

From: Warner, Jeffrey P (DEC)
To: [Paul Nylund](#)
Subject: FW: Potential Sale of City of Valdez owned land
Date: Friday, August 2, 2019 10:38:19 AM

Hey Paul, I ran this past Roy Robertson who is our lead engineer (Scott Forgue's peer) in the Anchorage office. Please see his response below.

Jeff Warner
Program Manager II
DEC Drinking Water Program
555 Cordova Ave
Anchorage AK. 99501

(907) 269-7639

From: Robertson, Roy A (DEC)
Sent: Friday, August 2, 2019 10:31 AM
To: Warner, Jeffrey P (DEC) <jeff.warner@alaska.gov>
Cc: Bare, Charity M (DEC) <charity.bare@alaska.gov>
Subject: RE: Potential Sale of City of Valdez owned land

Jeff,

I would recommend recording some kind of wellhead protection easement on the property that says there should be no uses incompatible with a public water system, and listing a few examples. That way it is tied to the property and the next owner would find it on a title search or when researching the property and it would likely be shown on as-builts done on the property in the future. It's not possible to list all the potential issues in regulations but there are a lot of things that we wouldn't want done on that property. We have seen people put dog-lots near water sources, turn areas near the wellhead into retention ponds, floor drain oil separators etc. although those are fairly unlikely for a lot as small as this.

Roy Robertson, P.E.
Engineer II
Drinking Water Program
Alaska Department of Environmental Conservation
555 Cordova Street
Anchorage AK 99501
Tel: (907) 269-7631
Fax: (907) 269-7650

From: Warner, Jeffrey P (DEC)
Sent: Thursday, August 01, 2019 7:58 AM
To: Robertson, Roy A (DEC) <roy.robertson@alaska.gov>
Subject: FW: Potential Sale of City of Valdez owned land

Hey Roy, Scott is out of the office. Can you take a look at this and give me your thoughts?

Jeff Warner
Program Manager II
DEC Drinking Water Program
555 Cordova Ave
Anchorage AK. 99501

(907) 269-7639

From: Paul Nylund [<mailto:PNylund@ValdezAK.Gov>]
Sent: Wednesday, July 31, 2019 4:40 PM
To: Warner, Jeffrey P (DEC) <jeff.warner@alaska.gov>
Cc: Rochelle Rollenhagen <RRollenhagen@ValdezAK.Gov>
Subject: Potential Sale of City of Valdez owned land

Hi Jeff,

Thanks for taking the time to discuss this matter with me, and for being willing to help me obtain a formal determination of the implications of us selling this property, from the DEC's standpoint.

A quick recap of the issue at hand is:

A resident of Valdez who's house is located on Lot 24 in the attached Wellhouse #1 Proximity Map, has requested to purchase the subject parcel which is also illustrated on the aforementioned map. A driveway on the subject parcel which provides access to the house has existed for 30+ years, and the homeowner hopes to formally add the driveway to their lot prior to selling it.

The subject property is part of City of Valdez owned Lot 25A, which is in somewhat close proximity to a municipal well on the neighboring Lot 19B. It is my understanding that we are required to keep a certain minimum separation distance around the drinking water source, 100' or 200' depending on the potential source (18 AAC 80.020). The act of selling this parcel to the homeowner would not immediately violate this buffer, but the City would be losing control of the property and the fear is that there could possibly be contaminants used/stored on the property in the future (even though most are not allowed in that zoning district). The most likely possible contaminant source would be a residential fuel tank, and that would require a 100' minimum separation distance, which would include the southwest corner of the subject property.

It seems to me like either a plat note or an easement precluding hazardous materials on the subject parcel would be sufficient in this case to provide adequate protection to our drinking water source. However, I want to be certain that AK DEC does not have any issues with us relinquishing control of property so close to the drinking water source, and the attached letters from DEC back in 1988 make me wonder if there are more issues/requirements than I

realize.

That is a quick and dirty synopsis of this situation. Please let me know if you have any questions or would like any additional information. Thank you very much for your time and attention to this!

Sincerely,

Paul

Paul Nylund

Senior Planner/GIS Technician

City of Valdez | Planning Department

☎ 907.834.3450 | ✉ pnylund@valdezak.gov