

S B

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STEVE FRANK
DISTRICT K
SEAT A

119 N. Cushman, Rm. 213
Fairbanks, Alaska 99701

While in Juneau
P.O. Box V
Juneau, Alaska 99811
(907) 465-3709
Capitol Rm. 514

Alaska State Legislature



Senate

MEMBER
Finance Committee
Resources Committee
Legislative Council
Special Committee on Banking &
Economic Development

VICE-CHAIR
Community & Regional
Affairs Committee

Memorandum

TO: Senator Curt Menard, Chairman

FROM: Transportation Committee

RE: SB 56 - "An Act Relating to the Dalton Highway"

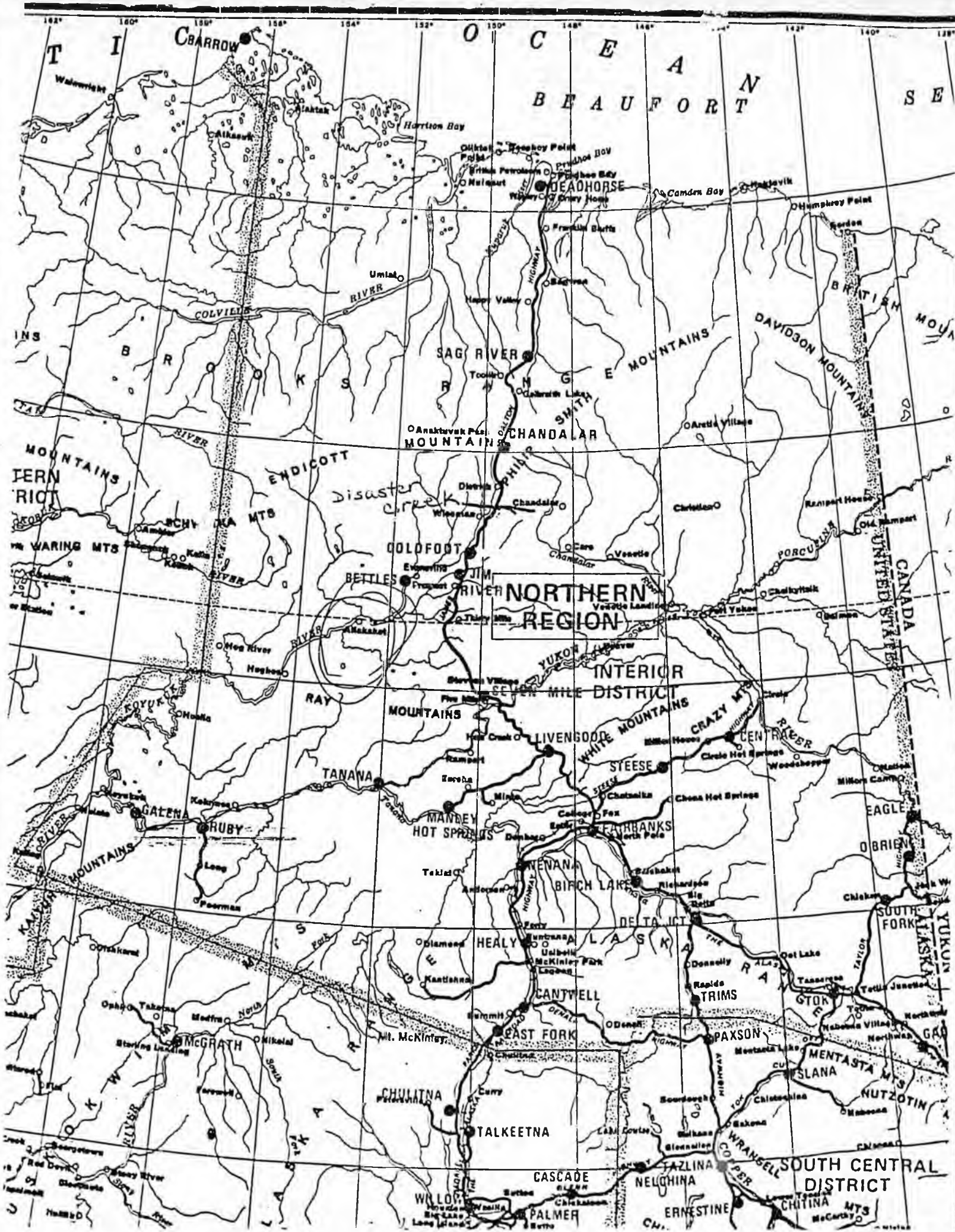
DATE: January 24, 1991

I am writing to request a hearing on SB 56 at your earliest convenience.

This bill would open the Dalton Highway for public travel all the way to Pruhdoe Bay. Currently, the road is closed past Disaster Creek to vehicles other than those with a "commercial" purpose. The Dalton is the only publicly maintained road in Alaska closed to public travel and we think it is time to open it to the travelling public.

Thank you for your consideration.

Open to all public traffic



JAMES DALTON HIGHWAY

CONSTRUCTION

BUILDER: Alyeska Pipeline Service Company Contractors

DATES: April 29, 1974 - September 29, 1974 = 154 days

LENGTH: 415 Miles = Livengood to Deadhorse

MATERIAL: 32,000,000 cubic yards - free use, mostly BLM

MANPOWER: 3,000,000 plus man hours

COST: \$370,000,000 - State has engineering dollars only
in project

YUKON RIVER BRIDGE: Completed 1975 - \$26,000,000; \$3,000,000 State funds

MAINTENANCE

ALYESKA: September 1974 - October 15, 1978

STATE OF ALASKA: October 15, 1978

PERSONNEL

<u>Location</u>	<u>PFT</u>	<u>PPT</u>	<u>PFT Buildings</u>	
7-Mile	4	0	2	
Jim River	4	0	2	
Coldfoot	4	1	1	
Chandalar	8	1	2]
Sag River	6	1	2] Rotation
Deadhorse	8	1] Stations
<hr/>				
	34	4	9	= 47 Positions

MILEAGE FOR ELLIOTT & DALTON HIGHWAYS

LOCATION	FROM FAIRBANKS	FROM HP 0 DALTON	FROM YUKON RIVER	BETWEEN POINTS
FOX	11.5	73.5	130.7	
LIVENGOOD	80.8	4.2	61.4	69.3
0 MILE TAPS	85.0	0.0	57.2	4.2
PUMP STATION 6	140.0	55.0	2.2	55.0
YUKON RIVER	142.2	57.2	0.0	2.2
5 MILE AIRPORT	146.4	61.4	4.2	4.2
7 MILE CAMP	148.0	63.0	5.8	1.6
FINGER MOUNTAIN	185.3	100.3	43.1	37.3
OLD MAN	194.5	109.5	52.3	9.2
BEAVER SLIDE	196.4	111.4	54.2	1.9
ARCTIC CIRCLE	202.0	116.0	60.0	5.8
GOBBLERS KNOW	220.1	135.1	77.9	17.9
PUMP STATION 6	225.4	140.4	83.2	5.3
JIM RIVER MAINTENANCE	226.4	141.4	84.2	1.0
KOYUKUK	245.0	160.0	102.8	18.6
COLDFOOT	264.3	179.3	122.1	19.3
WISEMAN TURNOFF	278.2	193.2	136.0	13.9
ETRICH	300.4	215.4	158.2	22.2
SHANDALAR	333.0	248.0	190.8	32.6
ATIGUN SUMMIT	337.6	252.6	195.4	4.6
ATIGUN CAMP	342.5	257.5	200.3	4.9
PUMP STATION 4	361.9	276.9	219.7	19.4
GALBRAITH TURNOFF	367.9	282.9	225.7	6.0
TOOLIK	377.7	292.7	235.5	9.8
MS 117-1	384.0	299.0	241.8	6.3
SAG RIVER MAINTENANCE	399.6	314.6	257.4	15.6
PUMP STATION 3	406.0	321.0	263.8	6.4
ICE CUT	419.8	334.8	277.6	13.8
HAPPY VALLEY	429.8	344.4	287.6	10.0
PUMP STATION 2	455.4	370.4	313.2	25.6
FRANKLIN BLUFFS	474.7	389.7	332.5	19.3
END OF DALTON HIGHWAY	511.9	426.9	369.7	37.2
DEADHORSE AIRPORT	515.9	430.9	373.7	4.0

11/9/88

DALTON HIGHWAY CHECK POINT

AVERAGE DAILY TRAFFIC
VEHICLE COUNT
1976 - 1988

MONTH YEAR	76	77	78	79	80	81	82	83	84*	85	86	87	88
January		98	89	73	68	122	164	105					
February		262	96	49	68	122	131	122					
March		465	112	59	76	215	181	156					
April		433	98	68	75	206	169	113					
May		251	96	69	83	149	145	95					
June		240	157	75	105	112	174	81					
July	402	222	119	81	125	122	151	100	79	109	88	57	72
August	381	210	142	89	154	139	137	104		76	91	67	80
September	349	203	81	84	136	159	150	98		36	69	64	85
October	231	142	62	73	130	136	122	94			63	55	64
November	166	131	71	69	115	140	97	96			58	48	
December	119	120	69	59	100	134	103	71					
ANNUAL AVERAGE	275	231	99	71	103	146	144	103	79	74	74	58	77
LOCATION	YUKON RIVER							DISASTER CREEK			CHANDALAR SHELF		

* 1984 figures are from DOT&PF traffic counter at Atigun River

Chapter 35. Relocation Assistance.

[Repealed, § 2 ch 41 SLA 1971.]

Chapter 40. James Dalton Highway.

Section

- 10. Declaration of policy
- 15. Highway named
- 20. Contractual authority
- 30. Undertakings of contractors
- 40. Exemption
- 50. Highway width
- 60. Conditions to be met
- 65. Regulations and penalties
- 70. Conflict with other laws

Section

- 100. Use of the highway by industrial or commercial traffic
- 110. Public use of a portion of the highway
- 120. Closure of the highway to traffic
- 200. Disposal of land or materials
- 210. Prohibition of off-road vehicles
- 290. Definitions

Opinions of attorney general. — It is within the power of the Department of Transportation and Public Facilities un-

der AS 19.05.040(11) to charge a toll for use of the James Dalton Highway. February 20, 1987 Op. Att'y Gen.

Sec. 19.40.010. Declaration of policy. (a) The legislature finds and declares that there is an immediate need for a public highway from the Yukon River to the Arctic Ocean and that this public highway should be constructed by the State of Alaska at this time because

(1) it will assist in the fulfillment of art. VIII, § 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 and the development of its resources by making them available for maximum use consistent with the public interest;

(2) it will provide the first year-round, overland route from north of the Yukon River to the Arctic Ocean, and will consequently result in the completion of a highway from the Pacific Ocean to the Arctic Ocean;

(3) it is in conformity with the policy of 23 U.S.C. 101(b) (Federal-Aid Highway Act of 1956), in which it is declared to be in the national interest to accelerate the construction of certain highways which are of primary importance to the national defense;

(4) it will benefit local and interstate commerce because the area north of the Yukon River is rich in natural resources but is inaccessible at the present time because of the lack of roads and this inaccessibility prohibits the successful use of the natural resources of this area;

(5) it is consonant with art. VIII, § 2, Constitution of the State of Alaska, in which it is provided that the legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the state, including land and water, for the maximum

STEVE COWPER, GOVERNOR

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

OFFICE OF THE COMMISSIONER

P.O. BOX 2
JUNEAU, ALASKA 99811-2500
PHONE: (907) 465-3900

January 29, 1988

The Honorable Al Adams
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

Dear Representative Adams:

In response to your recent request, the following is an analysis of how opening the entire Dalton Highway to public use would affect Department of Transportation and Public Facilities (DOT&PF) responsibilities.

Elimination of the checkpoint and the need for processing permits would save the cost of checkpoint operation (currently \$20,000 per year), would save the time and cost involved with administering the system and issuing permits, and would save highway users the bother and expense of obtaining permits. It would also end the constant public involvement effort necessary to explain the current policy to people who feel they have a right to travel the route. Opening the remainder of the Dalton Highway to public use would represent a standardized policy for operation and management of all rural state access routes. Though some of them are open only seasonally, all other state highways are open to the public.

To date there has been no federal participation in road improvement projects north of the Yukon River Bridge even though the entire Dalton Highway is on the federal-aid system. This is due to the requirement that federally funded highway projects be open to the public. The limited ability of the public to travel parts of the highway has clouded the issue of federal participation. Recently, the Federal Highway Administration (FHWA) declined to include a Barrow to Prudhoe Bay corridor on the federal-aid system, in part because the Dalton Highway is not open to the public. In the future, this would preclude our ability to utilize federal funding for construction of a Nuiqsut to Prudhoe Bay Road.

Opening the remainder of the Dalton Highway to the public would necessitate some additional traveler services. Private facilities providing vehicular services and lodging are available at the Yukon Crossing, Coldfoot and Deadhorse. It would probably prove necessary for someone to develop additional private facilities between Coldfoot and Deadhorse. We see the need for two additional public wayside/campsite facilities, with vault toilets and litter barrels (like what we have now at the Arctic Circle and at Marion Creek) along the northern section of the road. Some signing and additional litter barrels would also be required. We estimate the development cost for these facilities to be \$60,000. We expect they would cost approximately \$20,000 per year to maintain. That maintenance cost would be offset by the savings which would be realized by closing the existing checkpoint, thereby resulting in a neutral operating budget impact for DOT&PF. Enclosed is a new fiscal note detailing these expenses.

There may also be a need to extend the Dalton Highway to the terminal area of the Deadhorse Airport. Currently, the Dalton Highway ends approximately 2 miles short of the terminal area. The remaining segment of road, though on airport property, was built and is maintained by the oil companies. We do not see a problem reaching a reasonable accommodation, so we have not included a cost estimate for this on the attached fiscal note.

Another problem and additional cost may occur since the current road stops several miles short of the Arctic Ocean. If the Legislature desires access as far as the Arctic Ocean, as currently suggested in HB 115 and SB 132, there may be additional costs for inclusion. Arrangements would have to be made with the oil companies to achieve this goal.

Summer and fall traffic volumes would increase as a result of opening the remainder of road. However, as indicated by past limited openings of the route, we would not expect a large volume of additional traffic. The long distances involved, the cost of services and repairs, and the lack of pavement would tend to hold the number of pleasure vehicles down. Since we already maintain the route for truck traffic, we do not anticipate an appreciable increase in maintenance costs resulting from the additional traffic. The smaller public vehicles would have little effect on the road surface relative to the commercial trucks.

The capacity of the road would also not be a limiting factor. Again, where improvement is needed, it is already needed for the existing truck traffic and is needed to improve the level of service provided by the facility rather than to increase the capacity. The geometric standards of the Dalton Highway are already superior to those of several other rural routes in the state which are open to public use and are subject to higher traffic volumes.

While there may be some concern that public traffic would interfere with possible gasline construction, we do not feel that this is a significant negative consideration. Just as with oil pipeline construction activity, gasline construction activity would share hundreds of miles of highway such as the Steese, Elliott and Richardson Highways with substantially higher traffic volumes than would occur on the Dalton Highway. Construction activity itself may deter some people from using the route. If it becomes necessary during gasline construction to temporarily close a portion of the highway to public use, this could be done under A.S. 19.10.100.

As it pertains to DOT&PF, the opening of the entire Dalton Highway would require minimal additional state facilities, would relieve us of the troublesome task of administering the existing user permitting program, would not require appreciable additional maintenance, and would not tax the traffic volume capacity of the existing facility. For us, the positive effects of opening the entire highway to public use outweigh the possible negative effects.

There are a number of other issues, that while not direct DOT&PF concerns, I believe would need attention to implement this decision properly. The following is a list of key concerns.

January 29, 1988

A. Traffic Safety/Fish and Wildlife Enforcement

Opening the entire Dalton to general public access, particularly on a year-round basis, could significantly affect Public Safety's ability to perform these responsibilities.

B. Environmental/Fish And Game Impact

A range of environmental and fish and game impacts could occur due to an opening decision. This could include detrimental impacts from off-road vehicle and hunting violations, and other negative impacts associated with off-road activities along the currently restricted road portions.

C. Facility Development Needs

Year-round access will necessitate additional development of commercial service facilities (i.e., auto services; food; lodging) at one or two new locations north of Coldfoot. Some effort will be needed to ensure the opportunity is available for private sector development.

D. Land Selection Status

State efforts are continuing in terms of state selections within the Bureau of Land Management (BLM) Utility Corridor. I would recommend contacting DNR to ascertain any possible problems that might be posed by this proposal. (See Mike Penfold)

E. Partial Opening

It may be wise, at least at first, to limit general access to eight months, thereby avoiding public safety risks during the dead of winter. You might want to contact DPS on this question.

Since this question does impact a number of other areas, I have taken the liberty of copying affected agencies for their information. You may also want to contact Bob Evans so the administration can work with you in a more coordinated manner.

Sincerely,



Mark S. Hickey
Commissioner

Enclosure

cc: J. Anthony Smith, Commissioner, Department of Commerce and Economic Development
Dennis D. Kelso, Commissioner, Department of Environmental Conservation
Don W. Collingsworth, Commissioner, Department of Fish and Game
Arthur A. English, Commissioner, Department of Public Safety
Mary Halloran, Associate Director, Office of Management and Budget
Bob Evans, Legislative Liaison, Office of the Governor

STEVE COWPER, GOVERNOR

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

P.O. BOX 3-2000
JUNEAU, ALASKA 99802-2000
PHONE: (907) 465-4100

February 18, 1988

The Honorable Steve Frank
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Frank:

Circumstances relating to caribou hunting near the Dalton Highway north of the Yukon River have been somewhat confusing for a number of years. Some background may help put the matter in perspective.

As you know, public access has been constrained by statute (AS 19.40.100 and 19.40.110), and use of off-road vehicles within five miles on each side of the Dalton Highway right-of-way is prohibited except for access to mining claims (AS 19.40.210). However, because no penalty provision was included in the latter section, the prohibition on off-road or all-terrain vehicles (ORV/ATV) could not be enforced. Although these laws were in place, people were able to gain access to the northern portion of the Dalton Highway. Also because the ORV/ATV restriction was ineffective, a convention of use of these vehicles developed among people who were able to gain access to the northern Dalton Highway. Thus, public use of the highway and of ORV/ATVs for hunting purposes was only partly constrained.

This situation contributed to a rapid increase in caribou harvest from along the highway between 1982 and 1986. Seasons and bag limits for the Central Arctic Caribou Herd (CAH) during that period were designed to provide ample opportunity for use of caribou for food by local residents of Game Management Unit 26B (GMU 26B), and presumed that restrictions of Dalton Highway and ATV use effectively moderated hunting pressure from elsewhere. That was not the case, and in 1986 the department recommended and the Board of Game adopted a regulation reducing from five to two the number of caribou that could be transported out of GMU 26B. That regulation was in effect in 1986-87. Also, the administration in 1986 introduced a bill containing a

penalty provision for off-road use of ATVs so that the law would be enforceable, but it did not pass.

In March 1987, the Department of Fish and Game proposed a regulation establishing a bag limit of five caribou for subsistence hunters, and one caribou for other hunters. This proposed regulation also expanded the area affected to include all of the principal range of the CAH. The Board of Game adopted this proposal as regulation, which became effective July 1, 1987. In addition, the board promulgated a regulation prohibiting the use of motorized vehicles, (except for licensed highway vehicles, aircraft, and motor boats) for hunting purposes within the Dalton Highway corridor. The net effect was to prohibit use of ORV/ATVs for hunting purposes.

These changes have affected total harvests of caribou as shown below.

Reported Harvest of Central Arctic Caribou Herd

<u>Year</u>	<u>Total</u>
1982-83	81
1983-84	170
1984-85	364
1985-86	662
1986-87	345
1987-88 (through 2/5/88)	181

We anticipate that the total harvest in 1987-88 will be below that of 1986-87. Although even at the highest harvest level, in 1985-86, there was no danger to the CAH's well-being, the trend was of concern, since a continued rapid increase in harvest levels could have stopped or reversed growth of the herd.

Under the present regulatory regime, hunting will not limit growth of the CAH. However, the more conservative seasons and bag limits and the enforceable regulation on use of ATVs in the Dalton Highway corridor for hunting, have reduced public hunting opportunities. Further experience with the current regulations may indicate in the future that some relaxation of restrictions may be warranted. Because the herd's welfare is also being studied in relation to oilfield development, it is important that hunting not constrain herd growth.

Some other difficulties with management of the CAH remain unresolved. First, Wiseman, located within the utility corridor, is a recognized subsistence community under federal law and is classified as rural under state law.

February 18, 1988

Because of the prohibition on the use of firearms and ATVs, its residents are at a disadvantage in hunting in or near the corridor. Other residents of the corridor are also considered rural. This disadvantage is aggravated by the fact that nonlocals and nonresidents can hunt there with bows and arrows.

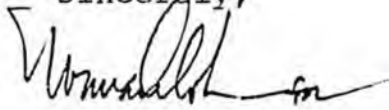
Second, because of the history of ATV use during the several years when an ATV use prohibition existed but was widely known as being unenforceable, a number of local people and other state residents now feel that they have been treated unfairly by the imposition of the regulation prohibiting ATV use for hunting in the corridor.

Public use of the entire Dalton Highway as an access route to northern hunting areas remains a subject of contention.

Given the current regulatory regime, the presence of Fish and Wildlife Protection staff and of our own staff in the area, and the apparent cooperation by most of the public with current regulations, we are confident of being able to ensure the well-being of the Central Arctic Caribou Herd and of other wildlife in the Dalton Highway area.

I will be glad to be of further assistance in any way that I can.

Sincerely,



Don W. Collinsworth
Commissioner

cc: L. Pamplin
D. Bishop

STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF THE COMMISSIONER

P.O. BOX N
JUNEAU, ALASKA 99811-1200
PHONE: 465-4322

February 10, 1988

The Honorable Steve Frank
Alaska State Legislature
F.O. Box V
Juneau, AK 99811

Dear Representative Frank:

During our last hearing, concern was expressed for the Fish and Wildlife Protection activities along the Dalton Highway. The following information was obtained from the Fish and Wildlife Protection Division relating to violations which occurred from January, 1987 to the present within the Dalton Highway corridor.

- | | |
|-------------------------------------|----|
| 1. Carcasses found: | 5 |
| 2. No hunting/fishing license: | 2 |
| 3. Trapping: | 2 |
| 4. Guiding: | 1 |
| 5. Use of firearms within corridor: | 9 |
| 6. Highway permits: | 15 |

As you can see, our caseload for the corridor is quite low. The Coldfoot trooper, however, now has the added responsibility of covering Bettles, as well as other area villages. Since this is a remote post, the Fish and Wildlife Protection Trooper's duties also include the "blue shirt" activities.

With the closing of our Bettles post and transferring the aircraft and officer to Coldfoot, we now have the ability to conduct aircraft patrol throughout the area with either a Supercub or a Cessna 185. In those instances where it appears off-the-road violations have occurred, we will have the ability to better cover the area by using our aircraft. This does give us limited enforcement profile, however, it also increases the area that we can cover with limited manpower.

As I mentioned during our meeting, if the Dalton Highway were to open, it would be necessary for us to station two

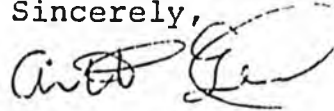
The Honorable Steve Frank

-2-

February 10, 1988

additional employees at Prudhoe Bay, an AST "blue shirt," and another FWP "brown shirt." In addition, we will add another "blue shirt" to the Coldfoot post. With these personnel, our enforcement effort would be enhanced; however, we would still have a limited impact on the area.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arthur English".

Arthur English
Commissioner



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
ALASKA STATE OFFICE
222 W. 7th Avenue, #13
ANCHORAGE, ALASKA 99513-7599



3344 (930)

JAN 29 1990

Senator Pat Pouchot
Pouch V
Capitol Building Room 504
Juneau, Alaska 99811

Dear Senator Pouchot:

As you requested, I am pleased to offer comments on the potential impact of Senate Bill 366 (opening of the Dalton Highway north of Disaster Creek) on Bureau of Land Management activities in the Utility Corridor. We have no specific objections to the opening of the Dalton Highway north of Disaster Creek to the general public.

In September 1989, we issued the Utility Corridor Proposed Resource Management Plan and Final Environmental Impact Statement. None of the proposed actions in the plan will become final until a Record of Decision is issued sometime in the near future. Copies of the proposed plan were widely distributed. Additional copies are available from my office.

The proposed plan recognizes the portions of the Dalton that are already open, as well as the potential for future openings north of Disaster Creek.

Aside from the primary purpose of the corridor remaining as a energy minerals transportation route, we anticipate that recreation and tourism will rapidly become the major land use within the corridor. Because of that potential becoming reality in a few short years, we are accelerating our recreation planning for the corridor. To this end, we anticipate having the Dalton Highway Recreation Area Management Plan substantially completed by the beginning of 1991.

Within the recreation strategy for the BLM lands in the corridor, the recreation plan will investigate site specific opportunities for facilities such as campgrounds, cabins, concessions and lodges, information/interpretive sites, trails and trailheads, ORV use, scenic viewpoints, and etc. This planning will involve close coordination with the State of Alaska to identify needs and priorities. Even with today's level of traffic on the highway, we are concerned about the general lack of facilities to meet the needs of the motoring public. We are also concerned about the interim protection of prehistoric and historic cultural sites until we have funding for proper management of the sites.

In light of the year 1992 being a celebration year of the 50th anniversary of the Alcan Highway opening, and the 125th anniversary of the purchase of Alaska from Russia, there will certainly be an influx of recreational vehicles and bus tours during 1991-1993. Our limited funding inhibits our ability to do basic planning and survey and design, let alone construction, in such a relatively short time. We are, however, entering into efforts with the State of Alaska to

seek alternatives for temporary facilities to accommodate the increased traffic. Of primary concern to us are sites for overnight parking, water, and sanitary facilities. Close coordination will be necessary to assure Off-Road Vehicle (ORV), subsistence, and public safety issues will be addressed.

I look forward to an outstanding partnership with the State of Alaska in the future management of the Utility Corridor and the Dalton Highway for the benefit of the citizens of Alaska and the nation. Please feel free to contact me if you have any questions.

Sincerely,

Lester K. Rosenkrance



Resource Development Council

for Alaska, Inc.

807 "G" Street, Suite 200, Anchorage, Alaska 99501-3448
 Box 100516, Anchorage, Alaska 99510-0516 - 907/276-8700

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EX-OFFICIO MEMBERS
 Senator Ted Stevens
 Senator Frank Murkowski
 Congressman Don Young

March 5, 1987

Representative Steve Frank
 Alaska State Legislature
 Pouch V
 Juneau, AK 99811

re: HB 115 and SB 132

Dear Steve:

The Resource Development Council is pleased to support HB 115 and SB 132, Acts relating to public use of the Dalton Highway. Our Executive Committee's action in this regard was unanimous.

We agree that these bills will allow the state to further develop the industries that rely on access to Northern Alaska. We need to encourage development and use of this key element in the state's road system if we are to foster development of valuable resources.

Please call on RDC if we can be of assistance to your office on this issue.

Sincerely,

RESOURCE DEVELOPMENT COUNCIL
 for Alaska, Inc.

Paula P. Easley
 Executive Director

cc: Senator Jack Coghill
 Mayor Juanita Helms
 Mayor Bill Walley



Greater Fairbanks

Chamber

of Commerce

First National Center

P O Box 74446

100 Cushman Street

(907) 452-1105

Fairbanks, Alaska 99707

RESOLUTION 3-0287

A RESOLUTION TO OPEN THE DALTON HIGHWAY TO THE GENERAL PUBLIC

WHEREAS, there is no justifiable reason that the general public should not have access to a public highway; and

WHEREAS, public funds are used to maintain this road, and

WHEREAS, the denial of the public to use the Dalton Highway as any other highway in Alaska, as stated in A.S. 19.40.120, is discriminatory, and

WHEREAS, there are existing state and federal regulations which provide for management of public use of land and resources adjoining public highways, and

WHEREAS, the opening of the Dalton Highway has been part of the program of work as stated in the Interior Transportation Needs Study developed by the Greater Fairbanks Chamber of Commerce;

NOW, THEREFORE, be it resolved, that the Greater Fairbanks Chamber of Commerce recommends that the Legislature pass HB 115 without further restrictions.

Be it further resolved that this resolution be sent to the following:

Governor Cowper
The Interior Delegation
The Congressional Delegation
The Commissioner of Transportation

DATED THIS

23rd

DAY OF

February

, 1987

BY

James Dodson, Chairman of the Board

BY

Althea St. Martin, Acting President

Editorial Opinion and Comment of

FAIRBANKS

Daily News - Miner

"Independent in All Things . . . Neutral in None"

Other opinions expressed on this page do not necessarily reflect those of the Daily News-Miner.

Dalton daffiness

We continue to be mystified by state officials who don't think their constituents should be allowed to drive the Dalton Highway.

At a recent hearing on the subject, an official of the Alaska Department of Public Safety delivered a masterpiece of bureaucratic circle-think.

The road is unsafe, he said, because traffic is sparse and there are few facilities. As even he acknowledged, the reason is obvious: The state keeps the road closed to the public.

A state senator, meanwhile, said the road shouldn't be opened because truckers and the Alyeska Pipeline Service Company might get stuck caring for stranded motorists.

"There's some places the public shouldn't go, for their own safety," he said.

Maybe we're wrong, but we have the idea that Alaskans don't want or need to be protected from themselves. In fact, we suspect there are a good many who came here to get away from the smothering embrace of bureaucrats and politicians who see it as their duty to protect people from themselves.

These are the same tired arguments we've heard for years against opening the Dalton, and they make less sense than ever.

The "sparse traffic, few facilities" reasoning collapses of its own weight, so we'll not devote further attention to it here, except to reiterate our serene confidence that the free enterprise system is able and willing to provide such facilities as are needed; certainly that has happened on the lower portion of the road that is open to the public.

As for the senator's tender concern for the burden that will be placed on Alyeska or truckers on the highway, we have no doubt that the development of facilities will speedily remedy that problem, if it ever arises. In addition, travelers on the road should be advised of its hazards and warned that they travel at their own risk.

Finally, let's remember that the state pays to maintain this road, but the oil industry is about the only user. If the public is going to pay for the upkeep of the Dalton Highway, the public should be allowed to drive it.

1455 Skopline Dr

Fairbanks AK 99712

457-5602

Rep. Steve Frank

P.O. Box V

Juneau, AK. 99811

This letter is to clarify my public affairs message of yesterday, and to add further emphasis for my support to the legislation to allow public use of the highway to its terminus.

I feel that because of the regulations already in place regarding hunting and fishing along the highway, and because to the south of Wiseman there is a distance of about 50 miles East and west to any native village, and to the north, the distance is greater to the only two villages Niqnesuit, to the west and Kablovik to the east, the highway should be opened to the public.

Further emphasis is added by the fact that
 four busses are presently allowed to
 travel the road to its terminus. Only
 the common citizen is prevented from exercising
 his rights of free travel on public roads.

I regard the road as a restricted public
 highway by virtue of the fact that state and
 Federal funds are being expended to maintain
 and repair the highway.

I feel that justice will be served
 by the passage of HB 115.

As chief of the village of Wiseman, the only
 community on the haul road, which has
 been requested since 1970, to do otherwise
 is a travesty of justice.

Sincerely,
 Vern Thiller, Chief, Wiseman



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WRECKER SERVICE.

MILE 176 JAMES DALTON HWY
COLDFOOT, ALASKA

Mailing Address
COLDFOOT SERVICES
COLDFOOT, ALASKA 99701-9998

February 23, 1987

Dear Mrs. Cato,

I should like to express my views concerning HB# 115 related to the Dalton Highway.

In April 1981 the legislature opened the Dalton Highway to the public. Then Governor Hammond, by decree, allowed the highway north of the Yukon River to Disaster Creek be opened only for the months of June, July and August.

The State at the same time decreed that someone provide a service facility at Coldfoot for the traveling public. That someone ended up being myself.

When Gov. Sheffield arrived on the scene, I approached him with the fact that we were here in Coldfoot year around, yet the road was opened to the general public only three months. He immediately, by Governor's decree, opened the road for the entire year, yet still only to Disaster Creek. This policy continues today.

There are several facilities opened to the public at Deadhorse, motels, restaurants, service stations and of course, the state airport facilities.

I can't see why the Dalton Highway should be divided, south or north of the Yukon River or south or north of Dietrich.

1. It's a state maintained road, using public funds.
2. Facilities are available year around.
3. Tourist traffic exceeds commerical traffic for five months of each year.
4. The state spends millions encouraging tourism.
5. Tour buses run the Dalton Highway fully realizing the attraction of:
 1. Yukon River
 2. Driving north of the Arctic Circle.
 3. The allure of the Brooks Range.
 4. The interest of Prudhoe Bay area.

The State D.O.T. maintains the checkpoint is a saftey checkpoint when we realize in fact, it's a political matter.

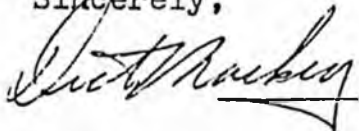
If in fact, it's a saftey checkpoint, then you should arrive, state you have extra tires and gasoline and continue on your way.

If it's a political matter, consider that no tourist is upsetting the lifestyle of any North Slope Borough resident as none live along the highway, that no corporation lands border the highway. That the D.O.T. when it does issue a permit, issues that permit for the vehicle, irregardless of the number of passengers. Why should one receive a permit to take a vehicle over a given section of highway right-of-way, and others be denied?!

Page 3

I believe it's time to adhere to our state constitution, open the highway, see the results of promotion of tourism and quit the political games with the North Slope Borough.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dick Mackey". The signature is written in dark ink and is positioned below the word "Sincerely,".

Dick Mackey
Coldfoot Services
Mile 175 Dalton Hwy.
Coldfoot, AK 99701-9998

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

P.O. BOX Z
JUNEAU, ALASKA 99811-2500
PHONE: (907) 465-3900

OFFICE OF THE COMMISSIONER

March 28, 1991

Mr. J. R. Darley, President
BP Exploration, Inc.
P.O. Box 196612
Anchorage, AK 99519-6612

Dear Julian,

As I'm sure you've heard, we at DOT&PF have been quite concerned about the very poor condition of the Dalton highway. Since the state assumed ownership of the road in 1978, far too little funds have been allocated for proper maintenance, and the road has deteriorated to a perilous level. Our engineers have estimated that it will require as much as \$35M to properly repair the subbase and to restore the surface to its original condition. In addition, several of the bridges need complete rebuilding and the rest require extensive maintenance.

If we can open the road to all traffic, we can obtain much of the money for bridge repair from Federal Highway Funds. Therefore, we endorse opening the road to all traffic. However, open or not, the state will have to pay the entire amount for maintenance and repair operations from General Funds. As you would expect, there is less than wholesale enthusiasm from some members of the legislature for spending \$30-40M of state funds on this repair work. They do not argue whether it's something the state owes the oil industry who provides virtually all of their revenue; it is just that it's not an obvious benefit that is appreciated by the voters.

The other aspect of funding repairs to the Dalton highway is to provide a mechanism for obtaining sufficient funding each year for proper maintenance of the road. Otherwise, I would expect it to deteriorate to the present condition in another 10-15 years. Again, maintenance money for the Dalton highway must compete with all other state maintained roads and it has consistently been underfunded because of the same attitude that I've found on funding the repairs. It simply doesn't have the public appeal that attracts the attention of the legislators.

Therefore, I have proposed a program to the legislature that I believe will accomplish our needs, although my friends in the oil industry will probably accuse me of treason:

1. The administration will support the bill calling for opening the haul road.
2. We have included funding in our general fund budget for \$17M as the 1992 portion necessary to repair the highway. We have told the Finance Committees of both the Senate and House that we will request a similar amount next year to complete the work.
3. We will include approximately \$8M in our 1992 capital budget for Federal Highway money to rebuild 17 of the timber bridges. An additional \$1.2M will be requested for re-decking the E.L. Patton bridge.
4. To insure that the annual maintenance is adequate, we will either establish a toll to provide about \$6M/year income (netting about \$5M after paying administrative costs), which we can do without legislative action, or have the users of the highway fund a sum of money each year that is equal to that appropriated by the legislature for repairs.

We hope we can have agreement from the Prudhoe field producers to match the state in funding maintenance as outlined in point #4. The toll would be a headache to all of us and the producers and Alyeska would end up paying the toll in higher trucking rates. I don't think there is enough profit in the trucking industry today to reasonably expect them to absorb a toll of this magnitude. Furthermore, we would have to include administrative costs and it would cost the industry more with a toll than if a matching fund were paid directly.

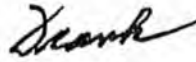
I certainly agree with the industry position that they already pay taxes, heavy taxes, and the state should at least provide them an adequate road in return for these taxes to service their facilities. Unfortunately, this has not been reason enough in the past to secure adequate maintenance funding and I don't believe it will be enough in the future. The matching fund or toll proposal will accomplish our goal of keeping the road in good condition and these are the only sure ways I can determine of making that happen.

There are benefits that we could provide to return some partial justification for your investment. First, after the road surface is restored and the bridges rebuilt we feel that it will not require more than \$5M in any given year and we can certainly incorporate a ceiling in the agreement. Second, with stronger bridges, we should be able to increase the allowable weight which will offer some reduction in your freight rates. We will be happy to consider any other suggestions that your traffic people may propose.

March 28, 1991

We will also be happy to meet with you or any group you may wish to discuss this proposal in more depth. Otherwise we hope to hear of your concurrence.

Sincerely,



Frank G. Turpin
Commissioner

cc: Honorable Richard Foster, Alaska State Representative
Honorable Jay Kerttula, Alaska State Senator
Honorable Eileen MacLean, Alaska State Representative
Honorable Curt Menard, Alaska State Senator
Honorable Mike Navarre, Alaska State Representative
Honorable Pat Pourchot, Alaska State Senator
J. A. Palmer, Director Government & Public Affairs, BP Exploration
Paul Richards, Government Relations Manager, Alyeska Pipeline
Beverly Ward, Director of Government Relations, ARCO Alaska

Same Letter to:

[1] Mr. Harrell E. Bilhartz, Jr., President
ARCO Alaska, Inc.
P.O. Box 100360
Anchorage, AK 99510-0360

[2] Mr. James Hermiller, President
Alyeska Pipeline Service Company
1835 South Bragaw Street
Anchorage, AK 99512-0099