

**S B**

**9 3**

# HOUSE COMMITTEE REPORT

(9)

Date Referred: March 22, 1995

FURTHER REFERRALS:

Finance

Date of Committee Action: 4/12/95

The RESOURCES Committee considered:

CSSB 93(RES)

CS FOR SENATE BILL NO. 93(RES)

DISPOSAL OF LAND ALONG THE DALTON HWY

"An Act relating to the disposal of state land along the Dalton Highway; and providing for an effective date."

recommends it be replaced

with the following committee substitute HCS SB 93

the same title

a new title

additional referral to \_\_\_\_\_ Committee

attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) \_\_\_\_\_

APPROVES PREVIOUS: (Dept/Date) \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_

zero fiscal note(s) DNR 2/28/95

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Wendy Nichols</i>			✓	
<i>John E. Davis</i>			✓	
<i>Wally Guste</i>			✓	
<i>Pete Post</i>	✓		1	
<i>Scott [unclear]</i>	✓			
<i>W.K. Williams</i>	✓			
<i>Joseph [unclear]</i>	✓			

CHAIR'S SIGNATURE \_\_\_\_\_

*[Handwritten Signature]*

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE DAVIES

TO: CSSB 93(RES)

1 Page 1, line 1, after "Highway":

2 Insert "and to a toll for use of the bridge across the Yukon River"

3 Page 4, after line 12:

4 Insert new bill sections to read:

5 "\* Sec. 2. AS 19.40 is amended by adding a new section to read:

6 Sec. 19.40.220. TOLL. The commissioner shall establish by regulation a toll  
7 for use of the E. L. Patton Bridge across the Yukon River at the southern terminus  
8 of the highway.

9 \* Sec. 3. AS 19.40.290 is amended to read:

10 Sec. 19.40.290. DEFINITIONS. In this chapter,

11 (1) "department" means the Department of Transportation and Public  
12 Facilities:

13 (2) "highway" means the secondary highway from the southern  
14 terminus of the E. L. Patton Bridge across the Yukon River to the Arctic Ocean."

15 Renumber the following bill section accordingly.

A M E N D M E N T

OFFERED IN THE HOUSE

TO: CSSB 93(RES)

1 Page 4, after line 12:

2 Insert a new bill section to read:

3 "\* Sec. 2. AS 19.40.200 is amended by adding a new subsection to read:

4 (e) Notwithstanding (b) of this section, land described in (b) of this section  
5 is not available for disposal if it has been selected by a municipality to satisfy a  
6 general grant land entitlement under AS 29.65 unless the selection is disapproved by  
7 the state in a final decision."

8 Renumber the following bill section accordingly.

# Alaska State Legislature

SENATOR

MIKE MILLER

Mailing Address:

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Fax: (907) 488-4271

While in Juneau

State Capitol

Juneau, Alaska

99801-1182

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Fax: (907) 465-3883

## Senate

Senate District C

### CS Senate Bill 93 (Res) Disposal of Land Along the Dalton Highway

by Senator Mike Miller

Last session the Legislature passed Senate Bill 210 which provided for the reauthorization of existing leases in three development nodes along the Dalton Highway including Deadhorse, Yukon River Crossing and Coldfoot. It also allowed for future non-residential land disposals in at Deadhorse.

With the recent opening of the highway to public traffic, the need for additional services is anticipated. Senate Bill 93 will allow the state to proceed with future non-residential disposals in each of the remaining four nodes along the route for development of various public facilities. It is structured to allow disposals *only* within the identified nodes which have existing pads so that orderly development is maintained at regular intervals along the highway. The development areas affected are Yukon River Crossing, Coldfoot, Happy Valley, and Franklin Bluffs.

As with any state land disposal, all proposed sales or leases within the development nodes will require a Land Use Plan, subject to procedures set forth in law which provide for thorough public review

I appreciate your consideration of Senate Bill 93.

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. CSSB 93 (Res)

Revision Date: \_\_\_\_\_ Dept. Affected: Fish and Game  
 Title: Disposal of state land along the Dalton Highway BRU: Habitat and Restoration  
 Component: Habitat  
 Sponsor: Senator Miller  
 Requester: Resources, Finance COMPONENT SERIAL NO. 486

**Expenditures/Revenues** (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	0.0	0.0	0.0	0.0	0.0	0.0
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<b>CHANGE IN REVENUES ( )</b>	0.0	0.0	0.0	0.0	0.0	0.0
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY95) cost: \$ 0.0

**POSITIONS**

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

Designation of non-residential development nodes along the Dalton Highway per se will not result in an increased agency workload. However, over the long term, it may become necessary to conduct a comprehensive land use plan for haul road node development. In addition, it may become necessary to monitor and evaluate the effects increased public use of the haul road corridor may have on fish and wildlife stocks and their habitats. Such studies may include traditional population management evaluations to support recommendations to the Board of Fisheries and Game as well as cumulative assessments of potential impacts on subsistence harvests of fish and wildlife.

Prepared by: Ellen Fritts, Acting Director Phone: 465-4107  
 Division: Habitat and Restoration Date: 3/13/95  
 Approved by Commissioner: *Frank* Date: 3.14.95  
 Agency: Fish and Game

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# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. CSSB93

Revision Date: 28-Feb-95 Dept Affected: Natural Resources  
 Title: An Act relating to the disposal of state land along BRU: Resource Development  
the Dalton Highway; and providing for an effective date... Component: Land Development  
 Sponsor: Senator(s) Miller, Green  
 Requestor: Senate Finance Committee Component Serial No. 431

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ None

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

There is no fiscal impact associated with implementation of this legislation.

Prepared by: Ron Swanson, Director Phone: 762-2692  
 Division: Land Date: 28-Feb-95  
 Approved by Commissioner: *John R. Miller* Date: 3-2-95  
 Agency: Natural Resources

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# Dalton Highway and North Slope Lease Tracts



NORTHERN REGION

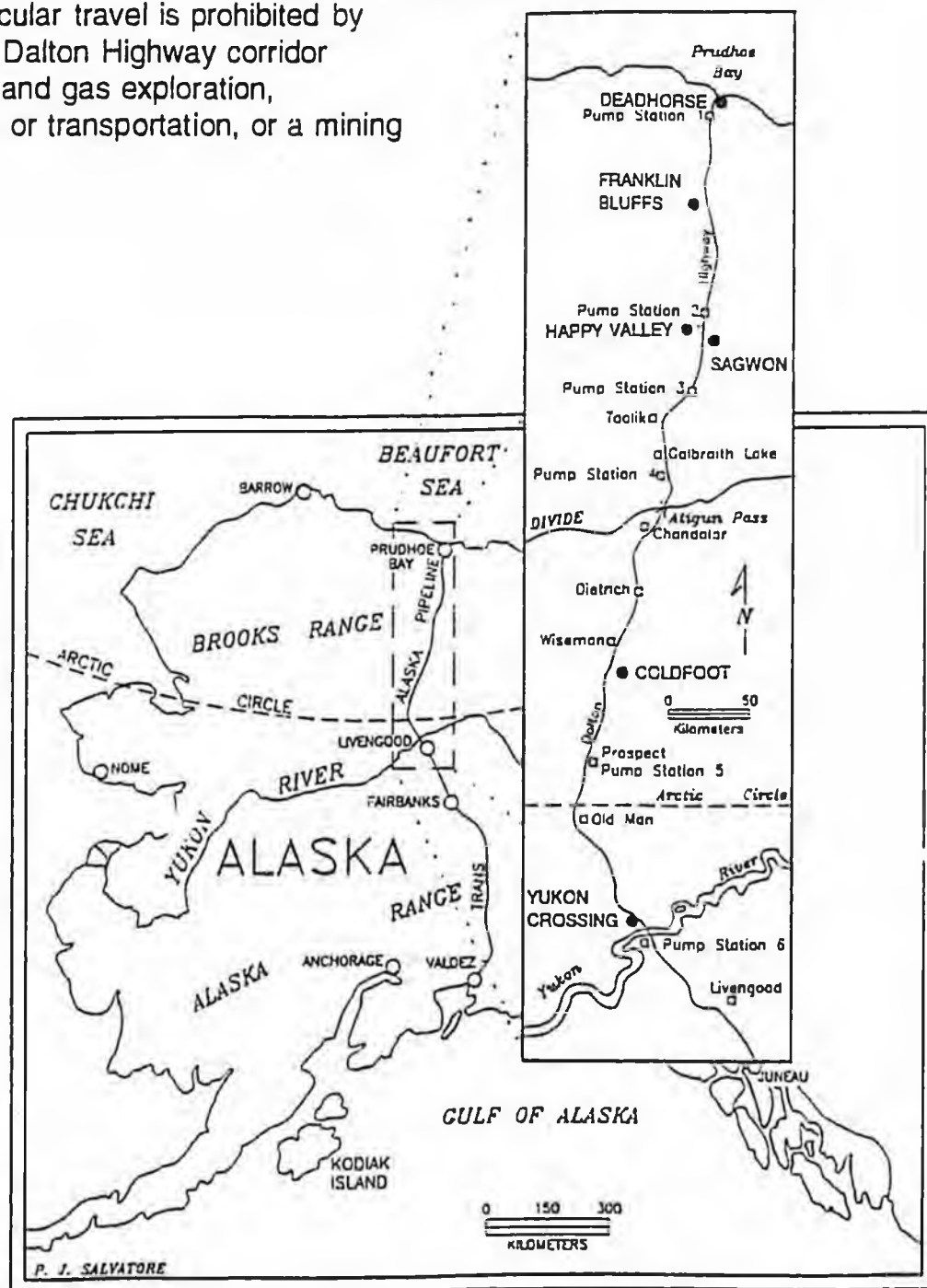
More than 650,000 acres of land at selected sites along the Trans-Alaska Pipeline corridor have been transferred from BLM to the state since August 1992. The land was transferred to the state under provisions of the Statehood Act.

At the present time, AS 19.40.200 prohibits the state from disposing of state land (leases and material sales) lying within 5 miles of the Dalton Highway, under AS 38. The statute does allow for a few exceptions: 1) oil and gas leasing, 2) exploration, development, production or transportation of oil and gas, and 3) a state lease or materials sale for activities listed in 1 and 2 and maintenance of the highway. In addition, off-road vehicular travel is prohibited by AS 19.40.210 within the Dalton Highway corridor unless it is related to oil and gas exploration, development, production or transportation, or a mining activity.

## DALTON HIGHWAY

DEVELOPMENT NODES  
Proposed in HB309:

- Coldfoot
- Deachorse
- Franklin Bluffs
- Happy Valley
- Yukon Crossing



## COLDFOOT

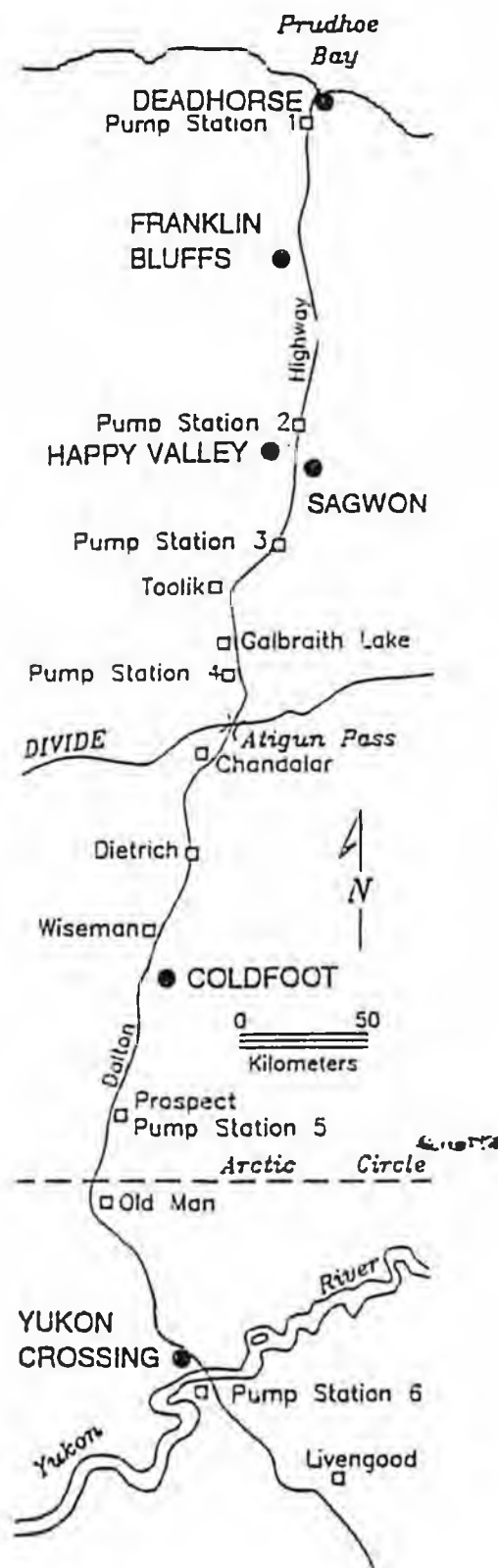
**Coldfoot Services Lease** This 33 acre lease is located on the Dalton Highway approximately midway between Fairbanks and Prudhoe Bay. This site is used as a truck stop, motel, cafe, and garage. According to the lease agreement, the lessee, Petro Star Inc., must provide the following services: fuel, emergency road service, emergency lodging, and food. This lease was originally issued by the Bureau of Land Management before the land was transferred to the state. This site cannot be expanded and other leases cannot be issued due to the prohibition in AS 19.40.200.

## HAPPY VALLEY

The Happy Valley pad was created by Alyeska during the construction of the Trans-Alaska Pipeline for a construction camp and airstrip. Prior to state receiving title, as many as 15 permits plus a BLM administrative cabin were located on this site. Ten active BLM authorizations were transferred to the state. Eight of these were associated with big game guide operations and the remaining two sites were staging areas for the Departments of Fish & Game and Public Safety (Fish & Wildlife Protection). All but two of the guide authorizations expired on December 31, 1993. These and other operators are interested in future authorizations for use of the site. The guides have expressed concern that if the municipal entitlement selection is granted to the borough, no permits would be allowed for big game guides. Until the municipal entitlement application is adjudicated, the division will issue one-year permits to authorize guide sites at Happy Valley.

## FRANKLIN BLUFFS

**Western Geophysical Company** has been issued a 10 year negotiated lease effective August 1, 1997. This lease supports of oil and gas activities on the North Slope.



Additionally, the Northern Region issues one-year land use permits to oil field service companies to use the Franklin Bluffs pad for equipment staging. For instance, Unocal was issued a permit on November 30, 1993 to use a portion of the pad to support the Amethyst exploration project.

## DEADHORSE

**North Slope Borough Landfill** The current Oxbow Landfill is near capacity. The NSB has identified another landfill location south of Deadhorse near the airport. The NSB has been operating the existing Oxbow Landfill since the early 1980's. This landfill may contain many toxic and hazardous materials used at Prudhoe Bay. The NSB originally applied to lease this site; however, a lease was not issued. Since this site was included in the NSB Municipal Entitlement applications, the entitlement was adjudicated and a patent presented to the borough. This patent was rejected by the NSB, presumably due to the liability of owning a landfill with hazardous materials. The Department believes the NSB is still liable for any hazardous materials that may have been placed in the landfill. While the Department is supportive of the proposed landfill, it will require the borough to have ownership of the site prior to operating the new landfill to limit the state's liability. The Department of Environmental Conservation is presently reviewing the close-out plan for the Oxbow Landfill and is also reviewing the operations plan for the proposed landfill. The new landfill may not be authorized due to the prohibition in AS 19.40.200 unless the borough selects the site as part of its municipal entitlement.

**Deadhorse Airport Improvements** An application for a 500,000 cubic yard material sale under AS 38.05.810 was received on February 9, 1993 from the Department of Transportation and Public Facilities. The purpose of the material sale was to repair and make improvements to the airport at Deadhorse. The proposed material site is located two miles south of the airport on the west side of the Dalton Highway. During an interagency meeting with the North Slope Borough, the option was discussed to co-locate the material site with the new landfill. At the present time, this material sale can not be issued because of the prohibition in AS 19.40.200. The Division of Land, in consultation with the Department of Transportation and its Assistant Attorney General, have concluded that further action regarding the material sale must be suspended until the statute is amended to allow this activity to occur.

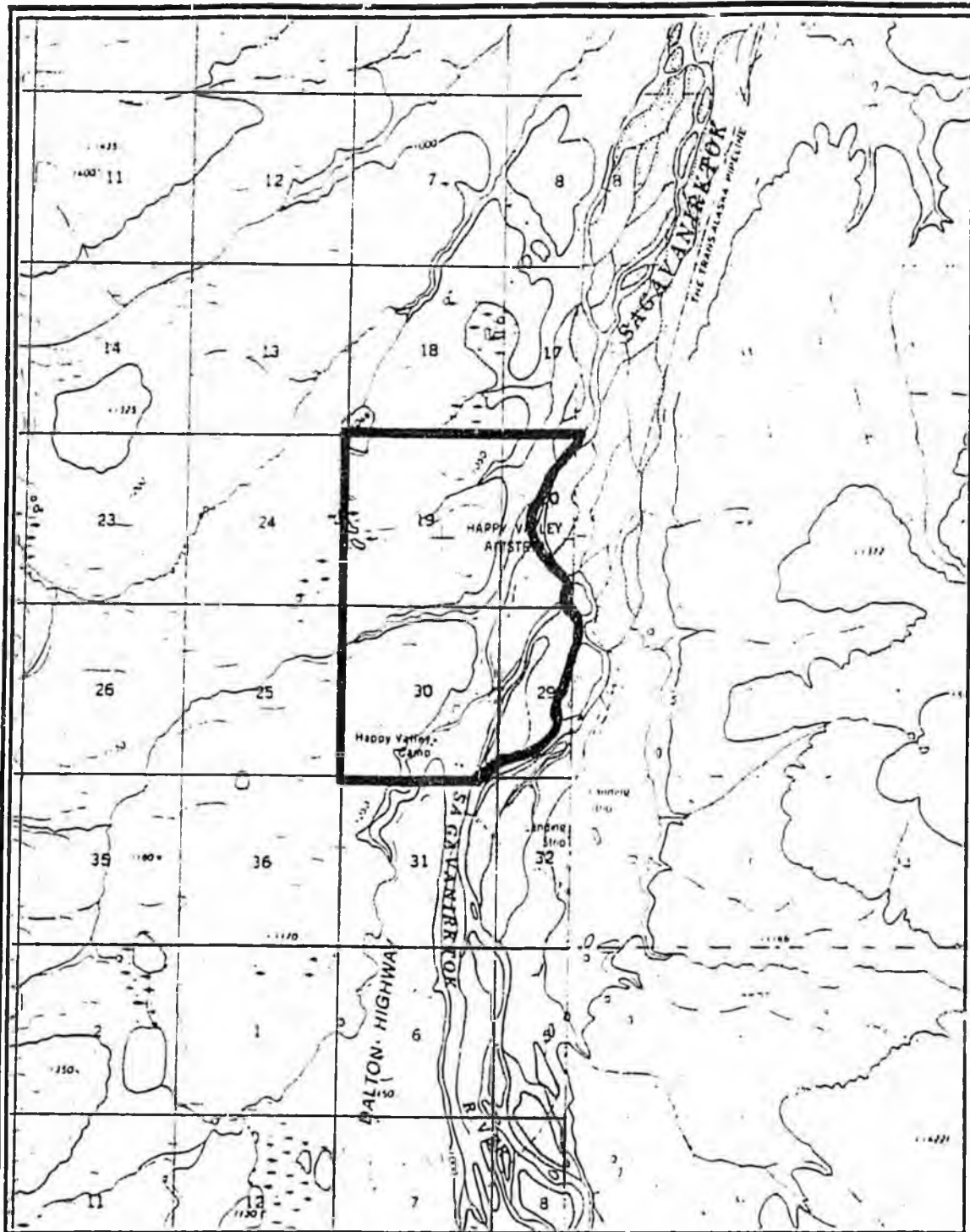
**Service Company (North Slope) Leases** The Northern Region has 62 service company lessees occupying 70 lease tracts at Deadhorse. These 62 lessees pay lease rentals that total \$227,515 per year. Thirty four of these leases have a history of chronic pollution and contamination. The Northern Region staff are working with these lessees, oil and gas production companies, the Prudhoe Bay Environmental Alliance (PBEA), and the Department of Environmental Conservation to remediate these tracts.

- 34 leases are **voluntarily complying with clean up requirements:**  
     18 completed cleanups within the last four years, and  
     16 are in the process of cleanup.
- 8 leases have been **terminated for failure to comply** with the lease terms and conditions.
- **16,800 tons of scrap metal have been removed** from these leases over the past three years and backhauled to the lower 48. **7,000 additional tons**, including two old drill rigs, were removed in 1993. This is equivalent to 300 large truck loads. This backhaul was coordinated by the oil and gas industry and the PBEA.
- **41,250 gallons of toxic or hazardous wastes have been removed** to date from these leases and transported to hazardous waste disposal sites in the Lower 48.

**Lease Administration** The Northern Region has recently augmented its role in the management of north slope lease tracts by assuming the contract administration duties associated with the leases. This function was previously administered in Anchorage. In addition to field compliance work, the resource officers staff issue, (re)assign and terminate the leases. While these additional duties will consume a substantial portion of the staff's time, it is believed that it will increase efficiency and add continuity to the administration of the lease tracts and better serve the public and lessees.

**Clean-up Methods** The North Slope has been the proving grounds for a variety of new site remediation technology for contaminated land in Alaska.

- In-situ bioremediation, using applications of fertilizer and tilling to aerate
- In-situ bioremediation, using air sparging
- Ex-situ bioremediation (Soil and gravel are placed on a liner to allow soil temperatures to increase more rapidly. Otherwise, soil and gravel are managed in similar fashion as in-situ bioremediation.)
- Thermal remediation
- Soil washing with steam



BOUNDARY MAP  
 Map sheets Sagavanirktok A-3  
 and A-4

Scale in Miles

Within T. 3 S., R. 14 E.  
 Umiat Meridian



# HAPPY VALLEY DEVELOPMENT NODE



Map 2.6

# Alaska State Legislature

SENATOR

MIKE MILLER

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Fax: (907) 488-4271

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99801-1182

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Fax: (907) 465-3883

## Senate

Senate District O

To: Representative Joe Green, Chair  
House Resources Committee

From: Senator Mike Miller

Re: CSSB 93(Res) - Dalton Highway Land Disposals

Date: March 28, 1995

I would like to request that Senate Bill 93 (Disposal of Land Along the Dalton Highway) be scheduled for a hearing in the House Resources Committee at your earliest convenience. Thank you for your assistance.



**Alaska Environmental Lobby, Inc.**

P.O. Box 22151 Juneau, Alaska 99802

Phone: 907-463-3366

Fax: 907-463-3312

## **The Alaska Environmental Lobby Opposes SB 93: Disposal of Land Along the Dalton Highway**

The original intent of the "Dalton Highway", the Haul Road, was to serve as an access corridor and supply line for the Trans-Alaska Pipeline. This is still the only reasonable economic function for this expensive, albeit important road.

The expensive is derived from many factors: If we have private land we are under an obligation to protect it - Fish and Wildlife agents and Alaska State Troopers are already overburdened. They will need more resources if they will be expected to encompass the Haul Road into their jurisdiction. Also, in this era of frugal state attitudes and lower economic resources we need to consider every cost incurred in every decision.

Preserving the original intent and expanding it to include the upcoming Trans-Alaska Gas Pipeline demands that the state concentrate its efforts to responsibly manage all aspects of this valuable transportation corridor. This means that opening the Haul Road for any peripheral development, actions which are unrelated to and most probably interfering with corridor usage, is irresponsible and expensive.



**YUKON  
PACIFIC  
CORPORATION**  
TRANS-ALASKA GAS SYSTEM

JEFF B. LOWENFELS  
PRESIDENT AND CHIEF EXECUTIVE OFFICER

March 24, 1995

The Honorable Gail Phillips  
Speaker of the House  
House of Representatives  
Juneau, Alaska

Via Fax: 465-3472

Dear Speaker <sup>*Gail*</sup> Phillips;

I'm writing to ask that you consider the following points as you deliberate Senate Bill 93. Our concern, in short, is that a major land use planning decision may be made by the Legislature without proper consideration of how future demands on the Dalton Highway -- specifically the intensive, multi-year construction requirements of Yukon Pacific's massive \$14 billion Trans-Alaska Gas System (TAGS) pipeline -- will also be accommodated.

As you are aware, TAGS will involve the construction of a 42" diameter natural gas pipeline paralleling the existing TAPS oil pipeline from Prudhoe Bay to Valdez. In addition, 3 large compressor stations will be built along the route to move natural gas south. Over half of the 800-mile-long pipeline and 2 of the compressor stations will be constructed north of Fairbanks along the Dalton Highway. Obviously this effort will involve an enormous amount of traffic over several years to deliver the materials and personnel necessary to complete these facilities.

Although we understand and acknowledge that TAGS is not a "reality" yet, I think you will concur that its prospects have never been brighter. It is with this in mind that we respectfully urge the House of Representatives to delay any action on SB 93 until the Legislature has been provided with a detailed analysis of the combined impacts and compatibility of the land disposal action contemplated in SB 93 and the logistical demands inherent in the construction of TAGS.

Finally, I would encourage all Legislators to arrange for a thorough briefing on the TAGS project (we are always available to travel to Juneau on short notice) so that they are not only

informed about our progress and the potential TAGS represents to Alaska but also the need to consider legislation like SB 93 in the context of this major undertaking.

Sincerely,



50324102 JBL

HOUSE RESOURCES COMMITTEE  
Roll Call and Members' Bill Votes

\* Indicates first public hearing)

Room 124, Capitol Bldg.

Mon., Wed. ~~Thu.~~

Date: <sup>10</sup> 4-~~1~~-95

Tape# 95-47 Joint \_\_\_\_\_

Time: 8:17 (am/pm) Time Adjourned: 10:10 (am/pm)

ROLL CALL:	PRES	ABS	TIME AR	_____	_____	_____
Rep. Joe Green	✓	_____	_____	_____	_____	_____
Rep. Bill Williams	✓	_____	_____	_____	_____	_____
Rep. Scott Ogan	✓	_____	_____	_____	_____	_____
Rep. Alan Austerman	✓	_____	_____	_____	_____	_____
Rep. Ramona Barnes	_____	_____	9:08	_____	_____	_____
Rep. John Davies	_____	_____	8:37	_____	_____	_____
Rep. Pete Kott	✓	_____	_____	_____	_____	_____
Rep. Eileen MacLean	_____	_____	_____	_____	_____	_____
Rep. Irene Nicholia	_____	_____	9:00	_____	_____	_____

Other Legislators Present \_\_\_\_\_

AGENDA:

Bill No.	Short Title	Action Taken
<u>HB 191</u>	<u>Management of State Land and Resources</u>	<u>Out</u>
<u>SB 93</u>	<u>Disposal of Land Along the Dalton Hwy.</u>	<u>Heard &amp; Held</u>
<u>HB 279</u>	<u>Municipal River Habitat Tax Credit</u>	<u>CSHB 279 (RES) Out</u>
<u>HB 258</u>	<u>Hunting/Fish License Vendor Compensation</u>	<u>NOT HEARD</u>
<u>SR 12</u>	<u>U.S. Forest Service Plans</u>	<u>Out</u>

OTHER

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Copies of minutes listed below were originally included in this file. The minutes are available on the legislative computer database. In order to save space copies of minutes have not been left in the files.

Mary Pagenkopf

House Resources

4-10-95 8:17am

Tape #95-47

SB 93

PR-ICPSMSG54I - OUTPUT Number 0169 has printed at destination NET L302  
 04/10/95 LEGISLATIVE TELECONFERENCE NETWORK LTN1404  
 09:26:21 N CONFERENCE DISPLAY PAGE 04 - VOLUNTEER & OFF-NET SITES L300  
 TCN 50566 (C) T/C DATE: 04/10/95 TIME: 08:00 to 10:00 STATUS: 5 IN-PROG

BAR  
 SOL  
 FBY

* LIO	VTS	NAME	ADDRESS	CONTACT	TELEPHONE
<del>ZZZ</del>	<del>OF1</del>	<del>OFFNET 1</del>	<del>ANCHORAGE</del>	<del>RON SWANSON</del>	<del>907 762 2692</del>
→	ZZZ	OF2	STEVENS VILLAGE	chief RANDY MAYO	907 478 7228
→	ZZZ	OF3	ALAKAKET	VALERIE BERGMAN	907 968 2241
→	ZZZ	OF4	RAMPART	SHEILA WOOD	907 358 3312
	ZZZ	OF5	SOLDOTNA	BOROUGH MAYOR	907 262 8609

*you can crossing area 99774*

*TOM BOEDEKER  
 Kenai Peninsula Borough Attorney 144 N. Benclaf, Soldotna 99669  
 262-4141*

04/10/95 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1150  
 08:23:20 PARTICIPANT LIST (ALL PARTICIPANTS) BY:BAR  
 TCN:50566 SCHEDULED FOR:04/10/95 08:00 TO 10:00 FOR:BAR  
 PUBLIC HEARING HOUSE RESOURCES

LOCATION:BARROW  
 SB 93 MS. DEE OLIN HOFFMAN NSB PLANNING DPTTESTIFY  
*P.O. Box 69 Barrow 99723 852-0320*

04/10/95 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1150  
 09:23:50 PARTICIPANT LIST (ALL PARTICIPANTS) BY:FBX  
 TCN:50566 SCHEDULED FOR:04/10/95 08:00 TO 10:00 FOR:FBX  
 PUBLIC HEARING HOUSE RESOURCES

LOCATION:FAIRBANKS  
 SB 93 MR. GEORGE YASKA TCC TESTIFY  
*dit w/office Tanani checks 99701 452-3755*  
*122 1st Ave. Ste 600*

HOUSE RESOURCES COMMITTEE



Alaska State Legislature  
House of Representatives

DATE: 4-7-95

PLACE: ROOM 124

SUBJECT OF MEETING:  
 HB 191 - Management of State Land + Resources  
 SB 93 - Disposal of Land Along the Dalton Hwy.  
 HB 279 - Municipal River Habitat Tax Credit  
 HB 258 - Hunting/Fish License Under Compensation

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
Sara Hansen		AEL PO Box 22151 Juneau	99801		463-5366	<input checked="" type="radio"/>	<input type="radio"/>	SB 93
Mike Miller						<input type="radio"/>	<input type="radio"/>	SB 93
						<input type="radio"/>	<input type="radio"/>	
						<input type="radio"/>	<input type="radio"/>	
						<input type="radio"/>	<input type="radio"/>	
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