

LOCAL
BOUNDARY
COM. REC.
KENAI



Official Business

Alaska State Legislature

Senate

Committee on
Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

TO: Senator Bob Mulcahy
Vice-Chairman
Senator Terry Stimson
Senator Tim Kelly
Senator Patrick Rodey
All Interested Parties

FROM: Arliss Sturgulewski *AS*
Chairman

RE: COMMITTEE MEETING - BUTROVICH ROOM, 207 Capitol Building

Thursday, February 8, 1979

1:30 p.m.

KENAI - BOUNDARY COMMISSION REPORT

KODIAK PUBLIC HEARING - Final Details

2-8-79

Committee Log Book - 1979

Tape Number 1

SENATE C/RA COMMITTEE

Side Number 1

Committee _____

Dates 2/8/79 to -----

Bill Numbers Discussed

| | | | | | | | | |
|-------|-------|----------|----------------|--|--|--|--|--|
| KENAI | LOCAL | BOUNDARY | RECOMMENDATION | | | | | |
|-------|-------|----------|----------------|--|--|--|--|--|

| Date & Time | Tape Meter Number | Bill | Significant Information (Witness, Action) |
|-------------|-------------------|-------------|--------------------------------------------------|
| 1:45 p.m. | 000 | | Mtg. called to order by Chairman Sturgulewski |
| | 22 | KENAI | Doug Griffin/Dept. C/RA/ Loc. Govern. Specialist |
| | 77 | | Sen. Stimson |
| | 81 | | Mr. Griffin |
| | 94 | | Sen. Stimson |
| | 96 | | Mr. Griffin |
| | 109 | | Committee voted to concur. |
| | 112 | KODIAK TRIP | Chairman Sturgulewski |
| | 113 | | Sen. Mulcahy |
| | 179 | | Chairman Sturgulewski |
| | 191 | AML | Chairman Sturgulewski |
| | 228 | | Sen. Stimson |
| | 230 | | Chairman Sturgulewski |
| | 242 | | Sen. Mulcahy |
| | 244 | | Chairman Sturgulewski |
| | 271 | | Sen. Stimson |
| | 273 | | Chairman Sturgulewski |
| | 289 | | Sen. Stimson |
| 2:10 p.m. | 290 | | Chairman Sturgulewski |
| | 299 | | Meeting Adjourned |
| | | | |
| | | | |
| | | | |
| | | | |

February 8, 1979

SENATE COMMUNITY & REGIONAL AFFAIRS COMMITTEE

KENAI LOCAL BOUNDARY COMMISSION RECOMMENDATIONS TO LEGISLATURE

Chairman Arliss Sturgulewski called the meeting to order 1:30 p.m.

Chairman Sturgulewski gave a brief review of the Kenai Local Boundary Commission report and recommendations presently before the Committee. She stressed if no action was taken, the recommendations would be considered approved and would thereby go into effect 45 days from the time introduced in the Session.

Mr. Doug Griffin, Local Government Specialist, State Department of Community and Regional Affairs, attending in behalf of Mr. Palmer McCarter, Director of the Local Government Assistance Division, gave a brief review, stressing that the recommendation was strictly a clarification of an incorrect boundary made in 1974. The Forest Service had noticed first the discrepancy. His Department was in total agreement with the recommendations now before the Committee.

Senator Simpson questioned for clarification sake that no physical change was entailed, that it was merely correcting the description.

Mr. Griffin confirmed and gave further technical boundary descriptions.

Senator Simpson asked when the the boundaries were first drawn.

Mr. Griffin stated the erroneous description was dated April 30, 1974.

Senator Simpson expressed curiosity at how the discrepancy was noticed.

Mr. Griffin stated in a memorandum the Forest Service noticed discrepancies when making adjustments.

Committee Action

A motion was made and unanimously passed concurring with the Local Boundary Commission Report.

KODIAK TRIP PLANS

Committee members briefly discussed material being compiled for their review before the Jt. Hearing took place; agenda outline; timetable; crowd anticipated, etc.

MEETING ADJOURNED 2:10 p.m.

February 12, 1979

TO: The Honorable Clem Tillion
President, State Senate

FROM: Arliss Sturgulewski, Chairman
Senate Community & Regional
Affairs

RE: Kenai Local Boundary Recommendation

The Senate Community and Regional Affairs Committee held a meeting 1:30 p.m., February 8, 1979, to discuss the Kenai Boundary Recommendation as presented to the Legislature by the Local Boundary Commission. All members present decided to take "no action," thereby letting this recommendation go into effect.

This notification hereby closes our Committee file.

STATE OF ALASKA

JAY S. HAMMONG, GOVERNOR

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

POUCH B - JUNEAU 99811

February 8, 1979

The Honorable Arliss Sturgulewski, Chair
Senate Community & Regional Affairs Committee
Pouch V
Juneau, Alaska 99811

Dear Senator Sturgulewski:

The error in the description of the southeasterly boundary of the Kenai Peninsula Borough was brought to our attention by the United States Department of Agriculture, Forest Service. This boundary is located in a very remote area and, thus, the erroneous description was not discovered for these many years. The enclosed report from the United States Department of Agriculture, Forest Service provides a detailed account of the situation.

A public hearing was held in Soldotna on January 12, 1979 by the Local Boundary Commission (LBC) to consider this question. The LBC held a decisional meeting on January 18, and recommended to clarify and correct the southeasterly boundary of the Kenai Peninsula Borough.

The Kenai Peninsula Borough supports the amendments correcting this boundary description and since the area affected is not presently inhabited, we concur with the Borough's position and feel that speedy resolution of this situation is in the best interest of the State and the Kenai Peninsula Borough.

Sincerely,

Lee McAnerney
Commissioner

Palmer McCarter
by: Palmer McCarter
Director

Enclosure

KENAI PENINSULA BOROUGH BOUNDARY

December 1, 1978

In the process of compiling changes to be made in Topographic Quadrangle Seward B-5, it was noted that the description of the Kenai Peninsula Borough, dated April 30, 1974, southeasterly part, had an anomaly in the use of the Chugach National Forest Boundary to amplify portions of the description.

In two cases in this portion of the description, a corner is established using a land survey corner, and then is amplified by stating a latitude and longitude. In both cases, the latitude and longitude is incorrect, as determined from Bureau of Land Management Protraction Diagrams S15-2 and S14-11. The corners are as follows:

S.E. Corner of the S.W. 1/4 of Sec. 22, T4N, R5E.

Borough Boundary Description:

LAT: 60° 25' 00" N

LONG: 148° 33' 00" W

(This latitude and longitude is stated as being on the Chugach National Forest Boundary, which it is.)

Correct description from BLM Protraction Diagram S14-11

LAT: 60° 24' 56.923" N

LONG: 148° 33' 42.146" W

S.E. Corner of the N.W. 1/4 of Sec. 27, T1S, R5E.

Borough Boundary Description:

LAT: 60° 02' 00" N

LONG: 148° 33' 00" W

(This latitude and longitude, as stated in the description, is on the approximate Chugach National Forest Boundary)

Correct description from BLM Protraction Diagram S15-2

LAT: 60° 03' 42.949" N

LONG: 148° 34' 11.811" W

Further study showed that the portion of the borough boundary line between these points did not take into account the east-west correction of the section lines as they cross the Seward Base Line.

It was further noted that the term "(projected)" was used following each use of a Section type corner; e.g. "N.E. Corner of Sec. 26, T9N, R2E (projected)." The term probably intended is "protracted", meaning a land survey corner established on paper but not in the field.

It was also noted that in some cases, the term "South" was used to describe the direction along a section line. In other cases, the term "southerly" is used. The term "southerly" is more correct, since except at the township boundaries, the section lines are not true North-South lines.

The intent of the boundary line appears clear, and this intent is shown on the Seward A-5 Quadrangle, where the borough boundary can be seen not to follow the Forest Boundary, and it shows a correction at the Seward Base Line. (Copy of Seward A-5 attached.)

The existing description of the area in question is:

".....N. E. Corner of Sec. 25, T4N, R4E (projected); thence East to the S. E. Corner of the S. W. 1/4 of Sec. 22, T4N, R5E (projected), said corner being on the Chugach National Forest Boundary at Longitude 148°33'00"W, Latitude 60°25'00"N; thence southerly along the boundary line of said Chugach National Forest to the S. E. Corner of the N. W. 1/4 of Sec. 27, T1S, R5E (projected), said corner being on Longitude 148°33'00"W, Latitude 60°02'00"N; thence West....."

Suggested changes in the description are as follows: (additions are underlined; deletions are crossed out.)

".....N. E. Corner of Sec. 25, T4N, R4E ~~(projected)~~ (protracted); thence East to the S. E. Corner of the S. W. 1/4 of Sec. 22, T4N, R5E ~~(projected)~~ (protracted); ~~said corner being on the Chugach National Forest Boundary at longitude-148°33'00"W, latitude-60°25'00"N;~~ thence southerly ~~along the boundary line of said Chugach National Forest~~ to the S.E. Corner of the S.W. 1/4 of Sec. 34, T1N, R5E (protracted); thence West to the N.E. corner of the N.W. 1/4 of Sec. 3, T1S, R5E ~~(protracted)~~; thence southerly to the S.E. Corner of the N. W. 1/4 of Sec 27, T1S, R5E ~~(projected)~~ (protracted); ~~said corner being on longitude-148°33'00"W, latitude-60°02'00"N;~~ thence West....."

The description of the area in question would then read:

".....N.E. Corner of Sec. 25, T4N, R4E (protracted); thence East to the S.E. Corner of the S.W. 1/4 of Sec. 22, T4N, R5E (protracted); thence southerly to the S.E. Corner of the S.W. 1/4 of Sec. 34, T1N, R5E (protracted); thence West to the N.E. Corner of the N.W. 1/4 of Sec. 3, T1S, R5E (protracted); thence southerly to the S.E. Corner of the N.W. 1/4 of Sec. 27, T1S, R5E (protracted); thence West....."

Received from the US Forest Service

RECEIVED

DEPT. OF COMMERCE REG. AFFAIRS

DATE DEC 4 1978

Com. 4/14
1.30



KENAI PENINSULA BOROUGH

BOX 850 • SOLDOTNA, ALASKA 99669
PHONE 262-4441

January 30, 1979

DOÑ GILMAN
MAYOR

The Honorable Arliss Sturgulewski
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Re: Kenai Peninsula Borough Boundary Hearing

Dear Arliss:

The State Boundary Commission conducted a hearing on January 12, 1979, in Soldotna, during which only Philip Waring, our Planning Director, and Mayor Don Gilman gave testimony.

We take no exception to the Boundary Commission action since it conforms exactly to the Borough boundaries as we understood them to be.

Sincerely,

Clyde Baxley, Administrative Assistant
Kenai Peninsula Borough

CB:mw