:41pm.

2. **ROLL CALL** –

Present: Thom **ELY**, Kathleen **MENKE**, George **FIGDOR**, Darcie **CULBECK**, Lori **SMITH** were present. Shannon **SPRING** and Evangeline **WILLARD** were absent.

Staff Present: Kiersten **LONG**/Deputy Clerk, Debra **SCHNABEL** Assembly Liaison, Mayor **MORPHET**,

Visitors Present: Cindy **JIMENEZ**/HEDC, Erik **BORAAS**/Haines Huts and Trails, were also present.

MOTION: **MENKE** moved to “nominate **ELY** as chair” and the motion carried unanimously.

MOTION: **ELY** moved to “nominate **MENKE** as co-chair” and the motion carried unanimously.

Absent objection the committee decided to meet on the third Thursday of the month at 5:30pm

Public Comments:

SCHNABEL – Look at code 2.105, suggested to get rid of the bylaws, establish an agenda, minutes are action minutes it might be useful to have more detailed minutes

JIMENEZ – There are a lot of grants for community development, the first week of March representatives for UA Land will be in town.

BORAAS – Looks forward to work with the committee to develop trails.

The meeting was a free-form brainstorming session discussing ideas and priorities for the committee

Some questions/ideas raised were:

1. Training to help develop a Trail Mix plan
2. Rural Economy document for the Assembly to adopt
3. Have a paid staff member at the Borough
4. Figuring out what the best way to get community input
5. Picnic and surveys for the community
6. How to best collaborate with local groups and funding sources
7. How to collaborate with private land owners and state/federal government

Topics for the next meeting:

1. Redefine Definition of PRAC
2. Comprehensive Plan
3. Identify/Partnering with other organizations

Committee Comments:

MENKE – Borough Planner and Assembly liaison would be great people to go to with recommendations and requests.

Public Comments:

Mayor MORPHET – Assembly members who are currently elected are in favor in helping with recreation development; ask other people from different organizations to come to the parks and recreation advisory committee meetings and start developing these relationships.

Adjourned at 6:25 pm



11A1

Agenda Bill No.: 24-1377

Assembly Meeting Date: 04/09/24

Business Item Description:	Attachments:
Subject: Dalton Street Repair Project	1. Resolution 24-04-1107 2. Project Summary 3. Southeast Road Builders Proposal
Originator: Contracts and Grants Administrator	
Originating Department: Department of Public Facilities	
Date Submitted: 4/4/24	

Full Title/Motion:
Motion: Adopt Resolution 24-04-1107

Administrative Recommendation:

Fiscal Impact:			
Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 753,822.00	\$ \$1,370,000	\$ 0	

Comprehensive Plan Consistency Review:	
Comp Plan Goals/Objectives:	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
<p>Dalton Street was damaged during the 2020 Weather Event. FEMA has obligated \$1.3 million to rebuild the road. The Borough has elected to also fix the water and sewer lines while the road is being fixed. FEMA will not pay for the new water and sewer lines but the Assembly has already appropriated \$70,000 in CIP funds for this purpose.</p>

Referral:	
Referred to:	Referral Date:
Recommendation:	Meeting Date:

Assembly Action:	
Meeting Date(s): 04/09/24	Public Hearing Date(s): 04/23/24, 05/11/24
	Postponed to Date:

HAINES BOROUGH, ALASKA
RESOLUTION No. 24-04-1107

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a construction contract with Glacier Construction, Inc. dba Southeast Road Builders for the Dalton Street Repairs project for an amount not to exceed \$753,822.00.

WHEREAS, repairs are needed to restore Dalton Street back to its pre-disaster design, function, and capacity and to address drainage issues related to the damage sustained to Dalton Street following the December 2020 Disaster; and

WHEREAS, the Haines Borough posted a Request for Proposals (RFP) advertised on March 6, 2024 (03/06/2024) with a deadline for bids on March 29, 2024 (03/29/2024) at 3:30 PM AKDT; and

WHEREAS, the RFP outlined a base bid and two Alternates. Alternate 1 is local improvements associated with water and sewer utilities. Bid items in Alternate 1 are Sanitary Sewer Service Connection, Water Service Connection, American Legion 4" Water Service, and Captain's Choice 6" Water Service. Alternate 2 is work associated with the American Legion's parking area. Currently, the parking area drains towards the building. Bid items in Alternate 2 are Aggregate Base Course, Grading D-1, HMA Type II; Class B, and Asphalt Binder, Grade PG 58-34; and

WHEREAS, the Engineer's Estimate had a base bid of \$1,253,282.00 with an Alternate 1 estimate of \$66,000.00 and Alternate 2 estimate of \$8,205.00 for a total estimate of \$1,327,487.00; and

WHEREAS, the Haines Borough received three responsive bids, Glacier Construction, Inc. dba Southeast Road Builders whose base bid is \$700,322.00 with an Alternate 1 of \$95,800.00 and Alternate 2 of \$8,700.00 for a total of \$804,822.00, HiEx Construction Inc. whose base bid is \$848,318.00 with an Alternate 1 of \$58,400.00 and Alternate 2 of \$9,430.00 for a total of \$916,148.00, and North40 Construction Corp whose base bid was \$1,081,755.00 with an Alternate 1 of \$84,000.00 and Alternate 2 of \$12,025.00 for a total of \$1,177,780.00; and

WHEREAS, the Borough would like to award the base bid, a portion of alternate 1 (the Sanitary Sewer Service Connection and Water Service Connection), and alternate 2. The portion being excluded from Alternate 1 is the American Legion 4" Water Service (since it was replaced recently) and Captain's Choice 6" Water Service (does not need replacing) which will save \$51,000. This would bring the bid total to \$753,822; and

WHEREAS, the Borough has \$70,000 available in the Capital Improvements projects budget for the draft 2025 Fiscal Year to award the Alternates, and FEMA has obligated \$1.3 million to the base bid; and

WHEREAS, the project completion date is within 45 calendar days of the date on which the contractor begins physical work activities at the project site or by July 31, 2024- whichever comes first.

NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly authorizes the Borough Manager to execute a contract with Glacier Construction, Inc. dba Southeast Road Builders for the Dalton Street Repairs project for an amount not to exceed \$753,822.00.

Haines Borough
Resolution No. 24-04-1107
Page 2 of 2

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this 9th day of April, 2024.

Thomas C. Morphet, Mayor

Attest:

Alekka Fullerton, MMC, Borough Clerk



April 2, 2024

Annette Kreitzer, Borough Manager
Haines Borough
PO Box 1209
Haines, AK 99827

RE: Project Summary Letter
Dalton Street Repairs
P/W # 00021(437601)

Dear Ms. Kreitzer,

This letter is in response to the recent bid opening for the Dalton Street Repairs project. The information listed below is provided to give a concise summary of the project to assist the Assembly in taking action on this bid per HBC 3.60.150. It is our recommendation that the contract is awarded in accordance with HBC 3.60.160.

Project Timeline

8/25/2021	Initial FEMA Site Inspection
11/10/2022	Haines Borough Planning Commission approve 35% plans
12/8/2022	Haines Borough Planning Commission approve 65% plans
1/12/2023	Haines Borough Planning Commission approve 95% plans
7/21/2023	Project Obligated by FEMA
12/11/2023	Pre-Bid Review sent to State DMVA
3/6/2024	Project Advertised for Bid
3/29/2024	Bid Opening for Project

Correspondence

In addition to the thorough reviews performed by the Haines Borough Planning Commission the project plans were also reviewed internally by Haines Borough staff and were distributed externally for review and comment to Haines Cable, Alaska Power and Telephone, Chilkat Indian Village, and Chilkoot Indian Association.

Project Funding

The Dalton Street Repairs project was identified as an eligible damage site by FEMA as part of the federally declared disaster (4585DR-AK) resulting from the December 2020 Storm Event. This project has been obligated for \$1,323,567.09. The cost share is 90%(Federal) and 10%(State). This project also includes two bid alternates. Bid alternate 1 is for non-FEMA funded local improvements including water and sewer services located within the Borough right-of-way, funding for this alternate will be paid for by the Haines Borough. Bid alternate 2 is for private improvements associated with the grading and paving of the parking area directly adjacent to the American Legion Hall, funding for this alternate will be paid for by the American Legion.



Obligation Breakdown

The FEMA obligation is broken down into several categories to capture all work related to the project including design, project management and construction. The following table shows the breakdown of the FEMA obligation.

Permanent Repair Work	\$625,841.00
406 Mitigation Work	\$595,805.00
Applicant's Project Management – Design Phase	\$6,370.03
A&E Design Force Account – Average Complexity Curve B	\$57,330.86
A&E Force Account – Basic Construction Inspection Services	\$19,110.10
Project Management – Construction Phase	\$19,110.10
Total Funding	\$1,323,567.09

Bid Summary

The project bid opening had three bidders submit bids and resulted with Glacier Construction, Inc. as the apparent low bidder. The base bid value was \$700,322.00, alternate 1 bid value was \$95,800.00, and alternate 2 bid value was \$8,700.00 with a total project bid value of \$804,822.00.

Given the information provided above we believe this project will provide a benefit to the Haines community and recommend that the Haines Borough execute a construction contract with Glacier Construction, Inc. for the base bid. If funding is available for the local improvements, we also recommend that alternate 1 be awarded. If the Haines Borough and the American Legion come to an agreement regarding funding, we also recommend that alternate 2 be awarded.

Thank you for your consideration.

Respectfully,

Ethan Roemeling, PE
 Senior Civil Engineer
ethan@proHNS.com
 907-780-4004

BID SUMMARY

Project: Dalton Street Repairs Contract No.: HB 24-06 Friday, March 29th, 2024				Engineer's Estimate		Glacier Construction, Inc. dba Southeast Road Builders		HiEx Construction Inc.		North40 Construction Corp	
Pay Item	Pay Item Description	Pay Unit	Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
202.0001.0000	Removal of Structures and Obstructions	Lump Sum	All Req'd	\$27,000.00	\$27,000.00	\$10,000.00	\$10,000.00	\$3,750.00	\$3,750.00	\$25,000.00	\$25,000.00
202.0002.000A	Removal of Pavement, Asphalt	SY	1652	\$6.00	\$9,912.00	\$5.00	\$8,260.00	\$1.00	\$1,652.00	\$10.00	\$16,520.00
202.0002.000C	Removal of Pavement, Concrete	SY	81	\$15.00	\$1,215.00	\$20.00	\$1,620.00	\$15.00	\$1,215.00	\$20.00	\$1,620.00
202.0003.0000	Removal of Sidewalk	SY	261	\$20.00	\$5,220.00	\$9.00	\$2,349.00	\$5.00	\$1,305.00	\$20.00	\$5,220.00
202.0009.0000	Removal of Curb and Gutter	LF	512	\$20.00	\$10,240.00	\$4.00	\$2,048.00	\$2.00	\$1,024.00	\$20.00	\$10,240.00
203.0003.0000	Unclassified Excavation	CY	952	\$50.00	\$47,600.00	\$11.00	\$10,472.00	\$33.00	\$31,416.00	\$30.00	\$28,560.00
301.0002.000D1	Aggregate Base Course, Grading D-1	CY	341	\$130.00	\$44,330.00	\$99.00	\$33,759.00	\$115.00	\$39,215.00	\$150.00	\$51,150.00
303.2003.0000	Ditch Reconditioning	LF	309	\$40.00	\$12,360.00	\$18.00	\$5,562.00	\$20.00	\$6,180.00	\$25.00	\$7,725.00
304.0002.000B	Subbase , Grading B	CY	498	\$95.00	\$47,310.00	\$70.00	\$34,860.00	\$75.00	\$37,350.00	\$85.00	\$42,330.00
401.0001.002B	HMA Type II; Class B	TON	303	\$265.00	\$80,295.00	\$215.00	\$65,145.00	\$305.00	\$92,415.00	\$275.00	\$83,325.00
401.0004.5834	Asphalt Binder, Grade PG 58-34	TON	15	\$1,750.00	\$26,250.00	\$1,400.00	\$21,000.00	\$1,500.00	\$22,500.00	\$1,700.00	\$25,500.00
603.0021.0012	Corrugated Polyethylene Pipe 12 Inch	LF	26	\$175.00	\$4,550.00	\$109.00	\$2,834.00	\$160.00	\$4,160.00	\$125.00	\$3,250.00
603.0021.0018	Corrugated Polyethylene Pipe 18 Inch	LF	669	\$200.00	\$133,800.00	\$118.00	\$78,942.00	\$105.00	\$70,245.00	\$125.00	\$83,625.00
604.0002.0000	Sanitary Sewer Manhole	EACH	2	\$25,000.00	\$50,000.00	\$11,000.00	\$22,000.00	\$14,200.00	\$28,400.00	\$16,000.00	\$32,000.00
604.0005.000A	Inlet, Type IV	EACH	9	\$11,000.00	\$99,000.00	\$7,500.00	\$67,500.00	\$7,200.00	\$64,800.00	\$9,500.00	\$85,500.00
604.2008.0000	Headwall Concrete, without Hinged Trash Rack	EACH	4	\$3,000.00	\$12,000.00	\$1,500.00	\$6,000.00	\$2,300.00	\$9,200.00	\$2,500.00	\$10,000.00
605.0006.0006	Perforated CPP for Underdrain 6 inch	LF	97	\$200.00	\$19,400.00	\$103.00	\$9,991.00	\$120.00	\$11,640.00	\$100.00	\$9,700.00
608.0001.0004	Concrete Sidewalk, 4 Inches Thick	SY	249	\$300.00	\$74,700.00	\$130.00	\$32,370.00	\$150.00	\$37,350.00	\$350.00	\$87,150.00
608.0001.0006	Concrete Driveway, 6 Inches Thick	SY	134	\$350.00	\$46,900.00	\$160.00	\$21,440.00	\$305.00	\$40,870.00	\$350.00	\$46,900.00
609.0002.0001	Curb and Gutter, Type Mountable	LF	542	\$135.00	\$73,170.00	\$78.00	\$42,276.00	\$80.00	\$43,360.00	\$130.00	\$70,460.00
609.0002.0002	Curb and Gutter, Type Valley	LF	558	\$135.00	\$75,330.00	\$74.00	\$41,292.00	\$77.00	\$42,966.00	\$130.00	\$72,540.00
615.0002.0000	Remove and Relocate Sign	EACH	1	\$1,500.00	\$1,500.00	\$450.00	\$450.00	\$1,060.00	\$1,060.00	\$1,500.00	\$1,500.00
618.0005.0000	Seeding	Lump Sum	All Req'd	\$5,000.00	\$5,000.00	\$2,700.00	\$2,700.00	\$6,250.00	\$6,250.00	\$2,500.00	\$2,500.00
626.0001.0008	Sanitary Sewer Conduit, 8 Inch	LF	269	\$400.00	\$107,600.00	\$148.00	\$39,812.00	\$125.00	\$33,625.00	\$200.00	\$53,800.00
626.0002.0000	Sanitary Sewer Service Connection	EACH	8	\$4,000.00	\$32,000.00	\$5,000.00	\$40,000.00	\$3,900.00	\$31,200.00	\$5,000.00	\$40,000.00
627.0003.0000	Install Valve Box	EACH	2	\$850.00	\$1,700.00	\$650.00	\$1,300.00	\$1,000.00	\$2,000.00	\$1,000.00	\$2,000.00
627.0010.0000	Adjustment of Valve Box	EACH	4	\$400.00	\$1,600.00	\$450.00	\$1,800.00	\$700.00	\$2,800.00	\$1,000.00	\$4,000.00
635.0002.0000	Insulation Board	SF	960	\$5.00	\$4,800.00	\$4.00	\$3,840.00	\$7.00	\$6,720.00	\$9.00	\$8,640.00
640.0001.0000	Mobilization and Demobilization	Lump Sum	All Req'd	\$133,000.00	\$133,000.00	\$32,000.00	\$32,000.00	\$129,000.00	\$129,000.00	\$100,000.00	\$100,000.00
642.0001.0000	Construction Surveying	Lump Sum	All Req'd	\$27,000.00	\$27,000.00	\$21,000.00	\$21,000.00	\$9,900.00	\$9,900.00	\$25,000.00	\$25,000.00
642.0014.0000	Construction Surveying by Directive	HR	30	\$150.00	\$4,500.00	\$190.00	\$5,700.00	\$175.00	\$5,250.00	\$200.00	\$6,000.00
643.0002.0000	Traffic Maintenance	Lump Sum	All Req'd	\$10,000.00	\$10,000.00	\$14,000.00	\$14,000.00	\$16,000.00	\$16,000.00	\$15,000.00	\$15,000.00
658.0001.0000	ESCP without CGP Coverage	Lump Sum	All Req'd	\$14,000.00	\$14,000.00	\$8,000.00	\$8,000.00	\$3,500.00	\$3,500.00	\$15,000.00	\$15,000.00
658.0002.0000	ESCP Changes by Directive	CS	All Req'd	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
Base Bid					\$1,253,282.00		\$ 700,322.00		\$ 848,318.00		\$ 1,081,755.00
Pay Item	Pay Item Description	Pay Unit	Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
626.0002.0000.L	Sanitary Sewer Service Connection	EACH	4	\$4,000.00	\$16,000.00	\$5,000.00	\$20,000.00	\$3,900.00	\$15,600.00	\$7,500.00	\$30,000.00
627.0008.0000.L	Water Service Connection	EACH	4	\$7,750.00	\$31,000.00	\$6,200.00	\$24,800.00	\$5,100.00	\$20,400.00	\$7,500.00	\$30,000.00
627.0008.0004.L	American Legion 4" Water Service	EACH	1	\$9,000.00	\$9,000.00	\$23,000.00	\$23,000.00	\$11,000.00	\$11,000.00	\$12,000.00	\$12,000.00
627.0008.0006.L	Captain's Choice 6" Water Service	EACH	1	\$10,000.00	\$10,000.00	\$28,000.00	\$28,000.00	\$11,400.00	\$11,400.00	\$12,000.00	\$12,000.00
Alternate 1					\$66,000.00		\$ 95,800.00		\$ 58,400.00		\$ 84,000.00
Pay Item	Pay Item Description	Pay Unit	Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
301.0002.000D1.P	Aggregate Base Course, Grading D-1	CY	15	\$130.00	\$1,950.00	\$175.00	\$2,625.00	\$115.00	\$1,725.00	\$300.00	\$4,500.00
401.0001.002B.P	HMA Type II; Class B	TON	17	\$265.00	\$4,505.00	\$275.00	\$4,675.00	\$365.00	\$6,205.00	\$325.00	\$5,525.00
401.0004.5834.P	Asphalt Binder, Grade PG 58-34	TON	1	\$1,750.00	\$1,750.00	\$1,400.00	\$1,400.00	\$1,500.00	\$1,500.00	\$2,000.00	\$2,000.00
Alternate 2					\$8,205.00		\$ 8,700.00		\$ 9,430.00		\$ 12,025.00
Total					\$1,327,487.00		\$804,822.00		\$916,148.00		\$1,177,780.00

General Info

Alt Total: \$104,500.00

Total:

\$804,822.00

Number

HB 24-06

Deadline

03/29/2024 03:30 PM AKDT

Vendor

Glacier Construction, Inc. dba Southeast Road Builders

Submitted

03/29/2024 01:12 PM AKDT

Signed by

Thomas Mason **Account Holder** Thomas Mason

Opened

03/29/2024 03:31 PM AKDT **By** afullerton@haines.ak.us

Description

Dalton Street Repairs
December 2020 Storm Event 4585DR-AK
PW 00021 (437601)

Allows zero unit prices and labor

Yes

Allows negative unit prices and labor

Yes

ATTACHMENT LIST

Dalton Street_Project Manual_Final.pdf (8.91 MB)
Project Manual

Addendum 1.pdf (263 KB)
Addendum 1

Dalton Street_Addendum 2.pdf (896 KB)
Addendum 2

Dalton Street_Addendum 3.pdf (79.4 KB)
Addendum 3

SCOPE OF WORK

The WORK includes restoring Dalton Street back to its pre-disaster design, function and capacity. Additional WORK included addresses overall drainage issues related to the disaster damages on Dalton Street.

The Engineer's Estimate for all the WORK detailed herein is \$1,000,000.00 to \$1,300,000.00.

This bid will be publicly opened on zoom. To join the zoom meeting copy and paste the link below into your browser.

Public Facilities- HB is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us06web.zoom.us/j/81888636726?pwd=2MiAdRbzo0WK1owe8Ib8ARidz8vfdS.1>

Meeting ID: 818 8863 6726

Passcode: 414634

One tap mobile

+12532050468,,81888636726#,,,,*414634# US

+12532158782,,81888636726#,,,,*414634# US (Tacoma)

Dial by your location

- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 719 359 4580 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 646 931 3860 US
- +1 689 278 1000 US
- +1 929 205 6099 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 360 209 5623 US

Meeting ID: 818 8863 6726

Passcode: 414634

Find your local number: <https://us06web.zoom.us/j/81888636726?pwd=2MiAdRbzo0WK1owe8Ib8ARidz8vfdS.1>

Please reference the attached Project Manual for further details on this project.

SECTION 00300 – BIDS

BID TO: THE HAINES BOROUGH

1.The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with the OWNER in the form included in the Contract Documents (as defined in Article 7 of Section 00500 - Agreement) to perform the WORK as specified or indicated in said Contract Documents entitled

Dalton Street Repairs

PW 00021 (437601)

2. Bidder accepts all of the terms and conditions of the Contract Documents, including without limitation those in the "Notice Inviting Bids" and "Instructions to Bidders," dealing with the disposition of the Bid Security.

3.This Bid will remain open for the period of time stated in the "Notice Inviting Bids" unless otherwise required by law. Bidder will enter into an Agreement within the time and in the manner required in the "Notice Inviting Bids" and the "Instructions to Bidders," and will furnish insurance certificates, Payment Bond, Performance Bond, and any other documents as may be required by the Contract Documents.

4.Bidder has familiarized itself with the nature and extent of the Contract Documents, WORK, site, locality where the WORK is to be performed, the legal requirements (federal, state and local laws, ordinances, rules, and regulations), and the conditions affecting cost, progress or performance of the WORK and has made such independent investigations as Bidder deems necessary.

5. This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any person, firm or corporation to refrain from bidding; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over OWNER.

6.To all the foregoing, and including all Bid Schedule and information required of Bidder contained in this Bid Form, said Bidder further agrees to complete the WORK required under the Contract Documents within the Contract Time stipulated in said Contract Documents, and to accept in full payment therefore the Contract Price based on the total bid price(s) named in the aforementioned Bid Schedule.

7. Bidder has examined copies of all the Contract Documents including the following Addenda (receipt of all of which is hereby acknowledged by the Undersigned)(click + to add addenda or type "N/A" if no addenda have been issued):

Addenda No.: *

1

Date Issued: *

03/19/2024

7. Bidder has examined copies of all the Contract Documents including the following Addenda (receipt of all of which is hereby acknowledged by the Undersigned)(click + to add addenda or type "N/A" if no addenda have been issued): 1

Addenda No.: *

2

Date Issued: *

03/20/2024

7. Bidder has examined copies of all the Contract Documents including the following Addenda (receipt of all of which is hereby acknowledged by the Undersigned)(click + to add addenda or type "N/A" if no addenda have been issued): 2

Addenda No.: *

3

Date Issued: *

03/25/2024

Failure to acknowledge receipt of all Addenda may cause the Bid to be non-responsive and may cause its rejection.

8. The Bidder has read this Bid and agrees to the conditions as stated herein by signing his/hersignature in the space provided below.

Date: *

03/29/2024

Bidder (Company Name): *

Glacier Construction, Inc. dba Southeast Road Builders

Alaska Contractor's Business License No.: *

1086571

By (Signature): *

Thomas Mason

Alaska Contractor's License No.: *

134313

Printed Name: *

Thomas Mason

Telephone No.: *

(907) 766-2833

Title: *

Assistant Secretary

Fax:

(907) 766-2832

Address: *

HC 60 Box 4800, Haines, AK 99827

Email: *

tjmason@colaska.com; serbbids@colaska.com

9. The apparent low Bidder is required to complete and submit the following documents by 4:30 p.m. on the **fifth business day** following the date of the Posting Notice.

>Subcontractor Report, Section 00360

The apparent low Bidder who fails to submit the completed Subcontractor Report within the time specified in Section 00360 – Subcontractor Report, may be found to be not a responsible Bidder and may be required to forfeit the Bid security. The OWNER may then consider the next lowest Bidder for award of the contract.

10. The successful Bidder will be required to submit, **within ten Days (calendar)** after the date of the “Notice of Intent to Award” letter, the following executed documents:

>Agreement Forms, Section 00500

>Performance Bond, Section 00610

>Payment Bond, Section 00620

>Certificates of Insurance, (CONTRACTOR) Section 00700 and Section 00800

SECTION 00310 – BID SCHEDULE

\$700,322.00

Pay Item No	Pay Item Description	Unit	Quantity	Unit Price	Extension
202.0001.0000	Removal of Structures and Obstructions	Lump Sum	1.00	\$10,000.00	\$10,000.00
202.0002.000A	Removal of Pavement, Asphalt	SY	1,652.00	\$5.00	\$8,260.00
202.0002.000C	Removal of Pavement, Concrete	SY	81.00	\$20.00	\$1,620.00
202.0003.0000	Removal of Sidewalk	SY	261.00	\$9.00	\$2,349.00
202.0009.0000	Removal of Curb and Gutter	LF	512.00	\$4.00	\$2,048.00
Total:					\$700,322.00

Pay Item No	Pay Item Description	Unit	Quantity	Unit Price	Extension
203.0003.0000	Unclassified Excavation	CY	952.00	\$11.00	\$10,472.00
301.0002.00D1	Aggregate Base Course, Grading D-1	CY	341.00	\$99.00	\$33,759.00
303.2003.0000	Ditch Reconditioning	LF	309.00	\$18.00	\$5,562.00
304.0002.000B	Subbase, Grading B	CY	498.00	\$70.00	\$34,860.00
401.0001.002B	HMA Type, II; Class B	TON	303.00	\$215.00	\$65,145.00
401.0004.5834	Asphalt Binder, Grade PG 58-34	TON	15.00	\$1,400.00	\$21,000.00
603.0021.0012	Corrugated Polyethylene Pipe 12 Inch	LF	26.00	\$109.00	\$2,834.00
306.0021.0018	Corrugated Polyethylene Pipe 18 Inch	LF	669.00	\$118.00	\$78,942.00
604.0002.0000	Sanitary Sewer Manhole	EACH	2.00	\$11,000.00	\$22,000.00
604.0005.000A	Inlet, Type IV	EACH	9.00	\$7,500.00	\$67,500.00
604.2008.0000	Headwall Concrete, without Hinged Trash Rack	EACH	4.00	\$1,500.00	\$6,000.00
605.0006.0006	Perforated CPP for Underdrain 6 Inch	LF	97.00	\$103.00	\$9,991.00
608.0001.0004	Concrete Sidewalk, 4 Inches Thick	SY	249.00	\$130.00	\$32,370.00
608.0001.0006	Concrete Driveway, 6 Inch Thick	SY	134.00	\$160.00	\$21,440.00
609.0002.0001	Curb and Gutter, Type Mountable	LF	542.00	\$78.00	\$42,276.00
609.0002.0002	Curb and Gutter, Type Valley	LF	558.00	\$74.00	\$41,292.00
615.0002.0000	Remove and Relocate Sign	EACH	1.00	\$450.00	\$450.00
618.0005.0000	Seeding	Lump Sum	1.00	\$2,700.00	\$2,700.00
626.0001.0008	Sanitary Sewer Conduit, 8 Inch	LF	269.00	\$148.00	\$39,812.00
626.0002.0000	Sanitary Sewer Service Connection	EACH	8.00	\$5,000.00	\$40,000.00
627.0003.0000	Install Valve Box	EACH	2.00	\$650.00	\$1,300.00
627.0010.0000	Adjustment of Valve Box	EACH	4.00	\$450.00	\$1,800.00
635.0002.0000	Insulation Board	SF	960.00	\$4.00	\$3,840.00
Total:					\$700,322.00

Pay Item No	Pay Item Description	Unit	Quantity	Unit Price	Extension
640.0001.0000	Mobilization and Demobilization	Lump Sum	1.00	\$32,000.00	\$32,000.00
642.0001.0000	Construction Surveying	Lump Sum	1.00	\$21,000.00	\$21,000.00
642.0014.0000	Construction Surveying by Directive	HR	30.00	\$190.00	\$5,700.00
643.0002.0000	Traffic Maintenance	Lump Sum	1.00	\$14,000.00	\$14,000.00
658.0001.0000	ESCP without CGP Coverage	Lump Sum	1.00	\$8,000.00	\$8,000.00
658.0002.0000	ESCP Changes by Directive	CS	1.00	\$10,000.00	\$10,000.00
Total: \$700,322.00					

SECTION 00310 - Alternate 1 BID SCHEDULE

\$95,800.00

Pay Item No	Pay Item Description	Unit	Quantity	Unit Price	Extension
Alternate: Owner-agency may award independently from entire bid.					
626.0002.0000.L	Sanitary Sewer Service Connection	EACH	4.00	\$5,000.00	\$20,000.00
627.0008.0000.L	Water Service Connection	EACH	4.00	\$6,200.00	\$24,800.00
627.0008.0004.L	American Legion 4" Water Service	EACH	1.00	\$23,000.00	\$23,000.00
627.0008.0006.L	Captain's Choice 6" Water Service	EACH	1.00	\$28,000.00	\$28,000.00
Alternate Total: \$95,800.00					
Total: \$95,800.00					

SECTION 00310 - Alternate 2 BID SCHEDULE

\$8,700.00

Pay Item No	Pay Item Description	Unit	Quantity	Unit Price	Extension
Alternate: Owner-agency may award independently from entire bid.					
Alternate Total: \$8,700.00					
Total: \$8,700.00					

Pay Item No	Pay Item Description	Unit	Quantity	Unit Price	Extension
301.0002.00D1.P	Aggregate Base Course, Grading D-1	CY	15.00	\$175.00	\$2,625.00
401.0001.002B.P	HMA Type II; Class B	TON	17.00	\$275.00	\$4,675.00
401.0004.5834.P	Asphalt Binder, Grade PG 58-34	TON	1.00	\$1,400.00	\$1,400.00
				Alternate Total: \$8,700.00	
				Total: \$8,700.00	

BID BOND

Bond Percentage

5.00%

Guarantee Method *

Paper Bid Bond, Certified Check, or Cashier's Check

Paper Bid Bond, Certified Check, or Cashier's Check

Confirmation *

I have provided a Paper Bid Bond for 5.00% of the bid total amount.

SECTION 00360 – SUBCONTRACTOR REPORT

LIST OF SUBCONTRACTORS (AS 36.30.115)

The apparent low Bidder must submit a list of Subcontractors that the Bidder proposes to use in the performance of this contract on the fifth business day following the Posting Notice of Bids. If the fifth day falls on a weekend or holiday, the report is due by close of business on the next business Day following the weekend or holiday. The Subcontractor Report list must include each Subcontractor's name, address, location, evidence of valid Alaska Business License, and valid Alaska Contractor's Registration under AS 08.18. If no Subcontractors are to be utilized in the performance of the WORK, opt-out of the following Subcontractor List section.

LIST OF SUBCONTRACTORS (AS 36.30.115)

Subcontractor Name	Address	AK Contractor License No.	AK Business License No.	Contact Name	Contact Phone	Type of Work	Contract Amount (\$)	DBE (Y/N)
Optional: Vendor is not required to complete.								
No bid	No bid	No bid	No bid	No bid	No bid	No bid	No bid	No bid

LIST OF SUBCONTRACTORS (AS 36.30.115)

Optional: Vendor is not required to complete.

No bid

Contractor, Printed Name: *

No bid

Company: *

No bid

SECTION 00370 –CONTRACTOR’S FINANCIAL RESPONSIBILITY

To be considered, all bidders must complete and include this form at the time of the deadline for bids.

As the General Contractor on this project, I intend to subcontract _____ of the total value of this contract: *

11%

A. EXPERIENCE

1. Have you ever failed to complete a contract due to insufficient resources? *

No

If YES, explain. If NO, type "N/A": *

N/A

2. Describe arrangements you have made to finance this work: *

N/A

3. Have you had previous construction contracts or subcontracts with the Haines Borough?: *

Yes

4. Describe your most recent or current contract, its completion date, and scope of work: *

Name – Small Boat Harbor Sidewalk Replacement – Re-bid

Number – HB 23-18

Contract Amount - \$279,730

Completion Date – June 30, 2024

Scope - The WORK consists of removing and disposing of approximately 300 lineal feet of 6' wide sidewalk and replacing it with a new 6" thick 6' wide concrete sidewalk with rolled curb and gutter and patch paving along Front Street near the Small Boat Harbor. A small strip of repaving is required to replace enough paving along the gutter to allow for concrete forms. The work includes:

- Removing and disposing of the existing sidewalk and a strip of asphalt paving along the sidewalk wide enough to allow for concrete forms.
- Furnishing, placing, grading, and compacting bed coarse aggregate.
- Forming sidewalk, including joints every six feet, and one ADA wheelchair cut.
- Placing and finishing six-sack fiber-mesh concrete. Provide a stiff broom finish.
- Repaving 2-inch thick asphalt or 6" thick fiber mesh concrete to match the existing asphalt and the new gutter.
- Removing and disposing of the existing railing.
- Furnishing and installing the new railing, including all hardware.

5. List below other construction projects you have completed, dates of completion, scope of work, and total contract amount for each project completed in the past twelve months:

Name – FAA Road Asphalt Patching

Number – HB-23-04

Completion Date – October 31, 2023

Scope of Work - The WORK consists of cutting and removing deteriorated chip seal paving, preparing sub-base, and placing 2 inches of hot-mix asphalt paving on approximately 2000 square yards in areas marked on FAA Road.

Total Contract - \$180,900.00

Name – Haines Beach Road Lift Station

Number – HB 23-04

Completion Date – October 31, 2023

Scope of Work - Haines Borough intends to reconstruct the Beach Road Lift Station and reroute the existing sewer force main in Mission Street. This project has two drawing sets: HAINES BEACH ROAD LIFT STATION AND PUMP REPLACEMENT and

BEACH ROAD LIFT STATION SEWER MAIN EXTENTION. The WORK includes:

1. Tap into the existing 8" HDPE sewer force main in Mission Street, allow it to drain, and install an 8" x 8" x 6" WYE with a temporary 6" CAP. The OWNER will furnish the WYE and CAP. This arrangement will allow the existing lift station to continue operating.
2. Install 458 feet of 6" HDPE pipe (OWNER furnished) force main from the existing valve vault to the WYE and repave cut pavement in Mission Street.
3. Install valve vault plumbing.
4. Install a temporary bypass pump in the existing manhole in the Beach Road sidewalk and connect temporary piping from the temporary pump to the new valve vault plumbing. Block in sewage flow from the manhole to the existing lift station wet well.
5. Remove the existing pumps, piping, wiring, etc., and clean the wet well.
6. Install the new pump panel, wiring, rails, and pumps, and connect the discharge piping to the valve vault.
7. Disconnect and CAP the WYE in Mission Street on the upstream 8" side, making the 6" line operational.
8. Remove the blockage in the manhole to allow sewage to enter the reconditioned wet well and commission the new system.
9. Pumps may be down for six to eight hours.
10. Demolish and dispose of the existing wet well building, electrical works, and generator.
11. The CONTRACTOR will provide AS-BUILT markup drawings to the ENGINEER.
12. The OWNER will furnish the materials listed on the drawings.

Total Contract - \$364,800.00

Name – Haines Beach Road Repairs December 2022

Number – HB 23-01

Completion Date – October 31, 2023

Scope of Work - The work includes restoring Beach Road back to its pre-disaster design, function, and capacity. Additional WORK included addresses overall drainage issues related to the disaster damages on Beach Road.

Total Contract - \$1,193,305.00

Name – Soap Suds

Number – HB 23-05

Completion Date – November 30, 2023

Scope of Work - The WORK includes restoring Soap Suds Alley and Tower Road back to their pre-disaster design, function and capacity. Additional WORK included addresses overall drainage issues related to the disaster damages on Soap Suds Alley and Tower Road.

Total Contract - \$1,936,082.50

Name – Porcupine Trail Road –

Number – HB 22-12

Completion Date – August 31, 2023

Scope of Work - The WORK consists of up to five miles of roadway reconditioning and up to 6.5 miles of ditch reconstruction along the Porcupine Trail Road. Areas will be marked on the ground by the OWNER with lathe and ribbon.

1. RECONDITIONING includes: shaping existing roadway, shoulders, and ditches as shown on the DRAWINGS.

2. AGGREGATE SURFACE COURSE includes: furnishing, placing, mixing, shaping, and compacting up to 18,175 TON of E-1 in SURFACE COURSE AGGREGATE in accordance with SECTION 301 and 303. SURFACE COURSE AGGREGATE shall conform with SECTION 703.

3. CALCIUM CHLORIDE: Furnish and apply first and second applications in accordance with SECTION 624.

Total Contract - \$1,390,656.75

Name – Totem Street Repairs

Number -

required

6. Per Alaska Statute 36.90.210, on previous public contracts, have you ever failed to pay a subcontractor within eight working days after receiving payment from the Owner (for projects occurring within the last 3 years)? *If YES, please attach a detailed explanation of each occurrence.:*

No
required

**SECTION 00370 –CONTRACTOR’S FINANCIAL RESPONSIBILITY - B. EQUIPMENT - 1.
Describe below the equipment you have available and intend to use for this project.**

Item	Quantity	Make	Model	Size/Capacity	Present Market Value (\$)
Dump Trucks	2	Kenworth	800	10CY	120,000.00
Tractors w Belly Dumps	2	Peterbilt	378	22TN	160,000.00
Excavator	1	CAT	325	1.2CY	170,000.00
Loader	1	CAT	966G	5 CY	200,000.00
Grader	1	CAT	12M	12" Blade	195,000.00
Excavator	1	CAT	320	1CY	140,000.00
Loader	1	Volvo	L60	3CY	125,000.00
Excavator	1	Hitachi	ZX80	0.5CY	50,000.00
Roller	1	CAT	CS536	60"	30,000.00

SECTION 00370 –CONTRACTOR’S FINANCIAL RESPONSIBILITY - EQUIPMENT - CONTINUED

2. Do you propose to purchase any equipment for use on this project not listed on table B-1?: *

No

If YES, describe type, quantity, and approximate cost. If NO, type "N/A": *

N/A

3. Do you propose to rent any equipment for this work not listed on table B-1?: *

No

If YES, describe type and quantity. If NO, type "N/A": *

N/A

4. Is your bid based on firm offers for all materials necessary for this project?: *

Yes

If NO, please explain. Or, type "N/A": *

N/A

I hereby certify that the above statements are true and complete.

*

Contractor's Printed Name: *

Glacier Construction Inc. dba Southeast Roadbuilders, 4000 Old Seward Hwy Ste 101, Anchorage, AK 99503. Incorporated State of Alaska

Name and Title of Person Signing: *

Thomas Mason - Assistant Secretary

Date: *

03/29/2024

SECTION 00380 NON-COLLUSION AFFIDAVIT

UNITED STATES OF AMERICA)

STATE OF ALASKA)

I, (Printed Name of Signer): *

Thomas Mason

Of (Printed Name of Business): *

Glacier Construction Inc. dba Southeast Roadbuilders, PO Box 32159, Juneau AK 99803

Being duly sworn, so depose and state:

That I, or the firm, association or corporation of which I am a member, a bidder on the contract to be awarded, by the Assembly of the HAINES BOROUGH for the contract services designated as:

Dalton Street Repairs
December 2020 Storm Event 4585DR-AK
PW 00021 (437601)

Located in Haines, Alaska, have not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with such contract.

Signature *

Thomas Mason

Date *

03/29/2024

You must include a notarized copy of this Affidavit with your signed Agreement if awarded the contract.

*

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S.C. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Contractor (Company Name): *

Glacier Construction, Inc. dba Southeast Road Builders

certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. Chap. 38, Administrative Remedies for False Claims and Statements, apply to this certification and disclosure, if any.

Name and Title of Contractor's Authorized Official: *

Thomas Mason - Assistant Secretary

Date: *

03/29/2024

REQUIRED DOCUMENT LIST

Name	Omission Terms	Submitted File
Paper Bid Bond, Certified Check, or Cashier's Check Upload a copy of your Paper Bid Bond. Please provide the original, wet-ink at the time of award.	I am verifying my Bid Bond electronically.	Dalton Street-Bid Bond-SERB Signed.pdf
1 Required Document		

Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

Bid Bond

CONTRACTOR:

(Name, legal status and address)

Glacier Construction Inc., DBA SERB
PO Box 32159
Juneau, AK 99803

OWNER:

(Name, legal status and address)

Haines Borough
PO Box 1209
Haines, AK 99827

SURETY:

(Name, legal status and principal place of business)

Liberty Mutual Insurance Company

175 Berkeley Street
Boston, MA 02116
Mailing Address for Notices
175 Berkeley Street
Boston, MA 02116

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

BOND AMOUNT: 5% Five Percent of Amount Bid

PROJECT:

(Name, location or address, and Project number, if any)

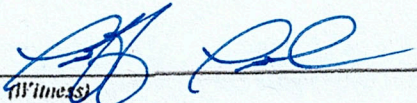
HNS Dalton Street Repairs

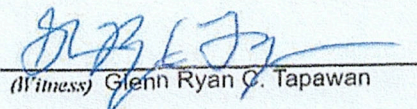
The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.


When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 12th day of March, 2024.

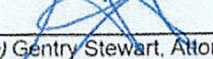

(Witness)


(Witness) Glenn Ryan C. Tapawan

Glacier Construction Inc., DBA SERB
(Principal) (Seal)

By: 
(Title) General Manager

Liberty Mutual Insurance Company
(Surety) (Seal)

By: 
(Title) Gentry Stewart, Attorney-in-Fact





This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

POWER OF ATTORNEY

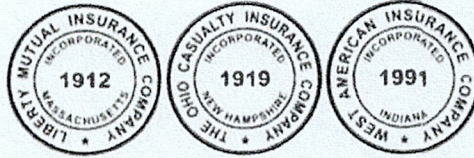
KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint Gentry Stewart all of the city of New York, state of NY, its true and lawful attorney-in-fact, with full power and authority hereby conferred to sign, execute and acknowledge the following surety bond.

Principal Name: Glacier Construction Inc., DBA SERB
Obligee Name: Haines Borough
Surety Bond Number: Bid Bond Bond Amount: See Bond Form

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 12th day of March, 2024

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: [Signature]
David M. Carey, Assistant Secretary



STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 12th day of March, 2024, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member, Pennsylvania Association of Notaries

By: [Signature]
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows

ARTICLE IV - OFFICERS: Section 12. Power of Attorney

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings

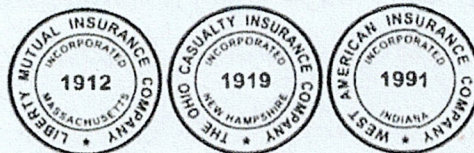
Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, of Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company do hereby certify that this power of attorney executed by said Companies is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 12th day of March, 2024



By: [Signature]
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.



LIBERTY MUTUAL INSURANCE COMPANY
Financial Statement – December 31, 2022

Assets		Liabilities	
Cash and Bank Deposits	\$3,908,755,039	Unearned Premiums	\$10,133,358,204
*Bonds — U.S Government	3,451,999,931	Reserve for Claims and Claims Expense	27,953,643,316
*Other Bonds	18,862,255,155	Funds Held Under Reinsurance Treaties	368,610,620
*Stocks	19,372,953,698	Reserve for Dividends to Policyholders	1,379,296
Real Estate	190,092,373	Additional Statutory Reserve	197,278,000
Agents' Balances or Uncollected Premiums	7,929,876,358	Reserve for Commissions, Taxes and	
Accrued Interest and Rents	166,740,412	Other Liabilities	9,206,000,954
Other Admitted Assets	15,968,062,977	Total	\$47,860,270,390
Total Admitted Assets	<u>\$69,850,735,943</u>	Special Surplus Funds	\$195,696,103
		Capital Stock	10,000,075
		Paid in Surplus	13,324,803,036
		Unassigned Surplus	8,459,966,339
		Surplus to Policyholders	21,990,465,553
		Total Liabilities and Surplus	<u>\$69,850,735,943</u>



* Bonds are stated at amortized or investment value; Stocks at Association Market Values.
 The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2022, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 8th day of March 2023.

T. Mikolajewski

 Assistant Secretary



11B1

Agenda Bill No.: 24-1371

Assembly Meeting Date: 04/09/24

Business Item Description:	Attachments:
Subject: Amending Borough Code requiring bulk ore shipments to be containerized	1. Ordinance 24-04-669
Originator: Assembly members Aultman-Moore and Thomas	
Originating Department: Assembly	
Date Submitted: 3/19/24	

Full Title/Motion:
Motion: Introduce Ordinance 24-04-669 and set it for it's first public hearing April 23rd and it's second public hearing May 14th.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$	\$ 0	\$ 0	

Comprehensive Plan Consistency Review:
Comp Plan Goals/Objectives: Consistent: Yes No

Summary Statement:
This ordinance has been a work in progress. Assembly Thomas and Assembly member Aultman-Moore have been addressing the shipment of Ore from different sides. This Ordinance was amended by Assembly Member Aultman-Moore since it was withdrawn from the last meeting.
Staff has added the definition of Ore pursuant to the GAS Committee's request and recommendation.

Referral:
Referred to: Referral Date:
Recommendation: Meeting Date:

Assembly Action:
Meeting Date(s): 03/26/24 Public Hearing Date(s): 04/9/24, 04/23/24
Postponed to Date:

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Defining Ore and Requiring Bulk Ore and Ore Concentrate Shipments through the Haines Borough be Containerized.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

WHEREAS, the Haines Borough ("Borough") is dedicated to maintaining clean watersheds for commercial, subsistence, and recreational fishing; and

WHEREAS, the Borough is committed to environmental standards that protect the borough and its residents; and

WHEREAS, metallic fugitive dust from unsealed ore shipment poses risk to sensitive river and ocean habitat essential for anadromous fish health; and

WHEREAS, containerized bulk ore-handling systems are recognized as a more environmentally responsible practice for shipping bulk ore and ore concentrate in a windy environment like that of the Haines Borough,

NOW THEREFORE, The Haines Borough Assembly requires that all bulk ore and ore concentrate imported or exported through the Haines Borough must be transported in sealed containers whether by shipping vessel or roadway.

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

Section 4. Amendment of Section 8.12.020. Section 8.12.020 shall be amended as follows:

8.12.020 Certain conditions declared nuisances.

It shall be unlawful for any person to cause or create the following declared nuisances within the townsite service area:

...

N. Transport bulk ore and ore concentrate shipments outside of a sealed container.

Section 5. Amendment of Section 10.09.070. Section 10.09.070 shall be added as follows:

10.09.070 Requiring Bulk Ore and Ore Concentrate be Transported in Sealed Containers.

All bulk ore and ore concentrate transported in the Haines Borough must be contained within a sealed container.

Section 6. Amendment of Section 16.04.010. Section 16.04.010 shall be amended as follows:

16.04.010 Definitions.

...

"Ore" means a naturally occurring mineral containing a valuable constituent (such as metal) for which it is mined and worked.

...

Section 7. Amendment to Section 16.28.010 Prohibited Acts. Section 16.28.010(W) shall be added as follows:

16.28.010 Prohibited acts.

It shall be unlawful for any person using the borough port and harbor facilities to commit any of the following prohibited acts:

...

W. To transfer uncontainerized bulk ore and ore concentrate between vehicles or vessels outside of an enclosed facility within the Haines Borough townsite.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ___ DAY OF _____, 2024.

ATTEST:

Thomas C. Morphet, Mayor

Aleka Fullerton, MMC, Borough Clerk

Date Introduced: 04/09/24
Date of First Public Hearing: 04/23/24
Date of Second Public Hearing: 05/14/24



11B2

Agenda Bill No.: 24-1375

Assembly Meeting Date: 04/09/24

Business Item Description:	Attachments:
Subject: Amending the Hardship Exemption Requirements	1. Ordinance 24-04-671 2. HBC 3.70.040(F)
Originator:	
Originating Department: Administration	
Date Submitted: 4/4/24	

Full Title/Motion:
Motion: Introduce Ordinance 24-04-673 and set it for it's first public hearing April 23rd and it's second public hearing May 14th.

Administrative Recommendation:

Fiscal Impact:			
Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$	\$ 0	\$ 0	Unknown

Comprehensive Plan Consistency Review:
Comp Plan Goals/Objectives: Consistent: Yes No

Summary Statement:
HBC 3.70.040(F) provides for a Hardship Exemption for Seniors and Disabled Veterans who qualify for the "regular" Senior Exemption/Disabled Veterans exemption. This is one of the allowable exemption under State Law. When HBC 3.70.040(F) was adopted, the Haines Borough added a condition that the individual's net worth had to be under \$250,000 to qualify. This was a Haines Borough condition not a State of Alaska condition. Certainly the Haines Borough, as a home rule borough, had the power to impose its own conditions and similarly, has the power to strike it. By striking the additional condition, staff hopes that seniors who need additional assistance with property tax can obtain it (the Hardship exemption is on top of the "regular" \$150,000 exemption). This will provide relief for those seniors and disabled veterans who need it most. The remaining conditions are state imposed. The Ordinance has been reviewed by the Borough Attorney and he agrees that this is within the power of the Assembly to do.

Referral:
Referred to: Referral Date:
Recommendation: Meeting Date:

Assembly Action:
Meeting Date(s): 04/09/24 Public Hearing Date(s): 04/23/24, 05/11/24
Postponed to Date:

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Section 3.70.040(F) Local Exemptions and Exclusions- Hardship Exemption.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Section 3.70.040(F). Section 3.70.040(F) shall be amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

3.70.040 Local exemptions and exclusions.

...

F. *Hardship Exemption*. That portion of the property tax levied on the residence of a qualified senior citizen or disabled veteran who applies for the exemption described in HBC 3.70.030(A)(6) and meets the standards set forth in 3 AAC 135.040(b) and (c), which exceeds two percent of their gross household income.

1. In order to qualify for this exemption, the applicant must:
 - a. Have gross family income, from all sources in the prior year, which does not exceed 135 percent of the poverty guideline as established by the United States Department of Health and Human Services for a similar sized household in the state of Alaska for the year requested;
 - b. Be eligible for a permanent fund dividend under AS 43.23.005 for the same year or for the immediately preceding year;
 - c. Not own more than one parcel of real property in Alaska on the date of application, excluding an adjacent parcel that is necessary for the use of the primary residence; and
 - d. ~~Have net worth as of the date of application of less than \$250,000 including the first \$150,000 of the market value of the principal residence of the applicant.~~

...

Haines Borough
Ordinance No. 24-04-671
Page 2 of 2

Adopted by a duly constituted quorum of the Haines Borough Assembly this ____ day of April, 2024.

ATTEST:

Thomas C. Morphet, Mayor

Alekka Fullerton, MMC, Borough Clerk

Date Introduced: 04/09/24
Date of First Public Hearing: 04/23/24
Date of Second Public Hearing: 05/14/24

3.70.040 Local exemptions and exclusions.

...

F. *Hardship Exemption.* That portion of the property tax levied on the residence of a qualified senior citizen or disabled veteran who applies for the exemption described in HBC [3.70.030\(A\)\(6\)](#) and meets the standards set forth in [3 AAC 135.040\(b\)](#) and [\(c\)](#), which exceeds two percent of their gross household income.

1. In order to qualify for this exemption, the applicant must:
 - a. Have gross family income, from all sources in the prior year, which does not exceed 135 percent of the poverty guideline as established by the United States Department of Health and Human Services for a similar sized household in the state of Alaska for the year requested;
 - b. Be eligible for a permanent fund dividend under AS [43.23.005](#) for the same year or for the immediately preceding year;
 - c. Not own more than one parcel of real property in Alaska on the date of application, excluding an adjacent parcel that is necessary for the use of the primary residence; and
 - d. Have net worth as of the date of application of less than \$250,000 including the first \$150,000 of the market value of the principal residence of the applicant.
2. This exemption will be apportioned in the same manner and formula as applied to the standard senior citizen/disabled veteran exemption previously granted.
3. An exemption may not be granted under this subsection except upon written application for the exemption on a form provided by the borough assessor. The applicant must also submit an affidavit, supplied by the borough, attesting that the applicant meets the subscribed criteria. The assessor shall require proof, in the form the assessor considers necessary, of the right to and amount of an exemption claimed under this subsection, and shall require a disabled veteran claiming an exemption to provide evidence of disability rating. The assessor may require additional proof under this section at any time. If the applicant fails to respond to a request for additional proof, such failure may be considered by the assessor in determining whether to grant the exemption.
4. The claimant must file the application no later than March 31st of the assessment year for which the exemption is sought. The claimant must file a separate application for each assessment year in which the exemption is sought.
5. If an application is filed by the deadline, and approved by the assessor, the assessor shall allow an exemption in accordance with the provisions of this section. If the claimant has already

paid taxes for that year prior to approval of a timely application, the exempted tax amount shall be refunded to the claimant.

6. If an otherwise qualified claimant is unable to comply with the March 31st application filing deadline, the claimant may submit an application to the assessor's office for review by the assembly. If the claimant has submitted a valid application, the assembly may, by resolution, waive the claimant's failure to file the application by the March 31st deadline, and authorize the assessor to accept the application as if timely filed. For purposes of this subsection, an inability to comply must be caused by a serious medical condition of the applicant or member of the applicant's family, or an extraordinary event beyond the claimant's control. No late applications can be submitted after July 31st of the qualifying year. This section does not create any private rights whatsoever, nor does it in any manner require the assembly to introduce or adopt any such resolution.

7. Upon receipt of the completed application, any additional proof required, and affidavit, the borough assessor shall evaluate the request and grant or deny the hardship exemption within 15 borough business days. If denied, the borough assessor shall specify the reasons for the denial.

8. A person may appeal the apportionment of a hardship exemption granted under this chapter or a denial of an application to the board of equalization in accordance with HBC [3.72.100](#) through [3.72.120](#). (Ord. 23-09-657 § 5; Ord. 22-06-620 § 5; Ord. 22-05-619 § 4; Ord. 22-01-603 § 4; Ord. 19-04-532 § 4; Ord. 15-02-401 § 3; Ord. 14-02-370 § 4; Ord. 12-10-308 § 6; Ord. 12-09-304 § 4; Ord. 10-12-251 § 4; Ord. 10-09-238 § 4; Ord. 10-08-236 § 4; Ord. 10-02-223 § 4; Ord. 09-08-213 § 4; Ord. 09-05-207 § 4; Ord. 07-10-171; Ord. 05-11-131; Ord. 05-09-122; Ord. 04-09-083)



11B3

Agenda Bill No.: 24-1374

Assembly Meeting Date: 04/09/24

Business Item Description:	Attachments:
Subject: HDTRMSA Commercial Fees	1. Ordinance 24-04-672 2. HDTRMSA Board Request for Action
Originator:	
Originating Department: Administration	
Date Submitted: 4/4/24	

Full Title/Motion:
Motion: Introduce Ordinance 24-04-672 and set it for it's first public hearing April 23rd and it's second public hearing May 14.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$	\$ 0	\$ 0	

Comprehensive Plan Consistency Review:
Comp Plan Goals/Objectives: Consistent: Yes No

Summary Statement:
The Historic Dalton Trail road maintenance service area board has long been charged with establishing a commercial fee schedule. Over the years, there have been several attempts at doing so, none of which were adopted.
This proposal received unanimous support from the HDTRMSA board. The Assembly, at its last meeting, directed staff to bring an ordinance to codify the commercial fees.

Referral:
Referred to: Referral Date:
Recommendation: Meeting Date:

Assembly Action:
Meeting Date(s): 04/09/24 Public Hearing Date(s): 04/23/24, 05/14/24
Postponed to Date:

**An Ordinance of the Haines Borough Assembly Amending Haines
Borough Code Section 7.08.050 Historic Dalton Trail Road
Maintenance Service Area to Provide for Commercial Fees.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Section 7.08.050(F). Section 3.70.040(F) shall be amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

7.08.050 Historic Dalton Trail road maintenance service area.

...

D. *Commercial Use.* The ~~following~~ service area board shall develop a fee schedule for commercial users **has been adopted by the service area board.** These funds shall be used for capital improvements and repairs. **The following user fees shall be annual fees and shall be supported by an affidavit from the commercial user describing the basis for the fees and a description of location of the use:**

- **Commercial Tourism:** A fee of \$1 per client shall be collected from all commercial tourism companies for each client that enters the Historic Dalton Trail road maintenance service area (RMSA). This fee is due upon renewal of the annual tour permit based upon the previous year's clients. For 2024, the fee is due by July 31, 2024.
- **Mineral Exploration and Placer Mining:** A fee of \$100 per full time seasonal company staff working in the RMSA. Estimated payment due by July 31st.
- **Forestry-based businesses:** A fee of \$5 per 1000 Board Foot. Estimated Payment due by July 31st.
- **Mineral Extraction:** \$1 per yard for hauling aggregate in any from within the RMSA e.g. soil, sand gravel, rock, etc. Estimated Payment due by July 31st.
- **TV Shows/ filming:** A fee of \$100 per full time seasonal company staff working in the RMSA. Estimated Payment due by July 31st.

Payments in Lieu of Commercial Fees

Commercial businesses may perform needed maintenance on borough-owned roads within the

Haines Borough
Ordinance No. 24-04-671
Page 2 of 2

service area with the consent of the Borough Manager in writing. A statement of value shall be provided to the borough after the maintenance work is completed.

...

Adopted by a duly constituted quorum of the Haines Borough Assembly this ____ day of May, 2024.

ATTEST:

Thomas C. Morphet, Mayor

Alekka Fullerton, MMC, Borough Clerk

Date Introduced: 04/09/24
Date of First Public Hearing: 04/23/24
Date of Second Public Hearing: 05/14/24

**Historic Dalton Trail Road Maintenance Service Area Commercial Use fees
Unanimously adopted by the HDTRMSA Board on March 13, 2024.**

Authority

Haines Borough Code: 7.08.050 D. Commercial Use. The service area board shall develop a fee schedule for commercial users. These funds shall be used for capital improvements and repairs.

Rationale

Funds are needed each year to brush, grade, ditch, cold patch and provide general maintenance. Commercial businesses often use trucks, buses, trailers, and vans over multiple trips causing additional wear on roads. The intent of these fees is to have commercial users pay their fair share with an easily administered system.

2024 Maintenance Plan

An estimated \$14,000 will be needed to ditch and scrape Chilkat Lake Road and an estimated \$10,000 will be needed for two gradings of the Porcupine Road.

Recommendation for yearly commercial user fees, based on the honor system. Each company will detail where their use is taking place so funds can be allocated correctly.

- **Commercial Tourism:** A fee of \$1 per head shall be collected from all commercial tourism companies for each client that enters the Historic Dalton Trail RMSA. This fee is due upon renewal of the annual tour permit for the previous year's clients. For 2024, a voluntary amount is requested by July 15th, 2024.
- **Mineral Exploration and Placer Mining:** A fee of \$100 per full time seasonal company staff working in the RMSA. Estimated payment due by July 15th, 2024.
- **Forestry-based businesses:** A fee of \$5 per 1000 Board Foot. Estimated Payment due by July 15th, 2024.
- **Mineral Extraction:** \$1 per yard for hauling aggregate in any from within the RMSA e.g. soil, sand gravel, rock, etc. Estimated Payment due by July 15th, 2024.
- **TV Shows/ filming:** A fee of \$100 per full time seasonal company staff working in the RMSA. Estimated Payment due by July 15th, 2024.

Payments in Lieu of Commercial Fees

Commercial businesses may perform needed maintenance on borough-owned roads within the service area with the consent of the Borough Manager in writing. A statement of value shall be provided to the borough after the maintenance work is completed.

Note If this fee schedule is not adopted by the Assembly in time for the 2024 summer season, the clerk's office will send a letter to all commercial users of the RMSA asking for a voluntary donation until the fee schedule is finalized.



11B4

Agenda Bill No.: 24-1373

Assembly Meeting Date: 04/09/24

Business Item Description:	Attachments:
Subject: Changing Assembly Meeting Time	1. Ordinance 24-04-673
Originator: Mayor	
Originating Department: Administration	
Date Submitted: 4/4/24	

Full Title/Motion:
Motion: Introduce Ordinance 24-04-673 and set it for it's first public hearing April 23rd and it's second public hearing May 14th.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$	\$ 0	\$ 0	

Comprehensive Plan Consistency Review:

Comp Plan Goals/Objectives:	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:

This Ordinance changes code to advance the assembly meetings from 6:30 pm until 6:00 pm.

Referral:

Referred to:	Referral Date:
Recommendation:	Meeting Date:

Assembly Action:

Meeting Date(s): 04/09/24	Public Hearing Date(s): 04/23/24, 05/14/24
	Postponed to Date:

**An Ordinance of the Haines Borough Assembly Amending Haines
Borough Code Section 2.08.060 Meetings of the Assembly to Change
Regular Assembly Meeting Time.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Section 2.08.060(A). Section 2.08.060(A) shall be amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

2.08.060 Meetings of the assembly.

A. Regular Meetings. Meetings of the assembly and all committees, boards and commissions thereof shall be public except as provided for in AS 44.62.310. All regular meetings of the assembly shall be held on the second and fourth Tuesday of every month at **6:00** ~~6:30~~ p.m. in the assembly chambers unless public notice is given for a period of at least 24 hours in advance that the meeting will be held at a different hour or at a different place. The assembly may after proper posting reschedule or cancel a meeting. The clerk shall post, at least three days prior to the meeting, in three public places within the corporate boundaries, notice of the meeting including the time and place thereof. The public shall be provided a reasonable opportunity to be heard.

...

Adopted by a duly constituted quorum of the Haines Borough Assembly this ____ day of May, 2024.

ATTEST:

Thomas C. Morphet, Mayor

Aleka Fullerton, MMC, Borough Clerk

Date Introduced: 04/09/24
Date of First Public Hearing: 04/23/24
Date of Second Public Hearing: 05/14/24



11B5

Agenda Bill No.: 24-1376

Assembly Meeting Date: 04/09/24

Business Item Description:	Attachments:
Subject: Personal Leave Accrual	1. Ordinance 24-04-674
Originator:	
Originating Department: Administration	
Date Submitted: 4/4/24	

Full Title/Motion:
Motion: Introduce Ordinance 24-04-674 and set it for it's first public hearing April 23rd and it's second public hearing May 14.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$	\$ 0	\$ 0	

Comprehensive Plan Consistency Review:
Comp Plan Goals/Objectives: Consistent: Yes No

Summary Statement:
This ordinance makes the personal leave accrual consistent between HBC and the existing CBA.

Referral:
Referred to: Referral Date:
Recommendation: Meeting Date:

Assembly Action:
Meeting Date(s): 04/09/24 Public Hearing Date(s): 04/23/24, 05/11/24
Postponed to Date:

**An Ordinance of the Haines Borough Assembly Amending Haines
Borough Code Section 2.84.010 Personal Leave Accrual.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Section 2.84.010. Section 2.84.010 shall be amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

2.84.010 Personal leave accrual.

A. Regular, nonseasonal employees shall accrue personal leave on a proportionate basis according to the hours they are scheduled to work based on the **Collective Bargaining Agreement By and Between the Haines Borough and Public Employees Local 71 currently in place**. following rate for a 40-hour work week:

~~0—3 years 160 hours per year~~

~~4—6 years 200 hours per year~~

~~7—9 years 240 hours per year~~

~~10 or more years 256 hours per year~~

...

Adopted by a duly constituted quorum of the Haines Borough Assembly this ____ day of May, 2024.

ATTEST:

Thomas C. Morphet, Mayor

Alekkka Fullerton, MMC, Borough Clerk

Date Introduced: 04/09/24
Date of First Public Hearing: 04/23/24
Date of Second Public Hearing: 05/14/24

An Ordinance of the Haines Borough Assembly Repealing and Replacing Haines Borough Code Section 3.72.110 Board of Equalization; Adding Section 3.72.115 Hearing Panels of the Board of Equalization; and Amending 3.72.100 Appeals.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Repeal and Replacement of Section 3.72.110. The existing section 3.72.110 shall be repealed and replaced with a new section 3.72.110 as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

3.72.110 Board of Equalization Membership & Duties.

- A. *Board of Equalization Established*. There shall be a board of equalization consisting of no fewer than five nor more than nine members that shall hear appeals from determinations of the assessor. The Assembly may, by ordinance, appoint itself to sit as the board of equalization.
- B. The board of equalization may alter an assessment of a tract only pursuant to an appeal filed as to that particular tract.
- C. *Appointment and Term*. Members shall be appointed by the assembly and, except as provided in this subsection, shall serve a term of three years, which shall terminate on November 30th of the year the member's term expires. By December 1, 2024, the assembly shall appoint three members who shall serve one-year terms, three members who shall serve two-year terms, and three members who shall serve three-year terms. By December 1 of each subsequent year, the assembly shall appoint three members who shall succeed the members whose term expires that year. Should a member cease to hold office prior to the expiration of the appointed term, the assembly shall, by December 1, appoint a member to ~~shall~~ serve the balance of that term.
- D. *Qualifications*. A member shall be a qualified voter of the Haines Borough and a resident for at least one year immediately preceding the date of appointment. A member who no longer resides in Haines Borough shall forfeit the office. Assembly members shall not be qualified to serve on the board of equalization. The assembly shall consider personal and professional experience in property development, property management, construction, insurance, banking, real estate, and other relevant fields when appointing members to the board.

- E. *Presiding Officer.* In December of each year, the board of equalization shall elect a member who shall serve as presiding officer. The presiding officer's term shall continue until a successor presiding officer is elected and qualified. The presiding officer's term shall immediately terminate if the officer ceases to be a member of the board of equalization. The presiding officer shall coordinate with the assessor and borough clerk to set and publish agenda for meetings and hearings of the board and hearing panels. The presiding officer shall designate members to serve on hearing panels as panelists and alternates. The presiding officer shall perform other duties reasonably necessary to administer the business of the board and other such duties as may be assigned by the assembly.
- F. *Rules and Regulations.* The board may recommend borough policy establishing reasonable rules and regulations governing proceedings before the board and hearing panels. This policy shall be reviewed by the board annually after the conclusion of all appeals with recommended changes submitted to the assembly for approval by December 1 of the assessment year.
- G. *Quorum and Acts of the Board.* A majority of the full board shall be a quorum for the transaction of business of the board of equalization. In the absence of a quorum, any number less than a quorum may recess a meeting to a later time or date. In the presence of a quorum, no action shall be taken except upon an affirmative vote of a majority of the quorum present at a properly noticed meeting.

Section 5. Addition of Section 3.72.115. Section 3.72.115 shall be added as follows:

3.72.115 Hearing Panels of the Board of Equalization.

- A. Notwithstanding HBC 3.72.110(F), a duly constituted hearing panel shall be empowered to hear appeals from determinations of the assessor on behalf of the board of equalization. A hearing panel's decisions on an appeal shall be considered decisions of the board of equalization for the purpose of this chapter. After the appeal has been completed, the panel shall certify its actions to the assessor within seven days. An appellant or the assessor may appeal a determination of the panel to the superior court as provided by rules of court applicable to appeals from the decisions of administrative agencies. Appeals are heard on the record established at the hearing before the panel.
- B. A hearing panel shall be composed of not less than five members. For each hearing panel, the presiding officer shall designate at least three members as panelists and one member as an alternate.
- C. Four panelists shall constitute a quorum for the transacting of business of the hearing panel. In the absence of a quorum, any number of panelists less than a quorum may recess a hearing to a later time or date. In the presence of a quorum, no action shall be taken except upon a super majority vote of the panelists present at a properly noticed hearing.

- D. Panelists shall participate in hearings and shall be entitled to vote on business before the panel. Alternates shall not participate in hearings nor vote on business before the panel. A panelist may be replaced by an alternate by the presiding officer due to illness or other request from a panelist. Upon such occurrence, the alternate shall be considered a panelist for the remainder of the appeal. Appellants may request replacement by an alternate pursuant to section (G) below. Once the alternate becomes a panelist, the original panelist may become an alternate for that panel.
- E. Hearing panels shall commence hearing appeals on the second Monday in May of each year unless a different date is established by resolution of the assembly. The hearing panel shall adjourn over and continue its session as business requires.
- F. The panelists shall choose a hearing chair for each panel.
- G. An appellant may request that a panelist be excused from the panel hearing the appellant's appeal by providing a written request for excusal of the member, without stating any reason for the requested excusal, to the presiding officer not less than 48 hours prior to the time set for the hearing. The presiding officer shall grant the request if an alternate is available to serve as a panelist.

Section 6. Amendment of Section 3.72.100. Section 3.72.100 shall be amended as follows:

3.72.100 Appeal.

...

E. Notwithstanding other provisions in this section, a determination of the assessor as to whether property is taxable under law may be appealed directly to the superior court within 30 days after final decision, following the procedures set out in AS 44.62.560 through 44.62.570.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 26th DAY OF MARCH, 2024.

ATTEST:

Thomas C. Morphet, Mayor

Aleka Fullerton, MMC, Borough Clerk

Date Introduced: 02/27/24
Date of First Public Hearing: 03/12/24
Date of Second Public Hearing: 03/26/24

HAINES BOROUGH, ALASKA
RESOLUTION No. 24-03-1105

Adopted

5 FYgc`i h]cb`cZ`h Y`<U]bYg`6cfci [\`5ggYa V`m5uthorizing U` 7\Ub[Y` CfXYf` UbX` FYWzbVY]U]cb` Zcf` h Y` Professional Design and Engineering Contract with proHNS LLC for the December 2020 Natural Disaster Borough Road Repairs Projects for an amount not to exceed \$85,951.43.

WHEREAS, the Haines Borough adopted Resolution 21-05-912 on May 11, 2021 which authorized a contract with proHNS, LLC for design and engineering services of damaged Borough roads due to the December 2020 natural disaster; and

WHEREAS, the Haines Borough later adopted Resolution 22-05-974 on May 10, 2022 adding the Lily Lake Road project (FEMA #437579) to the contract; and

WHEREAS, the Lily Lake Road (FEMA #437579) project is currently active and has had a change in Scope of Work. The expansion of scope was accepted by FEMA and includes a second damaged site, additional topographical/design surveying services and construction contract administration & inspection services. All of the consultant services are expected to be reimbursable costs by FEMA. The original budget for this project was \$9,996 and the obligated FEMA budget to date is \$86,422. The change in contract amount is \$76,426; and

WHEREAS, the Debris Removal and Community Disposal project (FEMA #178714) has been completed and closed out. The Haines Borough was fully reimbursed for this project by FEMA for all costs. The original budget for this project was \$5,568 whereas the actual cost billed to date was \$5,651.50. The change in contract amount is \$83.50; and

WHEREAS, the Chilkoot Loop (FEMA #437599) project has been completed and closed out. The Haines Borough was fully reimbursed for this project by FEMA for all costs. The original budget for this project was \$18,930. The actual cost billed to date was \$28,687.12. The change in contract amount is \$9,757.12; and

WHEREAS, the Young Road (FEMA #435785) project has been completed and closed out. The Haines Borough was fully reimbursed for this project by FEMA for all costs. The original budget for this project was \$221,974. The actual cost billed to date was \$211,083.88. The change in contract amount is <\$10,890.12>; and

WHEREAS, the Totem Street (FEMA #437600) project has been completed and closed out. The Haines Borough was fully reimbursed for this project by FEMA for all costs. The original budget for this project was \$28,834. The actual cost billed to date was \$39,408.93. The change in contract amount is \$10,574.93; and

WHEREAS, the reconciliation of completed projects amounts to \$9,525.43, and the Lily Lake Road requested change in contract amount of \$76,426 amount to a total of \$85,951.43,

NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly authorizes the Borough Manager to execute a task authorization with proHNS LLC for the December 2020 Natural Disaster Borough Road Repairs projects for an amount not to exceed \$85,951.43.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this 26th day of March, 2024.

Thomas C. Morphet, Mayor

Attest:

Alekkka Fullerton, MMC, Borough Clerk



Professional Services Proposal

Proposal Date: 3/1/2024

Professional Design & Engineering Services Dec 2020 Flood – CO #11 Proposal

Haines Borough Public Facilities (Client)
 Attn: Annelise Silk, (907) 766-6409, asilk@haines.ak.us
 P.O. Box 1209
 Haines, AK 99827

Description of Services:

proHNS (Consultant) is currently under contract with the Client to provide surveying, civil engineering, permitting, construction administration & inspection, and other technical support services for the design and permanent repair of Haines Borough streets, culverts, utilities, and public infrastructure that were damaged by the December 2020 Floods and winter storm event. This Change Order (CO) #11 proposal is to reconcile the actual project costs for the projects completed to date, additionally there is added Scope of Work (SOW) and services described below that were not captured in the original Request for Proposals (RFP) issued by the Client:

- **Debris Removal and Community Disposal (FEMA #178714)** – This project has been completed and closed out. The Haines Borough was fully reimbursed for this project by FEMA for all costs including design, construction, and construction administration & inspection. proHNS has been fully paid for all work on this project and will have no additional invoices for this project. See the table below comparing the original project budget to the actual amount billed to date.
- **Chilkoot Loop (FEMA #437599)** – This project has been completed and closed out. The Haines Borough was fully reimbursed for this project by FEMA for all costs including design, construction, and construction administration & inspection. proHNS has been fully paid for all work on this project and will have no additional invoices for this project. See the table below comparing the original project budget to the actual amount billed to date.
- **Young Road (FEMA #435785)** – This project has been completed and closed out. The Haines Borough was fully reimbursed for this project by FEMA for all costs including design, construction, and construction administration & inspection. proHNS has been fully paid for all work on this project and will have no additional invoices for this project. See the table below comparing the original project budget to the actual amount billed to date.
- **Totem Street (FEMA #437600)** – This project has been completed and closed out. The Haines Borough was fully reimbursed for this project by FEMA for all costs including design, construction, and construction administration & inspection. proHNS has been fully paid for all work on this project and will have no additional invoices for this project. See the table below comparing the original project budget to the actual amount billed to date.

Completed Project Budget Reconciliation Summary			
Project Name	Original Budget	Actual Cost Billed To-Date	Change in Contract
Debris Removal and Community Disposal	\$5,568.00	\$5,651.50	\$83.50
Chilkoot Loop	\$18,930.00	\$28,687.12	\$9,757.12
Young Road	\$221,974.00	\$211,083.88	-\$10,890.12
Totem Street	\$28,834.00	\$39,408.93	\$10,574.93



- **Lily Lake Road (FEMA #437579)** – The scope of consultant services for this CO includes the addition of topographical/design surveying services and construction contract administration & inspection services. These services were not identified in the original Request for Proposal (RFP) and SOW or subsequent CO's, additionally a second site was identified along Lily Lake Road and added to the project. Engineering design, cost estimating, specification writing, and contract document preparation for this project was originally approved via CO#8. All of the consultant services are expected to be reimbursable costs by FEMA and the obligated FEMA budget for A&E services is summarized below.

Active Project Budget Revision Summary			
Project Name	Original Budget	Obligated FEMA Budget	Requested Change in Contract
Lily Lake Road	\$9,996.00	\$86,422.00	\$76,426.00

Service Tasks:

1. As detailed herein.

Deliverables:

Deliverables for this Project include:

- i. AutoCAD Civil 3D importable data files and surface models.
- ii. Copies of daily inspection reports, photos, pay estimates, and other records during construction.
- iii. As-built drawings for Client records.

Subcontractors:

- North 57 Land Surveying (N57) – Land surveying.

Exclusions:

The following services have been excluded from the scope and fee for services outlined in this proposal:

- a) NEPA, historical research, and archaeological surveys.
- b) Geotechnical investigations and design.
- c) Easement or right-of-way negotiation and acquisition services.
- d) Construction surveying & staking.
- e) Design of electrical or telecommunication utility repairs or relocation.
- f) Public meetings and public outreach.

Professional Service Fees:

For the services described herein, including all labor, overhead, materials, equipment, profit, insurance, and direct expenses, **we cordially request a Change Order to increase our current Time & Expense Not to Exceed amount by \$85,951.43 to a new total Contract Agreement amount of \$1,369,464.43.** A breakdown of added costs by Project is as follows:

Projects	Proposed T&E Fee
Reconciled Projects (see summary table on previous page)	\$9,525.43
Lily Lake Road CA&I	\$76,426.00
Total CO #10 T&E Fee Increase	\$85,951.43



Proposed Schedule:

We believe lengthy FEMA project reviews and disbursement approvals, extensive material procurement lead times negatively impacting projects industry-wide, and minimal availability of construction contracting workforces locally could result in delaying the completion of some of these projects before the end of the 2025 construction season.

Therefore, we request an extension of our Contract Completion Date to December 31st, 2025, to account for design and construction that is likely to continue into the 2025 season.

Thank you for your consideration. Please contact me directly if you have any questions.

Respectfully,

Garret K. Gladsjo, PE
Principal Engineer / Manager
garret@proHNS.com
907-780-4004

Proposal Disclaimer:

The standard of care for all professional engineering and related services performed or furnished by proHNS LLC under this Proposal will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. proHNS LLC makes no guarantees or warranties, express or implied, under this Proposal or otherwise, in connection with the services described herein. To the fullest extent permitted by State law, the Client will indemnify and hold harmless proHNS LLC and proHNS LLC's officers, directors, partners, agents, subconsultants, and employees from and against any and all claims, costs, losses, and damages arising out of or relating to this Proposal. The scope, deliverables, schedule, and fee proposed herein is applicable to the subject Project(s) only, and the term for acceptance of this Proposal is 30 days from the Proposal Date unless otherwise specified or agreed upon between the Client and proHNS LLC.



Memo from the Borough Clerk

11C3

Date: April 4, 2024
To: Haines Borough Assembly and Mayor
From: Alekka Fullerton
Re: Procedure regarding Quasi-Judicial Appeals

Reminders and procedural information in preparation for the appeal requests you will hear on April 9, 2024.

1. QUASI-JUDICIAL: The borough assembly wears two hats. For the vast majority of your actions, you make legislative decisions wearing your “legislative hat”. The other hat is an occasional one and is what could be called “a jury hat”. When considering appeals, you are essentially acting as a jury...a quasi-judicial board. When acting as a quasi-judicial board, **assembly members must come into the appeal hearing process without having pre-judged the merits of the appeal** just like a jury must begin a criminal trial without having pre-judged the guilt or innocence of the defendant. This is why jurors are screened before they are allowed to be on a jury. This is completely different from most legislative issues where assembly members are free to come to the meeting already having decided how they intend to vote.
2. RECORD ON APPEAL: When acting in the capacity of a quasi-judicial board, the assembly should evaluate the merits of the appeal on the evidence presented, which means assembly members must avoid forming an opinion based on information presented outside of the hearing and official record. The official record (“Record on Appeal”) will be provided in your meeting packet. **You have an obligation to make decisions based on information presented as part of the application or appeal process and not on the basis of your own individual fact-finding or any third-party lobbying.**
3. DECISION TO BE MADE:
The only decisions to be made at the 4/9/2024 meeting will be the consideration of the appeal requests. There are two distinct SERB appeals. They will be taken one at a time. Per HBC 18.30.060, following SERB’s presentation, the assembly must decide, by motion, whether or not to rehear the Planning Commission’s decision and, if so, whether to rehear the entire decision or only a portion of it. Any rehearings will take place at the next meeting (4/23/24) and include duly-noticed public hearings.
4. VOTING: Since this is a procedural, not a substantive decision, the “regular” voting rules apply per HBC 2.10.200A. Meaning, there must be four affirmative votes, by either four assembly members or three assembly members on a tie vote, plus the vote

of the mayor, to rehear the matter. Since this is not a “judgment” on the merits of the matter, Charter Section 5.06(D) does not apply so a supermajority is not necessary.

5. MOTIONS: A possible motion might be to “rehear the Planning Commission’s vacation (or denial) of Conditional Use permit #23-87(B),” or a possible motion might be to “rehear the Planning Commission’s finding that criteria #x per HBC 18.50.040 has not been met”, or a possible motion might be to deny the rehearing of the Planning Commission’s denial (or vacation) of Conditional Use Permit #23-87”.

Please feel free to contact me with questions.

Alekka Fullerton
Haines Borough Clerk
P.O. Box 1209
Haines, AK 99827
afullerton@haines.ak.us

March 22, 2024

Re: Notice of Appeal of Haines Planning Commission decision vacating Conditional Use Permit #23-87

Dear Ms. Fullerton,


Through this letter, permittee Glacier Construction Inc., d/b/a Southeast Road Builders (“SERB”) provides its Notice of Appeal under HBC 18.30.060, of the Haines Borough Planning Commission’s (“Commission”) action on March 15, 2024, to vacate Conditional Use Permit #23-87 (“Permit”). The Commission’s action to vacate the permit was made without substantive deliberation, or any finding of error in its original decision to issue the Permit.

As you are aware, the Permit was approved by the Haines Borough Planning Commission on October 23, 2023, and issued by the Haines Borough on November 2, 2023. Following issuance, the Permit was appealed to the Borough Assembly, where it was nominally “remanded” (and effectively revoked) without meaningful deliberation as to the Planning Commission’s findings, and without written findings by the Assembly as required by HBC 18.30.060.

As a result, and by virtue of the Assembly’s remand/revocation, the five-year Permit has been cancelled after several months – without due process of law, and without any error being identified in the Commission’s well-reasoned decision to adopt the Planner’s recommendation and issue the Permit.

Following the Assembly’s initial remand/revocation (the effect of which was confirmed by the Commission’s March 15th decision), SERB filed a timely notice of appeal to the Superior Court. SERB files this Notice of Appeal with the Assembly to preserve its rights, and to provide the Assembly an opportunity to moot that litigation by reversing the Commission’s March 15th decision and reinstating the Permit.

Sincerely,

 Digitally signed
by TJ Mason
Date:
2024.03.22
19:52:22-08'00'

TJ Mason
Southeast Road Builders



Haines Borough Planning Commission
March 14, 2024 Regular Meeting 6:30 pm
AGENDA
Location: Assembly Chambers and on ZOOM

Zoom Meeting Information

Webinar ID: 863 1255 4356

Passcode: 067927

Brian O'Riley
Planning Commissioner

Dan Schultz
Planning Commissioner

Derek Poinsette
Planning Commissioner

Eben Sargent
Planning Commissioner

Erika Merklin
Planning Commissioner

Rachel Saitzyk
Planning Commissioner

Patty Brown
Planning Commissioner

Craig Loomis
Assembly Liaison

Annette Kreitzer
Borough Manager

Alekka Fullerton
Borough Clerk

Kiersten Long
Deputy Clerk

Andrew Conrad
Borough Planner

- 1. CALL TO ORDER/ PLEDGE TO THE FLAG/ LAND ACKNOWLEDGEMENT/ROLL CALL**
- 2. APPROVAL OF AGENDA & CONSENT AGENDA**
[The following Consent Agenda items are indicated by an asterisk () and will be enacted by the motion to approve the agenda. There will be no separate discussion of these items unless a planning commission member or other person so requests, in which event the asterisk will be removed and that item will be considered by the planning commission on the regular agenda.]*
Consent Agenda:
3 – Approve Minutes from 2-8-24 Regular Planning Commission
- *3. APPROVAL OF MINUTES – 2-8-24 Regular Planning Commission Meeting**
- 4. PUBLIC COMMENTS** – [For any topics not scheduled for public hearing. Individual comments are limited to 3 minutes unless another yields 3 minutes to the speaker in advance] *Note: during this section of the agenda, the commission will listen and take notes. No official action will be taken at this time. Please address the planning commission at the podium provided, use the microphone, and state your full name for the record and the topic of your comment.*
- 5. COMMISSIONER COMMENTS –**
A POINSETTE – Regional Landslide Working Group Report
- 6. CHAIR REPORT –**
A. Bear/Human Conflict Mitigation Committee Status
B. Scheduling a Community Meeting on Developing an Advisory Group for Support to the Planning Commission around Developments in Landslide Susceptible Zones.
- 7. SUBCOMMITTEE REPORTS – None**
- 8. ASSEMBLY LIAISON REPORT – Assembly member Loomis**
- 9. STAFF REPORT**
A. Planner Report – Supplemental Document
B. Prospects for Continuation of the Small Boat Harbor Expansion Project
C. Process for Reporting Right-of-Way Concerns
D. Comprehensive Plan Update
- 10. PUBLIC HEARINGS –**
A. Conditional Use Permit #24-001 Extension of permit #19-03 Resource Extraction – Highland's Estates Inc. & St. James Place C-208-TL-0400 & C-208-TL-03A0 – Rural Mixed Use Zone.
On 3-14-19 conditional use permit #19-03 was approved by a previous planning commission. The permit was valid for five (5) years. After expiration of a permit, the applicant must reapply. Public comments shall be taken prior to the applicant's presentation.

10. PUBLIC HEARINGS – Continued

B. Land Use Permit #23-101 Change of use – Port Chilkoot Rentals - C-PTC-0C-0600 – Significant Structures Zone.

The Planning Commission is acting as the Historic District Committee per HBC 18.70.050(C) and must apply the specific approval criteria contained in 18.60.020(G). The commission must determine if the development is: a) one of the surveyed historic structures, or b) the development has a material effect upon the general character of the district and any of the individual structures. If either of these conditions are met, the commission will apply the 9 specific approval criteria in 18.60.020(G) Public comments shall be taken prior to the applicant's presentation.

11. UNFINISHED BUSINESS - None

12. NEW BUSINESS

A. Rehearing on appeal of Planning Commission Decision – Conditional Use Permit #23-87 Resource Extraction - Glacier Construction Inc., dba. Southeast Road Builders.

On 12/12/23, the Assembly remanded CUP #23-87 to the Planning Commission with the requirement that Southeast Road Builders resubmit conditional use permit 23-87 as two applications.

Direction to the Planning Commission from the Assembly: *With the remand to the Planning Commission, as the subject matter experts with respect to approval criteria for conditional use permits, the Planning Commission is empowered to resolve the matter in any way it could resolve the original permit applications. Both the appellants and the permittee may provide additional information and need not be limited by the existing information. The Planning Commission may approve the permit, deny the permit, or grant the permit with modifications, including granting the permit for one site and denying it as to the other. If the Planning Commission's decision is an outright denial of all permit rights, it constitutes vacation of the existing permit. If the commission grants any permit rights, that is best accomplished as a modification of the existing permit. Site A should be referred to as Conditional Use Permit 23-87A and Site B should be referred to as Conditional Use Permit 23-87B.*

Site A (#23-87A): Statement from Southeast Road Builders:

Southeast Road Builders (SERB) still intends to submit a separate application for CUP #23-87A they have a geotechnical engineer scheduled to visit the site mid-March. In addition to the consultation with a geotechnical engineer they have been in discussions with AMHS to coordinate with their concerns as it relates to the project. They are requesting to delay their rehearing with the Planning Commission.

Site B (#23-87B): *SERB has resubmitted their application for site B, which is in front of the planning commission. As discussed above, the Planning Commission must evaluate the Conditional Use Permit using the General and Specific approval criteria.*

- *HBC 18.60.010 General Approval criteria.*
- *HBC 18.60.020(A) Resource Extraction.*
- *HBC 18.50.040(A) Requirements to be met*

If the commission finds that the development implements all the relevant requirements of this section, it shall issue a conditional use permit and the conditions and requirements, or the commission otherwise determines the development is not in compliance with this title, the commission shall deny the permit and note with particularity its reasons for this decision. HBC 18.50.040(B) The commission may alter the manager's proposed permit conditions, impose its own, or both. Public comments shall be taken prior to the applicant's presentation.

- 13. PUBLIC COMMENTS**
- 14. COMMISSION COMMENTS**
- 15. CORRESPONDENCE**
- 16. SCHEDULE MEETING DATE**
- 17. ADJOURNMENT**

From: [Alekk Fullerton](#)
To: [Alekk Fullerton](#)
Subject: FW: Remand on Appeal
Date: Wednesday, March 13, 2024 2:18:57 PM

Sent: Wednesday, November 15, 2023 3:56 PM
To: Alekk Fullerton <afullerton@haines.ak.us>
Cc: Annette Kreitzer <akreitzer@haines.ak.us>; Tom Morphet <tmorphet@haines.ak.us>
Subject: RE: Remand on Appeal

EXTERNAL EMAIL: Do not open links or attachments unless you recognize the sender and know the content is safe.

Good afternoon,

I concur that the assembly can remand to the planning commission with direction for the commission to consider facts or criteria that the assembly concludes the commission did not sufficiently consider.

The basis for the assembly to remand is not so easily stated and is not based on a particular provision of the code or charter. Remand is a basic principle of administrative law. The concept is that agency or body (here, the planning commission) that makes the initial decision is best situated to correct any shortcomings in the decision. It is more familiar with the record and generally has subject matter expertise that the reviewing authority (often a court but includes an intermediary body that hears appeals such as the assembly) lacks. Another way of looking at the question is that jurisdiction over the initial decision maker is a component of the reviewing authority's jurisdiction to hear the appeal.

Charles

From: Alekk Fullerton
Sent: Wednesday, November 15, 2023 2:56 PM
To: Charles Cacciola
Cc: Annette Kreitzer; Tom Morphet
Subject: Remand on Appeal

Hi Charles-

I have permission from the Manger to send this email.

In the past, Brooks has advised that the assembly may **remand** a CUP to the Planning Commission to re-evaluate the CUP based on a particular criteria. Our code, however, has the following language:

18.30.060 Appeals to the borough assembly.

...

3. The borough assembly may confirm the commission's decision, reverse the commission's decision, or change the conditions which the commission placed on approval. The borough assembly shall support its action with written findings.

What is the basis for a remand? The assembly voted to rehear a CUP for resource extraction last night.

Thank you!

Alekka Fullerton

Borough Clerk
Haines Borough
P.O. Box 1209
Haines, AK 99827
(907)766-6402
fax (907)766-2716

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HAINES BOROUGH, ALASKA
P.O. BOX 1209
HAINES, AK 99827
(907) 766-6400 FAX (907) 766-2716

Glacier Construction Inc., dba Southeast Road Builders
rschnabel@colaska.com

November 2nd, 2023

Re: Conditional Use Permit #23-87, Resource Extraction | October 23rd, 2023 Planning Commission Meeting | Site A: C-LTR-04-0090/0700/0010, Site B: C-LTR-04-1000/2940/0900/0800 | Waterfront Industrial Zone

Thank you for submitting a conditional use permit to perform resource extraction activity at the above listed location. Your application has been approved by the Planning Commission per plans submitted and the conditions listed below under the definition "Resource Extraction" which is a Conditional Use in the Waterfront Industrial Zone per Haines Borough Code (HBC) 18.70.040.

If you wish to appeal the Planning Commission's decision on this application, you must file an appeal in writing with the Borough Clerk within ten business days of the date of this letter.

EXPIRATION: November 2nd, 2028

This permit is valid for five years.

CONDITIONS:

1. Provide design and engineering for resource extraction in Hazard Areas. Provide a copy of plans to the Borough prior to working:
 - a. Within the stream's one percent floodway,
 - b. On slopes greater than 30 percent.
2. Submit a reclamation plan, developed and sealed by a professional engineer, for Planning Commission review that addresses the final conditions of site, including:
 - a. Relation to adjoining land forms and drainage features,
 - b. Relation of reclaimed site to planned or established uses of the surrounding area,
 - c. Demonstration that the final land form will have a viable land use compatible with land use trends in the surrounding area,
 - d. Relation of reclaimed site to initial site conditions including land use, vegetation, soils, geology and hydrology;
 - e. Work to maintain the existing waterfront view shed.
3. Contact the United States Fish & Wildlife Service approval for all work within 660-feet of an eagles nest; or to perform blasting operations within ½ mile of an eagles nest. Email: ak_fisheries@fws.gov
4. Provide a copy of State approval for legal access to Site A before beginning any work at this location. Coordinate access, traffic plans, and roadway maintenance during resource extraction with the State of Alaska's Department of Transportation & Public Facilities Southcoast Region Right-of-Way office. Contact Michael Schuler, email: michael.schuler@alaska.gov.

5. Provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate or avoid runoff into public streets or adjoining lots and to protect rivers, lakes and streams from pollution. Developers may be required to provide for the conservation of natural features such as drainage basins and watersheds, and provide for land stability.
6. No significant negative impacts on the surrounding properties are allowed. Including excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises or be unsightly or become a nuisance as defined in HBC 8.12.020(I).
7. This permit does not relieve the owner or authorized representative to comply with the provisions of federal, state or local regulations applicable to the activity.
8. Coordinate with the Alaska Marine Highway System for blasting within 2 hours of ferry arrivals and departures.
9. Provide a copy of all plans and Storm Water Pollution Prevention Plans to the Borough before implementation of the project.

Per the requirements of Haines Borough Code 18.30.010 (I), this permit is consistent with the comprehensive plan, its uses are harmonious with other activities allowed in the zone, and the development will not disrupt the character of the neighborhood.

Please do not hesitate to contact our office with any questions, comments, or concerns,



Andrew Conrad, Planner
Planning & Zoning, Assessment & Planning Department
(office) 907-766-6412 | planner@haines.ak.us

Ec: dlaframboise@colaska.com
TJMASON@COLASKA.COM

Attachments:

1. Permit Application, Site Plan



Haines Borough

Planning and Zoning
 103 Third Ave. S., Haines, Alaska, 99827. Box 1209
 (907) 766-6401 * Fax: (907) 766-2716

APPLICATION FOR CONDITIONAL USE PERMIT

Permit#: 23-87

Date: _____

Use this form for approval by the Planning Commission. **\$150 non-refundable application fee**

I. Property Owner/Agent		Owner's Contractor(If Any)	
Name: Glacier Construction Inc. dba Southeast Road Builders		Name:	
Mailing Address: HC 60 Box 4800, Haines Hwy Haines, AK 99827		Haines Borough Business License #:	
Contact Phone: (907) 766-2833		Alaska Business License #:	
Fax: (907) 766-2832 rschnabel@colaska.com		Contractor's License #:	
E-mail: dlaframboise@colaska.com		Mailing Address:	
		Contact Phone:	
		Fax:	
		E-mail:	
II. Property Information			
Size of Property: Approx. 27 Acres total; Site A = 5.2 Acres, Site B = 21 Acres			
Property Tax #: SITE A: C-LTR-04-0090, C-LTR-04-0700, and C-LTR-04-0010 SITE B: C-LTR-04-1000, C-LTR-04-2940, C-LTR-04-0900, and C-LTR-04-0800			
Street Address: See attached Site Maps; Approx. MP 4 Lutak Road			
Legal Description: Lot (s) _____ Block _____ Subdivision _____			
OR			
Parcel/Tract _____ Section _____ Township _____ Range _____			
[Attach additional page if necessary.] See attached Site Maps			
Zoning: <input type="checkbox"/> Waterfront <input type="checkbox"/> Single Residential <input type="checkbox"/> Rural Residential <input type="checkbox"/> Significant Structures Area <input type="checkbox"/> Rural Mixed Use <input type="checkbox"/> Multiple Residential <input type="checkbox"/> Heavy Industrial <input checked="" type="checkbox"/> Waterfront Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial Light Commercial <input type="checkbox"/> Recreational <input type="checkbox"/> Mud Bay Zoning District <input type="checkbox"/> Lutak Zoning District <input type="checkbox"/> General Use			
III. Description of Work			
Type of Application (Check all that apply) <input type="checkbox"/> Residential <input type="checkbox"/> Commercial _____ sq. ft. _____ seating capacity if eating/drinking establishment <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Church <input type="checkbox"/> Other _____	Project Description (Check all that apply) <input type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Change of Use <input type="checkbox"/> Multi-Family Dwelling Total # of Units _____ <input type="checkbox"/> Cabin <input type="checkbox"/> Addition <input type="checkbox"/> Accessory Structure <input checked="" type="checkbox"/> Other <u>Resource Extraction</u> _____	Water Supply Existing or Proposed <input checked="" type="checkbox"/> None <input type="checkbox"/> Community well <input type="checkbox"/> Private well <input type="checkbox"/> Borough Water System <input type="checkbox"/> Other _____	Sewage Disposal Existing or Proposed <input checked="" type="checkbox"/> None <input type="checkbox"/> Septic Tank <input type="checkbox"/> Holding Tank <input type="checkbox"/> Borough Sewer System <input type="checkbox"/> Pit Privy <input type="checkbox"/> Other _____

Per HBC 13.08.100 and 18.60.010, If a property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems. Failure to connect will result in a minor offense subject to penalties.

Valuation of Work: \$100,000

Current use of adjacent properties: See attached for more information; Zoned Waterfront Industrial Use, Vacant State Land, Inactive Timber Mill Site, Ferry Terminal, AML Dock, Fuel Terminal

Attach the following documents to the permit application:

Site plan (see Attachment A) showing lot lines, bearings and distances, buildings, setbacks, streets, etc.

PREAPPLICATION (Required)

Pre-application Conference Date: 8/10/2023

Prior to submission of an application, the developer shall meet with the manager for the purpose of discussing the site, the proposed development and the conditional use permit procedure. The manager shall discuss these matters with the developer with special attention to policies and approval criteria that may pose problems or constraints on the site or the proposed development activity and policies or approval criteria that may create opportunities for the developer.

APPLICATION

Please provide a written narrative explaining how your project will meet the following requirements. You may use the space provided on this form or attach your answers. A variance may only be granted if the Planning Commission finds that these six standards are met.

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers.

Describe what safeguards are being provided (i.e. setbacks or buffers) to meet the condition.

Referenced Sections:

Section V. Site Conditions, Paragraph D, G
Section VI. Methods

2. Explain how the development of the use is such that the value of the adjoining property will not be significantly impaired.

Referenced Sections:

Section II. Site Features & Zoning
Section V. Site Conditions, Paragraphs G

3. Explain how the size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use.

Referenced Sections:

Section V. Site Conditions, Paragraph B, C

4. Describe how or why the specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses.

Referenced Sections:

Section II. Site Features & Zoning
Section VIII. Comprehensive Plan

5. Explain how the granting of the conditional use will not be harmful to the public safety, health or welfare.

Referenced Sections:

Section V. Site Conditions, Paragraph A, B, F

6. Describe the safeguards that will be provided so that the use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams.

Referenced Sections:

Section V. Site Conditions, Paragraph E, F
Section VII. Reclamation Plan

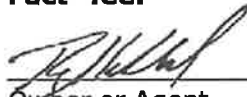
NOTICE

Per HBC 18.50.040, Comments received from property owners impacted by the proposed development will be considered and given their due weight. Additionally, the Planning Commission may impose one or more of the following conditions:

1. Development Schedule. The conditions may place a reasonable time limit on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighbors, to ensure that lots are not sold prior to substantial completion of required public improvements, or to implement other requirements.
2. Use. The conditions may restrict the use of the development to specific uses indicated in the approval.
3. Owner's Association. The conditions may require that if a developer, homeowner or merchant association is necessary or desirable to hold or maintain common property, that it be created prior to occupancy.
4. Dedications. The conditions may require conveyances of title, licenses, easements or other property interests to the public, to public utilities, or to the homeowners association. The conditions may require construction of public utilities or improvements to public standards and then dedication of public facilities to serve the development and the public.
5. Construction Guarantees. The conditions may require the posting of a bond or other surety or collateral (which may provide for partial releases) to ensure satisfactory completion of all improvements required by the commission.
6. Commitment Letter. The conditions may require a letter from a utility company or public agency legally committing it to serve the development if such service is required by the commission.
7. Covenants. The conditions may require the recording of covenants or other instruments satisfactory to the borough as necessary to ensure permit compliance by future owners or occupants.
8. Design. The conditions may require the adoption of design standards specific to the use and site.

IV. CERTIFICATION

I hereby certify that I am the owner or duly authorized owner's agent, that I have read this application and that all information is correct. I further certify that I have read, understand and will comply with all of the provisions and permit requirements outlined hereon. I also certify that the site plan submitted is a complete and accurate plan showing any and all existing and proposed structures on the subject property and that the use will comply with all required conditions and specifications, will be located where proposed and when developed, will be operated according to the plan as submitted. All contract work on this project will be done by a contractor holding valid licenses issued by the State of Alaska and the Haines Borough. **I am aware that if I begin construction prior to receiving permit approval, I will be assessed a \$250.00 "After-the-Fact" fee.**


 Roger Schnabel, Area Manager
 Owner or Agent

8/24/2023
 Date

PROVISIONS: The applicant is advised that issuance of this permit will not relieve responsibility of the owner or owner's agents to comply with the provisions of all laws and ordinances, including federal, state and local jurisdictions, which regulate construction and performance of construction, or with any private deed restrictions.

Office Use Only Below This Line

Non-Refundable Application Fee \$ <u>150.00</u>			Information/Documentation		
Payment Method: <u>Credit Card</u>			Req'd	Rec'd	
Receipt #: <u>053247</u>			<input type="checkbox"/>	<input type="checkbox"/> State Fire Marshal	
Received By: <u>Tolson</u>			<input type="checkbox"/>	<input type="checkbox"/> State DEC	
Date: <u>8.23.2023</u>			<input type="checkbox"/>	<input type="checkbox"/> Variance/Conditional Use Permit	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/> Sign Permit	
Zoning	Bldg. Height	Lot Coverage %	Const. Type	Occupancy	# Stories
If Application is Complete: <input type="checkbox"/> Yes <input type="checkbox"/> No					
Notified Via: _____			Notified By: _____		
Date: _____					
If yes,			If no,		
Approved By: _____ Planning Commission Chairman			Denied By: _____ Planning Commission Chairman		
Permit ID #: _____			Date: _____		
Permit Effective Date: _____			Reason: _____		
Approval Special Requirements: This application meets all applicable Borough policies and a permit is issued, conditional on the substantial completion of construction within two years and the following special requirements:					

Notice of Right to Appeal: All decisions of the Borough Officials are appealable per HBC 18.30.050

11/7/23

To: Haines Borough Assembly and Mayor Morphet
From: Gershon Cohen
Re: Request for Hearing to Appeal CUP 23-87

Dear Haines Borough Assembly Members and Mayor Morphet,

Please grant this request for a hearing to review the Planning Commission's decision of October 23rd on CUP 23-87. Technical and procedural shortcomings should have precluded the CUP 23-87 application from being reviewed, let alone approved for the following reasons (this list is not exhaustive):

1. The review of blasting/excavating a 30% slope "hazard area" (HBC 18.60.010 (T)) without a site-specific engineering design didn't adequately address public safety and welfare concerns (HBC 18.60.010), and
2. The impacts on peak use, traffic patterns and other off-site uses of the area by commuters, tour operators and cyclists were inadequately considered (HBC 18.60.010 (E), (M), (N)), and
3. A CUP should not be granted if it will create nuisance conditions (HBC 18.12.020 (B), (C)), and
4. Waterfront/Industrial zones should not allow resource extraction when the activity could compromise marine-related uses (HBC 18.70.030(A)(3)).

Based on the inadequate review and potential violation of these Code provisions and/or insufficient support from the applicant, a hearing on this permit is clearly justified. Furthermore, prompted by the specifics of this particular application/review, two fundamental questions for the Assembly and the Planning Commission also need to be addressed:

1. How elected officials should approach land use decisions in the Borough when there is a potential conflict between private gain and the common good, and
2. At what point in the review process should the Borough have a full description of a developers' intent, so permit decisions are based on a clear understanding of the downstream impacts from the activity?

The fact that we have planning and zoning rules and we can and do impose conditions on developments in the Borough demonstrates the right to make a profit does not automatically trump the needs and concerns of the greater community. Where the balance point might be in any specific case is up to you. The applicant of CUP 23-87 wants to make a profit through resource extraction and claims there could be an additional benefit by reducing the risk from future landslides, which is not only unproven by their submission, the opposite may in fact be true. They assert having a gravel-producing operation near the dock will reduce truck traffic through town from their Chilkat River facility, but we have no reason to assume they won't operate both facilities if it is in their best interest, since both will be permitted. These benefits to the applicant need to be weighed in terms of the common good, and our Code provides the standards to do so.

Last spring the applicant requested the minimal Site Development Permit to remove vegetation and grade the parcel. They didn't mention future use, and the Borough didn't ask. Aside from their unpermitted activities and the Borough's acceptance of a ridiculous value assessment that limited the amount of fines for violating Code, are we supposed to believe the developer didn't already plan on the property becoming a gravel pit?

Defining activities as minimally as possible at each step so that each individual step is hard to oppose is a strategy used to generate momentum towards an internal goal. This strategy is known as "permit creep," and Congress passed a law to address this problem over fifty years ago when federal permits are required. The National Environmental Policy Act (NEPA) requires the cumulative social, economic, and environmental

impacts of related activities of a project to be considered up front. The Borough should incorporate the NEPA principle into its permit review processes so elected officials and the broader community go into permitting decisions with eyes wide open.

The permitting of development activities can have significant consequences; it is your responsibility to adequately weigh these consequences in terms of the best interests of the community as a whole.

Thank you for considering this request.

Gershon Cohen
Box 956
Haines, Alaska 99827

Appeal of Conditional Use Permit #23-87 Resource Extraction - Glacier Construction Inc. dba Southeast Road Builders - Site A: C-LTR-04-0090, et al; Site B: C-LTR-04-1000, et al - Waterfront Industrial Zone

18.60.010 - D. Access - Primary and fundamental grounds for appeal to deny: “Access: All lots on which development is planned are **required to have legal road access before an application for a development may be considered** and physical road access must be completed to borough standards before any work on the development is started.”

In **V A.** CUP 23-87 acknowledges that Site A has no road access and per applicant: “Legal access to these parcels is being development in coordination with the Alaska Department of Transportation (AKDOT&PF). Coordination with the AKDOT&PF will be ongoing throughout the duration of development to ensure compliance with all permits and guidelines....”

18.60.010 - T. Hazard Area - Secondary and fundamental grounds for appeal to deny: “Development which is not designed and engineered to mitigate the risk of loss of life or property is prohibited in the following hazard areas: 2. Avalanche outfall area; 4. Slopes greater than 30%; 6. Rock and mudslide areas. (For information regarding the location of the hazard areas, see the most recent version of the borough map entitled ‘Flood Plain and Flood Hazards Map.’)” Note: Map(s) for conditions 2. And 6. Are not referenced, yet should be required.

CUP 23-87 should not be granted or further considered until August 2024 or later when the Manager, Planner, and Planning Commission are able to consult the University of Alaska LiDAR Report subsequent to the December 2020 slide incident.

The borough has a responsibility to the public and by above referenced code to know if the report addresses possible slide conditions on the proposed section of uplands for CUP23-87 or any other proposed development along Lutak Road, and to consider decisions based on the LiDAR Report. There is no reference to the pending report or a statement that the LiDAR Report would not be relevant to CUP 23-87.

The added burden on borough staff and elected officials as well as significant public push back resulting from insufficient public relations and public information are highlighted by this now contested CUP.

The Borough states that there were **no comments received on CUP 23-87 prior to the October 6, 2023** Managers report - Although the people who drive Lutak Road to go to or from home; hike, bicycle or participate in tours to Chilkoot State Park are not residents within the prescribed 500 feet for notice, this heavy industrial resource extraction permit will impact far more people and businesses than the highly contested permit and drawn out hearings involving Southeast Road Builders blasting and transporting for resource extraction that impacted residents along Young Road several years back.

Respectfully submitted,

Carol Tuyenman

From: [Kathleen Menke](#)
To: [Alekkka Fullerton](#)
Subject: CUP Appeal Lutak
Date: Friday, November 10, 2023 1:27:28 PM

EXTERNAL EMAIL: Do not open links or attachments unless you recognize the sender and know the content is safe.

To: Alekka Fullerton

Please copy Planner, new elected Planning Chair, Patty Brown, and all Assembly members

RE: Upcoming appeal to Assembly regarding recent CUP Lutak..

Appeal of Planning Commission Decision

On 10/23/23, the planning commission approved a conditional use permit (#23-87) for Glacier Construction Inc, dba Southeast Road Builders for resource extraction in the Waterfront Industrial Zone located at C-LTR-04-0090/0700/0010 (Site A) and C-LTR-04-1000/2940/0900/0800 (Site B). A timely appeal requests were received from Ann Myren/Tim McDonogh, Gershon Cohen and Carol Tuynman. The burden of proof is on the appellant to make the case that a rehearing by the assembly is warranted.

As these comments are within the ten days of the Nov. 2 letter issued by the Planner, I would like my name added to the appeal process.

I submitted extensive written comments to the Planning Commission regarding this CUP in a timely manner prior to recent P&Z meeting at which this CUP was granted. There is no indication in the recorded minutes of the meeting that these comments were considered or discussed.

It is wrong to say this project will only impact property owners within 500 feet of the proposed activity.

This CUP, recently granted for five years by the previous Planning Commission, will impact the entire Haines community, particularly anyone who lives here, visits here, and values the Lutak Waterfront and the health of the Chilkoot/Lutak connected river and marine system. And anyone who may be affected by ongoing future truck traffic hauling fill, timber, or ore through the community, including residents along the haul route, residents who use this corridor for recreational and business activities, including walking, wildlife watching, jogging, pushing babies in strollers, bicycling, and commercial bike tours and nature tours.

In addition to my own comments that were entirely disregarded by the previous commission, planner, and manager. I fully support the appeal comments presented by Tim McDonough and Ann Myren, Gershon Cohen, and Carol Tuynman. And the verbal comments submitted to Commission by Gershon Cohen, Tom Morphet, Patty Brown, and Rachel Saltzik.

My own comments at this time.. most of which were also submitted to Planner and Planning Commission at the time their faulty decision was made are as follows:

The rezoning last winter of this property to “Waterfront Industrial Zone” was sold to the public as a bookkeeping clean-up measure to Borough Code without fully informing the public of the intent of Southeast Roadbuilders to perform resource extraction on a sensitive hillside, to export fill from the Lutak dock area, and to haul this fill through town and out Lutak with huge, fast-moving, noisy, and dangerous trucks loaded with fill.

Southeast Roadbuilders nevertheless proceeded to engage in all these activities before the local community, the public, had any idea of the actual intention behind this move.

I am among the many community residents and tourists who regularly use the Lutak corridor from town to Chilkoot and spend time nearly daily on Tanani Beach.

This entire project by Southeast Roadbuilders has implications far beyond the 500 foot zone noticed by and impacted by this project.

Last summer, I was heading to Tanani Beach to walk my dogs. Just driving there proved dangerous with the number of huge fill-laden trucks racing by on that day. The walk on the beach itself did not provide its usual pleasant peaceful outing on one of the few waterfront shorelines we, as members of the public, have access to. The huge fill-laden, heavy, noisy and dangerous trucks racing by in both directions ruined one our community’s most important recreational assets. They were noisy, dangerous, and deeply disturbing. For the short term, SE Roadbuilders say this project will reduce such truck traffic. And yet no long-term implications were addressed for once the fill is extracted and other materials.. fill, timber, ore might be hauled to the cleared site.

Tanani beach is regularly used by residents, tourists, elders, families, dog-walkers, and folks fishing, picnicking, wildlife watching, and as an opportunity to soak up some beauty and serenity.

Hopefully health and wellness will be our guiding light for the future planning of our community. And responsiveness to public input.

While this conditional use permit specifically addresses the resource extraction, which in itself has already created dangerously eroding conditions on the hillside adjacent to Lutak Road, and should be rejected outright for that reason alone, this project was begun without proper permitting which also is a reason to deny permitting going forward. This conditional use permit application IN ITS EXPRESS PURPOSE... “This area will be used to stage equipment, process, and stockpile materials...for State and Borough projects...the site is currently being used to stockpile material for use at the Greens Creek mine and future use could allow for the extraction and use of this materail for the Greens Creek mine and local State and Borough projects.” We are talking 27 acres of active resource extraction in the Lutak corridor which has far reaching impacts to the entire community.

Clearly the resource extraction, export of the resource from Lutak dock area, and the regular use of the fill haul trucks aspects all need to be considered as a piece of one whole operation.. and not dealt with piecemeal. More time is needed to weigh long-term safety considerations from the combined activities of resource extraction and export in this location. It would be better to defer decisions regarding such a CUP until more input from the community is gathered, more data regarding slope safety issues are addressed, and a long term plan for Lutak dock and the Lutak waterfront in general via the Haines Comprehensive Plan and upcoming Lutak dock plans.

The Manager's recommendations regarding the CUP ignored the far reaching consequences of approval of this CUP to the broader business, residential, and tourist community.

Specifically:

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers.

The community has already experienced nuisances and dangers with this project in the form of erosion and heavy equipment traffic.

2. The development of the use is such that the value of the adjoining property will not be significantly impaired.

All property values in the community will be significantly devalued as healthy living spaces with the continuation and expansion of this project.

3. The size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use;

The size and scale of the proposed use is expansive in scope and will have far ranging implications on the entire community, including but not limited to, public safety and utility services.

4. The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses;

This use is absolutely incompatible with current uses of the Lutak corridor, including public safety for residents and tourists, and activities such as bike tours, nature tours, whale watching, healthy marine habitat, jogging, healthy family outings, and more.

5. The granting of the conditional use will not be harmful to the public safety, health or welfare;

The massive expansion of resource extraction and export in the Lutak dock vicinity will absolutely negatively impact public safety, health, and welfare. It already has. And granting this CUP will make it worse.

6. The use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams;

Absolutely there already have been and will be impacts to erosion, ground and surface water contamination, potential ocean contamination, sedimentation, and toxification, as well as alteration to healthy fish habitat within the entire Chilkoot/Lutak corridor.

7. The use will comply with all required conditions and specifications if located where proposed and developed, and operated according to the plan as submitted and approved;

The use has already violated local code by starting without proper permitting and should not be rewarded by granting of a further CUP at this time.

8. Comments received from property owners impacted by the proposed development

have been considered and given their due weight.

Public trust needs to be shored up. All residents and property owners who live here will be impacted by this project. Due weight must be given to these impacts and this CUP should be denied.

Now is not the time to rubber stamp this CUP. Note the code references to Waterfront Industrial Zone cited here. The implications are broad.

Not only was this area rezoned as Waterfront Industrial, more to the point, the boundary was moved in order to take it out of the Lutak zone and put it into the townsite zone, which resulted in different standards applying to all of Southeast Roadbuilders permit applications.

The implications are broad.

I request that this CUP be reheard in full by the Borough Assembly.

CODE REFERENCES

HBC 18.70.030(A)(3)

I/W – Waterfront Industrial Zone. The intent of the waterfront industrial zone is to provide for and protect productive, marine-related heavy industries, including wharfage, natural resource export, milling and major seafood processing. Areas zoned as waterfront industrial should be located so that adjacent nonindustrial areas are buffered from the external effects common to heavy industry including noise, dust, vibration, glare, pollution, heavy traffic and unsightly uses or activities. The area is served by, or intended to have, the necessary level of public utilities and an adequate transportation system as deemed appropriate for the planned use.

18.20.020 Definitions – Regulatory.

“Resource extraction” means a heavy industrial use involving the removal of rock, gravel, sand, clay, topsoil, peat, timber, petroleum, natural gas, coal, metal ore, or any other mineral, and other operations having similar characteristics. Resource extraction does not include: (1) the removal of material from within the legal boundaries of the property of origin which are incidental to the construction, alteration or repair of a building (or the grading and landscaping incidental thereto); or (2) within the subdivision of origin of a platted public or private access road and utilities or public facility providing essential services.

“Industrial, heavy” means a use that has potential for significant negative impact on adjoining uses. This category includes uses that incorporate buildings that are large, tall, or unsightly; uses that generate offensive odors, noise, dust, smoke, fumes, vibration or glare; uses that involve large amounts of exterior storage; and uses that, because of their scale or characteristics, create nuisances or hazards such as heavy truck or other vehicle traffic, or other intense activity. These uses include airports, landing strips, and heliports; truck or ship terminals and docks; concrete batching plants; asphalt or concrete mixing plants; resource extraction; Conditional Use Permit – Resource Extraction| Waterfront Industrial Zone

|CUP 23-87| Site A: C-LTR-04-0090/0700/0010, Site B: C-LTR-04-1000/2940/0900/0800|Glacier Construction Inc. dba Southeast Road Builders

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bulk material or machinery storage; petroleum refineries and transshipment facilities; grain elevators; meat packing plants or fish processing facilities; mills; resource recycling facilities; commercial flammable or hazardous material storage; sanitary landfills and solid waste storage/transshipment facilities; large scale sewage treatment facilities and manufacturing plants.

Kathleen Menke

November 1, 2023

To: Haines Borough Assembly

From: Ann Myren and Tim McDonough

Re: Appeal to Planning Commission Decision on Conditional Use Permit (CUP) 23-87

Dear Haines Borough Assembly Members,

We are filing an appeal to reconsider CUP 23-87 passed by the Planning Commission (PC) on 10/23/23. We have been residents of the Lutak area since 1984 and regularly use the Lutak Road to go to and from Haines.

We are filing within the 10-day requirement stipulated under HBC 18.30.060. The CUP application and its review by staff and the PC were deficient in numerous aspects, including violations of the General Use Criteria [HBC 18.60.010] as well as criteria specific to the approval of Conditional Use Permits [HBC 18.50.040]. These deficiencies should have resulted in a rejection of the application by Borough staff prior to its referral to the PC, and a denial by the PC after it was brought to them for review.

Specific deficiencies:

1. HBC 18.60.010 General Use Criteria states in part:

...a conditional use permit...may be granted if all of the following general approval criteria and applicable specific approval criteria of HBC 18.60.020 are complied with...the burden of proof is on the developer to show that the proposed use meets these criteria...no use will be approved that will materially endanger the public health or safety or decrease the value of property in the neighboring area...

Sites A and B in the CUP are immediately adjacent to areas designated as a “Natural Hazard” in the 2007 Haines Coastal Zone Management Plan [Pg. 5-9], with the same slope contours.

“The areas mapped on Figure 5 in the Haines coastal district are designated as Natural Hazard areas (in accordance with 11 AAC 112.210(a) and 11 AAC 114.250(b))...Lutak Highway Hazardous Slopes Area. This is the area of cliffs and very steep slopes greater than 30% along the east side of Mt. Ripinski, and immediately upland of the Lutak Highway from the coastal management program boundary to extend north of the AMHS terminal. This area shall be managed to prevent erosion and subsequent avalanching by protecting the natural trees and vegetation on the steep slopes...”

The CUP application acknowledges that the site contains steep slopes with a grade of greater than 30%, which is defined as a Hazard Area according to HBC 18.60.010 (T) (see below). Removing the trees and other vegetation from CUP Site A, blasting with explosives, and excavating significant quantities of the exposed rock wall has the potential to trigger landslides and avalanches that could reach Lutak Road and endanger the health and safety of the community. The applicant’s argument that blasting and excavation might make the area safer from landslides and avalanches was unsupported by any technical analyses from credible sources specific to this area. Citing anecdotes from other areas in S.E Alaska that may have very different geologic conditions should have been insufficient “proof” to the PC. One PC member raised the issue of potential instability for the hillside above the planned excavation site but was dismissed by the rest of the body, even after the applicant responded

that the area in question above their planned excavation was beyond their control. The PC ignored a suggestion from a member of the public who advocated for a delay in the decision while the State completes a new publication on slope stability for the Lutak area.

The highway is used on a regular basis by locals driving to and from town, visitors arriving and departing on the ferry, and many pedestrians and bicyclists (both locals and tour excursions.) Many municipalities, ski resorts, etc., routinely use explosives to *purposefully* trigger avalanches; allowing the use of explosives on a hillside adjacent to a high-traffic area known to have landslide potential presents an unnecessary risk to the general public.

The following subsections of the Borough's General Use Criteria are also relevant:

- a. *Criteria B. Reviewing Parties. Due deference has been given to the comments and recommendations of reviewing parties.*

The zoom link to the PC meeting was non-functional, denying members of the public the opportunity to participate and have their concerns addressed.

- b. *Criteria E. Traffic. The proposed use shall not overload the existing street system with traffic or result in unsafe streets or dangers to pedestrians.*

The applicant did not provide accurate estimates of truck traffic, however, it was noted that they currently fill 3-4 barges /year with aggregate for export and that level of activity could increase if they secure more contracts. Trucks would be crossing the road (as opposed to driving down the road,) and could present a much higher danger to other users of the highway, especially given the proximity to the ferry terminal and the use of Lutak Road by residents, visitors, and tour operators. While the PC added a condition that would prohibit blasting two hours before the ferry arrives and two hours after a ferry departs, no condition was established regarding the truck traffic that would be crossing the road as a result of the blasting.

- c. *Criteria M. Peak Use. The proposed use shall not result in significantly different peak use characteristics than surrounding uses or other uses allowed in the zone.*

Blasting/excavation activities would significantly change the peak use characteristics for other uses such as commuting traffic and the operation of bike and bus tours.

- d. *Criteria N. Off-Site Impacts. The proposed use shall not have significant negative impacts on the surrounding properties including excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter...or become a nuisance as defined in HBC 8.12.020...*

The blasting and excavation will create significant levels of noise, dust, fumes, odors, vibration, etc., and nuisance is defined in Code as: (B) to annoy, injure or endanger the safety, health, comfort, or repose of the public; and (C) to interfere with, obstruct, or render dangerous any street, highway, sidewalk, right-of-way, navigable lake, or stream.

- e. *Criteria T. Hazard Areas. Development which is not designed and engineered to mitigate the risk of loss of life or property is prohibited in the following hazard areas: ...4. Slopes greater than 30 percent...6. Rock and mudslide areas...*

Sites in the CUP qualify as "hazard areas" because the slope is greater than 30% and there have been numerous landslides and rockslides in past years (See Chilkat Valley News article 3/10/2016.) Between October

27th and October 29th of this year there were 39 reported earthquakes centered less than 40 miles from Haines with two measuring over 5.0 on the Richter scale - seismic events and blasting activities coupled to major rain or snow events in a steep slope area could lead to significantly increased risks to the public.

2. Approval criteria specific to the issuance of a CUP [HBC 18.50.040] were insufficiently supported. The sites listed in the CUP are within the Townsite Service Area and zoned Waterfront Industrial, which allows for natural resource *export* but not resource *extraction* as a use by right, unlike Heavy Industrial. Therefore a CUP is required and the following criteria must be met:

a. *Criteria #1: The use is so located on the site as to avoid undue noise and other nuisances and dangers*

The use cannot be located on this site such that undue noise, nuisances (described above) and other dangers are avoided.

b. *Criterion #5: The granting of the conditional use will not be harmful to the public safety, health or welfare...*

See discussion under General Use Criteria above re: endangering public health and safety.

c. *Criteria #8: Comments received from property owners impacted by the proposed development have been considered and given their due weight...*

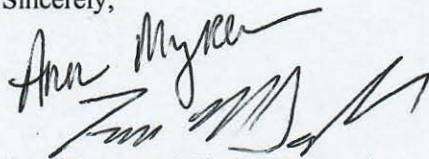
See response under General Use *Criteria B* above.

Final remarks:

Borough Code requires the applicant to demonstrate by a preponderance of the evidence that their application for a CUP should be granted. The absence of a professional evaluation of the dangers to public safety and welfare from the proposed blasting and excavation in a landslide-prone area, coupled to the prohibition against creating a nuisance to the general public should raise a red flag for the Borough. With or without a catastrophic event, the increased traffic, noise, dust, and danger will compromise other uses of the road and any injury, death, or financial impact that might result from this Borough-approved development could lead to significant legal and financial liability.

We respectfully request the Borough Assembly schedule a hearing on the PC decision at its next meeting.

Sincerely,



Ann Myren and Tim McDonough
Box 951
Haines AK 99827

From: [Steve Virg-In](#)
To: [Alekka Fullerton](#)
Subject: Conditional Use Permit 23-87
Date: Friday, November 3, 2023 11:38:28 AM

EXTERNAL EMAIL: Do not open links or attachments unless you recognize the sender and know the content is safe.

To whom it may concern.

Sarah and I want to express our total support for the current conditional use permit issued for the Lutak Road gravel project.

As homeowners at the end of Lutak Road since 1988, We are thankful that development and use of idle land is underway for the benefit of businesses and the community of Haines.

We believe that any opposition to this permit is detrimental to the overall welfare of the community and oppose any changes or restrictions.

Respectfully,

*Steve and Sarah Virg-In
#777 10 Mile Lutak Road*

From: [Mandy Reigle](#)
To: [Alekka Fullerton](#)
Subject: CUP 23-87
Date: Friday, November 3, 2023 11:52:15 AM

EXTERNAL EMAIL: Do not open links or attachments unless you recognize the sender and know the content is safe.

Hi,

I'd like to see this issue revisited.

I don't think it is safe to disrupt this section of Lutak Rd.

The people of Lutak are submitting an appeal of this permit. I support this appeal. Please do not allow further destabilization of this area.

Thanks,

Mandy Reigle

--

Mandy Reigle

REALTOR serving Haines and Skagway, Alaska

907-465-7555

Coldwell Banker Race Realty

From: [Greg Folta](#)
To: [Alekka Fullerton](#)
Subject: Lutak conditional use permit
Date: Saturday, November 4, 2023 3:08:36 PM

EXTERNAL EMAIL: Do not open links or attachments unless you recognize the sender and know the content is safe.

Dear Ms. Fullerton,

I support revisiting the permitting of the recent dirt removal and clearing along Lutak Road would like to see the Assembly have a hearing about the Lutak CUP.

As a homeowner for 53 years at Lutak, it is concerning for me that this project continues without further discussion.

Thank you for considering our request.

Richard Folta

Julie Folta

Greg Folta

From: [Richard Buck](#)
To: [Alekka Fullerton](#)
Subject: Letter
Date: Monday, November 6, 2023 1:18:16 PM

EXTERNAL EMAIL: Do not open links or attachments unless you recognize the sender and know the content is safe.

Anne Myron wrote a letter concerning the planning commission granting permission for SE Roadbuilders to excavate an area close to the ferry terminal on Lutak Road. I agree with her concerns and wish that the commission would agree to revisit the decision. Richard Buck



| HC 60 Box 4800 Haines, AK 99827 | Phone : 907-766-2833 | Fax : 907-766-2832 |

November 20, 2023

Alekka Fullerton
Haines Borough Clerk
PO Box 1209
Haines, AK 99827

Re: Haines Borough Conditional Use Permit #23-87 for Resource Extraction Appeal Hearing

Ms. Fullerton,

We are writing to provide the Assembly with information for the upcoming hearing on Conditional Use Permit #23-87 ("Permit"). Since the Permit was issued by the Planning Commission we have spoken with several residents, read letters of concern, and listened to public comments during both the Planning Commission and Assembly hearings. While we appreciate stakeholder involvement, none of the appellants have presented facts or evidence that warrants rescission of the Permit. *See* HBC 18.30.050(B)(1) ("The burden of proof shall be on the appellant to demonstrate the facts and resolution of the issues on appeal by substantial evidence.")

The Planning Commission made detailed findings addressing the concerns raised by appellants, including that:

- The use is located on the site so as to avoid noise and other nuisances or dangers;
- Southeast Roadbuilders' development scheme is consistent and in harmony with both the Comprehensive Plan and surrounding land uses;
- The permitted use will not be harmful to public safety, health, or welfare;
- Southeast Roadbuilders' use will not cause significant erosion, ground or surface water contamination, or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams.

Based on these findings, and the appropriate conditions already placed on the Permit, the Commission's decision – which included the input of Commissioners with extensive planning and engineering experience – should be affirmed.¹ Notwithstanding, Southeast Roadbuilders offers the following letter to address the major topics brought up by appellants.

¹ Per HBC 18.30.060(B)(2)-(3), the "burden of proof shall be on the party challenging the decision of the planning commission" and the Assembly "may confirm the commission's decision, reverse the commission's decision, or change the conditions which the commission placed on appeal." This code provision does not provide for remanding the Permit back to the Planning Commission.



| HC 60 Box 4800 Haines, AK 99827 | Phone : 907-766-2833 | Fax : 907-766-2832 |

Slopes and Hazard Areas

Safety is a paramount concern for Southeast Roadbuilders, and our company has a long record of safe and professional operation in performing this type of work. In fact, Southeast Roadbuilders expects that, upon completion of its operations, the slopes on which it has performed work will be safer and *more* stable than they are currently.

Specifically, at the recommendation of Commissioner Eckhoff, the Permit requires that a site reclamation plan, developed and stamped by a professional engineer, be submitted for Planning Commission review by Southeast Roadbuilders. This plan will address final conditions of the site, including final backwall conditions and slope stabilization. The Permit also requires that design and engineering for resource extraction in hazard areas be provided to the Borough.

To comply with the Permit, Southeast Roadbuilders has engaged a licensed engineer with experience in reclamation plans to perform work satisfying both requirements. We have also sent out samples to a qualified laboratory to determine the appropriate finish backwall slopes. We recognize stability of the slopes during excavation in hazard areas and final backwalls must be evaluated by individuals qualified within the State of Alaska to do so by experience and licensing.

Attached to this letter are several examples of projects where engineered excavation was used to provide slope stabilization, which is a common practice for stabilized slopes, not only in Haines but throughout the state.

An additional point of concern for certain residents appears to be the overall stability of the area outside of Southeast Roadbuilder's property limits. While we are sensitive to the concern and understand why the community is, it is outside of the permitting scope and the borough code section 18.60.010(T) for us, as an individual entity, to provide an evaluation or correction of those conditions. We are complying with this section of code by designing and engineering our development on our site to mitigate the risk of loss of life or property. Pre-existing conditions on state property are beyond our control. We have researched available hazard maps as part of the permitting process; in the Haines Coastal Management Plan referenced in the Haines Borough Multi-Hazard Mitigation Plan there is a Haines Coastal Management Plan Natural Hazards map that our proposed developments approximately circled in red appear to be outside of.



| HC 60 Box 4800 Haines, AK 99827 | Phone : 907-766-2833 | Fax : 907-766-2832 |



Traffic and Access

The Permit requires Southeast Roadbuilders to “coordinate access, traffic plans, and roadway maintenance during resource extraction” with DOT&PF’s Southcoast Region Right-of-Way office. This is an appropriate requirement as Southeast Roadbuilder’s operation will be using a state-owned road; operated and maintained by DOT&PF.

Pursuant to the Permit conditions, Southeast Roadbuilders has already been in contact with DOT&PF’s right of way division, and it has submitted applications for the northern driveway access. We have likewise been in discussions with the Department about access to the southern driveway, which will take additional coordination and design with Department representatives.

Again, Southeast Roadbuilders expects that the net impact of this project will be to improve road safety and *reduce* industrial traffic through the Haines townsite because use of these sites will significantly reduce truck traffic from our current material source at mile 4.5 on the Haines Highway when exporting material.

Other regulatory requirements are already in place for vehicle speed, vehicle weights, and frequency of access through AKDOT&PF, which Southeast Roadbuilders will abide by.

The Planning Commission considered traffic issues in detail when it granted the permit, adding a condition to the Permit that Southeast Roadbuilders coordinate with the Alaska Marine Highway System to ensure that no blasting occurred within a two-hour window before ferry arrivals and after ferry departures to avoid conflicts with ferry traffic.

We also recognize that there are other users of this State-owned corridor that have access rights to the road, such as cyclists and pedestrians. However, as a waterfront industrial zone, our truck traffic is consistent with expected use in this zone, and we would hope other users would recognize our rights to use the area as well.

Hindrance to Waterfront Industrial Uses in the Zone

All Commissioners on the Planning Committee found resource extraction to be consistent with surrounding land uses, and that the development would not impair the value of adjoining property.



| HC 60 Box 4800 Haines, AK 99827 | Phone : 907-766-2833 | Fax : 907-766-2832 |

As a waterfront industrial landholder and one of the few private industrial land users in this specific area we see resource extraction as a beneficial use to our waterfront industrial property. We also have provided a letter from Alaska Marine Lines, another private industrial land user in this zone stating that our operation will not be a hinderance to their operations.

This development would be necessary to enhance the property for many potential waterfront industrial uses that require low angle, highway elevation access, such as marine industrial facilities, marine commercial facilities, heavy equipment storage, major and commercial uses. As such we see resource extraction necessary for any potential future developments that may take place on the site. Under the definition of resource extraction, we would already be able to remove material from within the legal boundaries of the property that was incidental to construction for any of those use by right activities that could be permitted on these parcels.

Nuisance Conditions

The Permit prohibits “excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter . . . or [any activities which] become a nuisance as defined in HBC 8.12.020(l).” Accordingly, no modification is needed to the Permit to protect against nuisance conditions.

Additionally, Southeast Roadbuilders would ask the Assembly to recognize that the current zoning of these parcels is waterfront industrial. While waterfront industrial is not defined in Borough code 18.20.020; heavy industrial means a use that has potential for significant negative impact on adjoining uses including offensive noise, dust, vibration; activities that involve large amounts of exterior storage; and uses that create hazards such as heavy truck traffic.

These uses specifically include truck or ship terminals and docks, and bulk material or machinery storage. Resource extraction is further defined as a heavy industrial use in 18.20.020. As a result, Southeast Roadbuilder’s expected use is entirely consistent with the expected activities for the zone. With the definition of waterfront industrial we do not expect to create nuisance conditions beyond those which should already be expected in the zone, and there are large buffers between our operations and any other non-industrial uses.



| HC 60 Box 4800 Haines, AK 99827 | Phone : 907-766-2833 | Fax : 907-766-2832 |

GENERAL CLASSIFICATION →	INDUSTRIAL USES			COMMERCIAL/ Residential Uses			RESIDENTIAL USES ONLY	RESIDENTIAL/ Commercial Uses			RECREATIONAL USE
	Heavy Industrial	Light Industrial/ Commercial	Waterfront Industrial	Commercial	Waterfront	Significant Structures Area	Single Residential	Multiple Residential	Rural Residential	Rural Mixed Use	Recreational
Specific Zoning Districts → USES ↓	I/H	I/L/C	I/W	C	W	SSA	SR	MR	RR	RMU	REC
Hotel/Motel	NA	CU	NA	UBR	CU	UBR	NA	NA	NA	CU	NA
Industrial, Heavy	UBR	CU	UBR	CU	NA	NA	NA	NA	NA	CU	NA
Industrial, Light	CU	UBR	CU	CU	CU	NA	NA	NA	NA	CU	NA
Institutional Home	NA	NA	NA	UBR	NA	NA	NA	CU	NA	CU	NA
Junkyard	UBR	UBR	CU	CU	NA	NA	NA	NA	NA	CU	NA
Kennel	UBR	CU	NA	CU	NA	NA	NA	NA	CU	CU	NA
Landfill	UBR	UBR	NA	CU	NA	NA	NA	NA	NA	CU	NA

Environmental Regulatory Compliance

Jurisdiction for environmental regulatory compliance for this type of operation and the concerns brought up at the previous Assembly meeting would fall under the Alaska Department of Environmental Conservation’s (ADEC) purview. The Permit currently requires Southeast Roadbuilders to provide a copy of all plans and Storm Water Pollution Prevention Plans (SWPPP) to the Borough before implementation of the project, and we believe SWPPP concerns are therefore adequately addressed between this requirement and other ADEC requirements in place. ADEC has the expertise authority for multi-sector permit review, approval, and inspection and we intend to abide by their requirements.

We currently have a professional SWPPP writer preparing documents for future use on the site that will be provided to both ADEC and the Borough. Southeast Roadbuilders has experience managing material extraction sites throughout Southeast Alaska, in fact some images of best practices in DEC’s User Manual of BMPs for Gravel/Rock Extraction & Water Quality PDF are from sites that our sister company SECON manages. Other environmental regulatory requirements will be managed with the authority having jurisdiction.

Finally, in approving the conditional use permit, the Planning Commission noted on multiple occasions that Southeast Roadbuilder is working with both ADEC and the Alaska Department of Fish & Game to ensure compliance water quality and fish habitat regulations.

Alaska Marine Highway’s Water System

18.60.010 only requires connection to public water systems within 200 feet of the property; Southeast Roadbuilders does not intend to connect to Alaska Marine Highway’s water system. In addition, we note



| HC 60 Box 4800 Haines, AK 99827 | Phone : 907-766-2833 | Fax : 907-766-2832 |

that this issue was not raised by appellants (or anyone else) in front of the Planning Commission, and therefore we do not believe there is a basis for the Assembly to review this on appeal under 18.30.060.

Conclusion

We have shown that approval criteria 1 – 8 have been sufficiently addressed between the original permit application and this document consistent with previous approval standards. This project also supports Haines Borough’s Comprehensive Plan goals, such as: goal 3 – achieve a strong, diversified local economy² that provides employment and income for all citizens that desire to work...; goal 5 – provide an adequate supply of land for commercial and industrial development; and goal 10 – support responsible development (extracting resources from sites that have future use potential).

Given the above and given the existing Permit conditions (which already address many of the issues raised by appellants), we encourage the Assembly to maintain the Permit as-is.

Sincerely,

TJ Mason, PMP
Area Manager/Assistant Secretary
Glacier Construction dba Southeast Roadbuilders

² In addition to the general economic benefits to the community that this project will offer, redundancy of gravel and rock sources is important if access ever was cut off beyond Mile 4 of the Haines Highway and materials were needed to perform emergency repairs to protect the health and safety of life or property.



100 Mt. Roberts Street
Juneau, AK 99801
Main: (907) 586-3790
jnuoffice@lynden.com

To Whom It May Concern,
11/17/23

Alaska Marines Lines would like to offer its support for the Lutak Pit development project conducted by Southeast Roadbuilders. We do not anticipate the project to negatively impact our operations and see this as a benefit to the community by supplying a source of rock.

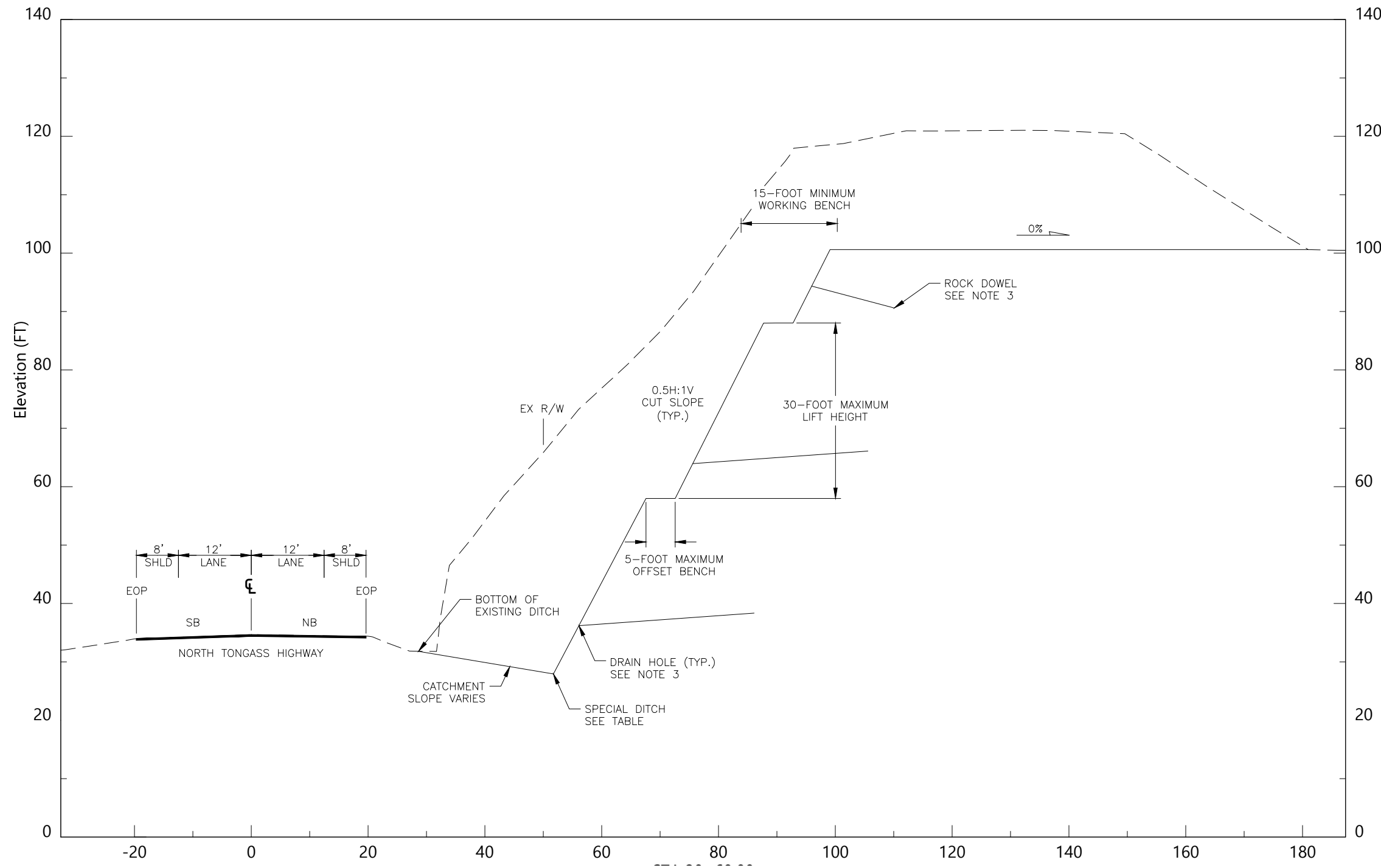
Sincerely,

A handwritten signature in black ink that reads 'Adam S. Anderson'.

Adam S. Anderson
Southeast Regional Manager
100 Mt. Robert St.
Juneau, AK 99801
adama@lynden.com
907-419-5600

NO.	DATE	REVISION	STATE	PROJECT DESIGNATION	YEAR	SHEET NO.	TOTAL SHEETS
			ALASKA	0920(032)/SFHWY00432	2023	B2	B4

FILE: H:\Jobs\17-004_Southcoast_Region\Mid-Slope_Stabilization (Landslide Tech)\CAD\Drawings\68657-KTN-B01-B04.dwg DATE: 10/16/2023 14:30 LAYOUT: B2 DESIGNED: BAG CHECKED: SWD DRAFTED: WP



NOTES:

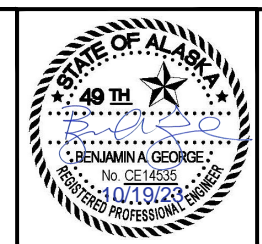
1. PROVIDE 15-FOOT WORKING BENCHES AND MAXIMUM 5-FOOT OFFSET BENCHES WITH A 0.5H:1V CUT SLOPE, WITH 30-FOOT MAXIMUM LIFT HEIGHTS.
2. INSTALL ROCK DOWELS AT LOCATIONS IDENTIFIED IN THE FIELD BY THE ENGINEER.
3. DRILL DRAIN HOLES ON A 30-FOOT SPACING ON THE LOWER AND MIDDLE BENCHES AT LOCATIONS IDENTIFIED IN THE FIELD BY THE ENGINEER.

SPECIAL DITCH POINT TABLE

STATION	OFFSET (FT)	ELEVATION (FT)
17+50		
17+60	37.781	23.03
17+80	61.340	18.04
18+00	60.000	18.77
18+20	58.390	19.44
18+40	57.450	20.10
18+60	56.190	20.89
18+80	56.380	21.50
19+00	56.920	22.02
19+20	54.960	22.94
19+40	52.360	24.02
19+60	54.620	24.39
19+80	54.330	25.19
20+00	74.400	26.00
20+20	54.520	26.84
20+40	57.100	27.32
20+60	61.490	27.56
20+80	64.360	27.94
21+00	85.610	28.65
21+20	67.660	29.24
21+40	71.370	29.52
21+60	52.740	52.5
21+60	31.750	36.05 (ME)

1 NORTH TONGASS TYPICAL SECTION
 B2 SCALE: NOT TO SCALE
 STA 17+50 TO STA 22+10

PLANS DEVELOPED BY:
 LANDSLIDE TECHNOLOGY
 10250 SW GREENBURG RD,
 SUITE 111
 PORTLAND, OR 97223
 (503)452-1200
 AECL238440



STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
 KTN WOLFE POINT SLOPE STABILITY IMPROVEMENTS
 SLOPE STABILIZATION TYPICAL SECTION

FIRM DOWL
 FILE C:\civil\3D Projects\2016\24\61850-02\Civil\SA-CT-DT-B-61850.dwg
 ADDRESS 9085 GLACIER HIGHWAY, JUNEAU, AK 99801
 DATE 12/30/2019 LAYOUT B3
 PHONE (907) 780-3533
 DESIGNED HOBBS
 CHECKED NOBLE
 DRAFTED KEMP
 CERTIFICATE OF AUTH # : AECL848
 KEMP

NO.	DATE	REVISION	STATE	PROJECT DESIGNATION	YEAR	SHEET NO.	TOTAL SHEETS
			ALASKA	0956036/SFHwy00171	2020	B3	B5

FROM STA	TO STA	OFFSET	SLOPE	REMARK
621+00	623+00	LT	2.0:1	RIPRAP
641+00	642+00	LT	2.0:1	RIPRAP
666+50	674+00	LT	2.0:1	RIPRAP
688+00	704+00	LT	2.0:1	RIPRAP
706+50	707+00	RT	1.3:1	MINIMIZE CUT SLOPE LIMITS
735+50	738+00	LT	2.0:1	RIPRAP
752+00	753+50	LT	2.0:1	RIPRAP
759+40	762+17.81	LT	2.0:1	RIPRAP
765+50	769+50	LT	2.0:1	RIPRAP
788+00	792+00	LT	2.0:1	RIPRAP
816+00	820+00	LT	2.0:1	RIPRAP
862+50	864+50	RT	1.3:1	MINIMIZE CUT SLOPE LIMITS
872+75	874+50	LT	2.0:1	RIPRAP
954+80	955+00	LT	4.0:1	20 FT TRANSITIONS, MAINTENANCE ACCESS
983+06	983+20	LT/RT	4.0:1	20 FT TRANSITIONS, MAINTENANCE ACCESS
1008+39.75	1008+50.50	LT	1.3:1	MINIMIZE FILL SLOPE LIMITS
1042+75	1043+50	RT	1.3:1	MINIMIZE CUT SLOPE LIMITS
1083+82.00	1104+17.10	LT	6.0:1	32.9 FT TRANSITIONS, MAINTENANCE ACCESS
1094+50	N/A	RT	1.4:1	MINIMIZE CUT SLOPE LIMITS
1096+00	N/A	RT	1.4:1	MINIMIZE CUT SLOPE LIMITS

NIC

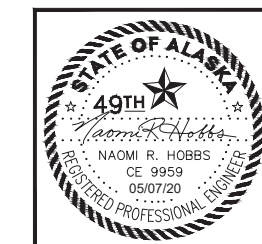
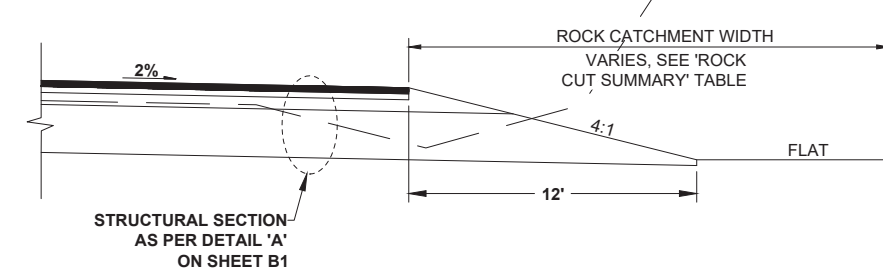
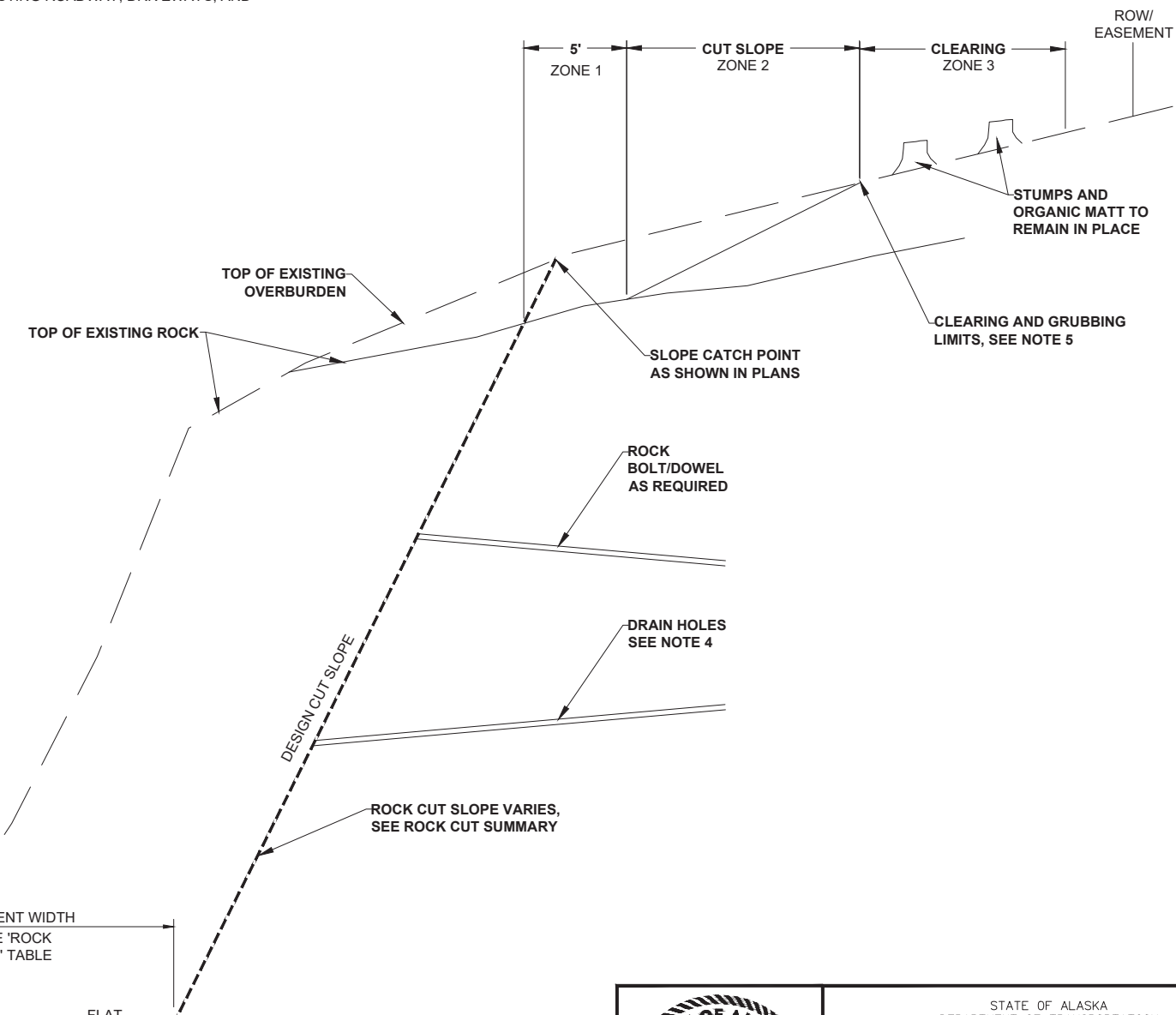
NOTES:

- UNCLASSIFIED EXCAVATION MEASURED FOR PAYMENT WILL BE LIMITED TO MATERIAL WITHIN THE PLANNED DESIGN CUT. EXCAVATED MATERIAL OUTSIDE THE PLANNED DESIGN CUT WILL BE CONSIDERED A MATERIAL SOURCE.
- THE EXTENT OF THE NEAT LINE PAY LIMIT FOR UNCLASSIFIED EXCAVATION SHALL BE ALONG A STRAIGHT LINE BEGINNING AT THE OUTER LIMIT OF THE ROCK CATCHMENT WIDTH AND PROJECTED TO THE CREST OF THE EXISTING ROCK AT THE DESIGN CUT SLOPE WHICH INCLUDES ALLOWANCE FOR OFFSET BENCHES AS DESCRIBED IN NOTE 3.
- MAXIMUM ALLOWABLE CONTROLLED BLAST FACE HEIGHT IS 30 FEET PER LIFT. LIMIT WIDTH OF OFFSET BENCHES TO 2 FEET FOR ROCK CUT SLOPES.
- DRILL 3 INCH MIN DIAMETER HOLES AT 5 TO 10 DEGREES ABOVE HORIZONTAL TO A DEPTH OF 20 FEET. DRILL 5 TO 10 FEET ABOVE THE TOE OF DITCH AND ALL INTERMEDIATE BENCHES. SPACE 20 FEET BETWEEN HOLES AND ADJUST LOCATIONS TO INTERCEPT VISIBLE WATER SEEP AND MOIST SPOTS. THERE SHALL BE ONE ROW OF DRAIN HOLES PER 30 FOOT LIFT.
- CLEARING AND GRUBBING LIMITS QUANTITY IS BASED ON THE AREA BETWEEN THE SLOPE CATCH POINTS (INCLUDING CUT SLOPE ZONE 2 IN ROCK CUT AREAS), EXCLUDING AREAS OF EXISTING ROADWAY, DRIVEWAYS, AND PULLOUT AREAS.

ZONE	DESCRIPTION
1	REMOVE ALL OVERBURDEN SOILS 5 HORIZONTAL FEET FROM CREST OF ROCK CUT TO PREVENT VEGETATION GROWTH.
2	IF A 2H:1V SLOPE IS NOT CONSTRUCTIBLE WITHIN THE ROW, EASEMENT, OR PERMITTED LIMITS CUT OVERBURDEN AT 1.5H:1V. IF 1.5H:1V IS NOT CONSTRUCTIBLE WITHIN THE ROW, EASEMENT, OR PERMITTED LIMITS CUT OVERBURDEN AT A 1H:1V. STABILIZE SOIL WITH DITCH LINING PER SECTION 610.
3	CLEAR ALL TREES 10 HORIZONTAL FEET FROM THE SLOPE CATCH POINT OF ZONE 2 OR TO THE ROW OR EASEMENT LINE, WHICHEVER IS CLOSER. LEAVE STUMPS AND ORGANIC MAT IN PLACE

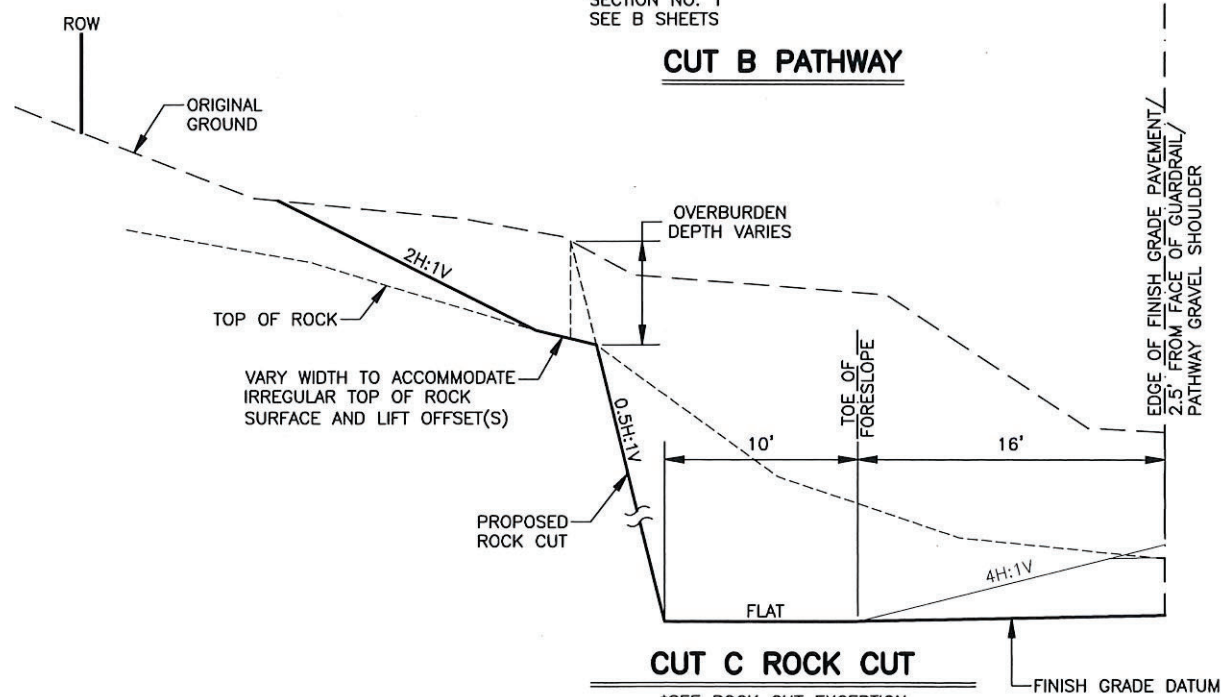
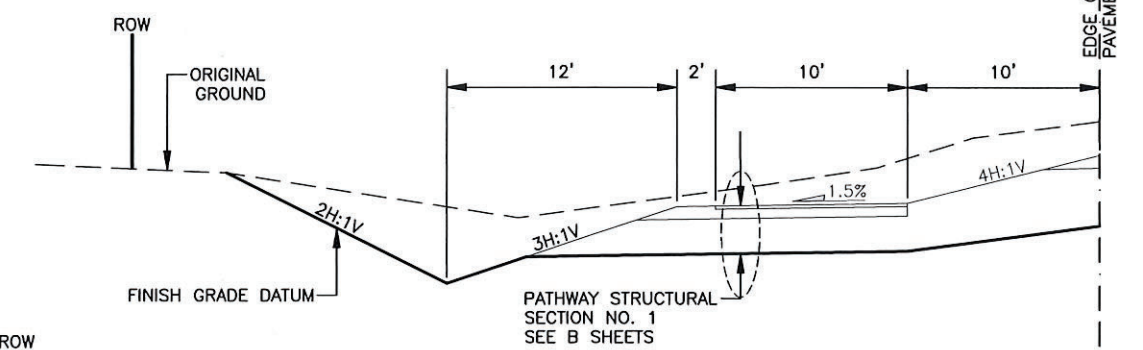
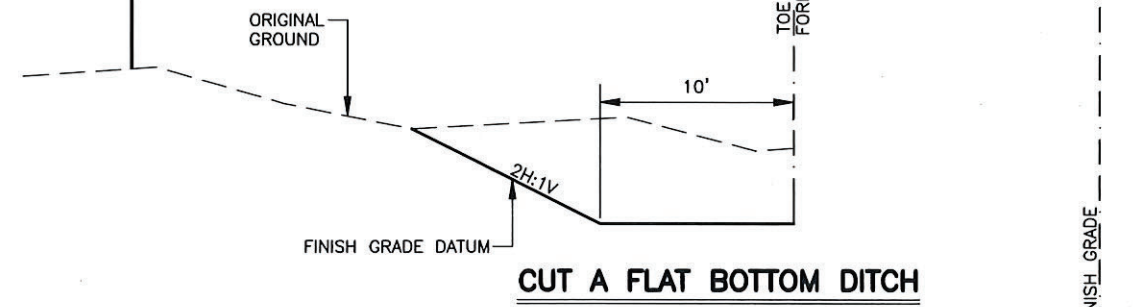
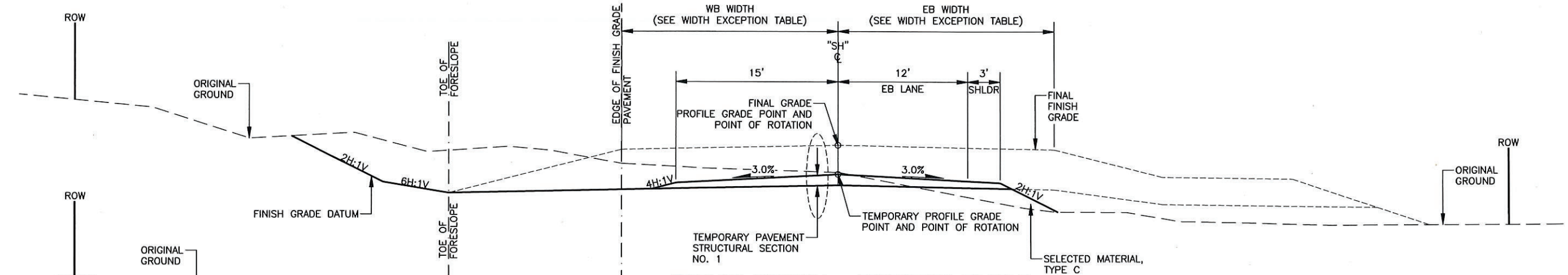
ROCK CUT	OFFSET	FROM STA	TO STA	CATCHMENT WIDTH	DESIGN CUT SLOPE	REMARKS
1	RT	674+00	680+60	25	0.25:1	
2	RT	684+00	686+00	20	0.25:1	
3	RT	688+00	694+50	40	0.50:1	
4	A	741+97.50	753+20	20	0.50:1	40-FOOT TRANSITION
	B	753+60	757+20	35	0.25:1	
	C	757+60	759+00	35	0.18:1	
5	A	779+40	780+40	30	0.25:1	20-FOOT TRANSITION
	B	780+60	782+60	20	0.25:1	
6	A	784+20	785+00	20	0.25:1	40-FOOT TRANSITION
	B	785+40	788+00	30	0.25:1	
7	RT	790+60	791+80	30	0.18:1	
8	RT	811+80	816+60	20	0.25:1	
9	RT	822+00	832+20	20	0.25:1	

- NOTES:
- ALLOWABLE OFFSET BENCHES (SEE NOTE 3 THIS SHEET) ARE REFLECTED IN PLANS (CUT LIMITS) AND IN SUPPLEMENTAL CROSS SECTIONS.
 - ADDITIONAL MATERIAL SOURCES LOCATED AT STATIONS 674+00 TO 710+00 (282,000 CY) AND 776+00 TO 797+00 (200,000 CY) IN SITU.
 - ADDITIONAL MATERIAL FOR EMBANKMENT CONSTRUCTION MAY BE OBTAINED FROM DEBRIS FLOW SITES AT STATIONS 948+00 TO 978+00 (91,100 CY) AND 1178+00 TO 1181+00 (67,300 CY). REFER TO SECTION 203 FOR REQUIREMENTS.



STATE OF ALASKA
 DEPARTMENT OF TRANSPORTATION
 AND PUBLIC FACILITIES
HAINES HIGHWAY RECONSTRUCTION
 MILEPOST 12.2 TO 20
TYPICAL SECTIONS

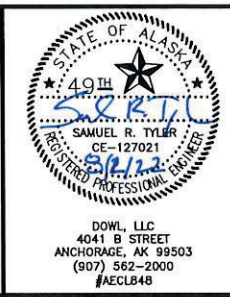
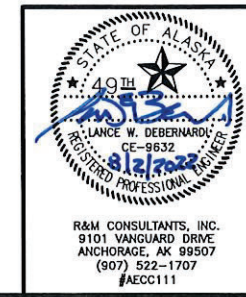
DESIGNED BY: []
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 TIME: []
 DRAWING LOCATION: C:\DOWL_PWA\00392097\14000_BT01_TYP-EWP-DWG



TEMPORARY PAVEMENT STRUCTURAL SECTION NO. 1
 FINAL GRADE PROFILE GRADE POINT AND POINT OF ROTATION
 TEMPORARY PROFILE GRADE POINT AND POINT OF ROTATION
 SELECTED MATERIAL, TYPE C

WB WIDTH	STATION FROM	STATION TO	REMARKS	EB WIDTH	STATION FROM	STATION TO	REMARKS
20'	"SH" 1259+50.00	"SH" 1372+48.25		32'	"SH" 1259+50.00	"SH" 1408+29.12	
32'	"SH" 1380+29.13	"SH" 1420+78.54		20'	"SH" 1417+01.48	"SH" 1420+78.60	
40'	"SH" 1425+98.66	"SH" 1433+39.15		28'	"SH" 1425+98.75	"SH" 1433+39.06	
32'	"SH" 1438+59.15	"SH" 1537+74.00		20'	"SH" 1438+59.06	"SH" 1659+00.00	
20'	"SH" 1545+54.00	"SH" 1574+36.00		20'	"SH" 2006+45.69	"SH" 2015+54.00	
32'	"SH" 1582+16.00	"SH" 1659+00.00		32'	"SH" 2017+34.00	"SH" 2021+44.00	
32'	"SH" 2006+45.69	"SH" 2010+54.00		20'	"SH" 2022+30.00	"SH" 2026+23.76	
48'	"SH" 2020+94.00	"SH" 2028+00.00		32'	"SH" 2027+02.80	"SH" 2028+00.00	

NOTE:
 WIDTH EXCEPTION TABLE PROVIDES FULL BUILD ROAD WIDTH TO ESTABLISH EXCAVATION LIMITS AND SLOPE CATCH POINTS FOR GRUBBING EXTENTS.



STATE OF ALASKA
 DEPARTMENT OF TRANSPORTATION
 AND PUBLIC FACILITIES
**STERLING HIGHWAY MP 45-60;
 SUNRISE TO SKILAK RD
 STAGES 3 & 4 EWP**
 TYPICAL SECTION

DESIGNED BY: LKLVOS/ADRK
 CHECKED BY: KEK/SAP/ARRH
 DRAFTED BY: CHL/ZDK/VJS
 XREFS: XR-53610-Border-Det01
 SCALE: 1" = 5'
 LAYOUT: B3
 DATE TIME: 11/9/2021 7:43 AM
 DRAWING LOCATION: w:\Projects\seward hwy mp 17-22.5 rehabilitation - 53610\Civ3D\16\Plans\53610_B01_Typicals.dwg

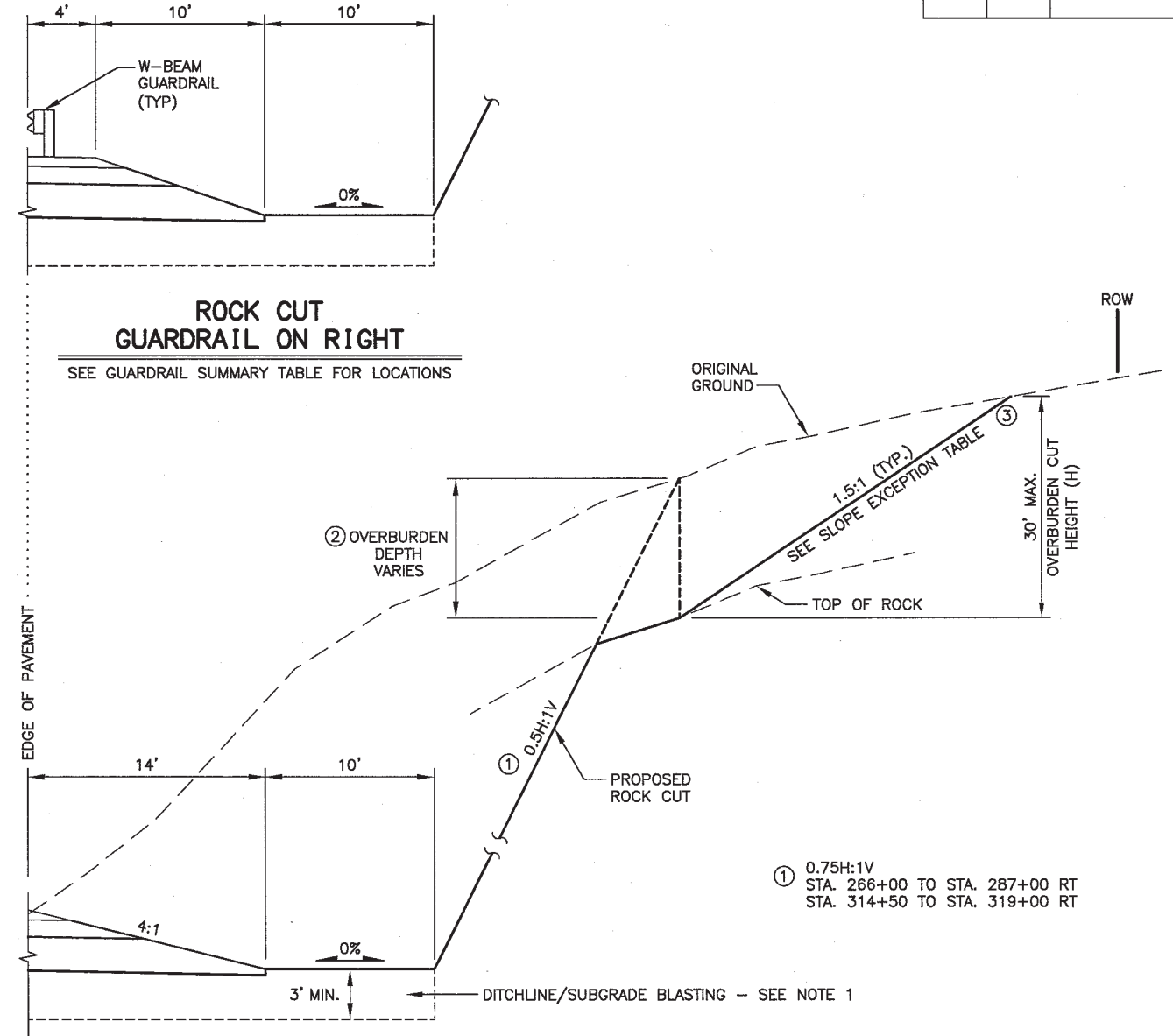
REVISIONS		
NO.	DATE	DESCRIPTION

STATE	PROJECT DESIGNATION	YEAR	SHEET NO.	TOTAL SHEETS
ALASKA	0311032/Z536100000	2021	B3	B5

③

OVERBURDEN CUT HEIGHT (H)	SLOPE	COMMENTS
<30'	1.5:1	SEE NOTE 3
IF H >30' AT 1.5:1	1:1	SEE NOTE 4
IF H >30' AT 1:1	0.75:1	SEE NOTE 4

STATION TO STATION	COMMENTS
162+00 TO 162+65	SEE NOTE 4
166+00 TO 178+50	SEE NOTE 4
180+00 TO 181+75	SEE NOTE 6
182+70 TO 187+75	SEE NOTE 4
191+50 TO 194+00	SEE NOTE 6
194+50 TO 195+25	SEE NOTE 6
196+75 TO 202+50	SEE NOTE 6
247+00 TO 250+50	SEE NOTE 6
251+75 TO 254+75	SEE NOTE 4
259+00 TO 259+50	SEE NOTE 4
262+25 TO 265+50	SEE NOTE 6
266+50 TO 267+75	SEE NOTE 6
271+25 TO 274+50	SEE NOTE 6
274+85 TO 278+00	SEE NOTE 4
284+65 TO 287+00	SEE NOTE 4
315+50 TO 317+65	SEE NOTE 6
319+25 TO 320+85	SEE NOTE 6
321+40 TO 325+25	SEE NOTE 4
326+00 TO 327+35	SEE NOTE 6
327+75 TO 333+20	SEE NOTE 4
334+50 TO 335+25	SEE NOTE 6
338+00 TO 340+00	SEE NOTE 6
345+50 TO 352+85	SEE NOTE 6
359+75 TO 362+75	SEE NOTE 4
363+50 TO 366+00	SEE NOTE 6
369+75 TO 371+25	SEE NOTE 4
376+00 TO 377+75	SEE NOTE 6
380+25 TO 381+25	SEE NOTE 4
383+00 TO 383+75	SEE NOTE 4
386+50 TO 393+75	SEE NOTE 6

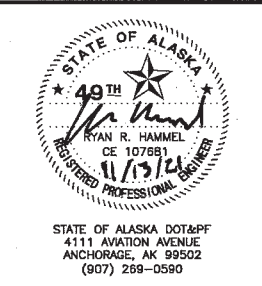


②

STATION TO STATION	OFFSET	DEPTH (FT)
160+00 TO 180+00	RT	3 TO 5
180+00 TO 182+50	RT	3
182+50 TO 183+50	RT	5
183+50 TO 185+00	RT	8
185+00 TO 191+00	RT	8
191+00 TO 196+50	RT	6
196+50 TO 199+00	RT	3
199+00 TO 202+00	RT	7
202+00 TO 206+00	RT	3
220+00 TO 225+00	RT	-
245+00 TO 247+00	RT	-
247+00 TO 263+00	RT	5
263+00 TO 266+00	RT	10
266+00 TO 270+00	RT	5
270+00 TO 278+50	RT	12
279+00 TO 284+00	RT	6
284+00 TO 287+00	RT	4
314+00 TO 317+00	RT	> 5
317+00 TO 319+00	RT	2
319+00 TO 323+00	RT	3
323+00 TO 324+75	RT	12
324+75 TO 328+00	RT	11
328+00 TO 336+50	RT	6
336+50 TO 353+00	RT	5
353+00 TO 360+25	RT	9
360+25 TO 366+00	RT	6
366+00 TO 368+50	RT	9
368+50 TO 371+00	RT	5
374+00 TO 378+00	RT	4
378+00 TO 382+00	RT	9
382+00 TO 393+50	RT	5

NOTES:

1. WIDTH OF DITCHLINE/SUBGRADE BLASTING IS MEASURED FROM THE OUTSIDE EDGE OF FLAT BOTTOM DITCH, TOWARDS THE CENTERLINE.
2. ROCK CUT LOCATIONS AND OVERBURDEN DEPTHS ARE ESTIMATED AND SHALL BE FIELD VERIFIED VIA EXPLORATION PER THE SPECIFICATIONS.
3. ON 1.5:1 SLOPES, INSTALL HIGH PERFORMANCE TURF REINFORCEMENT MAT (HPTRM).
4. ON 1:1 AND 0.75:1 SLOPES, INSTALL HPTRM AND WIRE MESH.
5. SEE STABILIZATION, OVERBURDEN WIRE MESH - PINNED SUMMARY TABLE FOR LOCATIONS.
6. NO OVERBURDEN SLOPE PROTECTION REQUIRED IN AREAS WITH 2:1 SLOPES.
7. AS APPROVED BY THE ENGINEER, IF ROCK IS ENCOUNTERED DURING CONSTRUCTION, ROCK SHALL BE EXCAVATED TO FINISHED GRADE AND NO SLOPE STABILIZATION SHALL BE REQUIRED.



STATE OF ALASKA
 DEPARTMENT OF TRANSPORTATION
 AND PUBLIC FACILITIES

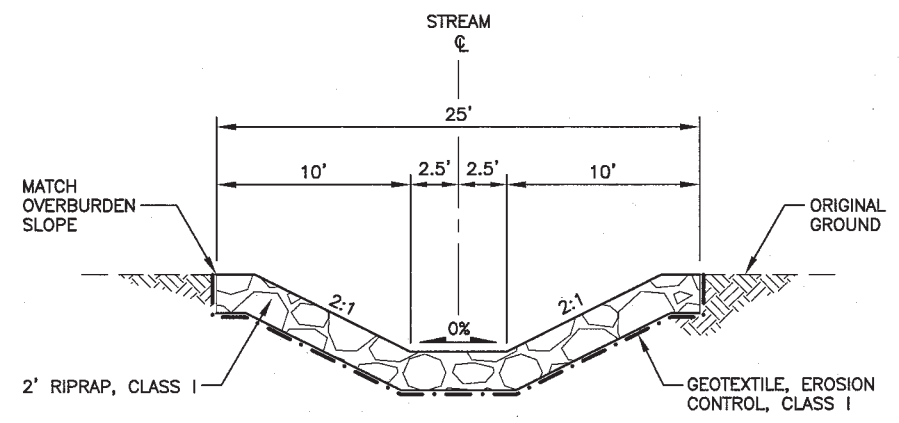
**SEWARD HIGHWAY
 MP 17-22.5 REHABILITATION**

TYPICAL SECTIONS

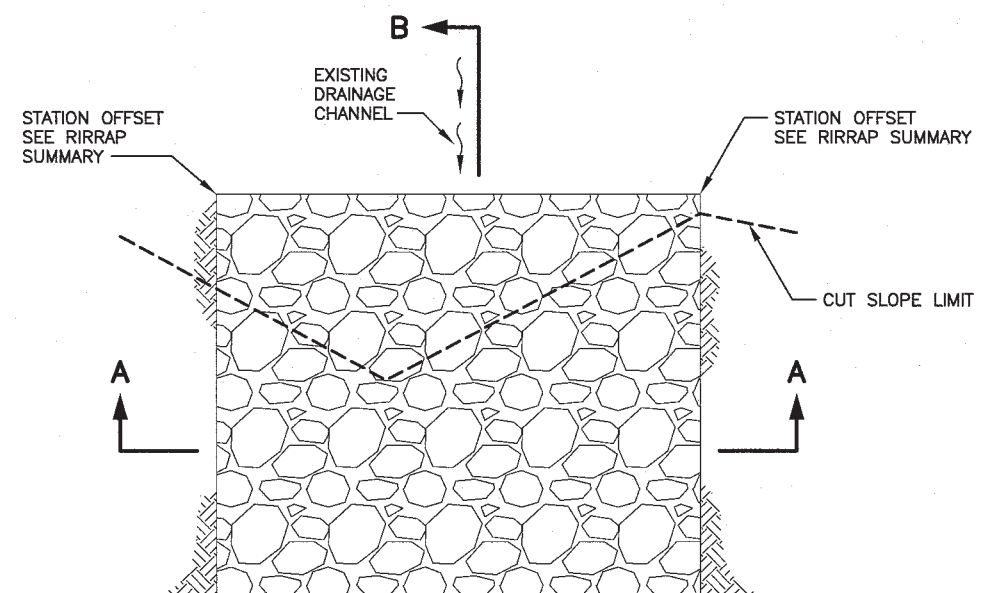
STATE OF ALASKA DOT&PF
 4111 AVIATION AVENUE
 ANCHORAGE, AK 99502
 (907) 269-0590

REVISIONS		
NO.	DATE	DESCRIPTION

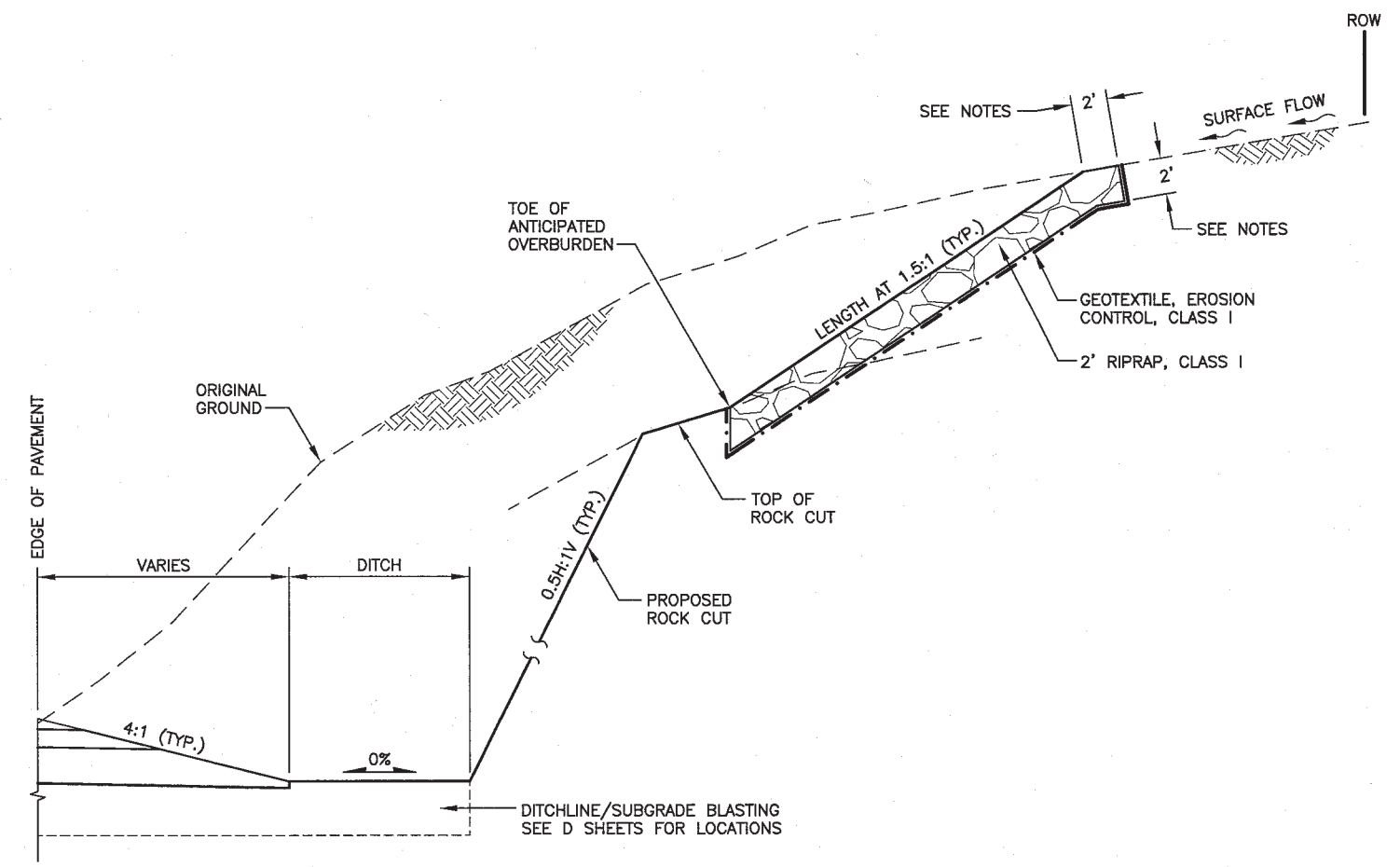
STATE	PROJECT DESIGNATION	YEAR	SHEET NO.	TOTAL SHEETS
ALASKA	0311032/Z536100000	2021	E8	E45



SECTION A-A



PLAN
ROCK GROTTO DETAIL
SEE RIRRAP SUMMARY



SECTION B-B

NOTES:

1. LOCATIONS TO BE FIELD ADJUSTED TO MATCH NEW STREAM LOCATIONS AS APPROVED BY THE ENGINEER. KEY IN RIPRAP AT THE TOE OF GROTTO.
2. WHERE BEDROCK IS ENCOUNTERED, NO RIPRAP IS NECESSARY. STABILIZE SLOPE AS DIRECTED BY THE ENGINEER.
3. SLOPES MAY VARY. SEE TYPICAL SECTIONS AND EXCEPTION TABLES.
4. WHERE OVERBURDEN SLOPES ARE 1:1 OR GREATER, INSTALL WIRE MESH PER PLAN, SPECIFICATION, AND MANUFACTURER'S RECOMMENDATIONS.
5. ADJUST WIDTH AT NEW STREAM LOCATIONS AS APPROVED BY THE ENGINEER.
6. EXTEND RIPRAP AND EROSION CONTROL GEOTEXTILE ON SATURATED SLOPES ADJACENT TO ROCK GROTTOS AS DIRECTED BY THE ENGINEER.

DESIGNED BY: KCS/ZDK
 CHECKED BY: KSK/SJR/ARRH
 DRAFTED BY: ZDK/VJS
 XREFS: XR-53610-6order-Det.dwg
 SCALE: 1" = 5'
 LAYOUT: EB
 DATE TIME: 11/9/2021 8:08 AM
 DRAWING LOCATION: w:\Projects\seward hwy mp 17-22.5 rehabilitation - 53610\Civ\3D\16\Plansee\53610_E08_Rock Grotto Details.dwg



STATE OF ALASKA
 DEPARTMENT OF TRANSPORTATION
 AND PUBLIC FACILITIES

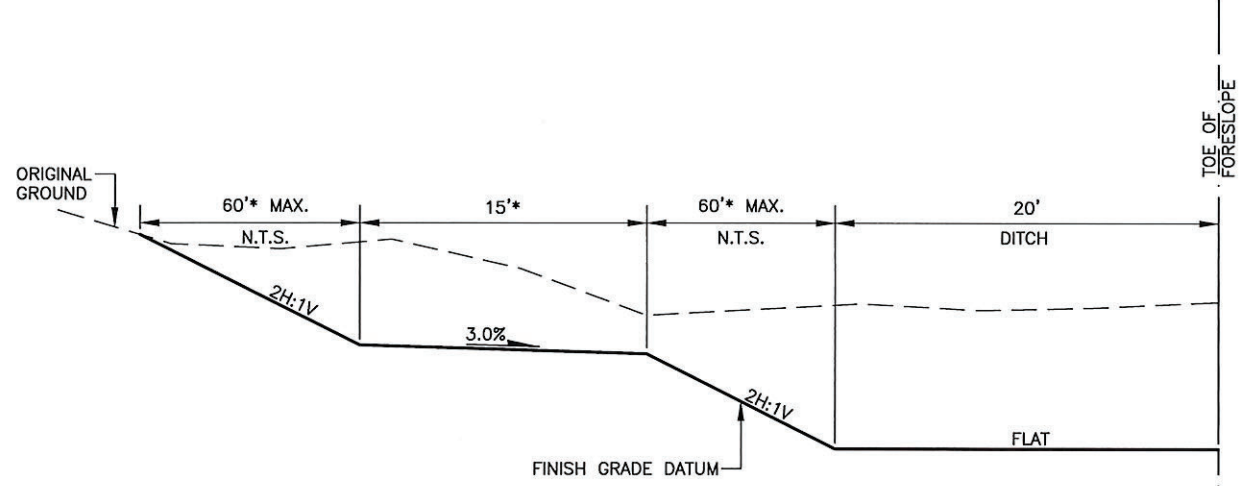
**SEWARD HIGHWAY
 MP 17-22.5 REHABILITATION**

ROCK GROTTO DETAILS

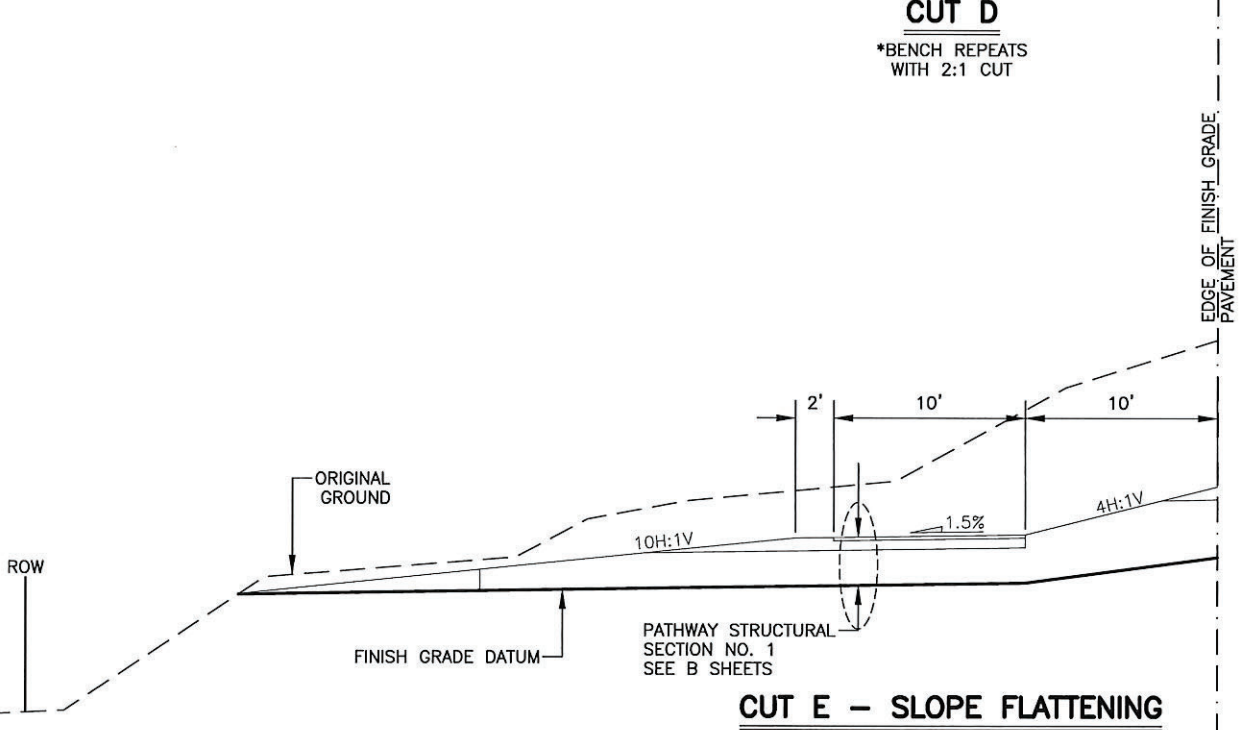
STATE OF ALASKA DOT&P
 4111 AVIATION AVENUE
 ANCHORAGE, AK 99502
 (907) 269-0590

NO.	DATE	REVISION	STATE	PROJECT DESIGNATION	YEAR	SHEET NO.	TOTAL SHEETS
			ALASKA	0A33032/CFHWY00895	2022	EWP	
						BT3	BT9

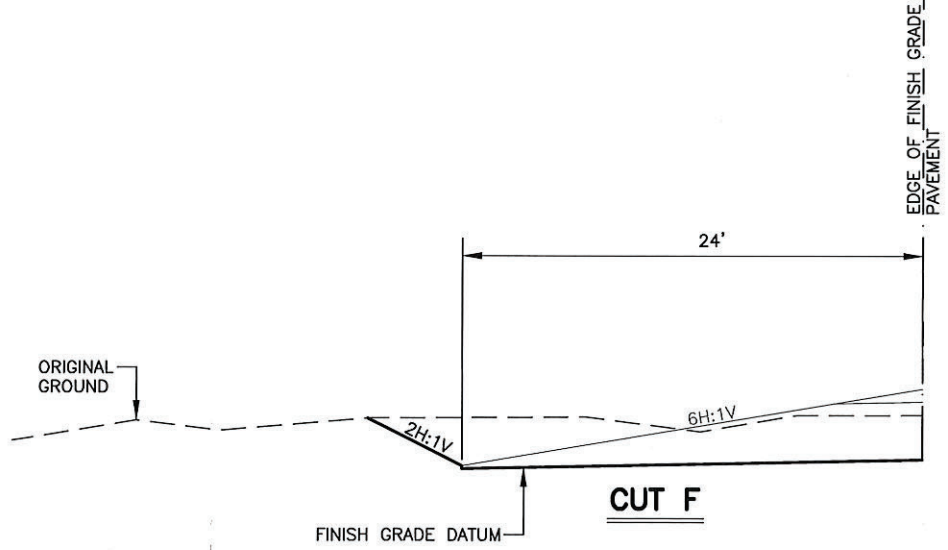
DESIGNED BY: _____
 CHECKED BY: _____
 DRAFTED BY: _____
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 TIME: 1:36 PM
 DATE: 6/17/2022
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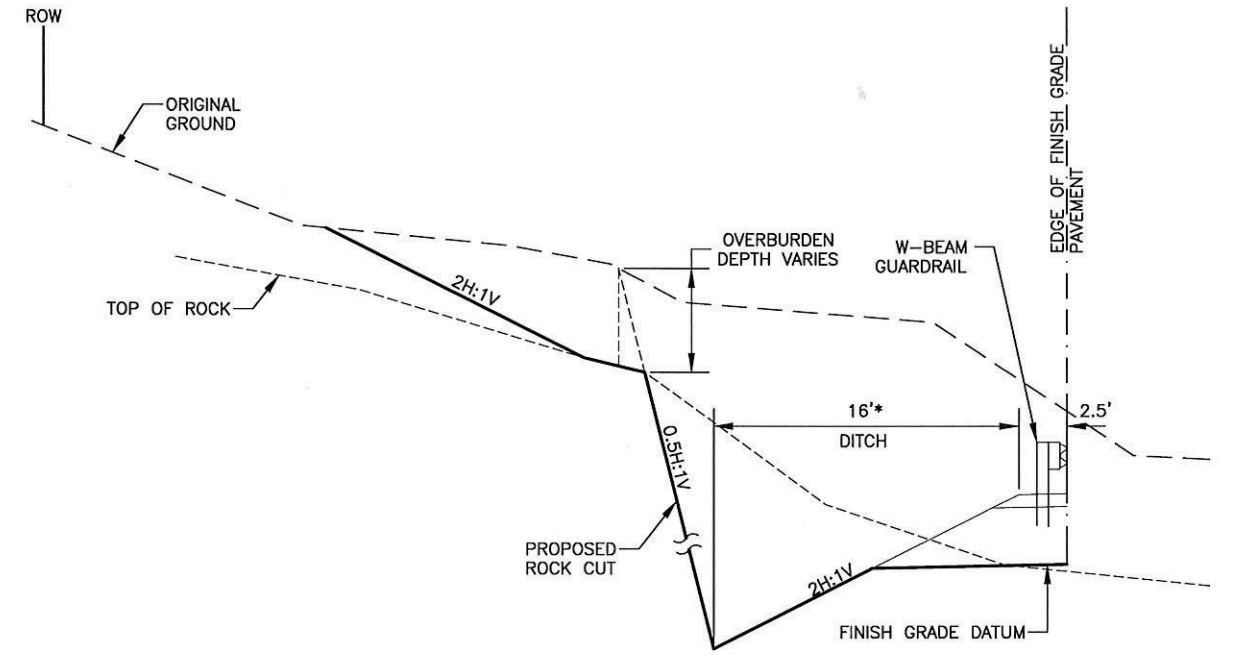
CUT D
 *BENCH REPEATS WITH 2:1 CUT



CUT E - SLOPE FLATTENING

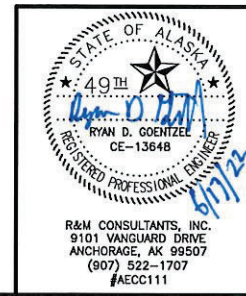


CUT F



CUT G

*WIDTH VARIES. SEE SHEET F38 FOR DITCH ELEVATIONS AND OFFSETS



STATE OF ALASKA
 DEPARTMENT OF TRANSPORTATION
 AND PUBLIC FACILITIES
**STERLING HIGHWAY MP 45-60;
 SUNRISE TO SKILAK RD
 STAGES 3 & 4 EWP**
 TYPICAL SECTION

R&M CONSULTANTS, INC.
 9101 VANGUARD DRIVE
 ANCHORAGE, AK 99507
 (907) 522-1707
 #AEC111

DOWL, LLC
 4041 B STREET
 ANCHORAGE, AK 99503
 (907) 562-2000
 #AEC1648

ATTACHMENT A

SITE PLAN REQUIREMENTS

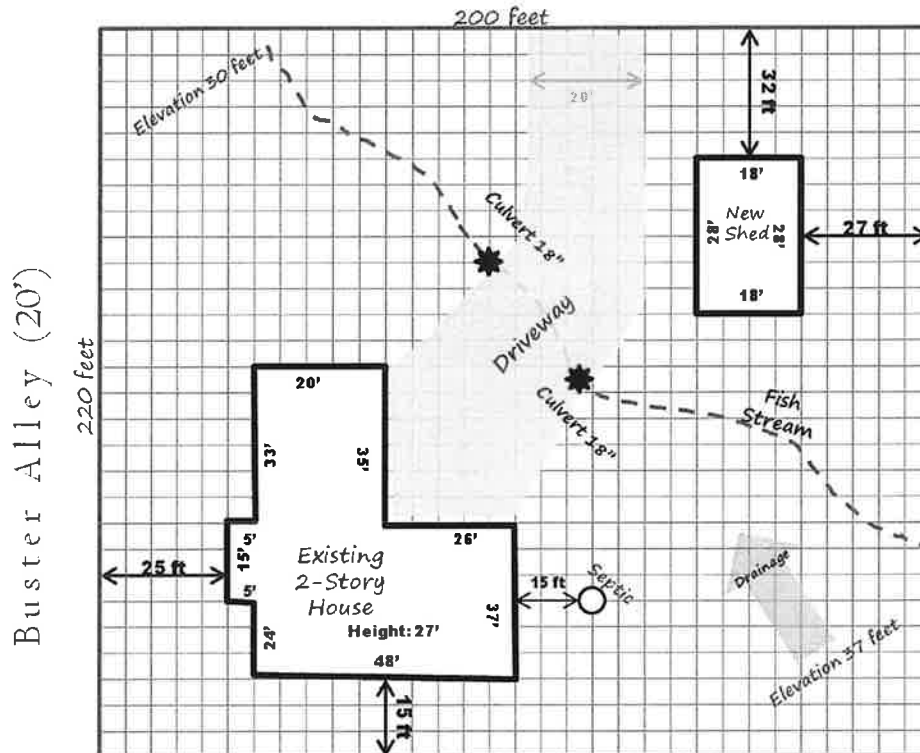
1. Drawing showing dimensions of all buildings, including elevations, of lot on which activity/use/construction is planned.
2. Existing streets, alleys, sidewalks, driveways, easements, including widths.
3. Existing buildings/structures on the property, their location, dimension and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
4. Proposed construction—including location, dimensions, and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
5. Existing and proposed non-building improvements, including surface water drainage plan, driveway placement, culvert(s), off street parking (location and dimensions), on-site water and/or wastewater handling systems.
6. Shore lines, steep slopes, or other evidence of natural hazards.
7. If zero lot line construction proposed, show plan for handling snowdrop onto adjoining properties.

It is strongly recommended that an as-built survey be performed prior to submittal of the application.

EXAMPLE SITE PLAN

John Doe Property Tax ID X-XXX-XX-XXXX

Ripinsky Street (60')



APPROVAL CRITERIA

See HBC 18.60.010 for more information.

- A. **Plans.** The proposal is substantially consistent with the borough comprehensive plan and other applicable borough-adopted plans.
- B. **Reviewing Parties.** Due deference has been given to the comments and recommendations of reviewing parties.
- C. **Fire Safety and Emergency Access.** As determined by the State Fire Marshal or the borough fire chief.
- D. **Access.** All lots on which development is planned are required to have legal road access completed to borough standards.
- E. **Traffic.** The proposed use shall not overload the existing street system with traffic or result in unsafe streets or dangers to pedestrians.
- F. **Public Maintenance.** The proposed use shall not significantly increase the impact on the surrounding area from glaciation or drifting snow and shall not create significantly increased difficulty for snow removal or street maintenance.
- G. **Foundation.** All buildings intended for residential or commercial use shall be placed on a permanent foundation.
- H. **Parking.** See parking requirements in HBC 18.80.040.
- I. **Utilities.** If property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems. All regulations of the State Department of Environmental Conservation pertaining to water extraction and wastewater disposal, as well as the requirements of HBC 13.04.080(G) pertaining to on-site wastewater disposal, shall apply.
- J. **Drainage.** The applicant for a proposed use shall provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate or avoid runoff into public streets or adjoining lots and to protect rivers, lakes and streams from pollution. Developers may be required to provide for the conservation of natural features such as drainage basins and watersheds, and provide for land stability.
- K. **Walkways, Sidewalks and Bike Paths.** Easements for pedestrian access or bicycle paths may be required where shown by the borough to be necessary to provide reasonable circulation or access to streams, lakes, tidewater, schools, playgrounds, transportation facilities or other public facilities.
- L. **Construction Guarantees.** The borough may require the posting of a bond or other surety approved by the assembly to ensure that all required and necessary improvements are constructed as approved. The surety may provide for partial releases upon acceptance of the improvement by the borough.
- M. **Peak Use.** The peak use characteristics are the same as surrounding uses or other uses allowed in the zone.
- N. **Off-Site Impacts.** The proposed use shall not have significant negative impacts on the surrounding properties, including excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises or be unsightly or become a nuisance as defined in HBC 8.12.020(I). Buffering may be required to alleviate impacts between residential and nonresidential uses. The owner of the property upon which the buffering is constructed is responsible for the maintenance of the buffering in a condition that will meet the intent of this criteria.
- O. **Habitat.** A reclamation or landscaping plan may be required as a condition of approval of any use within 100 feet of a state-identified anadromous stream. The purpose of the reclamation or landscaping plan includes the control of dust, soil erosion, water runoff and siltation which otherwise would be generated on the lot and affect the surrounding area.
- P. **Anadromous Fish Stream Setbacks.** All development along state-identified anadromous fish streams will be consistent with the Haines coastal zone management program. Unless approved by variance, no development shall occur within 25 feet of the banks of anadromous fish streams, designated as such by the Alaska Department of Fish and Game. Variances from this requirement may be granted by the commission based upon the unique conditions of individual properties, the proposed development, and the recommendations of a qualified fisheries biologist.
- Q. **Open Space and Facilities.** The developer may be required to dedicate land for open space, drainage, utilities, access, parks or playgrounds. Any dedication required by the commission must be based on a written finding that the area is necessary for public use or safety and the dedication is in compliance with adopted municipal plans and policies.
- R. **Historic Resources.** The proposed use shall not adversely impact identified historic resources prior to the assessment of that resource by the borough or state. Uses located within the significant structures area must comply with the specific approval standards of this chapter. See also HBC 18.60.020 (G) and HBC 18.70.050, Historic Building Districts.
- S. **National Flood Plain Regulations.** All permits shall be reviewed for compliance with HBC 18.120, Flood Plain Regulations.
- T. **Hazard Areas.** Development which is not designed and engineered to mitigate the risk of loss of life or property is prohibited in the following hazard areas: (1) The one percent floodway of all rivers and streams; (2) Avalanche outfall areas; (3) Within 500 feet of a major fault; (4) Slopes greater than 30 percent; (5) Within 300 feet of a wildfire chute; (6) Rock and mudslide areas.
- U. **Waterfront.** The following requirements apply in all waterfront zones:
 - (1) For residential use, setbacks shall be the same as those required in the residential zone. All other uses shall be required to set back 10 feet from lot lines adjacent to every street and alley and five feet from all other lot lines; (2) Public access to the waters of Portage Cove is required to be included in all permits for development on land adjacent to Portage Cove.

SPECIAL APPROVAL CRITERIA MAY APPLY

See HBC 18.60.020 for more information.



OPERATIONS PLAN

Lutak Road Property

Conditional Use Permit Application

Prepared for:

Haines Borough
103 Third Ave. S
PO Box 1209
Haines, AK

August 2023

I. SITE DESCRIPTION

The proposed project consists of a total of approximately 27 acres of land located 4 miles North of downtown Haines along Lutak Road. Site Maps can be found in Appendix A.

Site A, totaling 5.2 acres, is entirely located on the uplands side of Lutak road and consists of parcels C-LTR-04-0090, C-LTR-04-0700, and C-LTR-04-0010. Site B, totaling 21 acres, is located on the uplands and lowlands side, divided by Lutak Road and consists of parcels C-LTR-04-1000, C-LTR-04-2940, C-LTR-04-0900, and C-LTR-04-0800. The proposed parcels are in ownership of Glacier Construction dba. Southeast Road Builders.

II. SITE FEATURES & ZONING

The proposed parcels are zoned Waterfront Industrial Use. Site A is comprised of undeveloped parcels made up of dense Spruce Forest. Adjacent parcels are vacant lots owned by the State of Alaska, zoned Waterfront Industrial, and Heavy Industrial Use. Site B is comprised of a developed pit site and provides existing access to the Lutak Inlet via boat ramp. Adjacent parcels consist of a timber mill site owned by Chilkoot Lumber Company to the West and vacant State of Alaska land, all zoned Waterfront Industrial Use.

The proposed development is in alignment with the use of adjoining properties. The site is located near the Alaska Marine Lines dock, timber mill site, and ferry terminal which is a heavy industrial use area. There is existing truck traffic to and from the AML yard and to the stockpile site located on Site B.

III. EXISTING PERMITTING & USE

The existing sites are currently being developed under Site Development Permits #23-33 and #23-42, issued on May 23rd, 2023, and Land Use Permit #23-71, issued on August 14, 2023. Existing permitted development consists of clearing, grubbing, and grading of the sites. Permitted activity on Site B also consists of bulk material storage and aggregate transloading.

The existing sites are permitted with a ADEC MSGP SWPPP Permit # AKR06AB42.

Initial site development, including clearing, grubbing, and grading of the site began on Site B in June 2023 and is nearly complete. Clearing, grubbing, and grading of Site A is anticipated to begin in Fall 2023. Southeast Roadbuilders began using Site B for bulk material storage and aggregate transloading in August 2023. The proposed resource extraction is anticipated to begin in Fall 2023, or as soon as all applicable permits are approved. These sites are potential future sources of materials for local improvement projects beginning in Spring of 2024, therefore timing of development is critical.

IV. PROPOSED USE

Southeast Road Builders is proposing to use the referenced parcels as a material source and is pursuing a conditional use permit with the Haines Borough to perform resource extraction.

Initial exploration of Site B reveals that the soil primarily consists of coarse grained gravel and sand. Proposed use includes mobilization of a wash plant and crusher unit to process material onsite, reducing truck traffic from the site to the existing processing facilities at 4.5 Mile Haines Highway. A staging area on the North side of Lutak Road has been developed to stockpile and process materials. This area will be used to stage equipment, process, and stockpile materials. The area to the South of Lutak Road has been cleared, grubbed, and scaled to provide access. Southeast Road Builders is proposing to extract material from this site for use on local State and Borough projects.

Initial site investigation of Site A reveals bedrock to be present below the surface proposing a potential source for rock excavation. Southeast Road Builders is proposing to use this site as a rock source for local improvement projects to provide fill and riprap materials. Rock excavation activities may include drilling, blasting, and crushing operations onsite.

V. SITE CONDITIONS

A. ACCESS. The parcels that make up Site B are currently accessible via existing access points from previous landowners. Site A has no current access from Lutak Road. Legal access to these parcels is being developed in coordination with the Alaska Department of Transportation (AKDOT&PF). Coordination with the AKDOT&PF will be ongoing throughout the duration of development to ensure compliance with all permits and guidelines. The number of access points will be limited to ensure safety of the travelling public and ensure adequate sight distance for trucks to navigate the roadway. Access will be limited to the public to ensure public safety. Adequate access for fire and emergency vehicles will be maintained at all times.

B. TRAFFIC. Use of these sites will limit truck traffic from Southeast Road Builders current material source at 4.5-mile Haines Highway to the proposed site. This will significantly limit truck traffic through the Haines townsite. The safety of the public and impact on the existing two-lane paved roadway has not been significantly effected by the truck traffic from adjacent operations or material stockpiling operations that have previously taken place. Trucking operations are not anticipated to significantly differ from existing use.

C. MAINTENANCE. Southeast Road Builders proposes to use street sweepers and water trucks to control and limit dust or debris that may impact public health and safety. The site will have seasonal use limiting any impact for snow removal or winter conditions.

D. LIGHTING & UTILITIES. No permanent lighting is proposed for this development. There are no existing public sanitary sewer or water services onsite. Water will be provided by water truck from a source approved by the ADEC.

E. DRAINAGE. Stormwater control is in compliance with the current ADEC MSGP Permit. The site will be graded to control runoff and prevent sediment from leaving the site. The proposed use includes the installation of culverts to provide adequate drainage through the site and maintain existing drainage ditches. A SWPPP will be maintained throughout the duration of the project. There are no state-identified anadromous streams located on the site.

F. HAZARD AREAS. Proposed work within the one percent floodway includes the installation of culvert pipes to improve the drainage onsite and mitigate the risk of impact on streams and drainage facilities. This will allow for the control of runoff and prevent washouts from any severe weather. Southeast Road Builders is working in cooperation with the

Department of Fish and Game to ensure the protection of fish habitat throughout the duration of development. The DF&G has surveyed the existing streams onsite and has identified them as non-anadromous streams.

The proposed development is within areas that contain steep slopes greater than 30 percent. Once the site development is complete, the area will be stabilized in accordance with the ADEC SWPPP. To mitigate the risk of slope failures, rock benches will be created, and overburden will be sloped back at a 2:1 slope and stabilized with vegetation or rock.

G. NOISE. A natural buffer of 25' will be maintained between the proposed development and the adjacent roadway and properties. The proposed development is in alignment with adjacent property use. The nearest residential dwelling is approximately a mile from the site. Any blasting operations will be completed during the regular hours of operation. Adequate notice of drilling and blasting operations will be given to the public, FAA, and nearby landowners.

VI. METHODS

The proposed hours of operation for the site will be from 6:00 AM to 6:00 PM. Materials transloading activities may differ outside of normal hours of operation but will not impact residents as all work will be done onsite.

No hazardous material or fuel will be stored onsite. Southeast Road Builders has a service oiler that will mobilize to the site to fuel and grease equipment as needed.

No explosives will be stored onsite, except when they are immediately necessary for blasting operations.

VII. RECLAMATION PLAN

Throughout the duration of construction, the site will be reclaimed as necessary. Exposed rock faces will be benched with standard 30'-40' lifts. Floors will be graded to promote adequate drainage. Final slopes will be seeded, or rock lined for final stabilization as needed.

A final reclamation plan will be developed as the project progresses.

VIII. COMPREHENSIVE PLAN

The proposed development is in alignment with the following goals that the Borough has outlined in the current Comprehensive Plan:

A. Goal 3. Achieve a strong, diversified local economy that provides employment and income for all citizens that desire to work while protecting the health of the environment and quality of life. Build on local assets and competitive advantages to create economic opportunity.

There is currently no active rock source to provide riprap material for local improvement projects. Development of this site would provide the opportunity to build on local resources and reduce the need to depend on outside sources for material. The site is currently being used to stockpile material for use at the Greens Creek mine and future use could allow for the extraction and use of this material for the Greens Creek mine and local State and Borough projects. The proposed development would also provide additional employment opportunities for local residents and workers.

B. Goal 4. Provide a safe, convenient, reliable, and connected transportation network to move goods and people to, from, and within Haines Borough. Aggressively maintain road, port, and harbor facilities to maximize public investment, enhance public safety and access, and provide economic opportunity.

The proposed use would allow for increased transfer of goods and resources in and out of Haines. The location of the site is optimal for stockpiling of material for transshipment and is located in the vicinity of future proposed local development projects that would benefit from its use by reducing costs and limiting truck traffic through the townsite.

C. Goal 5. Guide infrastructure and land development to provide an adequate supply of land for commercial and industrial development, varies residential living, and diverse recreational opportunities.

The development of this site could facilitate future use for transportation of goods and resources in and out of Haines as well as provide a resource for material for improvement to local projects such as the Lutak Dock Replacement project and roadway improvements along Lutak Road. There are no nearby sources of material adequate to provide for the resources that these projects require.

D. Goal 10. Support responsible development of renewable and non-renewable resources within Haines Borough.

The proposed development is in compliance with environmental regulations and contains no anadromous streams onsite, mitigating the impact to fishery habitat. Development of this non-renewable resource would create economic opportunity to extract resources in an area that would otherwise rely on outside sources.

SITE A - PARCELS
C-LTR-04-0090
C-LTR-04-0700
C-LTR-04-0010

SITE PLAN

Haines Ferry Terminal



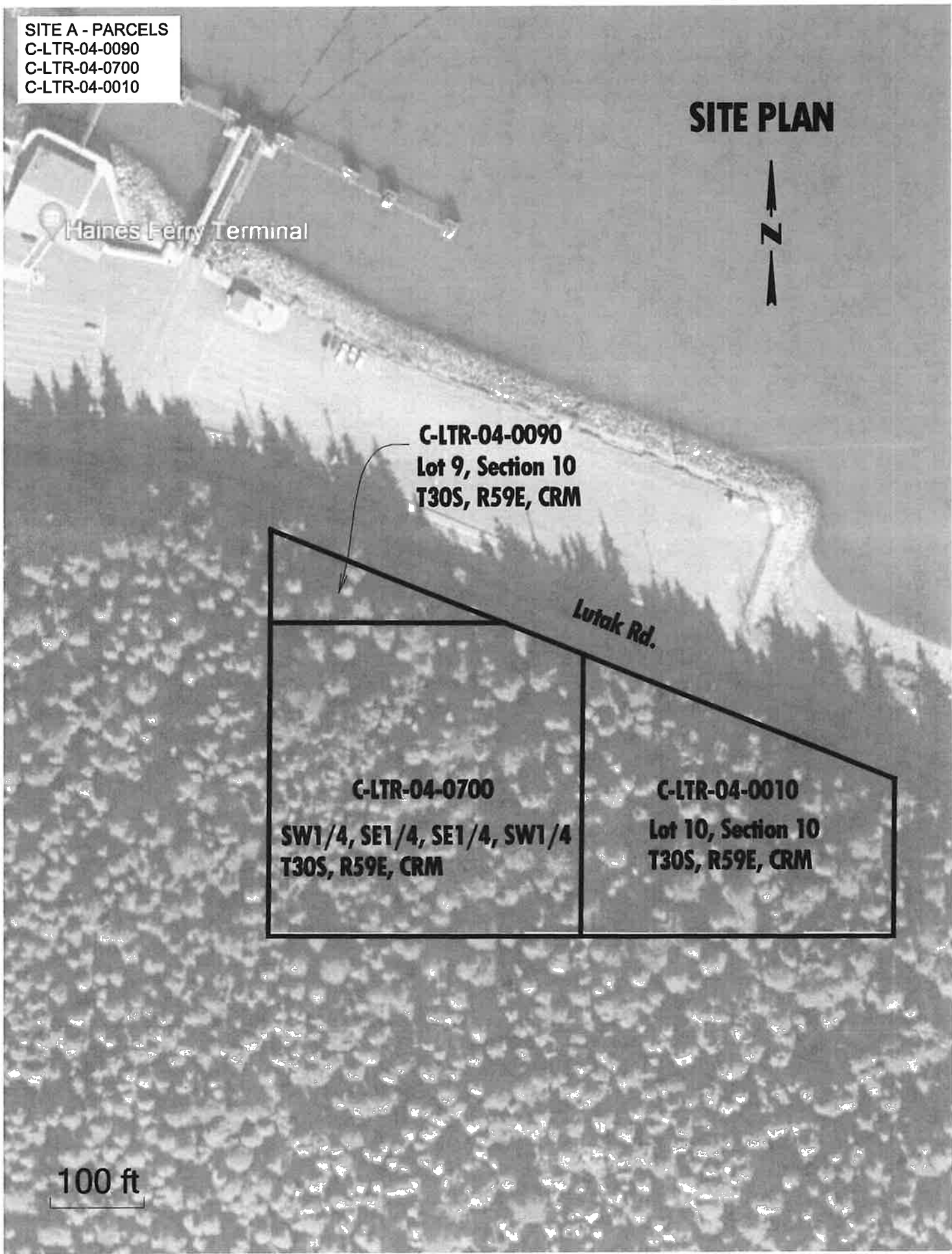
C-LTR-04-0090
Lot 9, Section 10
T30S, R59E, CRM

Lutak Rd.

C-LTR-04-0700
SW1/4, SE1/4, SE1/4, SW1/4
T30S, R59E, CRM

C-LTR-04-0010
Lot 10, Section 10
T30S, R59E, CRM

100 ft



ArcGIS Web Map



SITE A - PARCELS
C-LTR-04-0090
C-LTR-04-0700
C-LTR-04-0010

PROPOSED ACCESS ROAD

MIN. 25' BUFFER

AREA TO BE
CLEARED/GRUBBED THIS FALL
PROPOSED FOR RESOURCE
EXTRACTION

500 ft

Haines Ferry Terminal

Lutak Rd Lutak Rd

Lutak Rd

Lutak Rd

Lutak Rd

SITE B - PARCELS
C-LTR-04-0010
C-LTR-04-2940
C-LTR-04-0900
C-LTR-04-0800

SITE PLAN



(C-LTR-04-0900)

C-LTR-04-0800
Parcel 1
Lot 3, Sec 10

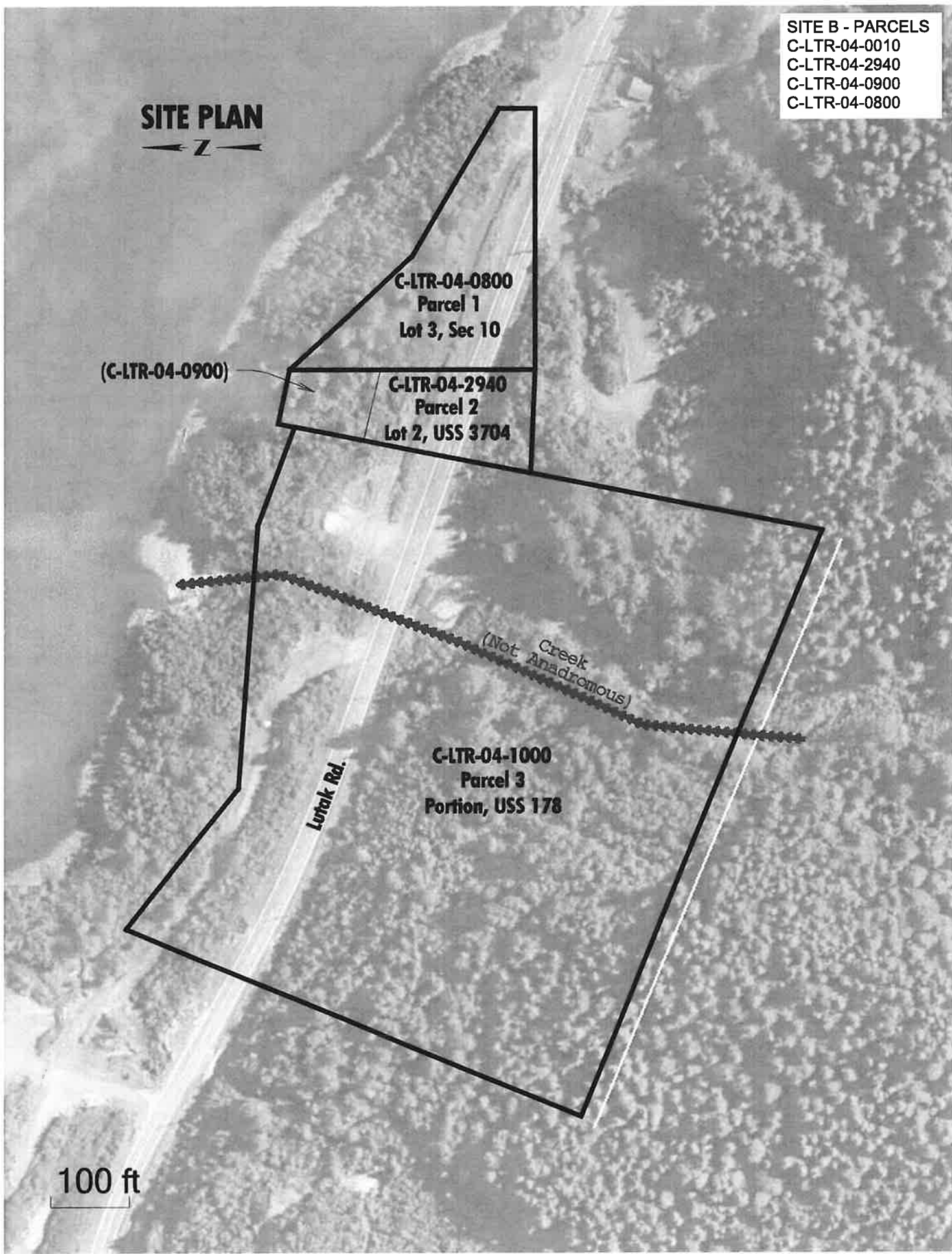
C-LTR-04-2940
Parcel 2
Lot 2, USS 3704

C-LTR-04-1000
Parcel 3
Portion, USS 178

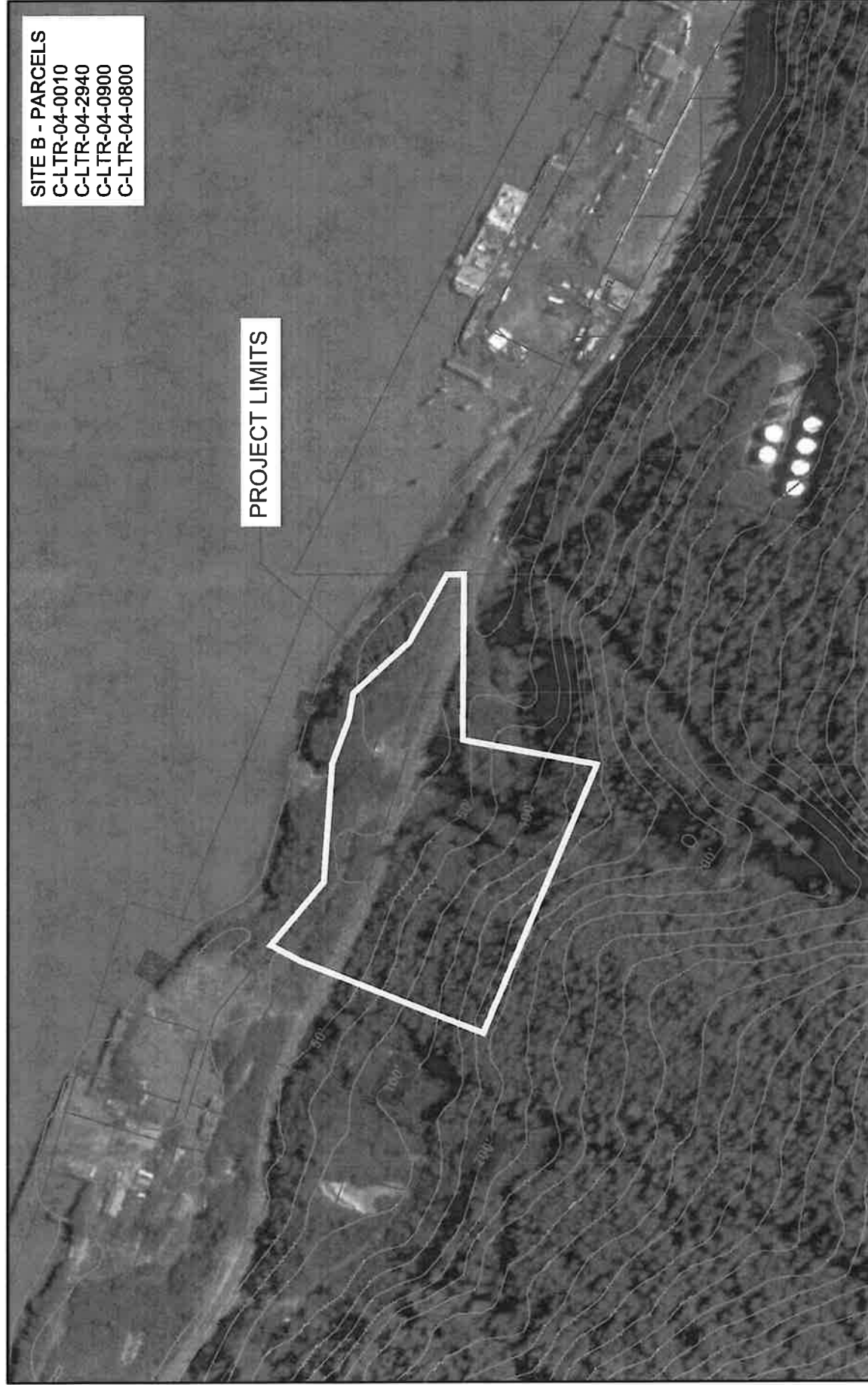
Lutvik Rd.

Creek
(Not Anadromous)

100 ft



ArcGIS Web Map



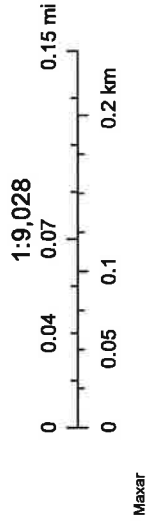
SITE B - PARCELS
C-LTR-04-0010
C-LTR-04-2940
C-LTR-04-0900
C-LTR-04-0800

PROJECT LIMITS

8/2/2023, 7:16:17 AM

Contours - contour25'ts

Parcels



SITE B - PARCELS
C-LTR-04-0010
C-LTR-04-2940
C-LTR-04-0900
C-LTR-04-0800

PROPOSED
CULVERT
INSTALLATION

PROPOSED
CULVERT
INSTALLATION

EXISTING ACCESS
POINTS TO BE
MAINTAINED

AREA CURRENTLY USED
FOR BULK MATERIAL
STORAGE; PROPOSED
STORAGE/STAGING AREA

AREA PREVIOUSLY
CLEARED/GRUBBED
PROPOSED FOR
RESOURCE EXTRACTION

Haines Borough
Planning Commission Meeting
October 23, 2023
MINUTES

Approved

- 1. CALL TO ORDER/PLEDGE TO THE FLAG/ROLL CALL:** Chair **Ferrin** called the meeting to order at 6:30 pm in the assembly chambers and on zoom, and led the pledge to the flag.

Present: Zack **Ferrin**/Chair, Diana **Lapham**/Vice Chair, Don **Turner Jr.**, Justin **Mitman**, Richard **Clement**, Travis **Eckhoff**, and Scott **Hansen**.

Staff Present: Annette **Kreitzer**/Borough Manager, Kiersten **Long**/Deputy Clerk, Alekka **Fullerton**/Clerk, Douglas **Olerud**/Mayor, and Andrew **Conrad**/Planner.

Visitors Present: TJ **Mason** with Southeast Road Builders, Gerson **Cohen**, Riley **Hall**, Patty **Brown**, Andy **Hedden**, Rachel **Saitzyk**, Derek **Poinsette**, Tom **Morphet**, and others.

- 2. APPROVAL OF AGENDA & CONSENT AGENDA:** The following Items were on the published consent agenda indicated by an asterisk (*)
3 – Approve Minutes from 8-10-23 Regular Planning Commission Meeting

Motion: **LAPHAM** moved to “approve the agenda and the consent agenda” and the motion carried unanimously.

***3. APPROVAL OF MINUTES:**

Note: The Minutes were approved by approval of the consent agenda: “Approve minutes from 8-10-23 Regular Planning Commission Meeting.”

4. PUBLIC COMMENTS:

Brown – Thank you to the outgoing commissioners

5. CHAIRMANS REPORT: None

6. ASSEMBLY LIAISON REPORT: None

7. SUBCOMMITTEE REPORTS: None

8. COMMISSION COMMENTS:

Turner – Response to a written public comment received

9. STAFF REPORT: Conrad

10. PUBLIC HEARINGS:

- A. Conditional Use Permit 23-88 Medium Commercial in a Heavy Industrial Zone – Andy Hedden – C-WES-0A-0200 – Heavy Industrial Zone.**

Ferrin and Mitman disclosed they were members of the Ugly’s but have no financial interest.

Commissioners discussed HBC 18.50.040(A) 1-8 Conditional Use Criteria for CUP 23-59

1) The use is so located on the site as to avoid undue noise and other nuisances and dangers;

After discussion, the commission unanimously adopted the Manager’s recommendation for criteria #1 since the proposed use is consistent with the zoning and the adjoining property uses.

2) The development of the use is such that the value of the adjoining property will not be significantly impaired;

After discussion, the commission unanimously adopted the Manager’s recommendation for criteria #2 since there is no change in use of the area since it is zoned heavy industrial.

**10A Conditional Use Permit 23-88 Medium Commercial in a Heavy Industrial Zone –
Andy Hedden – C-WES-0A-0200 – Heavy Industrial Zone (continued)**

Discussion of HBC 18.50.040(A) 1-8 Conditional Use Criteria for CUP 23-88- *Continued*

3) The size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use;

After discussion, the commission unanimously adopted the Manager's recommendation for criteria #3 since the proposed use will not significantly increase public services.

4) The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses;

After discussion, the commission unanimously adopted the Manager's recommendation for criteria #4 since the use is consistent with the zoning and the applicant is a tour operator which is consistent with comp plan section 5.8.5 Tourism.

5) The granting of the conditional use will not be harmful to the public safety, health or welfare;

After discussion, the commission unanimously adopted the Manager's recommendation for criteria #5 since the use will not harm public safety, health or welfare.

6) The use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state – identified anadromous streams;

After discussion, the commission unanimously adopted the Manager's recommendation for criteria #6 since there will be no additional erosion, applicant stated they are not using chemicals.

7) The use will comply with all required condition and specifications if located where proposed and developed, and operated according to the plan as submitted and approved.

After discussion, the commission unanimously adopted the Manager's recommendation for criteria #7.

8) Comments received from property owners impacted by the proposed development have been considered and given their due weight;

After discussion, the commission unanimously adopted the Manager's recommendation for criteria #8 since there were no comments received from the public.

Motion: LAPHAM moved to "approve conditional use permit 23-88 Medium Commercial activity in a Heavy Industrial Zone with the borough's recommendations attached" and the motion carried unanimously.

**B. Conditional Use Permit 23-87 Resource Extraction – Glacier Construction Inc.
dba Southeast Road Builders –**

Site A: C-LTR-04-00900, C-LTR-04-0700, C-LTR-04-0010

Site B: C-LTR-04-1000, C-LTR-04-2940, C-LTR-04-0900, C-LTR-04-0800

Presentation by TJ Mason from Southeast Road Builders.

Public Comments:

Cohen – believes that the permit must be denied since there are several sites that have different functions; could have significant impact on public safety and welfare.

**B. Conditional Use Permit 23-87 Resource Extraction – Glacier Construction Inc.
dba Southeast Road Builders –**

Site A: C-LTR-04-00900, C-LTR-04-0700, C-LTR-04-0010

Site B: C-LTR-04-1000, C-LTR-04-2940, C-LTR-04-0900, C-LTR-04-0800 – Continued

Public Comments- *Continued*

Saitzyk – Concerned about failed area from 2020 storm event – we need more data about the area; wondering about mitigation regarding reclamation. Manager’s report was thoughtful and thorough.

Brown – Industrial use in an industrial zone. Concerned about stability of slope, local need for rock, restrictions on public use during blasting- two sites so should be two permits.

Morphet – giant boulder came off that slope about 7 years ago.

Planner – no restriction on permits being limited to one parcel.

Commissioner discussed HBC 18.50.040(A) 1-8 Conditional Use Criteria for CUP 23-87

1) The use is so located on the site as to avoid undue noise and other nuisances and dangers;

After discussion, the commission adopted the Manager’s recommendation for criteria #1 since this is a heavy industrial area so the use is consistent, development of the site may improve the rock fall hazards that occur right now. By blasting down to bed rock and the cuts move back away from the road the safer it will be. Truck traffic from 4.5 mile to the site is a use by right.

2) The development of the use is such that the value of the adjoining property will not be significantly impaired;

After discussion, the commission unanimously agreed with the Manager’s recommendation for criteria #2 since the adjoining properties have similar uses it will not impair the value.

3) The size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use;

After discussion, the commission unanimously agreed with the Manager’s recommendation for criteria #3 since there are no borough utilities.

4) The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses;

After discussion, the commission unanimously agreed with the Manager’s recommendation for criteria #4 since the use is harmonious with the surrounding land uses and is consistent with the comprehensive plan section 7.2.1 and 7.3.5.

5) The granting of the conditional use will not be harmful to the public safety, health or welfare;

After discussion, the commission agreed with the Manager’s recommendation for criteria #5 since the blasting concerns are covered by OCHS and ATF. Traffic will be about the same since the source is so close to the shipping area, and blasting the mountain should improve public safety and welfare.

**B. Conditional Use Permit 23-87 Resource Extraction – Glacier Construction Inc.
dba Southeast Road Builders –**

Site A: C-LTR-04-00900, C-LTR-04-0700, C-LTR-04-0010

Site B: C-LTR-04-1000, C-LTR-04-2940, C-LTR-04-0900, C-LTR-04-0800 – Continued

Discussion of HBC 18.50.040(A) 1-8 Conditional Use Criteria for CUP 23-59- Continued

6) The use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state – identified anadromous streams;

After discussion, the commission unanimously agreed with the Manager's recommendation for criteria #6 since the applicant provides erosion protection with the state and federal permits. Site A has no problem with runoff, and the more site B gets pushed back the safer it will be.

7) The use will comply with all required condition and specifications if located where proposed and developed, and operated according to the plan as submitted and approved.

After discussion, the commission unanimously agreed with the Manager's recommendation for criteria #7 since the development is achievable with the existing plan.

8) Comments received from property owners impacted by the proposed development have been considered and given their due weight;

After discussion, the commission unanimously agreed with the Manager's recommendation for criteria #8 all public comments have been considered and answers have been provided by the

Planner corrected a clerical error in the manager's recommendation re general approval criteria D paragraph 3 in the recommendation should indicate site A not site B.

Motion: LAPHAM moved to "approve conditional use permit #23-87 Resource Extraction with the following conditions:

- a) The applicant needs to coordinate (align) with the Alaska Marine Highway System for blasting within 2 hours of ferry arrival/departure;
- b) The applicant shall provide a copy of all plans and SWPPP (Storm Water Pollution Prevention Plan) to the Borough before implementation of the project;
- c) Adopt Borough recommendations 1-7

Primary Amendment: Turner moved to "amend the permit time to 5 years" and the motion carried unanimously.

Primary Amendment: Eckhoff moved to "Amend recommendation #2 – to submit a reclamation plan developed and sealed by a professional engineer," and the motion carried 6-1 with **Mitman** opposed.

and the motion, as amended, carried 6-1 with **Mitman** opposed.

10C. Resolution 23-09-1064

A Resolution of the Haines Borough Assembly placing a Moratorium on New Heliports Located within 10 miles of an Existing Heliport in the Haines Borough.

Public Comment: **Hall** spoke regarding this agenda item. Maybe criteria should not be distance from each other but distance from homes.

Motion: **Lapham** moved to "Support Resolution 23-09-1064 and the conversation which followed" and the motion carried 6-1 with **Clement** opposed

11. UNFINISHED BUSINESS: None

12. NEW BUSINESS: None

13. PUBLIC COMMENTS:

Poinsette, Saitzyk, Olerud all thanked the planning commission for their service.

14. ANNOUNCEMENTS / COMMISSION COMMENTS:

Goodbye comments: **Mitman, Lapham, Turner, Clement, Hansen, Eckhoff, Ferrin**

15. CORRESPONDENCE: None

16. SET MEETING DATE: 11/9/23 at 6:30 in the Assembly Chambers and on Zoom

17. ADJOURNMENT: 8:43 p.m.

ATTEST:

Alekka Fullerton, MMC, Borough Clerk



Haines Borough

10B

Planning and Zoning

103 Third Ave. S., Haines, Alaska, 99827. Box 1209

(907) 766-6401 * Fax: (907) 766-2716

APPLICATION FOR CONDITIONAL USE PERMIT

Permit#: 23-87

Date: _____

Use this form for approval by the Planning Commission. **\$150 non-refundable application fee**

I. Property Owner/Agent		Owner's Contractor(If Any)	
Name: Glacier Construction Inc. dba Southeast Road Builders		Name:	
Mailing Address: HC 60 Box 4800, Haines Hwy Haines, AK 99827		Haines Borough Business License #:	
Contact Phone: (907) 766-2833		Alaska Business License #:	
Fax: (907) 766-2832 rschnabel@colaska.com		Contractor's License #:	
E-mail: dlaframboise@colaska.com		Mailing Address:	
		Contact Phone:	
		Fax:	
		E-mail:	
II. Property Information			
Size of Property: Approx. 27 Acres total; Site A = 5.2 Acres, Site B = 21 Acres			
Property Tax #: SITE A: C-LTR-04-0090, C-LTR-04-0700, and C-LTR-04-0010 SITE B: C-LTR-04-1000, C-LTR-04-2940, C-LTR-04-0900, and C-LTR-04-0800			
Street Address: See attached Site Maps; Approx. MP 4 Lutak Road			
Legal Description: Lot (s) _____ Block _____ Subdivision _____			
OR			
Parcel/Tract _____ Section _____ Township _____ Range _____			
[Attach additional page if necessary.] See attached Site Maps			
Zoning: <input type="checkbox"/> Waterfront <input type="checkbox"/> Single Residential <input type="checkbox"/> Rural Residential <input type="checkbox"/> Significant Structures Area <input type="checkbox"/> Rural Mixed Use <input type="checkbox"/> Multiple Residential <input type="checkbox"/> Heavy Industrial <input checked="" type="checkbox"/> Waterfront Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial Light Commercial <input type="checkbox"/> Recreational <input type="checkbox"/> Mud Bay Zoning District <input type="checkbox"/> Lutak Zoning District <input type="checkbox"/> General Use			
III. Description of Work			
Type of Application (Check all that apply) <input type="checkbox"/> Residential <input type="checkbox"/> Commercial _____ sq. ft. _____ seating capacity if eating/drinking establishment <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Church <input type="checkbox"/> Other _____	Project Description (Check all that apply) <input type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Change of Use <input type="checkbox"/> Multi-Family Dwelling Total # of Units _____ <input type="checkbox"/> Cabin <input type="checkbox"/> Addition <input type="checkbox"/> Accessory Structure <input checked="" type="checkbox"/> Other <u>Resource Extraction</u> _____	Water Supply Existing or Proposed <input checked="" type="checkbox"/> None <input type="checkbox"/> Community well <input type="checkbox"/> Private well <input type="checkbox"/> Borough Water System <input type="checkbox"/> Other _____	Sewage Disposal Existing or Proposed <input checked="" type="checkbox"/> None <input type="checkbox"/> Septic Tank <input type="checkbox"/> Holding Tank <input type="checkbox"/> Borough Sewer System <input type="checkbox"/> Pit Privy <input type="checkbox"/> Other _____

Per HBC 13.08.100 and 18.60.010, If a property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems. Failure to connect will result in a minor offense subject to penalties.

Valuation of Work: \$100,000

Current use of adjacent properties: See attached for more information; Zoned Waterfront Industrial Use, Vacant State Land, Inactive Timber Mill Site, Ferry Terminal, AML Dock, Fuel Terminal

Attach the following documents to the permit application:

Site plan (see Attachment A) showing lot lines, bearings and distances, buildings, setbacks, streets, etc.

PREAPPLICATION (Required)

Pre-application Conference Date: 8/10/2023

Prior to submission of an application, the developer shall meet with the manager for the purpose of discussing the site, the proposed development and the conditional use permit procedure. The manager shall discuss these matters with the developer with special attention to policies and approval criteria that may pose problems or constraints on the site or the proposed development activity and policies or approval criteria that may create opportunities for the developer.

APPLICATION

Please provide a written narrative explaining how your project will meet the following requirements. You may use the space provided on this form or attach your answers. A variance may only be granted if the Planning Commission finds that these six standards are met.

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers.

Describe what safeguards are being provided (i.e. setbacks or buffers) to meet the condition.

Referenced Sections:

Section V. Site Conditions, Paragraph D, G
Section VI. Methods

2. Explain how the development of the use is such that the value of the adjoining property will not be significantly impaired.

Referenced Sections:

Section II. Site Features & Zoning
Section V. Site Conditions, Paragraphs G

3. Explain how the size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use.

Referenced Sections:

Section V. Site Conditions, Paragraph B, C

4. Describe how or why the specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses.

Referenced Sections:

Section II. Site Features & Zoning
Section VIII. Comprehensive Plan

5. Explain how the granting of the conditional use will not be harmful to the public safety, health or welfare.

Referenced Sections:

Section V. Site Conditions, Paragraph A, B, F

6. Describe the safeguards that will be provided so that the use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams.

Referenced Sections:

Section V. Site Conditions, Paragraph E, F
Section VII. Reclamation Plan

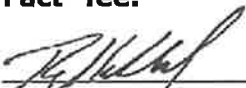
NOTICE

Per HBC 18.50.040, Comments received from property owners impacted by the proposed development will be considered and given their due weight. Additionally, the Planning Commission may impose one or more of the following conditions:

1. Development Schedule. The conditions may place a reasonable time limit on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighbors, to ensure that lots are not sold prior to substantial completion of required public improvements, or to implement other requirements.
2. Use. The conditions may restrict the use of the development to specific uses indicated in the approval.
3. Owner's Association. The conditions may require that if a developer, homeowner or merchant association is necessary or desirable to hold or maintain common property, that it be created prior to occupancy.
4. Dedications. The conditions may require conveyances of title, licenses, easements or other property interests to the public, to public utilities, or to the homeowners association. The conditions may require construction of public utilities or improvements to public standards and then dedication of public facilities to serve the development and the public.
5. Construction Guarantees. The conditions may require the posting of a bond or other surety or collateral (which may provide for partial releases) to ensure satisfactory completion of all improvements required by the commission.
6. Commitment Letter. The conditions may require a letter from a utility company or public agency legally committing it to serve the development if such service is required by the commission.
7. Covenants. The conditions may require the recording of covenants or other instruments satisfactory to the borough as necessary to ensure permit compliance by future owners or occupants.
8. Design. The conditions may require the adoption of design standards specific to the use and site.

IV. CERTIFICATION

I hereby certify that I am the owner or duly authorized owner's agent, that I have read this application and that all information is correct. I further certify that I have read, understand and will comply with all of the provisions and permit requirements outlined hereon. I also certify that the site plan submitted is a complete and accurate plan showing any and all existing and proposed structures on the subject property and that the use will comply with all required conditions and specifications, will be located where proposed and when developed, will be operated according to the plan as submitted. All contract work on this project will be done by a contractor holding valid licenses issued by the State of Alaska and the Haines Borough. **I am aware that if I begin construction prior to receiving permit approval, I will be assessed a \$250.00 "After-the-Fact" fee.**


 Roger Schnabel, Area Manager
 Owner or Agent

8/24/2023
 Date

PROVISIONS: The applicant is advised that issuance of this permit will not relieve responsibility of the owner or owner's agents to comply with the provisions of all laws and ordinances, including federal, state and local jurisdictions, which regulate construction and performance of construction, or with any private deed restrictions.

Office Use Only Below This Line

Non-Refundable Application Fee \$ <u>150.00</u>			Information/Documentation		
Payment Method: <u>Credit Card</u>			Req'd	Rec'd	
Receipt #: <u>053247</u>			<input type="checkbox"/>	<input type="checkbox"/> State Fire Marshal	
Received By: <u>TOLSON</u>			<input type="checkbox"/>	<input type="checkbox"/> State DEC	
Date: <u>8.23.2023</u>			<input type="checkbox"/>	<input type="checkbox"/> Variance/Conditional Use Permit	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/> Sign Permit	
Zoning	Bldg. Height	Lot Coverage %	Const. Type	Occupancy	# Stories
If Application is Complete: <input type="checkbox"/> Yes <input type="checkbox"/> No					
Notified Via: _____			Notified By: _____		
Date: _____					
If yes, Approved By: _____ Planning Commission Chairman			If no, Denied By: _____ Planning Commission Chairman		
Permit ID #: _____			Date: _____		
Permit Effective Date: _____			Reason: _____		
Approval Special Requirements: This application meets all applicable Borough policies and a permit is issued, conditional on the substantial completion of construction within two years and the following special requirements:					

Notice of Right to Appeal: All decisions of the Borough Officials are appealable per HBC 18.30.050

ATTACHMENT A

SITE PLAN REQUIREMENTS

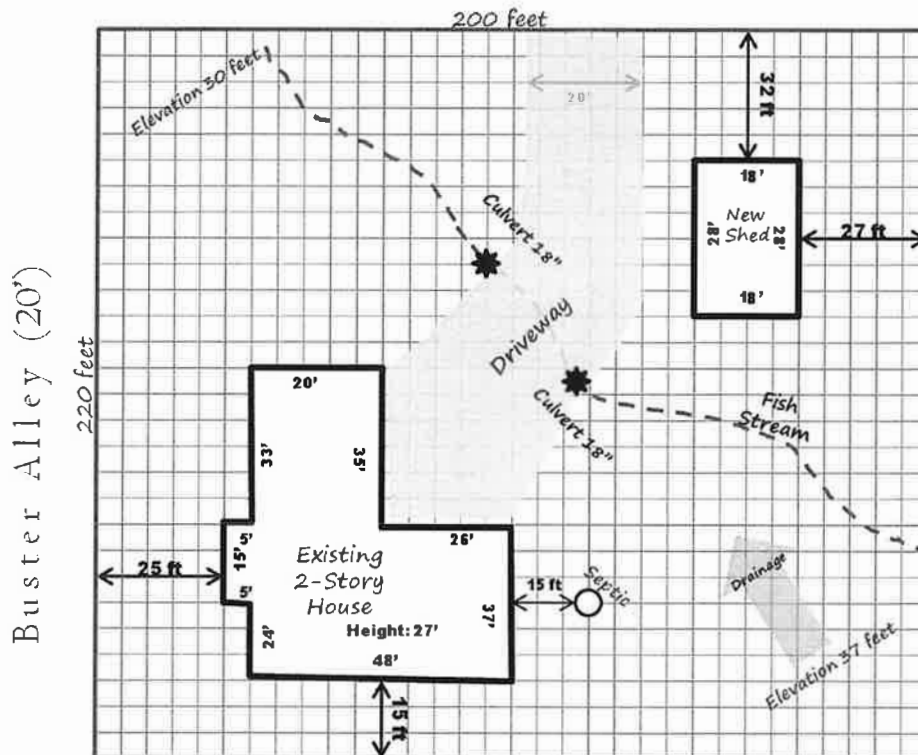
1. Drawing showing dimensions of all buildings, including elevations, of lot on which activity/use/construction is planned.
2. Existing streets, alleys, sidewalks, driveways, easements, including widths.
3. Existing buildings/structures on the property, their location, dimension and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
4. Proposed construction—including location, dimensions, and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
5. Existing and proposed non-building improvements, including surface water drainage plan, driveway placement, culvert(s), off street parking (location and dimensions), on-site water and/or wastewater handling systems.
6. Shore lines, steep slopes, or other evidence of natural hazards.
7. If zero lot line construction proposed, show plan for handling snowdrop onto adjoining properties.

It is strongly recommended that an as-built survey be performed prior to submittal of the application.

EXAMPLE SITE PLAN

John Doe Property Tax ID X-XXX-XX-XXXX

Ripinsky Street (60')



APPROVAL CRITERIA

See HBC 18.60.010 for more information.

- A. **Plans.** The proposal is substantially consistent with the borough comprehensive plan and other applicable borough-adopted plans.
- B. **Reviewing Parties.** Due deference has been given to the comments and recommendations of reviewing parties.
- C. **Fire Safety and Emergency Access.** As determined by the State Fire Marshal or the borough fire chief.
- D. **Access.** All lots on which development is planned are required to have legal road access completed to borough standards.
- E. **Traffic.** The proposed use shall not overload the existing street system with traffic or result in unsafe streets or dangers to pedestrians.
- F. **Public Maintenance.** The proposed use shall not significantly increase the impact on the surrounding area from glaciation or drifting snow and shall not create significantly increased difficulty for snow removal or street maintenance.
- G. **Foundation.** All buildings intended for residential or commercial use shall be placed on a permanent foundation.
- H. **Parking.** See parking requirements in HBC 18.80.040.
- I. **Utilities.** If property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems. All regulations of the State Department of Environmental Conservation pertaining to water extraction and wastewater disposal, as well as the requirements of HBC 13.04.080(G) pertaining to on-site wastewater disposal, shall apply.
- J. **Drainage.** The applicant for a proposed use shall provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate or avoid runoff into public streets or adjoining lots and to protect rivers, lakes and streams from pollution. Developers may be required to provide for the conservation of natural features such as drainage basins and watersheds, and provide for land stability.
- K. **Walkways, Sidewalks and Bike Paths.** Easements for pedestrian access or bicycle paths may be required where shown by the borough to be necessary to provide reasonable circulation or access to streams, lakes, tidewater, schools, playgrounds, transportation facilities or other public facilities.
- L. **Construction Guarantees.** The borough may require the posting of a bond or other surety approved by the assembly to ensure that all required and necessary improvements are constructed as approved. The surety may provide for partial releases upon acceptance of the improvement by the borough.
- M. **Peak Use.** The peak use characteristics are the same as surrounding uses or other uses allowed in the zone.
- N. **Off-Site Impacts.** The proposed use shall not have significant negative impacts on the surrounding properties, including excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises or be unsightly or become a nuisance as defined in HBC 8.12.020(I). Buffering may be required to alleviate impacts between residential and nonresidential uses. The owner of the property upon which the buffering is constructed is responsible for the maintenance of the buffering in a condition that will meet the intent of this criteria.
- O. **Habitat.** A reclamation or landscaping plan may be required as a condition of approval of any use within 100 feet of a state-identified anadromous stream. The purpose of the reclamation or landscaping plan includes the control of dust, soil erosion, water runoff and siltation which otherwise would be generated on the lot and affect the surrounding area.
- P. **Anadromous Fish Stream Setbacks.** All development along state-identified anadromous fish streams will be consistent with the Haines coastal zone management program. Unless approved by variance, no development shall occur within 25 feet of the banks of anadromous fish streams, designated as such by the Alaska Department of Fish and Game. Variances from this requirement may be granted by the commission based upon the unique conditions of individual properties, the proposed development, and the recommendations of a qualified fisheries biologist.
- Q. **Open Space and Facilities.** The developer may be required to dedicate land for open space, drainage, utilities, access, parks or playgrounds. Any dedication required by the commission must be based on a written finding that the area is necessary for public use or safety and the dedication is in compliance with adopted municipal plans and policies.
- R. **Historic Resources.** The proposed use shall not adversely impact identified historic resources prior to the assessment of that resource by the borough or state. Uses located within the significant structures area must comply with the specific approval standards of this chapter. See also HBC 18.60.020 (G) and HBC 18.70.050, Historic Building Districts.
- S. **National Flood Plain Regulations.** All permits shall be reviewed for compliance with HBC 18.120, Flood Plain Regulations.
- T. **Hazard Areas.** Development which is not designed and engineered to mitigate the risk of loss of life or property is prohibited in the following hazard areas: (1) The one percent floodway of all rivers and streams; (2) Avalanche outfall areas; (3) Within 500 feet of a major fault; (4) Slopes greater than 30 percent; (5) Within 300 feet of a wildfire chute; (6) Rock and mudslide areas.
- U. **Waterfront.** The following requirements apply in all waterfront zones:
 - (1) For residential use, setbacks shall be the same as those required in the residential zone. All other uses shall be required to set back 10 feet from lot lines adjacent to every street and alley and five feet from all other lot lines; (2) Public access to the waters of Portage Cove is required to be included in all permits for development on land adjacent to Portage Cove.

SPECIAL APPROVAL CRITERIA MAY APPLY

See HBC 18.60.020 for more information.



OPERATIONS PLAN

Lutak Road Property

Conditional Use Permit Application

Prepared for:

Haines Borough
103 Third Ave. S
PO Box 1209
Haines, AK

August 2023

I. SITE DESCRIPTION

The proposed project consists of a total of approximately 27 acres of land located 4 miles North of downtown Haines along Lutak Road. Site Maps can be found in Appendix A.

Site A, totaling 5.2 acres, is entirely located on the uplands side of Lutak road and consists of parcels C-LTR-04-0090, C-LTR-04-0700, and C-LTR-04-0010. Site B, totaling 21 acres, is located on the uplands and lowlands side, divided by Lutak Road and consists of parcels C-LTR-04-1000, C-LTR-04-2940, C-LTR-04-0900, and C-LTR-04-0800. The proposed parcels are in ownership of Glacier Construction dba. Southeast Road Builders.

II. SITE FEATURES & ZONING

The proposed parcels are zoned Waterfront Industrial Use. Site A is comprised of undeveloped parcels made up of dense Spruce Forest. Adjacent parcels are vacant lots owned by the State of Alaska, zoned Waterfront Industrial, and Heavy Industrial Use. Site B is comprised of a developed pit site and provides existing access to the Lutak Inlet via boat ramp. Adjacent parcels consist of a timber mill site owned by Chilkoot Lumber Company to the West and vacant State of Alaska land, all zoned Waterfront Industrial Use.

The proposed development is in alignment with the use of adjoining properties. The site is located near the Alaska Marine Lines dock, timber mill site, and ferry terminal which is a heavy industrial use area. There is existing truck traffic to and from the AML yard and to the stockpile site located on Site B.

III. EXISTING PERMITTING & USE

The existing sites are currently being developed under Site Development Permits #23-33 and #23-42, issued on May 23rd, 2023, and Land Use Permit #23-71, issued on August 14, 2023. Existing permitted development consists of clearing, grubbing, and grading of the sites. Permitted activity on Site B also consists of bulk material storage and aggregate transloading.

The existing sites are permitted with a ADEC MSGP SWPPP Permit # AKR06AB42.

Initial site development, including clearing, grubbing, and grading of the site began on Site B in June 2023 and is nearly complete. Clearing, grubbing, and grading of Site A is anticipated to begin in Fall 2023. Southeast Roadbuilders began using Site B for bulk material storage and aggregate transloading in August 2023. The proposed resource extraction is anticipated to begin in Fall 2023, or as soon as all applicable permits are approved. These sites are potential future sources of materials for local improvement projects beginning in Spring of 2024, therefore timing of development is critical.

IV. PROPOSED USE

Southeast Road Builders is proposing to use the referenced parcels as a material source and is pursuing a conditional use permit with the Haines Borough to perform resource extraction.

Initial exploration of Site B reveals that the soil primarily consists of coarse grained gravel and sand. Proposed use includes mobilization of a wash plant and crusher unit to process material onsite, reducing truck traffic from the site to the existing processing facilities at 4.5 Mile Haines Highway. A staging area on the North side of Lutak Road has been developed to stockpile and process materials. This area will be used to stage equipment, process, and stockpile materials. The area to the South of Lutak Road has been cleared, grubbed, and scaled to provide access. Southeast Road Builders is proposing to extract material from this site for use on local State and Borough projects.

Initial site investigation of Site A reveals bedrock to be present below the surface proposing a potential source for rock excavation. Southeast Road Builders is proposing to use this site as a rock source for local improvement projects to provide fill and riprap materials. Rock excavation activities may include drilling, blasting, and crushing operations onsite.

V. SITE CONDITIONS

A. ACCESS. The parcels that make up Site B are currently accessible via existing access points from previous landowners. Site A has no current access from Lutak Road. Legal access to these parcels is being developed in coordination with the Alaska Department of Transportation (AKDOT&PF). Coordination with the AKDOT&PF will be ongoing throughout the duration of development to ensure compliance with all permits and guidelines. The number of access points will be limited to ensure safety of the travelling public and ensure adequate sight distance for trucks to navigate the roadway. Access will be limited to the public to ensure public safety. Adequate access for fire and emergency vehicles will be maintained at all times.

B. TRAFFIC. Use of these sites will limit truck traffic from Southeast Road Builders current material source at 4.5-mile Haines Highway to the proposed site. This will significantly limit truck traffic through the Haines townsite. The safety of the public and impact on the existing two-lane paved roadway has not been significantly effected by the truck traffic from adjacent operations or material stockpiling operations that have previously taken place. Trucking operations are not anticipated to significantly differ from existing use.

C. MAINTENANCE. Southeast Road Builders proposes to use street sweepers and water trucks to control and limit dust or debris that may impact public health and safety. The site will have seasonal use limiting any impact for snow removal or winter conditions.

D. LIGHTING & UTILITIES. No permanent lighting is proposed for this development. There are no existing public sanitary sewer or water services onsite. Water will be provided by water truck from a source approved by the ADEC.

E. DRAINAGE. Stormwater control is in compliance with the current ADEC MSGP Permit. The site will be graded to control runoff and prevent sediment from leaving the site. The proposed use includes the installation of culverts to provide adequate drainage through the site and maintain existing drainage ditches. A SWPPP will be maintained throughout the duration of the project. There are no state-identified anadromous streams located on the site.

F. HAZARD AREAS. Proposed work within the one percent floodway includes the installation of culvert pipes to improve the drainage onsite and mitigate the risk of impact on streams and drainage facilities. This will allow for the control of runoff and prevent washouts from any severe weather. Southeast Road Builders is working in cooperation with the

Department of Fish and Game to ensure the protection of fish habitat throughout the duration of development. The DF&G has surveyed the existing streams onsite and has identified them as non-anadromous streams.

The proposed development is within areas that contain steep slopes greater than 30 percent. Once the site development is complete, the area will be stabilized in accordance with the ADEC SWPPP. To mitigate the risk of slope failures, rock benches will be created, and overburden will be sloped back at a 2:1 slope and stabilized with vegetation or rock.

G. NOISE. A natural buffer of 25' will be maintained between the proposed development and the adjacent roadway and properties. The proposed development is in alignment with adjacent property use. The nearest residential dwelling is approximately a mile from the site. Any blasting operations will be completed during the regular hours of operation. Adequate notice of drilling and blasting operations will be given to the public, FAA, and nearby landowners.

VI. METHODS

The proposed hours of operation for the site will be from 6:00 AM to 6:00 PM. Materials transloading activities may differ outside of normal hours of operation but will not impact residents as all work will be done onsite.

No hazardous material or fuel will be stored onsite. Southeast Road Builders has a service oiler that will mobilize to the site to fuel and grease equipment as needed.

No explosives will be stored onsite, except when they are immediately necessary for blasting operations.

VII. RECLAMATION PLAN

Throughout the duration of construction, the site will be reclaimed as necessary. Exposed rock faces will be benched with standard 30'-40' lifts. Floors will be graded to promote adequate drainage. Final slopes will be seeded, or rock lined for final stabilization as needed.

A final reclamation plan will be developed as the project progresses.

VIII. COMPREHENSIVE PLAN

The proposed development is in alignment with the following goals that the Borough has outlined in the current Comprehensive Plan:

A. Goal 3. Achieve a strong, diversified local economy that provides employment and income for all citizens that desire to work while protecting the health of the environment and quality of life. Build on local assets and competitive advantages to create economic opportunity.

There is currently no active rock source to provide riprap material for local improvement projects. Development of this site would provide the opportunity to build on local resources and reduce the need to depend on outside sources for material. The site is currently being used to stockpile material for use at the Greens Creek mine and future use could allow for the extraction and use of this material for the Greens Creek mine and local State and Borough projects. The proposed development would also provide additional employment opportunities for local residents and workers.

B. Goal 4. Provide a safe, convenient, reliable, and connected transportation network to move goods and people to, from, and within Haines Borough. Aggressively maintain road, port, and harbor facilities to maximize public investment, enhance public safety and access, and provide economic opportunity.

The proposed use would allow for increased transfer of goods and resources in and out of Haines. The location of the site is optimal for stockpiling of material for transshipment and is located in the vicinity of future proposed local development projects that would benefit from its use by reducing costs and limiting truck traffic through the townsite.

C. Goal 5. Guide infrastructure and land development to provide an adequate supply of land for commercial and industrial development, varies residential living, and diverse recreational opportunities.

The development of this site could facilitate future use for transportation of goods and resources in and out of Haines as well as provide a resource for material for improvement to local projects such as the Lutak Dock Replacement project and roadway improvements along Lutak Road. There are no nearby sources of material adequate to provide for the resources that these projects require.

D. Goal 10. Support responsible development of renewable and non-renewable resources within Haines Borough.

The proposed development is in compliance with environmental regulations and contains no anadromous streams onsite, mitigating the impact to fishery habitat. Development of this non-renewable resource would create economic opportunity to extract resources in an area that would otherwise rely on outside sources.

SITE A - PARCELS
C-LTR-04-0090
C-LTR-04-0700
C-LTR-04-0010

SITE PLAN

Haines Ferry Terminal



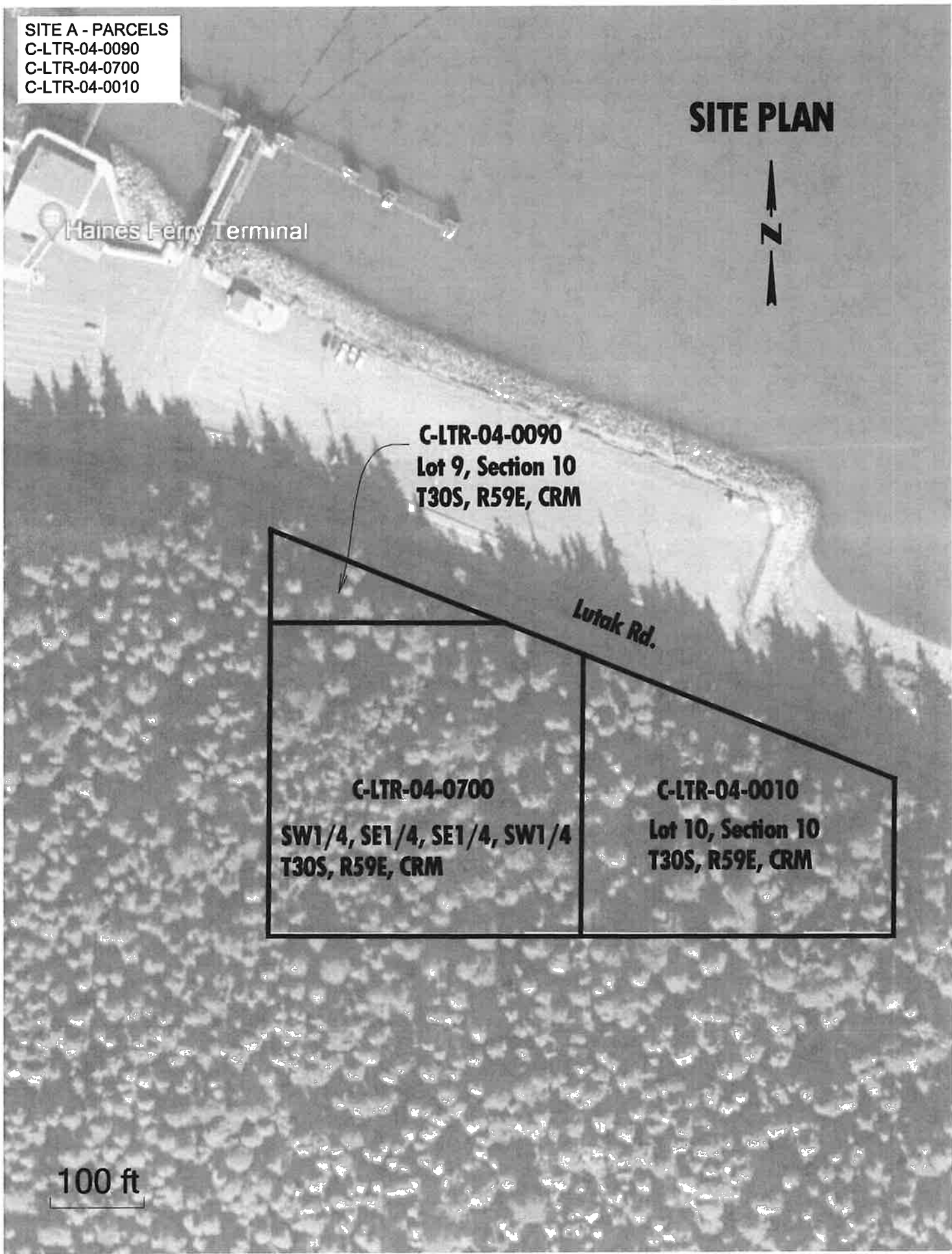
C-LTR-04-0090
Lot 9, Section 10
T30S, R59E, CRM

Lutak Rd.

C-LTR-04-0700
SW1/4, SE1/4, SE1/4, SW1/4
T30S, R59E, CRM

C-LTR-04-0010
Lot 10, Section 10
T30S, R59E, CRM

100 ft



ArcGIS Web Map



SITE A - PARCELS
C-LTR-04-0090
C-LTR-04-0700
C-LTR-04-0010

PROJECT LIMITS

8/22/2023, 8:22:18 AM

- Contours - contour25ts
- Parcels

1:4,514
0 0.02 0.04 0.07 mi
0 0.03 0.06 0.12 km
Maxar

SITE A - PARCELS
C-LTR-04-0090
C-LTR-04-0700
C-LTR-04-0010

PROPOSED ACCESS ROAD

MIN. 25' BUFFER

AREA TO BE
CLEARED/GRUBBED THIS FALL
PROPOSED FOR RESOURCE
EXTRACTION

500 ft

Haines Ferry Terminal

Lutak Rd Lutak Rd

Lutak Rd

Lutak Rd

Lutak Rd

SITE B - PARCELS
C-LTR-04-0010
C-LTR-04-2940
C-LTR-04-0900
C-LTR-04-0800

SITE PLAN



C-LTR-04-0800
Parcel 1
Lot 3, Sec 10

(C-LTR-04-0900)

C-LTR-04-2940
Parcel 2
Lot 2, USS 3704

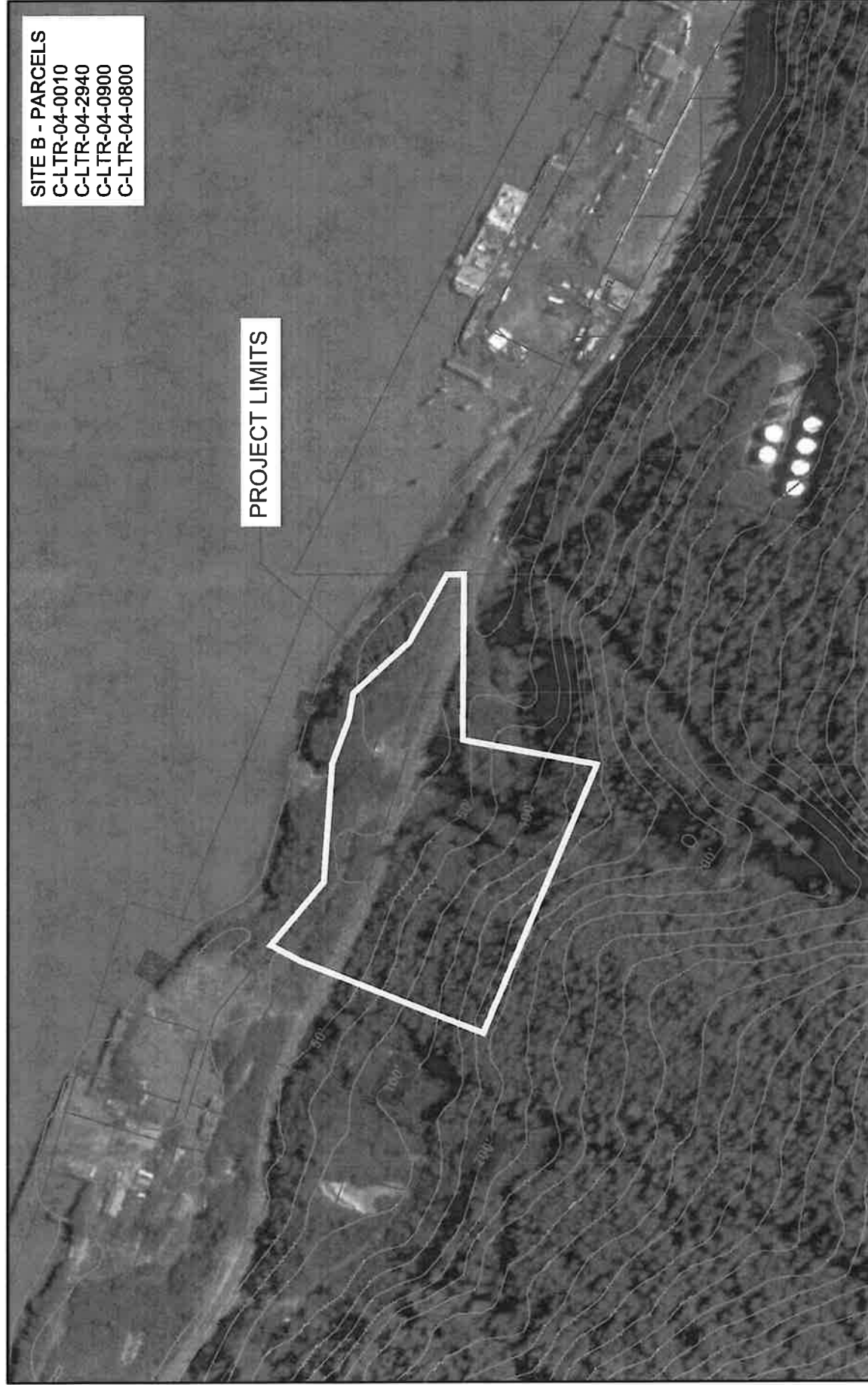
C-LTR-04-1000
Parcel 3
Portion, USS 178

Lutvik Rd.

*Creek
(Not Anadromous)*

100 ft

ArcGIS Web Map



SITE B - PARCELS
C-LTR-04-0010
C-LTR-04-2940
C-LTR-04-0900
C-LTR-04-0800

PROPOSED
CULVERT
INSTALLATION

PROPOSED
CULVERT
INSTALLATION

EXISTING ACCESS
POINTS TO BE
MAINTAINED

AREA CURRENTLY USED
FOR BULK MATERIAL
STORAGE; PROPOSED
STORAGE/STAGING AREA

AREA PREVIOUSLY
CLEARED/GRUBBED
PROPOSED FOR
RESOURCE EXTRACTION





HAINES BOROUGH, ALASKA
P.O. BOX 1209, HAINES, ALASKA 99827
Annette Kreitzer, Borough Manager
907.766.6404 akreitzer@haines.ak.us

MEMO

TO: Haines Borough Planning Commission

DATE: October 06, 2023

RE: Conditional Use Permit – Resource Extraction | Waterfront Industrial Zone | CUP 23-87 | Site A: C-LTR-04-0090/0700/0010, Site B: C-LTR-04-1000/2940/0900/0800 | Glacier Construction Inc. dba Southeast Road Builders

This memo serves as my recommendation per HBC 18.50.030 (D)3 for approval of this CUP to the Commission with the conditions listed below. A pre-application meeting was held on 8/10/2023.

This conditional use permit application is for resource extraction in the Waterfront Industrial Zone.

The intent of this zone is:

Provide for and protect productive, marine-related heavy industries, including wharfage, natural resource export, milling and major seafood processing. Areas zoned as waterfront industrial should be located so that adjacent nonindustrial areas are buffered from the external effects common to heavy industry including noise, dust, vibration, glare, pollution, heavy traffic and unsightly uses or activities. The area is served by, or intended to have, the necessary level of public utilities and an adequate transportation system as deemed appropriate for the planned use.

Resource Extraction is defined as a:

Heavy industrial use involving the removal of rock, gravel, sand, clay, topsoil, peat, timber, petroleum, natural gas, coal, metal ore, or any other mineral, and other operations having similar characteristics.

BOROUGH RECCOMENDATION:

Approve Conditional Use Permit 23-87, with the following conditions:

- 1) Provide design and engineering for resource extraction in Hazard Areas. Provide a copy of plans to the Borough prior to working:
 - a. Within the stream's one percent floodway,
 - b. On slopes greater than 30 percent.
- 2) Submit a reclamation plan for Planning Commission review that addresses the final conditions of site, including:
 - a. Relation to adjoining land forms and drainage features,
 - b. Relation of reclaimed site to planned or established uses of the surrounding area,
 - c. Demonstration that the final land form will have a viable land use compatible with land use trends in the surrounding area,
 - d. Relation of reclaimed site to initial site conditions including land use, vegetation, soils, geology and hydrology;
 - e. Work to maintain the existing waterfront view shed.
- 3) Contact the United States Fish & Wildlife Service approval for all work within 660-feet of an eagles nest; or to perform blasting operations within ½ mile of an eagles nest. Email: ak_fisheries@fws.gov
- 4) Provide a copy of State approval for legal access to Site A before beginning any work at this location. Coordinate access, traffic plans, and roadway maintenance during resource extraction with the State of Alaska's Department of Transportation & Public Facilities Southcoast Region Right-of-Way office. Contact Michael Schuler, email: michael.schuler@alaska.gov.
- 5) Provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate or avoid runoff into public streets or adjoining lots and to protect rivers, lakes and streams from pollution. Developers may be required to provide for the conservation of natural features such as drainage basins and watersheds, and provide for land stability.

- 6) No significant negative impacts on the surrounding properties are allowed. Including excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises or be unsightly or become a nuisance as defined in HBC 8.12.020(I).
- 7) This permit does not relieve the owner or authorized representative to comply with the provisions of federal, state or local regulations applicable to the activity.

BOROUGH REVIEW, per HBC 18.50.040(A)

The following code sections must be met in order for a Conditional Use Permit to be approved by the Planning Commission:

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers;

BOROUGH RESPONSE:

3,500 Feet from nearest documented Eagle Nest. Applicant to notify USFWS if eagle nest is located as required

(<https://www.fws.gov/story/do-i-need-eagle-take-permit>)

Applicant has proposed a natural buffer of 25-feet between the roadway and adjacent parcels.

Site A is buffered from the Waterfront Zone by approximately 54 acres of industrial parcels.

Site B is buffered from the Lutak Planning District by approximately 41 acres of industrial parcels.

Proposed schedule of 6am-6pm is appropriate and consistent with industrial use of this area. Existing land uses by Alaska Marine Lines and the Alaska Marine Highway System regularly have traffic operating outside these hours.

2. The development of the use is such that the value of the adjoining property will not be significantly impaired;

BOROUGH RESPONSE:

No comments from property owners within 500-ft were received.

This permit is consistent with local zoning and adjoining properties are not expected to be significantly impaired.

3. The size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use;

BOROUGH RESPONSE:

Existing utilities are sufficient for proposed activities.

4. The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses;

BOROUGH RESPONSE:

In addition to supporting the comprehensive plan's economic development goals listed by the applicant, this permit is consistent with the future growth and development plans referenced below.

Section 7.2.1 Haines Borough's Ten Future Growth Land Designations:

#4 – Industrial

#5 - Waterfront Development

#10 Resource Development

Proposed use is consistent with land use activities prioritized in this section, including rock quarries, and the processing, shipping, and storing of goods.

Section 7.3.5 Resource-Based Development Opportunity:

This section includes an objective to comply with environmental regulations, ensuring fisheries resource and riparian zone protection, providing protection of salmon habitat and Bald Eagle Preserve resources, maintaining scenic view sheds, and buffering operations from adjacent land uses and activities.

- **This land use provides buffers from adjacent zones.**

-continued-

- **The applicant is actively working with Alaska Department of Environmental Conservation and Alaska Department of Fish & Game for compliance with water quality and fish habitat regulations.**
- **Design Conditions, HBC 18.50.040(B): The borough recommends prioritizing maintenance of the scenic view shed of Haines waterfront in the reclamation plan.**

5. The granting of the conditional use will not be harmful to the public safety, health or welfare;

BOROUGH RESPONSE:

Land use activities are consistent with this zone and provide adequate buffers for proposed industrial activities.

The State Department of Transportation & Public Facilities has reviewed truck traffic related to aggregate transloading at this site. If needed, the State will require additional permitting if truck traffic exceeds 100 loads per hour.

Hazard Areas, defined as steep slopes greater than 30 percent (HBC 18.60.10(T)), are present on-site. Design and engineering to mitigate the risk of loss of life or property is required.

6. The use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams;

BOROUGH RESPONSE:

The steam on-site in non-anadromous. The applicant is actively working with Alaska Department of Environmental Conservation and Alaska Department of Fish & Game for compliance with water quality and fish habitat regulations.

State permitting and design and engineering requirements for steep slopes will provide safeguards against erosion related issues.

7. The use will comply with all required conditions and specifications if located where proposed and developed, and operated according to the plan as submitted and approved;

BOROUGH RESPONSE:

Submitted site plans and operations plan, together with applicable codes and relevant permit conditions are sufficient to ensure compliance with all local, state, and federal regulations, and the comprehensive plan.

8. Comments received from property owners impacted by the proposed development have been considered and given their due weight.

BOROUGH RESPONSE:

No public comment received to-date.

Conditional Use Permits may be granted if all the following general approval criteria and applicable specific approval criteria of HBC 18.60.020 are complied with.

GENERAL APPROVAL CRITERIA REVIEW, per HBC 18.60.010

A. Plans. The proposal is substantially consistent with the borough comprehensive plan and other applicable borough-adopted plans.

BOROUGH RESPONSE:

See #4 above.

B. Reviewing Parties. Due deference has been given to the comments and recommendations of reviewing parties.

BOROUGH RESPONSE:

Notifications were sent to all residents within 500' of the parcel. No comments have been received.

This application was provided to the State's Department of Transportation & Public Facilities Right of Way office to ensure legal access from Lutak Road is acquired.

The closest documented eagle nest is 3,500ft from this site.

USFWS contact has been provided if an eagle nest is encountered during clearing or blasting work.

C. Fire Safety and Emergency Access. The proposal shall not pose a fire danger as determined by the State Fire Marshal or the borough fire chief. Adequate access for emergency and police vehicles must be provided.

BOROUGH RESPONSE:

Site plan indicates conformance with density and dimensional requirements for emergency access. No industrial or commercial buildings are proposed.

D. Access. All lots on which development is planned are required to have legal road access before an application for a development may be considered and physical road access must be completed to borough standards before any work on the development is started.

BOROUGH RESPONSE:

This application was provided to the State’s Department of Transportation & Public Facilities Right of Way office to ensure legal access from Lutak Road.

ROW permitting with the State was initiated for Site B under Permit 23-71.

Due to roadway characteristics and proximity to the ferry terminal, access to Site B will not be permitted until State approval is provided to the Borough.

E. Traffic. The proposed use shall not overload the existing street system with traffic or result in unsafe streets or dangers to pedestrians.

BOROUGH RESPONSE:

The majority of proposed work will occur on-site. Proposed activities are not expected to overload Borough streets or result in unsafe situations. The applicant has proposed the use of a street sweeper and water truck to limit affects.

This application was provided to the State’s Department of Transportation & Public Facilities Right of Way office to address traffic on Lutak Road.

F. Public Maintenance. The proposed use shall not significantly increase the impact on the surrounding area from glaciation or drifting snow and shall not create significantly increased difficulty for snow removal or street maintenance.

BOROUGH RESPONSE:

This application was provided to the State’s Department of Transportation & Public Facilities Right of Way office to address public maintenance on Lutak Road. Winter work is not proposed.

G. Foundation. All buildings intended for residential or commercial use shall be placed on a permanent foundation. This section does not apply to accessory buildings such as tool sheds, wood sheds, etc., of 120 square feet or less in area, or temporary uses.

BOROUGH RESPONSE:

Does not apply.

H. Parking. Parking, loading areas and snow storage sites for the proposed development shall be adequate, safe and properly designed. The developer may be required to install acceptable lighting at pedestrian or vehicular access points.

BOROUGH RESPONSE:

No parking, loading, or snow storage issues are expected.

I. Utilities. The proposed use shall be adequately served by public water, sewer, on-site water or sewer systems, electricity, and other utilities prior to being occupied.

All regulations of the State Department of Environmental Conservation pertaining to water extraction and wastewater disposal, as well as the requirements of HBC 13.04.080(G) pertaining to on-site wastewater disposal, shall apply. If exempted from the requirement to connect to public utilities, a developer must provide plans drawn by an engineer licensed in the state of Alaska or a state certified septic system installer prior to permit approval. Upon installation and before closure, the wastewater disposal system must be inspected and approved by an engineer licensed in the state of Alaska or a state certified septic system installer.

When public sanitary sewer and/or water service becomes available, the developer will be required to connect to the public utility within six months.

BOROUGH RESPONSE: The site is adequately served by public utilities for proposed land use activities.

J. Drainage. The applicant for a proposed use shall provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate or avoid runoff into public streets or adjoining lots and to protect rivers, lakes and streams from pollution. Developers may be required to provide for the conservation of natural features such as drainage basins and watersheds, and provide for land stability.

BOROUGH RESPONSE:

Include as permit condition. There are no anticipated drainage issues.

K. Walkways, Sidewalks and Bike Paths. Easements for pedestrian access or bicycle paths may be required where shown by the borough to be necessary to provide reasonable circulation or access to streams, lakes, tidewater, schools, playgrounds, transportation facilities or other public facilities.

BOROUGH RESPONSE:

Does not apply.

L. Construction Guarantees. The borough may require the posting of a bond or other surety approved by the assembly to ensure that all required and necessary improvements are constructed as approved. The surety may provide for partial releases upon acceptance of the improvement by the borough.

BOROUGH RESPONSE:

Does not apply.

M. Peak Use. The proposed use shall not result in significantly different peak use characteristics than surrounding uses or other uses allowed in the zone.

BOROUGH RESPONSE:

This permit is consistent with local zoning and adjacent land use activities. No impacts to peak use characteristics are expected.

N. Off-Site Impacts. The proposed use shall not have significant negative impacts on the surrounding properties, including excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises or be unsightly or become a nuisance as defined in HBC 8.12.020(I).

BOROUGH RESPONSE:

Include as permit condition. Resource extraction is consistent with local zoning, and no comments have been received from neighboring parcels. There are no anticipated off-site impacts with this use.

SPECIFIC APPROVAL CRITERIA REVIEW, per HBC 18.60.020

The **BOLD** specific approval criteria apply to this permit and are addressed below:

A. Resource Extraction.

- B. Junkyard.
- C. Animal Husbandry.
- D. Home Occupation.
- E. Bed and Breakfast (B&B).
- F. Kennel.
- G. Historic Buildings.
- H. Temporary Residence.
- I. Mobile Home Parks/Recreational Vehicle (RV) Parks.
- J. Planned Unit Development.
- K. Large Developments.
- L. Underground Utilities.
- M. Nonconforming Uses, Buildings, Lots.
- N. Cemetery.
- O. Commercial Marijuana Facilities.
- P. Communications Equipment.

A. Resource Extraction

1. Permitting. A permit for natural resource extraction may be issued with such reasonable conditions as necessary to limit or minimize the adverse impact of the permitted extraction. The permitted use must meet all other pertinent requirements of this title and address the following concerns:

- a. Limits of operational areas;
BOROUGH RESPONSE:
 - **25-foot buffers against property lines,**
 - **Site is buffered from adjacent zones by other industrial parcels,**
 - **Design and engineering required for Hazard Areas.**
- b. Days and hours of operation;
BOROUGH RESPONSE:
Seasonally, 6am – 6pm
- c. Traffic patterns;
BOROUGH RESPONSE:
Access, traffic, and public maintenance along Lutak Road will be coordinated with the State.
- d. Fencing and screening;
BOROUGH RESPONSE:
No fencing proposed.
- e. Control of dust and noise;
BOROUGH RESPONSE:
Proposed activities are consistent with the noise and dust expected during industrial activities. The applicant has proposed the use of a street sweeper and water truck to limit impacts.
- f. Phasing of operations and reclamation steps;
BOROUGH RESPONSE:
Reclamation is phased throughout construction and will be engineered in Hazard Area.

g. Final condition of site including:

- (1) Relation to adjoining land forms and drainage features,
- (2) Relation of reclaimed site to planned or established uses of the surrounding area,
- (3) Demonstration that the final land form will have a viable land use compatible with land use trends in the surrounding area,
- (4) Relation of reclaimed site to initial site conditions including land use, vegetation, soils, geology and hydrology;

BOROUGH RESPONSE:

Reclaimed land is likely to have future industrial use consistent with local zoning.

To ensure compliance with these specific approval criteria, and in an effort to meet goals of the Comprehensive Plan regarding maintenance of existing view sheds, a detailed reclamation plan will be submitted and reviewed by the Planning Commission.

h. Methods to minimize potential conflict with other existing uses within the neighborhoods adjacent to the development and traffic corridors used by the development.

BOROUGH RESPONSE:

Applicant is required to coordinate access and traffic safety plans along Lutak Road with the State.

Proposed use is consistent with existing trucking along this corridor.

COMMISSIONER RESPONSE FORMS

Per HBC 18.50.040, the Commission may adopt the Manager’s recommendation on each requirement unless it finds, by a preponderance of the evidence, that the Manager’s recommendation was in error and states its reasoning for such finding with particularity. In addition, for good cause, the Commission may alter the conditions on approval or requirements for guarantees recommended by the Manager. If the Commission wishes to propose other conditions, examples can be found in HBC 18.50.040(B).

The Commission is encouraged to reconsider conditions after the public hearing once all public comments have been received.

If the commission finds that the development implements all relevant requirements of this title, it shall issue a conditional use permit and the conditions and requirements shall be part of the approved permit. If the development does not implement all relevant requirements, or the commission otherwise determines the development is not in compliance with this title, the commission shall deny the permit and note with particularity its reasons for the decision.

- 1. The use is so located on the site as to avoid undue noise and other nuisances and dangers.

COMMISSIONER RESPONSE:

- 2. The development of the use is such that the value of the adjoining property will not be significantly impaired.

COMMISSIONER RESPONSE:

3. The size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use;

COMMISSIONER RESPONSE:

4. The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses;

COMMISSIONER RESPONSE:

5. The granting of the conditional use will not be harmful to the public safety, health or welfare;

COMMISSIONER RESPONSE:

6. The use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams;

COMMISSIONER RESPONSE:

7. The use will comply with all required conditions and specifications if located where proposed and developed, and operated according to the plan as submitted and approved;

COMMISSIONER RESPONSE:

8. Comments received from property owners impacted by the proposed development have been considered and given their due weight.

COMMISSIONER RESPONSE:

In accordance with HBC 18.30.010(F) The commission may place conditions upon issuance of any approval which are necessary or desirable to ensure that a rule, policy, standard or intent will be implemented in a manner consistent with Title 18, the comprehensive plan and any rule, policy or standard implementing them.

Altered or additional Conditions, see HBC 18.50.040(B) below for definitions:

DEVELOPMENT SCHEDULE:

USE:

OWNER’S ASSOCIATION:

DEDICATIONS:

CONSTRUCTION GUARANTEES:

COMMITMENT LETTER:

COVENANTS:

DESIGN:

CODE REFERENCES

HBC 18.70.030(A)(3)

I/W – Waterfront Industrial Zone. The intent of the waterfront industrial zone is to provide for and protect productive, marine-related heavy industries, including wharfage, natural resource export, milling and major seafood processing. Areas zoned as waterfront industrial should be located so that adjacent nonindustrial areas are buffered from the external effects common to heavy industry including noise, dust, vibration, glare, pollution, heavy traffic and unsightly uses or activities. The area is served by, or intended to have, the necessary level of public utilities and an adequate transportation system as deemed appropriate for the planned use.

18.20.020 Definitions – Regulatory.

“Resource extraction” means a heavy industrial use involving the removal of rock, gravel, sand, clay, topsoil, peat, timber, petroleum, natural gas, coal, metal ore, or any other mineral, and other operations having similar characteristics. Resource extraction does not include: (1) the removal of material from within the legal boundaries of the property of origin which are incidental to the construction, alteration or repair of a building (or the grading and landscaping incidental thereto); or (2) within the subdivision of origin of a platted public or private access road and utilities or public facility providing essential services.

“Industrial, heavy” means a use that has potential for significant negative impact on adjoining uses. This category includes uses that incorporate buildings that are large, tall, or unsightly; uses that generate offensive odors, noise, dust, smoke, fumes, vibration or glare; uses that involve large amounts of exterior storage; and uses that, because of their scale or characteristics, create nuisances or hazards such as heavy truck or other vehicle traffic, or other intense activity. These uses include airports, landing strips, and heliports; truck or ship terminals and docks; concrete batching plants; asphalt or concrete mixing plants; resource extraction;

Conditional Use Permit – Resource Extraction | Waterfront Industrial Zone
| CUP 23-87 | Site A: C-LTR-04-0090/0700/0010, Site B: C-LTR-04-
1000/2940/0900/0800 | Glacier Construction Inc. dba Southeast Road
Builders

bulk material or machinery storage; petroleum refineries and trans-shipment facilities; grain elevators; meat packing plants or fish processing facilities; mills; resource recycling facilities; commercial flammable or hazardous material storage; sanitary landfills and solid waste storage/transshipment facilities; large scale sewage treatment facilities and manufacturing plants.

HBC 18.30.010(F) Conditions.

The assembly, commission, or manager may place conditions upon issuance of any approval which are necessary or desirable to ensure that a rule, policy, standard or intent will be implemented in a manner consistent with this title, the comprehensive plan and any rule, policy or standard implementing them.

HBC 18.50.040 Decision.

B. The commission may alter the manager's proposed permit conditions, impose its own, or both. Conditions may include one or more of the following:

1. Development Schedule. The conditions may place a reasonable time limit on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighbors, to ensure that lots are not sold prior to substantial completion of required public improvements, or to implement other requirements.
2. Use. The conditions may restrict the use of the development to specific uses indicated in the approval.
3. Owner's Association. The conditions may require that if a developer, homeowner or merchant association is necessary or desirable to hold or maintain common property, that it be created prior to occupancy.

4. Dedications. The conditions may require conveyances of title, licenses, easements or other property interests to the public, to public utilities, or to the homeowners association. The conditions may require construction of public utilities or improvements to public standards and then dedication of public facilities to serve the development and the public.

5. Construction Guarantees. The conditions may require the posting of a bond or other surety or collateral (which may provide for partial releases) to ensure satisfactory completion of all improvements required by the commission.

6. Commitment Letter. The conditions may require a letter from a utility company or public agency legally committing it to serve the development if such service is required by the commission.

7. Covenants. The conditions may require the recording of covenants or other instruments satisfactory to the borough as necessary to ensure permit compliance by future owners or occupants.

8. Design. The conditions may require the adoption of design standards specific to the use and site.

Alekka Fullerton
Haines Borough Clerk
P.O. Box 1209
Haines, AK 99827
afullerton@haines.ak.us

March 26, 2024

Re: Notice of Appeal of the Haines Planning Commission decision to deny Conditional Use Permit #23-87B

Dear Ms. Fullerton,

Through this letter, permittee Glacier Construction Inc., d/b/a Southeast Road Builders (“SERB”) provides its Notice of Appeal under HBC 18.30.060, of the Haines Borough Planning Commission’s (“Commission”) decision to deny SERB’s application for Conditional Use Permit #23-87B (“Permit”). The Commission’s action to deny the permit was made arbitrarily and in violation of Borough Code, in a manner that directly contradicted prior findings of the Planning Commission and failed to give consideration to the Borough manager’s recommendation.

The points on which SERB appeals include the following:

1. SERB’s application and proposed use meets each of the requirements of Haines Borough Code, including each of the requirements in HBC 18.50.040.
2. SERB’s proposed use was previously determined by the Borough manager and Planning Commission to meet each of the requirements of Haines Borough Code, including each of the requirements in HBC 18.50.040.
3. The Borough Manager’s report for Permit #23-87B, dated March 8, 2024, recommended approval of the Permit because SERB’s proposed use met each of the requirements of Haines Borough Code, including each of the requirements in HBC 18.50.040.
4. HBC 18.50.040 indicates that the Commission may adopt the recommendation of the Manager “unless it finds, by a preponderance of the evidence, that the manager’s recommendation was in error and states its reasoning for such finding with particularity.” Despite making no findings that the Manager’s recommendation was in error (or that its own prior approval was in error) the Commission rejected the Permit. This was an arbitrary and capricious action.
5. The Commission’s denial was based, in part, on an unreleased and not-current comprehensive plan, which is not public and which SERB had no opportunity to engage with.

6. At the hearing on the Permit, individual commissioners failed to disclose conflicts of interest and extensive, prejudicial contacts with the appellants that challenged SERB's prior permit.
7. At the Permit hearing, the Commission exhibited significant, undue bias against SERB and its representative relative to other permit applicants and reflected improper prejudgment of the Permit.

Sincerely,

TJ Mason
Southeast Road Builders



Haines Borough

Planning and Zoning

103 Third Ave. S., Haines, Alaska, 99827. Box 1209

(907) 766-6401 * Fax: (907) 766-2716

APPLICATION FOR CONDITIONAL USE PERMIT

Permit#: _____

Date: _____

Use this form for approval by the Planning Commission. **\$150 non-refundable application fee**

I. Property Owner/Agent		Owner's Contractor(If Any)	
Name: Glacier Construction, Inc. dba Southeast Roabuilders		Name:	
Mailing Address: HC 60 Box 4800 Haines, AK 99827		Haines Borough Business License #:	
Contact Phone: (907) 766-2833		Alaska Business License #:	
Fax: (907) 766-2832		Contractor's License #:	
E-mail: tjmason@colaska.com		Mailing Address:	
		Contact Phone:	
		Fax:	
		E-mail:	
II. Property Information			
Size of Property: Approx. 14 Acres			
Property Tax #: C-LTR-04-1000			
Street Address: Approx. MP 4 Lutak Road; See attached Site Maps			
Legal Description: Lot (s) _____ Block _____ Subdivision _____			
OR			
Parcel/Tract _____ Section _____ Township _____ Range _____			
[Attach additional page if necessary.] See attached Site Maps			
Zoning: <input type="checkbox"/> Waterfront <input type="checkbox"/> Single Residential <input type="checkbox"/> Rural Residential <input type="checkbox"/> Significant Structures Area			
<input type="checkbox"/> Rural Mixed Use <input type="checkbox"/> Multiple Residential <input type="checkbox"/> Heavy Industrial <input checked="" type="checkbox"/> Waterfront Industrial			
<input type="checkbox"/> Commercial <input type="checkbox"/> Industrial Light Commercial <input type="checkbox"/> Recreational <input type="checkbox"/> Mud Bay Zoning District			
<input type="checkbox"/> Lutak Zoning District <input type="checkbox"/> General Use			
III. Description of Work			
Type of Application (Check all that apply) <input type="checkbox"/> Residential <input type="checkbox"/> Commercial _____sq. ft. _____seating capacity if eating/drinking establishment <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Church <input type="checkbox"/> Other _____	Project Description (Check all that apply) <input type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Change of Use <input type="checkbox"/> Multi-Family Dwelling Total # of Units _____ <input type="checkbox"/> Cabin <input type="checkbox"/> Addition <input type="checkbox"/> Accessory Structure <input checked="" type="checkbox"/> Other <u>Resource Extraction</u>	Water Supply Existing or Proposed <input checked="" type="checkbox"/> None <input type="checkbox"/> Community well <input type="checkbox"/> Private well <input type="checkbox"/> Borough Water System <input type="checkbox"/> Other _____	Sewage Disposal Existing or Proposed <input checked="" type="checkbox"/> None <input type="checkbox"/> Septic Tank <input type="checkbox"/> Holding Tank <input type="checkbox"/> Borough Sewer System <input type="checkbox"/> Pit Privy <input type="checkbox"/> Other _____

Per HBC 13.08.100 and 18.60.010, If a property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems. Failure to connect will result in a minor offense subject to penalties.

Valuation of Work: \$100,000

Current use of adjacent properties: See attached for more information; Zoned Waterfront Industrial Use, Vacant State Land, Inactive Timber Mill Site, Ferry Terminal, AML Dock, Fuel Terminal

Attach the following documents to the permit application:

Site plan (see Attachment A) showing lot lines, bearings and distances, buildings, setbacks, streets, etc.

PREAPPLICATION (Required)

Pre-application Conference Date: 8/10/2023

Prior to submission of an application, the developer shall meet with the manager for the purpose of discussing the site, the proposed development and the conditional use permit procedure. The manager shall discuss these matters with the developer with special attention to policies and approval criteria that may pose problems or constraints on the site or the proposed development activity and policies or approval criteria that may create opportunities for the developer.

APPLICATION

Please provide a written narrative explaining how your project will meet the following requirements. You may use the space provided on this form or attach your answers. A variance may only be granted if the Planning Commission finds that these six standards are met.

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers.

Describe what safeguards are being provided (i.e. setbacks or buffers) to meet the condition.

Please see attached Plan of Operations, Section VI for attached answers

2. Explain how the development of the use is such that the value of the adjoining property will not be significantly impaired.

3. Explain how the size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use.

4. Describe how or why the specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses.

5. Explain how the granting of the conditional use will not be harmful to the public safety, health or welfare.

6. Describe the safeguards that will be provided so that the use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams.

NOTICE

Per HBC 18.50.040, Comments received from property owners impacted by the proposed development will be considered and given their due weight. Additionally, the Planning Commission may impose one or more of the following conditions:

1. Development Schedule. The conditions may place a reasonable time limit on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighbors, to ensure that lots are not sold prior to substantial completion of required public improvements, or to implement other requirements.
2. Use. The conditions may restrict the use of the development to specific uses indicated in the approval.
3. Owner's Association. The conditions may require that if a developer, homeowner or merchant association is necessary or desirable to hold or maintain common property, that it be created prior to occupancy.
4. Dedications. The conditions may require conveyances of title, licenses, easements or other property interests to the public, to public utilities, or to the homeowners association. The conditions may require construction of public utilities or improvements to public standards and then dedication of public facilities to serve the development and the public.
5. Construction Guarantees. The conditions may require the posting of a bond or other surety or collateral (which may provide for partial releases) to ensure satisfactory completion of all improvements required by the commission.
6. Commitment Letter. The conditions may require a letter from a utility company or public agency legally committing it to serve the development if such service is required by the commission.
7. Covenants. The conditions may require the recording of covenants or other instruments satisfactory to the borough as necessary to ensure permit compliance by future owners or occupants.
8. Design. The conditions may require the adoption of design standards specific to the use and site.

ATTACHMENT A

SITE PLAN REQUIREMENTS

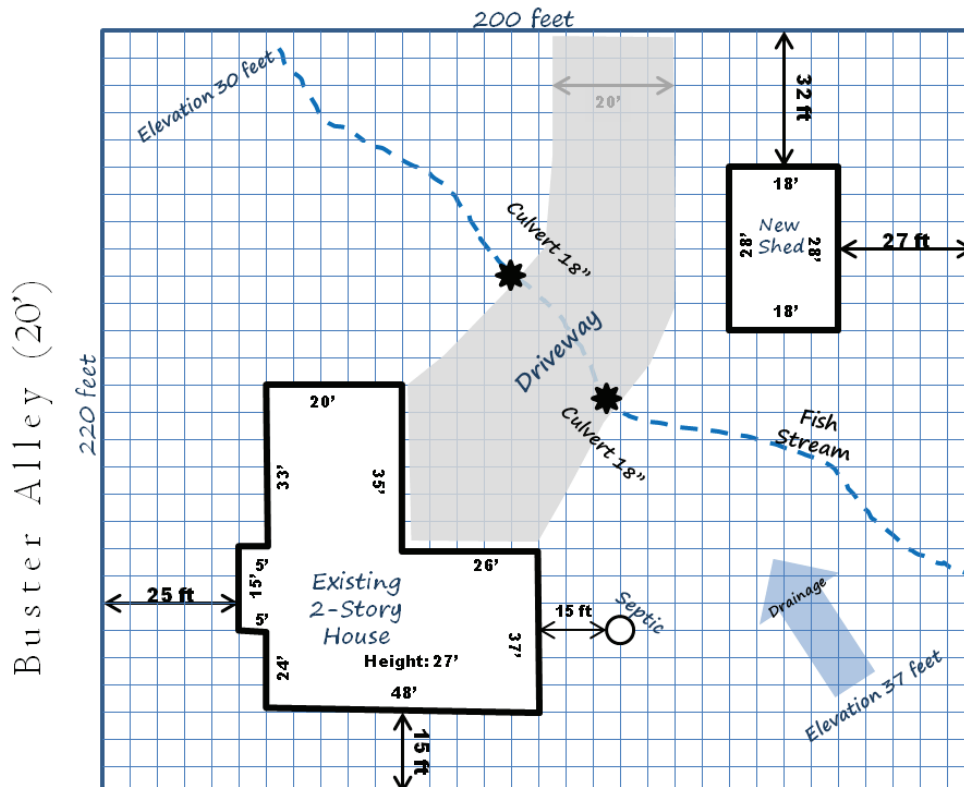
1. Drawing showing dimensions of all buildings, including elevations, of lot on which activity/use/construction is planned.
2. Existing streets, alleys, sidewalks, driveways, easements, including widths.
3. Existing buildings/structures on the property, their location, dimension and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
4. Proposed construction—including location, dimensions, and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
5. Existing and proposed non-building improvements, including surface water drainage plan, driveway placement, culvert(s), off street parking (location and dimensions), on-site water and/or wastewater handling systems.
6. Shore lines, steep slopes, or other evidence of natural hazards.
7. If zero lot line construction proposed, show plan for handling snowdrop onto adjoining properties.

It is strongly recommended that an as-built survey be performed prior to submittal of the application.

EXAMPLE SITE PLAN

John Doe Property Tax ID X-XXX-XX-XXXX

Ripinsky Street (60')



APPROVAL CRITERIA

See [HBC 18.60.010](#) for more information.

- A. **Plans.** The proposal is substantially consistent with the borough comprehensive plan and other applicable borough-adopted plans.
- B. **Reviewing Parties.** Due deference has been given to the comments and recommendations of reviewing parties.
- C. **Fire Safety and Emergency Access.** As determined by the State Fire Marshal or the borough fire chief.
- D. **Access.** All lots on which development is planned are required to have legal road access completed to borough standards.
- E. **Traffic.** The proposed use shall not overload the existing street system with traffic or result in unsafe streets or dangers to pedestrians.
- F. **Public Maintenance.** The proposed use shall not significantly increase the impact on the surrounding area from glaciation or drifting snow and shall not create significantly increased difficulty for snow removal or street maintenance.
- G. **Foundation.** All buildings intended for residential or commercial use shall be placed on a permanent foundation.
- H. **Parking.** See parking requirements in HBC [18.80.040](#).
- I. **Utilities.** If property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems. All regulations of the State Department of Environmental Conservation pertaining to water extraction and wastewater disposal, as well as the requirements of [HBC 13.04.080\(G\)](#) pertaining to on-site wastewater disposal, shall apply.
- J. **Drainage.** The applicant for a proposed use shall provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate or avoid runoff into public streets or adjoining lots and to protect rivers, lakes and streams from pollution. Developers may be required to provide for the conservation of natural features such as drainage basins and watersheds, and provide for land stability.
- K. **Walkways, Sidewalks and Bike Paths.** Easements for pedestrian access or bicycle paths may be required where shown by the borough to be necessary to provide reasonable circulation or access to streams, lakes, tidewater, schools, playgrounds, transportation facilities or other public facilities.
- L. **Construction Guarantees.** The borough may require the posting of a bond or other surety approved by the assembly to ensure that all required and necessary improvements are constructed as approved. The surety may provide for partial releases upon acceptance of the improvement by the borough.
- M. **Peak Use.** The peak use characteristics are the same as surrounding uses or other uses allowed in the zone.
- N. **Off-Site Impacts.** The proposed use shall not have significant negative impacts on the surrounding properties, including excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises or be unsightly or become a nuisance as defined in [HBC 8.12.020\(I\)](#). Buffering may be required to alleviate impacts between residential and nonresidential uses. The owner of the property upon which the buffering is constructed is responsible for the maintenance of the buffering in a condition that will meet the intent of this criteria.
- O. **Habitat.** A reclamation or landscaping plan may be required as a condition of approval of any use within 100 feet of a state-identified anadromous stream. The purpose of the reclamation or landscaping plan includes the control of dust, soil erosion, water runoff and siltation which otherwise would be generated on the lot and affect the surrounding area.
- P. **Anadromous Fish Stream Setbacks.** All development along state-identified anadromous fish streams will be consistent with the Haines coastal zone management program. Unless approved by [variance](#), no development shall occur within 25 feet of the banks of anadromous fish streams, designated as such by the Alaska Department of Fish and Game. Variances from this requirement may be granted by the commission based upon the unique conditions of individual properties, the proposed development, and the recommendations of a qualified fisheries biologist.
- Q. **Open Space and Facilities.** The developer may be required to dedicate land for open space, drainage, utilities, access, parks or playgrounds. Any dedication required by the commission must be based on a written finding that the area is necessary for public use or safety and the dedication is in compliance with adopted municipal plans and policies.
- R. **Historic Resources.** The proposed use shall not adversely impact identified historic resources prior to the assessment of that resource by the borough or state. Uses located within the significant structures area must comply with the specific approval standards of this chapter. See also [HBC 18.60.020 \(G\)](#) and [HBC 18.70.050](#), Historic Building Districts.
- S. **National Flood Plain Regulations.** All permits shall be reviewed for compliance with [HBC 18.120](#), Flood Plain Regulations.
- T. **Hazard Areas.** Development which is not designed and engineered to mitigate the risk of loss of life or property is prohibited in the following hazard areas: (1) The one percent floodway of all rivers and streams; (2) Avalanche outfall areas; (3) Within 500 feet of a major fault; (4) Slopes greater than 30 percent; (5) Within 300 feet of a wildfire chute; (6) Rock and mudslide areas.
- U. **Waterfront.** The following requirements apply in all waterfront zones:
 - (1) For residential use, [setbacks](#) shall be the same as those required in the residential zone. All other uses shall be required to set back 10 feet from lot lines adjacent to every street and alley and five feet from all other lot lines; (2) Public access to the waters of Portage Cove is required to be included in all permits for development on land adjacent to Portage Cove.

SPECIAL APPROVAL CRITERIA MAY APPLY

See HBC [18.60.020](#) for more information.



OPERATIONS PLAN

Lutak Road Property

Conditional Use Permit Application

Prepared for:

Haines Borough
103 Third Ave. S
PO Box 1209
Haines, AK

March 2024

I. SITE DESCRIPTION

The proposed project consists of a total of approximately 14 acres of land located 4 miles North of downtown Haines along Lutak Road. Site Maps can be found in Appendix A.

The proposed project site is located on parcel C-LTR-04-1000 which is situated on the uphill side of Lutak Road. The parcel is owned by Glacier Construction Inc dba Southeast Road Builders.

II. SITE FEATURES & ZONING

The proposed parcel is zoned Waterfront Industrial. The parcel is comprised of a cleared site with varying slopes. Adjacent parcels consist of a timber mill site owned by Chilkoot Lumber Company to the West and vacant State of Alaska land to the East that has recently been used as a resource extraction source as well, all zoned Waterfront Industrial Use.

The proposed development is in alignment with the use of adjoining properties. The site is located near the Alaska Marine Lines dock, timber mill site, and ferry terminal which are industrial use area. There is existing truck traffic to and from the AML yard and to Glacier Construction Inc dba Southeast Road Builders' adjoining parcel which is used as a marine industrial Facility for bulk material storage and aggregate transloading permitted under LUP 23-71 and acknowledged as a Use by Right per HBC 18.70.040.

III. EXISTING PERMITTING & USE

The existing site has been developed under LUP 23-33 issued on May 23rd, 2023. Existing permitted development consists of clearing, grubbing, and grading of the site. Excavation and resource extraction is the necessary next step to enhance the property for any potential developments that may take place on this site associated with Waterfront Industrial zoning of the parcel.

The existing site is permitted with an ADEC MSGP SWPPP Permit # AKR06AB42. A site-specific Storm Water Pollution Prevention Plan (SWPPP) has been developed by a professional SWPPP writer and will be submitted to ADEC for resource extraction activities on site.

IV. PROPOSED USE

Southeast Road Builders is proposing to use the referenced parcel as a material source and is pursuing a conditional use permit with the Haines Borough to perform resource extraction.

Initial exploration of the site reveals that the soil primarily consists of course grained gravel and sand. Proposed use includes mobilization of a wash plant and crusher unit to process material onsite. Southeast Road Builders is proposing to extract material from this site for use on local State, Borough, and private projects.

V. METHODS

The proposed hours of operation for the site will be from 6:00 AM to 6:00 PM.

No hazardous material or fuel will be stored onsite. Southeast Road Builders has a service oiler that will mobilize to the site to fuel and grease equipment as needed.

All excavation and processing work will utilize heavy equipment such as loaders, excavators, dozers, haul trucks, crushes, screens, and/or wash plants. Additionally, reclamation work will utilize hydro seeders for stabilization. Support equipment like water trucks and sweepers will be onsite as needed.

VI. BOROUGH REVIEW (Per HBC 18.50.040A)

- 1. *The use is so located on the site as to avoid undue noise and nuisances and dangers*** – Resource extraction and processing is consistent with activities expected in an industrial zone. The area already has permitted/use by right heavy equipment operations and truck traffic at both the Borough's Lutak Dock and Glacier Construction Inc dba Southeast Road Builders barge landing. Additionally, the adjacent state property has been historically used for resource extraction and Chilkoot Lumber's property was used as an industrial site. Southeast Road Builders has been working with both a Geotechnical and Civil engineer to mitigate hazards associated with work on slopes greater than 30 percent and will provide the final resource extraction and reclamation plan prior to any resource extraction work taking place. In accordance with our DOT driveway permit the number of access points will be limited, sight distance will be maintained, hourly traffic will be limited, bike and travel lanes will not be hindered, signage will be provided at driveways, and advanced warning signs will be placed notifying the public of the potential truck crossing.
- 2. *The development of the use is such that the value of the adjoining property will not be impaired*** – The development is not expected to impair the value of adjoining waterfront industrial uses. Once resource extraction is complete the newly developed area is expected to enhance waterfront industrial uses by providing additional useable space for those uses. The proposed development is consistent with local zoning and adjoining property uses.
- 3. *The size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use.*** – Access to the site is via an AKDOT&PF owned and maintained road. There are AKDOT&PF regulatory restrictions in place for vehicle speed, weight, and frequency of access which Southeast Roadbuilders will abide by. Truck traffic is consistent with adjoining users and expected use of this zone. The proposed development does not include connection to any existing utilities.
- 4. *The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses*** – The proposed development is consistent with three of the top ten future land growth designations outlined in Section 7.2.1 of the comprehensive plan. This development is also consistent with Goals 3, 4, 5, and 10 outlined in the current comprehensive plan. Surrounding land uses include industrial activities that are in alignment with the proposed development. There is existing truck traffic to the Alaska Marine Lines dock, Ferry terminal, and aggregate transloading facility.
- 5. *The granting of the conditional use will not be harmful to the public safety, health, or welfare*** – The proposed development is consistent with the local zoning and adjacent property uses. Southeast Road Builders is working with a licensed Geotechnical and Civil Engineer to develop an engineered plan to address hazard areas and ensure public safety as well as the safety of our own workforce. Southeast Road Builders expects that engineered slopes will be safer and more stable than existing slopes. Southeast Road Builders' approved driveway permit includes' traffic control restrictions such as limiting the number of access points, ensuring sight distance is maintained, limiting hourly traffic, not hindering bike and travel lanes, and signage at driveway entrances as well as advanced warning signs.

6. ***The use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state identified anadromous streams*** – Southeast Road Builders is actively working with the Alaska Department of Environmental Conservation and a professional SWPPP writer to create a site-specific plan to control erosion and sedimentation from stormwater and maintain vegetative buffers adjacent to streams and drainage facilities. The Department of Fish & Game has surveyed the existing streams onsite and identified them as non-anadromous. Southeast Road Builders coordination with ADEC & ADF&G will be ongoing throughout the duration of the project.
7. ***The use will comply with all required conditions and specifications if located where proposed and developed, and operated according to the plan as submitted and approved*** – Southeast Road Builders has complied with required conditions of the Conditional Use Permit approval issued on November 2nd, 2023. We are currently working with a licensed Engineer to provide design and engineering services for work in hazard areas prior to working within those areas as well as submitting a reclamation plan to the Borough for review. Southeast Road Builders has provided a copy of State approval for legal access. The submitted application, plan of operations, and permit conditions are sufficient to ensure compliance with all Borough, State, and Federal regulations.
8. ***Comments received from property owners impacted by the proposed development have been considered and given their due weight*** – No comments were received from residents within 500' of the parcel. Southeast Road Builders has received and reviewed comments from the Borough Manager, the Assembly and Planning Commissions, and public comments.

VII. GENERAL APPROVAL CRITERIA REVIEW (Per HBC 18.60.010)

- A. ***Plans. The proposal is substantially consistent with the borough comprehensive plan and other applicable borough-adopted plans*** – The proposed development is consistent with three out of ten of the future land growth designations as outlined in Section 7.2.1 of the comprehensive plan. In this section, the comprehensive plan encourages development of rock quarries under industrial use, development of waterfront industrial facilities, and resource development for quarries. The proposed development is also in alignment with the following goals that the Borough has outlined in the current Comprehensive Plan:

Goal 3. Achieve a strong, diversified local economy that provides employment and income for all citizens that desire to work while protecting the health of the environment and quality of life. Build on local assets and competitive advantages to create economic opportunity.

There is currently no active borrow sources for improvements projects near this area. Development of this site would provide the opportunity to build on local resources and reduce the need to depend on outside sources for material. Allowing for resource extraction at this site would reduce costs and be of benefit for local State, Borough, and private projects. The proposed development would also provide additional employment opportunities for local residents and workers.

Goal 4. Provide a safe, convenient, reliable, and connected transportation network to move goods and people to, from, and within Haines Borough. Aggressively maintain road, port, and harbor facilities to maximize public investment, enhance public safety and access, and provide economic opportunity.

The proposed use would allow for increased transfer of goods and resources in and out of Haines. The location of the site is optimal for stockpiling of material for transshipment and is located in the vicinity of future proposed local development projects that would benefit from its use by reducing costs and limiting truck traffic through the townsite.

Goal 5. Guide infrastructure and land development to provide an adequate supply of land for commercial and industrial development, varied residential living, and diverse recreational opportunities.

The development of this site could facilitate future use for transportation of goods and resources in and out of Haines as well as provide a resource for material for improvement to local projects such as the Lutak Dock Replacement project and roadway improvements along Lutak Road. There are no nearby sources of material adequate to provide for the resources that these projects require.

Goal 10. Support responsible development of renewable and non-renewable resources within Haines Borough.

The proposed development is in compliance with environmental regulations and contains no anadromous streams onsite, mitigating the impact to fishery habitat. Southeast Road Builders has coordinated with the Alaska Department of Environmental Conservation and the Alaska Department of Fish & Game to ensure compliance with water quality standards and habitat regulations. Development of this non-renewable resource would create economic opportunity to extract resources in an area that would otherwise rely on outside sources.

- B. ***Reviewing Parties. Due deference has been given to the comments and recommendations of reviewing parties.*** – Notification was initially sent to all residents within 500' of the parcel. No comments were received. Southeast Road Builders has since received the Borough Manager's recommendations, comments from the Planning Commission and Assembly, and both written and verbal public comments. Concerns have been addressed in various sections of this permit and various agencies of expertise, the AKDOT&PF, ADF&G, and ADEC will have been involved in coordinating requirements for this permit prior to resource extraction.
- C. ***Fire Safety and Emergency Access. The proposal shall not pose a fire danger as determined by the State Fire Marshal or the borough fire chief. Adequate access for emergency and police vehicles must be provided.*** – Use of this site will not impact fire safety and emergency access. Adequate access for fire and emergency vehicles will be maintained at all times.
- D. ***Access. All lots on which the development is planned are required to have legal road access before an application for a development may be considered and physical road access must be completed to borough standards before any work on the development is started.*** – Access to the site will be via Lutak Road, a state-owned road that is operated and maintained by the Alaska Department of Transportation (AKDOT&PF). Legal access to this parcel has been coordinated with the AKDOT&PF's Southcoast Region Right-of-Way office and has been permitted under driveway permits #33038 issued on February 7, 2024. The permit can be found in Appendix B. The number of access points is limited to ensure safety of the travelling public, including motorists, pedestrians, and cyclists and ensure adequate sight distance for trucks to navigate the roadway. Advanced warning signage will be in place to warn pedestrians and motorists of truck crossings. Public access to the site will be limited to ensure public safety.

- E. **Traffic. The proposed use shall not overload the existing street system with traffic or result in unsafe streets or dangers to pedestrians.** – Use of this site is expected to reduce truck traffic from Southeast Road Builders current material source at 4.5-mile Haines Highway to the proposed site. This will reduce industrial truck traffic during the duration of resource extraction and improve road safety through the Haines townsite. Truck traffic is consistent with the expected use of this zone. The safety of the public and impact on the existing two-lane paved roadway has not been significantly affected by the truck traffic from adjacent operations, such as Alaska Marine Lines. Regulatory restrictions, such as vehicle speed, vehicle weights, and frequency of access that are required by the AKDOT&PF will be followed. Traffic control signage and requirements will follow the requirements described in the AKDOT&PF driveway permits referenced in Appendix B.
- F. **Public Maintenance. The proposed use shall not significantly increase the impact on the surrounding area from glaciation or drifting snow and shall not create significantly increased difficulty for snow removal or street maintenance.** – Maintenance of the adjacent roadway is owned and operated by the AKDOT&PF. Southeast Road Builders will abide by the requirements for public maintenance outlined in the Right-Of-Way permits in Appendix B. Southeast Road Builders proposes to use street sweepers and water trucks to control and limit dust or debris that may impact public health and safety. The site will have seasonal use limiting any impact for snow removal or winter conditions.
- G. **Foundation. All buildings intended for residential or commercial use shall be placed on a permanent foundation. This section does not apply to accessory buildings such as tool sheds woodsheds etc., of 120 square feet or less in area, or temporary uses.** – No foundations are expected to be developed as part of this activity.
- H. **Parking. Parking, loading areas and snow storage sites for the proposed development shall be adequate, safe and properly designed. The developer may be required to install acceptable lighting at pedestrian or vehicular access points.** – All parking, loading areas, turning, and maneuverability space will be located on private property.
- I. **Utilities. The proposed use shall be adequately served by public water, sewer, on-site water or sewer systems, electricity, and other utilities prior to being occupied.**

All regulations of the State Department of Environmental Conservation pertaining to water extraction and wastewater disposal, as well as the requirements of HBC 13.04.080(G) pertaining to on-site wastewater disposal, Conditional Use Permit – Medium, Commercial| Heavy Industrial Zone |CUP 23-88| C-WES-0A-0200|Andy Hedden 8 shall apply. If exempted from the requirement to connect to public utilities, a developer must provide plans drawn by an engineer licensed in the state of Alaska or a state certified septic system installer prior to permit approval. Upon installation and before closure, the wastewater disposal system must be inspected and approved by an engineer licensed in the state of Alaska or a state certified septic system installer.

When public sanitary sewer and/or water service becomes available, the developer will be required to connect to the public utility within six months. – No permanent lighting is proposed for this development. There are no existing public sanitary sewer or water services onsite. Water will be provided by water truck from a source approved by the ADEC. Southeast Road Builders does not intend to connect to the Alaska Marine Highway's water system, this system is outside of the 200' requirement for utility connection and we have no need to connect to a public water source.

- J. **Drainage. The applicant for a proposed use shall provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate or avoid runoff into public streets or adjoining lots and to protect rivers, lakes and streams from pollution. Developers may be required to provide for the conservation of natural features**

such as drainage basins and watersheds, and provide for land stability. – Stormwater control is regulated by a current Alaska Department of Environmental Conservation (ADEC) Multi-Sector General Permit. A separate MSGP will be filed for resource extraction work. The site will be graded to control runoff and prevent sediment from leaving the site. The proposed use includes the installation of culverts to provide adequate drainage through the site and maintain existing drainage ditches. A Storm Water Pollution Prevention Plan (SWPPP) will be maintained throughout the duration of the project and will be provided to the borough prior to resource extraction as requested. There are no state-identified anadromous streams located on the site.

- K. Walkways, Sidewalks and Bike Paths. Easements for pedestrian access or bicycle paths may be required where shown by the borough to be necessary to provide reasonable circulation or access to streams, lakes, tidewater, schools, playgrounds, transportation facilities or other public facilities.** – Not applicable. There will be no designated access for public facilities.
- L. Construction Guarantees. The borough may require the posting of a bond or other surety approved by the assembly to ensure that all required and necessary improvements are constructed as approved. The surety may provide for partial releases upon acceptance of the improvement by the borough.** – Not applicable.
- M. Peak Use. The proposed use shall not result in significantly different peak use characteristics than surrounding uses or other uses allowed in the zone.** – As a waterfront industrial zone, the proposed use is consistent with local zoning and adjacent land use activities. Truck traffic will be consistent with adjacent trucking operations. Coordination with Alaska Marine Highway System will occur to ensure that there are no road closures or impacts within a two-hour window before ferry arrivals and after ferry departures to avoid conflicts with nearby peak-uses.
- N. Off-Site Impacts. The proposed use shall not have significant negative impacts on the surrounding properties, including excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises or be unsightly or become a nuisance as defined in HBC 8.12.020(I).** – The proposed development is in alignment with adjacent property use and zoning. The nearest residential dwelling is approximately one mile from the site. There are large buffers between our operations and any other non-industrial uses. There are no anticipated negative impacts on surrounding properties. As required in this permit, Southeast Road Builders is responsible for ensuring mitigation of excessive noise, fumes or odors, glare, smoke, light, vibration, etc.
- O. Habitat. A reclamation or landscaping plan may be required as a condition of approval of any use within 100 feet of a state-identified anadromous stream. The purpose of the reclamation or landscaping plan includes the control of dust, soil erosion, water runoff and siltation which otherwise would be generated on the lot and affect the surrounding area. The commission may adopt borough landscaping standards that establish the type of vegetation and acceptable methods to be used for compliance. The owner of the property shall be responsible for maintenance of the landscaping for a minimum of one year to allow the establishment of the planted materials and stability of other physical improvements such as earthen berms. The borough shall not impose requirements inconsistent with the permit requirements of any other governmental entity permitting the development, but may impose more stringent requirements and may work with the developer to reach a satisfactory compromise with any other governmental entity. If a suitable plan is already in existence, it may fulfill the requirements of this section. The plan shall contain elements as may be required by the landscaping standards adopted by the commission and may in any event include any or all of the following:**
- 1. A grading and site plan, indicating the areas excavated or filled, the proposed finished grades and contours, drainage directions and any control structures to be installed;**

- 2. The methods to be employed for reclamation of the site during and after the activity along with a time table for completion;**
- 3. A description of all roads, parking areas and buildings and a site map showing the locations of all improvements which will be built;**
- 4. A description of any known permit requirements of any other governmental entity and a copy of any permit stipulations under consideration or in existence for the development;**
- 5. All maps shall be submitted at an accurate scale and extend a suitable distance beyond the site area.**

A reclamation plan is being developed by a licensed Geotechnical and Civil Engineer to address final conditions of the site, including final backwall conditions and slope stabilization. Soil samples have been taken and sent to a qualified laboratory to determine appropriate backwall slopes. Throughout the duration of construction, the site will be reclaimed as necessary to maintain the existing waterfront view shed. Stability of these slopes during and after excavation will be evaluated by individuals qualified and licensed in the State of Alaska to do so. General site maps have been provided in Appendix A, detailed drawings from a licensed Engineer for reclamation will be provided prior to resource extraction.

- P. Anadromous Fish Stream Setbacks. Unless approved by variance, no development shall occur within 25 feet of the banks of anadromous fish streams, designated as such by the Alaska Department of Fish and Game. Variances from this requirement may be granted by the commission based upon the unique conditions of individual properties, the proposed development, and the recommendations of a qualified fisheries biologist.**

The Alaska Department of Fish & Game has surveyed the existing streams and identified them as non-anadromous streams. Southeast Road Builders will maintain a buffer space with no development adjacent to all streams to mitigate stormwater runoff and create a vegetative buffer in accordance with our SWPPP.

- Q. Open Space and Facilities. The developer may be required to dedicate land for open space, drainage, utilities, access, parks or playgrounds. Any dedication required by the commission must be based on a written finding that the area is necessary for public use or safety and the dedication is in compliance with adopted municipal plans and policies. The commission's finding shall conclude that a direct connection exists between the development and the need for the provision of the dedication. Land may be accepted by the borough only under the following conditions:**

- 1. The location, shape, size, and character of the area must be suitable for the planned use.**
- 2. Development in landslide and avalanche areas designated on the borough hazardous areas map must minimize the risk to life and property.**
- 3. The area must be suitably improved for its intended use, but common open space containing natural features worthy of preservation or landslide and avalanche hazard must be left unimproved.**
- 4. If the use provides for buildings, landscaping or other improvements in the dedicated area, the developer must provide a bond or other adequate assurance that such improvements will be completed. The borough shall release the bond or other assurance**

when the buildings, structures, or improvements have been completed to the satisfaction of the commission.

5. All land must be conveyed to a public agency or private association that will agree to maintain in perpetuity the area and any buildings, structures, or improvements which have been placed on it. When no maintenance of the area is required, it may be conveyed to all new owners in undivided joint ownership. When the land is not dedicated to a public agency and maintenance of the common space is required, a private association for maintenance of the area must be established. Covenants establishing the association must be approved as to form by the borough attorney, and by the commission as to whether the covenants provide for maintenance of the area in a manner that assures its continuing use for its intended purpose. Conveyance of an area to a private association must be consistent with AS 34.07, the Horizontal Property Regime Act.

Not applicable.

- R. Historic Resources. The proposed use shall not adversely impact identified historic resources prior to the assessment of that resource by the borough or state. Uses located within the significant structures area must comply with the specific approval standards of this chapter.**

Due to its historical nature, Block 16, Haines Townsite Subdivision shall have special setback requirements. All structures built within Block 16 must set back a minimum of 10 feet from property lines not abutting Union Street.

According to the Department of Natural Resources National Register of Historic Places, there are no historical properties in this area. This site is located outside of any historic building districts as outlined in Borough code.

- S. National Flood Plain Regulations. All applications for land use or conditional use permits shall be reviewed for compliance with the National Flood Insurance Program prior to approval. If the development is governed by the regulations, all requirements shall be satisfied prior to approval or placed as a condition upon approval of the appropriate permit. The manager, upon receiving an application for a land use or conditional use permit, shall review the proposal for compliance with the National Flood Insurance Program in accordance with Chapter 18.120 HBC, Flood Plain Regulations.**

The manager shall, upon the application itself, indicate compliance, noncompliance or conditions upon approval as appropriate. Variances to the flood plain regulations shall be allowed as provided for in the flood plain regulations.

No structures or buildings will be constructed within the 100-year flood plain. Borough code defines the one percent floodway of streams and rivers as a "hazard area" which is addressed in the following section.

- T. Hazard Areas. Development which is not designed and engineered to mitigate the risk of loss of life or property is prohibited in the following hazard areas:**

- 1. The one percent floodway of all rivers and streams.**
- 2. Avalanche outfall areas.**
- 3. Within 500 feet of a major fault.**
- 4. Slopes greater than 30 percent.**

5. Within 300 feet of a wildfire chute.

6. Rock and mudslide areas.

(For information regarding the location of the hazard areas, see the most recent version of the borough map entitled "Flood Plain and Flood Hazards Map.")

Proposed work within the one percent floodway includes the installation of culvert pipes to improve the drainage onsite and mitigate the risk of impact on streams and drainage facilities. This will allow for the control of runoff and prevent washouts from any severe weather. Southeast Road Builders is working in cooperation with the Department of Fish and Game to ensure the protection of fish habitat throughout the duration of development.

The proposed development is within areas that contain steep slopes greater than 30 percent. An engineering plan addressing steep slopes is being developed by a licensed Civil and Geotechnical Engineer with experience in design and engineering for resource extraction and reclamation plans.

Safety is a paramount concern for Southeast Road Builders, and our company has a long record of safe and professional operation in performing this type of work. In fact, Southeast Road Builders expects that, upon completion of its operations, the slopes on which it has performed work will be safer and more stable than they are currently.

U. Waterfront. The following requirements apply in all waterfront zones:

1. Dredge and Fill Activities. Any person, persons or firm planning a development in wetlands is required to apply for and obtain a dredge and fill permit from the United States Army Corps of Engineers prior to commencement of development.

2. For residential use, setbacks shall be the same as those required in the residential zone. All other uses shall be required to set back 10 feet from lot lines adjacent to every street and alley and five feet from all other lot lines.

3. Public access to the waters of Portage Cove is required to be included in all permits for development on land adjacent to Portage Cove. (Ord. 18-04-494 § 6; Ord. 15-10-423 § 4; Ord. 13-08-342 § 4; Ord. 12-05-291 § 9; Ord. 07-04-153; Ord. 06-07-148; Ord. 04-08-075)

There will be applicable setbacks from adjacent property and lot lines. Southeast Road Builders has coordinated with the AKDOT&PF Right-of-Way Section to abide by setbacks from adjacent roadways.

APPENDIX A

SITE MAPS

PARCEL NO. C-LTR-04-1000

SITE PLAN



(C-LTR-04-0900)

C-LTR-04-0800
Parcel 1
Lot 3, Sec 10

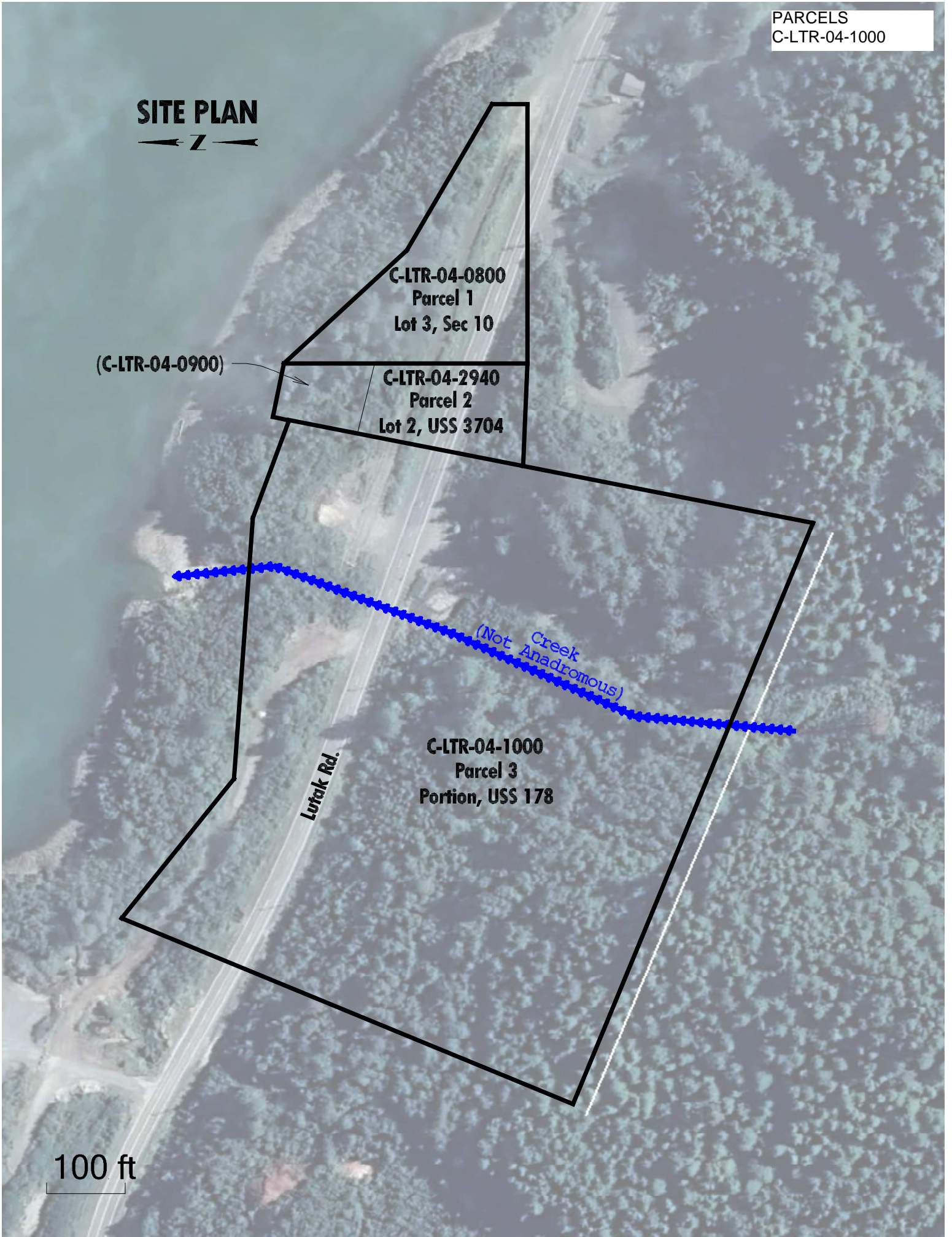
C-LTR-04-2940
Parcel 2
Lot 2, USS 3704

C-LTR-04-1000
Parcel 3
Portion, USS 178

Lufak Rd.

Creek
(Not Anadromous)

100 ft



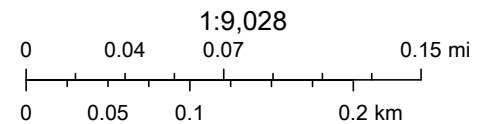
ArcGIS Web Map

PARCELS
C-LTR-04-1000

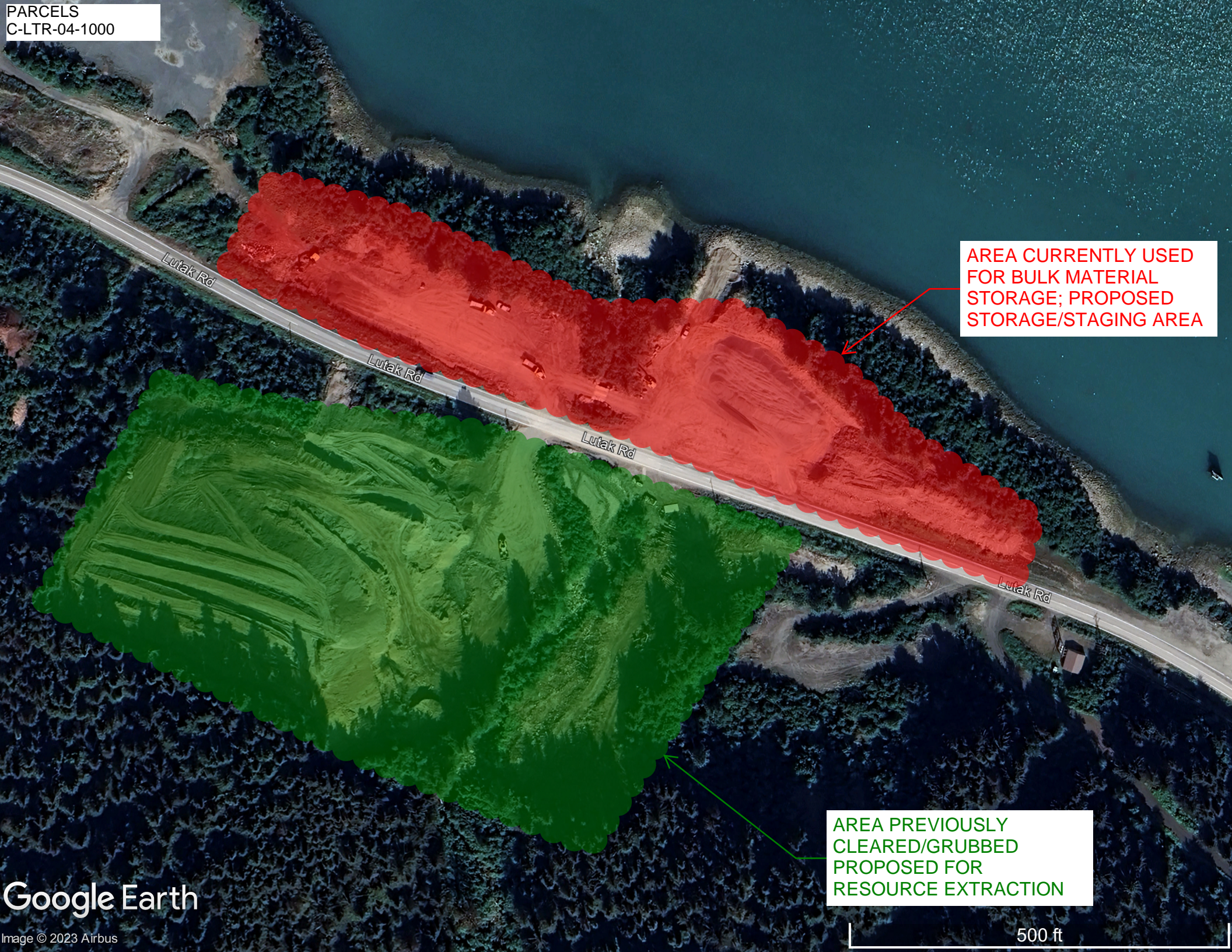


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- Contours - contour25ts
- Parcels



Maxar



AREA CURRENTLY USED FOR BULK MATERIAL STORAGE; PROPOSED STORAGE/STAGING AREA

AREA PREVIOUSLY CLEARED/GRUBBED PROPOSED FOR RESOURCE EXTRACTION

500 ft

APPENDIX B

AKDOT&PF DRIVEWAY AND
APPROACH ROAD PERMIT
PERMIT NO. 33038

State of Alaska

Department of Transportation and Public Facilities

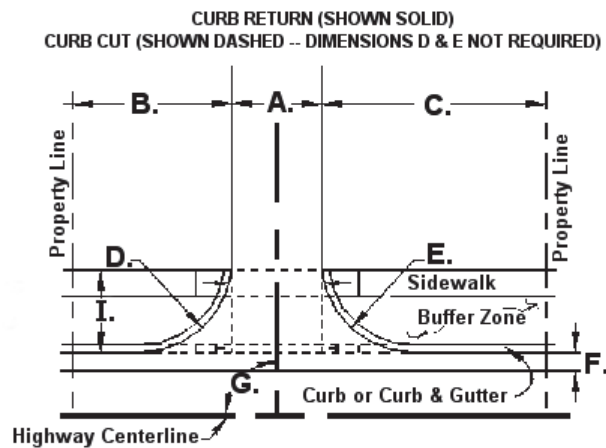
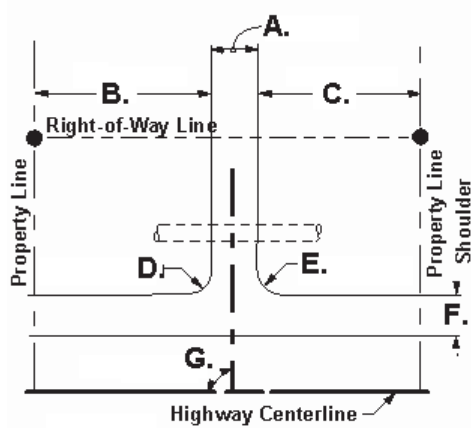
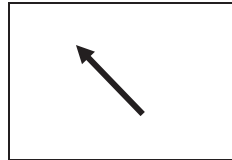
Driveway and Approach Road Permit

This Construction Approval allows the permittee to construct and maintain a driveway or approach road within a State-owned highway Right of Way. This is not a Permit until it has been inspected and signed off by the Department.

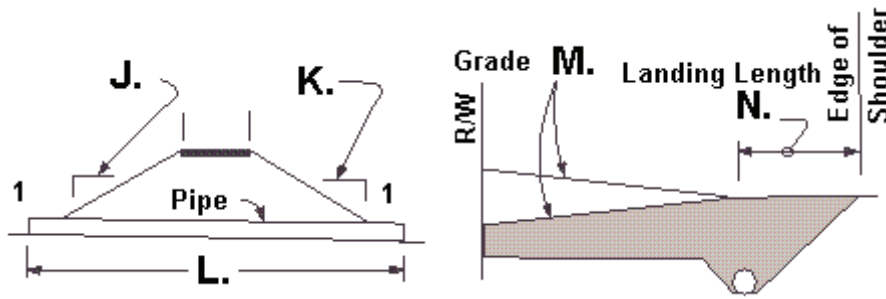
<input type="checkbox"/> Residential/Private <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Government Agency	
Permittee: Glacier Construction Inc.	
Mailing Address: HC 60 Box 4800 Haines, AK 99827	
Contact Name: Roger Schnabel Thomas Mason	
E-mail Address: dlaframboise@colaska.com	
Phone: (907) 766-2833 Fax: _____	
Driveway or Approach Road location (highway, subdivision, legal description milepost, etc.) Approx. Milepost 4.6 of Lutak Road on uplands side of Lutak Road	
Proposed or Existing: EXISTING	Anticipated Completion Date: End of 2024 construction season.
Number of lots served: 1	Max. number of vehicles in any 1 hour: 20
Zoning Designation: Waterfront Industrial	Proposed Land Use: Industrial Pit

Driveway Specifications

Direction of North in relation to the drawing.



A.	Driveway width	34	feet
B.	Left edge clearance	40	feet
C.	Right edge clearance	40	feet
D.	Left return radius	40	feet
E.	Right return radius	40	feet
F.	Shoulder width	8	feet
G.	Approach angle	90	degrees
H.	Curb type	None	
I.	Curb to sidewalk distance		feet



J.	Left driveway foreslope	6	:1
K.	Right driveway foreslope	6	:1
L.	Culvert length	60	Feet
M.	Landing grade	2	Percent
N.	Landing length	30	Feet
O.	Culvert size	24	inches
P.	Culvert type	Plastic	
Q.	Ditch depth	5	feet
R.	Shoulder type	Gravel	
S.	Highway Surface type	Paved	
T.	Driveway Landing surface	Paved	

Permittee upon signing this permit acknowledges and agrees to the following provisions:

This permit applies only to the State right of way.

This permit grants permission for a driveway allowing access to and from your property onto a State maintained highway. It does not permit the following within the right of way or within that portion of a driveway that is within the right of way: (1) Parking of vehicles "for sale"; (2) Obstructions of any kind (i.e. logs, cables, fencing, etc.); (3) Advertising signs or banners/flags; (4) Parking vehicles with signs/advertising on the side.

A driveway or approach road constructed under permit within a highway right-of-way is the property of the State, but all cost and liability arising from the construction, operation, or maintenance of a driveway or approach road is at the sole expense of those lands served. The Department is not obligated to change its maintenance practices to accommodate a driveway or approach road constructed under a permit, or to incur any additional expense removing snow berms or other obstructions from a driveway or approach road within a right of way resulting from the Department's activities, or activities under a permit issued under 17 AAC 15.

Permittee is responsible for adjusting or relocating the driveway or approach road without cost or liability to the Department if the use or safety of the highway requires that the driveway or approach road be adjusted or relocated.

This permit is not a property right but a temporary authorization, revocable by the State upon violation of any permit terms or conditions, or for other reasons. All reasonable attorney's fees and costs associated with legal or enforcement actions related to the terms and conditions of this permit will be borne by the Permittee.

Any survey monument or monument accessory that is disturbed or destroyed during construction or maintenance of the driveway will be restored or replaced by a Land Surveyor licensed in the State of Alaska.

The Permittee will be responsible for all necessary Federal, State, and Municipal permits and licenses required by law, pay all taxes and special assessments lawfully imposed upon the permitted area, and pay other fees and charges assessed under applicable law.

Placement of fill material in waters of the U.S., including wetlands and streams, requires prior authorization from the U.S. Army Corps of Engineers. It is the responsibility of the owner to contact the Corps before filling activities take place.

The Permittee shall construct and maintain a driveway in such a manner that the highway, and all of the highway's appurtenances or facilities, including drainage facilities, pipes, culverts, ditches, traffic control devices, street lights, pathways, and sidewalks are not impaired or endangered in any way by the construction or maintenance. (17 AAC 10.020(b) If you damage any improvements within the State owned right of way, you will be responsible for returning them to their previous condition. The Department will inspect and approve the restored improvements. (17 AAC 10.065)

Permittee shall indemnify, defend and hold harmless the State, and its officers, employees, and contractors, from any and all claims or actions resulting from injury, death, loss, or damage sustained by any person or personal property resulting directly or indirectly from Permittee's use of or activities in the permitted area.

Landings from all paved roads must be paved and maintained from edge of the road to the length of the landing as stipulated in this permit.

If a culvert is required by this driveway permit, culvert ends must be installed at the time of installation and maintained continuously by the owner.

No person shall place, leave or deposit upon any street, avenue, alley, sidewalk or other public right of way any snow or ice which has been removed from a private driveway, private parking area, or the adjacent property. Permittee is responsible for his snow removal contractor's actions concerning placement of snow from Permittee's property.

If driveway construction or maintenance interferes with the public's safety and/or use of facilities within State owned right of way, you will be directed to stop work until adjustments are made.

While doing construction or maintenance activities do not park equipment or stockpile material on the shoulder during non-working hours.

Permittee is responsible for sight distance clearing of brush and obstructions adjacent to their property.

Driveway landings as stipulated in the permit must be paved and maintained from pavement edge on all paved roads.

Please contact the Department for information about acceptable driveway markers (i.e., size, materials, distance, etc.) for placement within the right of way.

The State will not change its maintenance practices to accommodate your driveway or incur additional expense to clear snow berms or other obstacles resulting from the Department's activities.

Permittee upon signing this permit acknowledges and agrees to the following conditions:

Metal track equipment is not allowed on the paved road surface. Any damage and cost to repair the roadway or state infrastructure will be the responsibility of the Permittee.

All equipment and materials must be kept on private premises and outside State right of way during non-working hours.

Any erosion, adverse settlement as deemed by the Department, water damage caused in construction or in operation of this driveway to the State Right of Way will be the responsibility of the Permittee to repair. The Permittee will bear all costs.

Permittee must clear any and all track-out or debris from the roadway as a result of use of this driveway immediately. Remediation should be performed by a street sweeper, wet broom, or manually sweeping up debris. Dispose of debris in accordance with all federal, state, and municipal requirements. Washing or spraying track out off the roadway is prohibited. If Department personnel is required to repair or clean up the driveway as a result of the Permittee's activities, the Permittee will be charged the cost.

Ensure sight distance is maintained in compliance with the Alaska Highway Preconstruction Manual (AHPCM).

Permittee is not to exceed maximum hourly traffic in operation of this drive as outlined in the AHPCM.

Parking is not authorized within the right of way.

Permittee shall not hinder the bike lane, or lanes of travel unless operating under an approved traffic control plan.

Permittee shall locate any and all utilities within the construction area for this access to ensure they will not be impaired by the permittees construction activities. If utilities may be impaired, it is the permittee's responsibility to attain all necessary permissions from local municipality's and state agencies (including DOT&PF Utilities and Permitting).

Permittee shall remove all encroachments from right of way and shall not place or construct any encroachments within State right of way henceforth.

Permittee shall either trench/ditch or build a defined berm along the property lot line in order to create a defined barrier between State right of way and the private property served by the subject accesses.

No additional driveways shall be permitted for the subject parcel(s). **This permit is specific to driveways A and B in the attached plan set.**

A 30" R1-1 STOP sign will be placed at both intersections with Lutak Road subject to this permit.

Attachments included as part of this permit are:

REQUIRED for ALL DRIVEWAYS:

- Plat including notes of the placement of the driveway.
- Site plan.
- Proof of ownership.

I, Thomas Mason, acknowledge that I am acting on behalf of the above named organization with the full authority to do so. I further acknowledge and accept that **Glacier Construction dba Southeast Road Builders** shall comply with all the provisions and conditions that the Department of Transportation and Public Facilities has included as a condition of issuing this permit.

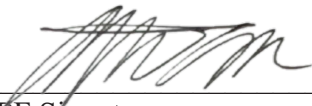


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2/7/2024

Permittee Signature

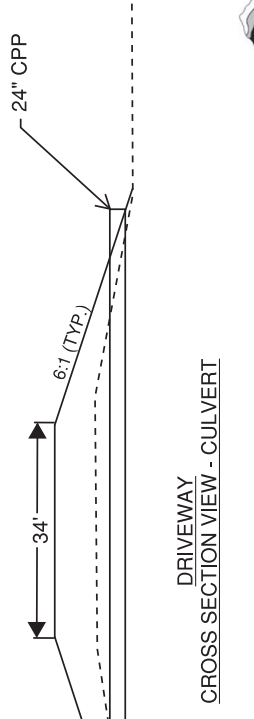
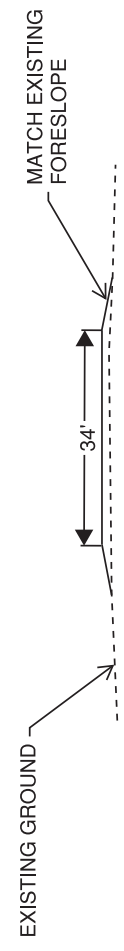
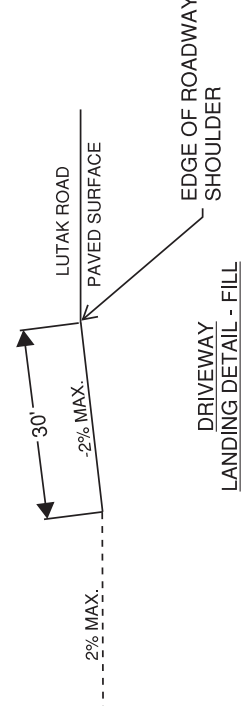
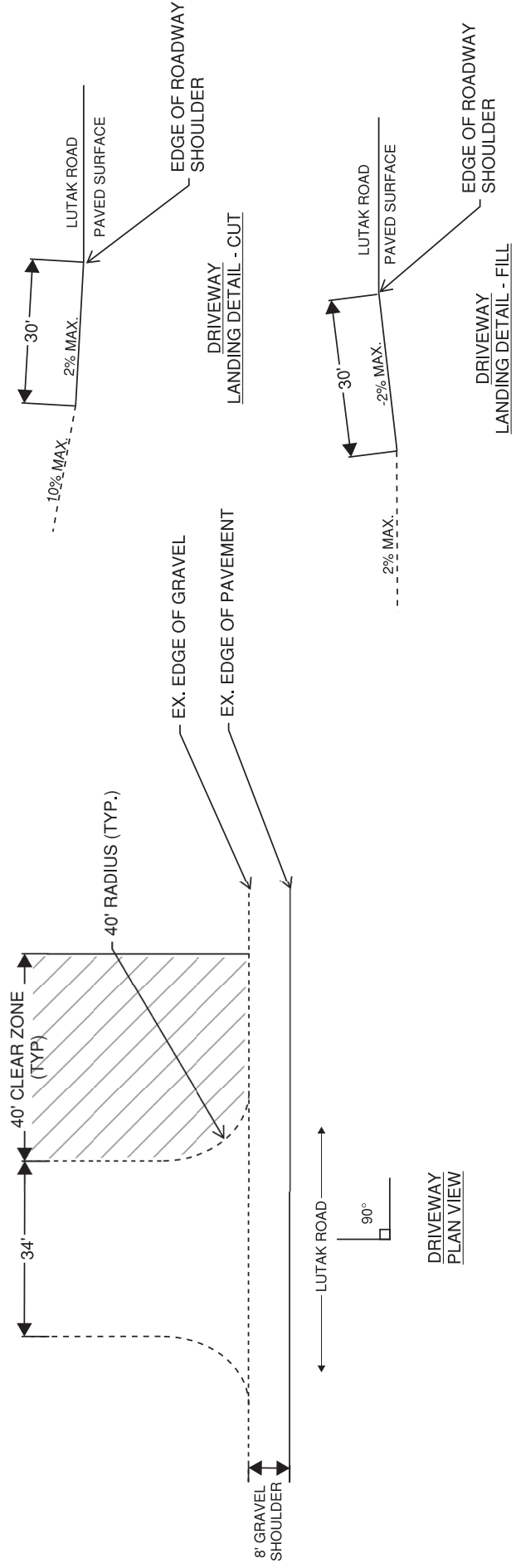
Date



DOT&PF Signature

02/07/2024

Date





APPROX. 500 FT.
ADVANCED
WARNING SIGNS

LUTAK RD

TRUCK
CROSSING

W8-6
30" X 30"

W8-6
30" X 30"

TRUCK
CROSSING



HAINES BOROUGH, ALASKA
P.O. BOX 1209, HAINES, ALASKA 99827
Annette Kreitzer, Borough Manager
907.766.6404 akreitzer@haines.ak.us

MEMO

TO: Haines Borough Planning Commission

DATE: March 08, 2024

RE: Conditional Use Permit (CUP) – Resource Extraction | Waterfront Industrial Zone | CUP 23-87A | Site B: C-LTR-04-1000 | Glacier Construction Inc. dba Southeast Road Builders

On 10/23/2023, the Planning Commission (PC) conditionally approved CUP 23-87. Haines Borough Code (HBC) 18.30.060 allows for an appeal to the assembly of a PC decision, and four appeals were timely submitted to the clerk. One appeal was presented to the assembly at their 11/14/2023 meeting, and the assembly voted to rehear the PC's entire decision regarding CUP 23-87. The appeal hearing was scheduled for 11/28/2023, as required by HBC 18.30.060(A). The appellants requested a postponement at this meeting due to a missing assembly member since a supermajority is required for quasi-judicial motions. Pursuant to HBC 2.10.190(D) the Mayor postponed the rehearing absent objection.

On 12/12/2023 the assembly held the public hearing for this permit appeal and made the decision to:

Remand the permit to the PC with the requirement that Southeast Road Builders resubmit the permit application with different permits for Site A and Site B.

The Assembly adopted these findings on 1/9/2024. On 3/4/2024 a resubmittal was received by the borough for public hearing at the 3/14/2024 PC meeting.

This memo serves as my recommendation per HBC 18.50.030 (D)3 for approval of this CUP to the Commission with the updated conditions listed below.

BOROUGH RECCOMENDATION:

Approve Conditional Use Permit 23-87A, with the following conditions:

1) Provide design and engineering for resource extraction in Hazard Areas.

Provide a copy of plans to the Borough prior to working:

- a. Within the stream's one percent floodway,
- b. On slopes greater than 30 percent.

2) Submit a reclamation plan for Planning Commission review that addresses the final conditions of site, including:

- a. Relation to adjoining land forms and drainage features,
- b. Relation of reclaimed site to planned or established uses of the surrounding area,
- c. Demonstration that the final land form will have a viable land use compatible with land use trends in the surrounding area,
- d. Relation of reclaimed site to initial site conditions including land use, vegetation, soils, geology and hydrology;
- e. Work to maintain the existing waterfront view shed.

3) Contact the United States Fish & Wildlife Service approval for all work within 660-feet of an eagles nest; or to perform blasting operations within ½ mile of an eagles nest. Email: ak_fisheries@fws.gov

5) Provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate or avoid runoff into public streets or adjoining lots and to protect rivers, lakes and streams from pollution. Developers may be required to provide for the conservation of natural features such as drainage basins and watersheds, and provide for land stability.

6) No significant negative impacts on the surrounding properties are allowed. Including excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises or be unsightly or become a nuisance as defined in HBC 8.12.020(I).

7) This permit does not relieve the owner or authorized representative to comply with the provisions of federal, state or local regulations applicable to the activity.

See attached staff review for CUP 23-87 for information regarding recommendations.

COMMISSIONER RESPONSE FORMS

Per HBC 18.50.040, the Commission may adopt the Manager’s recommendation on each requirement unless it finds, by a preponderance of the evidence, that the Manager’s recommendation was in error and states its reasoning for such finding with particularity. In addition, for good cause, the Commission may alter the conditions on approval or requirements for guarantees recommended by the Manager. If the Commission wishes to propose other conditions, examples can be found in HBC 18.50.040(B).

The Commission is encouraged to reconsider conditions after the public hearing once all public comments have been received.

If the commission finds that the development implements all relevant requirements of this title, it shall issue a conditional use permit and the conditions and requirements shall be part of the approved permit. If the development does not implement all relevant requirements, or the commission otherwise determines the development is not in compliance with this title, the commission shall deny the permit and note with particularity its reasons for the decision.

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers.

COMMISSIONER RESPONSE:

2. The development of the use is such that the value of the adjoining property will not be significantly impaired.

COMMISSIONER RESPONSE:

3. The size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use;

COMMISSIONER RESPONSE:

4. The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses;

COMMISSIONER RESPONSE:

5. The granting of the conditional use will not be harmful to the public safety, health or welfare;

COMMISSIONER RESPONSE:

6. The use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams;

COMMISSIONER RESPONSE:

7. The use will comply with all required conditions and specifications if located where proposed and developed, and operated according to the plan as submitted and approved;

COMMISSIONER RESPONSE:

8. Comments received from property owners impacted by the proposed development have been considered and given their due weight.

COMMISSIONER RESPONSE:

Altered or additional Conditions see HBC 18.50.040(B) for definitions:

DEVELOPMENT SCHEDULE:

USE:

OWNER'S ASSOCIATION:

DEDICATIONS:

CONSTRUCTION GUARANTEES:

COMMITMENT LETTER:

COVENANTS:

DESIGN:



HAINES BOROUGH, ALASKA
P.O. BOX 1209, HAINES, ALASKA 99827
Annette Kreitzer, Borough Manager
907.766.6404 akreitzer@haines.ak.us

MEMO

TO: Haines Borough Planning Commission

DATE: October 06, 2023

RE: Conditional Use Permit – Resource Extraction | Waterfront Industrial Zone | CUP 23-87 | Site A: C-LTR-04-0090/0700/0010, Site B: C-LTR-04-1000/2940/0900/0800 | Glacier Construction Inc. dba Southeast Road Builders

This memo serves as my recommendation per HBC 18.50.030 (D)3 for approval of this CUP to the Commission with the conditions listed below. A pre-application meeting was held on 8/10/2023.

This conditional use permit application is for resource extraction in the Waterfront Industrial Zone.

The intent of this zone is:

Provide for and protect productive, marine-related heavy industries, including wharfage, natural resource export, milling and major seafood processing. Areas zoned as waterfront industrial should be located so that adjacent nonindustrial areas are buffered from the external effects common to heavy industry including noise, dust, vibration, glare, pollution, heavy traffic and unsightly uses or activities. The area is served by, or intended to have, the necessary level of public utilities and an adequate transportation system as deemed appropriate for the planned use.

Resource Extraction is defined as a:

Heavy industrial use involving the removal of rock, gravel, sand, clay, topsoil, peat, timber, petroleum, natural gas, coal, metal ore, or any other mineral, and other operations having similar characteristics.

BOROUGH RECCOMENDATION:

Approve Conditional Use Permit 23-87, with the following conditions:

- 1) Provide design and engineering for resource extraction in Hazard Areas. Provide a copy of plans to the Borough prior to working:
 - a. Within the stream's one percent floodway,
 - b. On slopes greater than 30 percent.
- 2) Submit a reclamation plan for Planning Commission review that addresses the final conditions of site, including:
 - a. Relation to adjoining land forms and drainage features,
 - b. Relation of reclaimed site to planned or established uses of the surrounding area,
 - c. Demonstration that the final land form will have a viable land use compatible with land use trends in the surrounding area,
 - d. Relation of reclaimed site to initial site conditions including land use, vegetation, soils, geology and hydrology;
 - e. Work to maintain the existing waterfront view shed.
- 3) Contact the United States Fish & Wildlife Service approval for all work within 660-feet of an eagles nest; or to perform blasting operations within ½ mile of an eagles nest. Email: ak_fisheries@fws.gov
- 4) Provide a copy of State approval for legal access to Site A before beginning any work at this location. Coordinate access, traffic plans, and roadway maintenance during resource extraction with the State of Alaska's Department of Transportation & Public Facilities Southcoast Region Right-of-Way office. Contact Michael Schuler, email: michael.schuler@alaska.gov.
- 5) Provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate or avoid runoff into public streets or adjoining lots and to protect rivers, lakes and streams from pollution. Developers may be required to provide for the conservation of natural features such as drainage basins and watersheds, and provide for land stability.

- 6) No significant negative impacts on the surrounding properties are allowed. Including excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises or be unsightly or become a nuisance as defined in HBC 8.12.020(I).
- 7) This permit does not relieve the owner or authorized representative to comply with the provisions of federal, state or local regulations applicable to the activity.

BOROUGH REVIEW, per HBC 18.50.040(A)

The following code sections must be met in order for a Conditional Use Permit to be approved by the Planning Commission:

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers;

BOROUGH RESPONSE:

3,500 Feet from nearest documented Eagle Nest. Applicant to notify USFWS if eagle nest is located as required

(<https://www.fws.gov/story/do-i-need-eagle-take-permit>)

Applicant has proposed a natural buffer of 25-feet between the roadway and adjacent parcels.

Site A is buffered from the Waterfront Zone by approximately 54 acres of industrial parcels.

Site B is buffered from the Lutak Planning District by approximately 41 acres of industrial parcels.

Proposed schedule of 6am-6pm is appropriate and consistent with industrial use of this area. Existing land uses by Alaska Marine Lines and the Alaska Marine Highway System regularly have traffic operating outside these hours.

2. The development of the use is such that the value of the adjoining property will not be significantly impaired;

BOROUGH RESPONSE:

No comments from property owners within 500-ft were received.

This permit is consistent with local zoning and adjoining properties are not expected to be significantly impaired.

3. The size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use;

BOROUGH RESPONSE:

Existing utilities are sufficient for proposed activities.

4. The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses;

BOROUGH RESPONSE:

In addition to supporting the comprehensive plan's economic development goals listed by the applicant, this permit is consistent with the future growth and development plans referenced below.

Section 7.2.1 Haines Borough's Ten Future Growth Land Designations:

#4 – Industrial

#5 - Waterfront Development

#10 Resource Development

Proposed use is consistent with land use activities prioritized in this section, including rock quarries, and the processing, shipping, and storing of goods.

Section 7.3.5 Resource-Based Development Opportunity:

This section includes an objective to comply with environmental regulations, ensuring fisheries resource and riparian zone protection, providing protection of salmon habitat and Bald Eagle Preserve resources, maintaining scenic view sheds, and buffering operations from adjacent land uses and activities.

- **This land use provides buffers from adjacent zones.**

-continued-

- **The applicant is actively working with Alaska Department of Environmental Conservation and Alaska Department of Fish & Game for compliance with water quality and fish habitat regulations.**
- **Design Conditions, HBC 18.50.040(B): The borough recommends prioritizing maintenance of the scenic view shed of Haines waterfront in the reclamation plan.**

5. The granting of the conditional use will not be harmful to the public safety, health or welfare;

BOROUGH RESPONSE:

Land use activities are consistent with this zone and provide adequate buffers for proposed industrial activities.

The State Department of Transportation & Public Facilities has reviewed truck traffic related to aggregate transloading at this site. If needed, the State will require additional permitting if truck traffic exceeds 100 loads per hour.

Hazard Areas, defined as steep slopes greater than 30 percent (HBC 18.60.10(T)), are present on-site. Design and engineering to mitigate the risk of loss of life or property is required.

6. The use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams;

BOROUGH RESPONSE:

The steam on-site in non-anadromous. The applicant is actively working with Alaska Department of Environmental Conservation and Alaska Department of Fish & Game for compliance with water quality and fish habitat regulations.

State permitting and design and engineering requirements for steep slopes will provide safeguards against erosion related issues.

7. The use will comply with all required conditions and specifications if located where proposed and developed, and operated according to the plan as submitted and approved;

BOROUGH RESPONSE:

Submitted site plans and operations plan, together with applicable codes and relevant permit conditions are sufficient to ensure compliance with all local, state, and federal regulations, and the comprehensive plan.

8. Comments received from property owners impacted by the proposed development have been considered and given their due weight.

BOROUGH RESPONSE:

No public comment received to-date.

Conditional Use Permits may be granted if all the following general approval criteria and applicable specific approval criteria of HBC 18.60.020 are complied with.

GENERAL APPROVAL CRITERIA REVIEW, per HBC 18.60.010

A. Plans. The proposal is substantially consistent with the borough comprehensive plan and other applicable borough-adopted plans.

BOROUGH RESPONSE:

See #4 above.

B. Reviewing Parties. Due deference has been given to the comments and recommendations of reviewing parties.

BOROUGH RESPONSE:

Notifications were sent to all residents within 500' of the parcel. No comments have been received.

This application was provided to the State's Department of Transportation & Public Facilities Right of Way office to ensure legal access from Lutak Road is acquired.

The closest documented eagle nest is 3,500ft from this site.

USFWS contact has been provided if an eagle nest is encountered during clearing or blasting work.

C. Fire Safety and Emergency Access. The proposal shall not pose a fire danger as determined by the State Fire Marshal or the borough fire chief. Adequate access for emergency and police vehicles must be provided.

BOROUGH RESPONSE:

Site plan indicates conformance with density and dimensional requirements for emergency access. No industrial or commercial buildings are proposed.

D. Access. All lots on which development is planned are required to have legal road access before an application for a development may be considered and physical road access must be completed to borough standards before any work on the development is started.

BOROUGH RESPONSE:

This application was provided to the State’s Department of Transportation & Public Facilities Right of Way office to ensure legal access from Lutak Road.

ROW permitting with the State was initiated for Site B under Permit 23-71.

Due to roadway characteristics and proximity to the ferry terminal, access to Site B will not be permitted until State approval is provided to the Borough.

E. Traffic. The proposed use shall not overload the existing street system with traffic or result in unsafe streets or dangers to pedestrians.

BOROUGH RESPONSE:

The majority of proposed work will occur on-site. Proposed activities are not expected to overload Borough streets or result in unsafe situations. The applicant has proposed the use of a street sweeper and water truck to limit affects.

This application was provided to the State’s Department of Transportation & Public Facilities Right of Way office to address traffic on Lutak Road.

F. Public Maintenance. The proposed use shall not significantly increase the impact on the surrounding area from glaciation or drifting snow and shall not create significantly increased difficulty for snow removal or street maintenance.

BOROUGH RESPONSE:

This application was provided to the State’s Department of Transportation & Public Facilities Right of Way office to address public maintenance on Lutak Road. Winter work is not proposed.

G. Foundation. All buildings intended for residential or commercial use shall be placed on a permanent foundation. This section does not apply to accessory buildings such as tool sheds, wood sheds, etc., of 120 square feet or less in area, or temporary uses.

BOROUGH RESPONSE:

Does not apply.

H. Parking. Parking, loading areas and snow storage sites for the proposed development shall be adequate, safe and properly designed. The developer may be required to install acceptable lighting at pedestrian or vehicular access points.

BOROUGH RESPONSE:

No parking, loading, or snow storage issues are expected.

I. Utilities. The proposed use shall be adequately served by public water, sewer, on-site water or sewer systems, electricity, and other utilities prior to being occupied.

All regulations of the State Department of Environmental Conservation pertaining to water extraction and wastewater disposal, as well as the requirements of HBC 13.04.080(G) pertaining to on-site wastewater disposal, shall apply. If exempted from the requirement to connect to public utilities, a developer must provide plans drawn by an engineer licensed in the state of Alaska or a state certified septic system installer prior to permit approval. Upon installation and before closure, the wastewater disposal system must be inspected and approved by an engineer licensed in the state of Alaska or a state certified septic system installer.

When public sanitary sewer and/or water service becomes available, the developer will be required to connect to the public utility within six months.

BOROUGH RESPONSE: The site is adequately served by public utilities for proposed land use activities.

J. Drainage. The applicant for a proposed use shall provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate or avoid runoff into public streets or adjoining lots and to protect rivers, lakes and streams from pollution. Developers may be required to provide for the conservation of natural features such as drainage basins and watersheds, and provide for land stability.

BOROUGH RESPONSE:

Include as permit condition. There are no anticipated drainage issues.

K. Walkways, Sidewalks and Bike Paths. Easements for pedestrian access or bicycle paths may be required where shown by the borough to be necessary to provide reasonable circulation or access to streams, lakes, tidewater, schools, playgrounds, transportation facilities or other public facilities.

BOROUGH RESPONSE:

Does not apply.

L. Construction Guarantees. The borough may require the posting of a bond or other surety approved by the assembly to ensure that all required and necessary improvements are constructed as approved. The surety may provide for partial releases upon acceptance of the improvement by the borough.

BOROUGH RESPONSE:

Does not apply.

M. Peak Use. The proposed use shall not result in significantly different peak use characteristics than surrounding uses or other uses allowed in the zone.

BOROUGH RESPONSE:

This permit is consistent with local zoning and adjacent land use activities. No impacts to peak use characteristics are expected.

N. Off-Site Impacts. The proposed use shall not have significant negative impacts on the surrounding properties, including excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises or be unsightly or become a nuisance as defined in HBC 8.12.020(I).

BOROUGH RESPONSE:

Include as permit condition. Resource extraction is consistent with local zoning, and no comments have been received from neighboring parcels. There are no anticipated off-site impacts with this use.

SPECIFIC APPROVAL CRITERIA REVIEW, per HBC 18.60.020

The **BOLD** specific approval criteria apply to this permit and are addressed below:

A. Resource Extraction.

- B. Junkyard.
- C. Animal Husbandry.
- D. Home Occupation.
- E. Bed and Breakfast (B&B).
- F. Kennel.
- G. Historic Buildings.
- H. Temporary Residence.
- I. Mobile Home Parks/Recreational Vehicle (RV) Parks.
- J. Planned Unit Development.
- K. Large Developments.
- L. Underground Utilities.
- M. Nonconforming Uses, Buildings, Lots.
- N. Cemetery.
- O. Commercial Marijuana Facilities.
- P. Communications Equipment.

A. Resource Extraction

1. Permitting. A permit for natural resource extraction may be issued with such reasonable conditions as necessary to limit or minimize the adverse impact of the permitted extraction. The permitted use must meet all other pertinent requirements of this title and address the following concerns:

- a. Limits of operational areas;
BOROUGH RESPONSE:
 - **25-foot buffers against property lines,**
 - **Site is buffered from adjacent zones by other industrial parcels,**
 - **Design and engineering required for Hazard Areas.**
- b. Days and hours of operation;
BOROUGH RESPONSE:
Seasonally, 6am – 6pm
- c. Traffic patterns;
BOROUGH RESPONSE:
Access, traffic, and public maintenance along Lutak Road will be coordinated with the State.
- d. Fencing and screening;
BOROUGH RESPONSE:
No fencing proposed.
- e. Control of dust and noise;
BOROUGH RESPONSE:
Proposed activities are consistent with the noise and dust expected during industrial activities. The applicant has proposed the use of a street sweeper and water truck to limit impacts.
- f. Phasing of operations and reclamation steps;
BOROUGH RESPONSE:
Reclamation is phased throughout construction and will be engineered in Hazard Area.

g. Final condition of site including:

- (1) Relation to adjoining land forms and drainage features,
- (2) Relation of reclaimed site to planned or established uses of the surrounding area,
- (3) Demonstration that the final land form will have a viable land use compatible with land use trends in the surrounding area,
- (4) Relation of reclaimed site to initial site conditions including land use, vegetation, soils, geology and hydrology;

BOROUGH RESPONSE:

Reclaimed land is likely to have future industrial use consistent with local zoning.

To ensure compliance with these specific approval criteria, and in an effort to meet goals of the Comprehensive Plan regarding maintenance of existing view sheds, a detailed reclamation plan will be submitted and reviewed by the Planning Commission.

h. Methods to minimize potential conflict with other existing uses within the neighborhoods adjacent to the development and traffic corridors used by the development.

BOROUGH RESPONSE:

Applicant is required to coordinate access and traffic safety plans along Lutak Road with the State.

Proposed use is consistent with existing trucking along this corridor.

CODE REFERENCES

HBC 18.70.030(A)(3)

I/W – Waterfront Industrial Zone. The intent of the waterfront industrial zone is to provide for and protect productive, marine-related heavy industries, including wharfage, natural resource export, milling and major seafood processing. Areas zoned as waterfront industrial should be located so that adjacent nonindustrial areas are buffered from the external effects common to heavy industry including noise, dust, vibration, glare, pollution, heavy traffic and unsightly uses or activities. The area is served by, or intended to have, the necessary level of public utilities and an adequate transportation system as deemed appropriate for the planned use.

18.20.020 Definitions – Regulatory.

“Resource extraction” means a heavy industrial use involving the removal of rock, gravel, sand, clay, topsoil, peat, timber, petroleum, natural gas, coal, metal ore, or any other mineral, and other operations having similar characteristics. Resource extraction does not include: (1) the removal of material from within the legal boundaries of the property of origin which are incidental to the construction, alteration or repair of a building (or the grading and landscaping incidental thereto); or (2) within the subdivision of origin of a platted public or private access road and utilities or public facility providing essential services.

“Industrial, heavy” means a use that has potential for significant negative impact on adjoining uses. This category includes uses that incorporate buildings that are large, tall, or unsightly; uses that generate offensive odors, noise, dust, smoke, fumes, vibration or glare; uses that involve large amounts of exterior storage; and uses that, because of their scale or characteristics, create nuisances or hazards such as heavy truck or other vehicle traffic, or other intense activity. These uses include airports, landing strips, and heliports; truck or ship terminals and docks; concrete batching plants; asphalt or concrete mixing plants; resource extraction;

bulk material or machinery storage; petroleum refineries and trans-shipment facilities; grain elevators; meat packing plants or fish processing facilities; mills; resource recycling facilities; commercial flammable or hazardous material storage; sanitary landfills and solid waste storage/transshipment facilities; large scale sewage treatment facilities and manufacturing plants.

HBC 18.30.010(F) Conditions.

The assembly, commission, or manager may place conditions upon issuance of any approval which are necessary or desirable to ensure that a rule, policy, standard or intent will be implemented in a manner consistent with this title, the comprehensive plan and any rule, policy or standard implementing them.

HBC 18.50.040 Decision.

B. The commission may alter the manager's proposed permit conditions, impose its own, or both. Conditions may include one or more of the following:

1. Development Schedule. The conditions may place a reasonable time limit on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighbors, to ensure that lots are not sold prior to substantial completion of required public improvements, or to implement other requirements.
2. Use. The conditions may restrict the use of the development to specific uses indicated in the approval.
3. Owner's Association. The conditions may require that if a developer, homeowner or merchant association is necessary or desirable to hold or maintain common property, that it be created prior to occupancy.

4. Dedications. The conditions may require conveyances of title, licenses, easements or other property interests to the public, to public utilities, or to the homeowners association. The conditions may require construction of public utilities or improvements to public standards and then dedication of public facilities to serve the development and the public.

5. Construction Guarantees. The conditions may require the posting of a bond or other surety or collateral (which may provide for partial releases) to ensure satisfactory completion of all improvements required by the commission.

6. Commitment Letter. The conditions may require a letter from a utility company or public agency legally committing it to serve the development if such service is required by the commission.

7. Covenants. The conditions may require the recording of covenants or other instruments satisfactory to the borough as necessary to ensure permit compliance by future owners or occupants.

8. Design. The conditions may require the adoption of design standards specific to the use and site.

HAINES BOROUGH

HAINES, ALASKA

PUBLIC NOTICE PLANNING COMMISSION PUBLIC HEARINGS

Public Hearing will be held at Assembly Chambers (315 Haines Hwy)
and by ZOOM on

Thursday, March 14, 2024 at 6:30PM

- **Conditional Use Permit – #24-001 Extension of permit #19-03 - C-208-TL-0400, C-208-TL-03A0**
Resource Extraction in a Rural Mixed Use Zone.
Applicants – Highland’s Estates Inc. & St. James Place

New Business

- Rehearing on Appeal of Planning Commission Decision –
Glacier Construction Inc., dba. Southeast Road Builders -
Conditional Use Permit #23-87 for Resource Extraction

**Public Comments may be sent in writing to: Haines Borough, Planning
Commission, Box 1209, Haines, AK 99827 or to
planner@haines.ak.us or by attending the meeting.**



Haines Borough

Planning and Zoning

103 Third Ave. S., Haines, Alaska, 99827

Telephone: (907) 766-6401 * Fax: (907) 766-2716


LAND USE PERMIT APPLICATION

\$50 Non-Refundable Fee		Permit #	
I. Owner/Authorized Representative			
Owner's Name: Glacier Construction Inc. dba Southeast Road Builders		Owner's Contractor (If Any) Name:	
Mailing Address: HC 60 Box 4800, Haines Hwy Haines, AK 99827		Haines Borough Business License #:	
Contact Phone: Day _____ Night _____ (907) 766-2833		Alaska Business License #:	
Fax: (907) 766-2832		Contractor's License #:	
E-mail: dlaframboise@colaska.com		Mailing Address:	
		Contact Phone: Day _____ Night _____	
		Fax:	
		E-mail:	
II. Property Information			
Property Tax ID #: C-LTR-04-100; C-LTR-04-0800; C-LTR-04-2940 (C-LTR-04-0900)			
Size of Property: 21 ACRES (APPROXIMATELY)			
Site Street Address: (If Any)			
Legal Description: Lot (s) _____ Block _____ Subdivision _____ OR Parcel/Tract _____ Section _____ Township _____ Range _____ [Attach additional sheets if necessary.]			
Zoning: <input type="checkbox"/> Waterfront <input type="checkbox"/> Single Residential <input type="checkbox"/> Rural Residential <input type="checkbox"/> Significant Structures Area <input type="checkbox"/> Rural Mixed Use <input type="checkbox"/> Multiple Residential <input type="checkbox"/> Heavy Industrial <input checked="" type="checkbox"/> Waterfront Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial Light Commercial <input type="checkbox"/> Recreational <input type="checkbox"/> Mud Bay Zoning District <input type="checkbox"/> Lutak Zoning District <input type="checkbox"/> General Use			
III. Description of Work			
<u>Type of Application</u> (Check all that apply) <input type="checkbox"/> Residential <input type="checkbox"/> Commercial _____sq. ft. _____seating capacity if eating/drinking establishment <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Church <input type="checkbox"/> Other _____	<u>Project Description</u> (Check all that apply) <input type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Change of Use <input type="checkbox"/> Multi-Family Dwelling Total # of Units _____ <input type="checkbox"/> Cabin <input type="checkbox"/> Addition <input type="checkbox"/> Accessory Structure <input checked="" type="checkbox"/> Other <u>Bulk Material Storage</u>	<u>Water Supply</u> Existing or Proposed <input checked="" type="checkbox"/> None <input type="checkbox"/> Community well <input type="checkbox"/> Private well <input type="checkbox"/> Public Water <input type="checkbox"/> Other _____	<u>Sewage Disposal</u> Existing or Proposed <input checked="" type="checkbox"/> None <input type="checkbox"/> Septic Tank <input type="checkbox"/> Holding Tank <input type="checkbox"/> Public Sewer <input type="checkbox"/> Pit Privy <input type="checkbox"/> Composting Toilet <input type="checkbox"/> Other _____
Estimate Cost of Work: _____		Land Use Requested For: _____ (Describe the project, and use additional sheets if necessary)	
Required Attachments: <input type="checkbox"/> <u>Site plan</u> (see Attachment A) <input type="checkbox"/> <u>\$50 Non-Refundable Fee</u> (Checks must be made payable to the Haines Borough)			
Per HBC 13.08.100 and 18.60.010, If a property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems. Failure to connect will result in a minor offense subject to penalties.			

IV. CERTIFICATION

I hereby certify that I am the owner or authorized representative of the property described above and that I petition for a land use permit in conformance with all of the provisions in the Haines Borough Code. I also certify that the site plan submitted is a complete and accurate plan showing any and all existing and proposed structures on the subject property. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the proposed use. I also understand that all contract work on this project will be done by a contractor holding valid licenses issued by the State of Alaska and the Haines Borough.

I am aware that if I begin work prior to receiving permit approval, I may be assessed a penalty fee, as per HBC 18.30.070. I am also aware that my property will be inspected throughout the duration of the permit to calculate percent complete and valuation of improvements.

 Roger Schnabel, Area Manager 8/2/2023
Signature (Representatives must provide written proof of authorization) Date

PROVISIONS: The applicant is advised that issuance of this permit will not relieve responsibility of the owner or authorized representative to comply with the provisions of all laws and ordinances, including federal, state and local jurisdictions, which regulate construction and performance of construction, or with any private deed restrictions.

Office Use Only Below This Line

Non-Refundable Application Fee \$ _____	Application is Complete: Yes No
Payment Method: _____	Notified Via: _____
Receipt #: _____	Notified By: _____
Received By: _____	Date: _____
Date: _____	Borough Business License # (If applicable) _____
If application is approved:	If application is denied:
Approved By: _____ Borough Manager/Designee	Denied By: _____ Borough Manager/Designee
Permit ID #: _____	Reason: _____
Permit Effective Date: _____	Date: _____

Notice of Right to Appeal: All decisions of the Borough Officials are appealable per HBC 18.30.050

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

ATTACHMENT A

SITE PLAN REQUIREMENTS

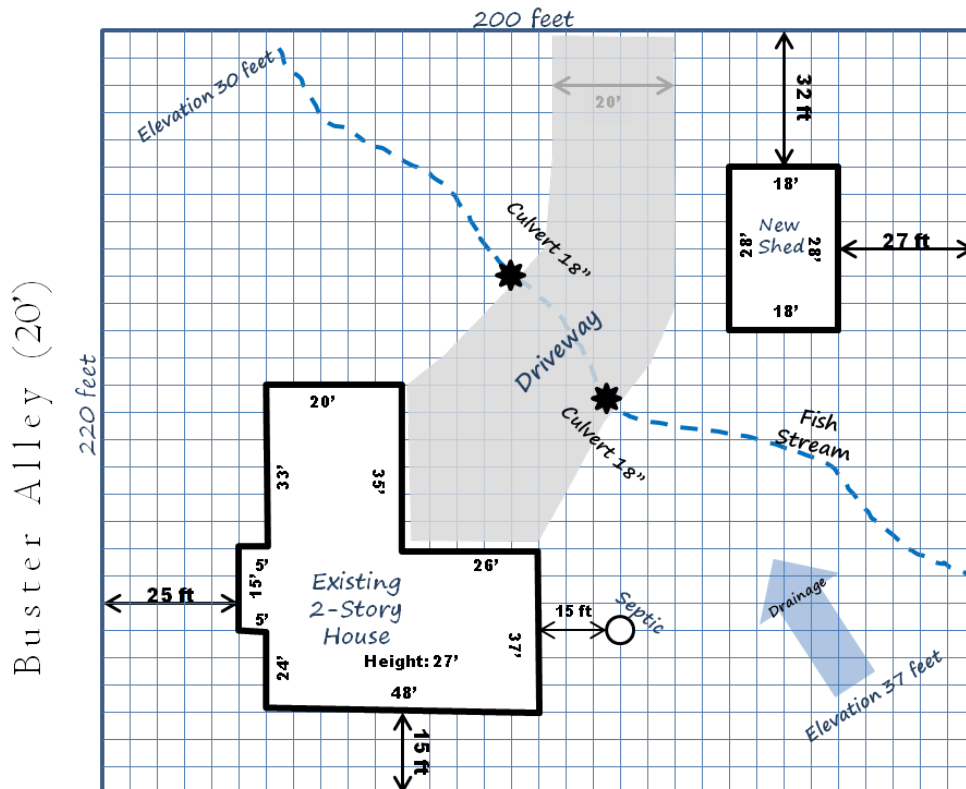
1. Drawing showing dimensions of all buildings, including elevations, of lot on which activity/use/construction is planned.
2. Existing streets, alleys, sidewalks, driveways, easements, including widths.
3. Existing buildings/structures on the property, their location, dimension and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
4. Proposed construction—including location, dimensions, and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
5. Existing and proposed non-building improvements, including surface water drainage plan, driveway placement, culvert(s), off street parking (location and dimensions), on-site water and/or wastewater handling systems.
6. Shore lines, steep slopes, or other evidence of natural hazards.
7. If zero lot line construction proposed, show plan for handling snowdrop onto adjoining properties.

It is strongly recommended that an as-built survey be performed prior to submittal of the application.

EXAMPLE SITE PLAN

John Doe Property Tax ID X-XXX-XX-XXXX

Ripinsky Street (60')



APPROVAL CRITERIA

See [HBC 18.60.010](#) for more information.

- A. **Plans.** The proposal is substantially consistent with the borough comprehensive plan and other applicable borough-adopted plans.
- B. **Reviewing Parties.** Due deference has been given to the comments and recommendations of reviewing parties.
- C. **Fire Safety and Emergency Access.** As determined by the State Fire Marshal or the borough fire chief.
- D. **Access.** All lots on which development is planned are required to have legal road access completed to borough standards.
- E. **Traffic.** The proposed use shall not overload the existing street system with traffic or result in unsafe streets or dangers to pedestrians.
- F. **Public Maintenance.** The proposed use shall not significantly increase the impact on the surrounding area from glaciation or drifting snow and shall not create significantly increased difficulty for snow removal or street maintenance.
- G. **Foundation.** All buildings intended for residential or commercial use shall be placed on a permanent foundation.
- H. **Parking.** See parking requirements in HBC [18.80.040](#).
- I. **Utilities.** If property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems. All regulations of the State Department of Environmental Conservation pertaining to water extraction and wastewater disposal, as well as the requirements of [HBC 13.04.080\(G\)](#) pertaining to on-site wastewater disposal, shall apply.
- J. **Drainage.** The applicant for a proposed use shall provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate or avoid runoff into public streets or adjoining lots and to protect rivers, lakes and streams from pollution. Developers may be required to provide for the conservation of natural features such as drainage basins and watersheds, and provide for land stability.
- K. **Walkways, Sidewalks and Bike Paths.** Easements for pedestrian access or bicycle paths may be required where shown by the borough to be necessary to provide reasonable circulation or access to streams, lakes, tidewater, schools, playgrounds, transportation facilities or other public facilities.
- L. **Construction Guarantees.** The borough may require the posting of a bond or other surety approved by the assembly to ensure that all required and necessary improvements are constructed as approved. The surety may provide for partial releases upon acceptance of the improvement by the borough.
- M. **Peak Use.** The peak use characteristics are the same as surrounding uses or other uses allowed in the zone.
- N. **Off-Site Impacts.** The proposed use shall not have significant negative impacts on the surrounding properties, including excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises or be unsightly or become a nuisance as defined in [HBC 8.12.020\(I\)](#). Buffering may be required to alleviate impacts between residential and nonresidential uses. The owner of the property upon which the buffering is constructed is responsible for the maintenance of the buffering in a condition that will meet the intent of this criteria.
- O. **Habitat.** A reclamation or landscaping plan may be required as a condition of approval of any use within 100 feet of a state-identified anadromous stream. The purpose of the reclamation or landscaping plan includes the control of dust, soil erosion, water runoff and siltation which otherwise would be generated on the lot and affect the surrounding area.
- P. **Anadromous Fish Stream Setbacks.** All development along state-identified anadromous fish streams will be consistent with the Haines coastal zone management program. Unless approved by [variance](#), no development shall occur within 25 feet of the banks of anadromous fish streams, designated as such by the Alaska Department of Fish and Game. Variances from this requirement may be granted by the commission based upon the unique conditions of individual properties, the proposed development, and the recommendations of a qualified fisheries biologist.
- Q. **Open Space and Facilities.** The developer may be required to dedicate land for open space, drainage, utilities, access, parks or playgrounds. Any dedication required by the commission must be based on a written finding that the area is necessary for public use or safety and the dedication is in compliance with adopted municipal plans and policies.
- R. **Historic Resources.** The proposed use shall not adversely impact identified historic resources prior to the assessment of that resource by the borough or state. Uses located within the significant structures area must comply with the specific approval standards of this chapter. See also [HBC 18.60.020 \(G\)](#) and [HBC 18.70.050](#), Historic Building Districts.
- S. **National Flood Plain Regulations.** All permits shall be reviewed for compliance with [HBC 18.120](#), Flood Plain Regulations.
- T. **Hazard Areas.** Development which is not designed and engineered to mitigate the risk of loss of life or property is prohibited in the following hazard areas: (1) The one percent floodway of all rivers and streams; (2) Avalanche outfall areas; (3) Within 500 feet of a major fault; (4) Slopes greater than 30 percent; (5) Within 300 feet of a wildfire chute; (6) Rock and mudslide areas.
- U. **Waterfront.** The following requirements apply in all waterfront zones:
 - (1) For residential use, [setbacks](#) shall be the same as those required in the residential zone. All other uses shall be required to set back 10 feet from lot lines adjacent to every street and alley and five feet from all other lot lines; (2) Public access to the waters of Portage Cove is required to be included in all permits for development on land adjacent to Portage Cove.

SPECIAL APPROVAL CRITERIA MAY APPLY

See HBC [18.60.020](#) for more information.



HAINES BOROUGH, ALASKA
P.O. BOX 1209
HAINES, AK 99827
(907) 766-6400 FAX (907) 766-2716

Glacier Construction, dba
Southeast Road Builders
dlaframboise@colaska.com

August 14, 2023

Re: Land Use Permit #23-71, Marine Industrial Facility, Marine Commercial Facility, and Commercial, Heavy | C-LTR-04-1000; C-LTR-04-0800; C-LTR-04-2940 (C-LTR-04-0900)| Lutak Road | Waterfront Industrial Zone

Ms. Framboise,

Thank you for submitting a land use permit for bulk material storage and aggregate transloading at the above listed location. Your application has been approved per plans submitted and the conditions listed below under the definitions of "Marine Industrial Facility, Marine Commercial Facility, and Commercial, Heavy" which are Use-By-Right in the Waterfront Industrial Zone per Haines Borough Code (HBC) 18.70.040.

EXPIRATION: August 14th, 2025

This permit is valid for two years. If construction is not substantially complete by July 2025, you will be required to apply for a new permit.

CONDITIONS:

1. Pay the \$600.00 After-the-Fact Penalty at the Borough Administration office in Haines or online [HERE](#).
2. Activity is not permitted in the stream's one percent floodway.
3. Coordinate right-of-way access, traffic, and public maintenance requirements for Lutak Road with the State of Alaska Department of Transportation & Public Facilities Southcoast Region Right of Way office, Michael Schuler, michael.schuler@alaska.gov.
4. Avoid negative impacts on the surrounding properties, including excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises or be unsightly or become a nuisance as defined in HBC 8.12.020(I).
5. Provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate or avoid runoff into public streets or adjoining lots and to protect rivers, lakes and streams from pollution. Provide for the conservation of natural features such as drainage basins and watersheds, and provide for land stability.
6. Any person, persons or firm planning a development in wetlands is required to apply for and obtain a dredge and fill permit from the United States Army Corps of Engineers prior to commencement
7. This permit does not relieve the owner or authorized representative to comply with the provisions of federal and state laws, which regulate construction and performance of construction.

Land Use Permit #23-71, Marine Industrial Facility, Marine Commercial Facility, and Commercial, Heavy | C-LTR-04-1000; C-LTR-04-0800; C-LTR-04-2940 (C-LTR-04-0900)| Lutak Road | Waterfront Industrial Zone

Per the requirements of Haines Borough Code 18.30.010 (I), this permit is consistent with the comprehensive plan, its uses are harmonious with other activities allowed in the zone, and the development will not disrupt the character of the neighborhood.

Please do not hesitate to contact our office with any questions, comments, or concerns,



Andrew Conrad, Planner
Planning & Zoning, Assessment & Planning Department
(office) 907-766-6412 | planner@haines.ak.us

Ec:

Brian Maller, Glacier Construction Assistant General Manager, bmaller@colaska.com
Roger Schnabel, Glacier Construction Area Manager, rschnabel@colaska.com
Alekk Fullerton, Clerk, afullerton@haines.ak.us
Kiersten Long, Deputy Clerk, klong@haines.ak.us
Annette Kreitzer, Manager, akreitzer@haines.ak.us

Attachments:

1. Permit Application
2. Correspondence, Penalty

Haines Borough Code References

18.60.010 General Approval Criteria.

D. Access. All lots on which development is planned are required to have legal road access before an application for a development may be considered and physical road access must be completed to borough standards before any work on the development is started.

E. Traffic. The proposed use shall not overload the existing street system with traffic or result in unsafe streets or dangers to pedestrians.

F. Public Maintenance. The proposed use shall not significantly increase the impact on the surrounding area from glaciation or drifting snow and shall not create significantly increased difficulty for snow removal or street maintenance.

J. Drainage. The applicant for a proposed use shall provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate or avoid runoff into public streets or adjoining lots and to protect rivers, lakes and streams from pollution. Developers may be required to provide for the conservation of natural features such as drainage basins and watersheds, and provide for land stability.

N. Off-Site Impacts. The proposed use shall not have significant negative impacts on the surrounding properties, including excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises or be unsightly or become a nuisance as defined in HBC 8.12.020(I). Buffering may be required to alleviate impacts between residential and nonresidential uses. The owner of the property upon which the buffering is constructed is responsible for the maintenance of the buffering in a condition that will meet the intent of this criteria.

T. Hazard Areas. Development which is not designed and engineered to mitigate the risk of loss of life or property is prohibited in the following hazard areas:

1. The one percent floodway of all rivers and streams.

U. Waterfront. The following requirements apply in all waterfront zones:

1. Dredge and Fill Activities. Any person, persons or firm planning a development in wetlands is required to apply for and obtain a dredge and fill permit from the United States Army Corps of Engineers prior to commencement of development.



Haines Borough

Planning and Zoning

103 Third Ave. S., Haines, Alaska, 99827

Telephone: (907) 766-6401 * Fax: (907) 766-2716

LAND USE PERMIT APPLICATION

\$50 Non-Refundable Fee


Permit # 23-71

I. Owner/Authorized Representative		Owner's Contractor(If Any)	
Name: Glacier Construction Inc. dba Southeast Road Builders		Name:	
Mailing Address: HC 60 Box 4800, Haines Hwy Haines, AK 99827		Haines Borough Business License #:	
Contact Phone: Day Night (907) 766-2833		Alaska Business License #:	
Fax: (907) 766-2832		Contractor's License #:	
E-mail: dlaframboise@colaska.com		Mailing Address:	
		Contact Phone: Day Night	
		Fax:	
		E-mail:	
II. Property Information			
Property Tax ID #: C-LTR-04-100; C-LTR-04-0800; C-LTR-04-2940 (C-LTR-04-0900)			
Size of Property: 21 ACRES (APPROXIMATELY)			
Site Street Address: (If Any)			
Legal Description: Lot (s)_____ Block_____ Subdivision_____			
OR			
Parcel/Tract_____ Section_____ Township_____ Range_____			
[Attach additional sheets if necessary.]			
Zoning: <input type="checkbox"/> Waterfront <input type="checkbox"/> Single Residential <input type="checkbox"/> Rural Residential <input type="checkbox"/> Significant Structures Area <input type="checkbox"/> Rural Mixed Use <input type="checkbox"/> Multiple Residential <input type="checkbox"/> Heavy Industrial <input checked="" type="checkbox"/> Waterfront Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial Light Commercial <input type="checkbox"/> Recreational <input type="checkbox"/> Mud Bay Zoning District <input type="checkbox"/> Lutak Zoning District <input type="checkbox"/> General Use			
III. Description of Work			
<u>Type of Application</u> (Check all that apply) <input type="checkbox"/> Residential <input type="checkbox"/> Commercial _____sq. ft. _____seating capacity if eating/drinking establishment <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Church <input type="checkbox"/> Other _____	<u>Project Description</u> (Check all that apply) <input type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Change of Use <input type="checkbox"/> Multi-Family Dwelling Total # of Units _____ <input type="checkbox"/> Cabin <input type="checkbox"/> Addition <input type="checkbox"/> Accessory Structure <input checked="" type="checkbox"/> Other <u>Bulk Material Storage</u>	<u>Water Supply</u> Existing or Proposed <input checked="" type="checkbox"/> None <input type="checkbox"/> Community well <input type="checkbox"/> Private well <input type="checkbox"/> Public Water <input type="checkbox"/> Other _____	<u>Sewage Disposal</u> Existing or Proposed <input checked="" type="checkbox"/> None <input type="checkbox"/> Septic Tank <input type="checkbox"/> Holding Tank <input type="checkbox"/> Public Sewer <input type="checkbox"/> Pit Privy <input type="checkbox"/> Composting Toilet <input type="checkbox"/> Other _____
Estimate Cost of Work:		Land Use Requested For:	
\$20,000 - See 8/10/23 letter		(Describe the project, and use additional sheets if necessary)	
Required Attachments: <input type="checkbox"/> Site plan (see Attachment A) <input type="checkbox"/> \$50 Non-Refundable Fee (Checks must be made payable to the Haines Borough)			
Per HBC 13.08.100 and 18.60.010, If a property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems. Failure to connect will result in a minor offense subject to penalties.			

IV. CERTIFICATION

I hereby certify that I am the owner or authorized representative of the property described above and that I petition for a land use permit in conformance with all of the provisions in the Haines Borough Code. I also certify that the site plan submitted is a complete and accurate plan showing any and all existing and proposed structures on the subject property. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the proposed use. I also understand that all contract work on this project will be done by a contractor holding valid licenses issued by the State of Alaska and the Haines Borough.

I am aware that if I begin work prior to receiving permit approval, I may be assessed a penalty fee, as per HBC 18.30.070. I am also aware that my property will be inspected throughout the duration of the permit to calculate percent complete and valuation of improvements.

 Roger Schnabel, Area Manager
Signature (Representatives must provide written proof of authorization) 8/2/2023
Date

PROVISIONS: The applicant is advised that issuance of this permit will not relieve responsibility of the owner or authorized representative to comply with the provisions of all laws and ordinances, including federal, state and local jurisdictions, which regulate construction and performance of construction, or with any private deed restrictions.

Office Use Only Below This Line

<p>Non-Refundable Application Fee \$ <u>\$50</u></p> <p>Payment Method: <u>ONLINE</u></p> <p>Receipt #:</p> <p>Received By:</p> <p>Date:</p>	<p>Application is Complete: <input checked="" type="checkbox"/> Yes No</p> <p>Notified Via: <u>EMAIL</u></p> <p>Notified By: <u>A.CONRAD</u></p> <p>Date: <u>8/14/2023</u></p> <p>Borough Business License # (If applicable)</p> <p>_____</p>
<p>If application is approved:</p> <p>Approved By: <u>A.CONRAD</u> Borough Manager/Designee</p> <p>Permit ID #: <u>23-71</u></p> <p>Permit Effective Date: <u>8/14/2023</u></p>	<p>If application is denied:</p> <p>Denied By: _____ Borough Manager/Designee</p> <p>Reason: _____</p> <p>Date: _____</p>

Notice of Right to Appeal: All decisions of the Borough Officials are appealable per HBC 18.30.050

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

ATTACHMENT A

SITE PLAN REQUIREMENTS

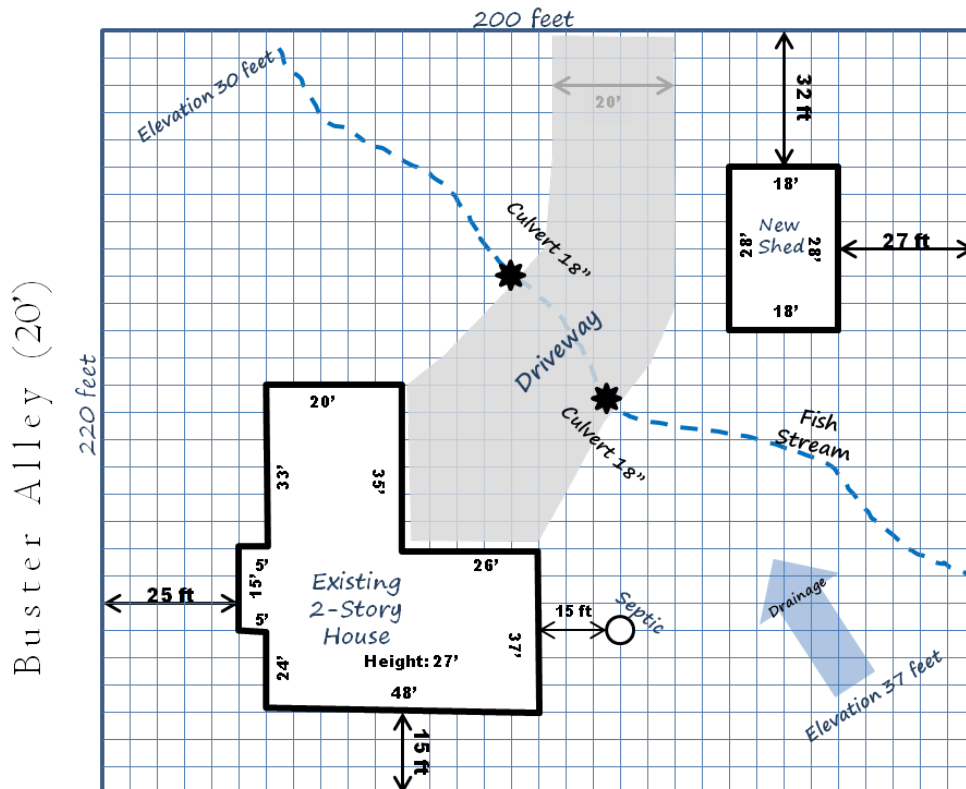
1. Drawing showing dimensions of all buildings, including elevations, of lot on which activity/use/construction is planned.
2. Existing streets, alleys, sidewalks, driveways, easements, including widths.
3. Existing buildings/structures on the property, their location, dimension and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
4. Proposed construction—including location, dimensions, and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
5. Existing and proposed non-building improvements, including surface water drainage plan, driveway placement, culvert(s), off street parking (location and dimensions), on-site water and/or wastewater handling systems.
6. Shore lines, steep slopes, or other evidence of natural hazards.
7. If zero lot line construction proposed, show plan for handling snowdrop onto adjoining properties.

It is strongly recommended that an as-built survey be performed prior to submittal of the application.

EXAMPLE SITE PLAN

John Doe Property Tax ID X-XXX-XX-XXXX

Ripinsky Street (60')



APPROVAL CRITERIA

See [HBC 18.60.010](#) for more information.

- A. **Plans.** The proposal is substantially consistent with the borough comprehensive plan and other applicable borough-adopted plans.
- B. **Reviewing Parties.** Due deference has been given to the comments and recommendations of reviewing parties.
- C. **Fire Safety and Emergency Access.** As determined by the State Fire Marshal or the borough fire chief.
- D. **Access.** All lots on which development is planned are required to have legal road access completed to borough standards.
- E. **Traffic.** The proposed use shall not overload the existing street system with traffic or result in unsafe streets or dangers to pedestrians.
- F. **Public Maintenance.** The proposed use shall not significantly increase the impact on the surrounding area from glaciation or drifting snow and shall not create significantly increased difficulty for snow removal or street maintenance.
- G. **Foundation.** All buildings intended for residential or commercial use shall be placed on a permanent foundation.
- H. **Parking.** See parking requirements in HBC [18.80.040](#).
- I. **Utilities.** If property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems. All regulations of the State Department of Environmental Conservation pertaining to water extraction and wastewater disposal, as well as the requirements of [HBC 13.04.080\(G\)](#) pertaining to on-site wastewater disposal, shall apply.
- J. **Drainage.** The applicant for a proposed use shall provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate or avoid runoff into public streets or adjoining lots and to protect rivers, lakes and streams from pollution. Developers may be required to provide for the conservation of natural features such as drainage basins and watersheds, and provide for land stability.
- K. **Walkways, Sidewalks and Bike Paths.** Easements for pedestrian access or bicycle paths may be required where shown by the borough to be necessary to provide reasonable circulation or access to streams, lakes, tidewater, schools, playgrounds, transportation facilities or other public facilities.
- L. **Construction Guarantees.** The borough may require the posting of a bond or other surety approved by the assembly to ensure that all required and necessary improvements are constructed as approved. The surety may provide for partial releases upon acceptance of the improvement by the borough.
- M. **Peak Use.** The peak use characteristics are the same as surrounding uses or other uses allowed in the zone.
- N. **Off-Site Impacts.** The proposed use shall not have significant negative impacts on the surrounding properties, including excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises or be unsightly or become a nuisance as defined in [HBC 8.12.020\(I\)](#). Buffering may be required to alleviate impacts between residential and nonresidential uses. The owner of the property upon which the buffering is constructed is responsible for the maintenance of the buffering in a condition that will meet the intent of this criteria.
- O. **Habitat.** A reclamation or landscaping plan may be required as a condition of approval of any use within 100 feet of a state-identified anadromous stream. The purpose of the reclamation or landscaping plan includes the control of dust, soil erosion, water runoff and siltation which otherwise would be generated on the lot and affect the surrounding area.
- P. **Anadromous Fish Stream Setbacks.** All development along state-identified anadromous fish streams will be consistent with the Haines coastal zone management program. Unless approved by [variance](#), no development shall occur within 25 feet of the banks of anadromous fish streams, designated as such by the Alaska Department of Fish and Game. Variances from this requirement may be granted by the commission based upon the unique conditions of individual properties, the proposed development, and the recommendations of a qualified fisheries biologist.
- Q. **Open Space and Facilities.** The developer may be required to dedicate land for open space, drainage, utilities, access, parks or playgrounds. Any dedication required by the commission must be based on a written finding that the area is necessary for public use or safety and the dedication is in compliance with adopted municipal plans and policies.
- R. **Historic Resources.** The proposed use shall not adversely impact identified historic resources prior to the assessment of that resource by the borough or state. Uses located within the significant structures area must comply with the specific approval standards of this chapter. See also [HBC 18.60.020 \(G\)](#) and [HBC 18.70.050](#), Historic Building Districts.
- S. **National Flood Plain Regulations.** All permits shall be reviewed for compliance with [HBC 18.120](#), Flood Plain Regulations.
- T. **Hazard Areas.** Development which is not designed and engineered to mitigate the risk of loss of life or property is prohibited in the following hazard areas: (1) The one percent floodway of all rivers and streams; (2) Avalanche outfall areas; (3) Within 500 feet of a major fault; (4) Slopes greater than 30 percent; (5) Within 300 feet of a wildfire chute; (6) Rock and mudslide areas.
- U. **Waterfront.** The following requirements apply in all waterfront zones:
 - (1) For residential use, [setbacks](#) shall be the same as those required in the residential zone. All other uses shall be required to set back 10 feet from lot lines adjacent to every street and alley and five feet from all other lot lines; (2) Public access to the waters of Portage Cove is required to be included in all permits for development on land adjacent to Portage Cove.

SPECIAL APPROVAL CRITERIA MAY APPLY

See HBC [18.60.020](#) for more information.

SITE PLAN



(C-LTR-04-0900)

C-LTR-04-0800
Parcel 1
Lot 3, Sec 10

C-LTR-04-2940
Parcel 2
Lot 2, USS 3704

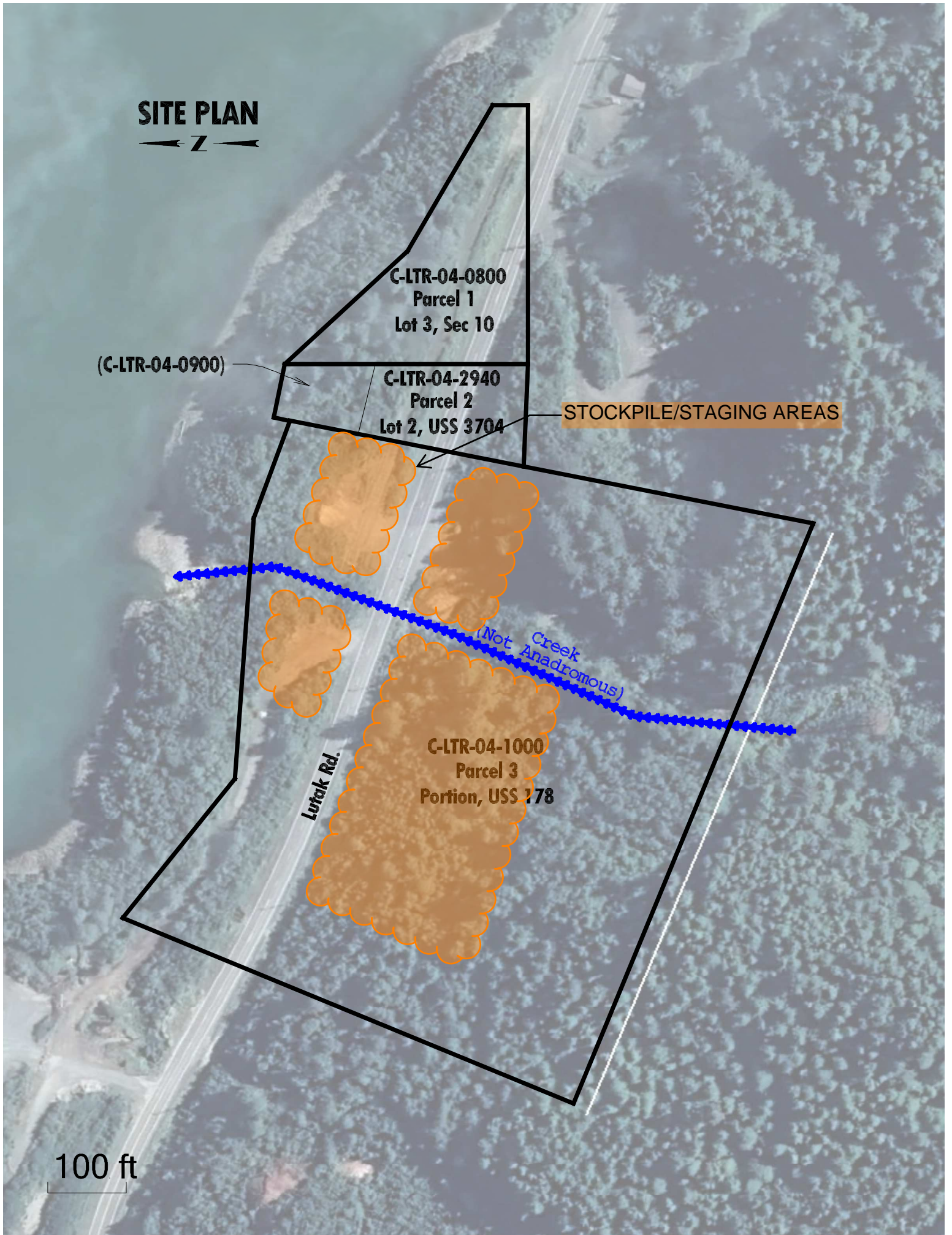
STOCKPILE/STAGING AREAS

C-LTR-04-1000
Parcel 3
Portion, USS 278

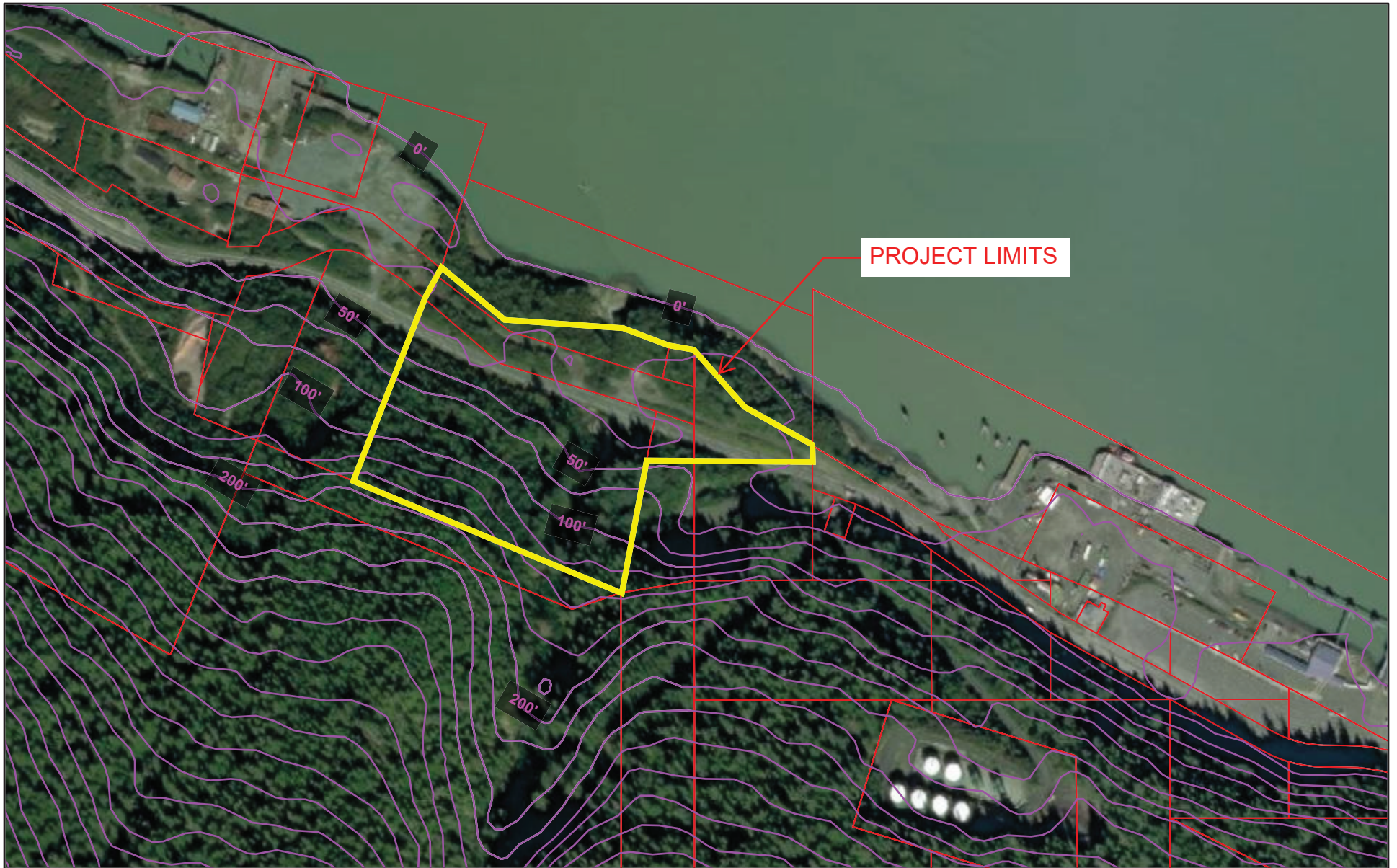
Lufak Rd.

Creek
(Not Anadromous)



100 ft

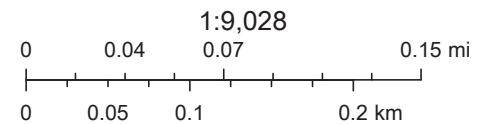


ArcGIS Web Map



8/2/2023, 7:16:17 AM

-  Contours - contour25ts
-  Parcels



Maxar



OPERATIONS PLAN

Lutak Road Property

Land Use Permit Application

Prepared for:

Haines Borough
103 Third Ave. S
PO Box 1209
Haines, AK

July 2023

TABLE OF CONTENTS

1. Project Scope
2. Construction Schedule
3. Construction Phasing Plan
4. Financial Responsibility

1. Project Scope

The contractor proposes to use the parcels identified as C-LTR-04-100; C-LTR-04-0800; C-LTR-04-2940 (C-LTR-04-0900) to stockpile material from a rock source outside of the project limits at the MP 4.5 Haines Highway pit. The contractor plans on trucking material onsite, stockpiling and storage of material onsite, and hauling materials offsite to load on a barge. The contractor has established an area on the waterside of Lutak Rd to stockpile material as shown in the attached site plan. Approximately 20,000 C.Y. of material will be stockpiled onsite. Once material is stockpiled, as phasing allows, barges will be loaded with material and hauled offsite. Once the stockpiled material is hauled offsite, equipment will be demobilized from the site.

The existing site is being developed into a staging and stockpile yard for aggregate material. The adjacent properties to the North, East, and West are vacant land parcels owned by the State of Alaska. The adjacent property to the West is an old timber mill site and is owned by Chilkoot Lumber. All adjacent lots are zoned waterfront industrial use.

Parking Areas: Parking will conform to Section 18.80.040 of the Haines Borough Code. A staging pad will be developed that will be large enough for trucks and equipment to safely turnaround without encroaching onto the existing roadway. The staging pad will be constructed of gravel surface course material, will allow ample storage for trucks and equipment to stage and maintain a clear zone between equipment and the travelled roadway.

Utilities: There are no public water and/or sewer system onsite. There is no plan to connect to any existing utilities.

Landscaping: The existing parcels are divided by Lutak Road. On the upland side of Lutak Road, the site has been cleared, grubbed, and is in the process of being developed for a material extraction source. On the lowland side, the site has been brushed and material has been brought in to level the area to create a staging pad.

Signage: Any existing highway signage will be protected in place. No additional signage will be installed.

2. Construction Schedule

The anticipated date for mobilization to site is August 1, 2023, or as soon as all applicable permits are approved. Once permits are approved, a staging pad will be constructed to stockpile material on. Work is anticipated to take approximately 4 weeks. The anticipated completion date for this work is September 15, 2023. Once work is completed, the area will be stabilized, waste material will be hauled offsite, and a staging pad will remain for future use.

3. Phasing Plan

For the purpose of this phasing plan, the work required will be completed in the following manner:

Phase 1: Mobilization and SWPPP

This phase will consist of mobilizing equipment to the project site and installation of any necessary BMP's. The contractor plans on mobilizing side dumps, belly dumps and a loader to the Lutak Road site. A staging pad will be constructed on the waterside of Lutak Rd to stockpile material.

Phase 2: Material Trucking

This phase will consist of trucking of material from the crusher at the 4.5 Mile Haines Highway pit to the project, stockpiling of material onsite with a loader, and hauling materials offsite. Waste material will be backhauled offsite to create a staging pad on the waterside of Lutak Rd.

Phase 3: Final Stabilization/Demobilization

This phase will include final stabilization and demobilization. The area will be stabilized as needed.

4. Financial Responsibility

Evidence of Past Projects:

Haines Borough : Small Tracts/Mud Bay/3rd Avenue AC Pipe Replacement

Contract Amount: \$ 1,419,709.50

Project Number: n/a

Type of Project: Replacement of existing asbestos cement (AC) water pipe with new high density polyethylene (HDPE) water pipe, poly water services, valves, hydrant assemblies, and other water system improvements on Small Tracts Road, Mud Bay Road, and 3rd Avenue.

Date of Completion: 10/03/2020

ADOT - HNS: Haines Hwy. & Old Haines Hwy Resurface, Allen Rd. to MP 3.5 & Haines Hwy. to Mud Bay Rd. & HNS Airport Access

Contract Amount: \$6,485,246.64

Project Number: SFHWY00057/0003(200) & Z675090000/0003191

Type of Project: This project is a preventative maintenance project that resurfaces the roadway and associated driveways, replace or slip line existing culverts, subbase and drainage repairs, install ADA compliant curb ramps, replace select sidewalks and install new striping and traffic signs.

Date of Completion: 09/04/2020

Equipment Resources:

The contractor owns and plans on having the following equipment available for use on this project:

Belly Dumps/Side Dumps

Make/Model: Peterbilt 300 20 C.Y.

Quantity: 5

Market Value: \$500,000.00

Crusher Unit (4.5 Mile)

Make/Model: Varies, 150 TPH

Quantity: 3

Market Value: \$800,000.00

Loader

Make/Model: Cat 980, 7 CY

Quantity: 2

Market Value: \$400,000.00



HAINES BOROUGH, ALASKA
P.O. BOX 1209, HAINES, ALASKA 99827
AK Annette Kreitzer, Borough Manager
907.766.6404 akreitzer@haines.ak.us

August 7, 2023

John Fuglestad, President
Glacier Construction, Inc. dba
Southeast Roadbuilders
8585 Old Dairy Rd., Suite 208
Juneau, AK 99801

by certified mail

And delivered via email to: Roger Schnabel, Assistant Secretary and
dlaframboise@colaska.com

RE: Enforcement Order
Site Development Permit 23-33
Land Use Permit Application 23-71

Mr. Fuglestad:

Southeast Roadbuilders is to cease and desist operations not related to site development on the parcels described in this letter. Permits allowing for bulk material storage and resource extraction have not been issued. Southeast Roadbuilders is in violation and subject to fines for continuing to stockpile and extract material without a permit.

On 5/19/2023 Roger Schnabel on behalf of Southeast Roadbuilders applied for site development permit 23-33 on parcels C-LTR-04-0090, C-LTR-04-0010, C-LTR-04-0800, C-LTR-04-2940 AND C-LTR-04-1000. Site Development Permit 22-33 was issued on 5/23/2023. On 8/2/2023 Glacier Construction Inc., dba Southeast Roadbuilders completed a Land Use Permit application (23-71) for bulk material storage on parcels C-LTR-04-1000, C-LTR-04-0800, C-LTR-04-2940 and C-LTR-04-0900.

On 7/25/2023 the borough was notified of a potential violation with your ongoing site development. On 7/26/2023 our Planner notified the contractor in writing, reminding them of current permit conditions and steps for future land

use. I witnessed the stockpiling of material on Wednesday, August 2 while conducting a tour of the Lutak Dock. I verified with our Planner that Glacier Construction, Inc. has completed a Land Use Permit application, but it is still being reviewed by our staff and other agencies. Additionally, we have received numerous reports of material being removed from site without necessary resource extraction permits.

As our office continues an investigation into this matter, here is an overview of penalties associated. Each act, and every day a violation exists, may constitute a separate violation.

Site Development Permit 23-33

Resource Extraction without permit \$100 per load

Land Use Permit Application 23-71

After the fact fee, Bulk Material Storage 3% of Project Value,
T.B.D.
(or \$250 whichever is
greater)

ACTION ITEMS:

1. Provide daily reports, surveyed quantities, or load counts for any material removed from site for Permit 23-33
2. Provide Project Value for Permit Application 23-71

You may appeal this finding of a violation of Title 18 within two days of receipt of this notice. I have included some of the relevant Code citations below for your convenience.

I look forward to working with you to resolve this issue.

Ec: Roger Schnabel, Southeast Roadbuilders, Glacier Construction Inc.
roger@seroad.com

Dakota Laframboise, Permit Manager, aframboise@colaska.com

Attachments:

1. Site Development Permit 23-33
2. Land Use Permit Application 23-71
3. Violation Complaint & Responses, 7/25/2023



HC 60 Box 4800
Haines, AK 99827
(907) 766-2833
Fax (907) 766-2832

August 8, 2023

Annette Kreitzer
Haines Borough Manager
PO Box 1209
Haines, Alaska 99827

Re: Response to Enforcement Order dated 8/7/2023

Dear Mrs. Kreitzer,

Upon receipt of the Enforcement Order dated August 7th, 2023, Southeast Road Builders has ceased operations pertaining to the work on the parcels identified as C-LTR-04-1000, C-LTR-04-0800, C-LTR-04-2940, and C-LTR-04-0900.

On May 23rd, 2023, Southeast Road Builders was issued a Site Development Permit for the subject parcels listed above. The Borough defines “**Site Development**” as “any clearing, grubbing, grading, and filling activity which exceeds 100 cubic yards or 5,000 board feet, except utility improvements, which are subject to permit”. (HBC 18.20.020)

It was the intent of Southeast Road Builders to perform activities under this permit to develop the site for a material storage site. Activities that are incidental to this site development include clearing, grubbing, grading, and excavation of unsuitable material. Southeast Road Builders operated under the intent that these activities, including the grading and removal of unsuitable material for purposes of site development, are permitted activities as they are incidental to the work permitted for Site Development Permit 23-33.

Please accept this letter as Southeast Road Builders appeal to the finding of a violation of Title 18, “Resource Extraction without permit”. Southeast Road Builders is believed to be operating in compliance with Site Development Permit 23-33.

Thank you.

Brian Maller
Asst. General Manager

Cc: Andrew Conrad, Borough Planner, aconrad@haines.ak.us
Roger Schnabel, Area Manager, rschnabel@colaska.com
Dakota LaFramboise, Project Engineer, dlaframboise@colaska.com



HAINES BOROUGH, ALASKA
P.O. BOX 1209, HAINES, ALASKA 99827
AK Annette Kreitzer, Borough Manager
907.766.6404 akreitzer@haines.ak.us

August 9, 2023

John Fuglestad, President
Glacier Construction, Inc. dba
Southeast Roadbuilders
8585 Old Dairy Rd., Suite 208
Juneau, AK 99801
by certified mail

through: Mr. Brian Maller, Asst. General Manager SERB
RE: Enforcement Order
Site Development Permit 23-33
Land Use Permit Application 23-71

Mr. Maller:

We received your letter on 8/8/2023 and appreciate your prompt response to cease unpermitted activities. Your Land Use Application 23-71 indicates the following use-by-right activities on these parcels:

1. Marine Industrial Facility,
 2. Marine Commercial Facility, and
 3. Commercial, heavy.
- Definitions are referenced below.

To finalize your permit we are verifying that the general approval criteria for Access, Traffic, and Public Maintenance are met, see code below for criteria definitions. Since Lutak Road is owned by the State, we are working with the Department of Transportation and Public Facilities to finalize your permit.

Photos taken on-site 8/7/2023 indicate that these activities have been on-going for some time. This includes truck scales, stockpiled processed aggregate, and an off-shore barge loaded with aggregate. We understand from your application and verbal correspondence that this aggregate is not from resource extraction on-site, but from an off-site pit. As requested in the Enforcement Order, Action Item #2, we need the Project Value indicated on

Page 1 of your application to determine after-the-fact fees associated with Permit 23-71.

We received your appeal notification for Title 18 violation associated with Site Development Permit 23-33 and provide the following violation clarification:

The 8/7/2023 Enforcement Order includes penalties for resource extraction during site development. Site development only includes clearing, grubbing, grading, and filling work. Resource extraction is defined as the removal of rock, gravel, sand, clay, topsoil, peat, timber, or any other mineral, and other operations having similar characteristics, and requires a Conditional Use Permit with approval from the Planning Commission.

Unfortunately your site development permit application didn't indicate any proposed excavation activities, so our staff was not able to have this conversation during the site development permitting process. For future reference I've included the submission requirements for all permits below. By providing this information we can avoid any confusion and permitting issues moving forward.

I've updated Action Item #1 in response to your alleged removal of unsuitable material so we can begin to account for all resource extraction performed during your permitted site development activities.

ACTION ITEMS:

1. Provide daily reports, surveyed quantities, or load counts for any material removed from site for Permit 23-33, or
 - a. Provide the location of unsuitable material stockpiles so our staff can account for the volume of material removed without a permit.
2. Provide Project Value for Permit Application 23-71

I have included some of the relevant Code citations below for your convenience.

I look forward to resolving these issues and avoiding similar permitting violations in the future.

Ec: Andrew Conrad, Borough Planner, aconrad@haines.ak.us
Roger Schnabel, Area Manager, rschnabel@colaska.com
Dakota LaFramboise, Project Engineer, dlaframboise@colaska.com



HC 60 Box 4800
Haines, AK 99827
(907) 766-2833
Fax (907) 766-2832

August 10, 2023

Annette Kreitzer
Haines Borough Manager
PO Box 1209
Haines, Alaska 99827

Re: Response #2 to Enforcement Order dated 8/9/2023

Mrs. Kreitzer,

Prior to the issuance of the Enforcement Order, Southeast Road Builders was operating under the intent that the activities occurring on the subject parcels was in compliance with Site Development Permit 23-33. Southeast Road Builders received official notice of a violation upon receipt of the cease-and-desist order received by email on August 7th, 2023. Upon receipt, Southeast Road Builders was diligent in the cease of operations involving work being done on the subject parcels.

Upon notification of a violation on August 7th, 2023, Southeast Road Builders removed a total of 6 loads of material from the site between the time the discovery of violation was made and the time the operation was ceased.

The project value of the associated permit is \$20,000.00.

Thank you.

Brian Maller
Asst. General Manager

Cc: Andrew Conrad, Borough Planner, aconrad@haines.ak.us
Roger Schnabel, Area Manager, rschnabel@colaska.com
Dakota LaFramboise, Project Engineer, dlaframboise@colaska.com

MUNICIPAL CODE

[Municipal Code](#) → [Title 18, Land Use/Development](#) →

Chapter 18.50 CONDITIONAL USE



Sections:

- 18.50.010** Purpose.
- 18.50.020** Approval required.
- 18.50.030** Application.
- 18.50.040** Decision.

18.50.010 Purpose.



Conditional uses are intended to address uses and issues of community-wide importance and are therefore subject to a broader public process and higher standards than approvals by the manager. The conditional use process is intended to afford the commission and the community the flexibility necessary to make development approvals that are appropriate to specific sites, uses, designs and situations. The commission may attach conditions of approval to ensure compliance with adopted borough plans and both the general and specific approval criteria of this title.

18.50.020 Approval required.



All conditional uses must receive approval by the commission prior to commencement. In all applications for approval, the burden of proof shall be on the developer to prove, by a preponderance of the evidence, that the criteria set forth in this title are met. The uses eligible for approval by the commission as a conditional use are listed in HBC [12.08.110\(D\)\(2\)](#), [18.70.030\(B\)\(3\)\(e\)](#), [\(B\)\(4\)\(e\)](#), [\(C\)\(3\)\(e\)](#), [\(C\)\(4\)\(e\)](#), and [\(D\)\(5\)](#), the use chart in HBC [18.70.040](#), and HBC [18.80.030\(B\)](#), building separation. (Ord. 11-03-259 § 5)

18.50.030 Application.



A. *Pre-Application Conference.* Prior to submission of an application, the developer shall meet with the manager for the purpose of discussing the site, the proposed development and the conditional use permit procedure. The manager shall discuss these matters with the developer with special attention to policies and approval criteria that may pose problems or constraints on the site or the proposed development activity and policies or approval criteria that may create opportunities for the developer.

B. *Contents.* The application shall contain all the information as required in HBC [18.40.030\(A\)\(1\)](#) through [\(8\)](#) for land use permits.

C. *Submission.* The developer shall submit one copy of a completed and properly executed conditional use permit application with associated maps, architectural renderings, engineering drawings and diagrams, and the permit fee, to the manager.

D. *Manager's Review Procedure.*

1. The manager shall determine whether the application is complete and accurately reflects the developer's intentions. The manager shall advise the applicant whether or not the application is acceptable, or if it is not, what corrective action may be taken.
2. After accepting the application, the manager shall schedule a hearing before the commission and shall give notice to the developer and the public in accordance with the public notice provisions of HBC 18.30.020.
3. The manager shall forward the application to the commission together with a report setting forth the manager's recommendation for action, with or without proposed conditions, and the reasons therefor.
4. Copies of the application or the relevant portions thereof shall be transmitted to designated referral agencies. Such referral agencies shall be indicated on a list maintained by the manager and may vary depending on the location of the site and the type of use proposed. Referral agencies shall be notified of the date of the public hearing and asked to submit any comments prior to the public hearing. (Ord. 12-05-291 § 8)

18.50.040 Decision.



The commission shall hold a public hearing on the conditional use permit application. The commission may adopt the manager's recommendation on each requirement unless it finds, by a preponderance of the evidence, that the manager's recommendation was in error and states its reasoning for such finding with particularity. In addition, for good cause, the commission may alter the conditions on approval or requirements for guarantees recommended by the manager.

A. Before a conditional use permit is approved, the commission must find that each of the following requirements is met:

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers;
2. The development of the use is such that the value of the adjoining property will not be significantly impaired;
3. The size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use;
4. The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses;
5. The granting of the conditional use will not be harmful to the public safety, health or welfare;
6. The use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams;
7. The use will comply with all required conditions and specifications if located where proposed and developed, and operated according to the plan as submitted and approved;

8. Comments received from property owners impacted by the proposed development have been considered and given their due weight.

If the commission finds that the development implements all relevant requirements of this title, it shall issue a conditional use permit and the conditions and requirements shall be part of the approved permit. If the development does not implement all relevant requirements, or the commission otherwise determines the development is not in compliance with this title, the commission shall deny the permit and note with particularity its reasons for the decision.

B. The commission may alter the manager's proposed permit conditions, impose its own, or both. Conditions may include one or more of the following:

1. *Development Schedule.* The conditions may place a reasonable time limit on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighbors, to ensure that lots are not sold prior to substantial completion of required public improvements, or to implement other requirements.
2. *Use.* The conditions may restrict the use of the development to specific uses indicated in the approval.
3. *Owner's Association.* The conditions may require that if a developer, homeowner or merchant association is necessary or desirable to hold or maintain common property, that it be created prior to occupancy.
4. *Dedications.* The conditions may require conveyances of title, licenses, easements or other property interests to the public, to public utilities, or to the homeowners association. The conditions may require construction of public utilities or improvements to public standards and then dedication of public facilities to serve the development and the public.
5. *Construction Guarantees.* The conditions may require the posting of a bond or other surety or collateral (which may provide for partial releases) to ensure satisfactory completion of all improvements required by the commission.
6. *Commitment Letter.* The conditions may require a letter from a utility company or public agency legally committing it to serve the development if such service is required by the commission.
7. *Covenants.* The conditions may require the recording of covenants or other instruments satisfactory to the borough as necessary to ensure permit compliance by future owners or occupants.
8. *Design.* The conditions may require the adoption of design standards specific to the use and site.

The Haines Borough Code is current through Ordinance 23-10-662, and legislation passed through November 28, 2023.

Disclaimer: The borough clerk's office has the official version of the Haines Borough Code. Users should contact the borough clerk's office for ordinances passed subsequent to the ordinance cited above.

Borough Website: www.hainesalaska.gov

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MUNICIPAL CODE

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Chapter 18.60 APPROVAL CRITERIA



Sections:

18.60.010 [General approval criteria.](#)

18.60.020 [Specific approval criteria.](#)

18.60.010 [General approval criteria.](#)



A [land use permit](#), or [conditional use permit](#), or a platting action permit for a [subdivision](#), may be granted if all the following general approval criteria and applicable specific approval criteria of HBC [18.60.020](#) are complied with. The burden of proof is on the [developer](#) to show that the proposed [use](#) meets these criteria and applicable specific criteria for approval. Notwithstanding any of the following criteria, no [use](#) will be approved that will materially endanger the public health or safety or substantially decrease the value of [property](#) in the neighboring area. The burial of uncremated human remains outside a [cemetery](#) is prohibited.

A. *Plans.* The proposal is substantially consistent with the [borough](#) comprehensive plan and other applicable [borough](#)-adopted plans.

B. *Reviewing Parties.* Due deference has been given to the comments and recommendations of reviewing parties.

C. *Fire Safety and Emergency Access.* The proposal [shall](#) not pose a fire danger as determined by the State Fire Marshal or the [borough](#) fire chief. Adequate access for emergency and police vehicles [must](#) be provided.

D. *Access.* All [lots](#) on which [development](#) is planned are required to have legal road access before an application for a [development](#) may be considered and physical road access [must](#) be completed to [borough](#) standards before any work on the [development](#) is started.

E. *Traffic.* The proposed [use](#) [shall](#) not overload the existing [street](#) system with traffic or result in unsafe [streets](#) or dangers to pedestrians.

F. *Public Maintenance.* The proposed [use](#) [shall](#) not significantly increase the impact on the surrounding area from glaciation or drifting snow and [shall](#) not create significantly increased difficulty for snow removal or [street](#) maintenance.

G. *Foundation.* All [buildings](#) intended for [residential](#) or [commercial](#) [permanent foundation](#). This section does not apply to accessory [bu](#) sheds, wood sheds, etc., of 120 square feet or less in area, or [temp](#)

H. *Parking.* Parking, loading areas and snow storage sites for the [shall](#) be adequate, safe and properly designed. The [developer](#) may acceptable lighting at pedestrian or vehicular access points.

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I. *Utilities.* The proposed use shall be adequately served by public water, sewer, on-site water or sewer systems, electricity, and other utilities prior to being occupied. The borough may require a letter of commitment from a utility company or public agency legally committing it to serve the development if such service is required. If property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems. The borough may require any or all parts of such installation to be oversized, however the additional cost beyond the size needed for the development will be borne by the borough.

When, in the opinion of borough staff, no public sanitary sewer and/or water service is available within 200 feet of the property, the developer may request an exemption from the requirements to connect to these public utilities. All regulations of the State Department of Environmental Conservation pertaining to water extraction and wastewater disposal, as well as the requirements of HBC [13.04.080\(G\)](#) pertaining to on-site wastewater disposal, shall apply. If exempted from the requirement to connect to public utilities, a developer must provide plans drawn by an engineer licensed in the state of Alaska or a state certified septic system installer prior to permit approval. Upon installation and before closure, the wastewater disposal system must be inspected and approved by an engineer licensed in the state of Alaska or a state certified septic system installer.

When public sanitary sewer and/or water service becomes available, the developer will be required to connect to the public utility within six months.

J. *Drainage.* The applicant for a proposed use shall provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate or avoid runoff into public streets or adjoining lots and to protect rivers, lakes and streams from pollution. Developers may be required to provide for the conservation of natural features such as drainage basins and watersheds, and provide for land stability.

K. *Walkways, Sidewalks and Bike Paths.* Easements for pedestrian access or bicycle paths may be required where shown by the borough to be necessary to provide reasonable circulation or access to streams, lakes, tidewater, schools, playgrounds, transportation facilities or other public facilities.

L. *Construction Guarantees.* The borough may require the posting of a bond or other surety approved by the assembly to ensure that all required and necessary improvements are constructed as approved. The surety may provide for partial releases upon acceptance of the improvement by the borough.

M. *Peak Use.* The proposed use shall not result in significantly different peak use characteristics than surrounding uses or other uses allowed in the zone.

N. *Off-Site Impacts.* The proposed use shall not have significant negative impacts on the surrounding properties, including excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises or be unsightly or become a nuisance as defined in HBC [8.12.020\(I\)](#). Buffering may be required to alleviate impacts between residential and nonresidential uses. The owner of the property upon which the buffering is constructed is responsible for the maintenance of the buffering in a condition that will meet the intent of this criteria.

O. *Habitat.* A reclamation or landscaping plan may be required as a condition of approval of any use within 100 feet of a state-identified anadromous stream. The reclamation or landscaping plan includes the control of dust, soil erosion and siltation which otherwise would be generated on the lot and affect the commission may adopt borough landscaping standards that establish and acceptable methods to be used for compliance. The owner of the lot is responsible for maintenance of the landscaping for a minimum of one year after establishment of the planted materials and stability of other physical

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earthen berms. The borough shall not impose requirements inconsistent with the permit requirements of any other governmental entity permitting the development, but may impose more stringent requirements and may work with the developer to reach a satisfactory compromise with any other governmental entity. If a suitable plan is already in existence, it may fulfill the requirements of this section. The plan shall contain elements as may be required by the landscaping standards adopted by the commission and may in any event include any or all of the following:

1. A grading and site plan, indicating the areas excavated or filled, the proposed finished grades and contours, drainage directions and any control structures to be installed;
2. The methods to be employed for reclamation of the site during and after the activity along with a time table for completion;
3. A description of all roads, parking areas and buildings and a site map showing the locations of all improvements which will be built;
4. A description of any known permit requirements of any other governmental entity and a copy of any permit stipulations under consideration or in existence for the development;
5. All maps shall be submitted at an accurate scale and extend a suitable distance beyond the site area.

P. *Anadromous Fish Stream Setbacks.* Unless approved by variance, no development shall occur within 25 feet of the banks of anadromous fish streams, designated as such by the Alaska Department of Fish and Game. Variances from this requirement may be granted by the commission based upon the unique conditions of individual properties, the proposed development, and the recommendations of a qualified fisheries biologist.

Q. *Open Space and Facilities.* The developer may be required to dedicate land for open space, drainage, utilities, access, parks or playgrounds. Any dedication required by the commission must be based on a written finding that the area is necessary for public use or safety and the dedication is in compliance with adopted municipal plans and policies. The commission's finding shall conclude that a direct connection exists between the development and the need for the provision of the dedication. Land may be accepted by the borough only under the following conditions:

1. The location, shape, size, and character of the area must be suitable for the planned use.
2. Development in landslide and avalanche areas designated on the borough hazardous areas map must minimize the risk to life and property.
3. The area must be suitably improved for its intended use, but common open space containing natural features worthy of preservation or landslide and avalanche hazard must be left unimproved.
4. If the use provides for buildings, landscaping or other improvements in the dedicated area, the developer must provide a bond or other adequate assurance that such improvements will be completed. The borough shall release the bond or other assurance when the buildings, structures, or improvements have been completed to the satisfaction of the commission.
5. All land must be conveyed to a public agency or private as to maintain in perpetuity the area and any buildings, structures have been placed on it. When no maintenance of the area is required, the area must be conveyed to all new owners in undivided joint ownership. When conveyed to a public agency and maintenance of the common space is required, an association for maintenance of the area must be established. C

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the association must be approved as to form by the borough attorney, and by the commission as to whether the covenants provide for maintenance of the area in a manner that assures its continuing use for its intended purpose. Conveyance of an area to a private association must be consistent with AS 34.07, the Horizontal Property Regime Act.

R. *Historic Resources*. The proposed use shall not adversely impact identified historic resources prior to the assessment of that resource by the borough or state. Uses located within the significant structures area must comply with the specific approval standards of this chapter.

Due to its historical nature, Block 16, Haines Townsite Subdivision shall have special setback requirements. All structures built within Block 16 must set back a minimum of 10 feet from property lines not abutting Union Street.

S. *National Flood Plain Regulations*. All applications for land use or conditional use permits shall be reviewed for compliance with the National Flood Insurance Program prior to approval. If the development is governed by the regulations, all requirements shall be satisfied prior to approval or placed as a condition upon approval of the appropriate permit. The manager, upon receiving an application for a land use or conditional use permit, shall review the proposal for compliance with the National Flood Insurance Program in accordance with Chapter 18.120 HBC, Flood Plain Regulations.

The manager shall, upon the application itself, indicate compliance, noncompliance or conditions upon approval as appropriate. Variances to the flood plain regulations shall be allowed as provided for in the flood plain regulations.

T. *Hazard Areas*. Development which is not designed and engineered to mitigate the risk of loss of life or property is prohibited in the following hazard areas:

1. The one percent floodway of all rivers and streams.
2. Avalanche outfall areas.
3. Within 500 feet of a major fault.
4. Slopes greater than 30 percent.
5. Within 300 feet of a wildfire chute.
6. Rock and mudslide areas.

(For information regarding the location of the hazard areas, see the most recent version of the borough map entitled "Flood Plain and Flood Hazards Map.")

U. *Waterfront*. The following requirements apply in all waterfront zones:

1. *Dredge and Fill Activities*. Any person, persons or firm planning a development in wetlands is required to apply for and obtain a dredge and fill permit from the United States Army Corps of Engineers prior to commencement of development.
2. For residential use, setbacks shall be the same as those required in the residential zone. All other uses shall be required to set back 10 feet from lot lines adjacent to every street and alley and five feet from all other lot lines.
3. Public access to the waters of Portage Cove is required to for development on land adjacent to Portage Cove. (Ord. 18-04- Ord. 13-08-342 § 4; Ord. 12-05-291 § 9; Ord. 07-04-153; Ord. 06-07-

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The following uses are subject to the preceding general criteria and these additional specific approval criteria:

A. *Resource Extraction.*

1. *Permitting.* A permit for natural resource extraction may be issued with such reasonable conditions as necessary to limit or minimize the adverse impact of the permitted extraction. The permitted use must meet all other pertinent requirements of this title and address the following concerns:

- a. Limits of operational areas;
- b. Days and hours of operation;
- c. Traffic patterns;
- d. Fencing and screening;
- e. Control of dust and noise;
- f. Phasing of operations and reclamation steps;
- g. Final condition of site including:
 - (1) Relation to adjoining land forms and drainage features,
 - (2) Relation of reclaimed site to planned or established uses of the surrounding area,
 - (3) Demonstration that the final land form will have a viable land use compatible with land use trends in the surrounding area,
 - (4) Relation of reclaimed site to initial site conditions including land use, vegetation, soils, geology and hydrology;
- h. Methods to minimize potential conflict with other existing uses within the neighborhoods adjacent to the development and traffic corridors used by the development.

B. *Junkyard.* No junkyard shall be established or operated unless it is completely obscured from view of any traveled or public right-of-way or adjacent properties with a noncompatible use (i.e., residential, commercial). The manager or commission may require a continuous solid fence to prevent the unsightly display of the yard. The fencing provided shall be continuous and of sufficient height and density to provide visual screening required by this chapter on a year-round basis. Precautions shall be taken to prevent ground or water contamination from runoff containing, including but not limited to, fuels and hazardous chemicals. Applications for junkyards in the waterfront industrial zone must include a plan for addressing air pollution, oil, spill prevention, hazardous waste, water discharge, storm water runoff, underground storage tanks, aesthetic concerns, and state and federal permits.

C. *Animal Husbandry.* Animal husbandry may be allowed as an accessory use to agriculture or for personal recreational use (i.e., horses kept solely for riding). A permit must be obtained and the application for such permit must be submitted along with a plan for the maintenance of any animal or animals, such as the mitigation of noise, odors, runoff from the lot onto adjacent properties or into streams of waste products and the proper disposal off-site of such waste products. If at any time it is the finding of the manager is either not being followed or is not sufficient to protect the neighbor nuisance situation, the permit may be revoked or an amended plan
Roosters, geese, mules, burros and other animals that typically make loud sounds shall not be allowed on lots of less than three acres. The board have the authority to determine what sounds are loud and annoying

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HAINES BOROUGH

AGENDA REQUEST FOR ASSEMBLY ACTION

You may appear before the assembly during the "Public Comments" portion of any regular assembly meeting without making prior arrangements. However, if you want the assembly to take action on a matter, it must be on the agenda. To make a request to have an issue on an agenda, please provide the following information. (See Note below)

Name: Kathleen Menke Date: March 21, 2024

Name of Group Represented (if applicable) PRAC

Address: Phone: 907-766-3517

Email Address: ci@akmk.com Fax:

I request to be scheduled on the Borough Assembly meeting agenda dated the 9th day of April, or as soon thereafter as possible.

Purpose of Request: By adopting the RERC Plan it can help us get grants to improve Parks and recreation. Please see our record of decision attached.

Estimated Time Required (if a presentation) Please see attached

Action you wish the Assembly to take: Wants the Assembly to adopt HEDC's RERC plan.

Note: The deadline for agenda topics is as noted on the most current assembly-adopted Agenda Preparation Calendar, available from the Clerk's Office or at www.hainesalaska.gov/borough assembly. Your request will either be placed on the next assembly agenda under "Other New Business: Requests" or will be referred by the Mayor to a committee for further development. Please be aware that we may ask for additional supportive and/or background information in order to assist the assembly in making an informed decision. The clerk will provide copies for them. Whenever possible, issues will be reviewed by the manager. Should the issue be resolved ahead of an assembly meeting, the person will have the option to decline to have it presented to the assembly.

Return this form to the Borough Clerk's Office in the Haines Borough Administrative Office Building, 103 S. Third Ave., P.O. Box 1209, or fax: 766-2716, or email: afullerton@haines.ak.us.



Haines Borough
Parks and Recreation Advisory Committee
RECORD OF DECISION

DATE: 3-21-24

TO: Borough Assembly

FROM: Parks and Recreation Advisory Committee (PRAC)

BOARD DECISION:

MOTION: CULBECK moved to “recommend the RERC plan to the Assembly for adoption” and the motion carried unanimously.

RATIONALE:

Adopting the RERC plan will help when the assembly is applying for grants to improve parks and recreation in the community. The Committee believes the RERC plan that was provided by HEDC is a great step forward to achieving our goals as a community for improving parks and recreation.

SUBMITTED BY


Kathleen Menke, Vice-Chair



**COMMUNITY
ACTION PLAN**

RECREATION ECONOMY
for
RURAL COMMUNITIES

Haines, Alaska

2023



Northern Border
Regional Commission



Appalachian
Regional
Commission



PROJECT CONTACTS

For more information about the Recreation Economy for Rural Communities program, please visit:

<https://www.epa.gov/smartgrowth/recreation-economy-rural-communities>

U.S. EPA Project Contact:

Steph Bertaina

Office of Community Revitalization

U.S. Environmental Protection Agency

1200 Pennsylvania Ave. NW (MC 1807T)

Washington, DC 20460

202-566-0157

bertaina.stephanie@epa.gov

Local Project Contact:

Cindy Zuluaga Jimenez

PO Box 1734

Haines, AK 99827

907-766-2607

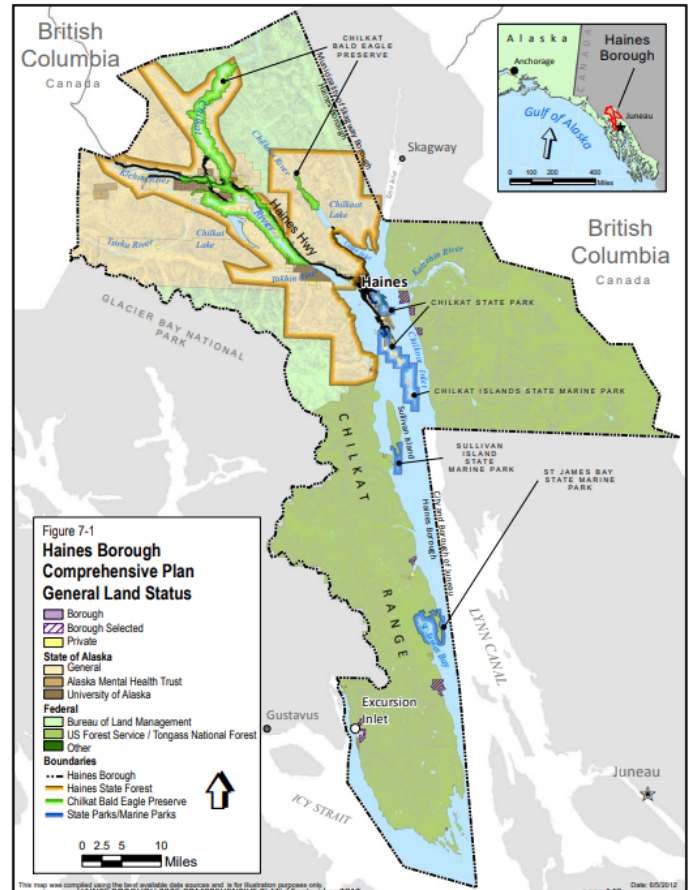
cindy@hainesedc.org

PLAN CONTEXT

Haines, Alaska, was one of 25 towns across the nation selected to receive planning assistance through the second round of the Recreation Economy for Rural Communities (RERC) program. Sponsored by the U.S. Environmental Protection Agency (EPA), the USDA Forest Service, the Northern Border Regional Commission (NBRC), and the Appalachian Regional Commission (ARC), the program is helping communities develop action plans to strengthen their outdoor recreation and revitalize their downtowns.

Local leaders from Haines requested planning assistance to leverage its natural, cultural, and historic assets to diversify economic development opportunities and build community consensus around infrastructure investments that would support a more robust outdoor recreation economy in the Haines community.

Located in Southeast Alaska, Haines' economy historically revolved around logging and fishing. Today, it is built on a diverse mix of business and government activity. In addition to tourism, seafood, and health care, the arts, forest products and other activities are also present in the community. The community can be characterized by a division between those who see natural resource extraction as the source of economic growth, and those who see the preservation of the area's pristine character as a source of wealth. More pragmatically, because of the geographical location at the head of Lynn Canal, transportation is a significant barrier to economic development. With no jet airport and the only road connection to both Alaska and the lower 48 states requiring a border crossing into Canada, there is an outsized reliance on the Alaska Marine Highway System for access to health care, extended family, education and job training, and for independent tourists to enter the community.



Map of Haines Borough Land Status. (Source: Haines Borough Comprehensive Plan, 2012)

The first people to call the Chilkat Valley home were Tlingit Indians. Originally called “Dei-Shu” or “End of the Trail,” Haines is home of the Chilkat Indians whose mother village is Klukwan, located 22 miles north of Haines. Klukwan is recognized as the earliest of the Chilkat villages and contains many reminders of its rich past. Now the Haines Highway into Canada, and previously the Dalton trail used by gold-seekers, the Tlingit trade route to the interior was dubbed the “grease trail” because the most important item carried was oil extracted from the eulachon fish.

Haines is known for its abundance of wildlife that can be seen practically anywhere in the valley, even in the downtown area. Bald eagles, brown and black bears, moose, and more than 260 species of birds pass through the Chilkat Valley, drawing visitors from all over the world.

Haines is located within a complex network of land management jurisdictions that include borough lands, state forest lands, state university and mental health trust lands, tribal lands, and federal lands. Creating new trail networks, revitalizing and restoring old trails, and including cultural trails, will require coordination across multiple government agencies.

LOCAL STEERING COMMITTEE

Harriet Brouillette, Chilkoot Indian Association

Dustin Craney, Sockeye Cycle Co.

Natalie Dawson, Haines Huts and Trails

Shawna Hotch, Jilkaat Kwan Heritage Center/ Chilkat Indian Village (Klukwan)

Rebecca Hylton, Haines Visitor Center

Douglas Olerud, Haines Borough

Annette Kreitzer, Haines Borough

Preston Kroes, Alaska State Parks Southeast Region

Andrew Letchworth, Haines Chamber of Commerce

Greg Palmieri, Haines State Forest

Tammy Piper, Haines Visitor Center

Morrigan Shaw, Klukwan

Carol Tuynman, Tourism Advisory Board Member

Brian Willard, Chilkat Indian Village

Zach Wentzel, Chilkoot Indian Association

Cindy Zuluaga Jimenez, Haines Economic Development Corporation (Point of Contact for the Local Steering Committee)

The Haines Economic Development Corporation applied to the Recreation Economy for Rural Communities (RERC) program in order to seize these opportunities and create a thriving, working landscape that supports local livelihoods, quality of life, and recreational opportunities for all. The community is seeking to improve coordination among the various tribal, local, state and federal government entities in the region, create inclusive wayfinding and signage for trails, improve transportation connections, and promote stewardship and authenticity of place.

Key point: With thoughtful planning and coordinated action, outdoor recreation can be a strong part of a diversified Haines economy and support continued high quality of life for residents.

Over the course of about six months, a Local Steering Committee worked with a Planning Assistance Team made up of planning consultants and federal and state agency partners to assess opportunities and challenges, set goals to strengthen Haines’s recreation economy and invigorate the historic downtown; convene a public workshop on March 29-April 1, 2023; and create this Community Action Plan. The plan was developed through a collaborative process starting at the workshop and continuing in follow-up meetings focused on refining it and identifying implementation resources.

The plan documents the workshop process and community feedback and includes a set of specific actions—complete with initial steps and timeframes, lead and support roles, and measures of success—to guide recreation economy development in Haines and the Chilkat Valley over the next two to three years.

PLANNING ASSISTANCE TEAM

Jason Anderson, Tongass National Forest

Zach Babb, National Park Service, Rivers, Trails, and Conservation Assistance Program

Steph Bertaina, US EPA Office of Community Revitalization

Steve Brown, US Small Business Administration

Lizzy Dean, National Park Service, Rivers, Trails, and Conservation Assistance Program

Tristan Fluharty, Tongass National Forest

Nate Merrill, US EPA Office of Research and Development

Erik O’Brien, Denali Commission

Margaret Olson, US EPA Region 10

Kristin Pace, National Park Service, Rivers, Trails, and Conservation Assistance Program

Anne Marie Palmieri, Alaska Department of Environmental Conservation

Ángel Peña, Nuestra Tierra Conservation Project (Facilitator)

Amanda Poncy, EPR, PC (Facilitator)

Frances Sakaguchi, U.S. Economic Development Administration

Marc Thomas, Alaska Department of Environmental Conservation

THE OPPORTUNITY

Advertised as the “adventure capital of Alaska,” Haines is a small town surrounded by awe-inspiring natural beauty and abundant wildlife. Nestled among snow-capped mountains on the shores of the Lynn Canal between the Chilkoot and Chilkat Rivers in northern Southeast Alaska, Haines offers a wealth of outdoor recreation opportunities during all seasons of the year. During the winter months, locals and visitors enjoy downhill and cross-country skiing, snowshoeing, snow machining, and hiking. In the summer, Haines offers kayaking, fishing, hiking, paddleboarding, camping, hiking, and other activities.

Surrounding Haines, accessible public lands include Glacier Bay National Park, Tongass National Forest, Bureau of Land Management Unit, Haines State Forest, Chilkat State Park, and Chilkoot State Park. Cultural history and indigeneity of land define the Chilkat Valley and communities within the Haines Borough. Haines is the traditional land of the Jilkat and Jilkoot Kwan. Outdoor recreation is already a primary reason for visitors to come to Haines and the surrounding landscapes, though infrastructure for outdoor recreation is limited. Old logging roads provide opportunities to develop new hiking, biking, ATV, and snow machine trails within the valley yet most of these trails need substantial development or restoration. The Chilkat and Chilkoot Rivers provide excellent whitewater and flatwater rafting and paddling opportunities.

Haines also has a charming, walkable downtown adjacent to the waterfront with a thriving arts and cultural scene and interesting local businesses. With only 2,500 residents, Haines supports three grocery stores, numerous consignment shops, outdoor gear shops, a local bookshop, and a number of restaurants and watering holes. In addition, downtown Haines is home to the Sheldon Museum & Cultural Center, the American Bald Eagle



Downtown Haines offers recreation, cultural, and historic tourism opportunities for locals and visitors. (Image Credit: Amanda Poncy)

Foundation, the Hammer Museum, and Tlingit Park. This combination of proximity and services means that downtown Haines has the potential to serve as a hub for outdoor recreation and jobs in the region.

In recent years, Haines Borough has taken steps to create a new riverwalk trail in Portage Cove (see figure below). New sidewalks, a parking area, and a gathering place have all been completed, and more facilities are planned. Additionally, Haines Huts and Trails has been working to develop a trail system and public use cabins within the Takshanuk Mountain range. These are just a few of the efforts underway that this plan builds upon.

Key point: Haines has the ingredients it needs for outdoor recreation to be a driver of economic growth, livelihood opportunities, quality of life, and thriving residents.

The Local Steering Committee and community decided to focus their action planning on partner engagement, inclusive wayfinding and signage, trail and transportation infrastructure improvements, and stewardship and authenticity. The goals they developed, shown in the text box to the right, guided the workshop and this Community Action Plan.

WORKSHOP GOALS

Goal 1. Partner Engagement: Coordinate among tribal, local, state, and federal governmental entities to create a robust strategy for outdoor recreation efforts and initiatives.

Goal 2. Wayfinding and Signage: Create inclusive wayfinding and signage for trails, outdoor recreation assets, and downtown assets in Haines.

Goal 3. Physical Connections: Identify transportation, trail, and infrastructure improvements that are needed to connect people from arrival points to downtown Haines and to nearby outdoor recreation opportunities in the Chilkat Valley.

Goal 4. Stewardship and Authenticity: Preserve, celebrate, and empower the natural, cultural, and historic resources that make Haines a unique and healthy place to live, work, play, and visit.

Below: Excerpt from the Portage Cove design concept showing improved pedestrian connections and crossings along Front Street. (Credit: James Corner Field Operations)

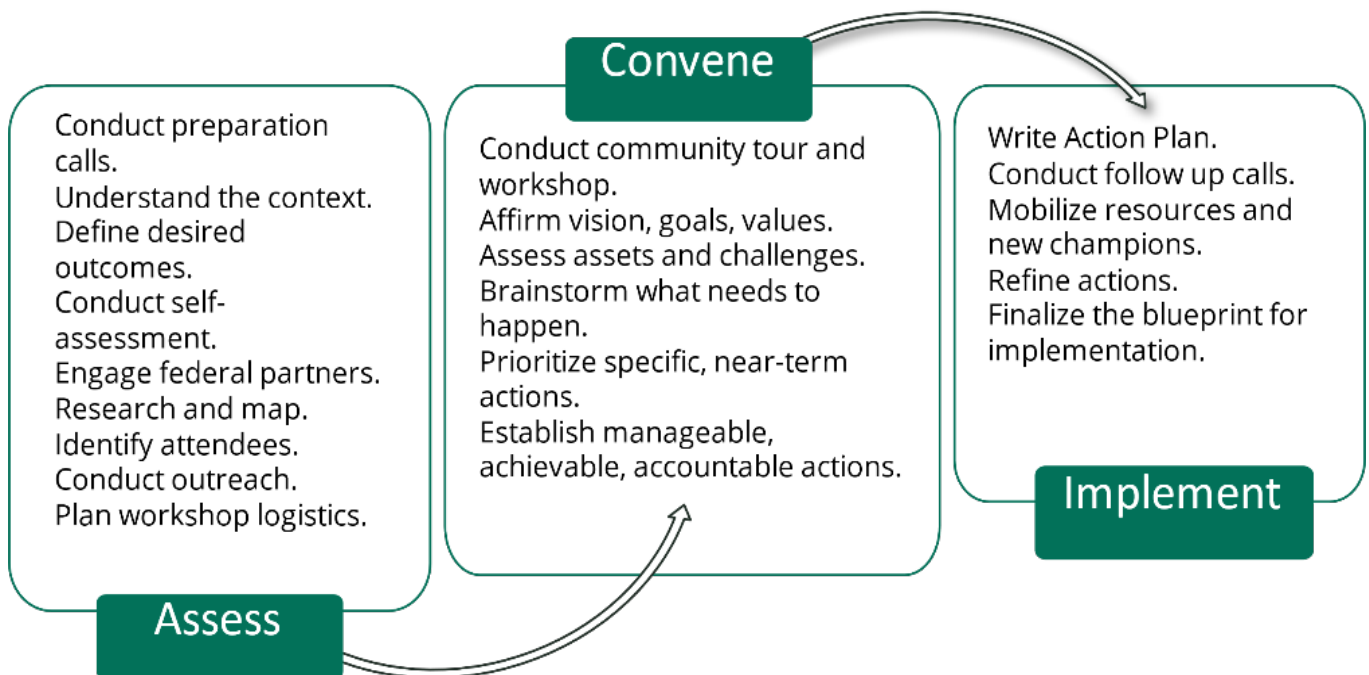


PLANNING PROCESS

The RERC planning assistance process consists of three phases, illustrated in the diagram below: assess, convene, and implement. The “assess” phase includes three conference calls with the Local Steering Committee and Planning Assistance Team to gain a baseline understanding of Haines, clarify local goals, and arrange workshop logistics. The “convene” phase is focused on the capstone event—a two-day public workshop. The “implement” phase entails three follow-up conference calls to finalize the Community Action Plan and strategize on how to maintain the momentum generated at the workshop and implement the plan. Haines’ workshop program and activities are described briefly below. The RERC participant contact list is provided in **Appendix A**, workshop exercise results are detailed in **Appendix B**, funding and technical assistance resources in **Appendix C**, and general recreation and downtown-related references in **Appendix D**.



The opening community meeting of the workshop at the Borough Municipal Building in Haines on March 30, 2023. (Credit: Steph Bertaina)



THE WORKSHOP

The on-site portion of the RERC process began with an extensive community tour organized by the Local Steering Committee. The Planning Assistance Team visited destinations and met with local leaders throughout Haines and the Chilkat Valley. Stops included the local bookshop, the Haines Sheldon Museum, Tlingit Park, the Hammer Museum, Haines Harbor, the Bald Eagle Foundation, and the local brewery. In addition, the planning team and steering committee hiked to Battery Point and drove to other sites within the Chilkat Valley including the 7-Mile Saddle trailhead, Bald Eagle Nature Preserve, Klukwan Village, and Milepost 33, among other important spots along the Haines Highway.



Above: Day 1 Community Tour participants at Haines Harbor. (Credit: Amanda Poncy)

Below: Day 2 Community Tour locations included a hike at Jones Point, the Bald Eagle Preserve, Klukwan, and Milepost 33. (Credit: Amanda Poncy)



Nearly 60 enthusiastic participants, including Haines residents, as well as local, state, and federal partners, attended the workshop over three days. The opening community meeting was held on March 30, 2023 at the Haines Municipal Building. Mayor Douglas Olerud welcomed attendees and emphasized the importance of this initiative to the Borough’s goals and initiatives.

After participant introductions, the Planning Assistance Team gave an overview of the RERC program, highlighted the opportunities presented by the growing outdoor recreation economy both nationally and locally, shared some of their own reflections from the community’s pre-workshop self-assessment as well as the community tour, and presented the draft workshop goals.

Participants then heard a presentation from Cindy Zuluaga Jimenez, Acting Director of the Haines Economic Development Corporation, highlighting a number of initiatives currently underway.

Key point: Local stakeholders in Haines are ready to act and eager for results.

The energy continued on Day 2 of the workshop, which was held at the Aspen Suites Hotel on March 31, 2023. Day 2 was an interactive day of working together on small group exercises, asset mapping, and brainstorming and planning for actions to make the community’s goals a reality.

The day kicked off with a presentation by the EPA’s Office of Research and Development team summarizing key findings of a study that used cellular data sources to estimate visitation data for a number of recreation sites in Haines. The Planning Assistance Team provided a recap of Day 1 and presented several case studies relevant to Haines’ interests, including a question-and-answer session with representatives from the St. Regis Mohawk Tribe, a RERC peer community in Akwesasne, NY, as



The workshop focused on individual and small group exercises designed to solicit ideas from all participants, as well as hearing from past RERC communities with similar interests. (Credit: Amanda Poncy)

well as a number of successful campaign strategies, such as the Castner Range, Continental Divide, and Organ Mountains Desert Peaks National Monument.

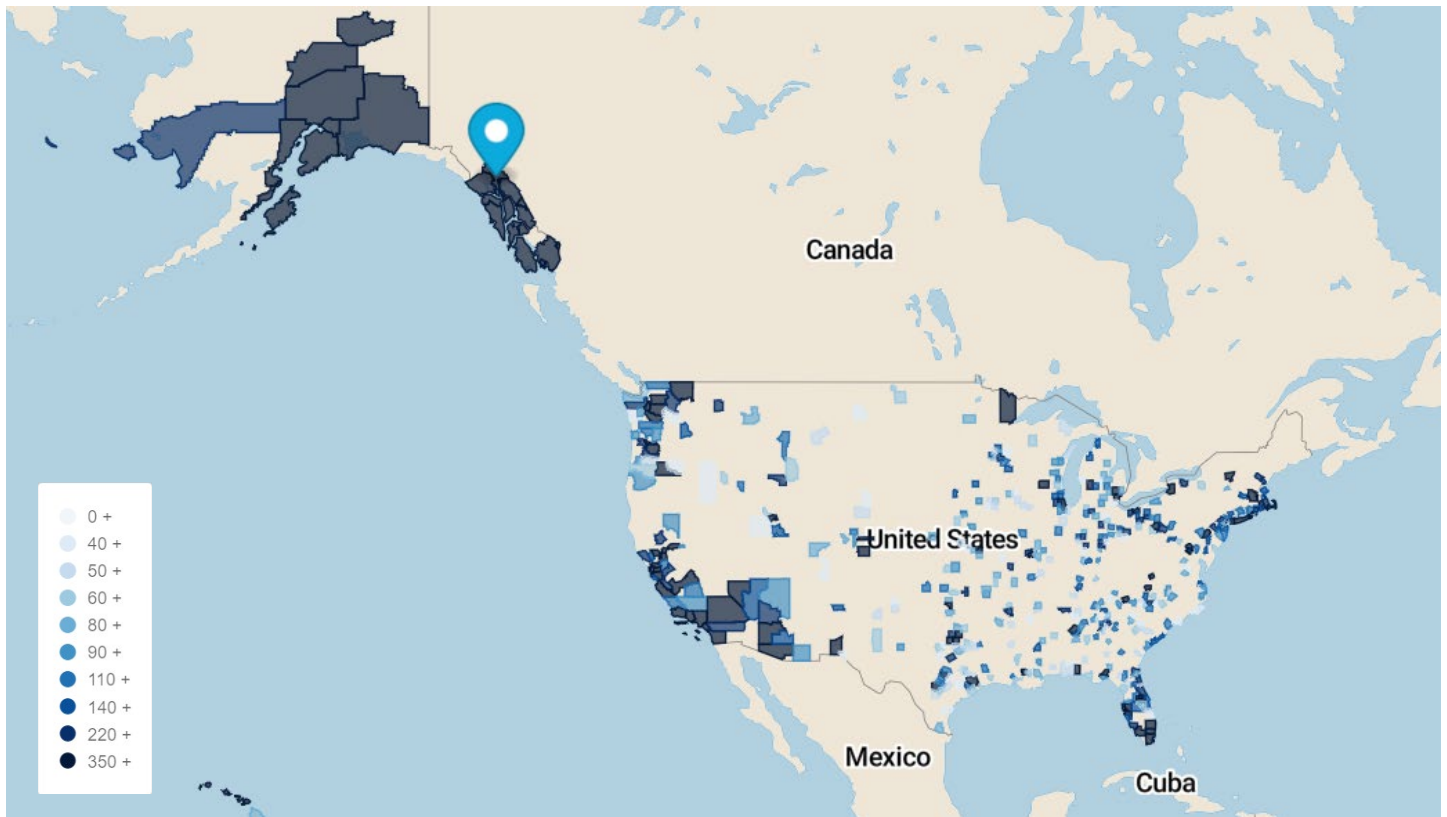
Day 2 also featured additional state/federal partners sharing programs and resources available to the Borough to help implement the action plan.

The remainder of Day 2 was spent on small group exercises and action planning, described on the following pages.

The results of the two-day planning process were shared at a public open house at the Haines Library on Day 3. This open house provided an opportunity to review work to date and gather additional community input.



Day 2 focused on small group work to begin developing the action plan. (Credit: Amanda Poncy)



U.S. EPA's Office of Research and Development is using anonymized, aggregated cellular location data to understand the current scale and timing of visitation to outdoor recreation resources in Haines. The map above shows the origin locations of visitors to Chilkat State Park using data purchased from Airsage Inc.

VISIONS AND VALUES

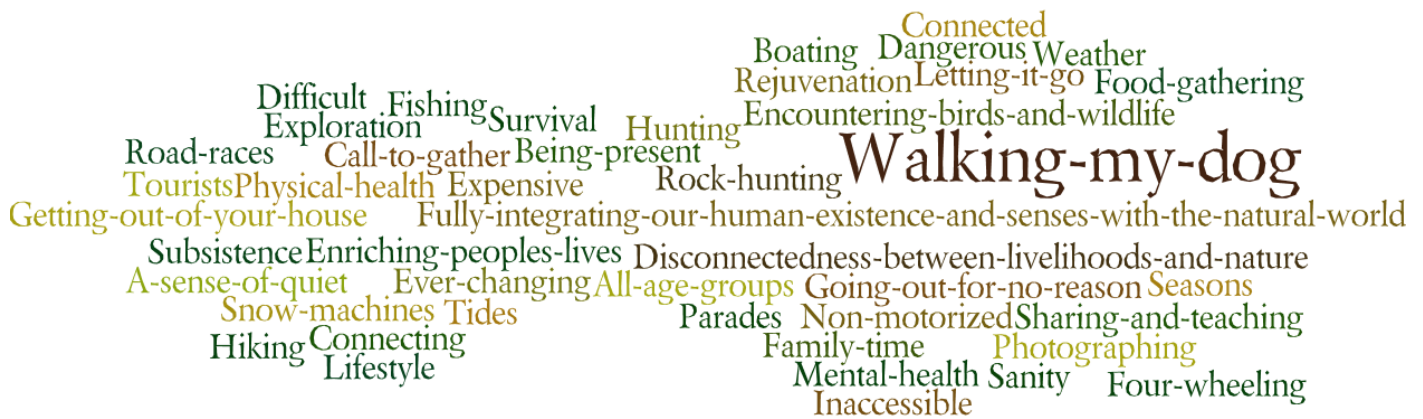
This Community Action Plan is rooted in the visions and values of Haines residents and other stakeholders. Workshop participants engaged in several exercises to develop and distill those aspirations. The full results of the exercises are available in Appendix B.

On Day 1, during introductions, each workshop attendee shared one word about Haines. Participants also volunteered answers to the question, "What does outdoor recreation look like to you?" These responses are displayed in word clouds in Appendix B. In addition, attendees brainstormed their community's biggest assets and challenges.

IDEAL COMMUNITY VISIONS

An ideal vision for Haines is a resilient, varied recreation industry and infrastructure that caters to winter and summer tourism. The infrastructure will serve locals, independent visitors, and cruise ship visitors alike. Outdoor recreation allows locals and visitors alike to enjoy the pristine Haines environment, providing outdoor exercise opportunities for users of all kinds of outdoor sports. We hope to have inclusive use of trails for both motorized and non-motorized use.

In the community self-assessment, completed prior to the workshop, Local Steering Committee members described their ideal visions for their community.



Workshop participants' responses to the question, "What does outdoor recreation look like to you?" Responses mentioned more frequently are in larger text.

On Day 2, workshop participants engaged in a small group mapping exercise to uncover opportunities and ideas related to outdoor recreation and downtown revitalization in and around Haines. Groups marked up maps of Haines Borough and the region, as well as Haines’ downtown, with outdoor recreation assets; community assets; and opportunities or big ideas.

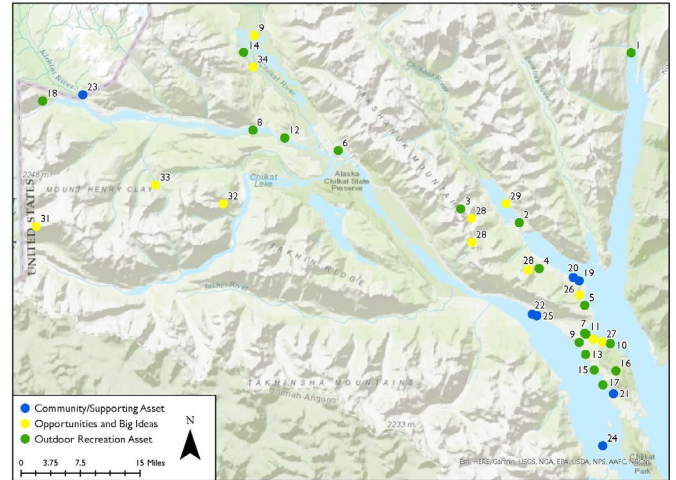
Attendees also worked in small groups to plan a multi-day travel itinerary in Haines.

Key point: Increasing occupancy of downtown buildings, supporting business development, engaging in regional collaboration and coordination, improving bicycle and pedestrian connectivity, and increasing outdoor amenities emerged as important priorities.

ACTION PLANNING

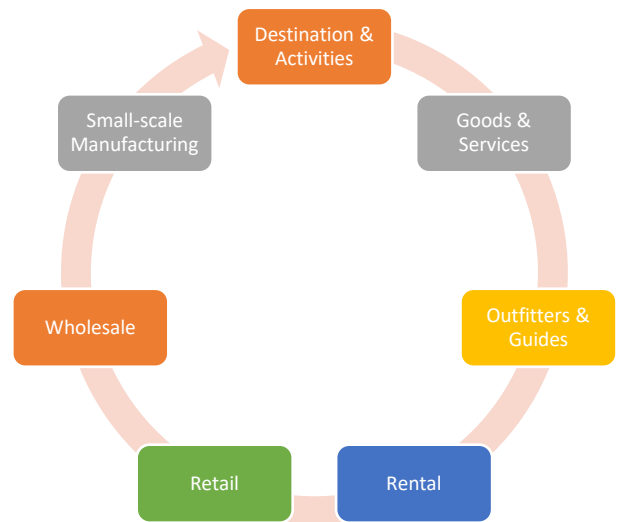
The action planning process during the workshop consisted of a few phases of work. First, participants reflected on their own, using post-it notes to brainstorm specific actions that would advance one or more of the identified goals. They were instructed to begin each action with a verb, be as specific as possible, think in the near- to medium-term (within two years), and consider actions they could help to implement. Attendees then placed their post-it notes onto posters for each goal, and the Planning Assistance Team grouped and consolidated alike or similar actions. Once this organization was complete, each participant was given dot stickers and asked to vote on the highest-priority actions. The Planning Assistance Team tallied the votes and announced the totals.

Following this exercise, participants broke into small groups to assess the voting results and flesh out the



RECREATION ECONOMY for RURAL COMMUNITIES | HAINES, AK

Snapshot of one of the maps marked up by workshop participants; the full maps and legends can be found in Appendix B.



The value chain shows the full range of economic opportunities tied to outdoor recreation.

details of the top three to five actions for each goal, including initial next steps and deadlines, measures of success, lead and supporting roles, and potential needs and resources. This work began at the workshop and continued during follow-up Zoom calls with the Planning Assistance Team and small group work sessions until every action included sufficient details for implementation.

Following are the full action tables as they stood at the end of the RERC planning assistance process in August 2023.



Day 3 Community Open House at the Haines library.

COMMUNITY ACTION PLAN

The action planning process during the Recreation Economy for Rural Communities workshop in Haines, Alaska consisted of a few phases of work. First, there was a brainstorming session, where participants were asked to write down potential actions to help advance one or more goals. The next phase was a dot voting exercise where participants received a set number of dots and were asked to vote on which actions either were most important or needed immediate attention. In the third phase, small working groups assessed the voting results, selected top actions, and fleshed out the details for those actions for each goal. In the final phase, each small working group reported its progress and shared any questions. The tables that follow provide additional background information and detail for each goal and priority action. Following each goal are the action ideas that were generated by participants, but for which there was not time during the workshop to consider in depth.

1. **Partner Engagement:** Coordinate among tribal, local, state, and federal government entities to create a robust strategy for outdoor recreation efforts and initiatives.
 - *Identify the partners and organizations who need to be at the table to inform the conversation about outdoor recreation.*
 - *Identify the lead organization from among the partners or alternatively create a new organization or position to fill that role.*
 - *Work with the Borough and State Parks on identifying trail maintenance priorities, while exploring future trails and fundraising towards their development.*
 - *Evaluate the feasibility of various ski options and make a decision based on data and expertise/knowledge.*
2. **Wayfinding and Signage:** Create inclusive wayfinding and signage for trails, outdoor recreation assets, and downtown assets in Haines.
 - *Modify existing signage to include Tlingit language.*
 - *Improve mapping of existing trails (paper and digital).*
 - *Establish a committee that meets annually to review signage needs and trails.*
3. **Physical Connections:** Identify transportation, trail, and infrastructure improvements that are needed to connect people from arrival points to downtown Haines and to nearby outdoor recreation opportunities in the Chilkat Valley.
 - *Make a list of trail maintenance projects (priorities).*
 - *Plan and build a trail that connects Takshanuk to the fairgrounds.*
 - *Have focused discussions about long-term organizational capacity/governance related to trails.*
 - *Improve winter maintenance of trail parking/beach access.*
 - *Meet with University of Alaska and Mental Health Trust Lands to solidify Memorandum of Understanding (MOU) on recreational trail access and maintenance.*

- *Identify transportation gaps and find a way to fill them, particularly between airport and ferry terminals and for accessing downtown Haines.*
4. **Stewardship and Authenticity:** Preserve, celebrate, and empower the natural, cultural, and historic resources that makes Haines a unique and healthy place to live, work, play, and visit.
- *Support tribal organizations in developing cultural tourism plans and opportunities to highlight traditional indigenous places and histories.*
 - *Evaluate options to create an authentic town square.*
 - *Protect local watersheds, wildlife habitat, and migratory corridors.*

Goal I – Partner Engagement: Coordinate among tribal, local, state, and federal governmental entities to create a robust strategy for outdoor recreation efforts and initiatives.

The Haines Borough and the Chilkat Valley have a complex pattern of land ownership involving multiple government and tribal entities that brings both opportunities and challenges for outdoor recreation. The Haines Economic Development Corporation, Haines Huts and Trails, the Chilkat Indian Village and Chilkoot Indian Association, and other local partners have been working to improve communications and coordination around efforts such as the development of the Haines Huts and Trails Public Use cabins that will leverage outdoor recreation and cultural assets for the benefit of community members and for visiting tourists alike. Through the course of the RERC planning process, the Steering Committee identified a need to better include, coordinate, and actively engage people and institutions around these initiatives to better communicate the vision and coordinate on implementation. The complex layers of land ownership/governance in Haines and the Chilkat Valley make coordination and communication a challenge, and this goal aims to take next steps to improve communication with all relevant entities to help the community achieve its goals.

Participants: Greg Palmieri, Jess Kayser Forster, Erik O'Brien, Andrew Letchworth, Michael Wald, Erik Stevens, Darsie Culbeck, Katie Emma Begly

Action 1.1 – Identify the partners and organizations who need to be at the table to inform the conversation about outdoor recreation.

<p>What is this? Why is it important? Who benefits?</p>	<p>This action helps to:</p> <ul style="list-style-type: none"> • Coordinate amongst key partners • Ensure people are all on the same page • Foster community buy-in • Understand what assets each organization can contribute • Generate funding
<p>Initial next steps and deadlines (Present >24 mos.)</p>	<ul style="list-style-type: none"> • Explore sharing board members across organizations, such as the Chamber, Haines Economic Development Corporation (HEDC), Borough standing committees, etc. • Convene those partners and assess their interests • Make sure this action happens on all other RERC action items
<p>Measures of success</p>	<ul style="list-style-type: none"> • Regular meetings are happening • A diverse group is participating • A network of shared projects exists
<p>Lead Partners</p>	<p>Haines Huts and Trails (Greg Schlachter)</p>
<p>Supporting cast</p>	<ul style="list-style-type: none"> • HEDC (Cindy Zuluaga Jimenez) • Chamber of Commerce (Andrew Letchworth) • Chilkoot Indian Association (Harriet Brouillette, Zach Wentzel) • Chilkat Indian Village (Natalie Dawson) • Haines Tourism (Rebecca Hylton)

	<ul style="list-style-type: none"> ● Haines Borough (Douglas Olerud & Borough Planner) ● City & Borough of Juneau (Alexandra Pierce, Tourism Manager; past planner/community development manager) ● Skagway Development (Eliza Rusell) ● Haines Huts and Trails (Lindsay Johnson) ● Takshanuk Watershed Council (Derek Poinsette) ● Spruceroot (Shannon Stevens) ● Department of Natural Resources (Greg Palmieri) ● Department of Forestry (Greg Palmieri) ● Mental Health Trust Land (Jeff Hermanns - Sr. Resource Manager) ● Bureau of Land Management (Williams from Comp Plan) ● USDA Forest Service (Tristan Fluharty, Jason Anderson) ● State Parks (Preston Kroes)
Potential needs and resources	<ul style="list-style-type: none"> ● Denali Commission as potential source of funding for a staff position to coordinate ● Central Council Tlingit Haida Indian Tribes of Alaska also a potential funding partner ● Meeting Space (potential options include: Zoom; Haines Library; Chilkat Valley Community Foundation Meeting Room)

Action 1.2 – Identify the lead organization from among the partners or alternatively create a new organization or position to fill that role.

What is this? Why is it important? Who benefits?	<p>This action helps to:</p> <ul style="list-style-type: none"> ● Create leadership ● Create a champion, since nothing happens without a champion ● Identify a single point of contact for grant applications
Initial next steps and deadlines (Present >24 mos.)	<ul style="list-style-type: none"> ● Hold a meeting of potential lead partners ● Determine the characteristics of an organization that would be needed to coordinate this initiative ● Evaluate whether one of the current organizations have the capacity to fill that role
Measures of success	<ul style="list-style-type: none"> ● A format is selected (either an entity or group of organizations) to facilitate community cooperation ● Regular communication and “cross pollination” between groups that are involved is happening
Lead Partners	<ul style="list-style-type: none"> ● HEDC (Cindy Zuluaga Jimenez) ● Tourism Center (Rebecca Hylton) ● Haines Chamber of Commerce (Lee Zion) ● Chilkoot Indian Association (Zack Wentzel) ● Haines Huts and Trails (Greg Schlachter)
Supporting cast	<ul style="list-style-type: none"> ● The other organizations not selected to lead could support

Potential needs and resources	<ul style="list-style-type: none"> ● Meeting times ● Email Distribution list ● Personnel to visit each organization to stay in contact
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Action 1.3 – Work with the Borough and State Parks on identifying trail maintenance priorities, while exploring future trails and fundraising towards their development.

What is this? Why is it important? Who benefits?	<p>This action helps to:</p> <ul style="list-style-type: none"> ● Increase recreational opportunities on existing trails ● Increase backcountry access with new trails ● Bypass stagnation of “stop it” system – get stuff done
Initial next steps and deadlines (Present >24 mo)	<ul style="list-style-type: none"> ● Identify who we need to influence state parks (relates to action 1.1) ● Conduct a trail tour with Senator Kiehl, other state representatives, and state parks authority showcase current state of assets and share vision for what we want to do.
Measures of success	<ul style="list-style-type: none"> ● State Parks buy-in for the vision for Haines ● Needs are met – Chilkat Road graded, gates open in winter, year-long staff working in Haines, marketing to RV traffic off highway is increasing use, changing perspectives around economic development, Parks commitment is generated ● State legislators are engaged ● Ongoing conversations with State Parks are happening
Lead Partners	<ul style="list-style-type: none"> ● Tom Morphet ● State Parks (Preston Kroes) ● Chilkat Bald Eagle Preserve Advisory Council
Supporting cast	<ul style="list-style-type: none"> ● Haines State Forest (Greg Palmieri) ● Haines Borough (George Figdor) ● HEDC (Cindy Zuluaga Jimenez) ● Haines Huts and Trails (Kevin Forster) ● Haines Visitor Center (Rebecca Hylton) ● Chilkoot Indian Association – Chilkoot Corridor (Nick Kokovitch, Zach Wentzel) ● Department of Natural Resources (Tom Boyle, Commissioner) ● Haines Borough (Douglas Olerud) ● Haines Chamber of Commerce (Lee Zion) ● Sen. Jesse Kiehl ● Rep. Hannon and/or Rep. Andi Story
Potential needs and resources	<ul style="list-style-type: none"> ● Letters of support from multiple agencies ● Volunteer base to meet special project needs and demonstrate commitment of Haines to State Parks

	<ul style="list-style-type: none"> ● State legislators buy-in for political leverage ● Takshanuk Map of Land Ownership ● National Park Service Map of Existing Trails (from RTCA process) ● Trail Mix (Ryan O’Shaughnessy, CEO)
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Action 1.4 – Evaluate the feasibility of various ski options and make a decision based on data and expertise/knowledge.

What is this? Why is it important? Who benefits?	<p>This action helps to:</p> <ul style="list-style-type: none"> ● Expand the seasons for outdoor recreation with downhill and cross-country skiing in the winter (winter ski amenities could be used for mountain biking in summer) ● Expand the winter recreation economy ● Create opportunities for economic development/additional outdoor recreation in the winter season to support existing businesses ● Create more options for easy and accessible winter recreation for locals ● Expand skiing options in Haines
Initial next steps and deadlines (Present >24 mos.)	<ul style="list-style-type: none"> ● Evaluate potential locations based on data; choose one that is viable and will succeed ● Mobilize ideas into a concrete business plan ● Support the development of business plans
Measures of success	<ul style="list-style-type: none"> ● A site with accompanying business plan is selected to move forward ● Facilitator is selected and funded
Lead Partners	<ul style="list-style-type: none"> ● Haines Avalanche Center/Ski Lift Working Group (Erik Stevens) ● Haines Economic Development Corporation (Darsie Culbeck and HEDC Board)
Supporting cast	<ul style="list-style-type: none"> ● Eagle Crest Management (Clay Frick) ● Chamber of Commerce (Lee Zion) ● Chilkoot Indian Association (Ted Hart, Zach Wentzel) ● Klukwan (Rhianna Brownell – ski school instructor/parent) ● Klukwan Indian Village/Four Winds Community Center at Mosquito Lake.School (Erika Merklin) ● Alaska Mountain Guides (Sean Gaffney) ● Heli-Ski operators (Nick Trimble, Sean Brownell)
Potential needs and resources	<ul style="list-style-type: none"> ● Denali Commission to fund a staff position to make this their focus ● Excited, engaged volunteers (Ski Lift Working Group)

Additional Goal 1 Actions

Participants also brainstormed these additional action ideas during the workshop. While these actions were not detailed further during the workshop, they could also support implementation of Goal 1.

- Figure out a process where competing user groups can collaborate
- Need to get people who are committed to recreation and public spaces on the Planning Commissions and Parks and Recreation Advisory Board
- Form or identify a group to evaluate ski area business plans and choose the most viable
- Market Haines as a world-class ski destination
- Elevate Haines/Klukwan/Chilkat Valley with USDA (they tend to focus further south)
- More Tribal, Borough, State, and Federal engagement
- Engage with healthcare professionals
- User groups need to be brought in early
- Work with cruise ship companies to make their tourism plans for Haines compatible with ours
- Tribes, State, Borough, and Canadian brothers and sisters coming together
- Create "Chilkat Collaborative" some umbrella name for all organizations committed to shared strategy under umbrella funded initiatives led by local organizations/regional organizations/governments
- Enable/create local non-profit to identify, pursue, fund, and develop trails and work with a broad range of owners (SOA, Borough, Private) and tribal governments to develop them
- Create a coalition between Chilkoot Indian Association, Chilkat Indian Village, Borough Planning Commission, and HEDC to create our Comprehensive Strategic Plan for all of us to live happily forever
- Tanani Point Recreation Plan with Tribe
- Chilkoot Collaborative watershed wild, scenic, recreational, tribal/state/fed
- Develop communication platform for community (and beyond) partners to share ideas and work progress
- Increase collaboration between organizations by sharing board members and cross-communication between organizations
- Semi-regular meetings between TAB, HEDC, Chamber, and Tribes to learn about each other's work initiatives, progress, hindrances, etc.
- Three governments de-silo and collaborate meaningfully and enthusiastically
- Work with state parks on identifying future trails and fundraise towards development
- Unlock state parks
- Work with Borough and State Parks to permit trail build from top of sled hill to Lily Lake for cross country skiing, hiking, biking trail
- Assure that key Borough boards have members committed to project to enhance public spaces and uses (i.e., Planning Commission, Parks and Recreation Committee)
- Amend Title 5 to allow more flexibility for tour operators
- Work with Borough Assembly to relieve regulatory burden on multi-faceted business ventures, offer tax holiday incentives to building new ventures and infrastructure
- Financial incentives for investments/support from restaurants

Goal 2 – Wayfinding and Signage: Create inclusive wayfinding and signage for trails, outdoor recreation assets, and downtown assets in Haines.

Existing wayfinding and signage in Haines does not reflect the cultural and historic importance of the indigenous community. Improving wayfinding and signage to incorporate native history and culture would elevate the significance of the people who first settled the area. Residents and visitors will have increased awareness of this important culture.

Participants: Harriet Brouillette, Kathleen Menke, Derek Poinsette

Action 2.1 – Modify existing signage to include Tlingit language.

What is this? Why is it important? Who benefits?	This action helps to: <ul style="list-style-type: none"> • Ensure that indigenous language is included in street signs, place names, and wayfinding • Recognize First People
Initial next steps and deadlines (Present >24 mos.)	<ul style="list-style-type: none"> • Translate existing signs • Identify locations for phased implementation • Coordinate with state Department of Transportation and others as needed • Coordinate with Chilkat Indian Village
Measures of success	<ul style="list-style-type: none"> • Signs in place • Replace existing welcome signs with “Welcome to Haines/Deishu” • Signs referencing Ripinsky should read “Ripinsky/Gei-Sun”
Lead Partners	<ul style="list-style-type: none"> • Haines Borough (Douglas Olerud) • Chilkoot Indian Association (Harriet Brouillette.) • Chilkat Indian Village (Brian Willard)
Supporting cast	<ul style="list-style-type: none"> • State Department of Transportation (add name) • State Parks (Preston Kroes)
Potential needs and resources	<ul style="list-style-type: none"> • Potential funding sources include: Tribal Transportation, State of Alaska, State Parks, Denali Commission

Action 2.2 – Improve mapping of existing trails (paper and digital).

What is this? Why is it important? Who benefits?	This action helps to: <ul style="list-style-type: none"> • Provide information to visitors and new/existing residents • Ensure that maps include information such as level of difficulty in order to mitigate safety concerns with people venturing onto trails that are beyond their experience • Protect sacred places
Initial next steps and deadlines	<ul style="list-style-type: none"> • Create a map of existing trails • Identify locations for public/private access • Create short, medium, long-term goals for trail access

(Present >24 mos.)	<ul style="list-style-type: none"> ● Create educational information for property owners about trail access and easements ● Meet with property owners to obtain easements for existing trails
Measures of success	<ul style="list-style-type: none"> ● Maps available for visitors/new residents ● Increased use of trails
Lead Partners	<ul style="list-style-type: none"> ● Haines Economic Development Corporation (Cindy Zuluaga Jimenez) ● Takshanuk Watershed Council (Derek Poinsette) ● Chilkoot Indian Association (Zach Wentzel) ● Chilkat Indian Village (Natalie Dawson)
Supporting cast	<ul style="list-style-type: none"> ● Department of Transportation ● State Parks (Preston Kroes) ● Haines Huts and Trails (Dennis Geasan)
Potential needs and resources	<ul style="list-style-type: none"> ● Human resources ● Community support ● Funding for printing maps ● An organization to host digital information (Haines Huts and Trails has mapped Haines trails into GIS) – possibilities include Haines Visitor Center, Haines Borough, State Parks, NPS

Action 2.3 – Establish a committee that meets annually to review signage needs and trails.

What is this? Why is it important? Who benefits?	<p>This action helps to:</p> <ul style="list-style-type: none"> ● Evaluate progress ● Create an opportunity to incorporate new people and ideas ● Identify maintenance concerns ● Update maps/signage as needed
Initial next steps and deadlines (Present >24 mos.)	<ul style="list-style-type: none"> ● Coordinate key partners to understand current initiatives and establish meeting schedule
Measures of success	<ul style="list-style-type: none"> ● Annual meeting occurs ● Forward progress
Lead Partners	<ul style="list-style-type: none"> ● Chilkoot Indian Association (Harriet Brouillette) ● Haines Economic Development Corporation (Cindy Zuluaga Jimenez)
Supporting cast	<ul style="list-style-type: none"> ● Chilkat Indian Village (Zach Wentzel) ● State Parks (Preston Kroes) ● Community members ● Department of Natural Resources (Tom Boyle) ● Haines Borough/Planning Committee

	<ul style="list-style-type: none"> ● State Department of Transportation ● Haines Borough Department of Public Works
Potential needs and resources	<ul style="list-style-type: none"> ● Staff time to organize ● Location to meet

Additional Goal 2 Actions

Participants also brainstormed these additional action ideas during the workshop. While these actions were not detailed further during the workshop, they could also support implementation of Goal 2.

- Logical foot traffic flow and signage – for example, from cruise ship dock counterclockwise along Front Street to the Lighthouse Bar up Main Street to 3rd Street past the Library to Bald Eagle Center and back to cruise ship via Haines Highway
- Google online listings for businesses (HEDC working on a complete Haines business list hosted under the Local Frequency app) and recreation assets
- Redo Haines Highway signage – “scenic view?”
- Have Borough engage with DOT for plans to install signage
- Work with Chilkoot Indian Association and Borough for info signs
- Signage for trails
- Create updated local trail map for visitors (Haines for Hikers guide updated 2021 by Jeff Moskowitz)
- Trail maps – where trails are, signage on the trail (easy to get lost), map of trails as you hike
- Digital and print maps of in-town and wilderness trails
- Tlingit language signs incorporated throughout Deishu and Tlingit wilderness
- Signage – acknowledge our colonizing past; change Haines back to Deishu
- Review signage efforts from 8-10 years ago; plan needs update; reflection

Goal 3 – Physical Connections: Identify transportation, trail, and infrastructure improvements that are needed to connect people from arrival points to downtown Haines and to nearby outdoor recreation opportunities in the Chilkat Valley.

Haines has a walkable downtown, but getting to it can be a challenge. While Haines is fortunate to be one of only three communities in Southeast Alaska that is connected to the rest of the United States via road, many visitors arrive by ferry/ cruise ship or airplane. These points of arrival are disconnected from the downtown with no access to public transportation. In addition, many of the nearby recreation and cultural amenities are only accessible by car. Providing shuttle services, along with safe options for people to walk and bike, encourages physical activity among residents and visitors, reduces the reliance on motor vehicles, increases equitable access to community amenities, and reduces infrastructure costs (such as parking) and carbon emissions. Supporting improvements such as shuttles, shared use paths, bike lanes and sidewalks, that connect existing transportation infrastructure to nearby recreational and

cultural assets will elevate Haines’ image as a community that promotes equitable access to physical activity, considers safety, and accommodates limited mobility.

Participants: Natalie Dawson, Eben Sargent, Lindsay Johnson, Chip Lende, Derek Poinsette, Katie Craney

Action 3.1 – Make a list of trail maintenance projects (priorities).

<p>What is this? Why is it important? Who benefits?</p>	<p>This action helps to:</p> <ul style="list-style-type: none"> ● Ensure that trails are well-maintained, improving safety of users ● Show stewardship of existing assets ● Prioritize maintenance projects ● Provide benefits to the community and to visitors ● Provide access to beaches/trails in winter (by plowing the pullouts, berms, parking areas, etc.)
<p>Initial next steps and deadlines (Present >24 mos.)</p>	<ul style="list-style-type: none"> ● Spring/after thaw – Conduct ground surveys through a combination of volunteer observations and formal survey ● Meet to decide on survey technique in April 2023 ● Identify easement issues ● Create a process for prioritization
<p>Measures of success</p>	<ul style="list-style-type: none"> ● A prioritized list of maintenance needs exists ● Projects are being completed ● Community engagement is high ● People are aware of and use the list to report maintenance issues
<p>Lead Partners</p>	<ul style="list-style-type: none"> ● Haines Huts and Trails (Kevin Forster)
<p>Supporting cast</p>	<ul style="list-style-type: none"> ● Haines State Forest (Greg Palmeri) ● State Parks (Preston Kroes) ● University of Alaska (Kirsten Henning) ● Haines Borough – Public Works (Edward Coffland) ● Takshanuk Watershed Council (Derek Poinsette) ● Mental Health Land Trust (Jusdi Warner) ● Private Landowners
<p>Potential needs and resources</p>	<ul style="list-style-type: none"> ● Jeff Moski – GIS consultant ● Dennis Geason – GIS Consultant, Haines Huts and Trails Board ● Graham Kraft – Google Earth extraordinaire ● Existing lists for state land – talk to Greg Schlachter ● Recreational Trails Program funding for maintenance ● Dedicated time for ground truthing ● Digital trail inventory ● Data crunch, website /app

Action 3.2 – Plan and build a trail that connects Takshanuk to the fairgrounds.

What is this? Why is it important? Who benefits?	<p>This action helps to:</p> <ul style="list-style-type: none"> • Connects important destinations in town in an easily-accessible way • Build on the fact that there is a willing landowner • Take advantage of the fact that there is parking on either end of the trail
Initial next steps and deadlines (Present >24 mos.)	<ul style="list-style-type: none"> • Takshanuk Watershed Council Board will work with adjacent landowners to identify the route • Secure land easements (Susan Pax at the Borough) • Phase 1 – Plan – flag the route and identify needed infrastructure (1-3 years) • Phase 2 – Construct (3-5 years) • Call for volunteers to build the trail
Measures of success	<ul style="list-style-type: none"> • Announcement that it’s “open to the public” • People can follow the trail with less than 6 flags • It’s safe • Formal landowner agreements are in place
Lead Partners	<ul style="list-style-type: none"> • Takshanuk Watershed Council (Derek Poinsette) • Haines Huts and Trails (Eben Sargent)
Supporting cast	<ul style="list-style-type: none"> • Haines Borough (Susan Pax) • Haines Economic Development Corporation (Cindy Zuluaga Jimenez)
Potential needs and resources	<ul style="list-style-type: none"> • Volunteers/trail crew to build a trail • Funding for materials

Action 3.3 – Have focused discussions about long-term organizational capacity/governance related to trails.

What is this? Why is it important? Who benefits?	<p>This action helps to:</p> <ul style="list-style-type: none"> • Move forward on further (big) projects and ensure sustainability for trail initiatives
Initial next steps and deadlines (Present >24 mos.)	<ul style="list-style-type: none"> • Look at case study examples and models (for example, Sitka Trail Works) • Re-engage with NPS-RTCA when ready for larger process to build out the trail network
Measures of success	<ul style="list-style-type: none"> • Organizer is identified • Stakeholders from different groups in Haines are engaged in these discussions and in trail planning
Lead Partners	<ul style="list-style-type: none"> • Outdoor Recreation Manager (TBD)
Supporting cast	<ul style="list-style-type: none"> • Haines Borough Parks & Rec committee • HEDC (Cindy Zuluaga Jimenez) • Haines Huts and Trails (Natalie Dawson)

Potential needs and resources	<ul style="list-style-type: none"> • Funding to support the organization that hosts the Recreation Manager Position (possible overlap with Action 1.2)
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Action 3.4 – Improve winter maintenance of trail parking/beach access.

What is this? Why is it important? Who benefits?	<p>This action helps to:</p> <ul style="list-style-type: none"> • Serve residents and tourists • Provide access to beaches/trails in winter (for example, plowing the pullouts, berms, parking areas)
Initial next steps and deadlines (Present >24 mos.)	<ul style="list-style-type: none"> • Identify specific winter maintenance concerns (could be combined with Action 3.1) • Establish lines of communication with land owner(s)/managers • Identify potential volunteer maintenance activities • Promote community collaboration
Measures of success	<ul style="list-style-type: none"> • Borough alliances with state, federal, and local entities
Lead Partners	<ul style="list-style-type: none"> • HEDC (Cindy Zuluaga Jimenez) • Chamber of Commerce (Lee Zion) • RERC planning participants
Supporting cast	<ul style="list-style-type: none"> • Community
Potential needs and resources	<ul style="list-style-type: none"> • Funding for extra plowing pullouts and trailhead access https://dnr.alaska.gov/parks/grants/lwcf.htm

Action 3.5 – Meet with University of Alaska and Mental Health Trust Lands to solidify Memorandum of Understanding (MOU) on recreational trail access and maintenance.

What is this? Why is it important? Who benefits?	<p>This action helps to:</p> <ul style="list-style-type: none"> • Coordinate efforts to communicate with different landowners in Haines that must grant permission for the public to use their land for recreation • Solve the access issue, making recreation opportunities possible
Initial next steps and deadlines (Present >24 mos.)	<ul style="list-style-type: none"> • Identify the scope of the MOU (what partners to include – state/fed) • Draft and finalize MOU

Measures of success	<ul style="list-style-type: none"> ● MOU is in place ● Trails are formalized
Lead Partners	<ul style="list-style-type: none"> ● Haines Huts and Trails (Natalie Dawson)
Supporting cast	<ul style="list-style-type: none"> ● University of Alaska (Kirsten Henning) ● Mental Health Trust Lands (Jusdi Warner) ● State Forest (Greg Palmeri) ● Bureau of Land Management ● USDA Forest Service (Jason Anderson, Tristan Fluharty) ● Haines Borough (Annette Krietzer) ● Haines Borough Public Works (Ed Coffland) ● State Department of Transportation
Potential needs and resources	<ul style="list-style-type: none"> ● Model MOU

Action 3.6 – Identify transportation gaps and find a way to fill them, particularly between airport and ferry terminals and for accessing downtown Haines.

What is this? Why is it important? Who benefits?	<p>This action helps to:</p> <ul style="list-style-type: none"> ● Expand transportation options to/from Haines, which is currently limited to air or boat travel, both of which are weather dependent ● Expand public transportation, safe walking or biking routes, and/or reliable car service from arrival points to downtown Haines and local cultural/recreational assets
Initial next steps and deadlines (Present >24 mos.)	<ul style="list-style-type: none"> ● Connect Haines team with Robin Phillips at the Rural Transit Assistance Program (RTAP) ● Reach out to Alaska DOT ● Connect with existing Haines Coordinated Transportation Plan
Measures of success	<ul style="list-style-type: none"> ● Coordinated Transportation Plan priorities and funding requests expanded in 2024 review process ● Award of SS4A DOT grant ● SS4A planning committee established
Lead Partners	<ul style="list-style-type: none"> ● Haines Borough (Annette Krietzer) ● Chilkoot Indian Association (Zach Wentzel) ● Chilkat Indian Village (Natalie Dawson)
Supporting cast	<ul style="list-style-type: none"> ● Southeast Alaska Independent Living (SAIL) ● Alaska Seaplanes ● Alaska Marine Highway System ● Safe Haines Highways

	<ul style="list-style-type: none"> ● Local businesses ● Haines Borough ● Fjordlines ● Allen Marine ● Aspen Suites Hotel
Potential needs and resources	<ul style="list-style-type: none"> ● Plan and schedule(s) ● Transportation Start-up business or develop dispatch coordination using existing shuttle services

Additional Goal 3 Actions

Participants also brainstormed these additional action ideas during the workshop. While these actions were not detailed further during the workshop, they could also support implementation of Goal 3.

- Identify needed bike lanes on highway and local roads
- Acquire needed easements and access for trails, bike routes, etc. – waterfront trail
- Plow pullouts and berms to improve beach and trail access
- Improve ferry scheduling and reliability
- Build and sign multi-use trail along highway between airport-town-ferry terminal
- Make Takshanuk Mountain Road a public trail to link up and over ridge hike
- Build hiking trail to glacier above Chilkoot Lake
- Create a mountain bike trail park (Jones Point to Fair)
- More trails accessible from town
- Develop a network of multi-purpose trails to connect key points to town
- Create Memorial Park Beach Road landslide area
- Learn how to maintain ice skating trails on frozen lakes
- Lobby the Borough Manager and Assembly to provide for trail maintenance, comprehensive planning, a certified planner for the community
- Less than \$30K would solve infrastructure gap for volunteer grooming of winter multi-use trails
- Facilitate shuttle – subsidy or at least remove permitting barriers
- Encourage borough to create public/private partnership to provide shuttle service
- Develop schedule sensitive shuttle service from ferry to airport
- Incentivize local stakeholder businesses such as hotels and seaplanes to extend their shuttle service to the public by offering tax rebates or permitting exemptions, reduce regulatory burden on private enterprise wishing to offer Uber, Lyft, Turo, or hippy bus rideshare services
- Increase public/private local transportation options
- Partner with DOT to develop safe bike lanes along the Highway, Mud Bay, and Lutak Roads
- Fund trail access purchase and/or easements to resolve access issues for existing trails
- Acquire needed easements for multi-purpose waterfront trail
- Work with private landowners to develop trail plan
- Ask community members to map routes they would like to see used as trails

- Task planning commission with brainstorming ideas to increase short-term housing without impacting long term housing stock

Goal 4 – Stewardship and Authenticity: Preserve, celebrate, and empower the natural, cultural, and historic resources that make Haines a unique and healthy place to live, work, play, and visit.

As Haines continues to build recreation opportunities and increase use of outdoor amenities, there also needs to be a focus on celebrating the stewardship of the cultural, natural, and historic resources that make Haines the unique destination that it is. This effort requires both locals and visitors to understand and care for these assets, while building partnerships. The Chilkoot Indian Association and Chilkat Indian Village are in the process of developing a Cultural Tourism Program and there is increased discussion around reviving the Bald Eagle Festival. Each of these provides opportunities to draw tourists and raise awareness of the unique assets that exist in Haines and the need to preserve them.

Participants: Ellen Larson, Tracy Wirak Cassidy, Anne Marie Palmieri, Cindy Zuluaga Jimenez

Action 4.1 – Support tribal organizations in developing cultural tourism plans and opportunities to highlight traditional indigenous places and histories.

<p>What is this? Why is it important? Who benefits?</p>	<p>This action helps to:</p> <ul style="list-style-type: none"> • Recognize that traditional indigenous culture is foundational to who we are as a community and where we live • Support Klukwan and the Chilkat Indian Village, which are in the process of developing cultural tourism plans
<p>Initial next steps and deadlines (Present >24 mos.)</p>	<ul style="list-style-type: none"> • Identify partners and hold initial meeting • Inventory existing assets and identify what’s missing • Coordinate with storyboard project at the library and existing kiosks
<p>Measures of success</p>	<ul style="list-style-type: none"> • Cultural Tourism Plans are adopted by elders • Signage with QR codes on trailhead signs (Tanani point, Jones Point, Chilkoot Lake, etc.) exist • Road signs – place names are updated • A self-guided walking tour of traditional art and historical places is created
<p>Lead Partners</p>	<ul style="list-style-type: none"> • Chilkoot Indian Association • Klukwan Indian Village
<p>Supporting cast</p>	<ul style="list-style-type: none"> • RERC Steering Committee • HEDC (Cindy Zuluaga Jimenez) • Haines Borough (Mayor Olerud) • University of Alaska (Kirsten Henning) • Haines Library

Potential needs and resources	<ul style="list-style-type: none"> ● Landowners ● Funding (Central Council of the Tlingit and Haida Indian Tribes of Alaska, and AIANTA) ● Access to storyboard at the library ● Committed local group to drive
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Action 4.2 – Evaluate options to create an authentic town square.

What is this? Why is it important? Who benefits?	<p>This action helps to:</p> <ul style="list-style-type: none"> ● Create a gathering place (for people, food truck options, farmers market, food vendors, outdoor concerts) ● Recognize that the 10-year moratorium on development at 3rd and Main ended, creating a potential opportunity for the community
Initial next steps and deadlines (Present >24 mos.)	<ul style="list-style-type: none"> ● Petition Borough assembly to maintain the lot as a public space ● Assess different options for the location of the town square ● Coordinate with a variety of planning efforts with local nonprofits and private landowners ● Address this issue in the community Comprehensive Plan process ● Identify desirable traits for a town square to help inform the location
Measures of success	<ul style="list-style-type: none"> ● Central trail hub exists ● 3rd and Main property is reused ● Mural Map with Tlingit place names exists
Lead Partners	<ul style="list-style-type: none"> ● Haines Economic Development Corporation (Cindy Zuluaga Jimenez) ● Haines Borough (Mayor Olerud) ● Central Council of the Tlingit and Haida Indian Tribes of Alaska (Ray Paddock, Jill Weitz)
Supporting cast	<ul style="list-style-type: none"> ● Takshanuk Watershed (Derek Poinsette) ● Chilkat Valley Compost Center ● Haines Borough Planner ● Visitor Information Center (Rebecca Hylton) ● KHNS to spread information about efforts (Dawn Drotos)
Potential needs and resources	<ul style="list-style-type: none"> ● Funding for seating, tables, or other infrastructure to make a functional gathering space ● Transfer center for compost ● National Endowment for the Arts - Our Town Grant

Action 4.3 – Protect local watersheds, wildlife habitat, and migratory corridors.

What is this? Why is it important? Who benefits?	<p>This action helps to:</p> <ul style="list-style-type: none"> ● Recognize that the natural assets of this region are why we live here and why people visit and are important to protect ● Recognize that any kind of recreational development needs to carefully consider impacts to fish and wildlife, and mitigate these impacts to the
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	greatest degree possible; no animal has yet been displaced from the Chilkat Valley and we want to keep it that way
Initial next steps and deadlines (Present >24 mos.)	<ul style="list-style-type: none"> • Ongoing collaboration, communication, and education • Educate tour guides how to reduce their impact on ecosystem and wildlife
Measures of success	<ul style="list-style-type: none"> • Public officials, elected officials, and committee members are appointed who represent these goals
Lead Partners	<ul style="list-style-type: none"> • Takshanuk Watershed Council (Derek Poinsette) • Chilkoot Indian Association (Zach Wentzel) • Chilkat Indian Village • Individuals (Kathleen Menke)
Supporting cast	<ul style="list-style-type: none"> • Bald Eagle Wildlife Center • Takshanuk Watershed Council • Community • EPA Region 10 • Haines Borough Planner • NOAA (Grace Bottitta-Williamson) • National Parks Service (Cliff McCreedy) • Alaska Department of Environmental Conservation (Marc Thomas) • Audubon Society • Department of Natural Resources (Tom Boyle) • Lynn Canal Conservation (Torrey Larson)
Potential needs and resources	<ul style="list-style-type: none"> • Interagency collaboration • Funding for conservation easements

Additional Goal 4 Actions

Participants also brainstormed these additional action ideas during the workshop. While these actions were not detailed further during the workshop, they could also support implementation of Goal 4.

- Create a set of loaner gear or a gear fund: trekking poles, snow shoes, rain gear, xtra tuffs, rubber boots so families and visitors can get outside
- Reconstruct the living culture of the trade routes throughout the region (grease trail, trails/routes to the coast)
- Install signs and informational pamphlets that identify plants, berries, birds (for enjoyment and subsistence activities)
- Include pronunciations for native names on signs
- Tlingit culture a natural experience for all residents, visitors, and explorers in Deishu
- Tribal land ownership and management

- Highlight traditional indigenous places and history – this is Jilkat Aani – across visitor information resources; make it accessible to locals
- Groundbreaking agreement signed in the Chilkat Valley: tribal, federal, state partners
- Maintain berry picking areas
- Consider opportunities for wood gathering, group gatherings, elder access for subsistence activities (purpose driven recreation)
- Install EV charging stations
- Ensure visitors and tour groups respect local use of outdoor resources; ensure locals' experiences are not degraded
- Respect local needs for outdoor and wilderness access – reduce impact from larger scale tourism on trails used by locals
- Develop better communication between local tour groups and locals when conflict arises

IMPLEMENTATION AND NEXT STEPS

Since the workshop, the following early activities have taken place to help advance the community's goals:

- HEDC and Haines Huts and Trails were awarded a grant from the Denali Commission to fund a Recreation Coordinator position.
- The Haines Borough and Chilkoot Indian Association installed the first Tlingit signs in Chilkoot Estates (Chilkoot Loop; Chilkoot Street).
- Haines Huts and Trails secured a Crossett Foundation grant for a snow machine for grooming cross-country skiing in the wintertime.
- HEDC is looking for funding sources to implement Town Square digital renditions created by Larry Larson.
- HEDC will look for a trail company to evaluate needed trail upgrades and projected maintenance costs. Borough has \$20K for funding.
- Haines Borough partnered with Chilkoot Indian Association on a Safe Streets for All (SS4A) Planning Grant submitted July 10, 2023. Confer with Borough and CIA to ensure inclusive planning process in this effort (accessibility in all plans).
- HEDC is updating its 5-year Strategic Plan to incorporate RERC actions and planning results.
- Haines Borough contracted with Agnew-Beck to update its Comprehensive Plan. Borough is delaying decision to sell borough property at Main Street and Second Avenue until decision is made on public use.
- Chilkoot Indian Association has applied for a grant to fund EV charging stations.
- Chilkoot Indian Association is in the early stages of developing a cultural tourism program.
- Haines Borough hired a Planner.
- Ports and Harbor Advisory Board nominated Brittany Dunbar, a Chilkoot Indian Association Transportation staffer active in outdoor winter recreation, to serve as a board member.
- Alaska Outdoor Alliance Conference meeting is happening on September 26-28 2023 in Fairbanks.
- HEDC Applied to Outdoor Recreation Roundtable grant to add trail capacity to Jones Point trailhead.
- Haines Huts and Trails volunteers constructed first hut.

APPENDICES

- *Appendix A – Contact List*
- *Appendix B – Workshop Exercise Results*
- *Appendix C – Funding and Technical Assistance Resources*
- *Appendix D – References*

APPENDIX A: CONTACT LIST

Everyone who registered for or participated in the Haines RERC process in some capacity is listed below.

<i>Role</i>	<i>First Name</i>	<i>Last Name</i>	<i>Affiliation</i>	<i>Email</i>
Federal Partner	Jason	Anderson	Tongass National Forest	jason.c.anderson@usda.gov
Federal Partner	Zach	Babb	National Park Service - Rivers, Trails, and Conservation Assistance Program	zachary_babb@nps.gov
	Austin	Badger		austinearlebadger@gmail.com
Community Member	Katie Emma	Begly	Seaplanes	sobospider@yahoo.com
Federal Partner	Steph	Bertaina	U.S. EPA Office of Community Revitalization	bertaina.stephanie@epa.gov
Steering Committee Member	Harriet	Brouillette	Chilkoot Indian Association	hbrouillette@chilkoot-nsn.gov
Federal Partner	Steve	Brown	US Small Business Administration	STEVEN.BROWN@SBA.GOV
Community Member	Cindy	Buxton	Resident	cindyb@alaskageos.com
Community Member	Nathan	Cote	Community Member	nathangcote@yahoo.com
Steering Committee Member	Dustin	Craney		dustin@sockeyecycle.com
Local Partner	Katie	Craney		katieionecraney@gmail.com
Community Member	Kyle	Clayton		
Community Member	Leanne	Converse	Haines Resident	cleanne@aptalaska.net
Community Member	Darsie	Culbeck	HEDC	darsie@live.com
Steering Committee Member	Natalie	Dawson	Haines Huts and Trails	natalie@alaskaventure.org
Federal Partner	Lizzy	Dean	National Park Service Rivers, Trails, and Conservation Assistance Program	elizabeth_v_dean@nps.gov
Community Member	Dawn	Drotos	KHNS	mergus_ak@yahoo.ca

<i>Role</i>	<i>First Name</i>	<i>Last Name</i>	<i>Affiliation</i>	<i>Email</i>
Community Member	Leslie	Evenden		
Community Member	George	Figdor	Borough Parks and Rec Committee	figdor@aptalaska.net
Federal Partner	Tristan	Fluharty	Tongass National Forest	tristan.fluharty@usda.gov
Community Member	Kristine	Harder	Resident & Business Owner	buckshot.kristine@gmail.com
Community Member	Meghan	Hart	Chilkoot Indian Association	meghan.alexandra.hart@gmail.com
State Partner	Kirsten	Henning	University of Alaska Lands Office	UALandHaines@gmail.com
Steering Committee Member	Shawna	Hotch	Jilkaat Kwaan Heritage Center & Chilkat Indian Village (Klukwan)	shotch@chilkat-nsn.gov
Local Partner	Rebecca	Hylton	New Tourism Director of Haines	rebahylton907@gmail.com
Community Member	Matthew	Jillson	Videographer	alpinejillson@gmail.com
Community Member	Lindsay	Johnson	Haines Huts And Trails, Fairweather Ski Works	alaskawaterwoman@gmail.com
Community Member	Jess	Kayserforster	Community Development Consultant	kayserforster@gmail.com
Steering Committee	Annette	Kreitzer	Haines Borough	akreitzer@haines.ak.us
Steering Committee	Preston	Kroes	Alaska State Parks	preston.kroes@alaska.gov
Community Member	Ellen	Larson	community member	ellen.larson@nau.edu
Community Member	Larry	Larson	community member	llarson@deadtreedesign.com
Community Member	Chip	Lende	H.E.D.C. board member	chiplende@gmail.com
Steering Committee Member	Andrew	Letchworth	Haines Chamber of Commerce	Director.haineschamber@outlook.com
Community Member	Sue	Libenson	Self	suelibenson@gmail.com
Community Member	Alyson	Martin	Community	alysonmartin@gmail.com
Community Member	Kathleen	Menke	community member	ci@akmk.com

<i>Role</i>	<i>First Name</i>	<i>Last Name</i>	<i>Affiliation</i>	<i>Email</i>
Community Member	Tom	Morphet	Haines Ski Club	tommorphet1@gmail.com
Community Member	Jeff	Mushowitz	Haines Avalanche Center	jeff@alaskasnow.org
Federal Partner	Erik	O'Brien	Denali Commission (federal)	eobrien@denali.gov
Steering Committee Member	Douglas	Olerud	Haines Borough	dolerud@haines.ak.us
State Partner	Anne Marie	Palmieri	Alaska Department of Environmental Conservation	annemarie.palmieri@alaska.gov
Steering Committee Member	Greg	Palmieri	SOA - DNR, DOF Haines	greg.palmieri@alaska.gov
Facilitation Team	Ángel	Peña	Nuestra Tierra Conservation Project	angel@nuestra-tierra.org
Community Member	Derek	Poinsette	Takshanuk Watershed Council	derek@takshanuk.org
Facilitation Team	Amanda	Poncy	EPR P.C - facilitation team	a.poncy@epr-pc.com
Community Member	Rachel	Saitzyk	Haines Bodywork and Restorative Massage	rachelsaitzyk@gmail.com
Community Member	Eben	Sargent	Haines Huts and Trails	ebensargent@gmail.com
Community Member	Greg	Schlachter	Haines Huts and Trails	Greg@expeditionbroker.com
	Debra	Schnabel	Haines Borough/Citizen	debra.schnabel@gmail.com
Steering Committee	Morrigan	Shaw	Klukwan	mshaw@chilkat-nsn.gov
Community Member	Burl	Sheldon	Self	burlsheldon58@gmail.com
Community Member	Ray	Staska	Haines Ski Club	staska@aptalaska.net
Community Member	Shannon	Stevens	Resident	shannoncaitlin@gmail.com
Local Partner	Erik	Stevens	Haines Avalanche Center	erikstevens@gmail.com
State Partner	Marc	Thomas	Alaska Department of Environmental Conservation	marc.thomas@alaska.gov
Community Member	Don	Turner Jr.		

<i>Role</i>	<i>First Name</i>	<i>Last Name</i>	<i>Affiliation</i>	<i>Email</i>
Steering Committee Member	Carol	Tuynman	Tourism Advisory Board member	ctuynman@gmail.com
Community Member	Michael	Wald		michael@arcticwild.com
Steering Committee Member	Zach	Wentzel	Chilkoot Indian Association	zwentzel@chilkoot-nsn.gov
Community Member	Russ	White	Haines Resident	rustlew@aptalaska.net
Steering Committee	Brian	Williard	Chilkat Indian Assocation	bwillard@chilkat-nsn.gov
Community Member	Tracy	Wirak-Cassidy	Takshanuk Watershed Council	tracy@takshanuk.org
Steering Committee Member	Cindy	Zuluaga Jimenez	Haines Economic Development Corp	cindy@hainesedc.org

APPENDIX B: WORKSHOP EXERCISE RESULTS

The Recreation Economy for Rural Communities workshop with Haines, Alaska involved several exercises that helped define workshop participants' vision, goals, and actions they wish to take to strengthen outdoor recreation and downtown revitalization efforts in their community. The following appendix documents many of these activities that shaped the action plan developed through this planning process. This appendix summarizes the following:

- Visioning and Values Exercises
- Opportunities and Challenges Exercise
- Assets and Opportunities Mapping Exercise
- Itinerary Planning Exercise
- Offers and Asks
- Additional Written Comments

Visioning and Values Exercises

As a part of the workshop’s opening session, participants were asked to illustrate their broad vision for Haines by sharing their favorite thing about the community and by sharing what outdoor recreation looks like to them. The planning assistance team created word clouds summarizing the responses to highlight the most common words and phrases participants used in answering these prompts. The word clouds and complete responses are listed below. Additionally, participants brainstormed aspirational headlines that they’d like to read in the local newspaper in 3-5 years, describing something great that has happened in Haines. The headlines are listed below. On the second day of the workshop, participants also responded to the question, “What are you most excited about for this process?” Those responses are also included below.

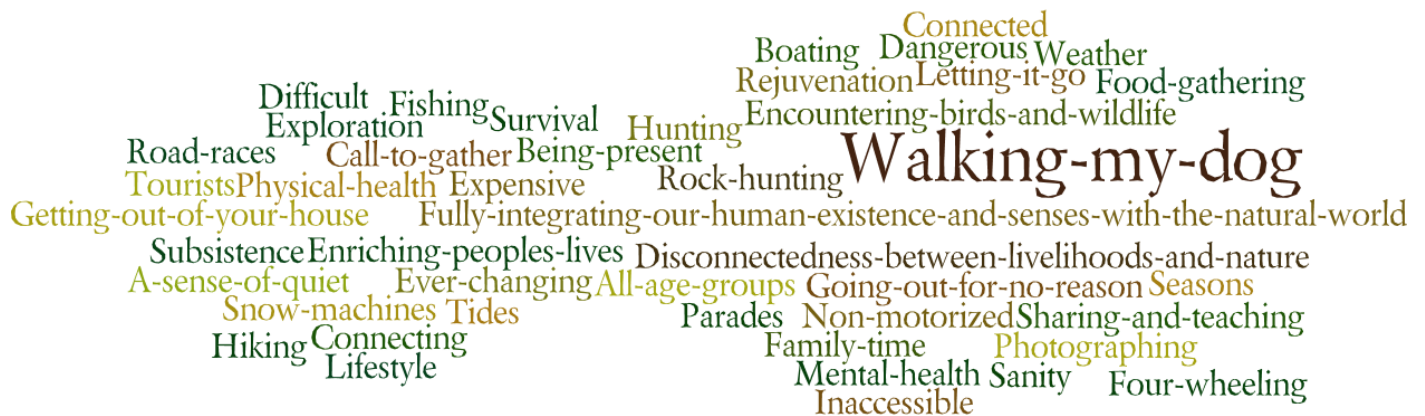
What is Your Favorite Thing About Haines?



- People
- Mt.-Riley-Summit
- Mountains
- Community
- Winter-Sports
- Skiing
- Snow-machines
- Skiing
- Economics
- Winter-recreation
- Fishing
- Moving-water
- New-ideas
- Biking
- Stories
- Weather
- Snow
- Growing-season
- Smell-of-cottonwood-in-the-spring
- Geology
- Scenery
- Subsistence-fishing
- Gardening
- Hunting
- Indigenous-culture-and-ties-to-land
- Chilkat-River
- Forest
- Fish

- Wildlife
- Clean-water
- Undeveloped
- Energy
- Early-morning-road-biking
- Interconnectedness
- Water
- Epic-snowboarding
- Where-the-ocean-freshwater-and-forests-meet
- Where-the-ocean-river-sea-and-mountains-meet
- Bald-eagles
- Majesty
- Wildness
- Confluence
- Natural-assets
- Access-to-waterfront
- Diverse-and-down-to-earth-people
- Storms-rolling-up-the-canal

What Does Outdoor Recreation Look Like to You?



- Call-to-gather
- Road-races
- Parades
- Lifestyle
- Food-gathering
- Fishing
- Hunting
- Tourists
- Non-motorized
- Snow-machines
- Walking-my-dog
- Sharing-and-teaching
- Enriching-people’s-lives
- Getting-out-of-your-house
- Sanity
- Family-time
- Survival
- Exploration
- Going-out-for-no-reason
- Rock-hunting
- Boating
- Four-wheeling
- Disconnectedness-between-livelihoods-and-nature
- Connecting
- Letting-it-go
- Being-present
- Subsistence
- Expensive
- Ever-changing

- All-age-groups
- Rejuvenation
- Fully-integrating-our-human-existence-and-senses-with-the-natural-world
- Physical-health
- Mental-health
- Connected
- Difficult
- Dangerous
- Inaccessible
- Hiking
- Walking–my-dog
- Photographing
- Seasons
- Tides
- Weather
- Encountering-birds-and-wildlife
- A-sense-of-quiet

Making Headlines

- *Nonprofit formed to address trails, parks, and public use cabins:* Local government created a designated funding source to help build and maintain outdoor public recreation infrastructure.
- *Tech company opens office in Haines.*
- *Ski lift opens on local peak!* Partnership between public, private, and tribal groups brings long-pondered idea to life. Locals of all walks of life and political tendencies seen skiing together on the slopes!
- *Haines gets the long awaited ski lift:* Through connecting with the right entities and funding construction on a ski lift begins this spring and will be operational by first snow. Property values have increased and several new investments are being made in hotels, guest houses, and restaurants. The community is all stoked to see this development.
- *RERC workshop pays dividends:* New report by HEDC shows the outdoor economy in Haines has grown by a whopping 1000%!
- *DOT agrees to construct roundabout and redirect travelers to downtown Haines:* After years of watching road traffic diverted to Lutak bypassing Haines, DOT and local officials have agreed to direct road traffic directly to 3rd Avenue.
- *Get lost in Haines to find yourself!*
- *Groundbreaking agreement signed in the Chilkat Valley for public access:* Federal, state, tribal, borough governments sign MOU with University of Alaska and Mental Health Trust Authority for access to nearby public lands.
- *Town trail system opens:* Local groups and landowners collaborate to open four season use trails to public.
- *Borough finalizes deal to build ski lift and nordic center in Four Winds Valley:* Partially funded by land trade to affordable housing developer.
- *Haines Borough affirms ordinance, encourages regenerative farming/land use:* Local food advocates working together to build soil and health.
- *Borough hires assistant to the manager to grow capacity for special projects:* Energy, recreation.
- *Borough extends homestead exemption to \$250K!* Enables people to afford their homes, frees up funds for improvements to their lives, Borough Assembly passes unanimously in show of community solidarity.

- *Chilkat River is declared an international salmon refuge.* Haines Borough acknowledges the salmon fishery as the most valuable resource in the Borough. Planning efforts underway to protect the resource in perpetuity.
- *Haines completes waterfront to mountains multi-day loop trail with historical and cultural signs and overnight huts:* Redevelops waterfront and works with multiple tribal and government agencies.
- *Haines winter economy booming:* More residents staying all year and visitors from region mean restaurants and businesses staying open.
- *New multi-use trails foster Haines high school to start a mountain bike club.*
- *Borough moves to elect Planning Commission:* Voters select new members with commitment to creating new public spaces and working for the public good.
- *Haines economy booming from recent trail & outdoor access investments:* Community organizations have joined forces for the past five years to invest in recreation infrastructure, making Haines a vibrant place to live and THE place to visit for outdoor access and adventure.
- *New trails opening, creating access to remote mountains.*
- *Entire Chilkoot Watershed is designated a collaborative Tribal/State/National wild, scenic, and recreational river.*
- *Chilkoot Indian Association requires stewardship of historic Ft. Seward Parade Grounds.*

One thing I'm excited about today...

- Your ideas
- The snow
- That you all are here
- Creating a plan and moving forward
- Glad that people are getting together to talk about recreation
- Action and collaboration
- Opportunity to see how planning can work
- Expanding
- Where other peoples values lie
- Community-led solutions
- Participation from outside of Haines
- Progress; these are ideas that have been talked about for a long time
- My coffee
- Opportunity to share our voices
- Listening to everyone's ideas
- Trail prospects
- Listening to what other people have to say
- Community-led, sustainable, basic sector economic growth
- Excited about signage and mountain bike trails
- That outdoor recreation is finally getting its due as part of Haines' economic package
- Talk more about possibilities for trails and ways to get user groups out on trails
- Looking forward to hearing what you have to share

- Funding opportunities
- Starting some new collaborations around these projects

Opportunities and Challenges Exercise

The planning team asked participants to identify Haines's opportunities and challenges on flip charts. The results of the compiled responses to the Opportunities and Challenges exercise are summarized below.

Opportunities:

- Most town places are close together so walking/biking is possible.
- Residents participate in a wide variety of outdoor activities.
- Strong leadership.
- Autonomy to recreate.
- The region's fantastic beauty.
- Our clean water and intact habitat are extremely generative of health and outdoor recreation.
- Haines Highway for biking.
- Many environments are adjacent – marine, mountains, rivers, alpine.
- Willingness to come together.
- Rich history and indigenous culture.
- Diversity of experiences.
- Nice wide main street.
- Accessibility to much of backcountry.
- Healthy and productive natural environments are the most valuable things on earth.
- We already have what everyone is looking for – healthy landscapes, clean air, and water.
- Incredible alpine trails.
- Eben Sargent.
- Extend trails systems.
- Existing intact ecosystem.
- Water sports recreation.
- Hiking Trails – Ripinsky, Riley, new.
- Haines has a unique opportunity to hike sea level to alpine in one day.
- Multi-day skiing (winter) and hiking/biking (summer) trails through publicly or privately owned refugios/cabins – market this internationally.
- Great river access – road access Canada/Juneau.
- Pristine blank canvas.
- Desire among locals to get outside when sun comes out.
- Proximity to wildlands.
- Pool/sauna.
- Consensus about the importance of outdoor opportunities to the Alaska lifestyle.
- Mentors needed to get traditionally-excluded communities to participate.
- Prioritizing small scale tourism.
- Natural assets – wild salmon, bears, glaciers, wild rivers.
- Professional guided services to the outback.
- In between (close to) both the capital of the Yukon and Alaska State Capitol.

- We are on the road system.
- Geographic location – assets like nearby national parks, forests, international protected areas.
- Public use cabins.
- Winter trails.
- Our location is extraordinary.
- Ski tourism.
- Diversity of experiences.
- Watershed protection.
- Habitat protection.
- Migratory bird corridor protection.
- Improved ferry service.
- Winter plowing of pullouts, parking areas, and trail access.
- Emphasize physical and mental health.
- More open and inclusive Planning and Zoning processes (also a challenge).
- World class surrounding wilderness environment.
- Harbor improvements.
- Community surrounded by state/federal land.
- Expanded trails... one would be a Chilkoot watershed overlook trail off Lutak (now used by snowshoers in winter) but could be improved for all users in the spring, summer, fall for hiking.
- Develop a trail, with a more structured runoff/stream (above and below culvert areas), natural vegetation, perhaps some garden spaces of love, in Beach Road landslide area, as a Memorial Park to David and Jenae. Important as others have said to involve State Parks.
- Encourage, perhaps require, new subdivisions of over 40 lots to include trails and at least one park in their plans. Otherwise, current recreation opportunities, already used to almost overcapacity, are going to become overcrowded.
- Our cultural assets here are amazing, we can do more with them.
- Consider signage using more Native place names.
- Water sports/kayaking/paddle-boarding are important to many. How can we improve access and the experience?
- Dog walking matters!
- Safe cycling corridors can be added.
- Tribal trail development.
- So many places/ways to be outdoors.
- Enthusiastic and diverse users.
- New trails in accessible areas (across the water) with new Huts to support use of trails.
- Avalanche Education Courses (bring in winter users).

Challenges:

- Year-round economy that will support services and food (restaurants).

- Seasonality: folks who aren't fully participating in any one place. No full time representation and engagement.
- Planning efforts investment in physical infrastructure.
- Zero sum game beliefs, residents who think for recreation to grow other industries must decline.
- Many of the people and entities making decisions about local development don't live here.
- Polarized over motorized/non-motorized.
- Locals displaced by tourism (fishing, camping, hunting, etc.).
- We are currently developing industries infrastructure that harms the values that would support an outdoor recreation economy.
- Lack of gear and activities can be expensive out here.
- Safe walking and biking trail off the road.
- Borough government.
- Lack of recreation infrastructure.
- Local politics.
- Plenty of rain.
- Communication and collaboration between local and tribal, state partners.
- Lack of designated non-motorized areas.
- Lack of public use cabins.
- State forestry has not transitioned to recreation as U.S Forest Service has.
- Some people on either side see outdoor recreation expansion as a tool to stop natural resources extraction (ie. timber, fishing, mining, etc. commercial) therefore it is resisted or pushed forward with agenda. Gets murky.
- City permitting restrictions.
- Slow permitting process.
- Transportation into Haines.
- No Borough-funded parks and recreation department.
- Developing recreation while also promoting and embracing responsibility.
- Lack of funding for trails, public use cabins, parks, ski area.
- Overuse by tourism - limits needed.
- Access to more trails.
- Lack of local community trail access in town.
- Lack of coordination between residents, local governments, state government, Tribes in resolving issues like park closures.
- High cost of transportation and lodging.
- Funding access.
- Mining.
- Ability to be creative.
- Galloping inflation.
- Landless tribe.
- Restaurants to feed people.
- Limiting or regulating opportunities to maintain quality of experience.
- Bears

- No restaurants open regularly.
- Unpredictable weather.
- Minimal visitor services, no restaurants open on a regular basis.
- Money and political willpower to develop and maintain recreation infrastructure.
- Tension between the desire for industrial-scale economic development and smaller scale recreation economy.
- Lack of public transportation options: ferry, planes to Haines due to state cutbacks.
- No designated local funding arm for recreation infrastructure improvements.
- Slow permitting.
- Expensive permitting.
- Limited permitting.
- Federal regulations (non-motorized are restrictions).
- High bed tax.
- Limited housing.
- Low wages.
- Politics.
- Legal access to current trails/mix of land ownership.
- Insular culture from certain population segments.
- Lack of state parks upkeep.
- Expensive and difficult to access town.
- Haters.
- Supporting travel infrastructure culture.
- Very little accessible infrastructure.
- Lack of community agreement on development (trails, boardwalk, etc.).
- Lack of access to the alpine (need a ski lift).
- Budget
- Entity collaboration
- Public processes that fail to invite community input
- Getting more diverse representation on Assembly, P & Z, and committees
- Information/resources
- Centralized information hub
- Safety information
- Winter access to beaches and trails that are bermed in by snowplows. Need budget and clarified responsibility for plowing pullouts and parking areas and trail access to beaches that are bermed in by plows or not plowed at all. Winter mental and physical health matters.
- Bear safety at Chilkoot during spring through autumn.
- Information about where to go.
- Land ownership status/lack of easements.
- Legit parking for many places.
- Community buy-in and agreement on a path forward.
- Improving access to agency land.

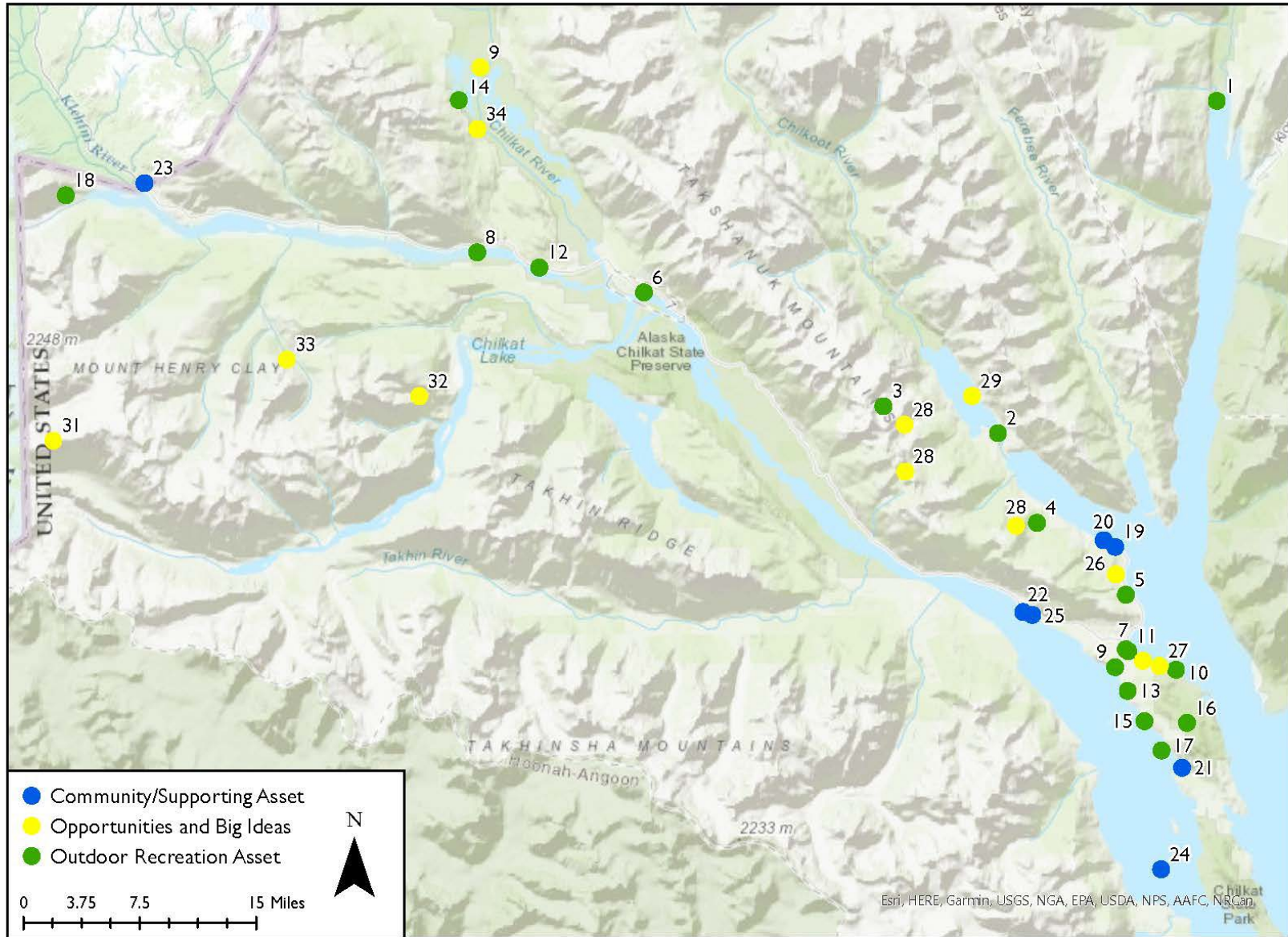
- Developing a shared community vision / generational traumas / extreme geography, weather and isolation that contribute to a wild + volatile place
How to overcome: honesty / forgiveness / acceptance / give-and-take mentality.
- Land ownership & red tape to build new trails.
- Lack of knowledge by tour guides and independent travelers on how to behave on trails + in the wilderness to avoid degradation of resources.
- Need buy-in from state forestry to transition from timber management in forests to recreation management as the US Forest Service has done (timber industry has declined).
- City permitting restrictions.
- Limited parking.
- No shuttle buses.

Assets and Opportunities Mapping Exercise

The workshop also included an exercise to help participants identify Haines's assets and opportunities by mapping outdoor recreation assets, community assets, and big ideas or opportunities.

County Map:

Type	Comment	Label
Outdoor Recreation Asset	Visitor entry point for small boats from Skagway	1
Outdoor Recreation Asset	Chilkoot Watershed	2
Outdoor Recreation Asset	Easy access glacier (currently no trail)	3
Outdoor Recreation Asset	Mumford's Trail	4
Outdoor Recreation Asset	Mt. Ripinsky established trail	5
Outdoor Recreation Asset	Klukwan	6
Outdoor Recreation Asset	Eagle Preserve	7
Outdoor Recreation Asset	Flower Mountain Road	8
Outdoor Recreation Asset	Chilkoot Indian Association trails	9
Outdoor Recreation Asset	Battery Point Trail	10
Outdoor Recreation Asset	Chilkat State Park	11
Outdoor Recreation Asset	Old Faithful Road	12
Outdoor Recreation Asset	Parade Grounds – re-acquired by tribe	13
Outdoor Recreation Asset	Mosquito Lake, Kelsall Road	14
Outdoor Recreation Asset	River Road to Car's Cove	15
Outdoor Recreation Asset	Mountain Reilly Trail	16
Outdoor Recreation Asset	Jones Point to River Road Trail	17
Outdoor Recreation Asset	Pass	18
Community/Supporting Asset	Two docks – city and tribal owned	19
Community/Supporting Asset	Ferry terminal	20
Community/Supporting Asset	Letrikoff Dock	21
Community/Supporting Asset	Haines Highway	22
Community/Supporting Asset	Border	23
Community/Supporting Asset	Waterways	24
Community/Supporting Asset	Airport	25
Opportunities and Big Ideas	Tanani Point – outdoor recreation site	26
Opportunities and Big Ideas	Landslide Area – Memorial Park	27
Opportunities and Big Ideas	Trail and ski hill development	28
Opportunities and Big Ideas	Trail and ski hill development	28
Opportunities and Big Ideas	Trail and ski hill development	28
Opportunities and Big Ideas	Chilkoot Lake – Ice Skating Maintenance	29
Opportunities and Big Ideas	Waterfront Trail	30
Opportunities and Big Ideas	Proximity to Glacier Bay	31
Opportunities and Big Ideas	Ski hill development	32
Opportunities and Big Ideas	Motorized Access	33
Opportunities and Big Ideas	Four Winds ski hill development	34
Opportunities and Big Ideas	Winter trail grooming – Mosquito Lake	9



RECREATION ECONOMY for RURAL COMMUNITIES | HAINES, AK

Downtown Map:

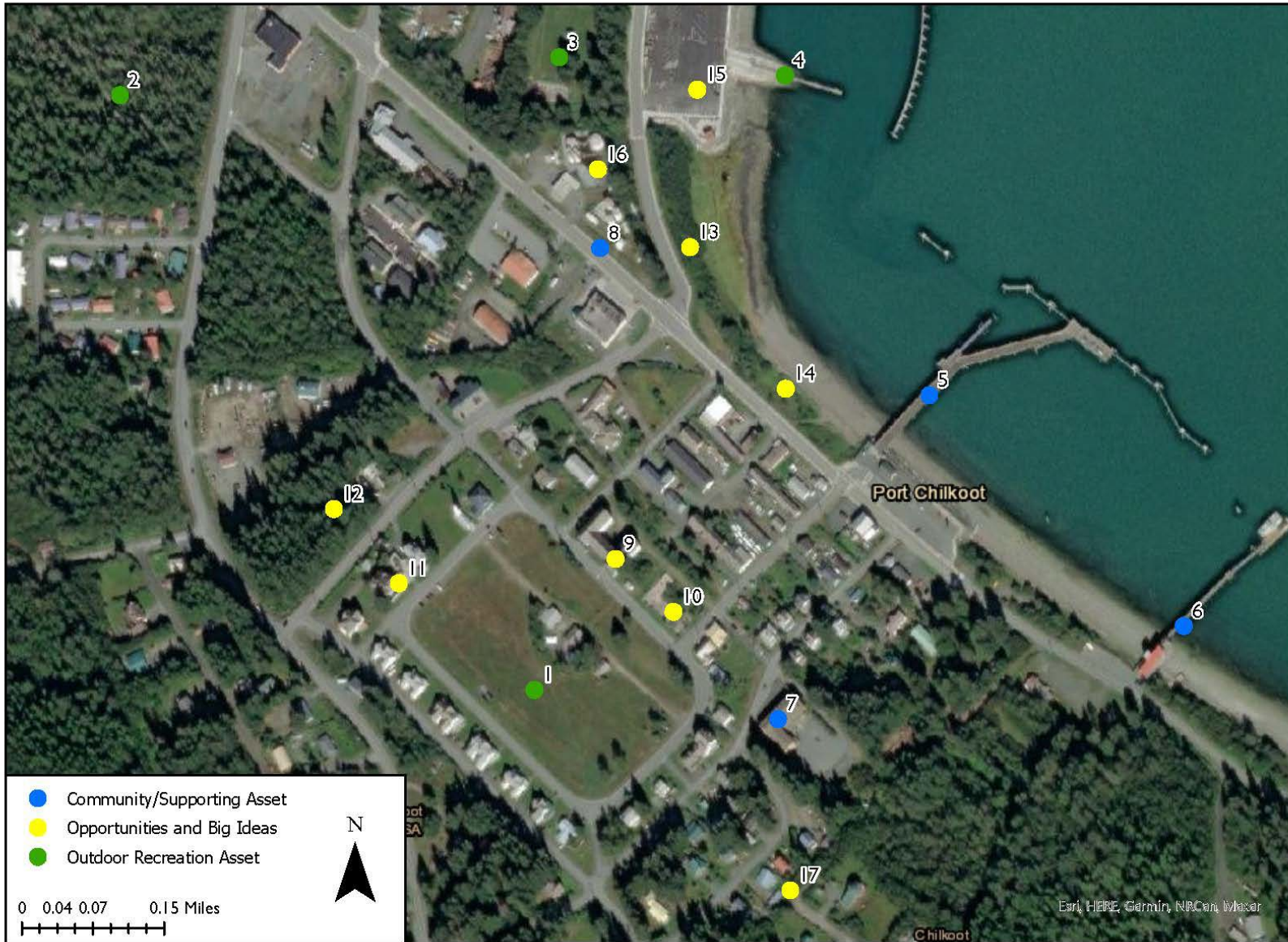
Type	Comment	Label
Outdoor Recreation Asset	Community park/snow storage	1
Outdoor Recreation Asset		2
Community/Supporting Asset	Starvin Marvin Gardens School Trail	5
Opportunities and Big Ideas	Trails	12
Outdoor Recreation Asset	Harbor	3
Community/Supporting Asset	Sheldon Museum	6
Community/Supporting Asset	Hammer Museum	7
Community/Supporting Asset	ANB Hall	8
Community/Supporting Asset	Library	9
Community/Supporting Asset	Brewery	10
Community/Supporting Asset	Trail	11
Outdoor Recreation Asset	School park	4
Opportunities and Big Ideas	Restaurants	13
Opportunities and Big Ideas	Greenspace	14
Opportunities and Big Ideas	Restaurants	15
Opportunities and Big Ideas	Greenspace (preservation)	16



RECREATION ECONOMY for RURAL COMMUNITIES | HAINES DOWNTOWN, AK

Fort Seward Map:

Type	Comment	Label
Outdoor Recreation Asset	Parade Grounds Chilkoot Indian	1
Outdoor Recreation Asset	Association trail system	2
Outdoor Recreation Asset	Tlingit Park	3
Outdoor Recreation Asset	Harbor	4
Community/Supporting Asset	Cruise ship dock Chilkoot Indian	5
Community/Supporting Asset	Association dock	6
Community/Supporting Asset	Chilkat Center	7
Community/Supporting Asset	Bald Eagle Foundation	8
Opportunities and Big Ideas	Ft. Seward	9
Opportunities and Big Ideas	Sculpture Garden	10
Opportunities and Big Ideas	Restaurants	11
Opportunities and Big Ideas	Closed Campground	12
Opportunities and Big Ideas	Trails	13
Opportunities and Big Ideas	Trails	14
Opportunities and Big Ideas	EV charging station	15
Opportunities and Big Ideas	Possible mural/artwork	16
Opportunities and Big Ideas	Elijah's trail	17



RECREATION ECONOMY for RURAL COMMUNITIES | HAINES FORT SEWARD

Itinerary Planning Exercise

In this exercise, workshop participants sketched out an ideal two or three-day trip for different types of visitors who might be coming to the area. The group explored what activities, lodging, supplies, gear, and transportation they would need to support their visit. This exercise helped to illustrate opportunities and gaps in the outdoor recreation economy in Haines.

Itinerary 1: Family with two kids (ages 7 and 12), traveling in the summer

Activity	Location/ destination	Supplies and services needed, source	Transportation/ route to next stop
Arrive by Ferry w/ Car	Ferry Terminal	Groceries, Gas, Growler for Beer	Car/Drive
Camping at Chilkat State Park			Car/Drive
Hike Seduction Trail – Ayiklutu			
Beer/playground	Drop kids at playground and get a beer		Walk
Get to-go pizza	Alpenglow		Walk
Bear watching	Chilkoot River		Car/Drive

Itinerary 2: Group of 5 Heli-skiers traveling in March

*This group noted the difference between independent visitors versus guided visitors and noted that independent travelers might have a harder time navigating, given that activities could be booked/hard to find.

Activity	Location/ destination	Supplies and services needed, source	Transportation/ route to next stop
Arrive by Seaplane	Airport	Gas	Rent a car
Stay at AirBnB in town			
Weathered in! Oh no!			
Library for internet	Library		
Bald Eagle Foundation + Hammer Foundation + Sheldon Museum +Bookstore	Main Street Businesses Visitor Center		
Walk to Battery Pt.	Road to Battery Pt.		
Boat ride? Snowmachine?			
Bonfire	Along river		

Gaps:

- Businesses that are open.
- Transportation, especially to and from key locations in the community.
- Weather + seasonal challenges.
- Expense/cost of getting here.

Opportunities:

- More regional partnerships, with nearby communities like Skagway, etc.
- Provide information/services to independent visitors/tourists.
- Trail access – create public access for trails (improve marking) ACCESS is primary goal.
- Multi-use trails.
- Mecca for road biking, mountain biking, cross country skiing -> destination -> get the word out.

Actions:

- Create more transportation options – shuttle could be more consistent (Borough funded?).
- Expand outdoor recreation opportunities (like cross country skiing).
- Address trails access issues (big barrier).

Challenges:

- Bringing car on ferry is hard to plan ahead.
- Will restaurants be open?
- Bear conflict.
- Overcoming at the state park.
- Can't drive to Chilkoot Lake in winter.

Itinerary 3: Young family with children traveling on a Saturday in April

Activity	Location/destination	Supplies and services needed, source	Transportation/route to next stop
Hike Chilkat Beaches	Beach combing	Shoes, coat	Access from town
Pool	At the pool	Swimsuit, towel, pass	Access from town
Ski	25 Cross Upper Valley 35 Powder Mountain	Guide, skis, GEAR	Car/Rental/Guide
Kayak	Lake/Ocean	Rentals, Dining	
Museum?			
Aurora watching			
Kite Ski			
Wildlife viewing			

Gaps/Challenges:

- Food.
- Gear.
- Transportation.
- Guide services.
- Weather.
- Infrastructure.
- Regulatory system for tourism.

Opportunities:

- Active families marketing.
- Access to the outdoors.
- Business to "shoulder season."

Actions:

- Regulatory system engagement.
- Marketing winter tourism.
- Race opportunities.
- Coordination with DOT & SEC.
- Guided Haines Expedition/Summer:
 - Overnight rafting trip.
 - Chilkat Kwaan Heritage Center.
 - Multi-day hiking.
 - Bike tours.
 - Charter fishing.
 - Overnight kayaking.
 - Guided fishing.
 - Wildlife viewing.

Offers and Asks

At the conclusion of the workshop, each participant shared one offer, something they can or would like to provide to advance the action plan, and one ask, what they hope or expect from the process moving forward.

Name	Offer	Ask
Eben Sargent	Support HHATS Activities to create and facilitate public use cabin + trails.	Community engagement.
Amanda Poncy	Continue to lead this group through the process + connecting you with resources to help advance the plan.	Recommendations for how to spend our last day-and-a-half in Haines. Continue to stay engaged!
Jessica Kayser Forester	Trained facilitator, community planner, strategist, understanding of land management and permitting – happy to provide services.	We are able to implement some low hanging fruit to enroll more people in understanding the importance of outdoor recreation in the community.
Tom Morphet	Writing skills and public advocacy for all proposed projects.	Projects like this stumble and sputter over time. The key is to keep the flame lit and have patience.
Cindy Zuluaga Jimenez	Continue to be the point of contact for Haines for the RERC Action Plan.	Collaboration with local/federal/tribal governments. Community consensus on plan objectives.
Ángel Peña	To see the development of action through.	To be invited back.
Michael Wald	To bring active tourists to Haines. Help build trails.	Take action.
Anne Marie Palmieri	I can provide time, organization, and skills in community development projects and to help with walking trails project.	Hope that the momentum moves forward. It would be great if the Borough could fully fund HEDC.

Greg Palmieri	Haines State Forest management collaboration. GIS data on existing trails.	Development of effective recreation planning and execution of projects.
Tracy Wirak-Cassidy	Provide grant seeking support and volunteer/organization coordination.	Sustainable recreational opportunities that acknowledge the history and culture of the community.
Darsie Culbeck	Engaged board member of HEDC during the planning process. Advocate for Assembly approval of plans.	Comprehensive plan that will be used to secure project funding.
Harriet Brouillette	Chilkoot Indian Association has funding for trails + trail maintenance. Tanani Point – plans for outdoor recreation park.	Letters of support. Connections with funders.
Derek Poinsetta	Takshanuk is happy to volunteer wherever we can – various staff listed to lead efforts.	Success in bringing people – especially Borough leadership – into a positive and collaborative project.
Natalie Dawson	Help find financial resources to build and maintain trails along with long-term partners to steward resources forward.	Make these things happen.
Lizzy Dean	Minimum of one year of planning and facilitation support from the RTCA program that expands on this action plan or moves forward the trail system component.	Participation of community. Open mindedness. Honesty and communication of needs and success of work.
Katie Craney	Support in maintaining existing trails and support	Hope this process shows user groups that

	planned and future wayfinding projects.	developing plans and following through is a win/win.
Chip Lende	HEDC board. Trail maintenance experience and years of outdoor recreation & board experience.	Realize outdoor recreation as an economic driver in Haines.
Andrew Letchworth	Facilitate connection meetings between organizations and stakeholders. Apply for grant funding for ski lift facilitator/developer for \$12k/15k for 6 month push through Denali Commission.	Don't leave me hanging. Don't reject me based on my organization's mission.
Katie Emma Begly	Perspective on what a successful tourism economy looks like versus building community buy-in.	Respect for individual residents and business operators in regards to easing regulatory and tax burdens.
Greg Schlachter	Advocacy and volunteer support for trail initiatives.	Tangible successes in the near term.
Steph Bertaina	Help get this action plan to the finish line, connect to federal/state partners, and to connect all to the Mad River Valley in Vermont.	Stay engaged + tell friends. Trust the process.
Erik Stevens	Mapping Services, photography, continued dedication to developing winter recreation.	Pursuing summer recreation goals, don't lose sight of winter as well. Give both equal efforts and considerations
Lindsay Johnson	Make trail maintenance priority list/tracker tool.	Projects completed, entities engaged.
Alyson Martin	Volunteer manual labor, administrative work, grant managing.	The energy of this workshop be continued. Conversation and action.

Additional Written Comments

One workshop participant provided the planning assistance team with the following written comments and asked that they be included as an addendum in the plan:

#1 A trail (summer and winter) up the mountain off Lutak (already used by many in the winter) but that could also be used by others all seasons that would overlook Chilkoot Lake/Chilkoot River Valley.

#2 A limited restoration of the landslide area on Beach Road that would include encouraging meandering stream channel and mostly natural greenery. And maybe some spots where folks could plant things as a love memorial. And a sort of designated trail area both above and below the road. The whole area being designated a David and Jenae Memorial Park. Would require bereaved family and community permission.

#3 Movement forward on waterfront trail Beach Road End to Lutak Bridge. Phases. Priorities. Timelines.

#4 Waterfront trails along Chilkat from 4-mile to 10-mile. And sections beyond where possible.

#5 Additional outhouses and a maintenance plan for those that would include hand-sanitizer available. Ask State Parks for sanitizers in their restrooms & bear monitor.

#6 Clarify which entities are responsible for maintenance for plowing, trash removal, and restrooms at Tanani and Picture Point, and other pullouts and access to beaches.

#6 Maintenance in winter of access to waterfront beaches and trails including expanded parking at Chilkoot Bridge area, a commitment to plowing existing parking such as Tanani, Picture Point pullouts and trails to beaches, Bald Eagle Preserve pullouts and trail maintenance, and clearing of berms at openings to trails along Chilkat beach, Portage Cove Beach, Lutak waterfront and other areas frequently used by families and elders in the community.

#7 Jones Point to River Road Trail. Maintained and brushed.

#8 Encourage P&Z (and Roger Schnabel) to require a plan for trails and parks in all new subdivisions of over 40 lots. (Not too late for Hillside subdivision?)

119 Study up on how to protect lands, green space, wildlife corridors, with help from Nature Conservancy and other organizations that help preserve green space through easements and trusts.

#10 Grant writing to help provide funding for all of the above

From Thursday night: Insert the word healthy into the four guiding principles and ensure that it is clear that goals and projects are for residents as well as tourists in order to maintain and promote healthy, sustainable economic development. Wayfinding and signage should include Tlingit as well as English place names. Improve winter access to pullouts, trails, and beaches. Survey senior citizens and families for their needs.

Consider biking lanes and access for canoes, kayaks, paddle boards to inlets & lakes.

APPENDIX C: FUNDING AND TECHNICAL ASSISTANCE

This compendium of funding and technical assistance resources was developed for the Recreation Economy for Rural Communities planning assistance program sponsored by the U.S. Environmental Protection Agency, the USDA Forest Service, the Northern Border Regional Commission, and the Appalachian Regional Commission. For more information on the Recreation Economy for Rural Communities Program, visit:

<https://www.epa.gov/smartgrowth/recreation-economy-rural-communities>

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Federal Funding and Technical Assistance

Americorps – Americorps Seniors Native Nations and Indigenous Elders Senior Demonstration Program: The program was created to invest in Americorps Seniors projects focused on Indigenous and Native communities, advancing opportunities for older adults to make an impact, through their time and experience. Through the Native Nations and Indigenous Elders SDP funding opportunity, applicants must demonstrate how they will engage adults ages 55 and older to address one or more of the Indigenous Elders SDP priorities.

<https://americorps.gov/funding-opportunity/fy-2023-ameri-corps-seniors-native-nations-indigenous-elders-senior>

Americorps – State and National Native Nations Planning Grants: AmeriCorps is committed to working on a Nation-to-Nation basis with Native Nations and upholding the federal government’s Tribal trust responsibility. AmeriCorps planning grants provide support to a grant recipient to develop an AmeriCorps program that will engage AmeriCorps members in implementing evidence-based interventions to solve community problems. Grant recipients are awarded up to \$240,000 for a 12-month planning period and are encouraged to compete for an AmeriCorps program grant in the following grant cycle if they deem the fit with AmeriCorps to be of use to their community.

<https://www.grants.gov/web/grants/view-opportunity.html?oppld=343170>

Appalachian Regional Commission (ARC): ARC is an economic development partnership agency of the federal government and 13 state governments focusing on 420 counties across the Appalachian Region. ARC’s mission is to innovate, partner, and invest to build community capacity and strengthen economic growth in Appalachia. The Area Development program relies on a flexible “bottom up” approach to economic development, empowering Appalachian communities to work with their state governments to design impactful investment opportunities supporting ARC’s mission and investment priorities. ARC’s Area Development program makes investments in two general areas: critical infrastructure and business and workforce development. Critical infrastructure investments mainly include water and wastewater systems, transportation networks, broadband, and other projects anchoring regional economic development. Business and workforce investments primarily focus on entrepreneurship, worker training and education, food systems, leadership, and other human capital development. In addition, ARC invests in Business Development Revolving Loan Funds to help the Region’s smaller businesses access capital. All ARC Area Development grant proposals originate at the state level in consultation with the ARC state program manager.

- ARC’s service area:

<https://www.arc.gov/about-the-appalachian-region/>

- ARC's investment priorities:
<https://www.arc.gov/investment-priorities/>
- ARC's Business Development Revolving Loan Funds:
<https://www.arc.gov/business-development-resolving-loan-fund-grants/>
- ARC State Program Managers:
https://www.arc.gov/state_partner_role/state-program-manager/

Appalachian Regional Commission (ARC) – READY Appalachia: READY Appalachia is ARC's new community capacity-building initiative offering flexible funding to organizations in four key economic development pillars: nonprofits, community foundations, local governments, and Local Development Districts, and free training to the Appalachians that work for them. Participants in each READY Appalachia learning track access 10 weeks of cohort-based learning, skill development, and grant opportunities to increase their capacity to solve pressing issues and create positive economic change.

<https://www.arc.gov/ready/>

National Endowment for the Arts—Challenge America: Challenge America offers support primarily to small organizations for projects in all artistic disciplines that extend the reach of the arts to groups/communities with rich and dynamic artistic and cultural contributions to share that are underserved.

<https://www.arts.gov/grants/challenge-america>

National Endowment for the Arts - Citizen's Institute on Rural Design: CIRDC is a program of the National Endowment for the Arts, in partnership with the Housing Assistance Council and design partner, To Be Done Studio. The program supports Local Design Workshops that address the selected community's specific rural design challenge, and a Design Learning Cohort program that will invite at least 15 rural communities to engage in peer learning and expert-led sessions online. All rural communities of 50,000 or less are eligible to apply for the CIRDC opportunities. Applications from nonprofits, tribal or municipal governments, regional planning and arts organizations, and other community partners are accepted.

<https://www.rural-design.org/>

National Endowment for the Arts—Our Town: Our Town is the NEA's creative placemaking grants program. Through project-based funding, the program supports activities that integrate arts, culture, and design into local efforts that strengthen communities. Our Town projects advance local economic, physical, or social outcomes in communities, ultimately laying the groundwork for systems change and centering equity. These projects require a partnership between a

nonprofit organization and a local government entity, with one of the partners being a cultural organization. Grants range from \$25,000 to \$150,000, with a minimum cost share/match equal to the grant amount.

<https://www.arts.gov/grants/our-town>

National Fish and Wildlife Foundation (NFWF) – Grant Opportunities: The National Fish and Wildlife Foundation provides funding on a competitive basis to projects that sustain, restore and enhance our nation's fish, wildlife and plants, and their habitats.

<https://www.nfwf.org/apply-grant>

National Park Service (NPS) – Chesapeake Gateways Network Grants: NPS Chesapeake Gateways welcomes grant proposals purposely focused on advancing equity, inclusion, accessibility, and community engagement across two strategic themes: Advance a Major Inclusive Interpretive Initiative with an Equity Lens and Promote Resilient Communities & Landscapes Through Tourism, Sustainability, Conservation & Local Economies. Eligible communities are located in the Chesapeake Bay watershed region.

<https://www.nps.gov/chba/getinvolved/grants.htm>

National Park Service (NPS) – Community Assistance: This website provides an overview and links to NPS funding, project assistance, and special designation programs that are available to the public and community groups.

<https://www.nps.gov/articles/community-assistance-national-regional-programs.htm>

National Park Service (NPS) – Federal Land Acquisition: The Federal portion of the Land and Water Conservation Fund is used to acquire lands, waters, and interests therein necessary to achieve the natural, cultural, wildlife, and recreation management objectives of the National Park Service.

<https://www.nps.gov/subjects/lwcf/federalside.htm>

National Park Service (NPS) – Historic Preservation Grant Programs: The NPS Historic Preservation Grant Programs can assist communities with a variety of historic preservation and community projects focused on heritage preservation.

<https://www.nps.gov/orgs/1623/whatwedo.htm>

National Park Service (NPS) – Land and Water Conservation Fund: The Land and Water Conservation Fund provides grants to states for park and recreation-related land acquisition and development. Individual state pages for LWCF funding are most helpful.

<https://www.nps.gov/subjects/lwcf/stateside.htm>

National Park Service (NPS)—Outdoor Recreation Legacy Partnership (ORLP) Program: ORLP is a nationally competitive grant program that delivers funding to urban areas – jurisdictions of at least 50,000 people – with priority given to projects located in economically disadvantaged areas and lacking in outdoor recreation opportunities. These awards help underserved communities address outdoor recreation deficits by supporting projects in cities and densely populated urbanized areas that create new outdoor recreation spaces, reinvigorate existing parks, and form connections between people and the outdoors.

<https://lwcfcoalition.org/orlp>

National Park Service (NPS) – Rivers, Trails, and Conservation Assistance Program (RTCA): RTCA Supports community-led conservation and outdoor recreation projects across the country. RTCA's network of planning and design professionals collaborate with community groups, nonprofits, tribes, and state and local government to design trails and parks, conserve and improve access to waterways, and protect special places.

www.nps.gov/rtca

National Telecommunications and Information Administration – Internet for All: Funding has been provided with the goal of connecting everyone in America to affordable, reliable high-speed internet. This multi-agency effort sponsors programs that support high-speed internet planning, infrastructure, and adoption.

<https://www.internetforall.gov/programs>

Northern Border Regional Commission (NBRC): The NBRC provides grants in support of community and economic development projects (including outdoor recreation) across a region that includes much of Maine, New Hampshire, New York, and all of Vermont. NBRC's largest annual grant opportunity is the State Economic & Infrastructure Development (SEID) program, which funds projects up to \$1 million (for true infrastructure), or \$350,000 (for non-infrastructure) per project. The SEID opportunity typically opens in March/April, with applications due in May, and awards made in early fall. For updates on funding opportunities, and a comprehensive listing of projects previously funded, please see NBRC's website.

<https://www.nbrc.gov>

Northern Border Regional Commission (NBRC) – Catalyst Program: The purpose of this program is to stimulate economic growth and inspire partnerships that improve rural economic vitality across the four-state NBRC region. The Catalyst Program includes funding from NBRC's core appropriations (SEID) and the Infrastructure Investment and Jobs Act (IIJA). Catalyst funds will be used to support the economic revitalization of

Northern Border communities through investments in infrastructure and non-infrastructure projects.

<https://www.nbrc.gov/content/Catalyst>

Northern Border Regional Commission (NBRC) – Forest Economy Program: The purpose of this program is to support the forest-based economy, and to assist in the industry's evolution to include new technologies and viable business models across the 4-state NBRC region. Whether funded directly or through partnerships, funds will be awarded to support projects in the forest economy, which may include community development projects, workforce training and development initiatives, marketing and education campaigns, business planning and technical assistance support, and public infrastructure projects.

<https://www.nbrc.gov/content/FEP>

U.S. Department of Housing and Urban Development – Continuum of Care: The U.S. Department of Housing and Urban Development (HUD) released a first-of-its-kind package of resources to address unsheltered homelessness and homeless encampments, including funds set aside specifically to address homelessness in rural communities. The \$322 million available under this NOFO will enhance communities' capacity to humanely and effectively address unsheltered homelessness by connecting vulnerable individuals and families to housing, healthcare, and supportive services. This Special NOFO strongly promotes partnerships with healthcare organizations, public housing authorities and mainstream housing providers, and people with lived expertise of homelessness.

https://www.hud.gov/program_offices/comm_planning/coc/specialCoCNOFO

U.S. Department of Labor – Workforce Opportunity for Rural Communities (WORC): The WORC Initiative funds grant projects within the Appalachian, Lower Mississippi Delta, and Northern Border regions. These grants are designed to address the employment and training needs of the local and regional workforce, created in collaboration with community partners and aligned with existing economic and workforce development plans and strategies.

<https://www.dol.gov/agencies/eta/dislocated-workers/grants/workforce-opportunity>

U.S. Department of Transportation—Pedestrian and Bicycle Funding Opportunities: The link below will take you to a table that indicates potential eligibility for pedestrian and bicycle activities and projects under U.S. Department of Transportation surface transportation funding programs. Activities and projects need to meet program eligibility requirements. Project sponsors should integrate the safety, accessibility, equity, and convenience of walking and bicycling into surface transportation projects.

https://www.fhwa.dot.gov/environment/bicycle_pedestrian/funding/funding_opportunities.pdf

U.S. Department of Transportation – Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation Program (PROTECT): Provides funding to ensure surface transportation resilience to natural hazards including climate change, sea level rise, flooding, extreme weather events, and other natural disasters through support of planning activities, resilience improvements, community resilience and evacuation routes, and at-risk coastal infrastructure.

<https://www.transportation.gov/rural/grant-toolkit/promoting-resilient-operations-transformative-efficient-and-cost-saving>

U.S. Department of Transportation – RAISE Grants: This program helps communities around the country carry out projects with significant local or regional impact. RAISE discretionary grants, which were originally created under the American Recovery and Reinvestment Act as TIGER grants, can be used for a wide variety of projects. Recent examples of funded projects include dedicated bus lanes in Baltimore, highway and bridge repair in New Mexico, dock replacements in Alaska, and a rail-to-trail project in Arkansas. Overall, USDOT has awarded \$9.9 billion to more than 700 projects.

<https://www.transportation.gov/RAISEgrants>

U.S. Department of Transportation – Reconnecting Communities Pilot Program: The first-ever Federal program dedicated to reconnecting communities that were previously cut off from economic opportunities by transportation infrastructure. Eligible facilities can be a highway, including a road, street, or parkway or other transportation facility, such as a rail line, that creates a barrier to community connectivity, including barriers to mobility, access, or economic development, due to high speeds, grade separations, or other design factors. Funding supports planning grants and capital construction grants, as well as technical assistance, to restore community connectivity through the removal, retrofit, mitigation, or replacement of eligible transportation infrastructure facilities.

<https://www.transportation.gov/grants/reconnecting-communities>

U.S. Department of Transportation – Rural and Tribal Assistance Pilot Program: The BIL created the Rural and Tribal Assistance Pilot Program, which makes \$10 million available over five years to provide states, local governments, and tribal governments with grants to support project development leading to future applications to DOT credit or grant programs. The grants can support legal, technical, and financial advisors to help them advance infrastructure projects. The first notice of funding opportunity will include two fiscal years and will make \$3.4 million available to eligible applicants on a first-come, first-served basis.

<https://www.transportation.gov/buildamerica/RuralandTribalGrants>

U.S. Department of Transportation – Rural Opportunities to Use Transportation for Economic Success (ROUTES): An initiative to address disparities in rural transportation infrastructure by developing user-friendly tools and information, aggregating DOT resources, and providing technical assistance. The ROUTES Initiative aims to ensure rural transportation infrastructure’s unique challenges are considered in order to meet priority transportation goals of safety, mobility, and economic competitiveness.

<https://www.transportation.gov/rural>

U.S. Department of Transportation – Safe Streets and Roads for All (SS4A): This is a discretionary program with \$5 billion in appropriated funds over the next 5 years. In fiscal year 2022 (FY22), up to \$1 billion is available. The SS4A program funds regional, local, and Tribal initiatives through grants to prevent roadway deaths and serious injuries. The following activities are eligible for the SS4A program: Develop or update a comprehensive safety action plan (Action Plan); Conduct planning, design, and development activities in support of an Action Plan; Carry out projects and strategies identified in an Action Plan.

<https://www.transportation.gov/grants/SS4A>

U.S. Department of Transportation – Thriving Communities Program: The Thriving Communities Program (TCP) aims to ensure that disadvantaged communities adversely or disproportionately affected by environmental, climate, and human health policy outcomes have the technical tools and organizational capacity to compete for federal aid and deliver quality infrastructure projects that enable their communities and neighborhoods to thrive.

<https://www.transportation.gov/grants/thriving-communities>

U.S. Department of Transportation Federal Highway Administration – Federal Lands Access Program: Improves transportation facilities that provide access to, are adjacent to, or are located within Federal lands. Funds, distributed among States by formula, supplement State and local resources for public roads, transit systems, and other transportation facilities, with an emphasis on high-use recreation sites and economic generators.

<https://flh.fhwa.dot.gov/programs/flap/>

U.S. Department of Transportation Federal Highway Administration – Recreational Trails Program: The Recreational Trails Program provides funds to the States to develop and maintain recreational trails and trail-related facilities for both nonmotorized and motorized recreational trail uses. Each State administers its own program, usually

through a State resource agency, and has a state coordinator.

https://www.fhwa.dot.gov/environment/recreational_trails/rtpstate.cfm

<http://www.recreationaltrailsinfo.org/>

U.S. Department of Transportation Federal Highway Administration – Transportation Alternatives Set-Aside: These set-aside funds from the Surface Transportation Block Grant (STBD) program funding include all projects and activities that were previously eligible under the Transportation Alternatives Program, encompassing a variety of smaller-scale transportation projects such as pedestrian and bicycle facilities, recreational trails, safe routes to school projects, community improvements such as historic preservation and vegetation management, and environmental mitigation related to stormwater and habitat connectivity.

<https://www.fhwa.dot.gov/fastact/factsheets/transportationalternativesfs.cfm>

U.S. Economic Development Administration (EDA) – Economic Development Integration (EDI) Funding and Resources: EDA’s Economic Development Integration (EDI) team works with a wide range of federal partners to help communities access programs and coordinate resources to optimize federal assistance. The funding and resources page provides useful and relevant information about tools and funding opportunities available to communities.

<https://eda.gov/integration/funding-resources/>

U.S. Economic Development Administration (EDA) – Economic Development Integration (EDI) Funding and Resources: EDA’s Economic Development Integration (EDI) team works with a wide range of federal partners to help communities access programs and coordinate resources to optimize federal assistance. The funding and resources page provides useful and relevant information about tools and funding opportunities available to communities.

<https://eda.gov/integration/funding-resources/>

U.S. Economic Development Administration (EDA) - Public Works and Economic Adjustment Assistance Programs. Through this program, EDA provides grants ranging between \$100K to \$30million (with EDA Funding 50-80% of project costs depending on certain criteria). Each project funded under this program must be consistent with at least one of EDA’s Investment Priorities: 1. Equity 2. Recovery & Resilience 3. Workforce Development 4. Manufacturing 5. Technology-Based Economic Development 6. Environmentally-Sustainable Development 7. Exports & Foreign Direct Investment. Each project must be consistent with the region’s current Comprehensive Economic Development Strategy (CEDs), or if a CEDs does not exist, an equivalent EDA-accepted

regional economic development strategy that meets EDA's CEDS or strategy requirement.

<https://www.eda.gov/funding/funding-opportunities/category?category=266289>

U.S. Environmental Protection Agency (EPA) – Brownfields Program: EPA's Brownfields Program provides direct funding for brownfields assessment, cleanup, revolving loans, environmental job training, technical assistance, training, and research. To facilitate the leveraging of public resources, EPA's Brownfields Program collaborates with other EPA programs, other federal partners, and state agencies to identify and make available resources that can be used for brownfield activities.

<https://www.epa.gov/brownfields/types-epa-brownfield-grant-funding>

U.S. Environmental Protection Agency – Clean Water State Revolving Fund (CWSRF): The Clean Water State Revolving Fund (CWSRF) program is a federal-state partnership that provides communities low-cost financing for a wide range of water quality infrastructure projects.

<https://www.epa.gov/cwsrf>

U.S. Environmental Protection Agency (EPA) – The Environmental Justice Thriving Communities Technical Assistance Centers (EJ TCTAC) Program: EPA's new EJ Thriving Communities Technical Assistance Centers Program will establish technical assistance centers across the nation providing technical assistance, training, and related support to communities with environmental justice concerns and their partners. The services provided will include training and assistance on writing grant proposals, navigating federal systems such as Grants.gov and SAM.gov, effectively managing grant funds, community engagement, meeting facilitation, and translation and interpretation services for limited English-speaking participants.

<https://www.epa.gov/environmentaljustice/environmental-justice-thriving-communities-technical-assistance-centers>

U.S. Environmental Protection Agency (EPA) – The Environmental Justice Collaborative Problem-Solving (CPS) Cooperative Agreement Program: EPA's EJ Collaborative Problem-Solving Cooperative Agreement Program provides funding for eligible applicants for projects that address local environmental and public health issues within an affected community. The CPS Program assists recipients in building collaborative partnerships to help them understand and address environmental and public health concerns in their communities.

<https://www.epa.gov/environmental-justice/environmental-justice-collaborative-problem-solving-cooperative-agreement-0>

U.S. Environmental Protection Agency (EPA – The Environmental Justice Government-to-Government (EJG2G) Program - The EJG2G program provides funding to governmental entities at the state, local, territorial and tribal level to support and/or create model government activities that lead to measurable environmental or public health results in communities disproportionately burdened by environmental harms and risks.

<https://www.epa.gov/environmentaljustice/environmental-justice-government-government-program>

U.S. Environmental Protection Agency (EPA) – The Environmental Justice Small Grants Program: EPA's EJ Small Grants Program supports and empowers communities working on solutions to local environmental and public health issues. The program is designed to help communities understand and address exposure to multiple environmental harms and risks.

<https://www.epa.gov/environmentaljustice/environmental-justice-small-grants-program>

U.S. Environmental Protection Agency (EPA) – Office of Community Revitalization: EPA's Office of Community Revitalization works with communities to help them grow in ways that expand economic opportunity while protecting human health and the environment. The Office of Community Revitalization conducts research; produces reports and other publications; provides examples of outstanding smart growth communities and projects; and works with tribes, states, regions, and communities through grants and technical assistance programs on a range of smart growth topics.

<https://www.epa.gov/smartgrowth>

USDA Forest Service – Citizen Science Competitive Funding Program: Citizen Science Competitive Funding Program (CitSci Fund) was launched in 2017 to support innovative projects that address science and resource management information needs while connecting people to the land and one another. It is an opportunity for USDA Forest Service units and partners to apply for up to \$60,000 over the course of 6 years for collaborative citizen science projects.

<https://www.fs.usda.gov/working-with-us/citizen-science/competitive-funding-program>

USDA Forest Service – Community Forest & Open Space Program: The Community Forest and Open Space Conservation Program provides financial assistance grants to local governments, Indian tribes, and qualified nonprofit organizations (including land trusts) to establish community forests that provide defined public benefits such as recreational opportunities, the protection of vital water supplies and wildlife habitat, demonstration sites for private forest landowners, economic benefits from timber and non-timber products.

<https://www.fs.usda.gov/managing-land/private-land/community-forest/program>

USDA Forest Service – Forest Legacy Program: The Forest Legacy Program is a conservation program administered by the USDA Forest Service that provides grants to state agencies to permanently conserve important forest lands that support strong markets for forest products, protect air and water quality, provide recreational opportunities, and sustain important fish and wildlife habitat.

<https://www.fs.usda.gov/managing-land/private-land/forest-legacy>

USDA Forest Service – Forest Stewardship Program: The Forest Stewardship Program (FSP) works in partnership with state forestry agencies, cooperative extensions, and conservation districts to connect private landowners with the information and tools they need to manage their forests and woodlands. FSP works to assist landowners to actively manage their land and related resources, keep land in a productive and healthy condition for present and future owners and increase economic benefits of land (e.g., timber harvesting) while conserving the natural environment. FSP also helps landowners identify goals for their land and the management activities needed to realize them.

<https://www.fs.usda.gov/managing-land/private-land/forest-stewardship/>

USDA Forest Service – Regional Research Stations: Forest Service R&D research needs to reflect the diversity of natural resources across the country. To accomplish this, research is conducted at nearly 80 locations across the United States, organized around five regional research stations plus the International Institute of Tropical Forestry in Puerto Rico and the Forest Products Laboratory in Madison, Wisconsin. R&D laboratories are complemented by a network of 80 experimental forests. In addition, R&D research includes collaborations in other countries.

<https://www.fs.usda.gov/research/stations>

USDA Forest Service – Urban & Community Forestry Program: The Urban and Community Forestry Program supports the health of all our nation's forests by creating jobs, contributing to vibrant regional wood economies, enhancing community resilience, and preserving the unique sense of place in cities and towns of all sizes. By working with our state partners to deliver information, tools and financial resources, the program supports fact-based and data-driven best practices in communities, maintaining, restoring, and improving the more than 140 million acres of community forest land across the United States. Technical support is provided to communities by state forestry agencies and non-profit partners for local actions, such as conducting tree inventories, preparing management plans and policies, and planting and caring for trees.

<https://www.fs.usda.gov/managing-land/urban-forests/ucf>

USDA Forest Service and American Indian Alaska Native Tourism Association (AIANTA) – NATIVE Act: This program will award grants of up to \$250,000 out of a total funding amount of approximately \$900,000 and is intended to advance the intent and purpose of the NATIVE Act through supporting and investing in efforts to enhance and integrate cultural tourism/cultural recreation to empower Native American communities and to advance the National Travel and Tourism Strategy. The program seeks applications from Tribal Nations, Tribal Enterprises and native nonprofits that border and/or have historic ties to USFS managed lands and USFS Regions.

<https://www.aianta.org/request-for-proposal-us-forest-service-aianta-native-act-grant/>

USDA Natural Resources Conservation Service (NRCS): The NRCS has several grants and technical assistance programs that support community conservation efforts. Some of them include:

- Conservation Technical Assistance: NRCS can provide farmers and landowners technical assistance to manage their natural resources in a responsible and sustainable way.
- Environmental Quality Incentives Program (EQIP): Provides landowners and land managers with financial assistance to address natural resource concerns on private, working lands through conservation practices. Issues addressed can include soil erosion, water quality impacts, soil quality degradation (soil compaction, soil productivity/health), low plant productivity, and degraded wildlife habitat.
- Conservation Stewardship Program (CSP): Provides financial assistance to conservation minded agricultural and forestry producers by paying for existing conservation activity AND for newly adopted conservation measures. Adopting a new conservation activity is a requirement for program participation.

<https://www.nrcs.usda.gov/wps/portal/nrcs/site/national/home/>

USDA Rural Development – Business and Industry Loan Guarantees: Provide guarantees on loans made by private lenders to help new and existing businesses gain access to affordable capital by lowering the lender’s risk and allowing for more favorable interest rates and terms.

<https://www.rd.usda.gov/programs-services/business-industry-loan-guarantees/>

USDA Rural Development – Community Facilities Program: Provides affordable loans, loan guarantees, and grants to construct, expand, or improve facilities that provide essential public services in rural areas, such as health care, education, public safety, and others.

<https://www.rd.usda.gov/programs-services/all-programs/community-facilities-programs>

USDA Rural Development – Inflation Reduction Act Funding for Rural Development (IRA): IRA represents the largest single investment in rural electrification since the passage of the Rural Electrification Act in 1936. The Act provides funding to USDA Rural Development to help eligible entities purchase renewable energy and zero-emission systems and make energy-efficiency improvements that will significantly reduce greenhouse gas emissions.

<https://www.rd.usda.gov/inflation-reduction-act>

USDA Rural Development – Rural Business Development Grants: Help small and emerging private businesses and/or nonprofits in rural communities startup or expand businesses. Funds may be used to acquire or develop land, buildings, plants, and equipment; build or improve access roads, parking areas, utility extensions, and water and waste disposal facilities; provide technical assistance; establish revolving loan funds; and support rural distance learning programs that provide educational or job training.

<https://www.rd.usda.gov/programs-services/rural-business-development-grants>

USDA Rural Development – Rural Innovation Stronger Economy (RISE) Grants: The Rural Innovation Stronger Economy (RISE) Grant Program offers grant assistance to create and augment high-wage jobs, accelerate the formation of new businesses, support industry clusters and maximize the use of local productive assets in eligible low-income rural areas.

<https://www.rd.usda.gov/programs-services/business-programs/rural-innovation-stronger-economy-rise-grants>

USDA Rural Development – Rural Microentrepreneur Assistance Program: The program provides loans and grants to Microenterprise Development Organizations (MDOs) to help microenterprises startup and growth through a Rural Microloan Revolving Fund. The program also provides training and technical assistance to microloan borrowers and micro entrepreneurs.

<https://www.grants.gov/web/grants/view-opportunity.html?oppld=343324>

USDA Rural Development – Single Family Housing Programs: Provide loans, loan guarantees, and grants to give families and individuals the opportunity to buy, build, repair, or own safe and affordable homes located in rural America. Includes grants and loans for rural housing, housing preservation, and direct home loans. Eligibility for these loans, loan guarantees, and grants is based on income and varies according to the average median income for each area.

<https://www.rd.usda.gov/programs-services/all-programs/single-family-housing-programs>

USDA Rural Development – Summary of Major Programs: A summary document that catalogs the more than 40 programs USDA has to support rural America, including telecommunications, electric, community facilities, water and environment, business and cooperative programs, and single and multi-family housing programs.

https://www.rd.usda.gov/files/RD_ProgramMatrix.pdf

USDA Rural Development – Telecom Programs: Loans and grants to build and expand broadband networks in eligible rural areas. Loans build broadband networks and deliver service to rural households and businesses and provide capital for rural telecommunications companies and broadband providers. Grants are reserved for communities with the highest need.

<https://www.rd.usda.gov/programs-services/all-programs/telecom-programs>

USDA Rural Development – Water and Waste Disposal Loan and Grant Programs: Provides funding for clean and reliable drinking water systems, sanitary sewage disposal, sanitary solid waste disposal, and storm water drainage to households and businesses in eligible rural areas.

<https://www.rd.usda.gov/programs-services/water-waste-disposal-loan-grant-program>

U.S. Small Business Administration (SBA): Created in 1953, SBA helps small business owners and entrepreneurs pursue the American dream. The SBA is the only cabinet-level federal agency fully dedicated to small businesses and provides counseling, capital, and contracting expertise as the nation's only go-to resource and voice for small businesses. If you need access to capital to help you achieve your business goals, the SBA offers various funding programs for all business types. Whether you need to create a successful business plan, get expert advice on expanding your business, or train your team, SBA's resource partner network is here to help!

- For Funding Programs: <https://www.sba.gov/funding-programs>
- For Local Assistance visit: <https://www.sba.gov/local-assistance/find?address=87107&pageNumber=1>

Non-Federal Funding and Technical Assistance

AARP Community Challenge Grants: These grants fund projects that help communities make immediate improvements and jump-start long-term progress towards livability for people of all ages in communities across the nation. 2019 projects were designed to create vibrant public places, demonstrate the tangible value of "Smart Cities," deliver a range of transportation and mobility options, and/or support the availability of a range of housing choices.

<https://www.aarp.org/livable-communities/community-challenge/>

America Walks – Technical Assistance for Walkable Communities: America Walks provides technical assistance and “rapid-response” services at no charge. We regularly receive questions on a variety of walking topics, including starting community groups, getting a crosswalk installed, passing a Vision Zero policy, and more. We respond with advice, best practices, case studies, and provide connections to other practitioners.

<https://americawalks.org/programs/technical-assistance-for-walkable-communities/>

American Trails – Legacy Trails Grant Program: American Trails has partnered with the U.S. Forest Service to create the Legacy Trails Grant Program. The goal of the program is to support projects that restore, protect, and maintain watersheds on our national forests and grasslands. The Forest Service identifies and prioritizes watershed acres or areas where Forest Service roads and trails may impact water quality in streams and water bodies. American Trails will be looking to fund projects that restore fish and aquatic organism passage, improve trail resiliency, preserve trail access, decommission unauthorized trails, and convert unneeded Forest Service roads to trails. American Trails is administering this grant program, and is soliciting applications for funding, with awards up to \$100K per project.

<https://www.americantrails.org/legacy-trails-program>

Bass Pro Shops & Cabela’s: Together with their partners in conservation, Bass Pro Shops and Cabela’s are working to positively shape the future of the outdoors through donations, grant-making and advocacy. They invest in programs and initiatives aimed at conserving wildlife and habitat, connecting new audiences to the outdoors, advocating for access and sportsmen’s rights, supporting military and veterans, and strengthening communities in the Missouri Ozarks.

<https://about.basspro.com/community/support/?lcab.rdr=TRUE>

Blue Zones – Made to Move: The Made to Move program is a competitive funding opportunity created to assist communities in advancing active transportation through local project development, implementation, and supporting policies. With the ultimate goal of promoting more walkable, bikeable, transit-friendly environments for all ages, incomes, and abilities, this funding opportunity will be awarded to five mid-sized communities in the United States. Each community will receive \$100,000 plus technical assistance from the Blue Zones, LLC, built environment team.

<https://www.bluezones.com/made-to-move/>

Causality Brand Grant: Causality offers both full (pro bono) and matching (partial, funding requirement of 50 percent) service grants to nonprofits for brand marketing

and creative services such as brand assessment and development, identity design or logo refresh, marketing materials, marketing campaign development, website design and build, digital/social media graphics, and more.

<https://www.causalitybrandgrant.com/>

Cliff Family Foundation: The Cliff Family Foundation awards grants on an annual basis for general operational support as well as for specific projects. The Foundation's funding priorities include strengthening foods systems, enhancing equitable community health outcomes, and safeguarding the environment and natural resources. Priority is given to applicants that address two of their funding priorities at the same time, demonstrate strong community ties, and operate within visible and clearly defined plans for positive change.

<https://clifffamilyfoundation.org/grants-program>

Community Transportation Association of America – Rural Passenger Transportation Technical Assistance Program: Funded by USDA Rural Development, this program helps rural communities enhance economic growth and development by improving transportation services. The program provides planning assistance for facility development, transit service improvements and expansion, new system start-up, policy and procedure development, marketing, transportation coordination, training, and public transit problem-solving activities.

<https://ctaa.org/rural-tribal-passenger-transportation-technical-assistance/>

Fluor Giving: Grants are only made to organizations that are 501(c)(3) non-profit organizations or qualifying non-governmental organizations. An emphasis is placed on programmatic and operating support. Special event and fundraising support is generally not considered. Priority is given to organizations that align to Fluor's strategic focus areas and provide opportunities for employee volunteerism. Fluor's key focus areas are Education, Public Health and Critical Human Needs, Economic Development, and Environment.

<https://www.fluor.com/sustainability/community>

GrantWatch: A website listing thousands of current grants, funding opportunities, awards, contracts and archived grants.

<https://www.grantwatch.com/>

Institute of Museum and Library Services – Native American Library Services Enhancement Grants: This program is designed to assist Native American tribes in improving core library services for their communities. Reflecting IMLS's agency-level goals of championing lifelong learning, strengthening community engagement, and

advancing collections stewardship and access, the goals for this program are to improve digital services to support needs for education, workforce development, economic and business development, health information, critical thinking skills, and digital literacy skills; improve educational programs related to specific topics and content areas of interest to library patrons and community-based users; and enhance the preservation and revitalization of Native American cultures and languages.

<https://www.imls.gov/grants/available/native-american-library-services-enhancement-grants>

KaBoom! Playground Grants: Several KaBoom! grants support the development of playgrounds in communities.

<https://kaboom.org/grants>

National Center for Rural Road Safety: A national hub of training, resources, and technical assistance for rural road safety improvements. The center is intended to develop and share multidisciplinary rural road safety training, resources, and technical assistance that is dynamic, collaborative, and responsive. The funding page provides updated links to grants and funds that focus on rural transportation safety.

<https://ruralsafetycenter.org/resources/funding/>

National Recreation and Park Association (NRPA): NRPA provides information about grant and fundraising opportunities that are available for park and recreation agencies and affiliated friends groups and 501(c)(3) nonprofits.

<https://www.nrpa.org/our-work/Grant-Fundraising-Resources/>

National Wilderness Stewardship Alliance: NWSA is a network of volunteer-based organizations to provide stewardship for America's enduring resource of wilderness. They have variety of funding grant programs (\$2-10,000 range) related to stewardship and trails. Applications are usually due by late March of each year.

https://www.wildernessalliance.org/funding_programs

People for Bikes: The People for Bikes Community Grants Program provides funding for important projects that build momentum for bicycling in communities across the U.S. These projects include bike paths and rail trails, as well as mountain bike trails, bike parks, BMX facilities, and large-scale bicycle advocacy initiatives. Grant cycles are 1-2 per year and are up to \$10,000.

<https://www.peopleforbikes.org/grants>

Project for Public Spaces – Community Placemaking Grants: Provides funding to US-based nonprofits and government agencies to address inequalities in public space

access by working directly with local stakeholders to transform public spaces or co-create new ones. We do this by providing direct funding, technical assistance, and capacity building facilitated by Project for Public Spaces.

<https://www.pps.org/community-placemaking-grants>

Rails-to-Trails Conservancy: This website lists many federal, state, and local government funding mechanisms, as well as grants, partnerships, and other creative funding methods available for trail building – for acquisition and maintenance.

- Acquisition Funding: <https://www.railstotrails.org/build-trails/trail-building-toolbox/funding/acquisition-funding/>
- Bipartisan Infrastructure Law Trail and Infrastructure Funding: https://www.railstotrails.org/media/1167725/bil_eligibilities_2021final.pdf
- Carbon Reduction Program: <https://www.railstotrails.org/policy/funding/climate/crp/>
- Congestion Mitigation and Air Quality: <https://www.railstotrails.org/policy/funding/climate/cmaq/>
- Earmarks: <https://www.railstotrails.org/policy/funding/earmarks/>
- Neighborhood Access and Equity Grant Program: <https://www.railstotrails.org/policy/funding/equity/nae/>
- New Federal Funding for Trails: <https://www.railstotrails.org/policy/funding/>
- Maintenance Funding: <https://www.railstotrails.org/build-trails/trail-building-toolbox/funding/maintenance-funding/>
- Rural Surface Transportation Grant: <https://www.railstotrails.org/policy/funding/rstg/>

Safe Routes Partnership – Safe Routes to Parks: The Safe Routes to Parks Activating Communities program provides in-depth technical assistance and grant funding to ten communities working to improve safe, secure park access for people of all ages and abilities in low-income communities and communities of color.

<https://www.saferoutespartnership.org/healthy-communities/saferoutestoparks>

Shell Oil Grant Program: Shell partners with leading organizations that are aligned to our global footprint and have proven track records for making a difference in our three areas of focus: Community, Education, and Environment. While the program generally funds large national non-profit organizations it also invests in local communities where Shell has a strong presence. Typically, Shell chooses to work with community organizations with which we have established or proactively developed relationships.

<https://www.shell.us/sustainability/request-for-funding-from-shell.html#vanity-aHR0cHM6Ly93d3cuc2h1bGwudXMvc3VzdGFpbmFiaWxpdkhkvcmVxdWVzdC1mb3ltYS1ncmFudC1mcm9tLXNoZWxsLmh0bWw>

Smart Growth America – Community Connectors Grants: The Community Connectors program to help advance locally driven projects that will reconnect communities separated or harmed by transportation infrastructure and tap available federal and state funds to support them. 15 teams from small to mid-sized cities (between approximately 50,000 and 500,000 in population) will be selected to receive a capacity-building grant to advance these projects.

<https://smartgrowthamerica.org/program/community-connectors-grants/>

T-Mobile Hometown Grant Program: T-Mobile's Hometown Grant program is investing big in small towns by awarding up to 100 towns a year with project funding—up to \$50,000 each. The program focuses on projects that revitalize community spaces in towns with 50,000 people or less. Recipients are selected and awarded on a quarterly basis.

<https://www.t-mobile.com/brand/hometown-grants>

The Conservation Alliance: The Conservation Alliance Grants Program seeks to protect threatened wild places throughout North America for their habitat and recreational values. These grants are given to registered 501(c)3 nonprofit organizations working to protect the special wild lands and waters in their backyards. While these funds are often for protecting land, they have been utilized for providing pedestrian access to wild lands, which includes trail development.

<http://www.conservationalliance.com/grants/>

The Conservation Fund – Balancing Nature and Commerce Course: The Conservation Fund's Conservation Leadership Network offers several resources, including the Balancing Nature and Commerce Course. This course is an opportunity for gateway communities from around the country to participate in 2 webinars and a 3-day in-person workshop to catalyze collaborative action, cultivate local leadership and advance solutions. During the course, community-based teams will identify opportunities to build healthier communities based upon their unique assets and hear about the latest trends in resilient natural and cultural resources, diverse recreation assets, accessibility as a foundation, and revitalized main streets and downtowns. Teams will develop specific action plans for implementation when they return home.

<https://www.conservationfund.org/our-work/conservation-leadership-network>

Together Outdoors – Grant Programs: The goal of Together Outdoors is to fund outdoor inclusion initiatives that are "by the community, for the community." They use a trust-based approach to dismantle historical barriers to funding. In this initial pilot round of grants, Together Outdoors will make one-time awards of \$5,000 to \$10,000. Funding

supports two main initiatives. “Research + Resources” provides monetary support for the development of research and resources concerning inclusion in the outdoors, such as toolkits, educational resources, audio and video resources and linguistic translations. “Activating Change Outdoors” supports outdoor recreation-related programming, events and leadership development initiatives that benefit communities of color and intersecting minority groups.

<https://www.togetheroutdoors.com/grantprograms>

Toshiba America – Toshiba America Foundation Grants: Sixth to 12th grade teachers can apply for a grant of up to \$5,000 and more than \$5,000 to help bring an innovative project can improve STEM (Science, technology, engineering, and math) learning in their classroom. Applications must be for project-based learning.

<https://www.toshiba.com/taf/612.jsp>

U.S. Endowment for Forestry and Communities – Innovative Finance for National Forests Grant Program: This grant program, developed in partnership with the USDA Forest Service National Partnership Office and the National Forest Foundation, develops, refines, and scales tools, templates, and approaches that direct private investment capital to improve the health of the National Forest System through projects that deliver environmental and social outcomes and financial returns. Project activities may take place on the National Forest System; on adjacent state, private or tribal lands; or across boundaries provided outcomes contribute to the health of Forest Service ownership.

<http://www.ifnfgiants.org/>

Vision Maker Media – Fund Your Film: Vision Maker Media funds Native American and Alaska Native media at all stages of development, including Native Youth media projects, creative shorts, and public media.

<https://visionmakermedia.org/fund-your-film>

State-Specific Funding and Technical Assistance

Alaska

Alaska Department of Commerce, Community, and Economic Development – Community Assistance Program: The Community Assistance Program (CAP) provides Alaska’s boroughs, cities, and unincorporated communities with funds vital to the delivery of basic public services. CAP funds can be used for any public purpose that have been determined as a priority of the funding recipient.

<https://www.commerce.alaska.gov/web/dcra/GrantsSection/CommunityRevenueSharing.aspx>

Alaska Department of Commerce, Community, and Economic Development – Community Development Block Grants: The goals of the Alaska Community Development Block Grant Program (CDBG) are to provide financial resources to Alaskan communities for public facilities and planning activities which address issues detrimental to the health and safety of local residents and to reduce the costs of essential community services. The program may also fund Special Economic Development activities which result in the creation of jobs for low- and moderate-income persons.

<https://www.commerce.alaska.gov/web/dcra/GrantsSection/CommunityDevelopmentBlockGrants.aspx>

Alaska Department of Commerce, Community, and Economic Development – Small Business Assistance Center: Thinking about starting or growing a business? The Small Business Assistance Center provides direction for entrepreneurs, start-ups, and existing businesses in Alaska.

<https://www.commerce.alaska.gov/web/ded/DEV/SmallBusinessAssistanceCenter.aspx>

Alaska Department of Environmental Conservation (DEC) – DEC Brownfields Assessment and Cleanup (DBAC) Program: DEC can provide technical assistance and site-specific services through its DBAC program, including conducting environmental site assessments, cleanups, and cleanup planning activities of contaminated or potentially contaminated properties.

<https://dec.alaska.gov/spar/csp/brownfields/assessment-cleanup/>

Alaska Department of Fish and Game – Wildlife Restoration: The Federal Aid in Wildlife Restoration Act, often referred to as the Pittman-Robertson Act, provides funds to state fish and wildlife agencies and territories for wildlife management and research, and also funds projects to restore, conserve, and enhance wildlife populations and their habitats. Projects also include providing public use and access to wildlife resources, hunter education, and development and management of shooting ranges.

<http://www.adfg.alaska.gov/index.cfm?adfg=access.hunter>

Alaska Department of Health and Human Services – Social and Economic Development Strategies for Alaska (SEDS-AK): SEDS-AK is designed to provide targeted support for Village-specific projects to improve and enhance the core capacity of Alaska Native

Village governments, who are central to fulfilling social and economic self-sufficiency in Alaska. This program supports the principle that social and economic development is interrelated and essential for the growth of thriving Native communities. ANA is interested in supporting community-driven projects that build and strengthen core governmental capacity in the areas of administration and project management at the Alaska Native Village level.

<https://www.grants.gov/web/grants/view-opportunity.html?oppld=329542>

Alaska Department of Natural Resources Division of Parks and Outdoor Recreation – Historic Preservation Fund: This federally funded matching grant program provides two types of grants. The Certified Local Government (CLG) Program is a 60/40 matching grant program is only open to local governments that are certified through the Alaska State Historic Preservation Officer. The CLG program is concerned with preserving properties significant in history, architecture, engineering, archaeology, and culture. The purpose of the program is to assist local governments in the identification, evaluation, and protection of historic properties. The Historic Preservation Fund Development/Predevelopment Grant Program is a 50/50 matching grant program provides funding for Alaska buildings and structures listed in the National Register of Historic Places, individually or as a contributing property to a historic district.

<http://dnr.alaska.gov/parks/oha/designations/grants.htm>

Alaska Department of Natural Resources Division of Parks and Outdoor Recreation – Land and Water Conservation Fund: This 50/50 federal matching grant program was established to provide a nationwide legacy of high-quality outdoor recreation. Projects range from wildlife viewing areas to neighborhood parks; from downhill ski areas to handicapped accessible trails; from our most urban areas to our most rural areas. Local, regional, and state entities with legal authority to provide outdoor recreation services on public lands are eligible to apply for LWCF assistance.

<http://dnr.alaska.gov/parks/grants/lwcf.htm>

Alaska Department of Natural Resources Division of Parks and Outdoor Recreation – Recreation Trails Grant Program: The Recreational Trails Grant Program is for development and maintenance of trails and facilities, acquisition of trail rights-of-way, and development of safety and environmental protection education programs. This matching grant program provides up to \$100,000 to successful applicants.

<http://dnr.alaska.gov/parks/grants/trails.htm>

Alaska Department of Natural Resources Division of Parks and Outdoor Recreation – Snowmachine Grant Program: Snowmachine Trail Grants are available for developing snowmachine safety and education programs and projects.

<http://dnr.alaska.gov/parks/grants/snowmotr.htm>

Denali Commission – As a grant making agency, the Denali Commission implements its mission through partnerships: The Denali Commission will partner with tribal, federal, state, and local governments and collaborate with all Alaskans to improve the effectiveness and efficiency of government services, to develop a well-trained labor force employed in a diversified and sustainable economy, and to build and ensure the operation and maintenance of Alaska’s basic infrastructure.

<https://www.denali.gov/grants/>

State of Alaska – Designated Legislative (DL) Grants: Communities and organizations seek funding through their state senators and representatives for identified capital projects. DL Grants may include feasibility studies, construction projects, building improvements and upgrades, design and engineering, land acquisition, and equipment purchase, upgrades, or repairs. Appropriations are included in the Capital Bill by the legislature at their discretion, with final approval by the governor. Under the governor’s discretion, project funding may be reduced or vetoed entirely.

<https://www.commerce.alaska.gov/web/dcra/GrantsSection/DLGrants.aspx>

University of Alaska Anchorage – Business Enterprise Institute: The University of Alaska Anchorage (UAA) Business Enterprise Institute (BEI) links economic development programs across the University of Alaska (UA) system and supports businesses and entrepreneurial capacities across Alaska. BEI provides a platform for high-level consultancy between industries and UAA. Providing economic development-related research and technical assistance, high-level professional education, small business development services and economic ecosystem enhancement for Alaska, BEI serves as a bridge to expertise and talents throughout UAA.

<https://www.uaa.alaska.edu/academics/business-enterprise-institute>

APPENDIX D: REFERENCES

This compendium of references was developed for the Recreation Economy for Rural Communities planning assistance program sponsored by the U.S. Environmental Protection Agency, the USDA Forest Service, the Northern Border Regional Commission, and the Appalachian Regional Commission. For more information on the Recreation Economy for Rural Communities Program, visit:

<https://www.epa.gov/smartgrowth/recreation-economy-rural-communities>

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Community Engagement, Diversity, Equity, and Inclusion

American Indian Alaska Native Tourism Association (AIANTA). AIANTA has served as the national voice for American Indian nations engaged in cultural tourism. In addition to serving as the voice for Indian Country tourism, AIANTA provides technical assistance and training to Tribal nations and Native-owned enterprises engaged in tourism, hospitality, and recreation.

<https://www.aianta.org/>

<https://www.aianta.org/resources/publications/>

Appalachian Regional Initiative for Stronger Economies. *A Regional Multistate Collaboration Toolkit*. (2022). The Appalachian Regional Initiative for Stronger Economies (ARISE) is intended to support economic, workforce, and community development projects through partnerships across states in the Appalachian Region with planning and implementation grants funded under the Infrastructure Investment and Jobs Act of 2021. This toolkit provides case study examples of successful regional multistate partnerships and offers more detailed information regarding partnership building, grant operations, challenges, and best practices involved in building a successful multistate initiative.

[https://www.arc.gov/wp-content/uploads/2022/08/Case-Studies-](https://www.arc.gov/wp-content/uploads/2022/08/Case-Studies-Toolkit_Final_081522r1.pdf)

[Toolkit_Final_081522r1.pdf](https://www.arc.gov/wp-content/uploads/2022/08/Case-Studies-Toolkit_Final_081522r1.pdf)

Diversify Outdoors. Diversify Outdoors is a coalition of social media influencers – bloggers, athletes, activists, and entrepreneurs – who share the goal of promoting diversity in outdoor spaces where people of color, LGBTQIA, and other diverse identities have historically been underrepresented. We are passionate about promoting equity and access to the outdoors for all, that includes being body positive and celebrating people of all skill levels and abilities.

<https://www.diversifyoutdoors.com/>

Outdoor Afro: Where Black People and Nature Meet. Outdoor Afro has become the nation's leading, cutting-edge network that celebrates and inspires Black connections and leadership in nature. Outdoor Afro is a national not for profit organization with leadership networks around the country. With nearly 90 leaders in 30 states from around the country, the organization connects thousands of people to outdoor experiences, who are changing the face of conservation.

<https://outdoorafro.org/>

Together Outdoors: Together Outdoors is an initiative of the Outdoor Recreation Roundtable and is a coalition of under-represented individuals and diversity, equity, and inclusion champions on the frontlines who are working to make the outdoors more

inclusive for all. This coalition has been and will continue to be designed and pursued in close partnership with these key experts who are actively work together to make the outdoors a more inviting place through education, inclusion, equity, and action. Together Outdoors has created a Resource Hub that features search functionality – the ability to sort content by resource type, focus area, activity type, target group, or activity. Users also able to submit content and organizations.

<https://resourcehub.togetheroutdoors.com/>

Community and State-Specific Strategies and Examples

Oregon Outdoor Recreation Network. The Travel Oregon website has many great resources on many aspects of outdoor recreation.

<https://industry.traveloregon.com/opportunities/programs-initiatives/outdoor-recreation/outdoor-recreation-development/>

Pennsylvania Department of Conservation and Natural Resources. Outdoor Recreation Plan Webinar Series. (October 2020). This video series was produced to support Pennsylvania’s Outdoor Recreation Plan.

<https://www.dcnr.pa.gov/Recreation/PAOutdoorRecPlan/Pages/default.aspx>

1. Recreation for All: <https://youtu.be/P6Ubw9yrbjE>
2. Sustainable Systems: <https://youtu.be/ORTzpvo9VcA>
3. Funding and Economic Development: <https://youtu.be/HYid2q9Ay-Q>
4. Technology: <https://youtu.be/BSquMY-Kde4>
5. Health and Wellness: <https://youtu.be/StUz6s2J8pc>

Skowhegan, Maine. *Skowhegan Americorps Outdoor Recreation Program*. (2016). Residents of Skowhegan came together to share ideas for the future of their town, resulting in the Skowhegan Strategic Plan for Community Transformation at which voters adopted during the June 2016 town meeting.

<https://runofriver.org/outdoor-recreation-plan/>

<https://mainstreetskowhegan.org/strategic-planning/>

State of Colorado. *Colorado Statewide Comprehensive Outdoor Recreation Plan (SCORP)* (2019). Colorado’s SCORP considers both conservation and recreation together and looks at current and changing demographics and recreation trends to help the outdoor recreation sector be culturally relevant and respond to future shifts.

<https://cpw.state.co.us/Documents/Trails/SCORP/Final-Plan/SCORP-Without-Appendices.pdf>

The Conservation Fund. *Conservation Leadership Network Project Profiles*. This landing page provides access to various rural and gateway community projects from across the U.S., with many examples of communities that have successfully leveraged the outdoor recreation economy.

<https://www.conservationfund.org/our-work/conservation-leadership-network/our-projects>

Tompkins County, New York. *Tompkins County Outdoor Recreation Tourism Implementation Plan*. (2018). Identifies collective steps to develop and promote Ithaca and Tompkins County as a premier regional destination for outdoor recreation.

<https://www2.tompkinscountyny.gov/files2/tourism/2018-April-Outdoor%20Rec%20Implementation%20Plan.pdf>

Vermont Urban and Community Forestry. *Town Forest Recreation Planning Toolkit and Webinar Series*. (June 2020). This toolkit offers the resources needed to develop a town forest recreation plan for your community from start to finish, including step by step planning and detailed materials organized around planning themes such as stories, existing conditions, public engagement, natural resources, plan development, and implementation. Links to several webinars in the “Town Forest Recreation Planning Webinar Series” are also included below.

<https://vtcommunityforestry.org/places/town-forests/recreation-planning-initiative/recreation-planning-toolkit>

- New Tools for Sustainable Forest Based Recreation Webinar
<https://youtu.be/UTHEj0AC3pE>
- Connecting Downtowns w/Trails for Economic Vibrancy Webinar
<https://youtu.be/s1SQoUqN22s>
- Trails for People and Wildlife Webinar
<https://youtu.be/uhbYUMrgLqU>
- Mountain Biking Trails 101 Webinar
<https://youtu.be/zCmco-WDrPM>
- Trail Building & Maintenance Webinar
<https://youtu.be/lrv9eqoUQNE>

Land Conservation, Stewardship, Parks, and Health

National Park Service and Centers for Disease Control and Prevention. *Parks, Trails, and Health Workbook: A Tool for Planners, Parks & Recreation Professionals, and Health Practitioners*. A workbook to help strengthen the design and implementation of community-based parks and trails projects.

https://www.nps.gov/orgs/rtca/upload/Parks-Trails-and-Health-Workbook_2020.pdf

The Trust for Public Land and the City Parks Alliance. *The Field Guide for Creative Placemaking and Parks* (2017). How-to guide that connects creative placemaking with parks and open spaces by strengthening the role of parks and open space as an integrated part of comprehensive community development, advancing arts- and culturally-based approaches to park making, and highlighting the role of parks as cultural products unto themselves.

<https://www.tpl.org/field-guide-creative-placemaking-and-parks>

U.S. Department of Agriculture Forest Service. *The Stewardship Mapping and Assessment Project (STEW-MAP)*. STEW-MAP is a research methodology, community organizing approach, and partnership mapping tool developed by scientists at the USDA Forest Service Northern Research station that answers the question: who takes care of the local environment? This question is important because stewards, or civic groups that engage in caring for local nature, play a significant role in building stronger, healthier, greener, and more resilient communities.

https://www.fs.usda.gov/nrs/pubs/gtr/gtr_nrs156.pdf

Main Street Revitalization and Economic Development

International City/County Management Association and Smart Growth Network. *Putting Smart Growth to Work in Rural Communities*. (2010). Focuses on smart growth strategies that can help guide growth in rural areas while protecting natural and working lands and preserving the rural character of existing communities.

<https://www.epa.gov/smartgrowth/putting-smart-growth-work-rural-communities>

Main Street America Resource Center. The Main Street Resource Center is a comprehensive digital library containing a broad range of member resources, including their signature Main Street Approach handbooks and guides, newly released revitalization toolkits, and the popular Main Street Now Journal archive. There are some non-member materials available here as well.

<https://www.mainstreet.org/howwecanhelp/resourcecenter>

McMahon, Ed. *Why Some Places Thrive and Others Fail: The New Formula for Community Revitalization*. Virginia Town and City. (January/February 2017). This article describes why some communities can maintain and build on their economic vitality and quality of life in an ever-changing world.

https://www.vml.org/wp-content/uploads/pdf/VTCJanFeb17_pg21-25.pdf

National Association of Counties (NACo). *Resources for Transitioning Economies*. (2015). Website developed by NACo and the National Association of Development Organizations to share publications, tools and training, funding and other resources on

economic diversification with communities and regions seeking to strengthen their local economies.

<http://diversifyeconomies.org/>

National Association of Development Organizations (NADO). *Planning for Prosperity in Small Towns and Rural Regions*. (2015). Contains materials developed by NADO and its partners through the HUD Sustainable Communities Initiative capacity building program, including publications, webinars, workshop materials, and other information on a variety of topics such as economic resilience, entrepreneurship, community engagement, downtown redevelopment, food systems, and many more.

<https://www.nado.org/online-resource-planning-for-prosperity-in-small-towns-and-rural-regions/>

National Association of Development Organizations, *WealthWorks Rural Economic Development Case Studies*. (2019). Series of case studies examining how rural communities are applying concepts of wealth creation, an approach to community and economic development that is demand-driven, focusing on market opportunities that capitalize on a community's existing assets or underutilized resources. Includes stories of communities building lasting livelihoods and supporting local ownership and control of assets related to outdoor recreation, tourism, and more.

<https://www.nado.org/wealthworks-case-studies/>

National Endowment for the Arts. *How To Do Creative Placemaking: An Action-Oriented Guide to Arts in Community Development*. (2016). This action-oriented guide is focused on making places better. It includes instructional and thought-provoking case studies and essays from leading thinkers in creative placemaking and describes the diverse ways that arts organizations and artists can play essential roles in the success of communities across America.

<https://www.arts.gov/publications/how-do-creative-placemaking>

Project for Public Spaces (PPS). *The Power of Ten*. The Power of 10+ is a concept PPS developed to evaluate and facilitate Placemaking at multiple city scales. The idea behind this concept is that places thrive when users have a range of reasons (10+) to be there. This concept can be applied to outdoor recreation economy resources and assets at the main street, town, and area scale, namely to increase the reasons for people to come, stay longer, and do more in a place.

<https://www.pps.org/article/the-power-of-10>

Smart Growth America. *(Re-)Building Downtown: A Guidebook for Revitalization*. (2015). This guide uses Smart Growth America's seven-step approach to downtown

redevelopment and is aimed at local elected officials who want to re-invigorate and strengthen neighborhood centers of economy, culture, and history.

<https://smartgrowthamerica.org/introducing-rebuilding-downtown-a-guidebook-for-revitalization/>

The Democracy Collaborative. *Community Wealth*. This website offers resources, guides, case studies, videos and examples of strategies for building wealth in a community. Some strategies are nonprofit and profit-making models such as community development corporations (CDCs), community development financial institutions (CDFIs), employee stock ownership plans (ESOPs), community land trusts (CLTs), cooperatives, and social enterprise.

<https://democracycollaborative.org/programs/cwb>

U.S. Department of Agriculture. National Agricultural Library Rural Information Center. The Rural Information Center (RIC), a service of the National Agricultural Library (NAL), assists rural communities by providing information and referral services to rural government officials, community organizations, libraries, businesses, and citizens working to maintain America's rural areas. The "Downtown Revitalization" sections features a wide variety of planning resources, case studies, funding, journal, and organizations.

<https://www.nal.usda.gov/ric/community-development-resources>

<https://www.nal.usda.gov/ric/downtown-revitalization>

U.S. Department of Agriculture Rural Development & University of Kentucky. *Rural America Placemaking Toolkit* (2022). This toolkit is a resource guide to showcase a variety of placemaking activities, projects, and success stories across rural America. Specifically it includes a Technical Assistance Directory, Financial Assistance Directory, and a Placemaking Assessment Survey.

<https://www.ruralplacemaking.com/>

U.S. EDA. *Tools for Economic Development*. Through the Research and National Technical Assistance Program, the U.S. Economic Development Administration (EDA) funds the development and dissemination of new tools for economic development practitioners and policymakers to utilize to help make informed development decisions.

<https://www.eda.gov/grant-resources/tools>

U.S. EPA. *Essential Smart Growth Fixes for Rural Planning, Zoning, and Development Codes*. (2012). Offers 10 essential fixes to help rural communities amend their codes, ordinances, and development requirements to promote more sustainable growth.

<https://www.epa.gov/smartgrowth/essential-smart-growth-fixes-communities>

U.S. EPA. *Framework for Creating a Smart Growth Economic Development Strategy: A Tool for Small Cities and Towns*. (2016). Provides a step-by-step guide to building a place-based economic development strategy for small and mid-sized cities, particularly those that have limited population growth, areas of disinvestment, or a struggling economy. <https://www.epa.gov/smartgrowth/framework-creating-smart-growth-economic-development-strategy>

U.S. EPA. *Smart Growth Self-Assessment for Rural Communities*. (2015). Tool designed specifically for rural communities that helps villages, towns, and small cities evaluate their policies to create healthy, environmentally resilient, and economically robust places. <https://www.epa.gov/smartgrowth/smart-growth-self-assessment-rural-communities>

Outdoor Recreation

Aspen Institute Community Strategies Group, *Growing Rural Equitable Outdoor Recreation Economies*. The Aspen Institute has several resources on the topic of making outdoor recreation economies more equitable for rural communities. <https://www.aspeninc.org/growing-rural-equitable-outdoor-recreation-economies/>

Bureau of Economic Analysis, *Outdoor Recreation Satellite Account*. Federal dataset measuring the economic activity as well as sales and receipts generated by outdoor recreational activities across the U.S. and by state. These statistics also measure each industry's production of outdoor goods and services and its contribution to the U.S. GDP. Industry breakdowns of outdoor employment and compensation are also included. <https://www.bea.gov/data/special-topics/outdoor-recreation>

Daily Yonder. Provides articles on outdoor recreation, many based on Headwaters Economics research. A few relevant articles are listed here:

- *How Outdoor Recreation Supports Rural Economic Development*. (Feb 24, 2019). <https://www.dailyyonder.com/speak-piece-outdoor-recreation-supports-rural-economic-development/2019/02/25/>
- *Recreation Is Bigger Share of U.S. Economy than Ag or Mining, Report Says*. (May 10, 2018). <https://www.dailyyonder.com/recreation-bigger-share-u-s-economy-ag-mining-report-says/2018/05/10/>
- *Rural "Recreation Counties" Show More Population Resilience*. (Feb 10, 2019) <https://www.dailyyonder.com/rural-recreation-counties-show-population-resilience/2019/02/11/>

Headwater Economics. Headwaters Economics is an independent, nonprofit research group that works to improve community development and land management decisions. The organization receives funding from a wide variety of sources, including contracts with federal agencies such as the Bureau of Land Management and U.S. Forest Service; charitable foundations; and contract work for partner organizations. Its website provides outdoor recreation economic data by state in addition to other outdoor recreation industry research and analysis. <https://headwaterseconomics.org/outdoor-recreation/> Several relevant reports are listed below:

- *The Amenity Trap: How High-Amenity Communities Can Avoid Being Loved to Death.* (2023). A report analyzing four major challenges and ways they uniquely affect amenity communities: housing, infrastructure, fiscal policy, and natural disasters. <https://headwaterseconomics.org/outdoor-recreation/amenity-trap/>
- *Best Practices for States to Fund Outdoor Recreation.* (2017). Seven case studies illustrate best practices and lessons learned to develop programs for outdoor state recreation funding. <https://headwaterseconomics.org/economic-development/state-recreation-funding/>
- *Economic Profile System.* Tool allowing users to produce free, detailed socioeconomic reports at the community, county, or state level and including topics such as Land Use and Public Land Amenities as well as Agriculture, Timber, and Mining. EPS is also known as the Human Dimensions Toolkit by the Forest Service. <https://headwaterseconomics.org/tools/economic-profile-system/about/>
- *How Outdoor Recreation Supports Rural Economic Development.* (2019). Report that finds that counties with outdoor recreation economies are more likely to attract new residents with greater wealth and have faster-growing wages than their non-recreation counterparts, particularly in rural communities. <https://headwaterseconomics.org/economic-development/trends-performance/outdoor-recreation/>
- *National Forest Socioeconomic Indicators Tool.* Tool allowing users to run free, easy-to-use reports detailing economics, demographics, land use, business sectors, and other topics for communities near every National Forest. <https://headwaterseconomics.org/tools/forest-indicators/>
- *The Outdoor Recreation Economy by State.* (2021, updated 2023). Report outlines the outdoor recreation economy impacts by state, using Bureau of Economic Analysis data. <https://headwaterseconomics.org/economic-development/trends-performance/outdoor-recreation-economy-by-state/>

National Governors' Association. *Outdoor Recreation Learning Network*. This resource highlights many opportunities for states to advance the outdoor recreation economy and conservation, stewardship, education, workforce training, economic development, infrastructure, equity, inclusion, public health, and wellness.

<http://nga.org/outdoors>

National Park Service, *River Access Planning Guide*. An online and downloadable resource for planning river access. The step-by-step process guides planning for river access with recreation users in mind. This guide can assist the challenging task of providing for a variety of uses while protecting natural resources in rivers and other waterways. The guide's approach provides a framework for meeting the needs of people seeking to enjoy river recreation on, off, and in the water.

<https://www.nps.gov/articles/river-access-planning-guide-a-decision-making-framework-for-enhancing-river-access.htm>

Northern Forest Center. *The Northern Forest Outdoor Recreation Economy Symposium*. (2018). Summarizes the 2018 gathering, which explored evolving trends in outdoor recreation and its role as a critical economic driver in the Northern Forest region. Links to presentations, notes, and priorities for each of the participating states (Maine, New Hampshire, Vermont and New York).

<https://northernforest.org/recreation-symposium/>

Outdoor Industry Association (OIA). OIA synthesizes the different strategies and programs currently employed in the U.S. and overarching themes, best practices, and lessons learned. Several relevant resources are listed below.

<https://outdoorindustry.org/>

- *Outdoor Participation Report*. (2023). Study showing levels of participation in outdoor activities.
<https://outdoorindustry.org/resource/2023-outdoor-participation-trends-report/>
- *State Funding Mechanisms for Outdoor Recreation*. (2017). Provides a summary from Headwaters Economics that outlines state funding mechanisms for outdoor recreation.
<https://outdoorindustry.org/wp-content/uploads/2017/08/Headwaters-Economics-v4-Screen.pdf>
- *State-Level Outdoor Recreation Reports*. (2021). Provides links to reports describing the participation in and economic impact of the outdoor recreation sector in every state and Congressional district.
<https://outdoorindustry.org/advocacy/>
- *The Outdoor Recreation Economy*. (2017). Summarizes the economic impact of the outdoor recreation sector across the U.S. and includes national statistics on

consumer spending, jobs, and tax revenue, along with statistics for specific recreation activities.

https://outdoorindustry.org/wp-content/uploads/2017/04/OIA_RecEconomy_FINAL_Single.pdf

- *White Paper on State Leadership Roles for Outdoor Recreation*. (2016). This white paper describes the role that states can play in promoting outdoor recreation, with examples from states that were early to adopt state-level directors of outdoor recreation.

<https://industry.traveloregon.com/wp-content/uploads/2016/08/Outdoor-Industry-Association-White-Paper-on-State-Leadership-Roles-for-Outdoor-Recreation.pdf>

Outdoor Recreation Roundtable (ORR). ORR promotes the growth of the outdoor recreation economy and outdoor recreation activities, educating decision makers and the public on balanced policies that conserve public lands and waterways and enhance infrastructure to improve the experience and quality of life of outdoor enthusiasts everywhere. ORR publishes many white papers, research, statistics, and reports on the importance of outdoor recreation.

<https://recreationroundtable.org/>

- *Outdoor Career Path Module*. These interactive profiles showcase real people in the outdoor industry and the career paths, motivations, and work / life balance attributes that have propelled them in their work.
- *Outdoor Rec Drives Jobs: Careers in the Recreation Economy*. (2023). This report provides a comprehensive look at the outdoor recreation economy and the breadth of high-quality jobs that exist within, tailored to workers with a variety of skillsets. It also includes links to workforce resources and academic programs supporting work in the recreation economy.

<https://osucore.s3.us-west-2.amazonaws.com/orr-workforce-profiles-2022/story.html>

- *Outdoor Recreation Drives the American Economy*. This section of the ORR website hosts summary economic statistics overall and by state. The State site hosts summary statistics on the outdoor recreation economy by state, each of which links to the more detailed state report published by the US Department of Commerce Bureau of Economic Analysis Outdoor Recreation Satellite Account (ORSA) data.

<https://recreationroundtable.org/resources/national-recreation-data/>
<https://recreationroundtable.org/resources/state-recreation-data/>

- *The Outdoor Recreation Roundtable Rural Economic Development Toolkit*. (2021). This toolkit outlines strategies for using outdoor recreation as a tool for economic development, including key best practices and examples from around the country.
<https://recreationroundtable.org/rural-development-toolkit/>
- *Work in the Outdoors: Resources to Support the Outdoor Workforce and Career Paths in the Rec Economy* (2022). To release the “Outdoor Rec Drives Jobs” report, ORR used this webinar to feature several of the outdoor professionals featured in the report and to share about their connection to the outdoor workforce.
<https://www.youtube.com/watch?v=UOYCPtKIJkk>

Sausser, Brooke and Jordan W. Smith, Ph.D. *Elevating Outdoor Recreation*. Institute of Outdoor Recreation and Tourism at Utah State. (July 2018). This study provides an overview and analysis of eleven state offices of initiatives of outdoor recreation.
https://www.nps.gov/orgs/1892/upload/Elevating_Outdoor_Rec_Together.pdf

Society of Outdoor Recreation Professionals (SORP). SORP is the nation’s leading association of outdoor recreation and related professionals who strive to protect natural and cultural resources while providing sustainable recreation access. The organization’s website provides access to webinars, scholarships, and tools for outdoor recreation planning including a library of all state comprehensive outdoor recreation plans (SCORPs) and technical resources.
<https://www.recpro.org/>

U.S. Department of Agriculture. *Federal Outdoor Recreation Trends: Effects on Economic Opportunities*. (2016). Summarizes participation trends and projections for 17 outdoor recreation activities common on federal lands, describes the current economic activity supported by outdoor recreation, and discusses how anticipated future changes in recreation participation and climate may impact the economic activity supported by outdoor recreation.
<https://www.fs.usda.gov/treesearch/pubs/53247>

U.S. Department of Agriculture. *Recreation Economy at USDA Economic Development Resources for Rural Communities*. (2020). USDA’s Forest Service, Rural Development, and the National Institute for Food and Agriculture developed this resource guide for rural communities to identify resources that develop the recreation economy. It describes the roles of federal agencies and programs in the recreation economy and highlights numerous financing strategies and case studies from communities.
https://www.rd.usda.gov/sites/default/files/usdard_recreational_economy508.pdf

U.S. Department of Agriculture. *Recreation Economic Values for Estimating Outdoor Recreation Economic Benefits from the National Forest System*. (2017). This report presents the most recent update of the Recreation Use Values Database, based on an exhaustive review of economic studies spanning 1958 to 2015 conducted in the United States and Canada, and provides the most up-to-date recreation economic values available.

<https://www.fs.usda.gov/research/treesearch/54602>

Utah State University. *Gateway & Natural Amenity Region (GNAR) Initiative*. The GNAR Online Community Toolkit is designed to be a resource for planners, public officials, community members, consultants, and all others who are working in communities with access to significant natural amenities and recreation opportunities. This toolkit provides resources, case studies, model ordinances, and other tools to help GNAR communities plan for and respond to the unique planning, transportation, economic, community development, and sustainability challenges and opportunities they face. The toolkit is a living resource; it will grow and adapt in order to provide the most useful and up-to-date information possible.

<https://www.usu.edu/gnar/toolkit>

Trails and Transportation

American Trails. *Resource Library*. Search thousands of articles, studies, training, and projects on every aspect of trails and greenways. This website also has a national map searchable by state for agencies, organizations, training, and state-specific resources relating to trails and greenways.

<https://www.americantrails.org/resource-library/>

Centers for Disease Control and Prevention. *Increasing Physical Activity Through Community Design*. This website contains a compilation of real world examples, an Implementation Resource Guide, and a Visual Guide to help communities implement recommendations for built environment approaches that combine one or more interventions to improve transportation systems (activity-friendly routes) with one or more land use and community design interventions (everyday destinations) to increase physical activity.

<https://www.cdc.gov/physicalactivity/community-strategies/activity-friendly-routes-to-everyday-destinations.html>

Federal Highway Administration. *Bicycle and Pedestrian Program*. The Federal Highway Administration's Bicycle and Pedestrian Program promotes safe, comfortable, and convenient walking and bicycling for people of all ages and abilities. This program supports pedestrian and bicycle transportation through funding, policy guidance,

program management, and resource development. The website contains information on funding resources, design and implementation, case studies, guidebooks, and other information.

https://www.fhwa.dot.gov/environment/bicycle_pedestrian/

https://www.fhwa.dot.gov/environment/bicycle_pedestrian/funding/funding_opportunities.pdf

Federal Highway Administration. *Small Town and Rural Multimodal Networks*. (2016). This document helps small towns and rural communities support safe, accessible, comfortable, and active travel for people of all ages and abilities. It provides a bridge between existing guidance on bicycle and pedestrian design and rural practice, encourages innovation in the development of safe and appealing networks for bicycling and walking, and shows examples of project implementation.

https://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/small_towns/fhwahep17024_lg.pdf

Headwaters Economics. *Trails Research and Searchable Benefits Library*. (2019). Compilation of 144 trail studies on the impacts of trails in a single library, searchable by type of benefit, use, year, and region.

<https://headwaterseconomics.org/economic-development/trails-pathways/trails-research/>

Main Street America and Project for Public Places. *Navigating Main Streets as Places: A People-First Transportation Toolkit*. (2019). This toolkit provides guidance on how to evaluate streets and transportation through the lens of placemaking; balance the needs of mobility and other street activities; and build stronger relationships with other decisionmakers and the community. It's a one-stop-shop toolkit featuring guidance and best practices for rural downtowns and urban neighborhood commercial districts.

<https://www.mainstreet.org/howwecanhelp/navigatingmainstreets>

Rails-to-Trails Conservancy. *Trail-Building Toolbox*. A one-stop-shop for the basics to create a vibrant rail-trail for your community, including technical tips and tried-and-true methods for generating neighborhood, political, and funding support for your project. Parts of the toolbox include organization, acquisitions, funding, planning, design, and maintenance.

<https://www.railstotrails.org/build-trails/trail-building-toolbox/>

Rails-to-Trails Conservancy. *Trail Towns*. Provides examples, best practices, and resources for communities and regions seeking to start or grow Trail Town programs,

which can help to entice trail users off the trail and into adjacent communities, supporting economic development.

<https://www.railstotrails.org/build-trails/trail-building-toolbox/planning/trail-towns/>

Sate Routes to School National Partnership. *Dollars and Deadlines: A State-by-State look at the Transportation Alternatives Program*. The Transportation Alternatives program is a primary source of federal funding for biking and walking improvements. The Safe Routes Partnership created state-specific fact sheets that detail how local communities can access these funds.

<https://www.saferoutespartnership.org/blog/dollars-and-deadlines-state-state-look-transportation-alternatives-program>

Safe Routes to School National Partnership. *Get to Know Your Neighborhood with a Walk Audit*. Walk audits are a great tool to gather information about street conditions, engage community members, and inform planning and traffic safety projects. This is a how-to manual to conduct your own walk audit. Though designed for safe routes to school, it can be applied to routes and connections between amenities in and around a downtown/Main Street area.

https://www.saferoutespartnership.org/sites/default/files/get_to_know_your_neighborhood_with_a_walk_audit.pdf

The Scenic Route. *Getting Started with Creative Placemaking and Transportation*. A guide for using creative placemaking strategies in transportation projects to reflect and celebrate local culture, heritage, and values.

http://creativeplacemaking.t4america.org/?utm_source=Design+-+2016+Highlights&utm_campaign=Design+2016+Highlights+Newsletter&utm_medium=email