



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Transportation and  
Public Facilities

OFFICE OF THE COMMISSIONER  
Ryan Anderson, P.E., Commissioner

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November 14, 2025

The Honorable Mike Dunleavy  
Governor  
Office of the Governor  
P.O. Box 110001  
Juneau, AK 99811-0001

The Honorable Gary Stevens  
Senate President  
Alaska State Legislature  
Capitol Building, Room 111  
Juneau, AK 99801-1182

The Honorable Bryce Edgmon  
Speaker of the House  
Alaska State Legislature  
Capitol Building, Room 208  
Juneau, AK 99801-1182

Dear Governor Dunleavy, President Stevens, and Speaker Edgmon:

The Department of Transportation and Public Facilities (DOT&PF) acknowledges receipt of the Alaska Marine Highway Operations Board's (AMHOB) October 29, 2025, correspondence entitled "*Findings of the Alaska Marine Highway Operations Board.*"

DOT&PF values the consultation and engagement that have taken place over the past two years as the Alaska Marine Highway System (AMHS) developed the 2045 Long-Range Plan. The Department appreciates the Board's advisory role and the perspectives its members provide on the operation and management of the AMHS.

After reviewing the Board's October 29 correspondence, the Department offers the following clarifications.

**Statutory Roles and Responsibilities**

Under AS 19.65.011, DOT&PF is responsible for preparing and maintaining both the short-term and long-range plans for the Alaska Marine Highway System. The Alaska Marine Highway Operations Board (AMHOB), established under AS 19.65.110, serves an *advisory and consultative* role as defined in AS 19.65.180(e) - providing recommendations and feedback during the development and implementation of those plans. This is a matter of statute and legislative record, not interpretation. Legislative testimony before the Senate Transportation Committee on May 15, 2021, including legal memos on House Bill (HB) 63 (2021), makes clear that AMHOB was created as an advisory board.

"Keep Alaska Moving."

Although HB 63 does not define “consultation,” DOT&PF applies the federal definition in 23 CFR § 450.104, commonly used for federally funded transportation programs such as AMHS:

*“Consultation means that one or more parties confer with other identified parties in accordance with an established process and, prior to taking action(s), considers the views of the other parties and periodically informs them about action(s) taken.”*

Consultation differs from coordination: it requires soliciting input for executive consideration, not negotiating shared authority or compromise.

DOT&PF fulfilled this statutory requirement through multiple consultations with the Board during 2023–2025, including briefings on Cascade Point. The Board itself, in its April 5, 2025, motion, acknowledged that it had been fully consulted and endorsed adoption of the 2045 Long-Range Plan.

### **Edits to the Final Long-Range Plan**

Between the Board’s April 2025 endorsement and the plan’s October 2025 publication, DOT&PF made editorial updates to reflect the current factual status of projects. Specifically, the Cascade Point project advanced from feasibility review to the construction phase using existing legislative appropriations.

The intent of these changes was not to alter policy direction but to ensure the published plan accurately represented project status at the time of release. No new policy commitments or funding actions were introduced through these edits.

### **On the Claim of “Deviation”**

The Board’s letter asserts that recent editorial updates to the Long-Range Plan constitute a “deviation” under AS 19.65.180(f). The Department respectfully disagrees.

The statute authorizes the Board to recommend corrective action “if the board determines that the Alaska Marine Highway System has deviated from a plan, policy, or procedure described in the short-term plan or comprehensive long-range plan prepared under AS 19.65.011.”

The term “prepared”—used in the past tense—clarifies that such findings apply only after a plan is finalized. Because the 2045 Long-Range Plan was not finalized until this summer, the Department’s edits were fully consistent with its statutory role.

Legislative discussions on HB 63 (2021) confirm that the “deviation” provision was intended to safeguard the plan from future political or administrative shifts—not to confer veto authority to an advisory board. Interpreting it otherwise would extend powers inconsistent with the Board’s statutory advisory role and raise separation-of-powers concerns given its legislative appointments.

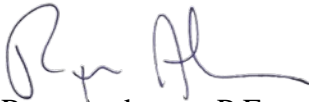
As contemplated in subsection (f), a “deviation” refers to the operation or management of the system diverging from an adopted plan. DOT&PF continues to manage the Alaska Marine Highway System and advance capital projects in line with the plan’s stated goals—enhancing reliability, efficiency, and community connectivity. Editorial updates ensuring factual accuracy do not meet the statutory definition of a deviation.

**Continuing Consultation**

DOT&PF remains committed to transparency and consultation with the Alaska Marine Highway Operations Board. The Department will continue to brief the Board on Cascade Point and other major initiatives.

We appreciate the time and commitment of the Board's members and reaffirm our shared goal: a reliable, efficient, and sustainable Alaska Marine Highway System that meets the needs of Alaskans.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ryan Anderson", with a long horizontal flourish extending to the right.

Ryan Anderson, P.E.  
Commissioner  
Alaska Department of Transportation & Public Facilities

cc: Alaska Marine Highway Operations Board Members