

HOUSE CONCURRENT RESOLUTION NO. 7
IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE CHENAULT

Introduced: 2/27/17

Referred:

A RESOLUTION

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

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

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

12 **WHEREAS** a Draft Supplemental Environmental Impact Statement and Draft Section
13 4(f) Evaluation were released for public review in April and May 2015; and

14 **WHEREAS**, on December 11, 2015, the Department of Transportation and Public

1 Facilities and the Federal Highway Administration announced the identification of the G
2 South Alternative as the preferred alternative for the project, and a Final Supplemental
3 Environmental Impact Statement and Record of Decision are expected in 2017; and

4 **WHEREAS** the Department of Transportation and Public Facilities and the Federal
5 Highway Administration recognized the importance of protecting the Kenai River corridor in
6 the purpose of the project and included the reduced risk of spills in the Kenai River as a
7 benefit of the project; and

8 **WHEREAS** the Draft Section 4(f) Evaluation did not adequately consider the
9 negative effects on fish and riparian habitats, the long-term environmental threats to aquatic
10 and terrestrial life of the Kenai River, and the degradation of irreplaceable cultural resources
11 of Alaska Native heritage from the G South Alternative; and

12 **WHEREAS** the G South Alternative does not adequately protect the Kenai River
13 corridor and will require an additional crossing of the Kenai River and replacement of an
14 existing bridge; and

15 **WHEREAS** the Juneau Creek Alternative bypasses all crossings of the Kenai River;
16 and

17 **WHEREAS** a substantial portion of the G South Alternative would be built along the
18 existing alignment near the Kenai River, and 45 percent of the G South Alternative is located
19 within 500 feet of the river or another Tier 1 stream, while 25 percent of the Juneau Creek
20 Alternative is located within that proximity; and

21 **WHEREAS** a small portion of the congressionally designated Mystery Creek Unit in
22 the Kenai National Wildlife Refuge and the southern end of the Resurrection Pass Trail would
23 be affected by the Juneau Creek Alternative; and

24 **WHEREAS** the Juneau Creek Alternative would improve accessibility of the
25 Resurrection Pass Trail, the Resurrection Pass Trail cabin system, and related recreational
26 opportunities, and a new bridge near the Juneau Falls Recreation area would provide new and
27 unique visual resources for travelers who may otherwise be unable to access the location; and

28 **WHEREAS** long-term protection of the Kenai River, the opportunity to prevent a
29 major chemical spill in the river, and the opportunity to decrease traffic adjacent to the river
30 significantly, should take priority in the selection of an alternative; and

31 **WHEREAS** the stated purpose and need of the Sterling Highway Milepost 45-60

1 Project include the need to improve highway safety, and the Draft Supplemental
2 Environmental Impact Statement recognizes that the Juneau Creek Alternative best meets the
3 purpose and need with an estimated savings of \$50,000,000 when compared with the G South
4 Alternative; and

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

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

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

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

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

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

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