

Public Comment Received After April 15, 2022

Parcel Number 013-042-42 and 013-092-76

Hughes, Aaron

From: Planning Land Management
Sent: Monday, April 18, 2022 8:30 AM
To: Hughes, Aaron
Subject: FW: <EXTERNAL-SENDER>Fwd: 013-042-42 and 013-092-76 Opposed

From: Georgina Braun <gbandgb1@outlook.com>
Sent: Friday, April 15, 2022 5:29 PM
To: Planning Land Management <LMWeb@kpb.us>
Subject: <EXTERNAL-SENDER>Fwd: 013-042-42 and 013-092-76 Opposed

CAUTION:This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

Sent from my iPhone

Subject: Fwd: 013-042-42 and 013-092-76 Opposed

KPB Land Management Division

To whom this may concern,

With regards to Public Notice of Proposed Land Classification of lots 013-042-42 and 013-092-76. We opposed this reclassification. My husband has lived on Daniels Lake for 49 years and I have for 25 years.

Thank you.

Greg and Georgina Braun

Hughes, Aaron

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Thank you.

Greg and Georgina Braun

Hughes, Aaron

From: Planning Land Management
Sent: Thursday, April 28, 2022 8:44 AM
To: Hughes, Aaron
Subject: FW: <EXTERNAL-SENDER>Letter of Opposition

From: Alli Nelson <allinelson71@gmail.com>
Sent: Wednesday, April 27, 2022 5:58 PM
To: Planning Land Management <LMWeb@kpb.us>
Subject: <EXTERNAL-SENDER>Letter of Opposition

CAUTION:This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

I am sending this email in adamant opposition to the reclassification of parcels 013-042-42 & 013-092-76 on Daniel's Lake. My family was part of the original group of homesteaders and my grandfather Harry White worked for the road commission and was responsible for a majority of the roads in the area.

The families that reside out north live there to enjoy privacy and a way of life free of governmental interference. Sectioning off and subsequently auctioning pieces to the highest bidder with restrictions, covenants and rules that change our way of life is unacceptable.

Again, I oppose the reclassification of parcels 013-042-42 & 013-092-76, thankyou.

Allison C Nelson (White)

Alli C. Nelson

Public Comment Received After April 15, 2022

Parcel Number 057-530-15



APR 14 2022

Dear Land Owner or Leaseholder:

Public Notice of Proposed Land Classification

Pursuant to Kenai Peninsula Borough (KPB) Code of Ordinances, Chapter 17.10.080(G), the KPB Land Management Division proposes to classify 1 parcel of borough land as defined in the attached table. Public notice is sent to all land owners and/or leaseholders within a one-half mile radius of the land proposed to be classified, applicable agencies, and interested parties. The KPB encourages you to review the land classification, attend meetings, and submit written comments. Maps showing the subject land are available at the KPB Planning Department public counter or on the KPB's web site under *Public Notices* at <http://www.borough.kenai.ak.us/planningdept>

Basis for Classification: To establish the most appropriate use and management intent of borough land in order to prepare KPB parcels for future management decisions including potential sale.

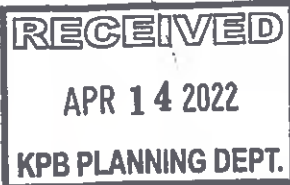
Proposed Classification(s): Descriptions of the proposed classifications for each parcel can be found in the Classification Table below.

Assessor's Parcel No.	General Location	Legal Description	Acres	Proposed Classification	Zoning
057-530-15	Soldotna	LOT ONE (1), BLOCK 2-A, BLOCK 2-A AND A PORTION OF BLOCK 3-A OF THE IRONS SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED UNDER AMENDED PLAT NUMBER 75-4, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	0.34	Residential	Rural
<p>Residential Classification:... means lands suitable for development for single family or multifamily settlement of a permanent nature. Residential parcels may be located adjacent to existing communities or are determined to be necessary for future community development. Residential parcels must be able to support on-site water and sewer systems or capable of receiving water and/or sewer service, have legal access and feasible physical access, suitable terrain and appropriate with the given surrounding uses. [KPB 17.10.250(DD)]</p> <p>Rural Zoning District: ...Land us in the rural district shall be unrestricted except as otherwise provided in this title. [KPB 21.01.010 (B)]</p>					

Description of Borough Land Proposed for Classification: Please reference all attachments for locations of KPB owned parcels and their proposed classifications.

Public Meeting Schedule: The public is invited to comment and give testimony at the following meetings. Public meetings will be held as shown unless otherwise advertised.

Kenan Mancion ~~4/10/22~~ ^{4/12/22}
35945 FOREWIND ST
SOLDOTNA, AK 99609
907-260-5371



4/12/22

To Whom it May Concern,

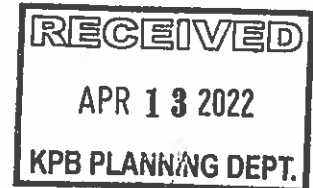
Please Record Assessor's Lot #
057-530-15 "Proposed the lot"
As Single Family/Residential.
Inclosed is copy of - lot -
1 (ONE) Dwelling Family/Residential
Thank You!

KERAN MORRISON
35945 FORERunner St
SOLANA, AK 99669
907-260-5371

Keran Morrison

Public Comment Received After April 15, 2022
Parcel Number 065-190-63 through 065-191-71

Steve & Sarah T. Virg-In
34278 Fishermans Road, Soldotna, AK 99669
Mobile (907)314-0951 (907) 433-9686
virg_ins@hotmail.com



KPB LAND MANAGEMENT COMMISSION
144 N. BINKLEY STREET
SOLODOTNA, AK 99669

REF: PUBLIC NOTICE OF PROPOSED LAND CLASSIFICATION

Assessor's Parcel No.'s 065-190-63 through 065-191-71
Location: Sterling ----- District 6 - East Peninsula

This planned proposed land classification is somewhat confusing.

Currently my GPS locate shows this as Alaska State DNR land.

The greatest concern is that this riverfront, water line bluff area become private property and become in accessible to the fisherman.

It is heavily trafficked by fisherman during the Red run from early morning till late evening.

The lower bank is full of people from the top end of the property shown, along the water line, to the very bottom of the property shown.

Removing the use of this shoreline property for fisherman will create a major issue on available shoreline that is already overpopulated during the Red salmon run.

With shoreline for fisherman consistently being restricted this will cause long term problems that cannot be resolved.

Please reconsider how you are currently expecting this land to be used and designate the shoreline for public access.

Respectfully,

Steve Virg-In

A handwritten signature in blue ink, appearing to read "Steve Virg-In", with a stylized flourish at the end.

Sarah T. Virg-in

Public Comment Received After April 15, 2022

Parcel Number 144-010-38

Hughes, Aaron

From: Planning Land Management
Sent: Tuesday, April 19, 2022 2:39 PM
To: Hughes, Aaron
Subject: FW: <EXTERNAL-SENDER>proposed land classification seaward
Attachments: Xerox Scan_04192022105259.pdf

From: Dan Sieminski <DSieminski@TelAlaska.com>
Sent: Tuesday, April 19, 2022 11:21 AM
To: Planning Land Management <LMWeb@kpb.us>
Subject: <EXTERNAL-SENDER>proposed land classification seaward

CAUTION:This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

Hello, I am writing in response to the proposal that pertains to borough property adjacent to my own. My address is 31534 clear creek avenue, parcel id#14403009. If this land becomes available, I have some concerns and or input. There currently is a 50ft section line easement that runs in front of my place and along the backside of this tract. It is clear creek avenue, I have met with a KPB roads rep, and it has been determined there is not enough room to build a road to borough specs. This is due to clear creek on the north side, and south side, approximately 15-20ft of road bed. Because of this, the maintenance is performed by myself, such as snow removal and ground work, mainly grading and potholes. I would like to see if we could vacate this section line easement from old exit glacier road to the western corner of my property, if not entirely. Further to the west this may not be a good solution, currently the roadhouse lodging property uses it for access to their property, maybe that portion should remain also for access to your borough land? If this idea sounds solid, I would like to purchase a portion of this borough land so that I may have access, and install a driveway. I would like what is directly in front of my parcel, I have attached a drawing. I do not believe this small sliver would have a negative impact on any sub dividing of your borough land, it has water on it, not suitable for building structures including septic systems (100ft distance) my opinion it may enhance? It makes it more desirable, at least for what I am proposing. In closing I have been told this 17 acre piece acted as a sponge for the area, it soaked up lots of seaward water. It has also had water running across it not that long ago, within the last ten years, from box canyon. It will need to be filled in, to be above the local water hazards. Thank you for listening and considering.

Daniel B Sieminski
Po box 2155
Seward, AK 99664
907-362-3446



Public Comment Received After April 15, 2022

Parcel Number 165-250-58

April 25, 2022

Kenai Peninsula Borough
KPB Land Management Division
144 N. Binkley Street
Soldotna, AK 99669

To Whom it May Concern,

I am the son and grandson of the Williams family that homesteaded the land in consideration for "rural" classification. I am the property owner of parcel 16525038. I want the classification to be considered "residential" due to the homes currently surrounding it and provide a desirable and healthy community for future homes.

My priority is to maintain the land, water and air for healthy living. I ask for your assistance to ensure the safety of the environment by keeping it residential.

Sincerely,

Garret Williams

A handwritten signature in black ink that reads "Garret Williams". The signature is written in a cursive style with a large, stylized 'G' and 'W'.

Public Comment Received After April 15, 2022

Parcel Number 165-130-05

December 2, 2021

Marcus Mueller

Land Manager KPB

907-714-2204

Dear Mr. Mueller,

On Monday November 29th, Joan Edens and her daughter Beth(Elizabeth) Tutt each received a letter dated 11-22-21 from Julie Denison, Land Management Technician for the Kenai Peninsula Borough. The letter is included as item #1.

The letter states that Joan and Beth's application for what would have been a third consecutive 5 year temporary land use permit LMD 11-46 would not be renewed and that all personal property must be removed by 3-30-2022.

After a discussion via phone with Mr. Mueller we were advised to provide the family history of site use, cabin ownership, along with supporting documentation that shows the long history of legal use and pursuit of avenues for legal land use that the Edens family has employed for 50 years.

Joan and Brant Edens parents were pioneers, homesteading the area starting in the 1930's.

Moose hunting around the current cabin area began in the early 1950's when the Edens and Rollins families hunted together and pioneered trails and later used geophysical and their pioneered trails for hunting with 6x trucks and even a farm tractor.

Richard Edens(father-in-law to Joan), Brant Edens(William B. on documents and Joan Edens husband), Brant's brother Dick, and Leo Rollins were the first hunters to make the effort to hunt this area back in the hills at the time. Local knowledge names that surround and are associated with the cabin, such as 'Camp Ridge', 'Hill with the Cross', 'Moose Knoll', 'Gobblers Knob', and later 'Edens Cabin' on 'Cabin Ridge' etc were coined during these early days of their hunting the area and are significant landmarks to this day. Leo in particular continued coming to hunting camp just to hang out with Brant Edens into his 80's, well after his active 'hunting in the field' days were behind him.

Enclosed is a copy of the DNR receipt form dated 9-7-71 showing William B Edens application for a land lease for where he planned on putting the cabin as it now sits. Item #2

Enclosed is a letter, Item #3, dated 9-14-1971 from DNR Director F. J. Keenan asking for more boundary information for Brant Edens lease application, and Brant's memorandum, Item #4, in response dated 10-15-71 showing the boundaries requested. This application was ultimately not approved.

Enclosed is a copy of the form, Item #5, dated May 17th, 1971, conveying ownership of the Standard Oil office building to Brant Edens prior to new facilities being constructed on Homer Spit. That 'office' building is the cabin that is currently in use today on LMD 11-46. Brant (William B) Edens and his brother Dick managed and operated the bulk fuel plant at the end of Homer Spit as 'Jobbers' for Standard Oil and eventually bought the plant from Chevron, which was long known as Terminal Oil Sales. Also enclosed are pictures on Item #6, showing the cabin in its location as the 'Office' on Homer Spit, and during its transport to its present location.

Sometime in 1973 the State notified that there would be grazing leases for auction that encompassed the area Brant planned to put the cabin.

Find enclosed a copy, Item #7, of the DNR grazing lease ADL No. 63241, from January 1974 – July 2001 that includes the area where the cabin now sits. The Rollins' and Lurtis Barber had recently purchased horses, so the many acres of grassland would provide grazing and haying opportunity, as well as a legal place to locate the cabin surrounded by their traditional hunting area.

Richard Rollins(Leo Rollins son), and Lurtis Barber won the bid at auction so their names are on the original lease, Brant Edens was also at the auction, but pulled out of bidding because he didn't have livestock at the time of auction. Lurtis never followed through with being involved in developing or using the lease and Richard Rollins transferred the lease to his father Leo prior to his untimely death from cancer.

Find enclosed, Item #8, a letter dated April 25, 2001 from attorney Thomas E. Meachum showing Leo Rollins as grazing lease holder for ADL-63241, and also showing Leo's ongoing attempts to maintain the lease. Also find a letter, Item #9, from the KPB Planning Director Robert Bright, dated 2-2-2001 to Attorney Meacham regarding his work to help others continue their grazing leases as well.

Over subsequent years, the Rollins' and Edens families acquired and bred many more horses, and as the Rollins' had business interests that took all their time, they made a deal with the Edens that they could use the Rollins horses in exchange for the horses care. So Brant and Joan Edens, and their daughter Beth Tutt(Elizabeth on land use permit), pastured and cared for Rollins horses on their(the Edens) property in Homer during winter months, and then grazed them on the grazing lease in the summers. This required much development and maintenance of trails, corrals, fences, and related activity on the lease by Brant and Joan Edens, and Beth (Edens)Tutt.

Enclosed are pictures showing haying, fencing, grazing, and winter snowmachining use in those early years of the lease by the Edens family. The use of the cabin, moose hunting, use of the grass land adjacent to the cabin for grazing and as a winter snowmachine destination continues to this day.

Original access to the area in the 1950's was gained from the Olsen Mountain road and what is currently known as the Watermellon Trail. Over the years better access was pioneered from the North Fork Road, and many trails were established beyond 'Cabin Ridge' that form a system of trails used by a large community of hunter's, sightseer's, and snowmachiner's to this day. The Snomads and local SARS group uses the Edens Cabin for annual events, a landmark, and sheltering destination. It is a significant landmark for the whole community of trail users, as well as a known place for seeking shelter when things go wrong. Several years ago a snowmachiner survived a night in the cold in the outhouse before rescuers found him. Last fall a couple of soaked to the skin moose hunters sought refuge in our unlocked shed, after dark in a downpour when their atv wouldn't start to get them home. There are many stories like this from the past 50 years.

Enclosed is a copy Item #10, of an Application for Personal Use Cabin submitted by Brant Edens, dated 10-01-85 and the subsequent DNR letter, Item #11, dated Feb 4, 1986, stating that the grazing lease land was no longer under state management and the application was denied.

These documents are enclosed to show Brant Edens interest and desire to maintain the cabin as a legal permitted cabin when he heard news of the State of Alaska's plans to turn the grazing lease area over to Borough land management.

His original 1971 application demonstrates this intent and desire as well, even prior to moving the cabin to its present location. The 1974 grazing lease allowed for the cabin to be on the location legally, but Brant was concerned about losing that status when the State gave up land management to the borough.

As the July 11, 2001 expiration of the grazing lease came closer and knowing the State was not able to renew it, many attempts were made by Brant Edens and Leo Rollins and then after their passing, by Joan Edens, to secure legal use of the cabin and land as they had been doing for so many years.

Leases, options to buy, and any type of permit available were sought regularly until finally in 2011 Joan Edens and her daughter Beth(Elizabeth) Tutt were able to secure a 5 year land use permit which was renewed again in 2016 for another 5 years. In October of 2021 Joan and Beth received renewal forms from the Borough in the mail and filled them out and sent them in as they had been doing for the previous ten years. The Permit referenced in Julie Denison's recent letter would have renewed the permit for another 5 years, but as it states, "Administration has determined that LMD 11-46 will not be reissued".

The intent of this letter is

1. To tell the history and ownership of the "Edens Cabin" on LMD 11-46 by Brant Edens and his surviving spouse Joan.
2. To show the relationships between the Edens and Rollins families and the grazing lease ADL-63241 and the cabin.
3. To document the original and ongoing intent to make sure the cabin and land use was legally established and the Edens long history of pursuing and maintaining legal use of the site.
4. To describe the importance of the cabin and trail system it sits on to both the Snomads and our local SARS groups and to a large community of users of the established legal trail system.
5. To express the desire and interest of Joan Edens and Beth Tutt to make every effort to buy, lease, or lawfully obtain permitting for the future use of the land the cabin is on as it has been for the past 50 years.

Respectfully Submitted,

Joan Edens

PO Box 602

Homer, Ak 99603

Beth(Elizabeth) Tutt

PO Box 1105

Homer, Ak. 99603

#1



Land Management

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2205 • (907) 714-2378 Fax

A Division of the Planning Department

Charlie Pierce
Borough Mayor

November 22, 2021

Joan Edens
PO Box 602
Homer, AK 99603
VIA CERTIFIED MAIL:
7019 2280 0000 7385 1115

Elizabeth Tutt
PO Box 1105
Homer, AK 99603
VIA CERTIFIED MAIL:
7019 2280 0000 7385 1122

RE: LMD 11-46; Temporary Use of Borough Land
Recreational Cabin Site (APN: 16513005)

Dear Joan and Elizabeth:

Since 2011, KPB has authorized your use of existing structures on borough land in the Nikolaevsk area through a land use permit serialized as LMD 11-46. The permit will expire on November 30, 2021.

A draft 5-year temporary land use permit was previously sent to you, returned with your notarized signatures, and routed for KPB's approval. *Administration has determined that LMD 11-46 will not be reissued.* KPB does not have a recreational site permit program at this time. The \$400 permit fee submitted towards the drafted permit will be refunded to you under separate cover.

Your stewardship of the site is recognized and has been appreciated. Due to the seasonality, we ask that you please remove all trash, waste, materials, equipment, and other personal property you have placed on the property or have caused to be placed on the property prior to March 30, 2022.

The site will be inspected on or after March 30, 2022. If your personally-owned items have not been removed, they may become the property of KPB and may be used or otherwise disposed of by KPB without obligation to you.

Contact me if you have any questions or would like to discuss the contents of this letter further. Written communications are preferred. Thank you.

Respectfully,

Julie Denison
Land Management Technician
jdenison@kpb.us

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF LANDS
323 EAST 4TH AVENUE
ANCHORAGE, ALASKA 99501

ACCOUNTING
ADVICE
NUMBER

06263

DATE: 9-7-71

ADJ NUMBER: 55597-4

SUBJECT: Appl. for Land Lease

APPLICANT NAME: William B. Edens
ADDRESS: Box 602 Homer, Alaska 99603

FILING FEES	PURPOSE	FUND SYMBOL	per ct AMOUNT
		2801/639	10.00

REMARKS

REMITTEE IF OTHER THAN APPLICANT

CUSTOMER RECEIPT

BY mef
DATE 9-7-71

2

#3

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

WILLIAM A. EGAN, GOVERNOR

DIVISION OF LANDS

323 E. 4TH AVENUE
ANCHORAGE 99501

September 14, 1971

Mr. William B. Edens
Box 602
Homer, Alaska 99603

Dear Mr. Edens:

Enclosed is a copy of the grazing regulations requested in your memo of September 2, 1971 and a copy of the amendment to the Miller grazing lease which is self-explanatory.

We are unable to plot the area of your lease application from the information furnished. Please furnish a sketch with distances to some permanent landmarks and a metes and bounds description of the area you desire to lease.

Sincerely,

F. J. KEENAN
Director



By: L. T. MAIN
Lands Disposal Officer

Encl. - as stated

MEMORANDUM GO-144-C

4

TO: MR. F. J. Keenan Anchorage 10-15-71 19
FROM: MR. William B. Edens Homer OUR FILE:
SUBJECT: Appln for Land Lease - Enclosed map YOUR FILE:

Yesterday, I located the North Fork monument. The parcel of land that I have staked, is due East by compass and approximately 3/8 of a mile. It is impossible for us to chain the distance with accuracy due to the valley and timber between. Dotted lines on the map indicate the proximity of the Geophysical trails in the area which run basically magnetic North and South. At the intersection of the spur road, I have blazed a tree. Description: From blazed tree at the intersection of the two geophysical trails, thence West approximately 583 feet to my NE corner, a blazed tree, thence 416 feet more or less West to a second blazed tree establishing my NW corner. Thence South 208 feet to a pole with

PLEASE REPLY AT ONCE ☐

REPLY:

flag, the SW corner. Thence East 416 feet more or less to establish my SE corner, a pole with a flag. I trust that this will help to establish the property in question.

Thank You,

REPLY DATE:

SIGNED:

GO-144-C (10-68) PRINTED IN U.S.A.

RELEASE FROM LIABILITY

AND

INDEMNITY AGREEMENT

#5

HOMER, ALASKA MAY 17, 1971
City State Date

In consideration of the sum of REMOVAL COSTS (\$)
the Standard Oil Company of California agrees, subject to the conditions hereinafter
set forth, to deliver to -

MR. BRONZ EDWARDS
At HOMER, ALASKA

the following equipment, which has been removed from service:

(Name of equipment) WOOD FRAME OFFICE STRUCTURE

The Standard Oil Company of California urges extreme caution in the handling
of THE STRUCTURE which is sold as second hand.

The undersigned hereby assumes all risks of injury to person or property arising
out of the possession or use of this FRAME STRUCTURE or out of
any fire or other accident which may occur in connection therewith. The undersigned
expressly agrees that the said FRAME STRUCTURE is sold to the undersigned
as second-hand material and that Standard Oil Company of California does not, either
expressly or impliedly, warrant said STRUCTURE, and that any
upkeep or repairs necessary or hereafter becoming necessary to said FRAME
STRUCTURE shall be done by and at the sole expense of the undersigned.
The undersigned hereby releases and forever discharges and agrees to indemnify and
forever hold harmless Standard Oil Company of California from and against any and
every claim, loss, damage and liability of any and every nature arising out of,
because of, or in any way connected with the possession or use of said FRAME
STRUCTURE by the undersigned, his successors and assigns, including but
not limited to judgments, costs, expenses and legal fees reasonably incurred by the
said Standard Oil Company of California in connection with any and every such claim,
loss, damage and liability. This WOOD FRAME OFFICE is not to be
sold or exchanged without written permission of Standard Oil Company of California.

Donald Edwards 5-22-71
Signature Date

Witness Date



Original
'office' building
on Lower Spit prior
to moving. #6



Transport of
cabin to current
site.



Cabin as it
sits in current
location.



ADL No. 63241

THIS INDENTURE made and entered into this 12th day of January, 1974, by and between the STATE OF ALASKA, through the Director of the Division of Lands, with the consent and approval of the Commissioner of the Department of Natural Resources, acting for and on its behalf under and pursuant to AS 38.05, as amended, and the regulations promulgated thereunder, as amended or hereafter amended, hereinafter referred to as the LESSOR: and LURTIS L. BARBER AND RICHARD ROLLINS of Box 842, Homer, Alaska 99603 hereinafter referred to as the LESSEE:

WHEREAS, the Lessor has established the fair market value for grazing purposes ~~XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX~~
~~appears to have been approved by the Bureau of Land Management, U.S. Department of the Interior,~~
under 11 AAC 60.050 (Grazing Lease Regulations); and

WHEREAS, an auction of the herein demised property was held at the time and place designated by notice and said sale was approved by the Director of the Division of Lands, Department of Natural Resources, State of Alaska:

NOW THEREFOR, the Lessor has agreed to let and does hereby let and demise to the Lessee, and the Lessee has agreed to take and does hereby take from the Lessor ^{for grazing purposes} all that lot, piece, or parcel of land more particularly bounded and described, as follows:

All of Section 15; All of Section 22; All of Section 26 and All of Section 27
located in Township 4 South, Range 13 West, Seward Meridian, containing 2,560 acres, more
or less.

TO HAVE AND TO HOLD the said demised ^{grazing lands} ~~premises~~ for a term of Twenty-seven and one-half (27½) years commencing on the 12th day of January, 19 74 and ending at 12 o'clock midnight on the 11th day of July, ~~EX~~ 2001, unless sooner terminated as hereinafter provided.

The Lessee shall pay to the Lessor rental as follows: Equal annual payments, in advance, on or before the 12th day of January of every year during said term at the rate of Two Hundred and no/100----- Dollars (\$ 200.00) per annum; such payments to be subject to adjustment at each five-year interval from the effective date hereof, if the lease term hereof exceeds five years, ~~such adjustment to be based primarily upon a reappraisal of the value of the land and the improvement thereon at the time the lease was entered into~~ such adjustment to be based on periodic reappraisals as provided for in 11 AAC 60.050 (Grazing Lease Regulations).

It is agreed that the covenants, terms and agreements herein contained shall be binding upon the successors and assigns of the respective parties hereto.

9500 PROSPECT DRIVE
ANCHORAGE, ALASKA
USA 99516-1062

THOMAS E. MEACHAM
ATTORNEY AT LAW

ALASKA BAR NO. 7111032
1971

file #8
COPY

TELEPHONE: 907/346-1077
FACSIMILE: 907/346-1028
MEACHAM@ALASKA.NET

April 25, 2001

Colette G. Thompson, Esq., Borough Attorney
Kenai Peninsula Borough
144 N. Binkley Street
Soldotna, Alaska 99689

Re: State grazing leases on land conveyed
to Kenai Peninsula Borough
Our File No.: 74-1

Dear Ms. Thompson:

I presently represent Mr. Leo Rollins, the holder of State of Alaska grazing lease ADL-63241. This lease has a term of 27 1/2 years, and was issued on January 12, 1974. It is due to expire on July 11, 2001. The leased premises was conveyed by the State of Alaska to the Borough by state land patent no. 10476 on May 17, 1989, subject to Mr. Rollins's grazing lease and other grazing leases listed in the patent.

This patent does not indicate that administration of Mr. Rollins's lease or the other grazing leases was transferred from the State to the Borough, and I have found no documentation indicating that such a transfer of administration has occurred subsequently.

Mr. Rollins intends to timely file notice of his renewal of his grazing lease for another 27 1/2 year term, pursuant to the contractual provisions of his lease and applicable state law effective at the time his lease was issued. He will be filing his lease renewal documents with the Alaska Division of Lands, as the administrator of lease ADL-63241. A duplicate copy of his renewal documents will be provided to the Kenai Peninsula Borough Planning Department, as a courtesy.

I understand from published new items that there may be some questions among Borough officials regarding the Borough's obligation to recognize the state grazing leases excepted from the Borough's land patents. These questions may extend to the grazing lessees' rights to renew their 27 1/2-year grazing leases for an additional term of the same length, under applicable provisions of their respective state leases and state law.

file #9



KENAI PENINSULA BOROUGH

144 N. BINKLEY • SOLDOTNA, ALASKA • 99669-7599
BUSINESS (907) 262-4441 FAX (907) 262-1892

4/24/01

DALE BAGLEY
MAYOR

Leo - Are these all of the people I should be contacting to represent them in the grazing lease renewal issue? Are there any others? Please let me know.
Tom Meacham

February 2, 2001

Mr. Thomas E. Meacham
Attorney at Law
9500 Prospect Drive
Anchorage, AK 99516-1062

RE: File No. 1-24

Dear Mr. Meacham;

We estimate the cost of copying the contents of Mr. Rollins grazing lease file from the Land Management Division records at \$35.00 (Thirty Five Dollars)

The ten leases you mentioned are probably those included in land patented to the borough or included in approved selections. They are:

- Anderson Trust 2904 — Tietjen 20824 — Van Oss 56309
- Domela 63238 — Broste 63239 — Garcia 63240
- Rollins 63241 — Kinney 63242 — Garcia 63244
- Jones 63248
- In addition 40 acres of a Jerrel lease ADL 52922 were re-instated in 2000.

Please write or call if we may clarify the information.

Sincerely,

Robert Bright
Planning Director

#10

APPLICATION FOR PERSONAL USE CABIN PERMIT

NAME OF APPLICANT OR AGENT William B. Edens AGE: 53 DATE OF APPLN: 10-01-85

MAILING ADDRESS: Box 602 PHONE: (H) 235-8766
Homer, Ak. 99603 (W) 235-8818

other applicants claiming an interest (if any); none

CABIN LOCATION: _____ Section, _____ Township _____ Range, _____ Meridian.

NAME OF DESIGNATED AREA (IF ANY) Headwaters of North Fork of Anchor River

CABIN: size of primary cabin; 16X16

when constructed; 1971 length of use 14 years

other structures present and size; none

primary purpose of cabin; Recreational/ also used in conjunction with grazing lease

seasons of use requested X fall, X winter, X spring, X summer.

DOCUMENTATION REQUIRED OF APPLICANT: *Photo (print) of improvement taken in the past 12 months.

*1:63,360 USGS map showing cab

*Documentation of use, i.e., receipts of use or transportation, correspondence, affidavits from others attesting to your use, etc.

*Application filing fee \$25.00.

ok # 4686 10/04

If a prior application for this cabin has been made under another state program, please check the program(s); State - _____ preference right, X lease, _____ permit;

Federal - _____ homestead, _____ T&M site, _____ Native allotment, _____ headquarters site.

11

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF LAND AND WATER MANAGEMENT
SOUTHCENTRAL REGION

3601 C STREET
POUCH 7-005
ANCHORAGE, ALASKA 99510-7005
PHONE: (907) 561-2020

February 4, 1986

CERTIFIED MAIL 140 343 278
RETURN RECEIPT REQUESTED

William B. Edens
Box 602
Homer, Alaska 99603

Re: Personal Use Cabin Permit Application
ADL 222110 (CH45)

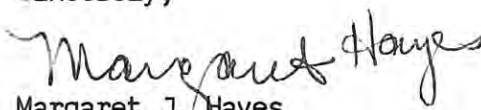
The Southcentral Region Office has recently completed a review of your application for a Personal Use Cabin Permit in the Caribou Hills area of the Kenai Peninsula. Our records indicate that the land within Section 15, Township 4 South, Range 13 West, Seward Meridian is no longer under state management. Although the state originally acquired this land under its general selection entitlements, the land in question has been approved for conveyance to the Kenai Peninsula Borough. This approval grants management authority to the borough pending final conveyance by patent.

Since the State of Alaska no longer manages the land encompassing your cabin, this department will be unable to issue you a Personal Use Cabin Permit. Based on this, please consider your application denied and your casefile closed effective the date of this letter. Should you have any questions concerning your cabin site, I would suggest that you contact John Mohorcich of the Kenai Peninsula Borough (262-4441).

This decision is final insofar as the Southcentral Region is concerned. An appeal should be addressed to the Director of the Division of Land and Water Management, in writing to the following address, within 30 days from receipt of this letter:

Tom Hawkins, Director
Division of Land and Water Management
P.O. Box 7005
555 Cordova Street
Anchorage, Alaska 99510-7005

Sincerely,


Margaret J. Hayes
Regional Manager

cc: Ron Swanson, DLWM



1978



Brant Edens

1977



1978

1976



Edluns family winter

1976



Beth
Edluns

Don
Edluns



Edluns Family Haying



Grazing on 'Camp Ridge'

Public Comment Received After April 15, 2022

Parcel Number 119-110-19

From: [Planning Land Management](#)
To: [Hughes, Aaron](#)
Subject: FW: <EXTERNAL-SENDER>Public Comment for May 9 KPB Planning Commission Meeting, New Business Item 9, Resolution 2020-XX: Parcel 1191109 on Snug Harbor Road, Cooper Landing
Date: Thursday, May 5, 2022 3:43:17 PM

From: gcfox@gci.net <gcfox@gci.net>
Sent: Thursday, May 5, 2022 2:11 PM
To: Planning Land Management <LMWeb@kpb.us>
Subject: <EXTERNAL-SENDER>Public Comment for May 9 KPB Planning Commission Meeting, New Business Item 9, Resolution 2020-XX: Parcel 1191109 on Snug Harbor Road, Cooper Landing

CAUTION:This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

Hello,

I'm writing to comment on the reclassification and possible sale of Parcel 11911019 on Snug Harbor Road in Cooper Landing. My family has owned the property at 38200 Snug Harbor Road, across Snug Harbor Road from this parcel, since 1940. My grandparents, mother, and uncle spent summers in Cooper Landing from 1940 on, so they had a great deal of local knowledge. During the summers I spent in Cooper Landing as a child, my mother always referred to Parcel 11911019 and the neighboring lot to the east (originally, these were one lot) as "the old dump". As children in the 60's, my siblings and I were not allowed to play there because it was dangerous to do so.

My own memory from the mid to late 60's is that there was a lot of old garbage on the ground on those lots – cans and bottles, etc., but also larger items. At that time, there was a somewhat overgrown, but still very visible, driveway into the lots. I also remember that the original owner of Parcel 11911020, the eastern part of "the old dump", told my parents that he had to clear a lot of garbage from his lot.

I don't know how long the parcels were used as a dump or what was dumped there in the days before there were any landfill restrictions in place, but the Borough should be aware that Parcel 11911019 has this history. My belief is that it's not suitable for Rural classification with no restrictions.

Carol Fox
(907)250-8223
Owner (with Gerald Fox), Parcel 11911002
38200 Snug Harbor Road
Cooper Landing, AK

Hughes, Aaron

From: g nice <niceinalaska@yahoo.com>
Sent: Friday, May 6, 2022 12:27 PM
To: Planning Land Management
Cc: Janette Cadieux; Yvette Galbraith; ygalbraith@gmail.com; Kathy Recken; jaeger06@hotmail.com; brandonandheather@live.com; ljohnsonak@gmail.com; David Story; Virginia Morgan; Mona Painter; Jan Mitchell; Ed Holsten; Kate; Hughes, Aaron; Mueller, Marcus; Carol Fox
Subject: <EXTERNAL-SENDER> Snug Harbor Parcel 119-110-19
Attachments: Neis 2.jpeg; Neis 3.jpeg; 1990.PNG; 1982.PNG; 1975.PNG; Snug Harbor Parcel 119-110-19-9^LLLLLL.docx

CAUTION: This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

KPB Land Management Division,
Written comment to be included in the KPB Planning Commission Public Hearing May 9, 2022
Please make sure this letter and attachments become "lay downs" for the Meeting May 9, 2022.

Snug Harbor Parcel 119-110-19 is an old dump site. The United States Forest Service survey plat map completed May 11, 1957 (attached) shows the dump on Snug Harbor Road is marked with the hand printed word "dump" across Lot 2A of 3.24 acres, along with the testimonials of longtime residents of Cooper Landing.

The Kenai Peninsula Borough Land Management Division proposes to classify Parcel 119-110-19 to "Rural" for potential sale.

We would like this information and attachments to be part of public record. Please read Snug Harbor Document (attached) for testimonials and United States Forest Service information.

In the interest of all the homeowners, the safety of their wells, and proximity to Kenai Lake, Snug Harbor Parcel 119-110-19 should be classified so it can never be sold or developed and clearly labeled as a Dump Site, to be left alone and not disturbed.

Thank you,
Jerry and Kim Neis
home 907-595-3516 cell 815-751-7959
niceinalaska@yahoo.com

Regarding the garbage dump site on Snug Harbor Rd
Cooper Landing, AK 99572

I went to the Cooper Landing Museum on Sunday April 2 and looked at the brad-bound book of maps (survey plat donated to the Museum from the USFS office in Seward years ago. As expected I found the dump indicated on Snug Harbor Road as you will see in these pictures. The word was hand printed across Lot 2A of 3.24 acres. Later on, that lot was split and one half of the lot, on the upper or eventually became owned by Walter Tripp after Bobby initially filed on it in 1965. Snug Harbor Group 02C.

I moved to a house on Snug Harbor Road in Cooper Landing 1959 after marrying Jake Mlynarik. I learned that there had been, a dump site past Jake's house on Snug Harbor Road. I don't remember using that dump site. (The first dump site I remember is the one off the Sterling Highway west of Woodring's Lot 02, Cooper Creek Group.)

For more information, I would research that dump site in US Forest Service Seward Ranger District records. I

U.S. SURVEY
No. 3531 ALASKA

EMBRACING

LOTS 1, 2, 2A, 3, 3A, 4, 5, 5A, and 6

SITUATED

ON THE SOUTHERLY SIDE OF THE SNUG HARBOR ROAD

AT KENAI LAKE

Geographic Position at Corner No. 1

Latitude $60^{\circ}29\frac{1}{2}'$ N.

Longitude $149^{\circ}47'$ W.

(Approximate)

AREA: 15.36 ACRES

SURVEYED BY

HAROLD RADCLIFFE, CADASTRAL SURVEYOR

Survey Commenced May 2, 1957

Survey Completed May 11, 1957

Under Special Instructions

Dated May 2, 1957

Approved May 4, 1957

500 211
KAISER
(979)
KNOCK
(2008)
N 10 11' W
(4,500)
(Continued below)
3A
er
20 34

ARS

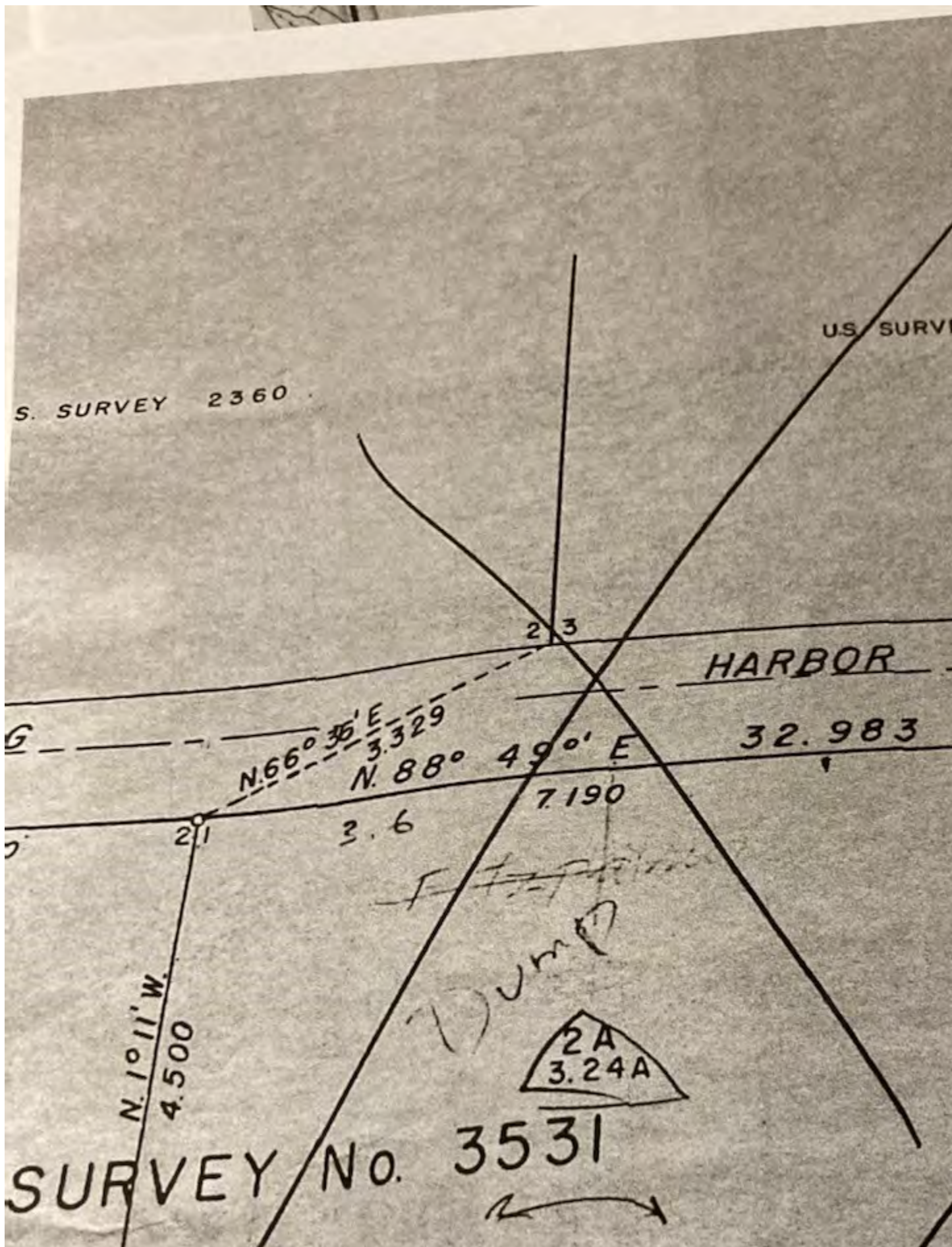
UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D. C. August 26, 1958

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

Earl G. Harrington

Cadastral Engineering Staff Officer

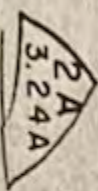


SURVEY NO. 3531

Handwritten: Vi Brumby 1 puph forward

N. 1° 11' W.
4.500

N. 66° 35' E. 3.329
N. 88° 49' E. 7.190



7.190
S. 88° 49' W.

30.190

N. 1° 11' W.
(4.500)

3A
1.58A

N. 1° 11' W.
4.500

3A
1.58A

Handwritten: Reserved for water









Snug Harbor Parcel 119-110-19 is an old dump site, known to longtime residents of Cooper Landing and the United States Forest Service as listed on their map completed May 11, 1957.

The Kenai Peninsula Borough Land Management Division proposes to classify Parcel 119-110-19 to “Rural” for potential sale.

We would like the following information and attachments to be part of public record. The following information is from Cooper Landing residents:

Mona Painter, longtime resident, a former member of Cooper Landing Advisory Planning Commission and historian of Cooper Landing shared the following information (pictures attached) from the Brad-bound book of maps (survey plat maps) donated to the Cooper Landing Museum from the United States Forest Service office in Seward some years ago. The survey plat map was completed May 11, 1957, shows the dump on Snug Harbor Road is marked with the hand printed word “dump” across Lot 2A of 3.24 acres. On the survey plat map, it appears the lot was split and one half of the lot, on the upper or east side, eventually became owned by Walter Tripp after Bobby Hickman initially filed on it in 1965. Snug Harbor Group 02C. No record found of the other half being sold. Mona Painter moved to a house on Snug Harbor Road in 1959 after marrying Jake Mlynarik. She learned there was, or had been, a dump site past Jake’s house on Snug Harbor Rd. She does not remember using that dump site, using the newer dump site near Cooper Creek.

Carol Fox grew up on Snug Harbor Road in the 1950’s and 1960’s, remembers being told as a child ‘never go over there to play’ and it was referred to as ‘the old dump’.

Kathy Recken, member of Cooper Landing Advisory Planning Commission stated ‘this parcel was Cooper Landing’s dump site in the 1950s. I know this was the dump because I used to go there with my father.’

David Rhode, a lifelong resident of Cooper Landing and a former member of the Cooper Landing Advisory Planning Commission, remembers this parcel first as a gravel pit, then becoming the dump site. Later being buried, filled in and covered in the 1950’s.

Kay Thomas, her parents built their house on Rusty Way in Cooper Landing in 1953, recounts, she and her mother picked a treadle sewing machine and white cabinet from the dump, going there not only to leave trash, but also to pick out “treasures.

Snug Harbor Parcel 119-110-19

May 6, 2022

Jerry and Kim Neis of Cooper Landing inquired at the Kenai Peninsula Borough office in approximately 2006, to purchase this property and were told "the lot will never be sold because it was an old dump site". Duane Ohnemus of Cooper Landing was told the same when he inquired to purchase this lot years earlier.

Others in the community remember going to the "dump" to see the bears and have their own accounts of using this dump site.

Recent pictures (pictures attached) of the Snug Harbor Parcel 119-110-19 show some of what is still visible on the surface. Pails of what ???, we don't know, cables, battery, etc. that had been dumped after the site had been covered years ago. Trees have grown through some of what remains on the surface.

Three pictures from 1975, 1982, and 1990 (pictures attached) were provided by the borough. The photo from 1975 is the closest in time to the closing of the dump, at which time, the dump would have been covered in 20 plus years of tree growth.

Being informed by Aaron Hughes, Land Management Division, on May 5, 2022, Snug Harbor Parcel 119-110-19 will not be put out for sale at this time. The Land Management Division is still planning to reclassify Parcel 119-110-19 as "Rural". We disagree with the land reclassification. This information from the United States Forest Service survey plat map completed May 11, 1957 shows the dump on Snug Harbor Road is marked with the hand printed word "dump" across Lot 2A of 3.24 acres, along with the testimonials of longtime residents of Cooper Landing. This needs to be put in the record, survey plat books and the Cooper Landing Land Use Classification Plan.

If Parcel 119-110-19 is classified as "Rural" it could be sold in next go around or anytime in the future.

In the interest of all the homeowners, the safety of their wells, and proximity to Kenai Lake, Snug Harbor Parcel 119-110-19 should be classified so it can never be sold or developed and clearly labeled as a Dump Site, to be left alone and not disturbed.

Jerry and Kim Neis PO Box 595 Cooper Landing, AK 99572

907-595-3516 niceinalaska@yahoo.com

niceinalaska@yahoo.com

From: [Planning Land Management](#)
To: [Hughes, Aaron](#)
Subject: FW: <EXTERNAL-SENDER> Snug Harbor Parcel 119-110-19
Date: Friday, May 6, 2022 1:04:35 PM
Attachments: [1256.Png](#)
[1257.Png](#)
[1258.Png](#)
[Snug Harbor Parcel 119-110-19-9-111111.docx](#)

From: g nice <niceinalaska@yahoo.com>

Sent: Friday, May 6, 2022 12:27 PM

To: Planning Land Management <LMWeb@kpb.us>

Cc: Janette Cadieux <jette.cadieux@gmail.com>; Yvette Galbraith <yvette@akmarketingconsultants.com>; ygalbraith@gmail.com; Kathy Recken <krecken@gmail.com>; jaeger06@hotmail.com; brandonandheather@live.com; ljohnsonak@gmail.com; David Story <david@alaska-wildland.com>; Virginia Morgan <tommymginn@arctic.net>; Mona Painter <painter@arctic.net>; Jan Mitchell <jmitchell_17@hotmail.com>; Ed Holsten <hgrandella@hotmail.com>; Kate <qenqay@arctic.net>; Hughes, Aaron <AaronHughes@kpb.us>; Mueller, Marcus <MMueller@kpb.us>; Carol Fox <gcf@foxgci.net>

Subject: <EXTERNAL-SENDER> Snug Harbor Parcel 119-110-19

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Jerry and Kim Neis

home 907-595-3516 cell 815-751-7959

niceinalaska@yahoo.com

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For more information, I would research that dump site through the US Forest Service Seward Ranger District records. I know the Forest Service monitored dump sites and Forest Service permits in Cooper Landing.

Mona Painter 907-202-6049 monapainter@me.com
POB 621 Cooper Landing, AK 99572

U.S. SURVEY
No. 3531 ALASKA

EMBRACING
LOTS 1, 2, 2A, 3, 3A, 4, 5, 5A, and 6
SITUATED
ON THE SOUTHERLY SIDE OF THE SNUG HARBOR ROAD
AT KENAI LAKE

Geographic Position at Corner No. 1
Latitude $60^{\circ}25' N.$ Longitude $145^{\circ}47' W.$
(Approximate)

AREA: 15.36 ACRES

SURVEYED BY
HAROLD RADCLIFFE, CADASTRAL SURVEYOR

Survey Commenced May 2, 1957
Survey Completed May 11, 1957

Under Special Instructions
Dated May 2, 1957
Approved May 4, 1957

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D. C. August 26, 1958

This plat is strictly conformable to
the approved field notes, and the survey,
having been correctly executed in accord-
ance with the requirements of law and the
regulations of this Bureau, is hereby
accepted.

For the Director

Earl G. Harrington
Cadastral Engineering Staff Officer

