



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Natural Resources

COMMISSIONER'S OFFICE

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March 17, 2015

The Honorable John Coghill
State Capitol Room 119
Juneau, AK 99801

Dear Senator Coghill:

We are writing in response to the questions proposed from your office, concerning SB 70. For your consideration, please find the responses below:

How many acres of land are included in the ROW as described in SB 70?

SB70 does not identify a right-of-way. SB70 opens approximately ^{25,372}~~24,032~~ acres of state land to the right of way leasing act within which a right-of-way can be selected. When a right-of-way is issued within the area authorized by SB70, it will be approximately 120 feet wide for construction reduced to 53 feet wide for operation for the ASAP project, and approximately 180 feet for construction and 100 feet for operation for the AKLNG project (see acreage table below).

ASAP Pipeline

Park Name	Acres -- 120' Construction Width	Acres--53' operation width
DENALI STATE PARK	550.00	242.94
NANCY LAKE STATE RECREATION AREA	22.34	9.85
WILLOW CREEK STATE RECREATION AREA	30.75	13.59

AKLNG Pipeline

Park Name	Acres -- 180' Construction Width	Acres -- 100' Operation Width
DENALI STATE PARK	824.94	458.30
CAPTAIN COOK STATE RECREATION AREA	76.36	42.42

How wide is the widest point in the ROW in SB 70?

The corridor that would be opened to leasing by SB 70 is described by aliquot parts, and varies in width from ½ mile to 2 miles at the widest point. The construction right of way for the ASAP project will be approximately 120 feet wide, and the operating right-of-way will be approximately 53 feet wide. The AKLNG project currently anticipates up to a 180-foot wide right-of-way for construction, reduced to a 100-foot wide right-of-way for operation.

Is there a legal opinion as to not needing to include refuges in SB 70?

There is not a legal opinion. However, Dept. of Law has reviewed the issue and advised these areas are not closed to ROW leasing under AS 38.35 Right of Way Leasing Act

Are there any native allotment claims in the Legislative Designated Areas in SB 70?

There are no native allotments within the corridor proposed in SB 70 for Denali State Park, and Willow Creek, Nancy Lake, and Captain Cook State Recreation Areas.

Will the Legislative Designated areas in SB 70 still be available for hunting and fishing access both during construction and after construction?

SB 70 will not affect hunting and fishing access in any way. Until such time as a right of way corridor is leased, access will be the same as it is today. Once a right of way is leased and construction begins there may be some temporary restrictions on hunting and fishing for construction purposes.

Are there any plans to designate an off limits corridor similar to the five mile corridor for TAPS?

No, there are no plans to do so for a gas pipeline. The referenced five-mile TAPS corridor is managed (in terms of hunting) by ADF&G and only exists along the Dalton from the Arctic Ocean to the Yukon River.

The bill mentions "access by foot, snow machine, dog sled, and other traditional means of access along and across the lease corridor;" What about ATV's?

Other than temporary closures during construction, traditional means of access, including ATV use, won't be changed by this bill.

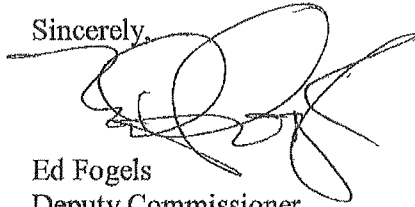
Page 4, line 7 mentions termination of the lease. Why would the lease be terminated if the pipe is in the ground?

The bill provides for full return of land to the park when it is no longer needed for pipeline purposes. We anticipate two releases of land. First, once construction is complete, the construction right-of-way (120 feet for ASAP and 180 feet for AKLNG) will contract to the

operating right of way (53 feet for ASAP and 100 feet for AKLNG). This will result in the release of land, which would become fully part of the park again without further action by the legislature. Second, at the end of the pipeline life, the lessee will be required to return the land to a condition acceptable to the Commissioner of Natural Resources and upon completion of this the land will be released and returned to the park.

If you or your staff would like additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ed Fogels', with a large, stylized flourish extending to the right.

Ed Fogels
Deputy Commissioner
Alaska Department of Natural Resources

cc: Darwin Peterson, Legislative Director, Office of the Governor
Ben Ellis, Director of Parks and Recreation, Department of Natural Resources