

15 March 2018

Re: Senate Bill 199

Dear Senator Kelly and Senate Transportation Committee Members,

I am writing in support of Senate Bill 199, a bill related to use of off-road vehicles within the Dalton Highway Corridor that amends AS 19.40.210 to extend access for private landowners.

AS 19.40.210 discusses the prohibition of off-road vehicles on land within five miles of the right-of-way of the Dalton Highway. However, according to statute, an exception is granted to persons who hold a mining claim in the vicinity of the highway and who must use land within five miles of the right-of-way of the highway to gain access to the mining claim.

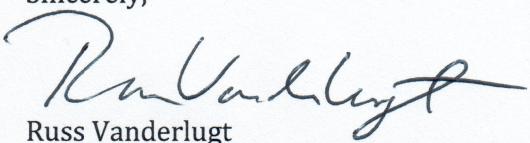
Given the current language of AS 19.40.210, a person who holds a mining claim has a significantly greater right of access than a person who owns private property with regard to access across public lands administered by BLM. This disadvantages land owners who hold historic properties under the Homestead Act in Alaska, and who are therefore considerable stakeholders in Alaska, with rights and privileges of access that are arguably greater than holders of mining claims.

I am a private landowner of a Headquarters Site north of Wiseman, originally patented by Charles L. Gray pursuant to the Act of May 14, 1898, 30 Statute 413, as amended and supplemented by 43 U.S.C. 687a. Therefore, this private property is land patented under the federal Homestead Act after it was extended to Alaska in 1898 and federal homestead laws were subsequently amended due to Alaska's unique environment.

Consequently, I am requesting that AS 19.40.210, as it currently reads, be amended so that the current exemption allowing access to mining claims is expanded to include access for private landowners who hold patents granted under federal homestead laws. According to thorough research conducted in conjunction with the BLM and DNR, this narrow exemption applies to approximately six landowners along the Dalton Corridor, so minimal traffic and impact is expected. In addition, access to private parcels should be limited to following existing RS 2477 trails, ANCSA 17(b) easements, and river corridors to further reduce impact concerns while providing fair access across public lands.

Not passing this legislation presents an unfair treatment and access situation that would continue to bar access to property owners, who as Alaska stakeholders have long-time abiding interests in our state. Moreover, if amended, this legislation presents no changes to existing hunting regulations in the Dalton Corridor or general ORV use not associated with travel necessary to access privately held land under federal homestead laws.

Sincerely,



Russ Vanderlugt

Arctic and Northern Studies PhD Student, University of Alaska

Fairbanks, Alaska

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March 21, 2018

Subject: SB 199

To: Senate Transportation Committee

Mr. Chairman Senator Bert Stedman and members of the committee.

I fully support SB 199, and this bill is long overdue. Laws should not discriminate Alaskans from accessing private properties and yet allow industry (gas, oil, and mining) who may only have temporary interest in the area, to have unlimited access (though permits may have to be attained).

The James Dalton Hwy. Corridor is the only one like it in the state and most likely the most restrictive when it comes to access to private properties. I have remote parcels of state land that I acquired through state land lotteries or land staking programs just south of the area that this bill is addressing. The state allows me and others to access these parcels with just about all types of vehicles using existing RS 2477's or section line easements, but not limited to these options.

It is clear in AS 19.40.010 Declaration of policy. Part (1) states: "it will assist in the fulfillment of art. VIII, sec. 1, Constitution of the State of Alaska, in which it is provided that it is the policy of the state to encourage the settlement of its land....."

In order to settle lands you need access! And not limited to just aircraft, which most Alaskans cannot afford to own or charter.

I encourage you to pass this bill and I appreciate your time.

Al Barrette

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Fairbanks, Ak. 99709

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CHARLES GRAY

311 Slater Street
FAIRBANKS, ALASKA 99701

15 March 2018

Subject: Senate Bill 199

Dear Senate Transportation Committee Members,

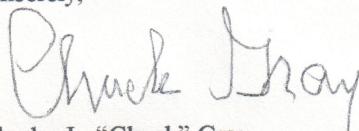
I am writing in support of Senate Bill 199 to open limited access to private land owners along the Dalton Corridor. Currently, mining claim owners and oil and gas prospectors can pass through the corridor but not land owners. Surely, owners of fee simple land obtained under the Federal Homestead Act should be as entitled to traverse the corridor in the same manner as an owner of a temporary mining prospect.

In 1967, I filed an application for a Headquarters Site under the Federal Homestead Act of 1898. I eventually obtained a land patent north of Wiseman and approximately eight miles east of what is now the Dalton Highway, long before there was a highway and corridor. My access, summer and winter, was primarily by aircraft. After many years of use, the property is now in the hands of my friend Russ Vanderlugt who does not own an airplane. He and his family use the area more for recreation than hunting and would like to access the property occasionally by snow machine in the winter, but are prohibited.

Russ Vanderlugt is currently a student at UAF working on a PhD in Arctic Studies. He has researched all pertinent maps and resources with BLM and DNR assistance to ascertain how many property owners might be affected along this section of the Corridor who own land obtained under federal homestead laws, and the conclusion is approximately six.

Please consider adding legitimate property owners to those who can cross the Corridor. It will not be a land rush, but a matter of fairness.

Sincerely,



Charles L. "Chuck" Gray
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From: Mike Tinker <miketinkerak@gmail.com>
Sent: Monday, March 26, 2018 12:37
To: Sen. Pete Kelly
Subject: SB 199 Private Property Access through the Dalton Highway non-motorized corridor

Senator, I'm writing on behalf of the Laundry House Gang in support of the bill. Years ago before the Dalton Hwy was open to non-commercial traffic, I had an exclusive guide area overlaying the corridor from Atigun Pass to Galbraith. Although we always hiked or used horses for access, it seemed strange to see motorized Alaskans with a mining claim within or through the non-motorized area. These folks had a non title interest in their claims but could take motorized equipment back and forth from the highway to their claims.

It is a prudent and reasonable action to add those who own private property within or through the corridor to be able to access using motorized vehicles. I predict these property owners will use motorized equipment that is much more environmentally friendly than the miners!

The LHG has never opposed reasonable access within or through the corridor. We hope you be able to help several Alaskans with this legislation.

Sent from my iPad