

## IRWA Chapter 71

Wednesday August 30, 2017 Lunch Meeting

North Pole Water Distribution System Expansion

Presentation by Bill Butler, Director of City Services, CONP & John Bennett, PLS – R&M Consultants

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### R&M's Role

- Existing ROW Review
  - Project location – within 6 sections north of the Richardson 4-lane straddling Badger road and within 4 sections to the south of the Richardson.
  - Maximize use of existing ROW – minimize cost & time
  - Gap analysis – where acquisition is necessary
    - Purported existing ROW cannot be validated in the public record
    - Utilities are beyond the scope of the existing easement
    - The permitting burden is unreasonable
  - Types of existing ROW
    - ROW created by FNSB Platting action (dedication)
    - PUE created by FNSB Platting action (dedication)
    - ROW created by Section Line easement (State or Federal) Fisher v. GVEA
    - Deed reservations – road reservations may not include utilities
    - Highway ROW Authorities – Public Land Orders
    - Direct acquisitions by others
      - PUE acquired by CONP
      - ROW acquired by DOT&PF
- Design Support
  - Iterative process of selecting alignments consistent with existing ROW
  - Obtain & review title reports
- Agency ROW Permitting
  - Geotechnical Investigation & Utility Permitting
    - DOT&PF Utility Permits (8 named roads) – Badger, Finell, Hurst, Old Richardson, Peridot St., Plack Road, Richardson 4-Lane, Woll Road.
      - Controlled Access Facility limitations on utility placement
    - FNSB Rural Services Division Construction in ROW Permits (4 Road Service Areas) – Garden, Pinestream, Woodland & Keeney
    - Undeveloped Section Line Easements (DNR) Letter of Non-objection
- Private Acquisitions
  - Approximately 50 easements to be acquire, 1 parcel in fee for pump house
  - R&M authorized as agent for City of North Pole
  - Perpetual Public Utility Easement
  - Compensation typically 25% of assessed land value plus incentive payment (DOT model)
  - No exercise of eminent domain