

**SENATE CS FOR CS FOR HOUSE BILL NO. 183(TRA)(efd fld S)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION**

BY THE SENATE TRANSPORTATION COMMITTEE

**Amended: 5/8/94
Offered: 4/13/94**

Sponsor(s): REPRESENTATIVES JAMES, Mulder

A BILL

FOR AN ACT ENTITLED

1 "An Act directing the identification and delineation of a transportation and utility
2 corridor between Fairbanks and the Seward Peninsula."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * Section 1. AS 19.25 is amended by adding a new section to read:

5 Sec. 19.25.123. FAIRBANKS - SEWARD PENINSULA TRANSPORTATION
6 AND UTILITY CORRIDOR. (a) Subject to legislative appropriation, the department
7 shall identify and delineate a proposed transportation and utility corridor between
8 Fairbanks and the western end of the Seward Peninsula.

9 (b) In performing the work required by (a) of this section,

10 (1) the railroad alignment and identification of a railroad right-of-way
11 of not less than 500 feet, together with adjacent sites that can be developed for
12 necessary construction materials, shall guide the identification and delineation of the
13 corridor; and

14 (2) the department shall consider the following factors:

1 (A) grade and alignment standards that are commensurate with
2 rail and road construction standards;
3 (B) availability of construction materials;
4 (C) safety;
5 (D) impacts on and service to adjacent communities;
6 (E) environmental concerns;
7 (F) use of public land to the maximum degree possible;
8 (G) minimization of probable construction costs;
9 (H) the location of, and the opportunity to obtain access to,
10 identified natural resources that could contribute significantly to the state's
11 economic development; and
12 (I) prior and established traditional uses.

13 (c) Within 90 days after receiving a report transmitting the work of the
14 department under (a) of this section, the commissioner shall, in conformity with
15 AS 44.62 (Administrative Procedure Act), if necessary, adopt a regulation approving,
16 modifying, or rejecting the proposed corridor.

17 (d) If the commissioner approves or modifies the proposed corridor when
18 presented under (c) of this section,

19 (1) the Department of Natural Resources shall promptly classify, or
20 reclassify, and reserve any state land within the corridor and at adjacent sites that can
21 be developed for necessary construction materials for use as a corridor; and
22 (2) the department shall

23 (A) subject to legislative appropriation, exercise its authority
24 under AS 19.05.040 to acquire rights-of-way across land within the corridor
25 that is subject to the state's power of condemnation; and
26 (B) work with federal officials to secure reclassification and
27 withdrawal of federal land in the corridor for reservations and rights-of-way
28 across the federal land for use as a corridor.

29 (e) The requirements of AS 38.05 (Alaska Land Act) relating to classification
30 and reclassification of land are inapplicable to actions taken under this section.

31 (f) To complete the work required by this section, the commissioner may

1 accept any legal gifts and grants and may enter into contracts or other transactions or
2 agreements relating to it with the federal government, an agency or instrumentality of
3 the state, a municipality, or a private organization.

4 (g) In this section, "corridor" means the transportation and utility corridor
5 required to be identified and delineated by (a) of this section.

6 * Sec. 2. AS 19.25.123, added by sec. 1 of this Act, is repealed July 1, 2055.