

12/04/06 (3)

Special
Use
Permits

93

RG 95 RECORDS OF THE FOREST SERVICE

DEPARTMENT OF AGRICULTURE.
FOREST SERVICE. CHUGACH
NATIONAL FOREST. ANCHORAGE,
AK.

Land Case Files, 1909 - 1990

ARC:

BOX 75 OF 78

STANDARD FORM NO. 64

FOREST SERVICE

CHUGACH

CORDOVA, ALASKA

Office Memorandum • UNITED STATES GOVERNMENT

2710

TO : Forest Supervisor, Chugach

DATE: January 24, 1961

FROM : John D. Grove, District Ranger

SUBJECT: Special - Use Permits, Bureau of Public Roads

Apparently the two special - use permits for station grounds at two locations along the Copper River Highway have not, as yet, been transferred to the State. These station ground improvements (designation dates 3/5/47 and 5/11/54) are used entirely in connection with maintenance work on the Copper River Highway. Since the State does all the maintenance, it would seem as though these should be given to the Department of Public Works. Please inquire if this has or is going to be done. Incidentally, permit 5/11/54 is within the air navigation site withdrawal #241.

The BPR also have several other permits which, I feel, should be transferred to the State. One of the permits is for the Sheridan Glacier Road R.O.W. (F.D.R. 0528.1 & 0528.2): the other is for a dike-dam (F.D.R. 0530.1) near 7 Mile on the Copper River Highway. Please pursue this further and inform me of the results.

John D. Grove

<input checked="" type="checkbox"/>		Grant
<input checked="" type="checkbox"/>		Sandmeyer
<input checked="" type="checkbox"/>		Heyn
<input type="checkbox"/>		Dunn
<input type="checkbox"/>		Hansen
<input type="checkbox"/>		Office Manager
<input type="checkbox"/>		Adm. Clerk
<input type="checkbox"/>		Res. Clerk
<input type="checkbox"/>		Files
<input type="checkbox"/>		Cordova
<input type="checkbox"/>		Kenai

50-117

Case Designation:

U
USES
U. S. Bureau of Public Roads
Road
7/2/57
FREE



SPECIAL USE PERMIT

Chugach (C) National Forest.

Permission is hereby granted to U. S. Bureau of Public Roads
of c/o District Engr., Valdez District
Box 525,
Valdez, Alaska

hereinafter called the permittee, to use, subject to the conditions set out below, the following-described lands or improvements: a right-of-way 66 feet wide (33 feet on each side of centerline) between approximately Mile 14½ Copper River Highway and the southwest corner of Sheridan Glacier, as more specifically shown on the attached sketch, *dated Nov. 1957 at scale of 1" = 400'*

This permit covers ----- ~~acres and/or~~ ^{4.1} ~~3.2~~ approx. 4.1 miles for the purpose of:
a public road, in accordance with Regulation U-14.

This permit is granted free of charge under Regulation U-11(A).

The exercise of any of the privileges granted in this permit constitutes acceptance of all the conditions of this permit.

~~1. In consideration for this use, the permittee shall deposit with the Regional Fiscal Agent, Forest Service, -----, a check, draft, or money order made payable to the Treasurer of the United States in the sum of ----- dollars (\$-----) for the period from -----, 19-----, to -----, 19-----, and thereafter annually on -----, ----- dollars (\$-----). The charges for this use may be readjusted from time to time to place this permit on a basis consistent with the charge to other permittees for like privileges.~~

Form FS-832
(Revised 12-1-49)

cc [unclear] 7-26-57
cc Cordova 7-27-57

2. Construction or occupancy and use under this permit shall begin within 1 months, and construction, if any, shall be completed within 12 months, from the date of the permit. This use shall be actually exercised at least 200 days each year, unless otherwise authorized in writing.

3. Development plans; lay-out plans; construction, reconstruction, or alteration of improvements; or revision of lay-out or construction plans for this area must be approved in advance and in writing by the forest supervisor. Trees or shrubbery on the permitted area may be removed or destroyed only after the forest officer in charge has approved, and has marked or otherwise designated that which may be removed or destroyed. Merchantable timber cut must be paid for by the permittee. Trees, shrubs, and other plants may be planted in such manner and in such places about the premises as may be approved by the forest officer in charge.

4. The permittee shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the forest officer in charge.

5. This permit is subject to all valid claims.

6. The permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Department of Agriculture and all Federal, State, county, and municipal laws, ordinances, or regulations which are applicable to the area or operations covered by this permit.

7. The permittee shall take all reasonable precautions to prevent and suppress forest fires. No material shall be disposed of by burning in open fires during the closed season established by law or regulation without a written permit from the forest officer in charge or his authorized agent.

8. The permittee shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit, and shall pay the United States for any damage resulting from negligence or from the violation of the terms of this permit or of any law or regulation applicable to the national forests by the permittee, or by any agents or employees of the permittee acting within the scope of their agency or employment.

9. The permittee shall fully repair all damage, other than ordinary wear and tear, to national forest roads and trails caused by the permittee in the exercise of the privilege granted by this permit.

10. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

11. Upon abandonment, termination, revocation, or cancellation of this permit, the permittee shall remove within a reasonable time all structures and improvements except those owned by the United States, and shall restore the site, unless otherwise agreed upon in writing or in this permit. If the permittee fails to remove all such structures or improvements within a reasonable period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and restoration of the site.

12. This permit is not transferable. If the permittee through voluntary sale or transfer, or through enforcement of contract, foreclosure, tax sale, or other valid legal proceeding shall cease to be the owner of the physical improvements situated on the land described in this permit and is unable to furnish adequate proof of ability to redeem or otherwise reestablish title to said improvements, this permit shall be subject to cancellation. But if the person to whom title to said improvements shall have been transferred in either manner above provided is qualified as a permittee, and is willing that his future occupancy of the premises shall be subject to such new conditions and stipulations as existing or prospective circumstances may warrant, his continued occupancy of the premises may be authorized by permit to him if, in the opinion of the forest supervisor, issuance of a permit is desirable and in the public interest.

13. In case of change of address, the permittee shall immediately notify the forest supervisor.

14. The temporary use and occupancy of the premises and improvements herein described may not be sublet by the permittee to third parties without the prior written approval of the forest supervisor and the permittee shall continue to be responsible for compliance with all conditions of this permit by persons to whom such premises may be sublet.

15. This permit may be terminated upon breach of any of the conditions herein or at the discretion of the regional forester or the Chief, Forest Service.

16. In the event of any conflict between any of the preceding printed clauses or any provision thereof and any of the following clauses or any provision thereof, the preceding printed clauses will control.

17. This permit is subject to the conditions set forth above and to conditions 18 to 21 attached hereto and made a part of this permit.

Date _____

(Signature of issuing officer)

(Title)

18. The permittee agrees not to close the permitted road to government officers on official business or to the public except under competent authority on account of fire danger or to prevent excessive damage to the road.

19. The permittee recognized that approximately one mile of the permitted road is within an Air Navigation Site, withdrawn for use of the Civil Aeronautics Administration, as shown on the attached sketch. The permittee agrees to comply with the requirements of the CAA in the exercise of the privileges granted by this permit to the end that interference with the work of the CAA in that area be kept to a minimum.

20. The permittee shall prepare and provide in triplicate an engineering plan and profile of the proposed road prior to commencing construction. Approval of the plan will be by notation thereon by the Forest Supervisor

21. This permit is accepted subject to the terms set forth above.

ACCEPTED: July 25, 1957
Date

BUREAU OF PUBLIC ROADS
By: John M. Cooley
John. M. Cooley, District Engineer

APPROVED: July 24, 1957
Date

M. E. Hardy
M. E. Hardy, Forest Supervisor

Case Designation:

**WEEKS, Chugach (PWS)
U.S. Bureau Public Roads
Right-of-way and Borrow Pits -5/18/54
Sec. 6 - Copper River Highway
(Free Reg. U-11-A and U-14(a))**



SPECIAL USE PERMIT

5/18/54
7/6/54

Chugach (PWS) National Forest.

Permission is hereby granted to Alaska Road Commission BPR

of U. S. Department of the Interior, P. O. Box 1961, Juneau, Alaska.

hereinafter called the permittee, to use, subject to the conditions set out below, the following-described lands or improvements:

A right-of-way 132 feet in width and seven borrow pits as shown on the plans for Section 6 of the Copper River Highway, approved by A. F. Origlione, Commissioner of Roads for Alaska, May 18, 1954.

This permit covers _____ acres and/or 15.00 miles for the purpose of:

constructing, operating, and maintaining a public highway.

The exercise of any of the privileges granted in this permit constitutes acceptance of all the conditions of this permit.

~~In consideration for this use, the permittee shall deposit with the Regional Fiscal Agent, Forest Service, _____, a check, draft, or money order made payable to the Treasurer of the United States in the sum of _____ dollars (\$ _____) for the period from _____, 19____, to _____, 19____, and thereafter annually on _____, _____ dollars (\$ _____). The charges for this use may be readjusted from time to time to place this permit on a basis consistent with the charge to other permittees for like privileges.~~

Form FS-352
(Revised 12-1-49)

16-33077-3

Issued free under Regulations U-11-A and U-14(a).

18. The following are retained by the Forest Service subject to the right of the Alaska Road Commission to construct, operate, and maintain Section C of the Copper River Highway or to obtain construction material:

- a. Authority over all other uses and occupancy of the roadside zone.
- b. Authority to erect and approve information signs.
- c. Authority to do sanitation and improvement cuttings in timber and brush stands in conformity with the Forest Service roadside zone policy.

19. Disposal of refuse from clearing and grubbing consisting of railroad ties, logs, brush, stumps, roots, rotten wood and other refuse shall be by burning or by placing the material at inconspicuous locations and arranging it in such a manner that it will present a neat appearance.

20. Borrow pits. Overburden and other spoils material will be disposed of in such a manner that it will not be objectionable from the standpoint of appearance. The Division Supervisor at Cordova is authorized to approve plans for the disposal of overburden. Slopes of borrow pits shall be flattened, rounded, and neatly trimmed.

21. The following borrow pits are included in the plans for Section C Copper River Highway:

- (1) Located 5000' left, Sta. 1365, 42,855 cu. yds. rock.
- (2) Located 3735' left, Sta. 1365, 30,757 cu. yds. gravel.
- (3) Located 300' left, Stat. 1656, 28,371 cu. yds. gravel, located main channel, Copper River.
- (4) Located 300' left, Stat. 1804, 2,243 cu. yds. gravel, located main channel, Copper River.
- (5) Located 300' left, Stat. 1855, 7,540 yds. gravel, located in side channel to Copper River.
- (6) Located 700' left, Stat. 1917, 13,382 yds. gravel, located in channel tributary to Copper River.
- (7) Located 300' right, Stat. 1989, 5,570 yds. gravel, (may be located in channel tributary to Copper River).

The problem of damage to salmon spawning grounds shall be taken into consideration in removing gravel from stream beds. Salmon do not spawn in murky water such as is found in the main channel of the Copper River. No salmon spawning problem exists in borrow pits located in the main channel. Many of the clear feeder streams entering the Copper River are important salmon spawning streams and special consideration is needed for any borrow pits located in such streams. No problem in connection with salmon spawning appears to exist in the first four borrow pits located above. The last three listed borrow pits should be investigated on the ground to determine if their use will interfere with spawning of salmon. If such a problem exists the Division Supervisor at Cordova is authorized to resolve the problem on the ground by (a) working out adequate safeguards and retaining a written record of such safeguards or (b) designating alternate sites in writing for borrow pits.

21. Responsibility for fire protection and firefighting shall be in accordance with the Public Roads Administration Specifications FF-41, Revised 7/15/41, Article 8.3, paragraphs (h), (i), (j), (k), (l), and (m) on pages 34, 35, and 36. The Division Supervisor at Cordova is authorized to represent the Forest Service in carrying out Forest Service obligations under this paragraph.

W. H. Johnson
Act. Regional Forester

Date: 7/6/54

Approved:

Alaska Road Commission

By: A. F. Dhiqione

Title: Commissioner of Roads for Alaska

Date: 6/21/54