



City of Valdez

212 Chenega Ave.
Valdez, AK 99686

Meeting Agenda - Final Planning and Zoning Commission

Wednesday, November 29, 2017

6:00 PM

Council Chambers

REGULAR AGENDA - 7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. PUBLIC BUSINESS FROM THE FLOOR

IV. PUBLIC HEARINGS

[Public Hearing on Application for Rezone #17-01 Rezoning Parcels A, B, and C, ATS 564 from the Unclassified and Public Zoning Districts to the Light Industrial Zoning District, Submitted by the City of Valdez.](#)

V. NEW BUSINESS

[Approve a Recommendation to City Council to Grant a 15ft Wide and 265ft Long Access Easement on City of Valdez-owned Tract C, ASLS 79-118.](#)

[Approval of Recommendation to City Council for Rezone #17-01 Rezoning Parcels A, B, and C, ATS 564 from the Unclassified and Public Zoning Districts to the Light Industrial Zoning District, Submitted by the City of Valdez.](#)

VI. REPORTS

[FEMA Flood Insurance Rate Map Update](#)

[Enforcement Report](#)

VII. COMMISSION BUSINESS FROM THE FLOOR

VIII. ADJOURNMENT



Agenda Statement

File #: 17-0633 **Version:** 1

Type: Public Hearing **Status:** Agenda Ready

File created: 11/24/2017 **In control:** Planning and Zoning Commission

On agenda: 11/29/2017 **Final action:**

Title: Public Hearing on Application for Rezone #17-01 Rezoning Parcels A, B, and C, ATS 564 from the Unclassified and Public Zoning Districts to the Light Industrial Zoning District, Submitted by the City of Valdez.

Sponsors:

Indexes:

Code sections:

Attachments: [Corrected PHN](#)
[300ft Owner Notification](#)
[300 ft radius](#)
[Location map](#)

Date	Ver.	Action By	Action	Result
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ITEM TITLE:

Public Hearing on Application for Rezone #17-01 Rezoning Parcels A, B, and C, ATS 564 from the Unclassified and Public Zoning Districts to the Light Industrial Zoning District, Submitted by the City of Valdez.

SUBMITTED BY: Rochelle Rollenhagen, Senior Planner

FISCAL NOTES:

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

RECOMMENDATION:

Public Hearing Only.

Y STATEMENT:

The City of Valdez has submitted an application for rezone of Parcels A, B, and C, ATS 564 from the Unclassified and Public Zoning Districts to the Light Industrial Zoning District. Contingent upon this rezone are tideland leases for Valdez Terminal LLC (Lynden Transport) and the Valdez Fisheries Development Association. This is a public hearing only.

The authority to make amendments to modify the boundaries of the zoning districts is given to City

Council by Valdez Municipal Code (VMC). A proposed amendment requires a report from the Planning and Zoning Commission which includes findings as to the need and justification for a change or amendment, findings as to the effect a change or amendment would have on the objectives of the comprehensive plan, and a recommendation as to the approval or disapproval of the change or amendment.

The authorization for Rezone as outlined in VMC 17.54 is outlined below:

17.54.010 Authority: Whenever the public necessity, convenience, general welfare, modifications to the comprehensive plan or good zoning practice requires, the city council may amend, supplement, modify, repeal or otherwise change these regulations and the boundaries of the districts in conformity with the provisions of this title and in accordance with the comprehensive plan.

17.54.020(C) Minimum Area: Except for the extension of existing district boundaries, no change in any use district classification or an official zoning map shall be considered which contains an area less than two acres, not including street or alley rights-of-way.

Per notification requirements in VMC, a 300ft notification was mailed on November 10, 2017. A public hearing notification was published for two consecutive weeks prior to the public hearing.



Agenda Statement

File #: 17-0634 **Version:** 1

Type: New Business **Status:** Agenda Ready

File created: 11/2/2017 **In control:** Planning and Zoning Commission

On agenda: 11/29/2017 **Final action:**

Title: Approve a Recommendation to City Council to Grant a 15ft Wide and 265ft Long Access Easement on City of Valdez-owned Tract C, ASLS 79-118.

Sponsors:

Indexes:

Code sections:

Attachments: [signed request for city esmt 20171101095140381](#)
[allison creek exhibit-a tract c 10-9-17](#)
[asls 79-118 1986-86-3 \(1\)](#)
[ltr cov application cover 11-2-17](#)
[ltr to cov allison creek](#)

Date	Ver.	Action By	Action	Result
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ITEM TITLE:

Approve a Recommendation to City Council to Grant a 15ft Wide and 265ft Long Access Easement on City of Valdez-owned Tract C, ASLS 79-118.

SUBMITTED BY: Paul Nylund, Senior Planner

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Approve a recommendation to City Council to grant a 15ft wide and 265ft long access easement on City of Valdez-owned Tract C, ASLS 79-118.

SUMMARY STATEMENT:

On October 9th, 2017 the Community Development department received a letter requesting an easement from the City to CVEA. The requested easement would be 15' wide and 265' long, on City of Valdez-owned Tract C, ASLS 79-118. This parcel is located near the Alyeska Marine Terminal, off of Dayville road.

Copper Valley Electric Association has built an access/maintenance road which provides access to

its power generation operation at Allison Creek. The already constructed road encroaches onto Tract C, ASLS 79-118, which is owned by the City of Valdez.

This authorization is consistent with VMC Section 13.5. Public Utility Franchises. "The city may grant a franchise to any person for the use of the streets, alleys, bridges, easements and other public places of the city for the furnishing of any public utility service to the city and its inhabitants."

The City has the authority to establish such an easement as stated by VMC 16.24.070 Dedication-Utility easements. Which states: "The platting authority may require the dedication of utility easements when a utility company or the city demonstrates a specific need for them."

This action is consistent with the City of Valdez Comprehensive Development plan, which states: "The (Community and Economic Development) Department is responsible for the orderly and efficient growth and development of the City's socioeconomic and physical systems." (Valdez Comprehensive Development Plan, pg. 33)

If the Planning and Zoning Commission approves this recommendation to Council, and Council votes in favor of the authorization, the utility easement will be granted via resolution and the easement will be recorded to the plat, and CVEA will cover all the costs.



Agenda Statement

File #: 17-0635 **Version:** 1

Type: New Business **Status:** Agenda Ready

File created: 11/22/2017 **In control:** Planning and Zoning Commission

On agenda: 11/29/2017 **Final action:**

Title: Approval of Recommendation to City Council for Rezone #17-01 Rezoning Parcels A, B, and C, ATS 564 from the Unclassified and Public Zoning Districts to the Light Industrial Zoning District, Submitted by the City of Valdez.

Sponsors:

Indexes:

Code sections:

Attachments: [Application 17-01](#)
[300 ft radius](#)
[Location map](#)
[Corrected PHN](#)
[300ft Owner Notification](#)
[REZONE 1701 FC 112717](#)
[VAL250](#)

Date	Ver.	Action By	Action	Result
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ITEM TITLE:

Approval of Recommendation to City Council for Rezone #17-01 Rezoning Parcels A, B, and C, ATS 564 from the Unclassified and Public Zoning Districts to the Light Industrial Zoning District, Submitted by the City of Valdez.

SUBMITTED BY: Rochelle Rollenhagen, Senior Planner

FISCAL NOTES:

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

ATTACHMENTS: ☒ Rezone Application #17-02 ☒ 300ft Radius Map
☒ Adjacent Owner Notification ☒ Location Map ☒ Public Hearing Notice
☒ Index for Anadromous Waters Atlas ☒ Proposed Findings & Conclusions

RECOMMENDATION:

Approval of recommendation to City Council for Rezone #17-01 rezoning Parcels A, B, and C, ATS

564 from the Unclassified and Public Zoning Districts to the Light Industrial Zoning District, submitted by the City of Valdez.

SUMMARY STATEMENT:

The City of Valdez is requesting a rezone for Parcels A, B, and C of ATS 564 which are currently zoned Unclassified and Public to Light Industrial. Light Industrial zoning would allow the City of Valdez to provide tideland leases that are being requested from Valdez Fisheries Development Association and Valdez Terminal/Lynden Transport. This rezone is logical regardless of the lease proposals as Light Industrial zoning will ensure future development and consistency with the Comprehensive Plan.

The Planning and Zoning Commission held a public hearing on this request December 14, 2016, however, no action was taken and therefore Rezone #17-01 is on the agenda again tonight. Staff requested a recommendation from the Ports and Harbor Commission as the rezone may affect operations of the Ports and Harbor and involves tidelands adjacent to their operations. At their meeting on November 9, 2017 the Ports and Harbor Commission voted unanimously to recommend the Planning and Zoning Commission recommend approval of Rezone #17-01 to City Council.

The authority to make amendments to modify the boundaries of the zoning districts is given to City Council by Valdez Municipal Code (VMC). A proposed amendment requires a report from the Planning and Zoning Commission which includes findings as to the need and justification for a change or amendment, findings as to the effect a change or amendment would have on the objectives of the comprehensive plan, and a recommendation as to the approval or disapproval of the change or amendment.

The authorization for Rezone as outlined in VMC 17.54 is outlined below:

17.54.010 Authority: Whenever the public necessity, convenience, general welfare, modifications to the comprehensive plan or good zoning practice requires, the city council may amend, supplement, modify, repeal or otherwise change these regulations and the boundaries of the districts in conformity with the provisions of this title and in accordance with the comprehensive plan.

17.54.020(C) Minimum Area: Except for the extension of existing district boundaries, no change in any use district classification or an official zoning map shall be considered which contains an area less than two acres, not including street or alley rights-of-way.

The plat for ATS 564 was recorded in 1974. It technically remains un-subdivided, although portions of ATS 564 are leased. The leased areas of ATS 564 were approved by City Council via Resolution #10-27 in 2010. The leased areas were surveyed via recorded exhibit in 2011.

The parcels proposed for rezone are surrounded by Light Industrial zoned land, the rezone is a logical extension of the existing Light Industrial zoning district. Rezone #17-01 meets the minimum area criteria identified in VMC 17.54.020(C).

Rezone requests must meet the threshold of having a clear public purpose and benefit, and must be consistent with the comprehensive plan. The following Comprehensive Plan goals and objectives are relevant to the proposed Rezone #17-01:

Goal - Economic Development: *Encourage the development of a broad-based economy in Valdez.*

Objective - *Strive to maintain, restore, develop, or enhance the natural biological productivity of Port Valdez, and anadromous fish streams and lakes in the area.*

Objective - *Strive to create an atmosphere in the community that is conducive to commercial and industrial development.*

Objective- *Develop a community plan which accommodates resource related industrial development that meets the desires of community residents.*

Rezone #17-01 is consistent with the comprehensive goal on Economic Development. It will help enhance the natural biological productivity of Port Valdez by allowing for further development of the VFDA and will encourage the development of a broad-based economy in Valdez.

Goal - Land Use: *Provide a community land use pattern that is compatible with existing land use patterns in the community, which is physically safe, environmentally sensitive, and consistent with the provisions and requirements of the Valdez Coastal Management Program.*

Objective - *Provide for the adequate separation of incompatible land uses.*

Objective - *Prohibition of the location/construction of structures in hazardous or environmentally sensitive areas.*

Objective - *Provide development standards for lands that require special physical or environmental attention before they can be safely used or developed.*

Objective - *Reserve shoreline areas for water-dependent uses and activities; water-related uses and activities; and uses and activities, which are neither water-dependent or water-related or for which there is no feasible and prudent inland alternative to meet the need for the use or activity.*

One concern that was discussed during the rezone review was the proximity of the tideland lease area to Pipe Creek, the anadromous stream cataloged by the Alaska Department of Fish and Game (ADF&G). Pipe Creek is highlighted in blue in below.



Protection of these specified water bodies is granted by Alaska State Statute and regulated by the State of Alaska. Staff has attached the Valdez Index for the Anadromous Waters Atlas (Quad No. 057) produced by the State. Please reference blocks A-7 and A-6 to understand the extent, location, and amount of streams catalogued in the Valdez area.

Any development within the protected water bodies will require approval from ADF&G in the form of a Fish Habitat Permit prior to beginning the proposed use, construction or activity that would take place in specified water bodies.

Rezone #17-01 is consistent with the comprehensive goal on Land Use. Rezone # 17-01 is consistent with the land use goal of providing a community land use pattern that is compatible with existing land use patterns in the community that is physically safe and environmentally sensitive.

Goal - Industrial Land Use: Provide for industrial land uses so that they limit impacts on adjacent land uses and the environment, and yet have safe and convenient access to the major transportation facilities they require.

Rezone #17-01 is consistent with the comprehensive goal on Industrial Land Use.

VMC identifies the intent for each of the zoning districts. Staff evaluates this intent as part of the findings to the need and justification for a change or amendment.

17.12.010 Intent.

The P (public lands) district is intended to contain major open space areas, watershed management areas and major public and quasi-public, recreational, educational and institutional uses, including private lands and uses that are essentially public in character and of specific value to the entire community.

The frontages of tide-lands were zoned public to manage watersheds. The proposed Rezone #17-01 would allow for the future development of waterfront in conformance with the goals outline in the City of Valdez Comprehensive Plan.

17.44.010 Intent.

The Unclassified Lands zoning district is intended to include lands which are undeveloped and cannot be precisely zoned due to inadequate information on the extension of public services and utilities, and the suitability of the land to support commercial, residential, industrial or public uses.

The Unclassified Lands zoning district, by nature of the intent, sets aside land for future rezones as adequate information is developed. Rezone #17-01 allows for future development consistent with zoning district intent for the development of tidelands.

17.36.010 Intent.

The Light Industrial zoning district is intended for light industrial development including light manufacturing, processing, warehousing, storage, wholesale and distribution operations, and similar processes and operations. Limited commercial uses and accessory residential uses are allowed in the L-I district to serve the uses for which the district is primarily intended.

All principle permitted uses of the Waterfront Industrial zoning district are principle permitted uses in the Light Industrial zone. These include, but are not limited to, barge freight terminals, port and harbor facilities, and marine research and experiment stations. Rezone #17-01 is an appropriate consideration for the development of tide-lands.

The Ports and Harbor Commission approved a recommendation to the Planning and Zoning Commission in favor of Rezone #17-01 on November 9, 2017. Per notification requirements in VMC, a 300ft notification was mailed on November 10, 2017. A public hearing notification was published for two consecutive weeks prior to the public hearing. No public comments have been submitted to the Community Development Department in relation to Rezone #17-01.

Staff recommends the Planning and Zoning Commission recommends approval of Rezone #17-01 to City Council.



Agenda Statement

File #: 17-0636 **Version:** 1

Type: Report **Status:** Agenda Ready

File created: 11/21/2017 **In control:** Planning and Zoning Commission

On agenda: 11/29/2017 **Final action:**

Title: FEMA Flood Insurance Rate Map Update

Sponsors:

Indexes:

Code sections:

Attachments: [FEMA Letter 09152017](#)
[FEMA Public Notice](#)

Date	Ver.	Action By	Action	Result
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ITEM TITLE:

FEMA Flood Insurance Rate Map Update

SUBMITTED BY: AnnMarie Lain, Community Development Director

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

None. Report Only.

SUMMARY STATEMENT:

The Federal Emergency Management Agency (FEMA) and the State of Alaska Department of Commerce, Community, and Economic Development held a Flood Risk Open House on Thursday, April 6, 2017 at 6:00 p.m. in the Valdez Civic Center.

FEMA has provided the community Preliminary copies of the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for the City of Valdez, Valdez-Cordova Census Area.

FEMA has posted digital copies of these revised FIRM and FIS report materials to the following website: <http://www.fema.gov/preliminaryfloodhazarddata>.

The purpose of this report is to inform the Planning and Zoning Commission and City Council that FEMA will publish a public notification concerning the appeals process in the Valdez Star on or about

November 22, 2017 and November 29, 2017. Legislation provides for an explicit process of notification and appeals for the community and for private persons prior to FEMA making the flood hazard determinations final. The second published notification will start the 90-day appeal period.

For reference, staff has attached copies of the letter from FEMA addressed to Mayor Knight as well as the public notification.

FEMA's project milestones and deliverables are identified below:

Project Milestones and Deliverables

Meeting/Deliverable	Point of Contact	Actual/Projected Date
Risk MAP Discovery Meeting	Errol DuFour	January 24, 2011
Draft Map Release – Coastal	Errol DuFour	April 2014
Flood Risk Review Meeting – Coastal	Errol DuFour	June 26, 2014
Draft Map Release – Riverine	Errol DuFour	April 30, 2015
Flood Risk Review Meeting – Riverine	Errol DuFour	August 12, 2015
Preliminary DFIRM/FIS Release	Errol DuFour	September 15, 2016
Consultation Coordination Officers (CCO) Meeting	Ted Perkins	November 30, 2016
Revised Preliminary DFIRM/FIS Release (first)	Errol DuFour	February 1, 2017
Public Meeting/Workshop	Jamie Mooney	April 6, 2017
Revised Preliminary DFIRM/FIS Release (second)	Errol DuFour	April 10, 2017
Appeal Period Starts	Carmen Burducea	November 29, 2017
Appeal Period Ends	Carmen Burducea	February 27, 2018
Letter of Final Determination	Carmen Burducea	August 2018*
Draft Multi-Hazard Risk Report	Cynthia McCoy	To Be Determined*
Risk MAP Resilience Workshop	Cynthia McCoy	To Be Determined*
Delivery of Final Risk Report and Risk Assessment Database	Cynthia McCoy	To Be Determined*
Maps and FIS become Effective	Ted Perkins	Spring 2019*

**All projected dates are subject to revision as the project progresses.*



Agenda Statement

File #: 17-0637 **Version:** 1

Type: Report **Status:** Agenda Ready

File created: 11/21/2017 **In control:** Planning and Zoning Commission

On agenda: 11/29/2017 **Final action:**

Title: Enforcement Report

Sponsors:

Indexes:

Code sections:

Attachments: [Enforcement Letter_11212017](#)

Date	Ver.	Action By	Action	Result
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ITEM TITLE:

Enforcement Report

SUBMITTED BY: AnnMarie Lain, Community Development Director

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

None. Report Only.

SUMMARY STATEMENT:

In November 2017, the Community Development Department mailed nine enforcement letters to recipients of the Alpine Woods and Vicinity Septic Replacement Program. The program Agreement requires the owners of installed alternative wastewater systems, "to keep enforce, for the life of the system, an appropriate manufacturer approved Maintenance Agreement which includes a manufacturer approved service provider."

The enforcement letter is attached for your review.



CORRECTION!

NOTICE OF PUBLIC HEARING

The Valdez Planning and Zoning Commission will hold a public hearing on **Wednesday, November 29, 2017** at 7:00 PM in the City Council Chambers. The purpose of the public hearing is to take public testimony on the request from the City of Valdez for a rezone of a portion of ATS 564 parcels A, B, and C from the Unclassified and Public Lands zoning districts to the Light Industrial zoning district. The parcels are located at ATS 564 Tidelands, below 1820 Mineral Creek Loop Road. The City is concurrently in the process of going through a Tideland Lease with Valdez Terminal LLC and the Valdez Fisheries Development Association.

The public is encouraged to attend but if attendance is not possible comments may be presented to the Community Development Department in writing prior to the **November 29, 2017** meeting. A copy of the comments will be presented to the Planning and Zoning Commission. Submissions by email may be sent to: alain@ci.valdez.ak.us.

Please call the Community Development Department at (907) 834-4301 if you have questions or need additional information.

AnnMarie Lain, Community Development Department Director



NOTICE OF PUBLIC HEARING

DEAR PROPERTY OWNER: You are receiving this notification as you own property within a 300 foot radius of the proposed rezone, per Valdez Municipal Code 17.06.060 B. 2.

The Valdez Planning and Zoning Commission will hold a public hearing on Wednesday, November 29, 2017 at 7:00 PM in the City Council Chambers. The purpose of the public hearing is to take public testimony on the request from the City of Valdez for a rezone of a portion of ATS 564 parcels A, B, and C from the Unclassified and Public Lands zoning districts to the Light Industrial zoning district. The parcels are located at ATS 564 Tidelands, below 1820 Mineral Creek Loop Road. The City is concurrently in the process of going through a Tideland Lease with Valdez Terminal LLC and the Valdez Fisheries Development Association.

The public is encouraged to attend but if attendance is not possible comments may be presented to the Community Development Department in writing prior to the November 29, 2017 meeting. A copy of the comments will be presented to the Planning and Zoning Commission. Submissions by email may be sent to: alain@ci.valdez.ak.us.

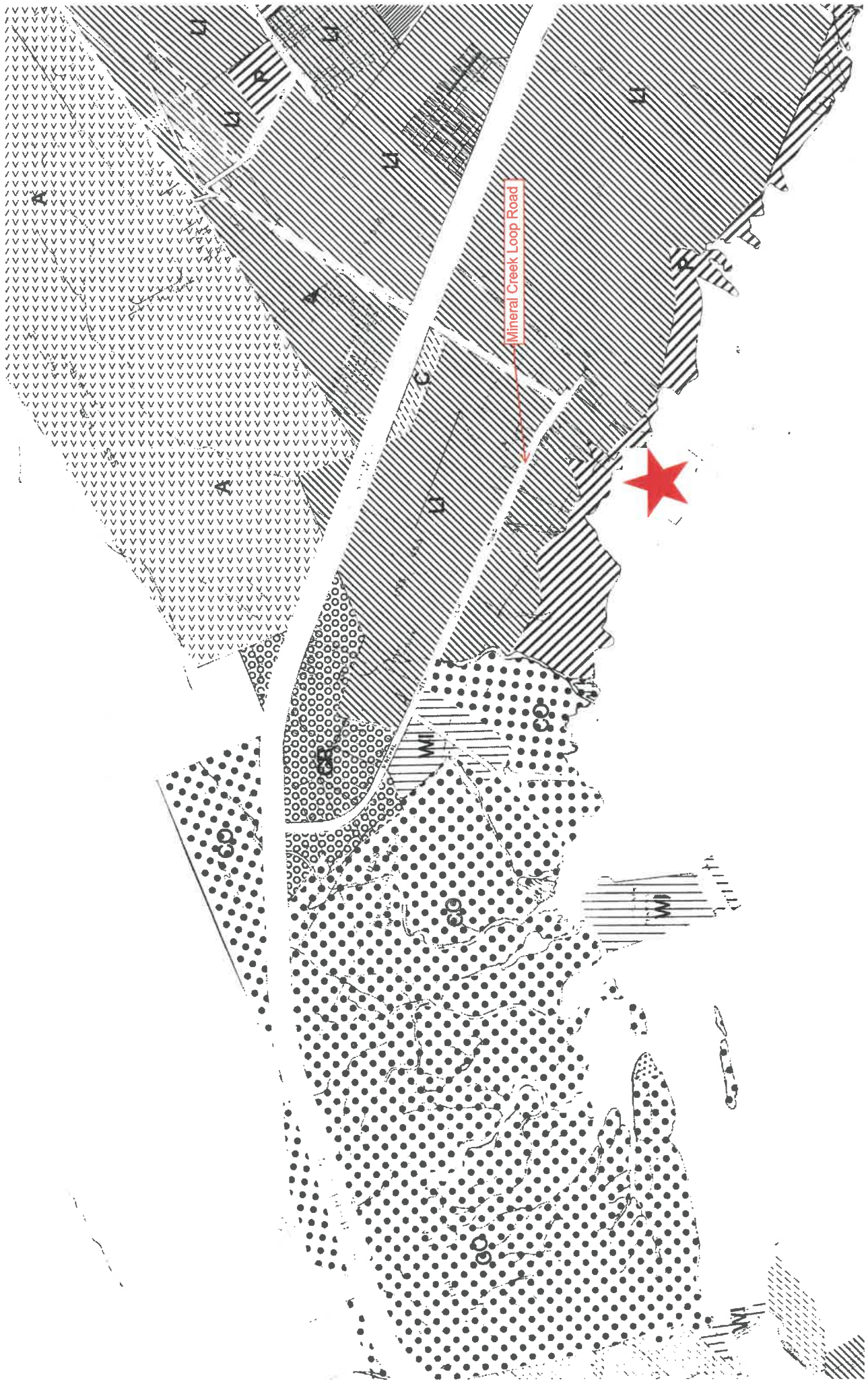
Please call the Community Development Department at (907) 834-4301 if you have questions or need additional information.

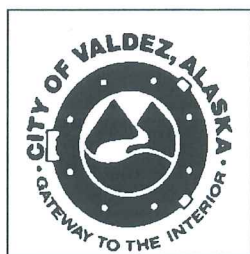
AnnMarie Lain, Community Development Department Director

300 ft Radius Parcel A & B & C of ATS 564



NOTE: Map depicting approximate parcel boundary only. Use recorded Plat for accurate delineation. SCALE: 1 in = 370 ft





CITY OF VALDEZ
DEPARTMENT OF COMMUNITY & ECONOMIC
DEVELOPMENT

P.O. Box 307, Valdez, Alaska 99686

EASEMENT REQUEST

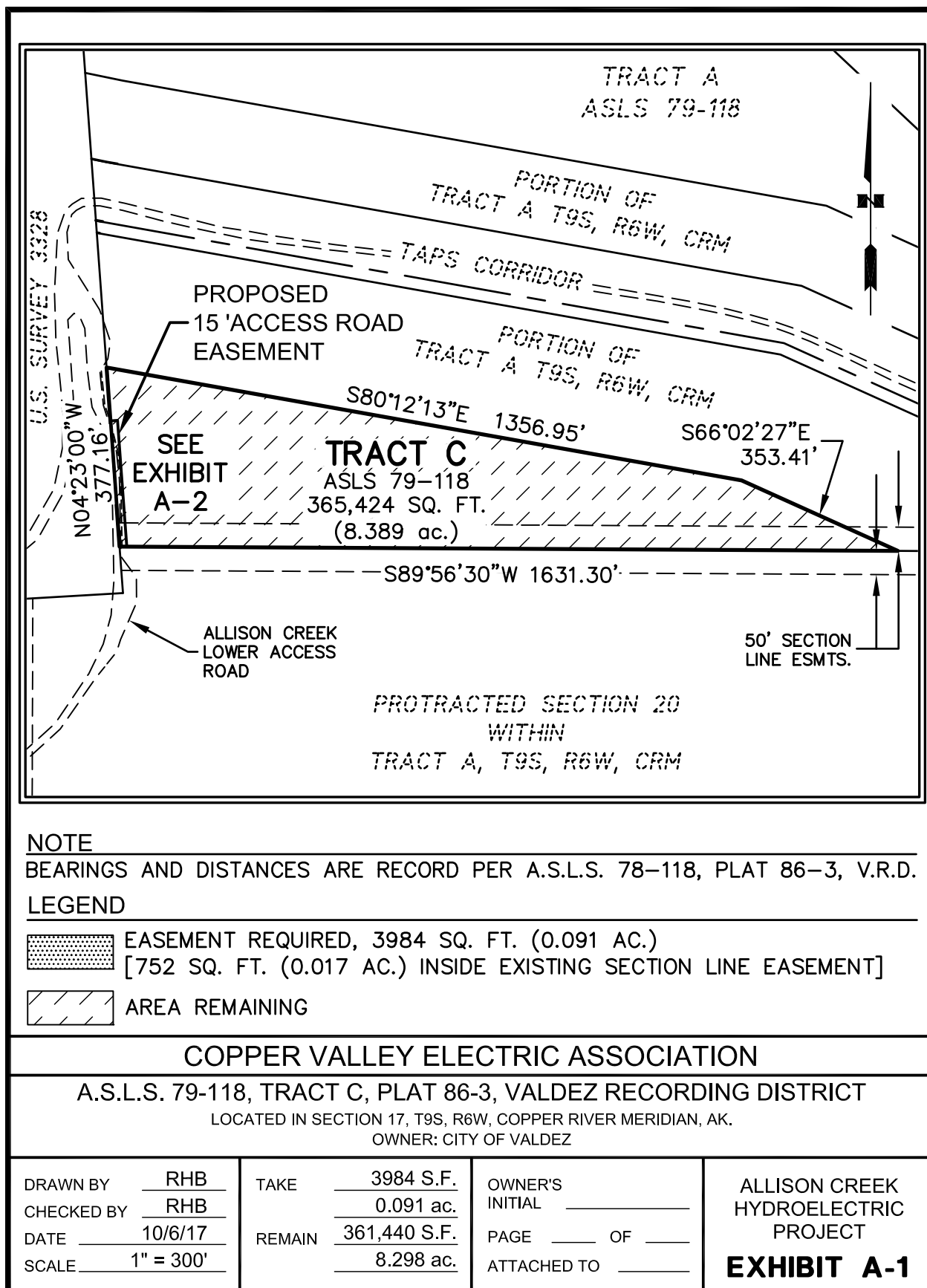
REQUEST
NUMBER

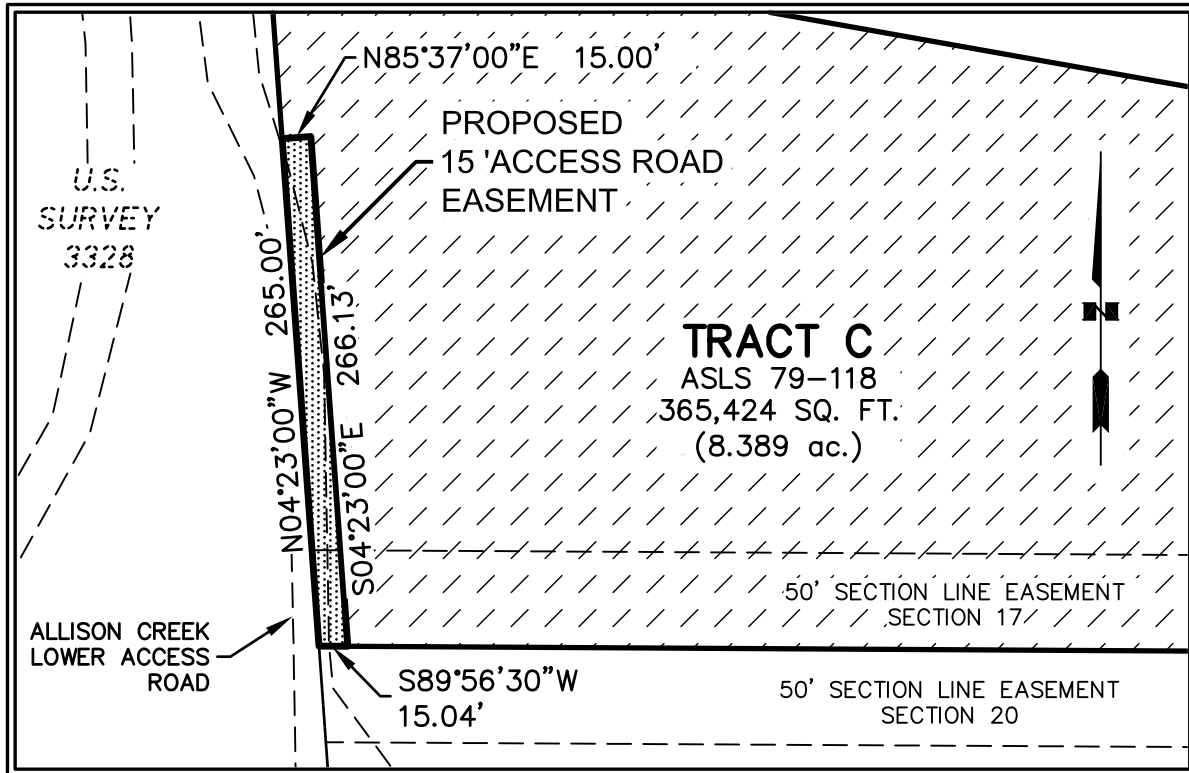
2017 # -E

YEAR NUMBER

Tim Mullikin, Electric Power Systems for CVEA, 3305 Arctic Blvd. St 201, Anchorage AK 99503

REQUESTOR'S NAME	TYPE OF EASEMENT REQUESTED (UTILITY, ACCESS, ETC.)		
Copper Valley Electric Association	Access		
MAILING ADDRESS	CITY	STATE	ZIP CODE
P.O. Box 45	Glennallen, AK 99588-0045		
MAILING ADDRESS	CITY	STATE	ZIP CODE
STREET ADDRESS	CITY	STATE	ZIP CODE
LEGAL DESCRIPTION	LOT	BLOCK	SUBDIVISION
City parcel: Tract C, ASLS 79-118, Plat No. 86-3, V.R.D., Alaska (The W. 30' of the S. 265')			
APPLICATION IS HEREBY FOR PERMISSION TO PLACE, CONSTRUCT AND MAINTAIN			
A gravel road to access the Allison Creek infrastructure.			
ACROSS CITY OF VALDEZ PROPERTY.			
THE FACILITY IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING PLANS AND SPECIFICATIONS DATED: Exhibit A1&2, 10/6/17 (ATTACH PLANS AND SPECIFICATIONS TO THIS REQUEST)			
ALL WORK WILL CONFORM WITH CODES: N/C			
WORK WILL COMMENCE ON OR ABOUT: Work is completed.			
WORK WILL END ON OR ABOUT: Work is completed.			
THE CONTRACTOR AGREES TO ABIDE BY ALL REGULATIONS AND REQUIREMENTS OF THE CITY OF VALDEZ. THIS CONTRACT SHALL BE SUBJECT AT ALL TIMES TO SUCH CHANGES OR MODIFICATIONS BY THE COUNCIL AS FROM TIME TO TIME THEY DIRECT IN THEIR EXERCISE OF THEIR JURISDICTION. THIS SHALL NOT PREVENT THE CITY OF VALDEZ FROM REQUIRING THE CORRECTIONS OF ERRORS IN PLANS, SPECIFICATIONS, AND OTHER DATA OR FROM PREVENTING CONSTRUCTION FROM BEING CARRIED ON THEREUNDER WHEN THIS RESULTS A VIOLATION OF VALDEZ CITY CODE 13.04.100 AND VALDEZ CITY CODE 13.08.120 OR ANY OTHER ORDINANCE.			
THE CONTRACTOR AGREES TO NOTIFY THE CITY AT LEAST 24 HOURS IN ADVANCE OF ANY WORK WITHIN CITY PROPERTY AND CALL FOR ALL INSPECTIONS LISTED ON PAGE TWO OF THIS FORM.			
SIGNATURE <u>J. Mullikin</u>		DATE <u>11/01/17</u>	
CITY OF VALDEZ USE ONLY			
APPROVAL			
DIRECTOR OF COMMUNITY DEVELOPMENT _____		DATE _____	





PREPARED BY:

THIS EXHIBIT WAS PREPARED BY
R&M CONSULTANTS, INC.
9101 VANGUARD DRIVE
ANCHORAGE, AK. 99507
CERT. OF AUTH. NO AECC111



LEGEND

- EASEMENT REQUIRED, 3984 SQ. FT. (0.091 AC.)
[752 SQ. FT. (0.017 AC.) INSIDE EXISTING SECTION LINE EASEMENT]
- AREA REMAINING

COPPER VALLEY ELECTRIC ASSOCIATION

A.S.L.S. 79-118, TRACT C, PLAT 86-3, VALDEZ RECORDING DISTRICT

LOCATED IN SECTION 17, T9S, R6W, COPPER RIVER MERIDIAN, AK.

OWNER: CITY OF VALDEZ

DRAWN BY RHB
CHECKED BY RHB
DATE 10/6/17
SCALE 1" = 100'

TAKE 3984 S.F.
0.091 ac.
REMAIN 361,440 S.F.
8.298 ac.

OWNER'S
INITIAL _____
PAGE _____ OF _____
ATTACHED TO _____

ALLISON CREEK
HYDROELECTRIC
PROJECT

EXHIBIT A-2

PORT VALDEZ

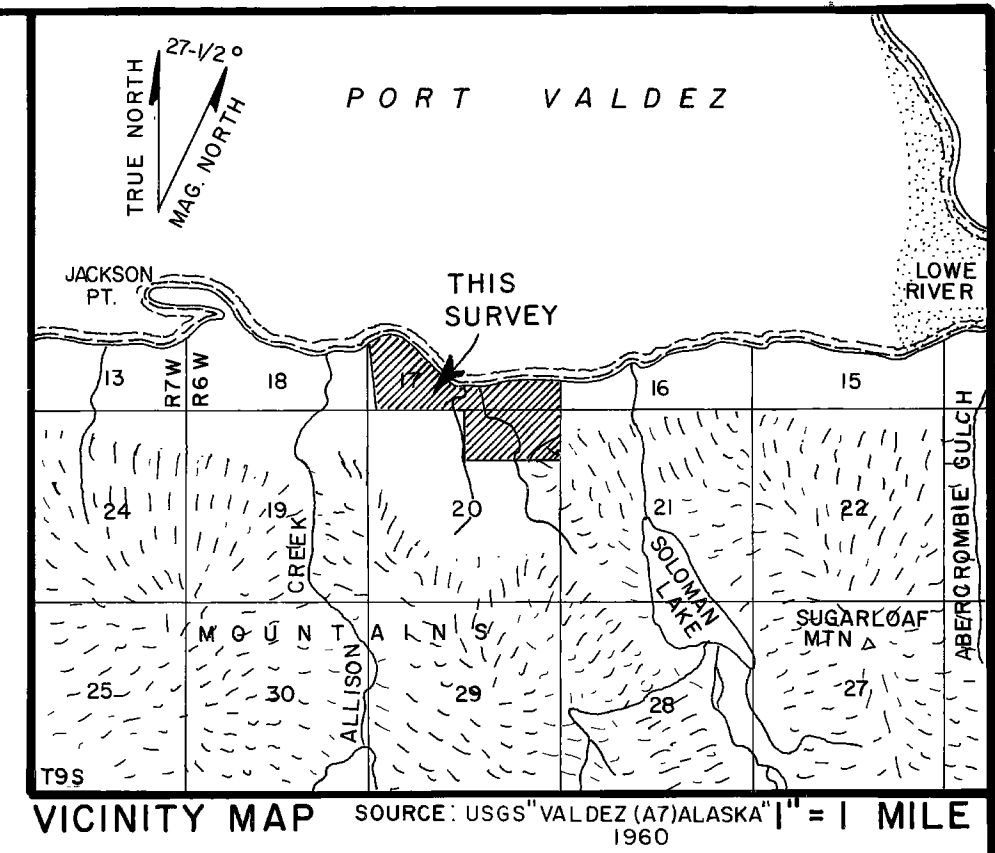
U.S.C.E. "RIDGE 1966"
LAT. 61°07'55.70" N.
LONG. 146°20'14.07" W.
NAD 1927

BASIS OF COORDINATES

U.S.C. & G.S. "POWER"
LAT. 61°05'03.13172" N.
LONG. 146°18'11.87551" W.
NAD 1927

NOTES

- All parcels of land owned by the State of Alaska, located within fifty (50.00) feet of, or bisected by a surveyed section line, are subject to a fifty (50.00) foot easement, each side of the section line, which is reserved to the State of Alaska for public highways under A.S. 19.10.010.
- This survey was accomplished in accordance with G.S.I. 79-31
- All bearings and distances shown hereon are true bearings and true distances.
- Basis of bearings for this survey is a line between USC & GS Monument "POWER" and USCE "RIDGE 1966" as shown.
- The accuracy of this survey is greater than 1:5000.
- Gross area is the record area or the mathematical computed area. Gross area may include shorelands, easements, and highway rights-of-way.
- An access easement 50' feet in width, measured upland from the line of mean or ordinary high water exists along all navigable and public water bodies pursuant to A.S. 38.05.127 and 11 AAC 53. Easements along such bodies of water shall follow the line of mean or ordinary high water.
- a) The positions for waterbodies were located from U.S.G.S. QUAD A-7.
b) The position for the Trans-Alaska Pipeline System was determined utilizing data for sheet 143 of 143 as filed in the Valdez Recording District on January 12, 1981 as plat no. 81-1.
- Dayville Road Right-of-way determined by survey ties to C monuments at P.T. Sta. 164+35.26 and P.C. Sta. 189+11.58 per State of Alaska D.O.T. and P.F. plans for project no. S-0863-(1) Dayville Rd. X-52370 sheets 1 thru 7 of 12.



CERTIFICATE OF CLAIMANT

We hereby certify that we are the legal claimants of the property shown hereon and that we hereby approve this plat of survey.

2-6-86 Jim S. Schaff
Date Authorized Official, City of Valdez

NOTARYS ACKNOWLEDGEMENT

Subscribed and sworn to before me this 6th day of February, 1986, for Alaska

Jim S. Schaff
Notary Public for Alaska

My Commission Expires 10/24/89

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, the undersigned, hereby certify that I am the Director, Division of Geological & Geophysical Surveys, and that the State of Alaska is owner of A.S.L.S. 79-118, as shown hereon. I hereby approve this survey and plat for the State of Alaska, and dedicate for public or private use as noted, all easements, public utility areas, and rights-of-way as shown and described hereon.

April 15, 1986 James S. Schaff
Date Director,
Division of Geological & Geophysical Surveys

NOTARYS ACKNOWLEDGEMENT

Subscribed and sworn to before me this 18th day of April, 1986, for Ross S. Schaff

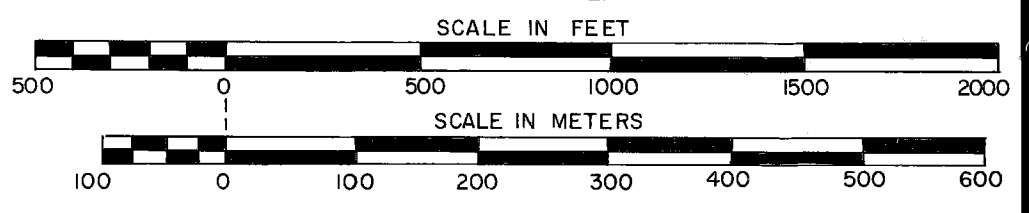
James S. Schaff
Notary Public for Alaska
My Commission Expires 11-28-88

CITY OF VALDEZ PLANNING and ZONING COMMISSION

This plat is hereby accepted by the Planning and Zoning Commission of the City of Valdez this 18th day of February, 1986

James S. Schaff Chairman

SCALE



1 METER = 3.2808333 U.S. SURVEY FEET; 1 U.S. ACRE = 0.4047 HECTARES

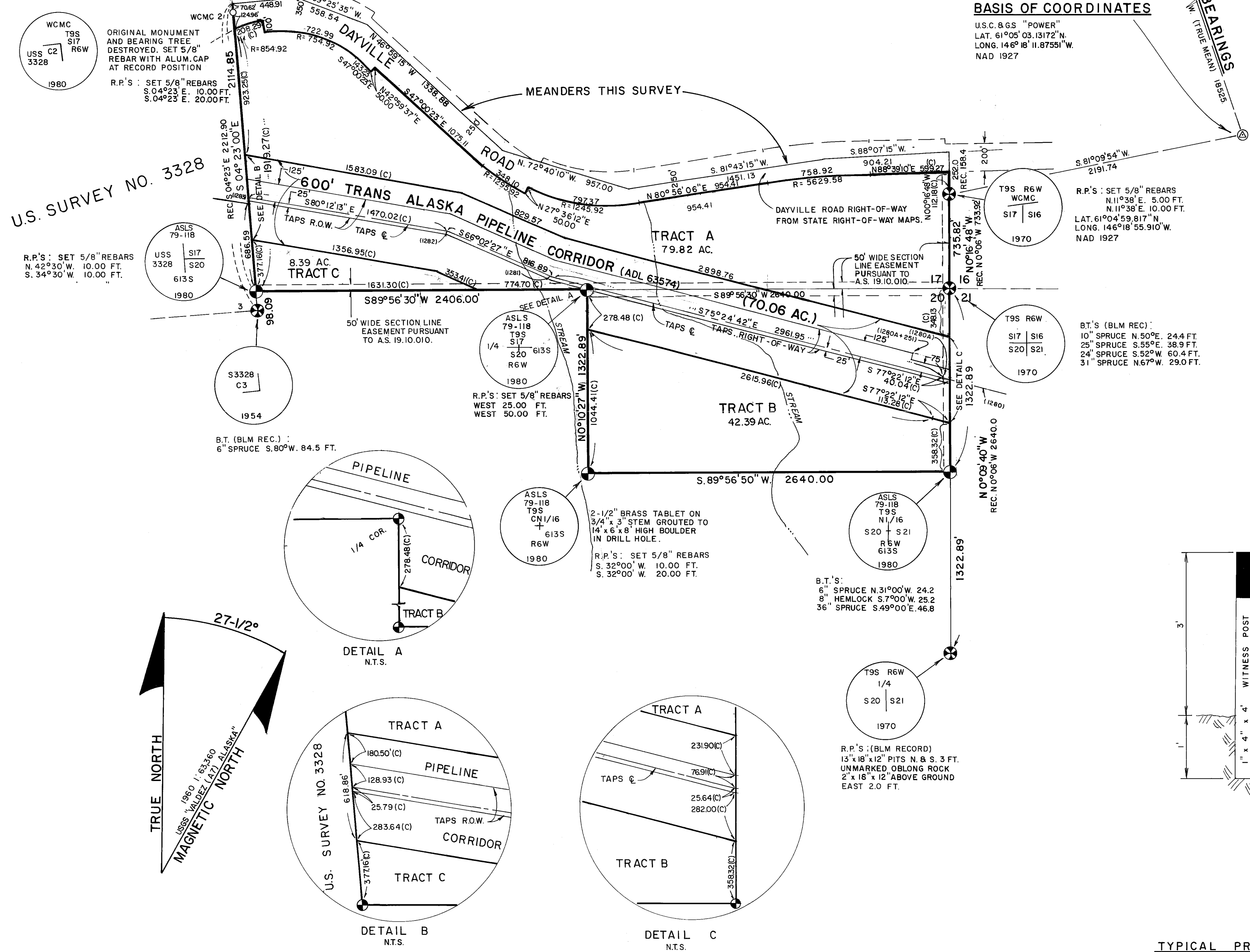
DATE OF SURVEY Beginning MAY 24, 1980 Ending JUNE 7, 1980	NAME OF SURVEYOR DOWL ENGINEERS ANCHORAGE, ALASKA
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STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF GEOLOGICAL & GEOPHYSICAL SURVEYS
ANCHORAGE, ALASKA

ALASKA STATE LAND SURVEY NO. 79-118

WITHIN UNSURVEYED SECTIONS 17 AND 20
TRACT A, T.9S., R.6W., COPPER RIVER MERIDIAN, AK.

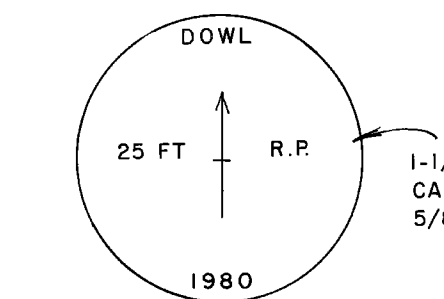
DRAWN BY W.D. FLEMING	APPROVAL RECOMMENDED <u>James S. Schaff</u> 4/8/86 Chief Cadastral Surveyor
SCALE: 1" = 500'	CHECKED: FILE NO. 79-118



TYPICAL PRIMARY MONUMENT

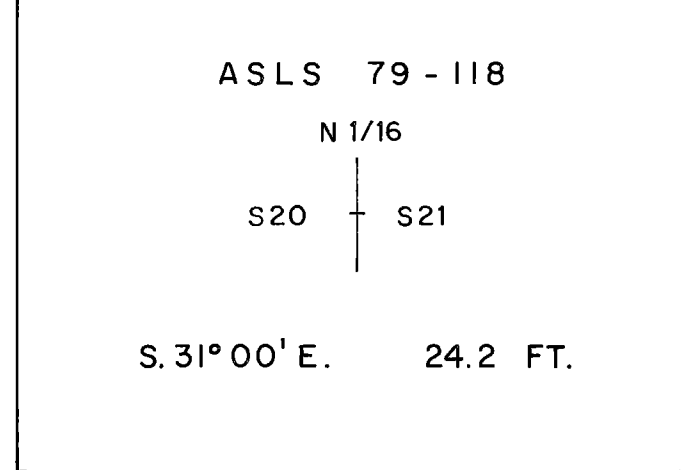
LEGEND

- ⊗ GLO AND/OR BLM MONUMENT RECOVERED
- ⊕ DNR OFFICIAL OR PRIMARY BRASS CAP MON. SET
- ⊕ DNR OFFICIAL OR PRIMARY BRASS CAP MON. RECOVERED
- COPPERWELD OR EQUIVALENT SECONDARY MON. SET
- 3/4 INCH IRON PIPE SET
- 5/8" REBAR SET
- ⊙ "GEODETIC CONTROL MONUMENT RECOVERED"
- (C) COMPUTED DISTANCE
- REC. RECORD DISTANCE



TYPICAL REFERENCE MONUMENT

TYPICAL BEARING TREE TAG



A 5" x 7" aluminum tag is nailed to all bearing trees.

ALASKA STATE LAND SURVEY NO. 79-118



November 2, 2017

Paul Nylund
Planning Department
City of Valdez
212 Chenega Ave.
P.O. Box 307
Valdez, AK 99686

Re: CVEA Easement Request, Allison Creek Project

Dear Mr. Nylund:

I have enclosed, per your request, a signed "Easement Request Form", relating to my letter of October 9, 2017 which described the project and details the type of easement requested. Please consider this letter and attached application a formal request on behalf of Copper Valley Electric Association for an easement which includes the information in the October 9 letter by reference.

The Easement Request Form presumes the construction of infrastructure according to various City of Valdez code to ensure that the safety and welfare of the public is protected. It should be noted that the "upper" and "lower" roads as shown on the Exhibit A, attached to the October 9 letter are built for construction and maintenance access as "mountain" roads and are not designed to any safety standard.

Both ends of the tunnel are locked with gates in order to protect the public from possible falling rocks and a steep grade.

Regards

Timothy L. Mullikin, P.L.S., SR/WA

cc: AnnMarie Lain, TRAVIS MILLION, CVEA

Via Email



October 9, 2017

AnnMarie Lain
Paul Nylund
Planning Department
City of Valdez
212 Chenega Ave.
P.O. Box 307
Valdez, AK -686

Re: CVEA Easement Request, Allison Creek Project

Dear Ms. Lain and Mr. Nylund:

Copper Valley Electric is requesting legal access along a strip of land, 15' wide and 265' long on City of Valdez-owned Tract C, ASLS 79-118, by the Valdez Marine Terminal. This letter provides some project information for background, and the attached maps show both the specific proposed easement area and maps from related State of Alaska applications. While City Code gives specific parameters by which the City can sell land, it is largely silent on granting access easements. We respectfully request information regarding the policy and guidelines for a City-granted access easement so that we can make a complete application with all City concerns addressed.

The Project

The Allison Creek project, including a diversion structure on the creek, a penstock, generation facility and transmission line is constructed and operational. The project required Federal Energy Regulatory Commission (FERC) approval, and there are several applications for the use of State of Alaska land. The power plant straddles state owned land and Alyeska-owned U.S. Survey No. 3328. Permission to use Alyeska land for the power plant and access has been obtained.

State of Alaska (SOA) Related Applications

The State of Alaska owns the underlying fee ownership for much of the project. SOA issued a single early entry authorization (EA) for 1) a lease for the diversion structure, penstock and power plant (ADL 231706) and 2) an easement for the transmission line (ADL 231698).

Originally the access to the upper penstock and diversion structure was to be along temporary trails for construction, and via helicopter for long term, permanent access. The original penstock design made a dog-leg around a hill, but the final design uses a tunnel through the hill. The tunnel design made a more

permanent access to the penstock and diversion structure feasible. Permanent access to the overall site and between the power plant and the upper elevation improvements is proposed and described in the following paragraphs.

Access to the overall site

The original DNR application stated that permanent access to the site would be through Alyeska property, U.S. Survey No. 3328, from Dayville Road . Alyeska now prefers that permanent access from Dayville Road be along Granby Road to the TAPS pad, then along the TAPS pad, and continuing through a corner of U.S. Survey No. 3328 to the site.

2017 DNR access application.

An application has been submitted to DNR to satisfy access over SOA land 1) along the TAPS pad between Granby Road and U.S. Survey No. 3328 and 2) between U.S. Survey No. 3328 and the penstock and diversion structure along the “upper” and “lower” roads. It is anticipated that this DNR access will be a non-exclusive private easement to CVEA. The upper and lower roads are steep mountain roads not designed to a standard suitable for public use. The tunnel which is between the upper and lower roads is steep. Because of safety and security concerns, both tunnel openings are secured with locked gates.

Status of DNR applications

The lease for the diversion structure, penstock and generation site requires a SOA Alaska State Land Survey (ASLS) which will be submitted to the City as part of the approval process. The transmission line and access easements will both require separate SOA standard Asbuilt surveys, yet to be completed.

Type of Easement Requested

CVEA needs a permanent easement to satisfy DNR requirements of permanent legal access to the site. This could be recorded private permanent access, or recorded permanent public access. There may be liability issues for a public access easement to roads which are not designed to a standard for safe public travel. For security reasons, Alyeska limits access through the property they control.

Maps & Documents

The three-page Exhibit A shows an overall depiction of the area access on page one, and pages two and three show approximate locations of the planned roads. The green roads on page two show the lower and upper roads in the DNR easement application. The purple road will be included in the DNR lease. The blue road within U.S. Survey No. 3328 is permitted by easement from Alyeska to CVEA. Sheets two and three show the green shaded road along the TAPS pad, also a part of the DNR 2017 access easement application. The orange Granby road shows the public access from the Dayville road to the TAPS pad.

The two-page Exhibit B shows an asbuilt location of the road centerline within the TAPS corridor.

The Record of Survey, Plat No. 2015-9, shows the location of the Granby Road and TAPS access centerlines in relation to the TAPS corridor and Tracts A, B & C, ASLS 79-118, Plat No. 86-3.

The Easement and right-of-Way Agreement recorded as document 2016-000249-0 shows the legal access which will link the road within the TAPS ROW to the Generation Plant, and also to the Lower Access Road on State land.

Exhibit A-1 & A-2 depict the area of the requested easement from the City to CVEA, based on an asbuilt location of the constructed road.

Regards



Timothy L. Mullikin, P.L.S., SR/WA

Via Email


File attached:

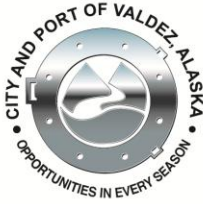
- 3_exhibit_a.pdf
- 4_exhibit_b.pdf
- 5_ros_2015-9_granby_rs2477.pdf
- 2014-000149-0_easement_uss_3328.pdf
- allison_creek_exhibit-a_tract_c_10-9-17.pdf



FEE: \$50.00
SITE PLAN
WAIVED 2013 PER
RESOLUTION #12-72

CITY OF VALDEZ
APPLICATION FOR REZONE

APPLICATION NUMBER 17-01	DATE 11/8/2017
NAME OF APPLICANT CITY OF VALDEZ	
ADDRESS OF APPLICANT 212 CHENEGA AVE., VALDEZ, AK 99686	
DAYTIME PHONE 907-834-3401	
LEGAL OWNER CITY OF VALDEZ	
ADDRESS 212 CHENEGA AVE., VALDEZ AK 99686	
PHONE NUMBER 907-834-3401	
LOCATION OF PROPERTY AND/OR LEGAL DESCRIPTION/STREET ADDRESS	
ATS 564, PARCEL A, B, & C LAND AND TIDELAND	
CURRENT ZONING UNCLASSIFIED AND PUBLIC	
PROPOSED ZONING LIGHT INDUSTRIAL	
DESCRIPTION OF PROPERTY, INCLUDING SQUARE FOOTAGE OR ACREAGE.	
PARCEL A 18 ACRES, PARCEL B 2.8 ACRES, PARCEL C 15 ACRES	
WHY IS THE PROPERTY MORE SUITED FOR THE PROPOSED ZONING DISTRICT THAN FOR THE PRESENT ZONING?	
TO LEASE THESE TIDELANDS AND OTHER LANDS WITHIN THE CITY THE ZONING NEEDS TO BE LIGHT INDUSTRIAL	
SIGNATURE 	DATE 11/8/2017



City of Valdez, Alaska
Planning & Zoning Commission
Rezone
Proposed Findings & Conclusions

Chapter 17.54 of the Valdez Municipal Code governs the amendments to the zoning districts. **Section 17.54.020(C) Minimum Area** states: “Except for the extension of existing district boundaries, no change in any use district classification or an official zoning map shall be considered which contains an area less than two acres, not including street or alley rights-of-way.” Parcels A, B, and C of ATS 564 are over 2 acres; therefore, this rezone request meets the Minimum Area code requirement.

Date: November 27th, 2017
File No.: REZONE #17-01
To: Planning & Zoning Commission
From: AnnMarie Lain, Department Director
REZONE: From Unclassified Lands and Public Lands to L-I (Light Industrial).

General Information

Applicant: City of Valdez
Property Owner: City of Valdez
Property Address: 1820 Mineral Creek Loop Road
Legal Description: Parcels A, B, and C of ATS 564
PIDNS: 0564-000-002-0
Parcel Size: Parcels A (3.5 acres), B (2.8 acres), and C (4 acres) of ATS 564
Zoning: From Unclassified Lands and Public Lands to L-I (Light Industrial)
Utility Service: CVEA Electric, CVTC or GCI Telephone, CGI Cable
Existing Land Use: VFDA Lease and Tidelands
Access: Mineral Creek Loop Road
Surrounding Land Use: North: Light Industrial
South: Unclassified
East: Light Industrial and Public
West: Unclassified

Project Description and Background Summary

The City of Valdez is requesting a rezone for Parcels A, B, and C of ATS 564 which are currently zoned Unclassified and Public to Light Industrial. Light Industrial zoning would allow the City of

Valdez to provide tideland leases that are being requested from Valdez Fisheries Development Association and Valdez Terminal/Lynden Transport.

Findings

The Planning and Zoning Commission shall review and adopt the findings unless it finds by a preponderance of the evidence that the findings are in error. The department's findings are:

1. Is the requested permit proper according to the Rezone Uses for the zoning district?

Yes. The Light Industrial zoning district is intended for light industrial development including light manufacturing, processing, warehousing, storage, wholesale and distribution operations, and similar processes and operations. Limited commercial uses and accessory residential uses are allowed in the L-I district to serve the uses for which the district is primarily intended. All principle permitted uses of the Waterfront Industrial zoning district are principle permitted uses in the Light Industrial zone. These include, but are not limited to, barge freight terminals, port and harbor facilities, and marine research and experiment stations. Rezone #17-01 is an appropriate consideration for the development of tide-lands.

2. Is the application complete?

Yes. The application was complete prior to the public hearing.

3. Does the proposed development follow the other requirements of the City of Valdez land use code?

Yes. The land use code for the City of Valdez is Title 17 Zoning of the Valdez Municipal Code.

4. Will the proposed development materially endanger the public health or safety?

No.

5. Will the proposed project substantially decrease the value of or be out of harmony with property in the neighboring area?

No.

6. Will the proposed project be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

Staff finds this application to be generally in conformance with the Comprehensive Plan as reviewed below:

The Comprehensive Plan offers goals and objectives that provide guidance on general land use, economic development, and commercial-business land use, and industrial land use. Only those relevant to the specific zoning change are listed below.

Rezone requests must meet the threshold of having a clear public purpose and benefit, and must be consistent with the comprehensive plan. The following Comprehensive Plan goals and objectives are relevant to the proposed Rezone #17-01:

Goal - Economic Development: *Encourage the development of a broad-based economy in Valdez.*

Objective - *Strive to maintain, restore, develop, or enhance the natural biological productivity of Port Valdez, and anadromous fish streams and lakes in the area.*

Objective - *Strive to create an atmosphere in the community that is conducive to commercial and industrial development.*

Objective- *Develop a community plan which accommodates resource related industrial development that meets the desires of community residents.*

Rezone #17-01 is consistent with the comprehensive goal on Economic Development. It will help enhance the natural biological productivity of Port Valdez by allowing for further development of the VFDA and will encourage the development of a broad-based economy in Valdez.

Goal - Land Use: *Provide a community land use pattern that is compatible with existing land use patterns in the community, which is physically safe, environmentally sensitive, and consistent with the provisions and requirements of the Valdez Coastal Management Program.*

Objective - *Provide for the adequate separation of incompatible land uses.*

Objective - *Prohibition of the location/construction of structures in hazardous or environmentally sensitive areas.*

Objective - *Provide development standards for lands that require special physical or environmental attention before they can be safely used or developed.*

Objective - *Reserve shoreline areas for water-dependent uses and activities; water-related uses and activities; and uses and activities, which are neither water-dependent or water-related or for which there is no feasible and prudent inland alternative to meet the need for the use or activity.*

One concern that was discussed during the rezone review was the proximity of the tideland lease area to Pipe Creek, the anadromous stream cataloged by the Alaska Department of Fish and Game (ADF&G). Pipe Creek is highlighted in blue in below.



Protection of these specified water bodies is granted by Alaska State Statute and regulated by the State of Alaska. Staff has attached the Valdez Index for the Anadromous Waters Atlas (Quad No. 057) produced by the State. Please reference blocks A-7 and A-6 to understand the extent, location, and amount of streams catalogued in the Valdez area.

Any development within the protected water bodies will require approval from ADF&G in the form of a Fish Habitat Permit prior to beginning the proposed use, construction or activity that would take place in specified water bodies.

Rezone #17-01 is consistent with the comprehensive goal on Land Use. Rezone # 17-01 is consistent with the land use goal of providing a community land use pattern that is compatible with existing land use patterns in the community that is physically safe and environmentally sensitive.

Goal - Industrial Land Use: Provide for industrial land uses so that they limit impacts on adjacent land uses and the environment, and yet have safe and convenient access to the major transportation facilities they require.

Rezone #17-01 is consistent with the comprehensive goal on Industrial Land Use.

7. Are any of the following criteria such to materially endanger the public health or safety: topography, slope and soil stability, geophysical hazards, surface and subsurface drainage and water quality?

No.

8. Will the proposed project require the enlargement, upgrading or extending of public utilities or service systems?

No.

Decision of the Council

The Council may, regardless of the above findings conditionally approve or deny the Rezone. The Councils' own independent review of information submitted at the public hearing provides the basis for the decision. The decision needs supportive findings based on factors associated with the same questions answered in the Findings.

Planning and Zoning Recommendation

Approve recommendation to City Council for Rezone #17-01 Rezoning Parcels A, B, and C, ATS 564 from the Unclassified and Public Zoning Districts to the Light Industrial Zoning District.



Federal Emergency Management Agency

Washington, D.C. 20472

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
APPEAL START

November 15, 2017

The Honorable Ruth E. Knight
Mayor, City of Valdez
212 Chenega Avenue
Valdez, Alaska 99686

Case No: 11-10-0414S
Community: City of Valdez,
Valdez-Cordova Census Area,
Alaska
Community No.: 020094

Dear Mayor Knight:

On September 15, 2016, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided your community with revised Preliminary copies of the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for City of Valdez, Valdez-Cordova Census Area, Alaska and revised Preliminary copies of the revised FIRM and FIS report on February 1, 2017, and April 10, 2017. FEMA has posted digital copies of these revised FIRM and FIS report materials to the following Website: <http://www.fema.gov/preliminaryfloodhazarddata>. The Preliminary and revised Preliminary FIRM and FIS report include proposed flood hazard information for certain locations in the City of Valdez. The proposed flood hazard information may include addition or modification of Special Flood Hazard Areas, the areas that would be inundated by the base (1-percent-annual-chance) flood; base flood elevations or depths; zone designations; or regulatory floodways.

We have published a notice of the proposed flood hazard determinations in the *Federal Register* and will publish a public notification concerning the appeal process (explained below) in the *Valdez Star* on or about November 22, 2017 and November 29, 2017. We will also publish a separate notice of the flood hazard determinations on the "Flood Hazard Determinations on the Web" portion of the FEMA Website (www.fema.gov/plan/prevent/fhm/bfe). We have enclosed copies of the notice published in the *Federal Register* and the newspaper notice for your information.

These proposed flood hazard determinations, if finalized, will become the basis for the floodplain management measures that your community must adopt or show evidence of having in effect to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). However, before any new or modified flood hazard information is effective for floodplain management purposes, FEMA will provide community officials and citizens an opportunity to appeal the proposed flood hazard information presented on the Preliminary and revised Preliminary FIRM and FIS report posted to the above-referenced Website.

Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) is intended to ensure an equitable balancing of all interests involved in the setting of flood hazard determinations. The legislation provides for an explicit process of notification and appeals for your community and for private persons

prior to this office making the flood hazard determinations final. The appeal procedure is outlined below for your information and in the enclosed document titled *Criteria for Appeals of Flood Insurance Rate Maps*.

During the 90-day appeal period following the second publication of the public notification in the above-named newspaper, any owner or lessee of real property in your community who believes his or her property rights will be adversely affected by the proposed flood hazard determinations may appeal to you, or to an agency that you publicly designate. It is important to note, however, that the sole basis for such appeals is the possession of knowledge or information indicating that the proposed flood hazard determinations are scientifically or technically incorrect. The appeal data must be submitted to FEMA during the 90-day appeal period. Only appeals of the proposed flood hazard determinations supported by scientific or technical data can be considered before FEMA makes its final flood hazard determination at the end of the 90-day appeal period. Note that the 90-day appeal period is statutory and cannot be extended. However, FEMA also will consider comments and inquiries regarding data other than the proposed flood hazard determinations (e.g., incorrect street names, typographical errors, omissions) that are submitted during the appeal period, and will incorporate any appropriate changes to the revised FIRM and FIS report before they become effective.

If your community cannot submit scientific or technical data before the end of the 90-day appeal period, you may nevertheless submit data at any time. If warranted, FEMA will revise the FIRM and FIS report after the effective date. This means that the revised FIRM would be issued with the flood hazard information presently indicated, and flood insurance purchase requirements would be enforced accordingly, until such time as a revision could be made.

Any interested party who wishes to appeal should present the data that tend to negate or contradict our findings to you, or to an agency that you publicly delegate, in such form as you may specify. We ask that you review and consolidate any appeal data you may receive and issue a written opinion stating whether the evidence provided is sufficient to justify an official appeal by your community in its own name or on behalf of the interested parties. Whether or not your community decides to appeal, you must send copies of individual appeals and supporting data, if any, to:

STARR Region X Service Center
20700 44th Ave W
Suite 110
Lynnwood, WA 98036

If we do not receive an appeal or other formal comment from your community in its own name within 90 days of the second date of public notification, we will consolidate and review on their own merits such appeal data and comments from individuals that you may forward to us, and we will make such modifications to the proposed flood hazard information presented on the revised FIRM and in the revised FIS report as may be appropriate. If your community decides to appeal in its own name, all individuals' appeal data must be consolidated into one appeal by you, because, in this event, we are required to deal only with the local government as representative of all local interests. We will send our final decision in writing to you, and we will send copies to the community floodplain administrator, each individual appellant, and the State NFIP Coordinator.

All appeal submittals will be resolved by consultation with officials of the local government involved, by an administrative hearing, or by submission of the conflicting data to an independent scientific body or appropriate Federal agency for advice. Use of a Scientific Resolution Panel (SRP) is also available to your community in support of the appeal resolution process when conflicting scientific or technical data are submitted during the appeal period. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. An SRP is an option after FEMA and community officials have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Please refer to the enclosed "Scientific Resolution Panels" fact sheet for additional information on this resource available to your community.

FEMA will make the reports and other information used in making the final determination available for public inspection. Until the conflict of data is resolved and the revised FIRM becomes effective, flood insurance available within your community will continue to be available under the effective NFIP map, and no person shall be denied the right to purchase the applicable level of insurance at chargeable rates.

The decision by your community to appeal, or a copy of its decision not to appeal, should be filed with this office no later than 90 days following the second publication of the flood hazard determination notice in the above-named newspaper. Your community may find it appropriate to call further attention to the proposed flood hazard determinations and to the appeal procedure by using a press release or other public notice.

If warranted by substantive changes, during the appeal period we will send you Revised Preliminary copies of the revised FIRM and FIS report. At the end of the 90-day appeal period and following the resolution of any appeals and comments, we will send you a Letter of Final Determination, which will finalize the flood hazard information presented on the revised FIRM and FIS report and will establish an effective date.

If you have any questions regarding the proposed flood hazard determinations, revised FIRM panels, or revised FIS report for your community, please contact Dwight (Ted) Perkins, FEMA Region X Engineer. Mr. Perkins can be reached by telephone at (425) 487-4684 or by email at Dwight.Perkins@fema.dhs.gov.

Sincerely,



Luis Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

List of Enclosures:

Newspaper Notice
Proposed Flood Hazard Determinations FEDERAL REGISTER Notice
Criteria for Appeals of Flood Insurance Rate Maps
"Scientific Resolution Panels" Fact Sheet

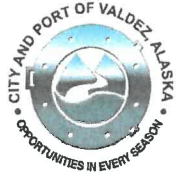
cc: Community Map Repository
Ms. AnnMarie Lain, Community Floodplain Administrator/Director of Community Development,
City of Valdez

DEPARTMENT OF HOMELAND SECURITY

FEDERAL EMERGENCY MANAGEMENT AGENCY

Proposed Flood Hazard Determinations for the Valdez-Cordova Census Area, Alaska

The Department of Homeland Security's Federal Emergency Management Agency has issued a preliminary Flood Insurance Rate Map (FIRM), and where applicable, Flood Insurance Study (FIS) report, reflecting proposed flood hazard determinations within the Valdez-Cordova Census Area, Alaska. These flood hazard determinations may include the addition or modification of Base Flood Elevations, base flood depths, Special Flood Hazard Area boundaries or zone designations, or the regulatory floodway. Technical information or comments are solicited on the proposed flood hazard determinations shown on the preliminary FIRM and/or FIS report for the Valdez-Cordova Census Area, Alaska. These flood hazard determinations are the basis for the floodplain management measures that your community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program. However, before these determinations are effective for floodplain management purposes, you will be provided an opportunity to appeal the proposed information. For information on the statutory 90-day period provided for appeals, as well as a complete listing of the communities affected and the locations where copies of the FIRM are available for review, please visit FEMA's website at www.fema.gov/plan/prevent/fhm/bfe, or call the FEMA Map Information eXchange (FMIX) toll free at 1-877-FEMA MAP (1-877-336-2627).



City of Valdez
ALASKA

Department of Community
Development

11/20/2017

[REDACTED]
[REDACTED]
[REDACTED]

Re: Alpine Woods and Vicinity Septic Replacement Program

Dear Mr. [REDACTED]:

The real property located at [REDACTED], Valdez, Alaska benefited from the Alpine Woods and Vicinity Septic Replacement Program. As such, on March 31st, 2009 the property owners entered into an Alpine Woods & Vicinity Septic Replacement Program Agreement with the City of Valdez ("Agreement"). Pursuant to the Agreement, the City either directly paid the costs of replacing or upgrading the existing subsurface sewage disposal system that existed on the property at the time, or reimbursed the owners for the costs incurred in overseeing the design, construction, or installation of a new system.

The system that was installed on your property included an alternative wastewater system. The Agreement provided, at Section 3.7, that if such a system was installed, the property owners would be required "to keep in force, for the life of the system, an appropriate manufacturer approved Maintenance Agreement which includes a manufacturer approved service provider." The Agreement also explained that, "In the event that the Owner fails to pay the annual maintenance fee the City will consider that System out of compliance and may take enforcement action against the Owner until such time as the System is brought into compliance."

The City has recently learned that your maintenance agreement has been permitted to lapse, in breach of your Agreement with the City. Please provide the City Community Development Department with documentation showing that you have re-enrolled in the required Maintenance Agreement by **April 1, 2018**. Should you fail to do so, the City shall proceed to take such action as may be necessary to enforce its rights pursuant to the Agreement, which may include legal action.

If you require assistance in identifying an appropriate maintenance agreement, or have any further questions, please contact the Community Development Department at (907) 834-3450.

Sincerely,


AnnMarie Lain

Director

Community & Economic Development

☎ 907.834.3425 | ✉ alain@ci.valdez.ak.us