

Should this item be pulled from the consent agenda the following motion would be in order:

### **POSSIBLE MOTION**

I MOVE TO approve Resolution 2010-14 authorizing the use of Title III funds to cover the costs of easement documentation for the CBS's portion of the Herring Cove – Beaver Lake Trail

**RESOLUTION NO. 2010 - 14**

**A RESOLUTION OF THE CITY AND BOROUGH OF SITKA AUTHORIZING USE OF TITLE  
III PAYMENTS TO STATES FUNDS FOR THE HERRING COVE – BEAVER LAKE  
EASEMENT**

**WHEREAS**, The Herring Cove – Beaver Lake cooperative trail project was completed in the fall of 2009 as a result of a Sitka Trail Plan MOU partnership effort between Sitka Trail Works, the US Forest Service and City and Borough of Sitka; and

**WHEREAS**, this project was listed in the 2003 Sitka Trail Plan to which the City and Borough of Sitka is a plan partner; and

**WHEREAS**, construction funding for the project was raised by Sitka Trail Works through a \$170,000 grant from the Rasmuson Foundation with additional funding from the City and Borough of Sitka and Forest Service; and

**WHEREAS**, creation of an recreation easement on City and Borough lands was a condition of the award of \$170,000 in grant funding by the Rasmuson Foundation; and

**WHEREAS**, the City and Borough Assembly authorized the establishment of a permanent recreation easement for the CBS portion of the trail at their May 28, 2008 meeting; and

**WHEREAS**, Title III of the Federal Payments to States program provides that an eligible county may use these funds to acquire easements,... to provide for non motorized access to public lands for hunting, fishing, and other recreational purposes; and

**WHEREAS**, funds used for survey and design work establish the trail easements;

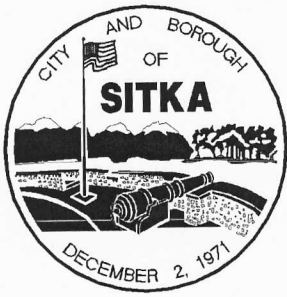
**THEREFORE, BE IT RESOLVED**, that the Assembly of the City and Borough of Sitka, Alaska, by this resolution, affirms and supports the request from Sitka Trail Works, Inc. to utilize \$12,213.75 from the Title III Payments to States account for costs that are directly related to establishment of the Herring Cove to Beaver Lake Trail easement that allows access to National Forest Lands.

**PASSED, APPROVED, AND ADOPTED** by the assembly of the City and Borough of Sitka, Alaska on this 27<sup>th</sup> day of April, 2010.

\_\_\_\_\_  
Scott McAdams, Mayor

ATTEST:

\_\_\_\_\_  
Colleen Ingman, MMC, Municipal Clerk



# City and Borough of Sitka

Parks & Recreation ▪ 100 Lincoln Street ▪ Sitka, Alaska 99835  
ph: ▪ 907.747.1852 ▪ fax ▪ 907.747.7403 ▪ [parks@cityofsitka.com](mailto:parks@cityofsitka.com)

DATE: April 19, 2010

TO: Mayor McAdams and Assembly Members  
Jim Dinley, Municipal Administrator

THROUGH: Michael Harmon, Public Works Director  
Scott Brylinsky, PW Operations Mgr.

FROM: Lynne McGowan, CBS Parks and Recreation Mgr.

SUBJECT: Title III funding for the City and Borough of Sitka's easement for the Herring Cove-Beaver Lake Trail

Sitka Trail Works (STW) is requesting the use of Title III funds to cover the costs of easement documentation for the City and Borough's portion of the Herring Cove trail; a project accessing National Forest Lands for recreation.

## Background:

### **Authorized uses for Title III funds include:**

1. **Search, rescue, and emergency services.**
2. **Easement purchases.** -- An eligible county may use these funds to acquire --
  - A. easements, on a willing seller basis, to provide for non-motorized access to public lands for hunting, fishing, and other recreational purposes;
  - B. conservation easements; or
  - C. both.

Previous research into allowable uses of the Title III funds concluded that survey and design costs associated with establishing the trail easement are permitted uses of the funds. The Assembly has previously authorized use of the funds for the Cross Trail and Indian River Trail easement expenses.

Attached is the documentation of the Assembly action in May-June of 2008 directing that a permanent recreation easement be created for the Herring Cove Beaver Lake trail and parking area. Creation of the easement was a condition of the award of \$170,000 in grant funding by the Rasmuson Foundation. The Rasmuson Grant paid for construction of the parking area, trailhead and ADA trail built by Sitka Trail Works. A portion of the grant also paid for trail construction on CBS lands administered by the US Forest Service through the collection agreement and MOU to the 2003 Sitka Trail Plan.

Analysis: After the CBS Assembly gave the direction to create the easement, Deborah Lyons met with Mr. Dinley, Dan Jones and Wells Williams. Mr. Dinley instructed staff to assist with creation of the easement. Wells Williams later outlined a process to create the easement with the help of O'Neill Surveyors and then to record it. Pat O'Neill and Wells Williams have been working together to produce both the easement exhibit drawing and the easement narrative.

STW is asking that Title III funds be authorized to pay for this expense. The exhibit drawing and easement wording are being sent to Theresa Hillhouse by Wells Williams for final approval and recording.

An additional benefit will be realized by the City from recording this easement. The City is currently working with the Forest Service on a management strategy for local multi-jurisdictional trails. This document will also be used to delineate the easement for the management agreement between the Forest Service and City and Borough of Sitka regarding the Herring Cove – Beaver Lake Trail.

Fiscal Note: O'Neill Surveyors invoiced STW for \$12,213.75 for completing their work creating, documenting and recording the Permanent Recreation easement for the Herring Cove trail and parking area on City and Borough Lands. Sufficient monies to cover this expense are in the Title III fund balance.

Recommendation: Authorize the use of Title III funds to cover the costs of easement documentation for the City and Borough's portion of the Herring Cove – Beaver Lake trail.

Attachments:

Resolution # 2010 – 14

Rasmuson Certification of Meeting Grant Conditions

Assembly Minutes and Agenda May 27, 2008

May 2008 Memo to Assembly regarding Herring-Beaver trail easement

Resolution 2008-05 in support of the Herring Beaver trail project