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Robert J. Mawson



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## MEMORANDUM

**Date:** June 8, 2023  
**To:** Lori Goodell, Acting City Manager  
**From:** Patty Buholm, Planning Director  
**Subject:** Squaw Creek Road, Potential Acquisition, REV.1

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In response to your request for the Squaw Creek Road clarification that you requested from me on June 5, 2023, I'm relaying the information that I have gathered or actions I have completed for the acquisition of Squaw Creek Road. As the Planning Department is busy with other items, please note that this report may not be inclusive of **all** information but of what I understand to be pertinent information as requested on 6/05/23.

Below is information that has been recorded at either the Borough of Land Management or the State of Alaska Recorders Office for easements that have been given to the City of Dillingham. Alan Backford has been an instrumental part of piecing this information together through the Bristol Bay Native Association's Land Management Office. This report will also include basic facts of the road in regard to landowners, business, and general concerns surrounding the acquisition of Squaw Creek Road.

### **Easements:**

Along Squaw Creek Road, easements have been given to the City of Dillingham with the intention to create public access to the landowners as well as provide access and a right of way. Stipulation of this easement:

1. A 50-year Grant of Easement for right of way, the maximum extent possible of 50 years through the BIA/BLM Office as outlined by document 2017-000310-0 recorded at the State of Alaska Recorders office, which has a lot of items non-related to construction but also gives clear guidance for the BML/BIA landowners that granted the easement/ROW. This document was created so a road could be built and other alternative actions by the city were timely, example is City of Dillingham resolution 2014-29, recorded on June 5, 2014, after the State of Alaska no longer wished to maintain the road as it was never their responsibility to do so and was only done to assist with road clearing.
  - a. Within 2017-310 BIA did note that the intention was to construct and maintain within the right of way, section 4. (i)

- b. Operate, repair, and maintain improvements consistent with the ROW grant, section 4 (viii).
2. To continue obtaining the last easement wanted from the landowner where the current “cul-de-sac” is located, the Planning Department has worked with Edge Surveying to complete a cul-de-sac through a private land; however, this process also includes participation from the BLM and BIA as this land parcel is through current tribal restricted land and their participation is required by the Federal Government.
  - a. It should be noted that this landowner has given the City of Dillingham, Right of Entry to complete the survey, through BBNA (which is the local authority for BLM/BIA as assist’s Alaskan Natives and American Indians through the process of land disposal through sale, easements, or transfer of land rights).
  - b. The completed Plat was hand delivered to the landowner at his home on 4/23/2023 by me and a copy forwarded to BBNA for their process.
  - c. I was notified on 5/31/2023, that BBNA Land Manager, Alan Backford met with the landowner on 5/30/2023 regarding the proposed plat and are currently in the process of waiting for the landowner’s approval of the easement to be granted to the City of Dillingham.

If the last landowner does not approve the proposed plat or grant the easement, that will not prevent a road adoption. Other options would be available to explore but would be an added time constraint and additional funds and resources would have to be spent exploring such thoughts for the needed cul-de-sac. Options would include approaching the adjacent landowners (Jackie and Verner Wilson) for the minimal land to create the required cul-de-sac that is required for the emergency vehicles to be able to turn around as well as a road reconfiguration which would include possible addition of a stop sign to accommodate this needed key piece.

**Parcels/land lot Information:**

There are a total of 24 land parcels that are accessed by Squaw Creek Road. The City of Dillingham has been given easements from Kananak Road through Nancy Wilson’s property (now Jackie and Verner Wilson property) which is approximately 0.45 miles from Kananak Road.

As of today, there is one major Apartment Building located on this road and several rental units/homes accessed by this road. A previous apartment building that was lost in a fire has not been rebuilt, however is in an area that could be revitalized and rebuilt to provide additional housing within Dillingham.

There are 3 active business located off Squaw Creek Road, one shipping/barging business, one apartment building, and one that is attempting to further develop his current business on his land. One business (Rae’s Flowers) closed primarily due to the poor condition of the road, and improvements to the remaining business are due to unfavorable condition of the road.

There have been several subdivisions of privately own restricted land, which have created smaller lots, which some are now in a taxable state to the City of Dillingham.

### **Brush and Tree Clearing:**

On September 16, 2022, City Manager and Planning Director held a Planning Meeting for the Landowners located on Squaw Creek Road. During this meeting, a lot of information was shared with both me and Robert Mawson. The main concern was how to clear the right of way along Squaw Creek Road so that snow clearing could occur during the winter months without damage to the City Equipment. This overgrowth was the primary reason that the State of Alaska stopped clearing the road in 2013/2014 as the low-lying branches and trees in the right-of-way was causing significant damage to their equipment (breaking lights, hazard/warning lights/strobes).

The City of Dillingham staff created the Hazardous Tree Reduction Project Homeowner Agreement and Waiver for those landowners to sign that originally was going to include cooperation from the City of Dillingham to assist drag brush, move obstructions, and eventually chip the brush/branches that was cut down. Landowners did give permission for the City of Dillingham to park the woodchipper on their property so City staff could chip the excess branches and brush. Due to multiple issues that prevented City staff from completing this task, the branches and brush still lay along side the road. Just today I have reached out to several departments within the city to see if they could assist with this brush and tree chipping portion. The Planning Department staff volunteered their time after normal business time and their children's time to assist with dragging brush to the roadside and moving logs alongside the road. The Planning Department will continue to assist where physically able to do so and will adjust work times to volunteer as needed when appropriate.

### **How to make Squaw Creek Road a City Road:**

Currently in code, DMC 17.07.090, Exceptions to Road Standards: but this applies to only an act of a subdivision is occurring and can be completed by the Planning Commission through the correct Public Process.

The City of Dillingham can obtain this road as a primitive road.

Primitive Road definition: is a minor road system, used for travel or transportation that is generally not maintained or paved.

Until this road system is accepted by the City of Dillingham as a complete road, no funding can be sought for it as it is considered a private drive with easements granted to the City of Dillingham. Currently the City of Dillingham has had a great partnership with Curyung Tribal Council and road improvements through their Tribal Transportation Program and improvements of gravel roads.

### **Attachments:**

- Recorded document 2017-000310-0, BLM/BIA easements
- Edge Surveying Proposed plat through USS # 4980 (22-244\_SCT-EsmtPlat-Option.pdf)
- USS 4980 plat
- Resolution 2014-29
- Bush and tree removal September 2022
- Squaw Creek Communication with Landowners Only
- Current condition of Squaw Creek Road through pictures obtained by the Planning Department.