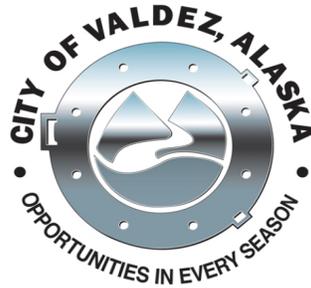


# City of Valdez

212 Chenega Ave.  
Valdez, AK 99686



## Meeting Agenda - Final

Tuesday, August 25, 2020

6:00 PM

Special Meeting

Council Chambers

City Council

**SPECIAL MEETING AGENDA - 6:00 PM**

I. CALL TO ORDER

II. ROLL CALL

III. NEW BUSINESS

1. [Approval of Amendment #11 to Exceptional Use Agreement for Use of Civic Center by Alyeska Pipeline Service Company for Emergency Response or Simulation Drills](#)
2. [Approval of First Amendment to Settlement Agreement Regarding the Assessment of the Trans Alaska Pipeline System \(TAPS\)](#)

IV. RESOLUTIONS

1. [#20-47 - Opposing Issuance of Permit by Department of Natural Resources for Helicopter Operation Project LAS 33373 \(Postponed from the City Council Regular Meeting of September 1, 2020\)](#)

V. ADJOURNMENT



## Legislation Text

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**File #:** 20-0387, **Version:** 1

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**ITEM TITLE:**

Approval of Amendment #11 to Exceptional Use Agreement for Use of Civic Center by Alyeska Pipeline Service Company for Emergency Response or Simulation Drills

**SUBMITTED BY:** Sheri Pierce, MMC, City Clerk

**FISCAL NOTES:**

Expenditure Required: [Click here to enter text.](#)

Unencumbered Balance: [Click here to enter text.](#)

Funding Source: [Click here to enter text.](#)

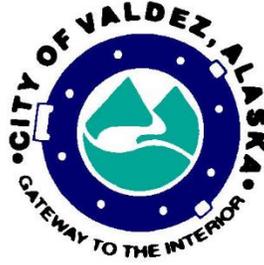
**RECOMMENDATION:**

Approve a 5 year renewal of an exceptional use agreement with Alyeska Pipeline Service Company for use of the Valdez Civic Center for emergency response or simulation drills.

**SUMMARY STATEMENT:**

The City and Alyeska developed the attached use agreement following the 1989 Oil Spill. The agreement spells out the manner in which Alyeska may use the building for emergency response and simulation drills, including special requirements that must be met for security, equipment, etc. and the charges associated with the use.

Under Section C. - Emergency Response, of this agreement, the City shall have priority use of all Civic Center resources in the event of an actual emergency.



**AMENDMENT NO. 11  
TO  
CONTRACT 104974**

**EXCEPTIONAL USE AGREEMENT FOR THE VALDEZ CIVIC CENTER  
BY ALYESKA PIPELINE SERVICE COMPANY  
FOR EMERGENCY RESPONSE OR SIMULATION DRILLS**

The City of Valdez (CITY), a municipal corporation, and Alyeska Pipeline Service Company (ALYESKA) acting as Agent for and on behalf of the Owners of the Trans-Alaska Pipeline System, (OWNERS) hereby execute Amendment No. 11 (AMENDMENT 11) to Contract 104974 (CONTRACT) to extend the term of the Agreement whereby the CITY will from time-to-time make available to ALYESKA Ballrooms A, B, and C, the Conference Rooms A, B, and C or other as available at the Valdez Civic Center (CIVIC CENTER) for Emergency Response or Simulation Drills.

AMENDMENT 11 to the CONTRACT replaces and supersedes all previous iterations of the CONTRACT and any Amendments, Exhibits, Attachments, and Addenda thereto.

A. TERM

The terms of this Agreement as set forth in AMENDMENT 11 are effective July 20, 2020 via approval through the Valdez City Council and shall remain in full force and effect until July 31, 2025, unless terminated by either ALYESKA or the CITY. Either party may cancel this Agreement by giving sixty (60) days written notice to the other party, providing that the cancellation does not occur during the ninety (90) day use period as identified in section C.1. of this document.

All usage of the CIVIC CENTER will be subject to the following:

B. GENERAL GUIDELINES, RATES AND POLICIES

1. All usage of the CIVIC CENTER is subject to this Agreement and the CITY's current terms and conditions. A separate "APPLICATION FOR USE" will be completed and submitted to the CITY for each response or simulation episode. Current room rental rates and associated rates for related services and packages will be charged. An information packet showing current commercial rental rates, "package" rates, and special services fees is available on demand. Items or services not listed may be negotiated separately with CIVIC CENTER Director. Normal rental fees do not infer CIVIC CENTER responsibility to provide for specialized power source, communication or other unusual needs. Charges, if any, for actual use of the CIVIC CENTER under this agreement shall be invoiced monthly to either the owner company upon authorized request, or:

Alyeska Pipeline Service Company  
P.O. Box 196606  
Anchorage, AK 99519-6606

Attn: Accounts Payable, MS #503  
Reference CONTRACT 104974, VA1042

2. All notices under this Agreement shall be sent by certified/registered mail to the parties at their respective addresses set forth below or by an acknowledged electronic transmitted message (e.g. facsimile). The addresses of the parties are as follows:

ALYESKA

Alyeska Pipeline Service Company  
P.O. Box 196660, MS 530B  
Anchorage, AK 99519-6660  
Attn: Contracts Manager  
Telephone No.: (907) 787-8015  
Facsimile No.: (907) 787-8087

CITY

City of Valdez  
Civic Center Manager  
P.O. Box 307  
Valdez, AK 99686  
Telephone No.: (907) 835-4440  
Facsimile No.: (907) 835-2472

3. During an Emergency Response, ALYESKA will provide at least one (1) security person in the main lobby at all times ALYESKA is on site at the CIVIC CENTER. Prior arrangements may be made for a bonded guard(s) to stay on site over and above normal usage hours to guard ALYESKA equipment only. Equipment security personnel are not authorized to allow any access or use of building by non-CIVIC CENTER staff. If security or other concerns negate non-ALYESKA entry or use of other areas of the building, ALYESKA will be charged full rental rates for those areas normally otherwise for rent. CIVIC CENTER does not provide security, secretarial, reception, or general labor to ALYESKA. Minimal reproduction equipment is available on a shared basis and will be charged at the current price per page.
4. ALYESKA will abide by all current CIVIC CENTER policies including, but not limited to, clean up and removal of all ALYESKA equipment or items at the termination of the event, and responsibility for restitution for any damage - over and above normal usage - caused by any ALYESKA employees or contractors. Under no circumstances are there to be any modifications to walls, floors, or equipment; or, are other systems to be attached to walls, floors or equipment without prior written CIVIC CENTER approval.
5. Under no circumstances are any hazardous materials to be stored in rented areas of the CIVIC CENTER. No storage is provided; if a room is used for set up or storage only, the full daily rental rate will be charged.
6. If twenty-four (24)-hour usage of the CIVIC CENTER is necessary, the following rules will apply:
  - a. A memo from ALYESKA to the CIVIC CENTER Director requesting twenty-four (24) hour access for the specific dates, and notification of the name and number of the security company and contact person should be provided at least seven (7) working days prior to the event, if possible. CIVIC CENTER will make every effort to have staff on duty at all times requested. However, at no time is the building to be left without either CIVIC CENTER staff on duty or prior arrangements made for two security employees as noted below.
  - b. If CIVIC CENTER staff availability is limited, the hours from 12:00 a.m. (Midnight) through 8:00 a.m. may be covered by a minimum of two employees of a licensed and bonded security firm. If facility access is needed during the night hours, and CIVIC CENTER staff is not available, ALYESKA assumes responsibility for the safety and wellbeing of all private and public personnel and the CIVIC CENTER facility until CIVIC CENTER staff is on site. Prior arrangements must be made for minimum facility safety training of guards. This training is provided by the CIVIC CENTER staff and covers familiarization of the facility including fire alarms, access doors, etc. In the event no CIVIC CENTER personnel is on duty, the security personnel may not allow access to the CIVIC CENTER to non-CIVIC CENTER personnel unless those security personnel on duty have received familiarization training from CIVIC CENTER staff.

7. ALYESKA, in cooperation with Copper Valley Telephone, may pre-wire in the CIVIC CENTER 100 pair cables for telephone and data circuits, which will be dedicated solely to ALYESKA during its occupancy of the CIVIC CENTER. As installed, the CITY may use these extra pair cables at other times, at the CITY's sole expense. ALYESKA alone may modify these extra pair cables. Installation or modification charges from Copper Valley Telephone will be the sole responsibility of ALYESKA. Should the CITY desire the added pair cables to be removed after ALYESKA occupancy, ALYESKA will be responsible for all costs related to such removal.
8. ALYESKA must provide the Civic Center with one contact person with authority to make final decisions. If separation of authority, then prior to the event, ALYESKA must provide an authorized contact, i.e., the person who has final responsibility for decisions regarding the following:
  - a. Set up for rooms/logistics
  - b. Technical set up and logistics
  - c. PR/media needs
  - d. Catering needs
  - e. Security
  - f. Billing/expenditure authority
9. CIVIC CENTER policies, rates and fees are revised as needed with final approval by the Valdez City Council. Copies of revisions will be sent to the ALYESKA VBU Contract Administrator for reference. ALYESKA will comply with the CIVIC CENTER policies, service fees and rental rates in effect at the time of use confirmation of the facility. If technical needs require a CIVIC CENTER staff person to be on site between midnight and 8:00 a.m., an additional hourly charge (at the current rate) will be assessed for each needed staff person hour. The rate of one third (1/3) of the daily rental rate per night will be charged for full facility use during the period of midnight to 8:00 a.m.
10. ALYESKA agrees to defend and indemnify the CITY for all costs pertaining to claims made against the CITY for any scheduled conventions, meetings, etc., for the CIVIC CENTER due to ALYESKA's use of the CIVIC CENTER.

C. EMERGENCY RESPONSE

1. ALYESKA acknowledges that during actual emergencies, the CITY shall have priority use of all CIVIC CENTER resources, which may include uses such as a public shelter and/or the CITY's own Emergency Operations Center (EOC). The CITY agrees to consider sharing CIVIC CENTER space with ALYESKA during actual emergencies inasmuch as practical depending on the situation. As Such, ALYESKA will plan for and drill to account for this priority.
2. Subject to the limitation set forth in paragraph 1, In the event of a major emergency response requiring use of the CIVIC CENTER, and no private business, agency, or the CITY has appropriate space for rent, the CITY will make available to ALYESKA the rooms indicated above for a maximum period of ninety (90) days. The CITY and CIVIC CENTER acknowledge the importance of providing necessary space and assistance during such an urgent and stressful situation. As the primary function of the CIVIC CENTER is for community use and conventions, ALYESKA will make every effort to vacate the premises as soon as possible.
3. ALYESKA shall have the right to assign this Agreement, for emergency response in the Prince William Sound, adjacent coastal waters, and the Gulf of Alaska, to any owner, operator, or charterer of a tank vessel that lifts Alaska North Slope crude oil at the Alyeska Valdez Marine Terminal and/or delivers fuel oil to the Valdez Marine Terminal. During the period of an assignment the assignee shall replace ALYESKA in its Agreement rights and duties. Obligations incurred by ALYESKA prior to assignment shall not be extinguished by the assignment. Authority contacts as listed above must remain valid or appropriate replacements officially designated.

4. Only in an extreme case of continued difficulties with potential harm or damage to people, facilities, or the environment, will a time extension over three months (90 days) be granted.
5. The CITY retains the paramount authority to override this Agreement and retain the use of the CIVIC CENTER by the CITY or any other organization should the CITY deem this to be in the best interest of the CITY.
6. ALYESKA agrees to defend, hold harmless, and indemnify the CITY from any and all claims arising out of ALYESKA's, or any assignees, use of the CIVIC CENTER.

D. SIMULATION (DRILL) OF EMERGENCY RESPONSE

1. The CITY will provide the CIVIC CENTER only if available for the time period requested. The CIVIC CENTER Director will accommodate requests whenever possible, but previously scheduled events will not be canceled for a simulation drill. ALYESKA will strive to request space and services (or cancel same) in a timely manner.
2. All general guidelines, rates and policies as above noted will also apply to simulation drills.

**THE PARTIES HAVE CAUSED THIS CONTRACT** to be executed, in duplicate originals, by their respective authorized representatives, as of the date first written above.

**DATED:** \_\_\_\_\_

**ALYESKA PIPELINE SERVICE COMPANY**  
Acting as Agent for and on behalf of the  
Owners of the Trans-Alaska Pipeline

By: \_\_\_\_\_  
Dawn McQuay  
Senior Contracting Officer

DATED: \_\_\_\_\_

CITY OF VALDEZ

By: \_\_\_\_\_  
City Manager

DATED: \_\_\_\_\_

CITY OF VALDEZ

By: \_\_\_\_\_  
Jeremy O'Neil  
Mayor

ATTEST:

By: \_\_\_\_\_  
Sheri L. Pierce, MMC, City Clerk

Dated: \_\_\_\_\_

APPROVED AS TO FORM:

Brena, Bell and Walker, P.C.

By: \_\_\_\_\_  
Jake W. Staser



## Legislation Text

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**File #:** 20-0388, **Version:** 1

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**ITEM TITLE:**

Approval of First Amendment to Settlement Agreement Regarding the Assessment of the Trans Alaska Pipeline System (TAPS)

**SUBMITTED BY:** [Click here to enter text.](#)

**FISCAL NOTES:**

Expenditure Required: [Click here to enter text.](#)

Unencumbered Balance: [Click here to enter text.](#)

Funding Source: [Click here to enter text.](#)

**RECOMMENDATION:**

Approve First Amendment to Settlement Agreement Regarding Assessment of TAPS

**SUMMARY STATEMENT:**

On February 22, 2016, the owners of TAPS, BP Pipelines (Alaska) Inc., Conoco Phillips Transportation Alaska, Inc., ExxonMobile Pipeline Company, and Alyeska Pipeline Services Company, as agent for the Owners; (collectively Taxpayers) and the North Slope Borough, the Fairbanks North Star Borough, and the City of Valdez, (collectively Municipalities) entered into the TAPS Ad Valorem Settlement Agreement for tax years 2016 through 2020. The Parties desire to extend the TAPS Ad Valorem Settlement for an additional term of (5) years on the original terms and conditions.

The first amendment to the settlement agreement regarding the assessment of the Trans Alaska Pipeline System (TAPS) will extend the original TAPS Ad Valorem Settlement Agreement for an additional five (5) years, beginning tax year 2021 and continuing through tax year 2025. Each reference in the TAPS Ad Valorem Settlement to tax years 2016 through 2020, is hereby amended to reference tax years 2016 through 2025.

The first amendment will apply to all successors and assigns. All other terms and conditions of the TAPS Ad Valorem Settlement are reaffirmed in the agreement and shall remain in full force and effect during the additional five (5) year term.

**FIRST AMENDMENT TO SETTLEMENT AGREEMENT  
REGARDING THE ASSESSMENT OF TAPS**

This First Amendment (First Amendment) to the Settlement Agreement Regarding the Assessment of the Trans Alaska Pipeline System (TAPS) (Tax Years 2016 Through 2020) entered into on or about February 22, 2016, between the owners of TAPS, BP Pipelines (Alaska) Inc., ConocoPhillips Transportation Alaska, Inc., ExxonMobil Pipeline Company, and Alyeska Pipeline Services Company, as agent for the Owners (collectively Taxpayers); and the North Slope Borough, the Fairbanks North Star Borough, and the City of Valdez (collectively Municipalities) (TAPS Ad Valorem Settlement). The Taxpayers and the Municipalities are hereinafter referred to collectively as the Parties and each individually as a Party.

**I. RECITALS**

A. The Parties desire to extend the TAPS Ad Valorem Settlement for an additional term of five (5) years on the original terms and conditions.

B. Based upon the foregoing, the Parties agree as follows:

**II. AGREEMENT**

A. The TAPS Ad Valorem Settlement is hereby extended for an additional term of five (5) years, beginning tax year 2021 and continuing through tax year 2025. Each reference in the TAPS Ad Valorem Settlement to tax years 2016 through 2020, is hereby amended to reference to tax years 2016 through 2025.

B. This First Amendment shall apply to all successors and assigns.

C. All other terms and conditions of the TAPS Ad Valorem Settlement are reaffirmed and shall remain in full force and effect during the additional five (5) year term.

**TAXPAYERS:**

**Alyeska Pipeline Service Company**

By: \_\_\_\_\_  
Brigham McCown  
Title: President  
Date: \_\_\_\_\_

**ConocoPhillips Transportation Alaska, Inc.**

By: \_\_\_\_\_  
John Scott Jepsen  
Title: President  
Date: \_\_\_\_\_

**BP Pipelines (Alaska), Inc.**

By: \_\_\_\_\_  
Damian F. Bilbao  
Title: President  
Date: \_\_\_\_\_

**ExxonMobil Pipeline Company**

By: \_\_\_\_\_  
Gerald S. Frey  
Title: President  
Date: \_\_\_\_\_

**MUNICIPALITIES:**

**North Slope Borough**

By: \_\_\_\_\_  
Harry Brower, Jr.  
Title: Mayor  
Date: \_\_\_\_\_

**City of Valdez**

By: \_\_\_\_\_  
Jeremy O'Neil  
Title: Mayor  
Date: \_\_\_\_\_

**Fairbanks North Star Borough**

By: \_\_\_\_\_  
Bryce Ward  
Title: Mayor  
Date: \_\_\_\_\_



## Legislation Text

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**File #:** RES 20-0047, **Version:** 1

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**ITEM TITLE:**

#20-47 - Opposing Issuance of Permit by Department of Natural Resources for Helicopter Operation Project LAS 33373 (Postponed from the City Council Regular Meeting of September 1, 2020)

**SUBMITTED BY:** Sheri Pierce, MMC, City Clerk

**FISCAL NOTES:**

Expenditure Required: N/A  
Unencumbered Balance: N/A  
Funding Source: N/A

**RECOMMENDATION:**

Approve Resolution # 20-47

**SUMMARY STATEMENT:**

*Approval of this resolution was postponed from the City Council regular meeting of September 1, 2020. Staff will provide a verbal update during the September 15, 2020 meeting.*

This resolution is in response to the request for agency review notice from the Department of Natural Resources (DNR) received by the City of Valdez for the Land Use Permit application, LAS 33373, for a helicopter landing zone, parking and fuel storage on a site located off Corbin Loop Road at milepost 6.5 of the Richardson Highway in Valdez, as requested by for Joseph Wolf dba Alaska Backcountry Guides, LLC.

At the August 19<sup>th</sup> city council meeting, the City Council received public comment regarding the following concerns associated with issuance of this permit by DNR:

- Proximity of the site to an established residential neighborhood. The proposed permit site sits in the center of the Robe Lake Subdivision, which contains 54 privately owned lots that are zoned rural residential and intended for low-density living.
- Proximity to a known swan nesting area. The proposed site sits above a known swan nesting area located on Tract A of the Robe Lake Subdivision. This area is frequently visited by residents throughout Valdez as a known swan and wildlife viewing area.
- Nearby stream, wetlands and adjacency to a FEMA designated special flood hazard area for the Lowe River.
- Lack of established road system. The residential area dirt roads are maintained by the local

residents year-round and would not be suitable for an extensive increase in vehicle traffic, especially during the winter.

The City Council directed administration to bring forth a resolution of opposition for submission to DNR prior to the close of the comment period on August 26, 2020.

CITY OF VALDEZ, ALASKA

RESOLUTION NO. 20-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, OPPOSING APPLICATION FOR DEPARTMENT OF NATURAL RESOURCES PERMIT FOR HELICOPTER LANDING PROJECT LAS 33373

WHEREAS, the State of Alaska Department of Natural Resources (DNR) received an application from Joseph Wolf dba as Alaska Backcountry Guides, LLC (“Backcountry”) “for year-round use of a temporary helicopter landing pad and storage of 10,000 gallons of Jet fuel” for a five-year period “to run a helicopter landing, fueling, & storage area” (“Helicopter Operation”); and

WHEREAS, the Helicopter Operation would be located “off Corbin Loop Road at MP 6.5 of the Richardson Highway” legally described as Section 22, Township 9 South, Range 5 West, Copper River Meridian; and

WHEREAS, DNR has solicited comments from the City of Valdez; and

WHEREAS, the site of the Helicopter Operation is directly adjacent to a developed residential subdivision with 54 privately held parcels zoned as Rural Residential; and

WHEREAS, the Helicopter Operation does not conform to the uses permitted within the subdivision or the residential character of the subdivision, which is intended for low-density living; and

WHEREAS, the Helicopter Operation is likely to disturb residents of the subdivision and may have adverse effects on the quality of life and safety of the residents; and

WHEREAS, the Helicopter Operation is likely to disturb wildlife near the site including swans and other waterfowl that nest nearby; and

WHEREAS, the Helicopter Operation site is located near a stream, wetlands, and a FEMA designated special flood hazard area.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA THAT:

Section 1. The Valdez City Council opposes the issuance of a permit for the Helicopter Operation and requests that DNR deny the permit application.

Section 2. A copy of this resolution shall be delivered to DNR.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this 25<sup>th</sup> day of August, 2020.

CITY OF VALDEZ, ALASKA

ATTEST:

\_\_\_\_\_  
Jeremy O'Neil, Mayor

\_\_\_\_\_  
Sheri L. Pierce, MMC, City Clerk



**AGENCY REVIEW NOTICE**  
**LAS 33373**  
**Joseph Wolf dba Alaska Backcountry Guides, LLC**

Subject to AS 38.05.850, the Southcentral Regional Land Office has received an application for the following:

**APPLICANT:** Joseph Wolf dba Alaska Backcountry Guides, LLC

**PROJECT NAME:** LAS 33373

**GEOGRAPHIC LOCATION:**  
Located off Corbin Loop Road at MP 6.5 of the Richardson Highway.

**LEGAL DESCRIPTION:**  
Section 22, Township 9 South, Range 5 West, Copper River Meridian.

**REQUESTED ACTIVITY:**  
Joseph Wolf dba Alaska Backcountry Guides, LLC has applied for year-round use of a temporary helicopter landing pad and storage of 10,000 gallons of Jet fuel.

**PROPOSED DATES OF USE:**  
Start: January 1, 2021  
End: December 31, 2025

**DEADLINE FOR COMMENTS:** August 26, 2020

You are invited to review the enclosed Land Use Permit application materials. Please direct any questions or comments you may have to Candice Snow, [candice.snow@alaska.gov](mailto:candice.snow@alaska.gov), or the above address. You need not respond if you do not have any comments. The purpose of this notice is to gather input before a decision is made on the proposed activity.

After review and adjudication, we may issue a permit with stipulations for the activity. The activity may be modified during the review and adjudication process.

Candice Snow  
Natural Resource Specialist III  
(907)269-5032

Distribution List:

- DNR Office of History & Archaeology
- DEC - Charley Palmer
- DNR Land Sales
- Division of Oil & Gas
- USACE - REGPAGEMASTER
- US Fish & Wildlife Service - Douglass Cooper
- EPA - Matthew Lacroix
- DNR Land Sales
- Fish and Game Habitat Southcentral - Megan Marie
- ADNR DMLW Realty Services - Adrienne Stolpe
- DNR State Parks Permitting
- Alaska Department of Transportation - Heather O'claray
- Fish and Game - DWC-SWP-Other - Adam Dubour
- City of Valdez - Mark Detter

**STATE OF ALASKA**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Mining, Land and Water**

Northern Region Land Office,  
Fairbanks  
(907) 451-2740

Southcentral Region Land Office,  
Anchorage  
(907) 269-8552

Southeast Region Land Office,  
Juneau  
(907) 465-3400

Dear Applicant:

The Department of Natural Resources, Division of Mining, Land and Water's (DMLW) regional land offices are responsible for managing state land and resources. Certain activities on state land require a land use permit, while other activities are considered "generally allowed" or require other authorizations. Commercial recreation facilities that remain no longer than 14 days in any one site may obtain a commercial recreation permit rather than a land use permit. Additional information and forms are available at any Division of Mining, Land and Water regional land office and the Public Information Centers in Anchorage and Fairbanks.

**Land Use Permits:**

- authorize the temporary use of state land or resources;
- can be issued for up to five years;
- do not convey any interest in state land;
- are revocable with or without cause;
- are not transferable;
- do not constitute waiver of any other state, federal, or local laws; and

**A Complete Land Use Permit Application Package includes the following items:**

**A Land Use Permit application form completed and signed by the applicant.** Applicants proposing:

- the use of the uplands and non marine waters must also complete the Supplemental Questionnaire for Use of Uplands and/or Non Marine Waters accompanying this application;
- off-road travel must also complete the Supplemental Questionnaire for Off-Road Travel accompanying this application; and/or
- the use of tide and submerged lands must also complete the Supplemental Questionnaire for Use of Marine Waters accompanying this application.

The **site development diagram** required in the Supplemental Questionnaire for Use of Uplands and/or Non-Marine Waters and the Supplemental Questionnaire for Use of Marine Waters should show each item labeled so that it corresponds with your description in the Questionnaire. **The site development diagram must include:**

- **Location** - Section, Township, and Range lines; North arrow; scale; title; legend (may be attached).
- **Boundaries** – Boundaries and dimensions of proposed area of use and their relation to geographic features, including water bodies, and existing trails or rights-of-way.
- **Structures and Storage** - Location and dimensions of buildings, tent platforms, out-buildings and other improvements, and of equipment parking and storage areas, including snow storage areas.
- **Hazardous substances** – Location and dimensions of storage facilities for hazardous substances, including but not limited to oil, lubricants, fuel oil, gasoline, solvents, and diesel fuel. Include method and dimensions of storage (tank, drum, etc.).

**Other items that must accompany the application package are:**

Land Use Permit Application  
Cover Letter (6/18)  
Page 1 of 2

**Map** - a topographic map of sufficient scale to show the location of the proposed activity. The map may be either 1:250,000 or 1:63,360.

**Filing Fees** - A non-refundable filing fee is required by regulation (11 AAC 05.010(5)(B)). See the current Director's Fee Order for applicable fees. Make checks payable to the "State of Alaska".

**Other Miscellaneous Items:** Items specifically identified and required in any of the supplemental questionnaires.

**Completed Land Use Permit Applications should be mailed to one of the following offices:**

**Public Information Center**  
550 W. 7<sup>th</sup> Ave, Suite 1360  
Anchorage, AK 99501  
(907) 269-8400

**Public Information Center**  
3700 Airport Way  
Fairbanks, AK 99709  
(907) 451-2705

**MLW Information Office**  
P.O Box 111020  
Juneau, AK 99811-1020  
(907) 465-3400

**Pre-Permit Issuance Requirements:** Prior to issuance of a permit, an applicant is required to submit one or more of the following:

**Use Fees** - The use fee depends on the type of activity, length of use and the acreage authorized for use. See the current Director's Fee Order for applicable fees.

**Performance Guaranty (Bond)** - A performance guaranty is held by the state to assure performance and to pay for corrective action if the use of state land fails to comply with the requirements of the permit. The DMLW uses a bonding matrix to determine the amount of a performance guaranty. Acceptable types of performance guaranties include:

- a. cash or check made out to the State of Alaska;
- b. a Certificate of Deposit (CD) in the state's name; or
- c. a corporate surety bond.

**Insurance** - Insurance to protect you and the state from liabilities incurred through the use of state property.

**Survey** - Surveys are generally not required for land use permits. Some authorizations may require a Global Positioning System (GPS) to determine the location of the project.

If you have any questions prior to submitting your application, you are encouraged to meet with a member of the Division of Mining, Land and Water staff about your proposed activity.

**ONLY COMPLETE APPLICATIONS WILL BE ACCEPTED**

**STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINING, LAND AND WATER**

**LAND USE PERMIT APPLICATION**

AS 38.05.850

**Receipt Types:** 7A – Application for Authorization, except  
RR – Application for Authorization on Recreational Rivers System

**Applicants must complete all sections of this application. In addition, applicants proposing:**

- the use of the uplands and non marine waters must also complete the Supplemental Questionnaire for Use of Uplands and Non Marine Waters accompanying this application;
- off-road travel must also complete the Supplemental Questionnaire for Off-Road Travel accompanying this application; and/or
- the use of tide and submerged lands must also complete the Supplemental Questionnaire for Use of Marine Waters accompanying this application.

**Other items that must accompany the completed application are:**

- a **(non-refundable)** application fee; see current Director’s Fee Order for applicable fees;
- a 1:250,000 or 1:63,360 scale USGS map showing the location of the proposed activity;
- additional items identified and required in any supplemental questionnaire(s) to this application; and
- additional pages if more space is necessary to answer the questions completely.

**Completed Land Use Permit Applications should be mailed to one of the following offices:**

**Public Information Center**  
550 W. 7<sup>th</sup> Ave, Suite 1360  
Anchorage, AK 99501  
(907) 269-8400

**Public Information Center**  
3700 Airport Way  
Fairbanks, AK 99709  
(907) 451-2705

**MLW Information Office**  
400 Willoughby, #400  
P.O. Box 111020  
Juneau, AK 99811-1020  
(907) 465-3400

LAS # \_\_\_\_\_

<b>Applicant Information:</b>			
Joseph Wolf		03/06/1990	
Applicant Name		Date of Birth	
Alaska Backcountry Guides, LLC		Joseph Wolf	
		85-2081202	
Doing Business As		EIN	
1978 S Windsor Street, Salt Lake City, UT 84105		wolf@akbcguides.com	
Mailing Address with City, State and Zip		Email Address	
( N/A)	( N/A)	( 312) 909-3330	( N/A)
Home Phone	Work Phone	Cell Phone	FAX
If you are applying for a corporation, give the following information:			
Name, address and place of incorporation: Alaska Backcountry Guides LLC, 5920 Corbin Loop Rd, Valdez, AK 99686			
Is the corporation qualified to do business in Alaska? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> . If yes, provide name, address and phone number of resident agent: Registered Agents, 125 N Willow St, STE B, Kenai, AK 99611 (907) 312-5564			
<b>Type of User, Select one:</b> <input type="checkbox"/> Private <u>non</u> -commercial (personal use) <input checked="" type="checkbox"/> Commercial Recreation or Tourism			
<input type="checkbox"/> Public Non-profit including Federal, State, Municipal Government Agency <input type="checkbox"/> Other commercial or industrial			

**Duration of Project:** The proposed activity will require the use of state land for: **(Check one)**

a single term of less than one year. **Beginning month:** \_\_\_\_\_ **Ending month:** \_\_\_\_\_

a multi year term for up to 5 years. **Beginning year:** 2021 **Ending year:** 2026

If multi year and seasonal, circle months of use in each year. **Jan., Feb., Mar., Apr., May, Jun., Jul., Aug., Sept., Oct., Nov., Dec.**

**Project Location**

Latitude/Longitude or UTM: 61.074134, -146.095747 or

Section: 22, Township: 009S, Range: 005W, Meridian: C

(The spaces below are to be used if the boundaries of the proposed project cross section lines.)

Section: \_\_\_\_\_, Township: \_\_\_\_\_, Range: \_\_\_\_\_, Meridian: \_\_\_\_\_

Section: \_\_\_\_\_, Township: \_\_\_\_\_, Range: \_\_\_\_\_, Meridian: \_\_\_\_\_

Proposed project will require the use of up to 1 acres. (Add additional sheets as necessary)

**Project Description** - Describe in detail your intended use of state land. (State land also includes all tide and submerged lands beneath coastal waters and all shorelands beneath other navigable water bodies of the state.) Discuss development and activities. (Attach additional pages as necessary.)

The intended use for this land is to run a helicopter landing, fueling, & storage area to support recreation on state land.

The primary recreation use is for helicopter assisted skiing, but expect to expand into other activities as well (e.g. site seeing, hiking, mountaineering, etc...)

The adjacent land is owned by the applicant, and this site would be used as a compliment to the company's existing private land.

Should a portion of the permitted area be closed to the general public? **Yes**  **No** . **If yes, explain which portion and provide justification for exclusive use:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Site Description** - Briefly describe the current condition of the proposed site of use, noting any trash, garbage, debris or signs of possible site contamination (If significant, we recommend you provide pictures to establish initial conditions):

The site is currently unoccupied in its natural condition, and does not have any known debris/trash or possible contaminations.

Are there improvements or materials on the site now? **Yes**  **No**  **If yes**, briefly describe the improvements, their approximate value, and who owns them (We recommend you provide pictures of improvements):

**Site Description continued** - Describe the natural vegetation --- ground cover, trees, shrubs --- and any proposed changes. Describe the location of any estuarine, riparian, or wetlands and any noticeable animal use of area.

The site is generally overgrown with bushes & shrubs. Snow will be plowed to create a cleared area to operate.

**Site Access** - Describe how you plan to access the site, and your mode of transportation.

Access will be via vehicles through the applicant's private property. Other access will be via Helicopter.

If your access is by aircraft, specify the type and size of aircraft: \_\_\_\_\_

Helicopters to be used: A-Star B2/B3/B3e & Bell 212 (equivalent machines may be used based on availability)

To access the site, the aircraft is equipped with **floats**  **wheels**  **skis** .

**Number of people**

1. Indicate the number of employees and supervisors who will be working on the site. 30
2. Indicate the number of customers who will be using the site per year or season. 500
3. Indicate the number of days the site will be used per year or season. 365

**Environmental Risk / Hazardous Substances** - In the course of your proposed activity will you generate, use, store, transport, dispose of, or otherwise come in contact with toxic and/or hazardous materials, and/or hydrocarbons? **Yes** **No** . **If yes, please describe:**

Fuel will be stored on site. No other hazardous/toxic materials will be on site.

The types and volumes of fuel or other hazardous substances present or proposed: \_\_\_\_\_

Jet Fuel (~10000 gallons)

The specific storage location(s): \_\_\_\_\_

Fuel will be stored on the eastern border of the applicant's property, while not obstructing the old richardson hwy, snow storage area, or utility easements.

The spill plan and prevention methods: \_\_\_\_\_

Fuel will only be stored in approved containers. In addition, tanks will be in "L-Berm" secondary fuel containment spill catcher.

Only trained employees will use fuel pumps. Employees will wear all necessary PPE as well as have access to fuel absorbing spill pads and spill kit.

Daily inspection of equipment to ensure there are no leaks. All reporting guidelines for fuel spills, as outlined by the Division of Spill Prevention & Response, will be followed. A 3rd party professional fuel clean-up contractor will be hired in the event of any major spills.

**Environmental Risk/Hazardous Substances (continued)** - If you plan to use either above or below ground storage containers (like tanks, drums, or other containers) for hazardous material storage, answer the following questions for each container:

Where will the container be located? On the border of the applicant's property, on the east side.

What will be stored in the container? \_\_\_\_\_

Jet Fuel

What will be the container's size in gallons? ~10,000 Gallons

Give a description of any secondary containment structure, including volume in gallons, the type of lining material, and configuration:

Fuel "spill berms" will be used as a secondary containment system. Each tank will be placed in an appropriate secondary containment size, based

on the size of the tank, following the guidelines for secondary containment size set by the Division of Spill Prevention & Response.

Will the container be tested for leaks? **Yes** **No** ]

Will the container be equipped with leak detection devices? **Yes** **No**]. **If no, describe:** \_\_\_\_\_

Daily visual inspection and testing of all containers/tanks for leaks and spills.

Do you have any reason to suspect, or do you know if the site may have been previously contaminated? **Yes** **No**]. **If yes, please explain:**

Date Stamp:



Owner

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Signature of Applicant or Authorized Representative

Title

AS 38.05.035(a) authorizes the director to decide what information is needed to process an application for the sale or use of state land and resources. This information is made a part of the state public land records and becomes public information under AS 40.25.110 and 40.25.120 (unless the information qualifies for confidentiality under AS 38.05.035(a)(8) and confidentiality is requested, AS 43.05.230, or AS 45.48). Public information is open to inspection by you or any member of the public. A person who is the subject of the information may challenge its accuracy or completeness under AS 44.99.310, by giving a written description of the challenged information, the changes needed to correct it, and a name and address where the person can be reached. False statements made in an application for a benefit are punishable under AS 11.56.210. In submitting this form, the applicant agrees with the Department to use "electronic" means to conduct "transactions" (as those terms are used in the Uniform Electronic Transactions Act, AS 09.80.010 – AS 09.80.195) that relate to this form and that the Department need not retain the original paper form of this record: the department may retain this record as an electronic record and destroy the original.



**Land Use Permit Application Supplemental Questionnaire for:  
Use of Uplands and Non Marine Waters**

To be completed to provide more detailed information about projects or activities requiring the use of state owned uplands and non marine waters. All site development details identified in this section must be represented graphically in the scaled drawings on Page 4 of the supplement.

**Temporary Structures** – 1) Describe all temporary improvements (including buildings, tent platforms, out-buildings, docks, floats, and floating facilities), including their dimensions and building materials. 2) Label improvements to be maintained on a year round basis as year round. **Note:** Seasonal improvements must be completely dismantled and removed or stored on or before the end of authorized terms of use.

Temporary & removable helipads will be used. They can easily be setup on rougher terrain, and slung away by the helicopter when no longer in use.

Distance structures including pit privies will be located from the ordinary highwater mark of the nearest freshwater body (lake, stream, river, etc), or the mean high water mark of a saltwater body:           N/A          

**Harvest of Non-Timber Related Forest Products** – Please list the type and quantity of each non-timber related forest product (berries, ferns, willow, mushrooms, birch bark, etc.) to be harvested for commercial use:

N/A

Contact the DNR Division of Forestry to obtain authorizations for the harvest of small trees.

**Motorized Equipment** - List mechanized/motorized equipment to be used, including type, size, purpose, and number of each.

Pickup truck to move equipment around, tractor/loader to move equipment, snow, and debris, diesel generator to provide power to the site.

**Storage and Parking** - If you plan to store items or park boats, vehicles and/or heavy equipment on the site, describe complete the following:

Describe and give dimensions of long term and short term parking and or storage areas. \_\_\_\_\_  
No parking on site for motor vehicles. Helicopters and fuel will be parked/stored on site.

Is parking or storage planned to take place on filled tidelands. **Yes** | **No**

Does storage involve structures or materials floating in a waterbody? **Yes** | **No** If yes, describe. \_\_\_\_\_

**Storage and Parking (continued)**

Number of disassembled tent frames N/A

Number of tent platforms N/A

List and describe items that are large and difficult to transport. Include dimensions: \_\_\_\_\_

Temporary helipads are large and need to be lifted and removed by the helicopter itself. This is not a long or difficult process.

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Will barrel(s) or an equivalent type of storage container be used? **Yes** **No** If using something other than barrels for storage containers, describe the alternative container.

Yes, a standard jet fuel tanker will be used for fuel storage.

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Describe any measures you plan to take to minimize drips or spills from leaking vehicles or equipment. \_\_\_\_\_

All vehicles and equipment will be inspected and serviced regularly to ensure drips/spills are minimized.

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**Water / Wastewater**

**Water Supply** – Describe the water supply and proposed use. \_\_\_\_\_

We do not intend to use water from this site.

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**Wastewater** – Describe the wastewater type and quantity and proposed method of wastewater disposal: (for the marine environment, also describe the proposed gray and black water systems or out fall pipeline.

There will not be wastewater to dispose of on site.

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**Waste** – Describe the types of waste that will be generated on-site, including solid waste, the source of the waste, and the method of waste disposal, i.e. pit privy, or self-contained system, or outfall line; indicate distance from the nearest waterbody.

We do not expect any waste to be generated on this site.

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**Animal Use**

Will there be any use of animals (horses, llamas, dogs, etc.)? Yes  No

Will there be commercial use of the animals (horseback rides, packing, dog sled rides, etc.)? Yes  No  If yes, please explain:

\_\_\_\_\_  
\_\_\_\_\_

**Dismantle, Removal, Restoration Plan** – Provide a plan for dismantling and removing temporary structures. Include method and timeline for total site restoration:

\_\_\_\_\_  
Fuel tank will be picked up by 3rd party vendor/lessor.

\_\_\_\_\_  
Helipads will be lifted away by helicopter.

\_\_\_\_\_  
Conduct a thorough search to remove all trash and debris. Trash/debris to be collected and disposed appropriately offsite.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SHORT TERM (PORTABLE) COMMERCIAL RECREATION CAMPS:** Identify commercial recreation activity/activities for which short term (portable) camps **will be** established to accommodate employees and clients, and provide a general description of the location(s) (e.g. guide use area, game management sub-unit, river, stream, lake, etc.) where the recreational activity/activities and short term (portable) camp use will occur.

\_\_\_ **Big Game Guiding: (List up to 3 Guide Use Areas.)** \_\_\_\_\_

\_\_\_ **Sportfishing (List river corridors, lakes, etc.)** \_\_\_\_\_

\_\_\_ **Boating/Rafting/Kayaking: (List river corridors, lakes, etc.)** \_\_\_\_\_

**Other Recreation: (Type and general geographic description.)** This permit area is utilized as the base camp for these activities.

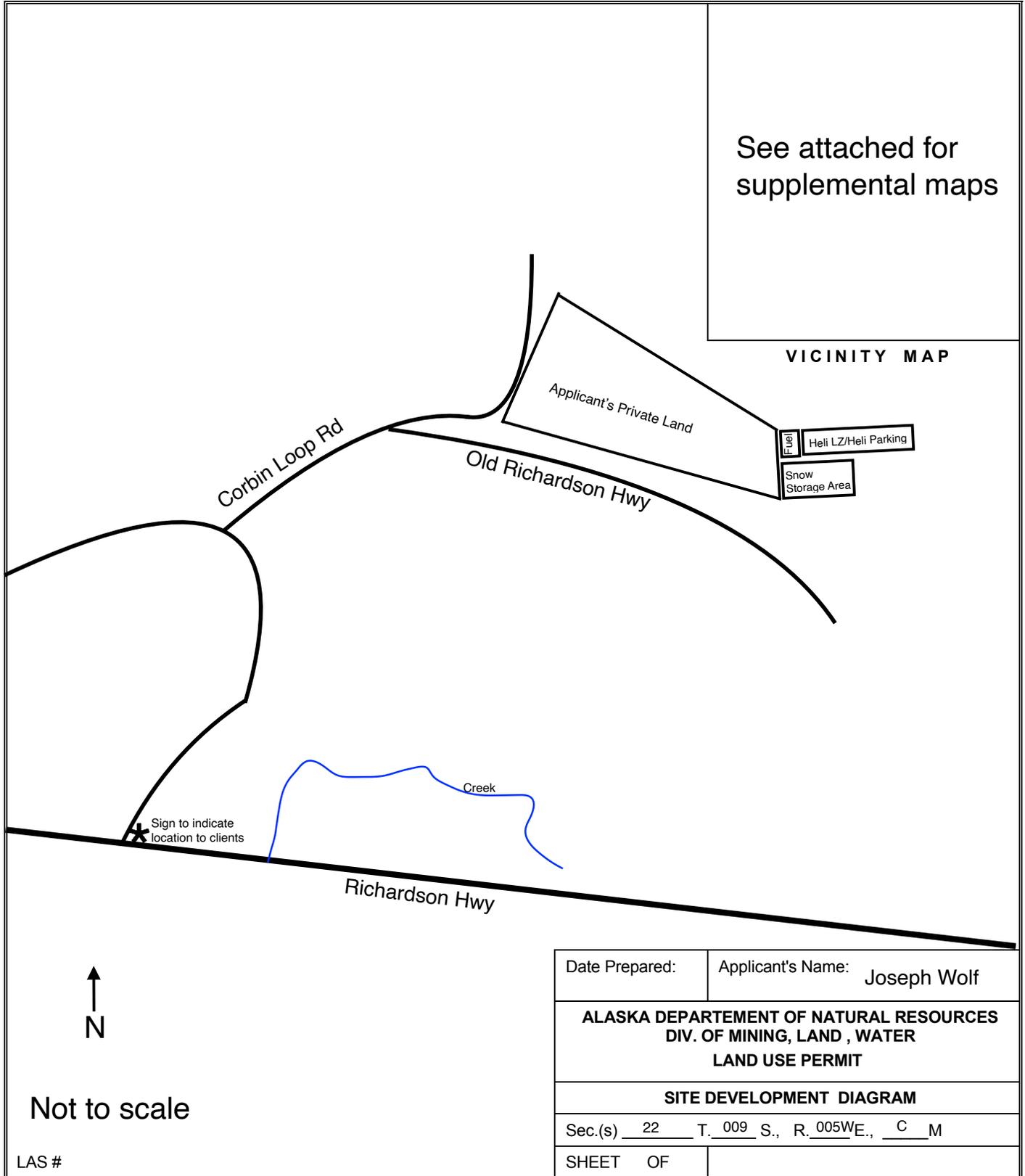
\_\_\_\_\_  
Skiing, snowboarding, snowmobiling, hiking, site-seeing, mountaineering on the surrounding state land.

- Identify any State of Alaska Refuge, Sanctuary and/or Critical Habitat Area where short term (portable) camps will be used.

\_\_\_\_\_  
N/A

**Will activities include “day use” of state land managed under the Haines State Forest Management Plan? Yes \_\_\_ No**

# Site Development Diagram



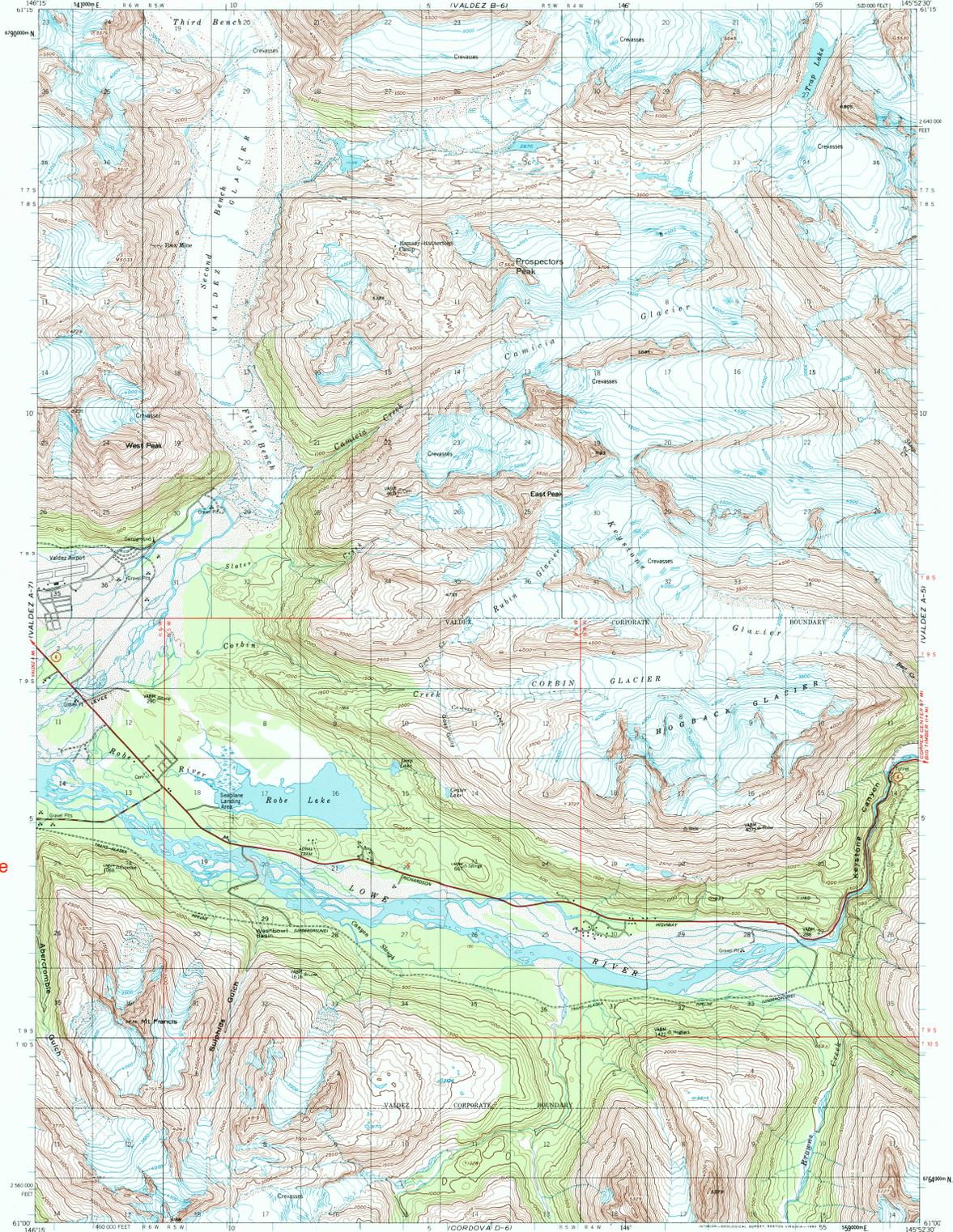
VALDEZ B-7



U.S. DEPARTMENT OF THE INTERIOR  
U.S. GEOLOGICAL SURVEY

VALDEZ (A-6) QUADRANGLE  
ALASKA  
1:63,360 SERIES (TOPOGRAPHIC)

VALDEZ B-5



X = Proposed Site

CORDOVA D-7

Mapped, edited, and published by the Geological Survey  
Control by USGS and USGACGS  
Topography by photogrammetric methods from aerial photographs taken 1950. Culture revised in part from 1:25,000 scale maps compiled in 1979 and 1980  
Universal Transverse Mercator projection. 1983 North American Datum 10,000-foot grid ticks based on Alaska coordinate system; zone 3 1000-meter Universal Transverse Mercator grid ticks, zone 6, shown in blue  
Gray land lines represent unsurveyed and unmarked locations predetermined by the Bureau of Land Management  
Foot C.M.S., Copper River Meridian  
Swamps, as portrayed, indicate only the wetter areas, usually of low relief, as interpreted from aerial photographs  
To place on the predicted North American Datum 1983 move the projection lines 60 meters north and 111 meters east



SCALE 1:63,360  
CONTOUR INTERVAL 100 FEET  
DASHED LINES REPRESENT 50-FOOT CONTOURS  
NATIONAL GEODETIC VERTICAL DATUM OF 1929



ROAD CLASSIFICATION  
Heavy-duty Light-duty  
Medium-duty Unimproved dirt  
State Route

VALDEZ (A-6), ALASKA  
N6100-W14525/15422 5  
1951  
LIMITED REVISIONS 1980

FOR SALE BY U.S. GEOLOGICAL SURVEY, P.O. BOX 25286, DENVER, COLORADO 80225  
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

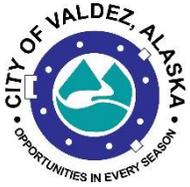
RECEIVED  
SEP 30 2001  
HISTORICALMAPARCHIVES





See photos for examples of the portable/removable helipads. They can be constructed on site, or flown in, and easily adapt to undulating or sloping land.





City of Valdez  
**ALASKA**  
Planning Department

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July 18, 2020

Candice Snow  
Natural Resource Specialist III  
Alaska DNR – Division of Mining, Land & Water  
Southcentral Regional Land Office  
550 W. 7th Ave., Suite 900C  
Anchorage, Alaska 99501-3577

Re. Review Notice: LAS 33373 – Joseph Wolf

Dear Ms. Snow,

This letter is in response to the request for agency review for the Land Use Permit application, LAS 33373, for a helicopter landing zone, parking and fuel storage on a site located off Corbin Loop Road at milepost 6.5 of the Richardson Highway in Valdez, as requested by for Joseph Wolf dba Alaska Backcountry Guides, LLC.

We respectfully request the following residential and environmental considerations regarding this site:

- Proximity of the site to an established residential neighborhood. The proposed permit site sits in the center of the Robe Lake Subdivision, which contains 54 privately owned lots that are zoned rural residential and intended for low-density living.
- Proximity to a known swan nesting area. The proposed site sits above a known swan nesting area located on Tract A of the Robe Lake Subdivision. This area is frequently visited by residents throughout Valdez as a known swan and wildlife viewing area.
- Nearby stream, wetlands and adjacency to a FEMA designated special flood hazard area for the Lowe River.
- Lack of established road system. The residential area dirt roads are maintained by the local residents year-round and would not be suitable for an extensive increase in vehicle traffic, especially during the winter.

Proposed helicopter operations, a landing zone, parking and fuel storage near residential dwellings and a stream could have adverse effects on the quality of life and safety of the residents, and potentially lead to harmful effects to the established natural environment and wildlife that residents and visitors appreciate and enjoy.

We hope these concerns will be vetted by our State of Alaska partners and departments regarding this permit request. Please let us know if we can be of any further assistance regarding these matters.

Sincerely,

Kate Huber  
Planning Director  
City of Valdez | Planning Department  
☎ 907.834.3401 | ✉ [khuber@valdezak.gov](mailto:khuber@valdezak.gov)