

# INFORMATION SHARE WITH CHENA RIVERFRONT COMMISSION (CRC)

May 7, 2019

## **SECTION 1: Purpose**

I am here today, to share with the CRC that I plan to remove two 33' BLM Small Tract reserved easements as set out in the patent for my property for roadway and public utility purposes dated April 28, 1955, patent no. 1151946. My home is located at 5795 Supply Road, off Dale Road, Fairbanks, AK.

My goal in removing these easements, *is to work towards maintaining further erosion of the easements into my property while continuing to support healthy riparian habitat along the river, and equally as important protecting my property values.*

## **SECTION 2: Overview**

In 2005, I attempted to vacate these easements. Based on safety concerns and the need to protect the bank from use so that it does not keep losing ground to the river. I did not and still do not think the FNSB should encourage this as a point to access the river, for safety and environmental reasons. The cut bank does not lend itself to accessing the water here, and erosion should not be encouraged by public use.

It is only fair to tell you, the FNSB staff did not support a vacation of these easements in 2005, and because of misinformation I appealed to the Planning Commission and then to the Superior Court, and the decision not to vacate the easements was upheld. Staff still does not support a vacation.

## **SECTION 3: Location of my property and easements**

Below is a screen shot of the current FNSB GIS Parcel Viewer taken on May 4, 2019. My property is shown as GL-18N and GL-18S. I have placed a red arrow indicating my property. The easements are on the north and west. One runs along the river at Supply Road, the other runs along Stealey Street and meets at the river. They both have serious erosion issues at and along the river.



**SECTION 4: Loss of Riparian Habitat and property values.**

I have chosen to keep the habitat along the riverbank on my property as natural as possible. Without the removal of these easements, roads, cul-de-sacs, turnaround bubbles, and other river access would be accessible to the public upon approved dedication plat. This would mean all of the trees, and natural habitat within the easements could be removed and thus greatly damage the riparian habitat and of course, my property values.

Below is an aerial photograph that I reduced in size to show the area along the river involved in my request for your support. This photo was obtained from Quantum Spatial in Anchorage, AK, and is dated July 24, 2018. [Reproduction by permission.] A red "x" indicates my house and was put there by this writer. The red lines on the overlap photo are approximately where the easements on my property are located and made by this writer.



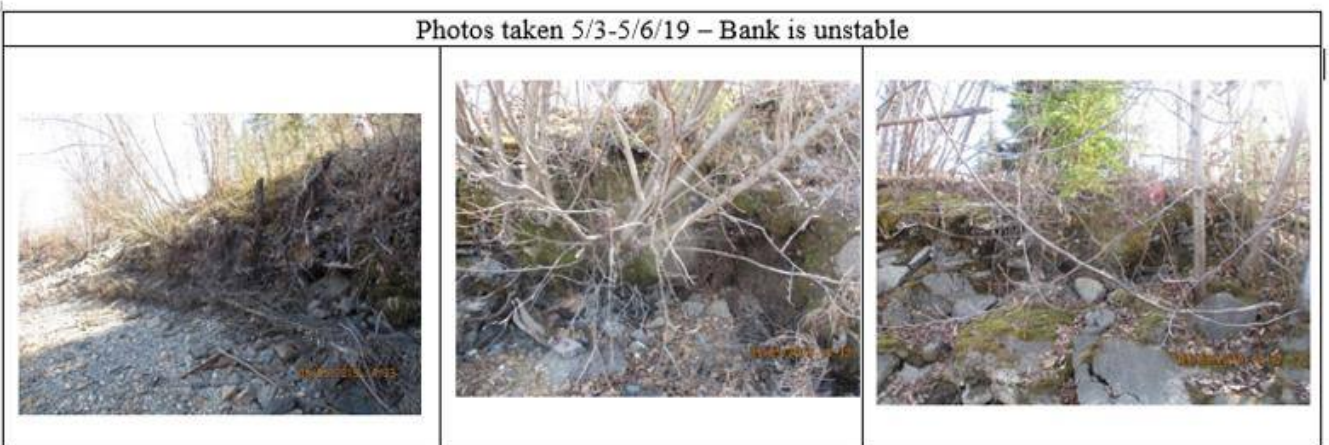
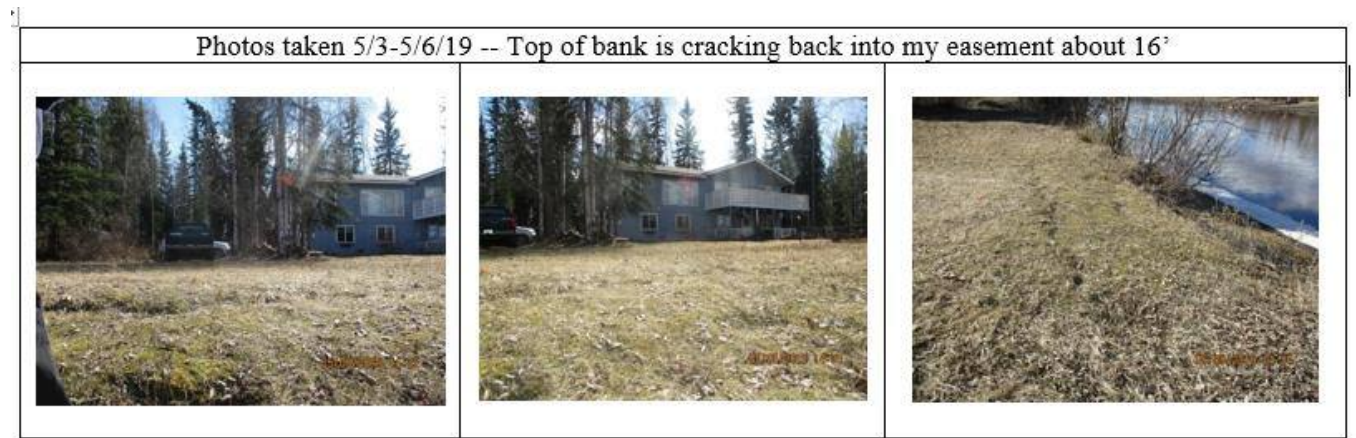


**SECTION 5: Unstable Ground**

People like to portray the easements on my property and speak as if the ground is physically there. In reality, there is approximately 75' that is a full 33' of ground from in front of my house to the corner of Lot 17 on the northeast and that is failing. The rest of it has pretty much eroded into the Chena River. The easement on the west is more intact with a little over 32 feet in the river at the apex of the two easements. There is substantial erosion of both of the easements.

The ground along the river bank is not stable and erosion continues to take its toll. The years of ground saturation from the river, the previous use of it as a driveway to the adjacent lot, as well as, my own prior use to access my home have all contributed in some way to the erosion.

Currently, the top of the bank is cracking and the bank has become unstable. I am currently working with Mitch Osborne, U S Fish & Wildlife Service (USFWS) on a partnership agreement for 2020. I previously worked with Mitch (USFWS) in 2016 and had repairs made to some of the more serious erosion spots along the bank.





Photos taken 5/3-5/6/19 – Bank is unstable at the apex



**SECTION 6: U S Fish & Wildlife Partnership Agreement 2016**

The erosion from the bank continued to get worse and move into my property. In 2016, I was able to successfully apply for and get a U S Fish & Wildlife Agreement to do some of the work to stabilize the bank in the two worst areas.





Work performed by USFWS October 2016

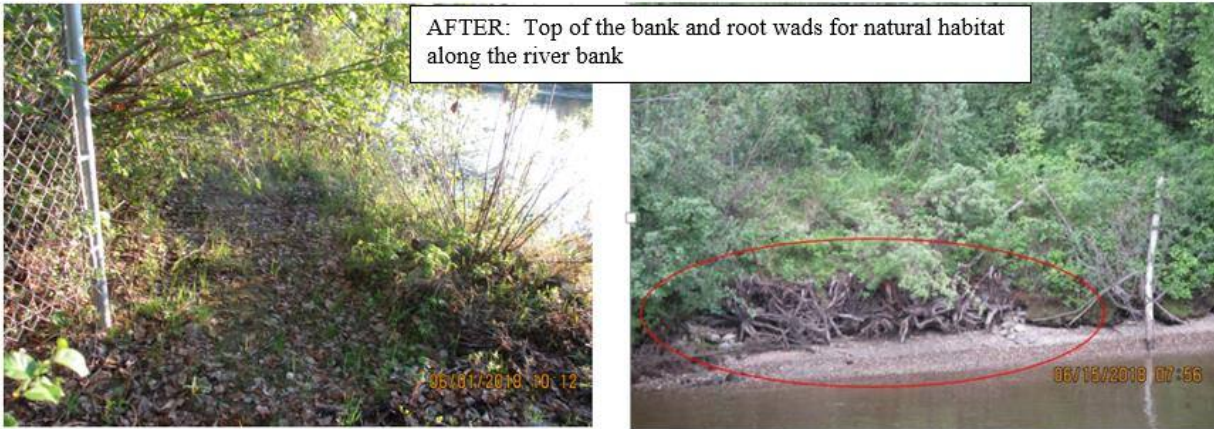


The other spot I worried about was at the apex Supply and Stealey where the river bank was undercutting and the top of the bank was sluffing into the river. This particular spot was of grave safety concern in 2005 when it was used as a driveway.

A repair was made to this area so that prevented further erosion into my property and did not require any build-out into the river. It worked out very nicely.



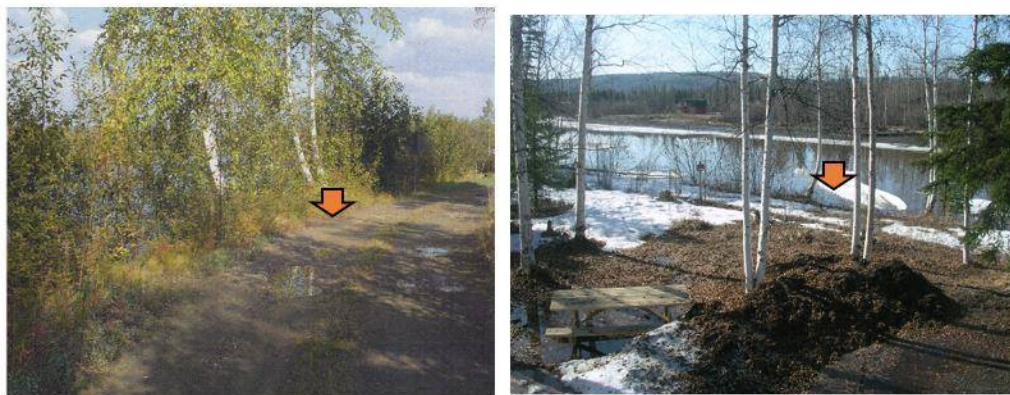




In these 2005 photographs of the apex of Supply Road and Stealey Street, you can see the instability of the bank due to the vehicular traffic and the deep cracks and undercutting of the bank from boat wakes, and high water.



The photo below on the left was taken 2005 when the driveway was being used, and the photo on the right is 2009 a full three years after July of 2006 when this portion of the drive was no longer used, you can still see the ruts from the vehicles through the melting snow. It takes a long time for the ground to heal and vegetation to regrow.



When I bought my property in 2003, a driveway was being used to access Lot 1 of the Carpenter subdivision, the driveway was along the top of the bank. Also, a two car garage was accessible from the



driveway and parking was in front of my house. This was not good for the riverbank and I moved my access and closed off the garage. Photos taken May 2009.



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**SECTION 7: Natural vegetation and landscaping**

A cul-de-sac, turn around bubble and/or a road would take out most of the vegetation in front of my home nearly all of the big trees all the way out my driveway and along Supply Road; and it will not do anything to help stop the erosion on the river.

When these trees are removed this area will thaw and turn to muck. I have had to put tons of fill in for a driveway. All of these trees providing natural habit for birds and other critters will be removed as they are in the 33' easement. The tip of the red arrow is where the easement ends – 15' 12" off the corner of my home.



I enjoy the natural vegetative state and all the trees around my house and on the river bank. It is good for the riparian health of the river and good for all the wildlife and makes me happy.

The area in the photo below, is where my family parks and what I use for a turning area when I back out of my driveway. If this area would be made into a cul-de-sac and or turning bubble and driven on it would once again turn to a muddy mess. All of the trees seen in the photo on the left and vegetation are within the 33' easement on my property and are subject to removal. Removal would ruin the riparian habitat, my property values, and look like it did in 2009 – photo on the right.



All of this habitat would be lost.





**Flood Plain**

Another concern is the amount of build-up and fill used to raise the Dezarn subdivision above the flood plain. This entire lot has been completely filled in and built higher than my property. It is hard to say, what affect this will have on the water saturation of my land over time. If it were to be built even higher for a place to put the material removed from adding another structure, it could affect the natural drainage of my property even more. The aerial view allows for a comparison in the land structures.





**Safety** is a concern because this has the potential to increase snow machine traffic. If people think they can get to the river, they are going to try. Snow machiners attempting to get down to the river over a steep bank have put their lives in danger and mine and my dog's when they whip through my driveway.

In the past, I had to put up blockage to keep my dog from being run down when I tied her out.



**Additional fill** I have put in Supply Road. If a cul-de-sac/turnaround is made on the easement on the west, it will look much like this perhaps worse.

<p>Supply Road 2004 – looking south from standing in front of my house.</p>	<p>Supply Road 2005. B &amp; B Excavating repaired Supply Road, dug up and put typar down</p>
	 <p>shale area repaired</p> <p>taken 5/6/05</p> <p>Area to fix 4/24/05</p>

**SUMMARY:**

I would like to assure you, the public is not losing any access to the Chena River if my undedicated easements are not used.



There is a 33' dedicated easement in the Dezarn on my north and 30' dedicated on the west by the Carpenter Subdivision plat. Those accesses come out at exactly the same location as my easements on the river. There is also access to the Chena River at Pike's landing, and Chena Wayside.

All of the surrounding properties have access to their lots and no one is landlocked or needs the easements for access.

The threat of the possible removal of the trees and other riparian habitat and vegetation by resuming vehicular traffic on top of this bank and the portions of the easements along Supply Road and Stealey will in my opinion greatly affect the erosion of the Chena River further into my property this causes me grave concern, and of course, lessen my property values.

I think one of the major causes with the bank erosion in my area is a man-made cause. Two property owners upriver have not used bio-engineering to stabilize the bank along their properties, but instead have used rock. I am told, this speeds up the velocity of the water and causes more erosion damage for the properties down stream.

The saturation of the soil caused by the backing up of the Tanana River is a natural occurrence. The boat traffic is something everyone enjoys especially the Discovery and Tanana Chief.

I just do not see the public or the FNSB maintaining the riverbank along my property to protect my land from further erosion. I am currently working with USFWS to obtain another Partnership Agreement to do some additional work in 2020. I see no reason for me to bear the expense to maintain this river bank for the benefit of the public, when other more beneficial and practical access is available.

I greatly respect the work of this commission and those of you who volunteer to help property owners protect the riparian health of the riverbanks. I would like to invite anyone wishing to view my property to give me a call 452-1801, I work from 6 a.m. to 2:30 p.m but would love to show you first hand my issues.

Thank you!

