



## KENAI PENINSULA BOROUGH

Planning Department • Land Management Division  
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**MIKE NAVARRE**  
**BOROUGH MAYOR**

### MEMORANDUM

**TO:** Dale Bagley, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** Mike Navarre, Borough Mayor *MN*  
Max Best, Planning Director *MB*

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

**DATE:** January 20, 2015

**SUBJECT:** Amendment to Ordinance 2014- 32, authorizing an exchange with Paula and Timothy Keohane

At the November 25, 2014 assembly meeting the administration requested postponement of Ordinance 2014-32 in order to further evaluate the area needed to serve future drainage improvements on the borough owned property at mile 12.1 of K-Beach Road.

The administration has completed an evaluation and determined that the originally proposed easement area is an appropriate location for a future drainage facility. The assessment determined that additional area would be needed to support construction activities. Construction area needs could be accomplished with a construction easement for temporary use of the south 100-feet of the parcel. A vegetative preservation easement was also recommended along the bluff for stability. A copy of the evaluation report is attached.

The findings of the assessment have been discussed with the Keohanes. The Keohanes have agreed with modifying the proposal to include these two additional easement components as recommended in the evaluation report, provided that they also be allowed to use a portion of the easement area for access purposes, subject to interruption during construction periods. The easements would also allow for the Keohanes' uses that can be removed within 30 days notice or are otherwise generally compatible.

The modifications to the proposal could be clarified in the ordinance with the following amendment:

- Amend Section 1 as follows:

...

**Property to be conveyed by KPB to Keohane:**

The North 1/2 Government Lot 13 Section 30, T5N, R11 W, Seward Meridian, Kenai Recording District, Third Judicial District, State of Alaska containing 1.84 acres more or less, subject to the reservation of a drainage easement thereon encumbering 0.9 acres more or less along with a supporting construction easement encumbering the south 100' of the property; and a vegetative preservation easement along the bluff and inland 50 feet from the bluff-line.

...



## **KENAI PENINSULA BOROUGH**

### *Capital Projects Department*

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**MIKE NAVARRE**  
**BOROUGH MAYOR**

Marcus A. Mueller  
Land Management Officer  
Kenai Peninsula Borough

Date: January 12, 2015

**RE: Summary Evaluation**

Project: K-Beach Rd Mile 12 Drainage

Parcel ID: 05536019 Approximately 1.84 acres

Attachments: Site Plan referencing necessary temporary and permanent easements  
Schematic detailing likely pipe profiles and manhole locations

Upon review of the existing site conditions and information provided by the land manager of recent work of another culvert repair near MP 11, the following assumptions have been made. A 6' diameter CMP (corrugated metal pipe) can be installed by open cutting through K Beach Rd., pending required approvals by ADOT. Anticipated trench would be approximately 15' in depth through the roadway and would require removing an area of asphalt approximately 40' wide across the roadway. Alternative methods other than open cutting are possible, however would likely add tremendous cost to the project.

A temporary construction easement extending 100' in width from the southern property line is needed for staging of material and equipment as outlined on the attached site plan. Considerations for preserving vegetation along the bluff must also be made, to minimize future impacts of erosion, and destabilization of the bluff towards home site to the north. Construction would proceed open trench from manhole to manhole, with the outfall being bored from the beach uphill towards manhole. The spoils from the open trenching could be used to fill the canyon area where several ditches have eroded in from the roadway to the bluff. This would also minimize material that would otherwise have to be hauled off site, conserving costs while leveling and stabilizing a large area of the site. A drive access to reach both manholes should also be implemented.

The manhole closest to roadway would be open grate and would require periodic inspections to ensure the area is free of debris. The manhole towards the bluff would be closed grate and would require less frequent inspections. The outfall would likely be smaller diameter piping, probably twin 30-36" pipes. Permanent easements as shown, 60' wide at eastern side and 115' at beach will be sufficient.

I can be reached by phone or email to answer any further questions you may have.

Regards,

**Scott Curtin, Project Manager**

*Kenai Peninsula Borough*

*Capital Projects Department*

*(907) 262-2032 Office*

*(907) 740-8103 Cell*

[scurtin@kpb.us](mailto:scurtin@kpb.us)



Will need to consider some type of vegetation easement restriction to control / minimize erosion of bluff

Temporary Construction Easement to 100' Wide



Construction Staging Area

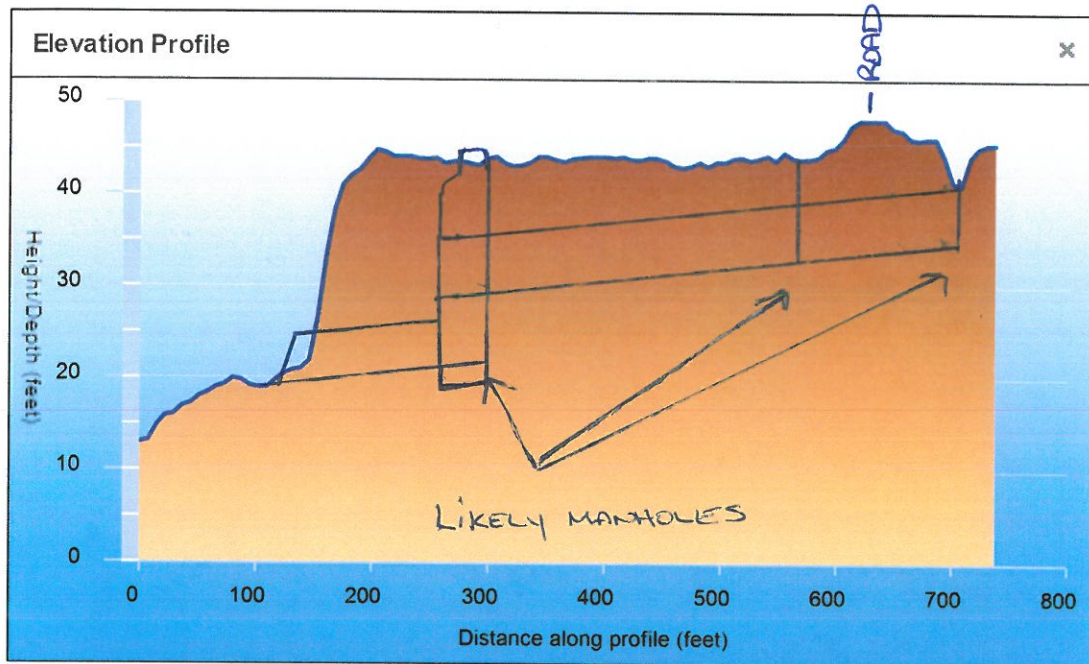
Outfall

Likely Manhole Locations

Open Cut of Roadway Approx. 40' Wide



Deliverables: This is a limited scope evaluation for the purpose of determining an appropriate area needed to provide for future planning and implementation. The deliverable should be a brief summary report describing the evaluation approach and schematic illustrating probable design elements with major dimensions. Ingress and staging for construction and maintenance should be included in the schematic footprint.



## **Evaluation of Area Needed for the Planning, Construction, and Maintenance of a Drainage Outlet at Mile 12.1 K-Beach Road**

**Purpose:** The purpose of this study is to assist with planning for a potential drainage outlet serving to carry water from the East Side of K-Beach Road to the Cook Inlet. The primary purpose of this study is to measure the dimensions necessary for a drainage easement on a parcel of borough owned land.

**Parameter to Measure:** The estimated dimensions necessary for a drainage easement located between K-Beach Road Right-of-Way and the Cook Inlet within the N ½ Government Lot (GLO) 13 Section 30, T5N, R11W, S.M..

**Outlet Extent:** Commencing at the East ditchline of K-Beach Road at Mile 12.1, westerly, through the highway prism to the westerly ROW boundary, continuing through the southern portion of the N1/2 GLO 13 to tidewater of the Cook Inlet.

**Existing Data:** Study should rely on existing data including LiDAR Digital Elevation Model, Assessors Tax Parcel Boundary, and DOT As-built Drawings. Data can be provided by KPB upon request. Borehole data found through WELTS generally indicates silty sand throughout the top 25' in the area. Any additional data deemed necessary to achieve the purpose of this study is the responsibility of the consultant.

**Assumed Control Elevations:** For the purpose of this scope, using LiDAR DEM:

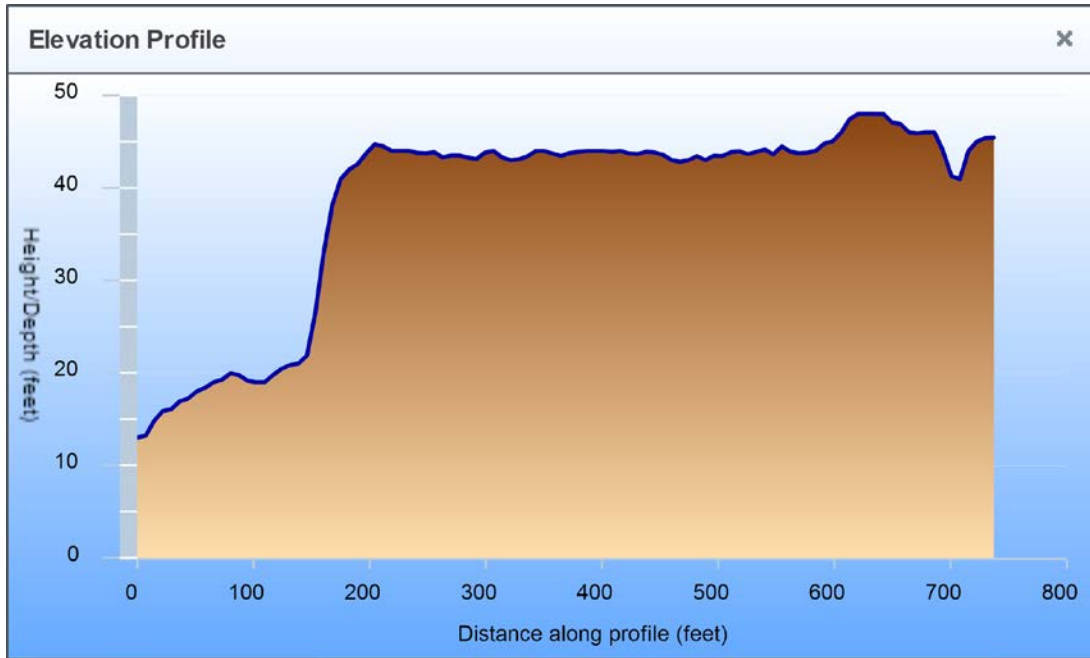
- the elevation of the East ditchline of K-Beach Road is assumed to be 38'+/- (2-feet lower than the 2012 LiDAR data).
- the elevation of the crown of K-Beach Road is assumed to be 48'+/-
- the elevation at the East Boundary of the N1/2 of GLO 13, common with the West ROW boundary, is assumed to be 44'+/-
- the elevation along the south property line of the N1/2 GLO 13 is assumed to be generally 44'+/-
- the elevation of the MHWL of the Cook Inlet is assumed to be 18'+/-

**Assumed Design Capacity:** A 6-foot Diameter Culvert at K-Beach Road can be assumed for these purposes. In consultation with appropriate agencies (KPB, DOT, DNR) the design capacity may be further estimated.

**Assumed Life of Improvement:** 20 years+

**Special Design Considerations:** System stability is a high priority. Outlet at tidewater is exposed to fluctuating tide, currents, beach deposition and/or erosion, and ice. Minimize interruption of highway traffic. System may interface wet or saturated sands or fluctuating groundwater levels.

Deliverables: This is a limited scope evaluation for the purpose of determining an appropriate area needed to provide for future planning and implementation. The deliverable should be a brief summary report describing the evaluation approach and schematic illustrating probable design elements with major dimensions. Ingress and staging for construction and maintenance should be included in the schematic footprint.



**From:** [Paula Keohane](mailto:Paula.Keohane@frontier.com)  
**To:** [Mueller, Marcus](mailto:MMueller@kpb.us)  
**Subject:** Re: Evaluation Report and Discussion  
**Date:** Thursday, January 15, 2015 9:21:26 AM

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Hi Marcus,

We are sending this email to confirm our understanding of the Keohane Drainage Easement exchange. After meeting with you yesterday, and going over the recommendations from your consultant, we are in agreement with your amended proposal. We also discussed possible improvements within the easement boundaries that we could construct eg. driveway that would not conflict with the drainage easement, and an extended time for removal of any improvements. We hope this exchange can move forward in the process and we will be available for any further discussion.  
Tim and Paula Keohane

Sent from my iPad

On Jan 14, 2015, at 9:30 AM, Mueller, Marcus <[MMueller@kpb.us](mailto:MMueller@kpb.us)> wrote:

11 is great. We'll see you then. I think we will meet in Michele's office which is straight ahead from the front doors.

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**From:** Paula Keohane [<mailto:pkeohane@frontier.com>]  
**Sent:** Wednesday, January 14, 2015 8:27 AM  
**To:** Mueller, Marcus  
**Subject:** Re: Evaluation Report and Discussion

Hi Marcus,

Thank you for keeping this proposal on track. It just so happens that we are in Kenai visiting our son and were planning to come in to see you in the next couple days anyway! If 11am is a good time, I'll see you then, otherwise let me know a better time. We leave on Friday morning.

Sent from my iPad

On Jan 13, 2015, at 4:04 PM, Mueller, Marcus <[MMueller@kpb.us](mailto:MMueller@kpb.us)> wrote:

Paula,

During the borough's public process for the proposed exchange a question arose regarding the needs of the borough on the Mile 12.1 parcel for future drainage improvements. To assess the question we sought the assistance of the borough's capital projects division. Attached is the report that was prepared as a result. I will separately send you (due to file size) a copy of the evaluation scope which will help in understanding the content of the report itself.



The report concludes that the basic easement proposed was good but that additional easements would be important for the borough to additionally retain. The first would be a construction easement that would allow for the entire south 100-feet to be used during construction activities. The second would be for vegetation protection along the coastal bluff, approximately 50 feet setback.

By adding the construction easement and vegetation protection easement it would reduce the area that would be potentially available for your purposes. It would seem that you would need to weigh the impact of the easement expansion and determine if this property would still be valuable to you for your purposes. If so I believe we would proceed with a modified proposal. If not, I believe we would need to reconvene to explore alternatives. Michele and I are available to meet by phone and could talk around 11am tomorrow if that worked for you.

**MARCUS A. MUELLER**  
**LAND MANAGEMENT OFFICER**  
**KENAI PENINSULA BOROUGH**  
**907.714.2204**  
[MMUELLER@BOROUGH.KENAI.AK.US](mailto:MMUELLER@BOROUGH.KENAI.AK.US)

<KBeach MP12 Evaluation Summary.pdf>