HOUSE CONCURRENT RESOLUTION NO. 7
IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTIETH LEGISLATURE - FIRST SESSION
BY REPRESENTATIVES CHENAULT, Tuck, Millett, Birch, Pruitt
SENATOR Micciche
Introduced: 2/27/17
Referred: Transportation

A RESOLUTION

Urging the governor to join the legislature in opposing the selection of the G South Alternative for the Sterling Highway Milepost 45-60 Project and supporting the selection of the Juneau Creek Alternative; urging the governor to request that the United States Secretary of the Interior initiate a land exchange under the Russian River Land Act; and urging the governor to request that the commissioner of transportation and public facilities and the Division Administrator of the Federal Highway Administration reevaluate the selection of the G South Alternative.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS the Sterling Highway Milepost 45-60 Project, known as the Cooper Landing bypass, has been under consideration by the Department of Transportation and Public Facilities and the Federal Highway Administration for decades; and

WHEREAS a Draft Supplemental Environmental Impact Statement and Draft Section 4(f) Evaluation were released for public review in April and May 2015; and

WHEREAS, on December 11, 2015, the Department of Transportation and Public
Facilities and the Federal Highway Administration announced the identification of the G South Alternative as the preferred alternative for the project, and a Final Supplemental Environmental Impact Statement and Record of Decision are expected in 2017; and
WHEREAS the Department of Transportation and Public Facilities and the Federal Highway Administration recognized the importance of protecting the Kenai River corridor in the purpose of the project and included the reduced risk of spills in the Kenai River as a benefit of the project; and
WHEREAS the Draft Section 4(f) Evaluation did not adequately consider the negative effects on fish and riparian habitats, the long-term environmental threats to aquatic and terrestrial life of the Kenai River, and the degradation of irreplaceable cultural resources of Alaska Native heritage from the G South Alternative; and
WHEREAS the G South Alternative does not adequately protect the Kenai River corridor and will require an additional crossing of the Kenai River and replacement of an existing bridge; and
WHEREAS the Juneau Creek Alternative bypasses all crossings of the Kenai River; and
WHEREAS a substantial portion of the G South Alternative would be built along the existing alignment near the Kenai River, and 45 percent of the G South Alternative is located within 500 feet of the river or another Tier 1 stream, while 25 percent of the Juneau Creek Alternative is located within that proximity; and
WHEREAS a small portion of the congressionally designated Mystery Creek Unit in the Kenai National Wildlife Refuge and the southern end of the Resurrection Pass Trail would be affected by the Juneau Creek Alternative; and
WHEREAS the Juneau Creek Alternative would improve accessibility of the Resurrection Pass Trail, the Resurrection Pass Trail cabin system, and related recreational opportunities, and a new bridge near the Juneau Falls Recreation area would provide new and unique visual resources for travelers who may otherwise be unable to access the location; and
WHEREAS long-term protection of the Kenai River, the opportunity to prevent a major chemical spill in the river, and the opportunity to decrease traffic adjacent to the river significantly, should take priority in the selection of an alternative; and
WHEREAS the stated purpose and need of the Sterling Highway Milepost 45-60
Project include the need to improve highway safety, and the Draft Supplemental Environmental Impact Statement recognizes that the Juneau Creek Alternative best meets the purpose and need with an estimated savings of $50,000,000 when compared with the G South Alternative; and

WHEREAS the Department of Transportation and Public Facilities and the Federal Highway Administration have indicated that the Juneau Creek Alternative is not viable without congressional approval to cross a small portion of the Mystery Creek Unit in the Kenai National Wildlife Refuge, or without a change in land status to the Mystery Creek Unit, as may be provided by a land exchange; and

WHEREAS the United States Secretary of the Interior already has congressional approval under the Russian River Land Act to conduct a land exchange that could include portions of the Mystery Creek Unit in the Kenai National Wildlife Refuge with Cook Inlet Region, Inc., an Alaska Native regional corporation; and

WHEREAS the Russian River Land Act requires that any negotiations or activities related to a land exchange must be initiated by the United States Secretary of the Interior;

BE IT RESOLVED that the Alaska State Legislature urges the governor to join the legislature in opposing the selection of the G South Alternative as the preferred alternative for the Sterling Highway Milepost 45-60 Project; and be it

FURTHER RESOLVED that the Alaska State Legislature urges the governor to join the legislature in supporting the selection of the Juneau Creek Alternative as the preferred alternative for the Sterling Highway Milepost 45-60 Project; and be it

FURTHER RESOLVED that the Alaska State Legislature urges the governor to join the legislature in requesting that the United States Secretary of the Interior initiate a land exchange with Cook Inlet Region, Inc., under the Russian River Land Act; and be it

FURTHER RESOLVED that the Alaska State Legislature urges the governor to request that the commissioner of transportation and public facilities and the Division Administrator of the Federal Highway Administration reevaluate the selection of the G South Alternative and declare the Section 4(f) Evaluation inadequate, as it did not give full weight to the protection of the biological and cultural resources of the Kenai River.