

HCR

5

HFIN

FILE

ALASKA STATE LEGISLATURE

REPRESENTATIVE
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House of Representatives
House District 34

HCR 5 - A RESOLUTION CALLING FOR OPENING THE DALTON HIGHWAY TO THE ARCTIC OCEAN

The goal of this resolution is to complete the opening of the Dalton Highway from the Yukon River to the Arctic Ocean by the time this summer's tourism season gets under way.

At present, the Dalton Highway ends at one of two oil company checkpoints just seven miles from the Arctic Ocean - a situation which has proved frustrating for Alaskans and visitors alike.

While VIPs as well as oil company and government officials can walk the shores of the Arctic Ocean after driving the Dalton Highway, other Alaskans and visitors cannot - unless they pay a \$20 fare to ride a bus to the Arctic Ocean. This bus option is a poor solution to the issue of access. For larger families, the fare is prohibitive. For the adventurous, time limits are prohibitive. For just about everyone, the limits are onerous.

Tourism is Alaska's second-largest industry. Restricted access to the Arctic Ocean causes damage to the state's image every time a traveler is blocked just miles from what is an obvious objective of that traveler's drive North.

It is clear that Alaska law sees the Dalton Highway as a road connecting the Arctic Ocean with the rest of the state. While oil companies claim leases of state land and ownership of private land permit them to keep the Dalton Highway closed, state statutes clearly show the people of Alaska are entitled to an easement to the Arctic Ocean (AS 38.05.127).

There is no reason why the oil companies and the state of Alaska cannot come to a reasonable agreement on this issue. This resolution in no way dismisses the need for some restrictions to access of oil company leases or private property.

UNRESTRICTED PUBLIC ACCESS TO THE ARCTIC OCEAN

BACKGROUND

Following the Discovery of oil on the North Slope, the Sixth Legislature directed the construction of a public highway from the Yukon Bridge to the Arctic Ocean, stating the intent that "This highway will provide the first year-round, overland route to the Arctic Ocean and will result in the completion of a highway from the Pacific Ocean to the Arctic Ocean". The Legislature, in 1981, named the highway the James Dalton Highway. (Alaska Statutes 19.40.010 Attachment 1)

The Constitution of the State of Alaska states "Free access to the navigable or public waters of the state, as defined by the legislature, shall not be denied any citizen of the United States or resident of the State, except that the legislature may by general law regulate and limit such access for other beneficial uses or public purposes." (Article VII, Section 14, Attachment 2)

The Alaska Statutes are explicit on legal rights-of-way and easements to be reserved for public access before any sale, lease or grant of state land adjacent to a body of water. AS 38.05.127 (c) states "Nothing in this section affects valid existing rights or limits in any way the constitutional right of the public to use and have free access to the navigable or public waters of the state." (Attachment 3)

The Dalton Highway does not provide for the public use and free access to the Arctic Ocean. The Department of Natural Resources (DNR) permitted Atlantic Richfield Company to restrict public access on four leases in the Prudhoe Bay area at a time the Dalton was closed to all but commercial, oil field and residential use. The four leases were the North Dock, the West Dock, the East Dock and the Prudhoe Airport. DNR's "Special Conditions" stated the lessee is to give public access on, across and use of the dock/patent, subject to reasonable restrictions imposed by the lessee and approved by the lessor so the public will not be endangered by or interfere with the lessee's activities. (Attachment 4)

Two of these leases are located at the Prudhoe Bay Airport and the East Dock. The seven-mile ocean access road now skirts the Prudhoe Bay Airport. The East Dock is no longer used to receive or ship freight. Spur roads to industry facilities off the East Dock road can be controlled by blockage, signs or gates as necessary. The public would not be endangered nor interfere with the lessees business activities any more than on the remainder of the Dalton. (Attachment 5)

The Dalton Highway is the second northernmost highway in the world. Deadhorse lies about 70 degrees, 15 minutes North Latitude. The road across Lapland extends to Hammerfest, Norway at approximately 70 degrees, 40 minutes North Latitude. The road to Murmansk in Russia and the Dempster Highway in Canada both lie completely south of the 70th parallel.

The Dalton Highway was opened to public travel in 1994 and was added to the National Highway System by the Federal Department of Transportation in 1995. During 1995, the average daily traffic at the Yukon River Bridge increased 34.5 percent and 45 percent at Kuparuk River, thus verifying the popularity of this scenic highway.

The Department of Transportation and Public Facilities is working with the Bureau of Land Management and other agencies to provide waysides, campgrounds and other facilities for the increasing number of travelers on the Dalton.

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RESPONSE
to ARCO issues surrounding unrestricted public travel to East Dock(Attachment A)

HIGHWAY RIGHT-OF-WAY

When the Department of Transportation and Public Facilities acquires or takes possession of a highway right-of-way (the East Dock Road), then the Department and other state agencies become responsible for monitoring the activities that occur along that right-of way. This includes safety, enforcement, environmental, wildlife, litter, traveler facilities, & maintenance.

TOURISM

Businesses that depend on tourism in Alaska, particularly in Fairbanks and along the Dalton, state their revenues would increase substantially if the Dalton was opened to the Arctic Ocean and question why the oil industry is allowed to continue blocking private vehicle access. In an era of declining oil revenues, tourism, Alaska's second largest industry, will benefit from tourists traveling to the Arctic Ocean. The Division of Tourism supports opening this last 7 miles to the ocean.

PUBLIC RELATIONS

Tourists and Alaskans are frustrated with excuses for restricting private vehicle travel to the beach. Both BP and ARCO admit this discontent in a brochure that states "The haul road ends for the general public at oil field checkpoints just beyond Deadhorse, a few miles short of both the Prudhoe Bay oil complex and the shores of the Arctic Ocean... the public is not permitted to drive past these manned checkpoints. This comes as quite a disappointment for many tourists, having driven their campers and motorhomes hundreds of miles expecting to camp along the Ocean's shore. However, commercial tours are available". (Attachment 6)

A 1995 University of Alaska research paper on Dalton Highway travelers stated "A large number of visitors expressed disappointment in not being allowed ocean access without payment, others with large families could not afford the cost, and others were livid with the restriction". (Attachment 7 - Access to the Arctic Ocean)

LAW ENFORCEMENT

Both the Alaska Department of Public Safety and the North Slope Borough

Department of Public Safety have law enforcement powers within the North Slope Borough and along the highway system. These same authorities apply to the beach access route.

HIGHWAY STANDARDS

The 7-mile long East Dock Road leading to the ocean shore was constructed to the same state highway secondary standards as the Dalton and the road now bypasses major facilities.

HIGHWAY SAFETY

The East Dock road passes a few drill sites and spur roads that will be "off limits" and be gated or marked "restricted". Both the Alaska Department of Environmental Conservation and the Alaska Oil and Gas Conservation Commission state the road is safe from any H₂S oil field emissions.

HEAVY EQUIPMENT

All heavy freight to Prudhoe Bay travels the Dalton, which is open to the public, and there is significantly more industrial traffic in the open Deadhorse area than along the road to East Dock. Most oil company trucking for recycling of drill mud and brine occurs during the winter when no tourists will be present. The Department of Transportation and Public Facilities routinely authorizes temporary closure of a section of a public highway for movement of oversize equipment when necessary. This option would be available along the beach access route.

LIGHT EAST DOCK TRAFFIC

During numerous inspection trips to the 7 mile by-pass road to the East Dock by DOT/PF Headquarters staff, Northern Region management, planning and maintenance personnel, the Dalton Highway Advisory Board and others, only light traffic was observed on the beach access route.

WILDLIFE PROTECTION

While the oil industry may be restricted in their operations in order to protect wildlife and habitat, those permits are industry specific and are not directed to activities of the general public. Officials from both the Alaska State Department of Fish & Game and the Federal Fish & Wildlife agree the East Dock Road can be opened to unrestricted public travel with no more impact on wildlife than any other road to the beach, noting the public is allowed unrestricted access within our National Wildlife Refuges. Both agencies have offered to participate in planning highway access to the ocean.

HUNTING

The public is not allowed to use firearms within the pipeline corridor for hunting and motorized vehicles are not allowed off the road or on the beaches. Bow hunting only is allowed within the corridor if the hunter has successfully completed an Alaska bow hunting safety course. No big game bow hunting is allowed in the Prudhoe Bay closed area.

TRAVELERS SERVICES

State policies for traveler services and related needs apply equally to all roads the state maintains. With the cooperation of Federal, State and Local government agencies, ARCO and BP, the visitor services that are now lacking in the Deadhorse, Prudhoe Bay area can be installed and maintained. These services include highway pullouts, visitor information, interpretive signs, restrooms, dump stations, potable water, litter control and campgrounds.

FINANCIAL IMPACT ON ARCO-BP

Contrary to statements by ARCO & BP, general access to the Prudhoe Bay oil fields has not been proposed. Public restriction from other roads in the field is appropriate. Any financial impact from public use of the East Dock Road will be minimal at most and would be offset by favorable public relations in working with the state in providing public access to North America's northern coast.

NEWSPAPER COMMENT

The Fairbanks Daily New - Miner editorial of January 12, 1996 called for ocean access
(Attachment 8)

PUBLIC ACCESS TO THE OCEAN

The Department of Transportation and Public Facilities is responsible for providing the intermodal transportation needs of the public. The oil industry, the North Slope Borough and the State of Alaska will all gain by working together to resolve concerns that have thus far restricted the constitutional right of Americans to have free and unrestricted public access to one of Alaska's attractive destinations, the Arctic Ocean.



UNIVERSITY OF ALASKA FAIRBANKS
 P.O. Box 757200 • Fairbanks, Alaska 99775-7200
 Phone: (907) 474-5550 • Fax: (907) 474-7962

Dear Advisory Board Member,

This report is an overview of preliminary survey results from data collected during the summer of 1995 on the Dalton Highway. Intensive analysis is being conducted on the data and final interpretation of the survey will be presented to the Bureau of Land Management and the Alaska Department of Transportation & Public Facilities in the near future. The report allows the Advisory Board a sneak preview of the findings and is presented with the understanding that it is a work in progress, needing additional study for proper analysis.

From personal interviews with visitors and from the data collected, I have discovered some problems and have provided recommendations that you might consider addressing during your deliberations:

- Lack of information - Many visitors told of confusion while driving the Dalton Highway from inadequate signage. This was especially true in Deadhorse where directional signs for visitors are almost nonexistent. I recommend placing signs noting the mileage to facilities at closer intervals, use of camera icon signs advising upcoming scenic turnouts, and installing a sign at the entrance to Deadhorse that provides visitors with information about the complex as well as a simple map noting street layout and service locations.
- Distance between services - Several comments were made that the road should remain a challenge to travelers and that only basic services be allowed. There was worry that too much commercialism would detract from the experience. I recommend allowing one additional commercial node providing fuel, vehicle service, and food service north of the Brooks Range. The Galbraith Lake site is already disturbed and is located within a safe fuel range from either Deadhorse or Coldfoot. Some visitors expressed concern about running out of fuel before reaching Deadhorse or having a flat tire so far from a repair facility.
- Campgrounds - BLM's Marion Creek campground received high marks and several visitors asked that additional Marion Creek type facilities be provided. By the same token, many R.V. drivers said that they would be happy just to have a large flat parking area clearly designated for camping. Due to the large amount of traffic that has the Arctic Circle as their destination, I recommend using Old Man Camp as a developed campsite location. Old Man Camp is already disturbed, has a better view than the Arctic Circle site, and has less of a mosquito problem due to the breeze off the valley. A small moderately primitive campground should be made available at Galbraith Lake and designated primitive camping made available at Chandalar and Happy Valley. A small developed campground is needed at Deadhorse along with a dump station. The current Yukon River campsite is a good location, but needs to be better marked, organized, and upgraded.

- Access to the Arctic Ocean - This subject was deliberately left off the survey to avoid biasing destination plans of the visitor. It is notable that a large number of participants voluntarily commented on their disappointment at having to take a tour bus to travel the last few miles of what has been a very long and exhausting trip. For visitors with children, the cost was prohibitive and they turned back frustrated for the effort. Other participants took the tour and were satisfied with the access available while a few memorable visitors were livid that they were denied access and declined the tour on principle. I recommend that the Advisory Board seek an alternative to the current public access situation.
- There are other minor recommendations such as pullout design, toilet spacing, and interpretive opportunities that I have if you wish to hear them.

I am planning to attend the meeting at Noel Wien Library on December 11, 1995 and will be available for any questions you may have about the survey. In the introduction to the report, I briefly discuss survey methodology and areas of bias that should be taken into consideration when viewing the data. I have included copies of the survey instrument to help you understand how the results are organized.

There are several people I would like to publicly acknowledge for their help in conducting this research and that deserve my deepest gratitude. Thanks go to my graduate committee; Dr. Alan Jubenville, Dr. Terrence Cole, and Dr. Lorin Toepper; Roger Delaney and Cal Westcott of BLM; Norm Piispanen and Bev Fantazzi of DOT/PF; and the wonderful volunteers at the Yukon Crossing BLM cabin - Bob and Thelma Bowser.

Thank you for taking the time to review this Preliminary Results Report and please feel welcome to call me if you have any questions before the Advisory Board meets. You can reach me in the evenings at 457-6007, or leave a message and I'll return your call.

Sincerely yours,

Gregory A. Robbe

FAIRBANKS

Daily News - Miner

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

Established in 1903

CHARLES L. GRAY

Publisher Emeritus

PAUL J. MASSEY

Publisher

KELLY BOSTLAN
Managing EditorMARILYN ROMANO
General ManagerSAM BISHOP
Editorial Page Editor**Close the ocean road
(But which one?)**

Alaska's largest end-of-the-road industrial zone is clearly an inappropriate location for a major public road. Look at it from every angle and the conclusion is the same. Why anyone would argue the point is utterly mystifying!

Yes, it's true. There is no good reason to allow public access to Cook Inlet and Anchorage via the Parks Highway. It's time to shut down this dangerous and costly piece of road.

Hey, it's not such a radical idea. We've already shut down the Dalton Highway six miles from the Arctic Ocean. A few fringe legislators are apparently trying to reverse that policy, with little success to date. They should turn their resolutions southward instead. Something needs to be done get the administration moving on this issue of critical importance to the people of Alaska.

Consider:

- Anchorage is unsafe for the general public. Immense trucks travel its main road day and night, moving over-sized loads and dangerous materials. Small personal vehicles could be crushed at any time, with tragic results!

- The area hosts an infrastructure essential to the economy of this state. Immensely valuable buildings and production facilities can be seen from horizon to horizon, mixed with housing for the workers who keep it all running. The present laxness of security puts all this real estate at severe risk! Allowing public access to the main thoroughfares invite vandals, terrorists or just plain stupid bumlbers nosing about where they shouldn't. A concerted effort to damage these facilities could create enormous costs for the state!

- Allowing public access is costly to the state's economy even if no vandalism occurs. Wise companies operating in this zone should post security guards and gates at every driveway onto their properties! That siphons off money better spent on more productive enterprises. Also, the companies in this area have to spend more money on liability insurance to protect them from claims by stupid bumlbers (see above.)

- Who wants to go there anyway? The marine waters are too shallow, rough and ice-clogged most of the time for anyone but experienced people to launch boats. If the weather's not cold, it's damp, with little sunlight reaching the place much of the year. Anyone who really wants to see the area can pay for a warm, safe tour bus with guides to interpret what they're seeing so no one gets any wrong impressions.

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CHARLES L. GRAY
Publisher EmeritusPAUL J. MASSEY
PublisherKELLY BOSTIAN
Managing EditorSAM BISHOP
Editorial Page Editor**Beachfront access**

All manner of excuses can be found for not opening the final eight miles of road to the Arctic Ocean at Prudhoe Bay. None of them outweighs the public's interest in obtaining such access.

Oil field security is the principal reason cited for closing the state land at Prudhoe to the public. But there is no evidence that a serious threat exists.

The trans-Alaska pipeline stretches from the North Slope to Prince William Sound, and for most of that distance any person can easily walk under, around and on top of it. Even so, significant vandalism has been extremely rare. The number of shutdowns caused by vandals has been dwarfed by the numerous spills and closures caused by design or maintenance failings of the line itself.

Admittedly, facilities at Prudhoe Bay and the other North Slope fields are more sensitive and more easily damaged than a pipeline. But access to the ocean doesn't have to mean access to those facilities. Driving to Valdez alongside the pipeline doesn't mean you can pull into each pump station and spraypaint "Big Oil Go Home" on the Alyeska pickups.

Alaskans wouldn't need access to the entire field to accomplish the principal goal—access to the ocean. Just a single track, with some kind of visitor facilities at the "beach," would be adequate.

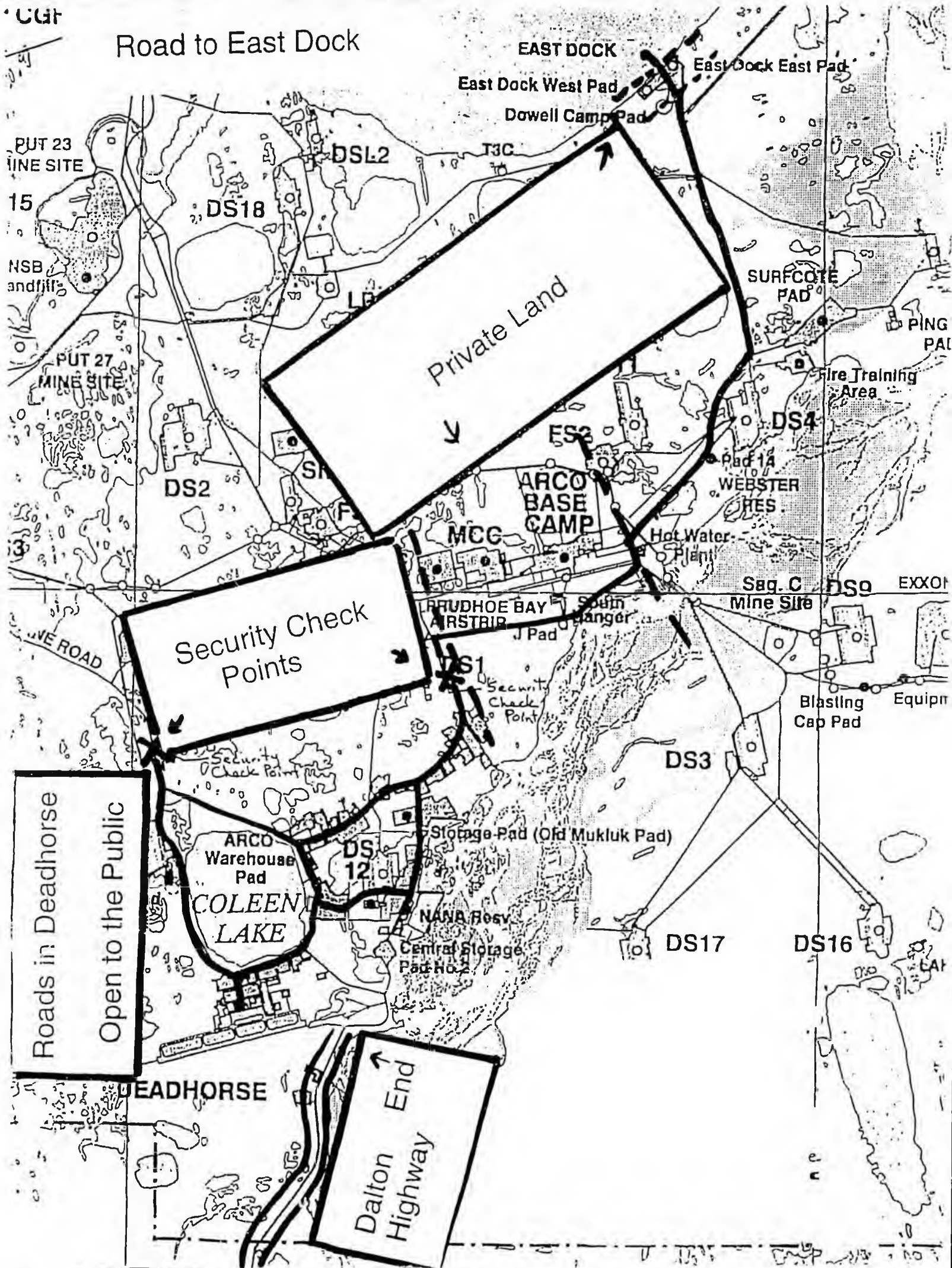
Sure, a public track through the middle of the oil field would be inconvenient for the oil companies. They'd have to put up a few more gates. Maybe hire a few more guards to address whatever miniscule additional threat there might be.

But oil companies should realize that they lose far more than they gain by continuing to oppose access to the Arctic Ocean. They may be gaining some slight margin of security for their facilities. But in exchange they are generating a great deal of animosity from the average Alaskan. Permitting us to pay \$25 for a bus ride to the shore and back doesn't cut it.

This dispute is reminiscent of those that develop over mining claims elsewhere in Alaska. Until patented, the surface of a claim is not the property of a miner. The miners can glare and grumble at the "trespassers," but they don't have any right to lock them out of the entire claim.

So it is at Prudhoe Bay. The governor should tell oil companies to stop locking Alaskans out of the state's oil leases.

Road to East Dock



Roads in Deadhorse
Open to the Public

Dalton Highway
End

(12)

HOUSE COMMITTEE REPORT

Date Referred to Committee: April 23, 1999

FURTHER REFERRALS:

Date of Committee Action: 5/4/99

The FINANCE Committee considered:

HCR 5

HOUSE CONCURRENT RESOLUTION NO. 5

EXTEND DALTON HWY TO ARCTIC OCEAN

Relating to extension of the James Dalton Highway to the Arctic Ocean.

recommends it be replaced with the following committee substitute CS HCR 5 (TRA) [X] 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) _____ [X] zero fiscal note(s) House TRA, 4/23/99

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Lane Herrick</i>	X			
<i>Eden Reed</i>	X			
<i>Edie Hankins</i>	X			
<i>Pat Dwyer</i>	X			
<i>Ben S. ...</i>	X			
<i>Carol E. Moses</i>	X			
<i>David ...</i>			X	
<i>W. ...</i>	X			
<i>[Signature]</i>	X			

CHAIR'S SIGNATURE *Lane Herrick Eden Reed*

FISCAL NOTE

No: 1

Bill Version: CSHCR 5 (TRA)

(H) Publish Date: 4/23/99

STATE OF ALASKA
1999 LEGISLATIVE SESSION

Title: *Relating to extension of the James Dalton Highway to the Arctic Ocean.*
Sponsor: REPRESENTATIVES JAMES
Requestor: (H) TRA

Dept. Affected: DNR
BRU: _____
Components: _____
Serial #: _____

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 00	FY 01	FY 02	FY 03	FY 04	FY 05
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE	0.0	0.0	0.0	0.0	0.0	0.0

FUNDING: (THOUSANDS OF DOLLARS)

General Fund						
Federal Fund						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	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)

Prepared by: Ted Deats, Committee Aide
House Transportation Committee

Date: 04/12/99
Phone: 465-2679
Phone: 465-2679

COMMITTEE COPY *Bumpy Mark*

WHEREAS, the Division of Tourism's official state map and Alaska's National Highways map both depict the Dalton Highway reaching the shores of the Arctic Ocean; and

WHEREAS, a report by the University of Alaska states: "A large number of visitors expressed disappointment in not being allowed ocean access without payment, others with large families could not afford the cost, and others were livid with the restriction"; and

WHEREAS, in 1994, then Governor Wally Hickel used his executive power to open the Dalton Highway to the public from the Yukon River to the BP and ARCO checkpoints in Deadhorse; and

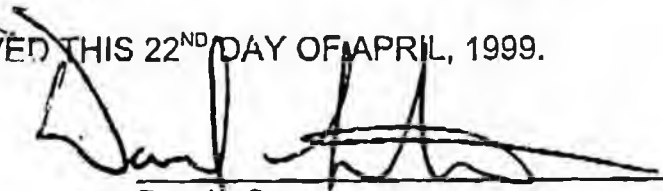
WHEREAS, highway traffic to Deadhorse has increased 34 percent since the Dalton Highway was opened to the public; and

WHEREAS, in light of declining oil revenues, Alaska's and the Interior's tourism industry will benefit from tourists gaining unrestricted access to the Arctic Ocean.

WHEREAS, state and federal regulatory agencies have offered to work with the Department of Transportation, the oil industry, and the North Slope Borough to assure that the opening of the East Dock Road would be safe for industry, wildlife and visitors.

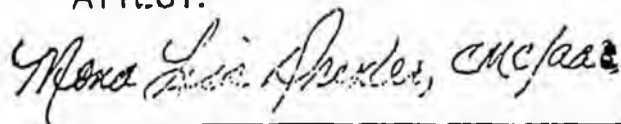
NOW, THEREFORE, BE IT RESOLVED that the Fairbanks North Star Borough Assembly requests that Governor Tony Knowles open the remaining seven miles of the Dalton Highway to the Arctic Ocean.

PASSED AND APPROVED THIS 22ND DAY OF APRIL, 1999.



Dan LaSota
Presiding Officer

ATTEST:



Mona Lisa Drexler, CMC/AAE
Municipal Borough Clerk

Ayes: Prax, Webb, Veazey, Parr, Young, Sonafank, Cummings, Solie, Beck, Sattley, LaSota
Noes: None

By: Tim Beck
Mike Prax
Nancy Webb
David Veazey
Karen Parr
Mike Young
Cole Sonafrank
Eileen Cummings
Rick Solie
Guy Sattley
Dan LaSota

Introduced: 04/22/99
Adopted: 04/22/99

RESOLUTION NO. 99 -031

A RESOLUTION SUPPORTING HOUSE CONCURRENT RESOLUTION 5,
EXTENDING THE JAMES DALTON HIGHWAY TO THE ARCTIC OCEAN

WHEREAS, Representative Jeannette James has introduced House Concurrent Resolution (HCR) 5, which would extend the James Dalton Highway to the Arctic Ocean; and

WHEREAS, the Federal Highway Administration added the James Dalton Highway to the Federal Highway System in 1995; and

WHEREAS, the Dalton Highway access currently ends seven miles from the Arctic Ocean and visitors to Alaska are allowed to drive the 500 miles up the highway but then are denied access to the ocean; and

WHEREAS, visitors must now pay a minimum of \$20 each to take a half-hour guided tour to the shore and ARCO currently controls the highway and keeps private vehicles off the final industrial stretch; and

WHEREAS, allowing tourists and Alaskans to travel up the Dalton Highway and not see the Arctic Ocean under their own power falls short of the freedom of access to our lands that Alaskans cherish more than anything else; and

WHEREAS, the Dalton Highway was designated a State Scenic Byway in 1998 and it seems unfair not to add one of the most scenic aspects of the highway to the designation—an unrestricted view of the Arctic Ocean; and

WHEREAS, the Dalton Highway is under consideration as an All American Road, which would make it eligible for additional federal funding; and

WHEREAS, the Division of Tourism's official state map and Alaska's National Highways map both depict the Dalton Highway reaching the shores of the Arctic Ocean; and

WHEREAS, a report by the University of Alaska states: "A large number of visitors expressed disappointment in not being allowed ocean access without payment, others with large families could not afford the cost, and others were livid with the restriction"; and

WHEREAS, in 1994, then Governor Wally Hickel used his executive power to open the Dalton Highway to the public from the Yukon River to the BP and ARCO checkpoints in Deadhorse; and

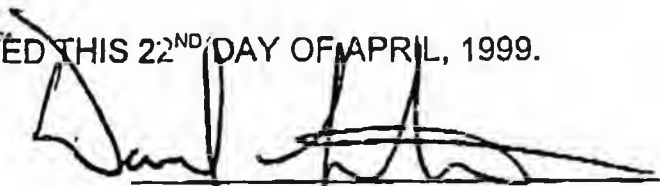
WHEREAS, highway traffic to Deadhorse has increased 34 percent since the Dalton Highway was opened to the public; and

WHEREAS, in light of declining oil revenues, Alaska's and the Interior's tourism industry will benefit from tourists gaining unrestricted access to the Arctic Ocean.

WHEREAS, state and federal regulatory agencies have offered to work with the Department of Transportation, the oil industry, and the North Slope Borough to assure that the opening of the East Dock Road would be safe for industry, wildlife and visitors.

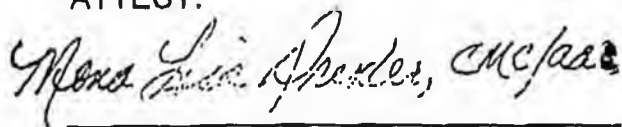
NOW, THEREFORE, BE IT RESOLVED that the Fairbanks North Star Borough Assembly requests that Governor Tony Knowles open the remaining seven miles of the Dalton Highway to the Arctic Ocean.

PASSED AND APPROVED THIS 22ND DAY OF APRIL, 1999.



Dan LaSota
Presiding Officer

ATTEST:



Mona Lisa Drexler, CMC/AAE
Municipal Borough Clerk

Ayes: Prax, Webb, Veazey, Parr, Young, Sonafrank, Cummings, Solie, Beck, Sattley, LaSota
Noes: None

Introduced by: Council Member Rex
Date: May 3, 1999

RESOLUTION NO. 3817

A RESOLUTION TO SUPPORT THE OPENING OF THE
LAST FEW MILES OF THE DALTON HIGHWAY TO
PROVIDE UNRESTRICTED PUBLIC ACCESS TO THE
ARCTIC OCEAN.

WHEREAS, there is an immediate need for a public highway
from the Yukon River to the Arctic Ocean; and

WHEREAS, this highway will provide the first year-round,
overland route to the Arctic Ocean and will result in the
completion of a public highway from the Pacific Ocean to the Arctic
Ocean; and

WHEREAS, this highway is named the James Dalton Highway,
popularly known as the Dalton Highway; and

WHEREAS, the Dalton Highway will provide North America's
only highway link to the Arctic Ocean; and

WHEREAS, the Dalton Highway is the second northernmost
highway in the world; and

WHEREAS, the Dalton Highway was opened for unrestricted
public access to and including the Deadhorse industrial area in
1994; and

WHEREAS, the Federal Highway Administration added the
Dalton Highway to the National Highway System in 1995; and

WHEREAS, highway traffic to Deadhorse has increased 34
percent since the Dalton Highway was opened to the public; and

WHEREAS, the Dalton Highway offers unparalleled scenic
beauty and access to the Gates of the Arctic National Park and
Preserve, the Yukon Flats National Wildlife Refuge, the Kanuti

National Wildlife Refuge, and the Arctic National Wildlife Refuge,
and

WHEREAS, the Dalton Highway was designated a State Scenic
Byway in 1998; and

WHEREAS, the Dalton Highway is under consideration as an
All American Road eligible for additional federal funding; and

WHEREAS, the Alaska Department of Transportation and
Public Facilities in cooperation with the Bureau of Land
Management, the National Park Service, and other agencies are
adding waysides, campgrounds, and other facilities for the
increasing number of travelers on the Dalton Highway; and

WHEREAS, there is an increasing demand from these
travelers for unrestricted private vehicle access to visit the
Arctic Ocean; and

WHEREAS, the division of tourism's official state map and
Alaska's National Highways map both show the Dalton Highway
reaching the Arctic Ocean shores; and

WHEREAS, it is illogical to block a 500 mile long route
just seven miles short of the Arctic Ocean, especially when the
infrastructure is in place to accommodate beach access; and

WHEREAS, the only public access to the Arctic Ocean is
through a \$20 payment to an oil company authorized tour operator
for a guided half hour on the beach; and

WHEREAS, a report by the University of Alaska states, "A
large number of visitors expressed disappointment in not being

allowed ocean access without payment, others with large families could not afford the cost, and others were livid with the restriction"; and

WHEREAS, AS 38.05.127(c) states, "Nothing in this section affects valid existing rights or limits in any way the constitutional right of the public to use and have free access to the navigable or public waters of the state"; and

WHEREAS, an existing seven mile road, designed to state highway secondary standards, skirts industry headquarters and most other facilities and offers a short, safe route to East Dock on the ocean shores; and

WHEREAS, the East Dock gravel pad is vacant except for some storage and offers an ideal site for a visitor wayside; and

WHEREAS, in an era of declining oil revenues, Alaska's tourism industry will benefit from travelers' desires for unrestricted access to the Arctic Ocean; and

WHEREAS, tourism is now the second largest employer in Alaska; and

WHEREAS, state and federal regulatory agencies have offered assistance in working with the Alaska Department of Transportation and Public Facilities, the oil industry, and the North Slope Borough in assuring that the opening of the East Dock Road would be safe for industry, wildlife, and tourists; and

WHEREAS, the Alaska Department of Transportation and Public Facilities, by taking the lead in working with industry,

regulatory agencies, and the North Slope Borough, can resolve concerns that would allow citizens to journey to the Arctic Ocean without charge.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS that the city council hereby supports opening the last few miles of the Dalton Highway to provide unrestricted public access to the Arctic Ocean; and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS that the city council respectfully requests Governor Tony Knowles to direct the Department of Transportation and Public Facilities to move expeditiously in providing visitor access to one of America's most incomparable destinations, the shores of the Arctic Ocean, for the 1999 tourist season.

PASSED AND APPROVED this 3rd day of May, 1999.

James C. Hayes, Mayor

AYES:
NAYS:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED AS TO FORM:

Nancy L. DeLeon, City Clerk

Herbert P. Kuss, City Attorney