

John Bennett

From: Lynch, Sean P (LAW) <sean.lynch@alaska.gov>
Sent: Monday, March 1, 2021 9:46 AM
To: John Bennett
Subject: Re: MHT SLE Memo

Hi John,

Good to hear from you. Thanks for asking about the safety of my house—it's in the original townsite, so it's protected from Mt. Juneau. Whenever the snow pack gets like this, though, I worry for the people and homes in the 1940s subdivisions ... pretty scary there.

I wasn't involved in the review of the DNR and DOT memo but, if you don't mind, I will forward your email and attachments to Jeff Stark and to Heather O'Claray to see if either of them were involved in the development.

I'd like to noodle this over a bit, but it seems correct that AS 19.10.015 would apply to SLEs on federal land accepted after the passage of the statute.

Best,

Sean

Sean Lynch
Assistant Attorney General
(907) 465-6712
sean.lynch@alaska.gov

From: John Bennett <JBennett@rmconsult.com>
Date: Sunday, February 28, 2021 at 9:27 AM
To: Lynch, Sean P (LAW) <sean.lynch@alaska.gov>
Subject: MHT SLE Memo

Good morning Sean! – Hope you are located outside of the Juneau avalanche chutes that I have been reading about... I recently received a copy of the attached DNR/DOT/MHT agreement dated 12/30/20 regarding section line easements on MHT lands. As Commissioner MacKinnon was signatory to the agreement I thought it possible that this was an issue you had reviewed. But if not, don't let it interrupt your other business. It's always good when some clarity can be brought to certain esoteric issues such as SLEs, but in this case, if I'm reading it correctly, it also clouded (or clarified) another issue regarding the effect of AS 19.10.015 on federal SLE widths. I have attached a copy of the agreement, a table from my "Highways" paper and an email where I responded to a couple of my ROW cohorts on my concern. So I won't repeat it here as it is in the email.

I was also planning to check with the DNR Cadastral folks who deal with SLEs to see if this is a newly expanded view toward federal SLE widths that may impact lands that were patented into private hands. Hope all is well with you. JohnB

PS – I'm old and so have successfully received both vaccine shots. I now look forward to coming out of my burrow come spring.

John F. Bennett, PLS, SR/WA Senior Land Surveyor – Right of Way Services

