

**ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672**  
**6576 SENATE RESOURCES**

980

1 (b) Subject to valid existing rights, the commissioner may not  
2 dispose of the surface estate in state land within the Goldstream  
3 Public Use Area.

4 (c) Consistent with the purposes of AS 41.23.140(1) - (3), the  
5 commissioner shall allow uses within the Goldstream Public Use Area,  
6 including but not limited to horseback riding, hiking, mining, all  
7 terrain vehicle driving, bicycling, dog sledding, cross-country ski-  
8 ing, skijoring, snowmachining, camping, and other traditional public  
9 uses of fish and wildlife populations such as fishing, hunting,  
10 trapping, viewing, and photographing of moose, trumpeter swan and  
11 other waterfowl, otter, beaver, mink, muskrat, and fox.

12 (d) The Goldstream Public Use Area is open to mineral entry  
13 under AS 38.05.185 - 38.05.275, and the commissioner may adopt regula-  
14 tions to achieve the purposes specified in AS 41.23.140(1) - (2).  
15 Each valid existing right or permit remains valid and continues in  
16 full force and effect according to its terms. The commissioner shall  
17 permit the exploration, development, and extraction of subsurface  
18 resources in a manner that is compatible with the purposes specified  
19 in AS 41.23.140(1) - (2).

20 (e) The state may not acquire by eminent domain privately-owned  
21 land within the boundaries described in AS 41.23.170 but may acquire  
22 privately-owned land located within the boundaries described in  
23 AS 41.23.170 by purchase, exchange, or otherwise for inclusion in the  
24 Goldstream Public Use Area.

25 (f) The commissioner may not manage the Goldstream Public Use  
26 Area as a unit of the state park system.

27 Sec. 41.23.160. INCOMPATIBLE USES. (a) Except as provided in  
28 this section, the commissioner may prohibit or restrict uses deter-  
29 mined to be incompatible with the purposes of the Goldstream Public

1 Use Area under AS 41.23.140(1) - (2) within the state-owned land and  
2 water described in AS 41.23.170.

3 (b) Consistent with AS 41.23.140 - 41.23.170, the Department of  
4 Fish and Game may engage in rehabilitation, enhancement, and develop-  
5 ment of fish and wildlife habitat within the area described in AS 41.-  
6 23.170.

7 (c) The commissioner may not restrict fishing, hunting, or  
8 trapping rights allowed under a regulation of the Board of Fisheries  
9 or the Board of Game within the Goldstream Public Use Area.

10 (d) The commissioner shall allow access to the Goldstream Public  
11 Use Area by motorized or nonmotorized means of transportation to  
12 private land, interests in private land, and for hunting, fishing,  
13 trapping, mining, and recreational purposes in a manner that is com-  
14 patible with purposes specified in AS 41.23.140(1) - (2). Existing  
15 trails remain open to public use.

16 (e) The Department of Public Safety and the Department of Fish  
17 and Game may have necessary access for fish and game management,  
18 research, and enforcement purposes.

19 (f) If the commissioner determines that a use is incompatible  
20 with one or more other uses in a portion of the Goldstream Public Use  
21 Area, the commissioner shall state in the management plan adopted or  
22 revised under AS 41.23.150

23 (1) each determination of incompatibility;

24 (2) the specific area where the incompatibility is deter-  
25 mined to exist;

26 (3) the time within which the incompatibility is determined  
27 to exist; and

28 (4) the reasons for each determination of incompatibility.

29 Sec. 41.23.170. GOLDSTREAM PUBLIC USE AREA. Subject to valid

1 existing rights, the vacant and unappropriated state-owned land and  
2 water and the state land and water acquired in the future that lie  
3 within the boundaries described in this section are designated as the  
4 Goldstream Public Use Area, are reserved for all uses compatible with  
5 their primary function as public use land, and are assigned to the  
6 commissioner for control and management:

7 (1) Township 1 North, Range 1 West, Fairbanks Meridian

8 Section 2: Lots 7 - 8 west of the centerline of  
9 Goldstream Road, Lot 11

10 Lots 9 - 10

11 Section 3: Lots 5 - 13

12 Section 4: Lots 9 - 11

13 Section 5: SW1/4SW1/4

14 Section 7: Lot 4, S1/2NE1/4, NE1/4SE1/4, S1/2SE1/4

15 Section 8: E1/2, NE1/4NW1/4, S1/2NW1/4, SW1/4

16 Section 9: Lots 1 - 2, E1/2NE1/4, SW1/4NE1/4,  
17 W1/2NW1/4, SE1/4NW1/4, SW1/4, W1/2NE1/4SE1/4,  
18 NW1/4SE1/4

19 Section 10: NW1/4NW1/4

20 Section 11: Lots 1 - 5

21 Section 12: Lots 2 - 3

22 Section 17: NW1/4NW1/4

23 Section 18: N1/2NE1/4, SW1/4NE1/4, W1/2SE1/4NE1/4,

24 NE1/4SE1/4SE1/4NE1/4, SE1/4NW1/4, NE1/4SW1/4, SE1/4

25 (2) Township 1 North, Range 2 West, Fairbanks Meridian

26 Section 13: SE1/4, E1/2E1/2E1/2SW1/4

27 Section 23: NE1/4SW1/4, W1/2SE1/4, W1/2SE1/4SE1/4,  
28 SE1/4SE1/4SE1/4, W1/2NE1/4SE1/4SE1/4

29 Section 24: E1/2

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Section 26: W1/2W1/2NW1/4NW1/4

Section 27: N1/2NE1/4NE1/4, SE1/4NE1/4NE1/4,  
E1/2SW1/4NE1/4NE1/4.

\* Sec. 2. AS 41.23.140 - 41.23.170, as enacted in sec. 1 of this Act,  
are repealed July 1, 2010.

Original sponsor(s): REP. M.DAVIS, Koponen

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 303 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Goldstream Public Use Area."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 \* Section 1. AS 41.23 is amended by adding new sections to article 1 to  
9 read:

10 Sec. 41.23.140. PURPOSE OF AS 41.23.140 - 41.23.170. The pur-  
11 pose of AS 41.23.140 - 41.23.170 is to establish the area described in  
12 AS 41.23.170 as the Goldstream Public Use Area. The Goldstream Public  
13 Use Area is established to

14 (1) protect, maintain, and enhance fish and wildlife habi-  
15 tat, particularly moose calving and wintering habitat, trumpeter swan  
16 and other waterfowl nesting habitat, otter, beaver, mink, muskrat,  
17 fox, and other furbearer habitat so that the traditional public uses  
18 of fish and wildlife populations may continue;

19 (2) protect, maintain, perpetuate, and enhance public  
20 enjoyment of fish and wildlife and their habitat including fishing,  
21 hunting, trapping, viewing, and photography;

22 (3) protect, maintain, perpetuate, and enhance general  
23 public recreation including horseback riding, hiking, skydiving, hot  
24 air balloon flying, all terrain vehicle driving, boating, and bicy-  
25 cling in a quality environment;

26 (4) protect, maintain, perpetuate, and enhance winter  
27 recreation including dog sledding, cross-country skiing, skijoring,  
28 snowmachining, and camping;

29 (5) allow additional public uses of the area in a manner

1 compatible with the purposes specified in (1) - (4) of this section.

2 Sec. 41.23.150. MANAGEMENT. (a) The commissioner is responsi-  
3 ble for the management of the surface and subsurface estate of the  
4 Goldstream Public Use Area. After adequate public hearings, the  
5 commissioner may designate incompatible uses and shall adopt and may  
6 revise a management plan for the Goldstream Public Use Area. The  
7 commissioner shall provide a copy of the management plan, each deter-  
8 mination of incompatibility, and each revision to the chairs of the  
9 resource committees of the legislature within 30 days of its adoption  
10 or revision. The commissioner shall consult with the Department of  
11 Fish and Game in the adoption and revision of the management plan.

12 (b) The Department of Fish and Game is responsible for the  
13 management of fish and game resources and public use of fish and  
14 wildlife in the Goldstream Public Use Area consistent with the purpose  
15 of AS 41.23.140.

16 (c) The Goldstream Public Use Area is open to mineral entry  
17 under AS 38.05.185 - 38.05.275; and the commissioner may adopt regula-  
18 tions to achieve the purposes specified in AS 41.23.140(1) - (4).  
19 Each valid existing right or permit remains valid and continues in  
20 full force and effect according to its terms. The commissioner shall  
21 permit the exploration, development, and extraction of subsurface  
22 resources in a manner that is compatible with the purposes specified  
23 in AS 41.23.140(1) - (4).

24 (d) The state may not acquire by eminent domain privately-owned  
25 land within the boundaries described in AS 41.23.170 but may acquire  
26 privately-owned land located within the boundaries described in  
27 AS 41.23.170 by purchase, exchange, or otherwise for inclusion in the  
28 Goldstream Public Use Area.

29 (e) The commissioner may not manage the Goldstream Public Use

1 Area as a unit of the state park system.

2 Sec. 41.23.160. INCOMPATIBLE USES. (a) Except as provided in  
3 this section, the commissioner may prohibit or restrict uses deter-  
4 mined to be incompatible with the purposes of the Goldstream Public  
5 Use Area under AS 41.23.140(1) - (4) within the state-owned land and  
6 water described in AS 41.23.170.

7 (b) Nothing in AS 41.23.140 - 41.23.170 prohibits the Department  
8 of Fish and Game from engaging in rehabilitation, enhancement, and  
9 development of fish and wildlife habitat within the area described in  
10 AS 41.23.170.

11 (c) The commissioner may not restrict fishing, hunting, or  
12 trapping rights allowed under a regulation of the Board of Fisheries  
13 or the Board of Game within the Goldstream Public Use Area.

14 (d) The commissioner shall allow traditional access to the  
15 Goldstream Public Use Area by motorized or nonmotorized means of  
16 transportation to private land, interests in private land, and for  
17 hunting, fishing, trapping, mining, and recreational purposes in a  
18 manner that is compatible with purposes specified in AS 41.23.140(1) -  
19 (4). Existing trails remain open to public use.

20 (e) The Department of Public Safety and the Department of Fish  
21 and Game may have necessary access for fish and game management,  
22 research, and enforcement purposes.

23 (f) If the commissioner determines that a use is incompatible  
24 with one or more other uses in a portion of the Goldstream Public Use  
25 Area, the commissioner shall state in the management plan adopted or  
26 revised under AS 41.23.150

27 (1) each determination of incompatibility;

28 (2) the specific area where the incompatibility is deter-  
29 mined to exist;

1 (3) the time within which the incompatibility is determined  
2 to exist; and

3 (4) the reasons for each determination of incompatibility.

4 Sec. 41.23.170. GOLDSTREAM PUBLIC USE AREA. The vacant and  
5 unappropriated state-owned land and water and the state land and water  
6 acquired in the future that lie within the boundaries described in  
7 this section are designated as the Goldstream Public Use Area, are  
8 reserved for all uses compatible with their primary function as public  
9 use land, and are assigned to the commissioner for control and manage-  
10 ment:

- 11 (1) Township 1 North, Range 1 West, Fairbanks Meridian  
12 Section 2: Lots 7 - 8 west of the centerline of  
13 Goldstream Road, Lot 11  
14 Lots 9 - 10  
15 Section 3: Lots 5 - 13  
16 Section 4: Lots 9 - 11  
17 Section 5: SW1/4SW1/4  
18 Section 7: Lot 4, S1/2NE1/4, NE1/4SE1/4, S1/2SE1/4  
19 Section 8: E1/2, NE1/4NW1/4, S1/2NW1/4, SW1/4  
20 Section 9: Lots 1 - 2, E1/2NE1/4, SW1/4NE1/4,  
21 W1/2NW1/4, SE1/4NW1/4, SW1/4, W1/2NE1/4SE1/4,  
22 NW1/4SE1/4  
23 Section 10: NW1/4NW1/4  
24 Section 11: Lots 1 - 5  
25 Section 12: Lots 2 - 3  
26 Section 17: NW1/4NW1/4  
27 Section 18: N1/2NE1/4, SW1/4NE1/4, W1/2SE1/4NE1/4,  
28 NE1/4SE1/4SE1/4NE1/4, SE1/4NW1/4, NE1/4SW1/4, SE1/4  
29 (2) Township 1 North, Range 2 West, Fairbanks Meridian

1 Section 13: SE1/4, E1/2E1/2E1/2SW1/4

2 Section 23: NE1/4SW1/4, W1/2SE1/4, W1/2SE1/4SE1/4,  
3 SE1/4SE1/4SE1/4, W1/2NE1/4SE1/4SE1/4

4 Section 24: E1/2

5 Section 26: W1/2W1/2NW1/4NW1/4

6 Section 27: N1/2NE1/4NE1/4, SE1/4NE1/4NE1/4,  
7 E1/2SW1/4NE1/4NE1/4.

# Alaska State Legislature

## Senate Resources Committee

Senator Bettye Fahrenkamp, Chairman  
Senator Jay Kerttula, Vice Chairman  
Senator Dick Ellason  
Senator Steve Frank  
Senator Rick Hallford  
Senator Arliss Sturgulewski  
Senator Fred Zharoff



P.O. Box V  
Juneau, Alaska 99811  
(907) 465-4907

### MEMORANDUM

TO: Senate Resources Committee Members  
FROM: Senator <sup>Bettye</sup>Fahrenkamp, Chairman  
DATE: April 27, 1990  
RE: HB 303 draft CS

The 4/27/90 draft for CS HB 303 (Res) makes the following changes from the 4/21/90 draft to satisfy concerns raised by DNR, DF&G, and the Alaska Railroad.

Page 1, lines 11 and 12 of 4/27 version: Deletes "establish" adds the words "protect, maintain, enhance, and perpetuate the present use of".

This states the reason for the bill in a straightforward manner at the beginning of the bill in the purposes section.

In the 4/27 version, the purposes for which the public use area are established are made more general by listing specific uses elsewhere.

This is done under AS 41.23.150 MANAGEMENT, where the specific uses are listed and the commissioner is directed to allow these uses consistent with the general purposes of the bill. Also, mining was added to the list of uses. (page 2, lines 4 - 11).

Page 2, lines 1 - 3: a new subsection was added that specifically says land disposals may not take place, which is the major thrust of a public use area.

Page 3, line 3: this section used to say "Nothing in AS 41.23.140 - 41.23.170 prohibits F&G from engaging in rehabilitation, enhancement, etc." Now it says "Consistent with" so that in a possible conflict with the purpose of the bill and Fish and Game's mission of rehabilitation, enhancement, and development of fish and wildlife habitat will not automatically prevail.

Page 3, line 10: the word "traditional", appearing before "access" was struck.

Page 3, line 29 through page 4, line 1: to reassure the Alaska Railroad, the following phrase was added: "Subject to valid existing rights".

Page 5, lines 4 - 5: This act is repealed July 1, 2010.



Official Business

# Alaska State Legislature

February 23, 1990

P.O. Box V  
State Capitol  
Juneau, Alaska 99811

## An Open Letter to Residents of Goldstream Valley:

We need your support for HB 303, which would establish the Goldstream Public Use Area. The land delineated in the bill is an area that Fairbanksans have come to rely on in a multitude of ways. Mushing, snowmobiling, hiking, bicycling, hunting, trapping and prospecting all take place in the area that stretches from Sheep Creek to Fox.

HB 303 is designed to preserve these existing uses and guarantee their access by the public. While maintaining the substantial recreation, sporting and wildlife values of the area, HB 303 would not preclude activities such as mineral entry and mining on existing claims. Habitat enhancement and use of All Terrain Vehicles would also continue. However, HB 303 would protect the area from future land disposal.

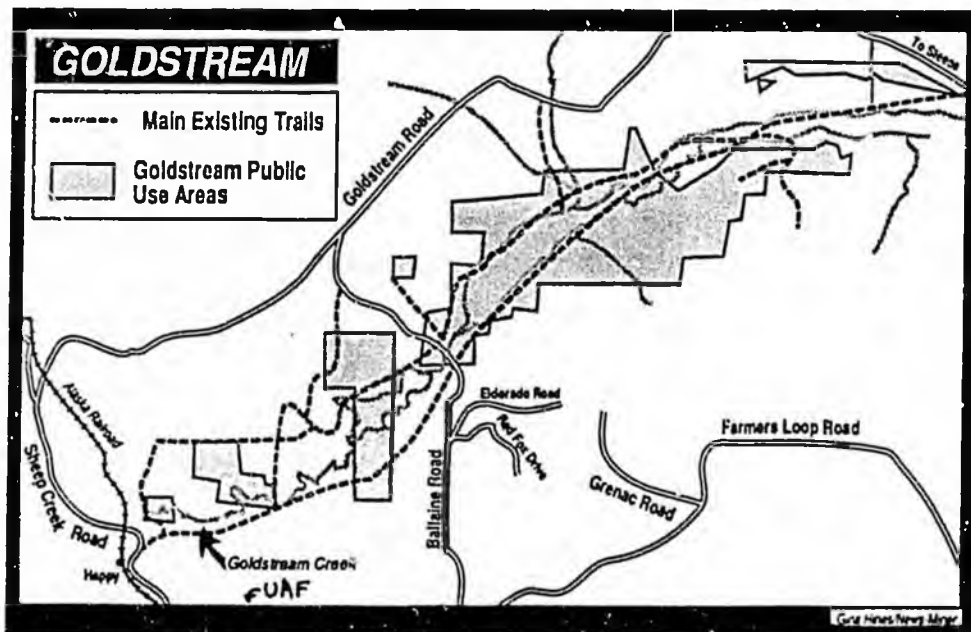
Sporting groups, conservation organizations and many residents have testified in support of the bill. The Departments of Fish and Game and Natural Resources endorse the measure, pointing out that HB 303 follows the intent of the Tanana Basin Area Plan.

Let's act now to conserve this public treasure!

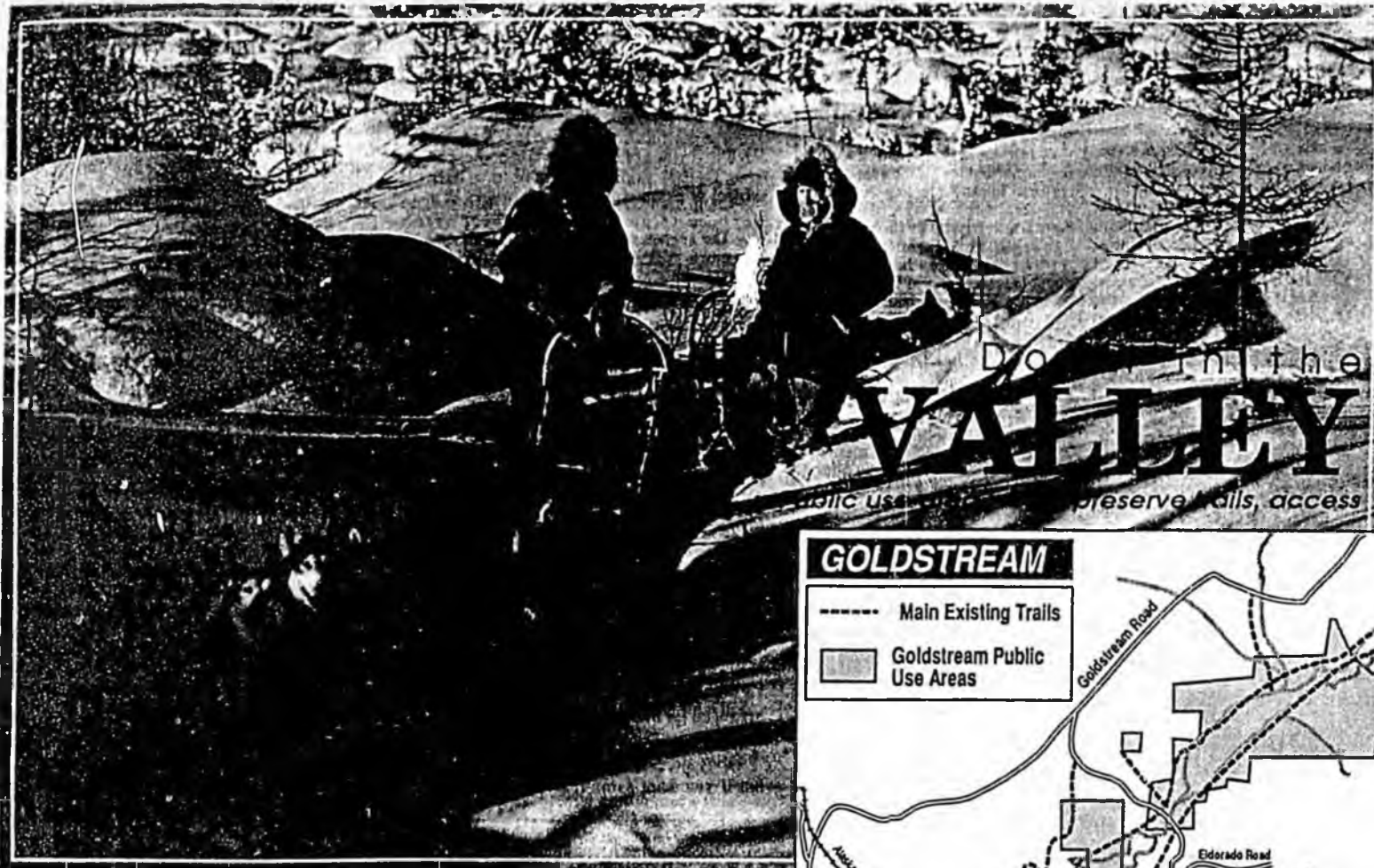
Sincerely,

Representative Mike Davis

Senator Bettye Fahrenkamp



For more information, call 456-8161 or 465-4930 (collect)



Mike Mathers/News-Miner

Local mushers Mary Shields, left and Jeff Erwin, both residents of Goldstream Valley, stop for a quick chat after mushing in a Goldstream area proposed for public use.

By KELLY BOSTIAN  
Staff Writer

When Mary Shields runs her dog team in Goldstream Valley, she sees other mushers, skiers, snowmachiners, horseback riders, wildlife—and trails that are a lot shorter than they used to be.

"The trails are chopped, there are more driveways, road crossings, and those are potential dangers for a dog team," she says. Shields, who has lived in the area since 1974, and others who enjoy the valley would like to see some guarantee that what's left of what used to be a wild area will remain for future generations.

Dick Bishop, a Goldstream resident and former regional supervisor with the

Alaska Department of Fish and Game, authored HB 303, a bill that would create the Goldstream Public Use Area.

Bishop recognizes the area as a valuable recreation spot that is close to town and is used for several interests, including mushing, skiing, snowmachining, trapping, hunting, bird watching, berry picking and others. His bill is aimed at assuring public access to the area and making sure it won't be put on the private sales block.

The bill includes an allowance for mineral entry, but miners are watching progress of the bill with a wary eye. The designated area includes some mining claims that have not been developed.



Gina Hines/News-Miner

### Bill supported

Introduced by Rep. Mike Davis, D-Fairbanks, the bill is scheduled to be read next week before the house resources committee. It has strong backing, and Davis believes it will become law by the end of this year's session. "Let's say I'm optimistic," he said.

The bill will get support from the Department of Natural Resources at next week's hearing. "We will be stating support of that bill as being clearly com-

patible with the intents and purposes of the Tanana Basin Area Plan," said Dean Brown, DNR northern regional manager.

The designated area, which actually is made up of seven small parcels separated mostly by private holdings, is scattered through the valley between Fox and Sheep Creek Road.

A Goldstream designation of some sort has been on Bishop's back burner for (See GOLDSTREAM, Page 18)

## Discover Peterbar canoe

It was one of the autumn days—I makes you want the sun shine, drive, and savor the frost dap leaves. With my back to a driftwood tangle bar, I had kidded believing that I was moose, when I was thing on the river.

Low on the water, ing a rhythmic as I watched, a canoe materialized. A native hunter and paddle, he poled with two short sticks



hand, from a sitting the boat's bottom.

I suspect that spotted me even before him, but he made I stood and waved, ashore.

I shared my thin, brown-skinned, though I didn't know him, he and I were close friends over years.

I admired his effect long, it was green painted and seemed to weigh like my rifle. Noticing he rolled down his boots, seated him, driftwood pile, and explain how he had

He told me that canoes made and use canoes—a two-man some called a 'P' the one-man most commonly referred canoe, due to the used for hunting in spring. A Peterbar out 18 feet long, about 12 or 14.

I quickly discovered making of these canoes. First, a crib, or constructed. This framework in which itself will take shape of vertical stakes at

# GOLDSTREAM: Miners say legislative action not needed

(Continued from Page 17)

years. It was recognized as an important moose wintering area while he was at Fish and Game. Biologists talked about doing some range management, but Goldstream wasn't as critical or major a moose range as other areas. "Some habitat studies were done, but in the end, there were bigger fish to fry," he said.

## Wildlife habitat

Matt Robus, a habitat biologist with the department, said the area still is recognized as important moose wintering habitat. It also supports small game, song birds, trumpeter swans and furbearers. A portion of the area north of Goldstream Creek is open to rifle hunting for moose. South of the creek, bowhunters may stalk the ungulates.

The land mostly is creekbottom marsh, muskeg and permafrost underlain boreal forest. Most areas suitable for homes have been sold and subdivided, Bishop said. What remains is hardly suitable for development but perfect wildlife habitat, he said.

Bud Wiese remembers trapping in the area in the early 1950s. He used to walk from the Fairbanks

Golf and Country Club and follow a survey trail that traced the same route now covered by Ballaine Road. He caught beaver, mink, muskrai, lynx and fox. A fellow trapper caught some wolves.

The old narrow-gauge railroad grade, left from a train that serviced the mining communities of Fox, Olnes, and Chatanika in the 1920s, was a walking route for Wiese and remains a major thoroughfare for recreational users.

"The country then really was a lot like it is now," he said. "There's still a bit of fur out there."

Wiese said he would like to see the areas threaded together from one end to the other to allow cross-country travel between the parcels. "If land becomes available at a later date, perhaps we could get a corridor established," he said.

Shields voiced a similar concern. "If you can only go five miles and have to turn around, that hurts training," she said. "The dogs get real bored the second time you make the same loop."

Bishop said the designation probably will make little visible difference in the near future. "In the long term it does, because it will insure that it remains in public ownership

and that the trails will remain open," he said.

## Mining concerns

Although there is a provision for mining written into the bill, miners worry that open trails and free public access may eventually conflict with mining development, according to Susan Knapman, president of the Fairbanks District of the Alaska Miners Association.

Knapman said that miners have no beef with establishing a multiple-use area but feel it is being addressed in the wrong forum.

Knapman said the idea should be addressed through the Tanana Basin Area Plan and developed through the Department of Natural Resources, which she said would provide the same controls as the legislative action, but with more public comment.

"Miners have been burned before. We know what follows after," she said. "The bill says mining is included, but if access is controlled then it's tough to run a mining operation," she said.

Ed Fogels, a natural resources officer and assistant project manager for this spring's Tanana Basin

Area Plan update, said he has little hope for a Goldstream public use area without legislation.

The 5-year-old basin plan recommends designation of the Goldstream area as a "public reserve," Fogels said. "But that was never really implemented and the regulations never written for it, so it really doesn't exist. We're in the process right now of evaluating whether this sort of designation would even work," he said.

Of 14 areas in the basin that were recommended for public reserves, only one, Minto Flats, has seen special treatment. It was named a State Game Refuge by the Legislature in 1987, Fogels said. "Since the reserve designation hasn't come about yet, the general feeling is it probably won't," he said.

If HB 303 passes, then it will be up to DNR to create a management plan for the area. "It will go through a standard public comment and management plan process," he said. That would include a round of three public comment periods, one to gather information and assess issues, another to offer solutions and a third to assess the final plan, he said.

# SEA LIFE: Whales absent

(Continued from Page 17)

## Drop confirmed

Dionys Deleeuw, a fisheries biologist who monitors the massive Skeena drainage and Queen Charlotte Islands, confirmed northern steelhead runs are down.

"The steelhead is a rare fish . . . (so) very small populations in some

said a census of cormorants on the west coast of Vancouver Island during last year's nesting season found a decline of 70 percent.

"We think it may be food-related," Kees Vermeer said of the disappearance of so many cormorants.

# In the field -

## Beaver permits a

The Alaska Department will distribute six beaver traps first-come, first-serve basis Feb. 16, according to Robin Beas biologist.

Each permit recipient will receive six areas on the lower Chena River and Badger Slough have their choice of area to arrive.

The permits are designed to meet densities in the area to meet natives, Beasley said. The area is subject of complaints by local residents.

The season will be open Feb. 16. For more information contact 5156.

## Valdez ice climbi

As many as 100 ice climbing the country are expected to next week for the Eighth Climbing Festival.

The event is scheduled for Feb. 19.

"Originally, it was just a weekend for members of the American Alpine Club and Andrew Embick. "But the ice climbing has spread and the nationwide, even worldwide.

The festival includes a speed-climbing contest on the Keystone Greensteps, an iceclimbing competition.

A day of helicopter slalom arranged for climbers who bring their own gear, Embick said.

"There is no requireme

**FIN-N-FUR**  
SPORTING GOODS



GAVORA MALL

*Ice Decoys are here!*

COME CHECK OUR IN-STORE SPECIALS

# TANANA BASIN AREA PLAN



March 17, 1990

MAR 20 1990

Mr. Barnaby Dow  
Representative Davis' Office  
Box V  
Juneau, AK 99811

Dear Barnaby,

As we discussed on the telephone, the Tanana Basin Area Plan team meeting last week recommended adding two parcels to the proposed Goldstream Public Use Area. They are adjacent to the existing state land in the proposed bill, and have similar values for management. Please amend the legal description of the bill, unless you know of some other reason not to add these two parcels. If they are not added to the bill, the plan will propose to manage them consistent with the purposes of the bill (managed for multiple use, with an emphasis on fish and wildlife and recreation values, open to mineral entry, etc.).

The legal descriptions of the two parcels totalling 160 acres are:

T1N R1W, Fairbanks Meridian

Section 5: SW1/4 SW1/4

Section 18: change the last entry for this section in the bill to read the entire SE1/4, not NW1/4SE1/4. The full entry for section 18 should read:

N1/2NE1/4, SW1/4NE1/4, NE1/4SE1/4NE1/4, W1/2SE1/4NE1/4,  
N1/2SE1/4SE1/4NE1/4, SE1/4NW1/4, NE1/4SW1/4, SE1/4

The 40-acre parcel in Section 5 will need to be reclassified from settlement to public recreation/wildlife habitat. If it is not included in the bill, it will receive public review through the TBAP update public meetings this spring. The 120-acre parcel in Section 18 is directly adjacent to land in Section 18 already in the proposed bill, and is already classified public recreation/wildlife habitat. Forty acres of that parcel was under lease,

---

**Alaska Department of Natural Resources**

Land & Resources Section  
3700 Airport Way  
Fairbanks, Alaska 99709  
(907) 451-2700



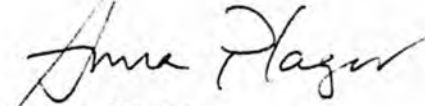
Alaska Department of  
**NATURAL  
RESOURCES**

Page 2  
Barnaby Dow  
March 17, 1990

but has been foreclosed. The other 80 acres of that parcel contains a small GVEA lease that would not be affected by the bill. A map is enclosed that shows these additions.

Please let me know if these are added to the bill. Thank you.

Sincerely,



A handwritten signature in cursive script that reads "Anna Plager".

Anna Plager  
Project Manager

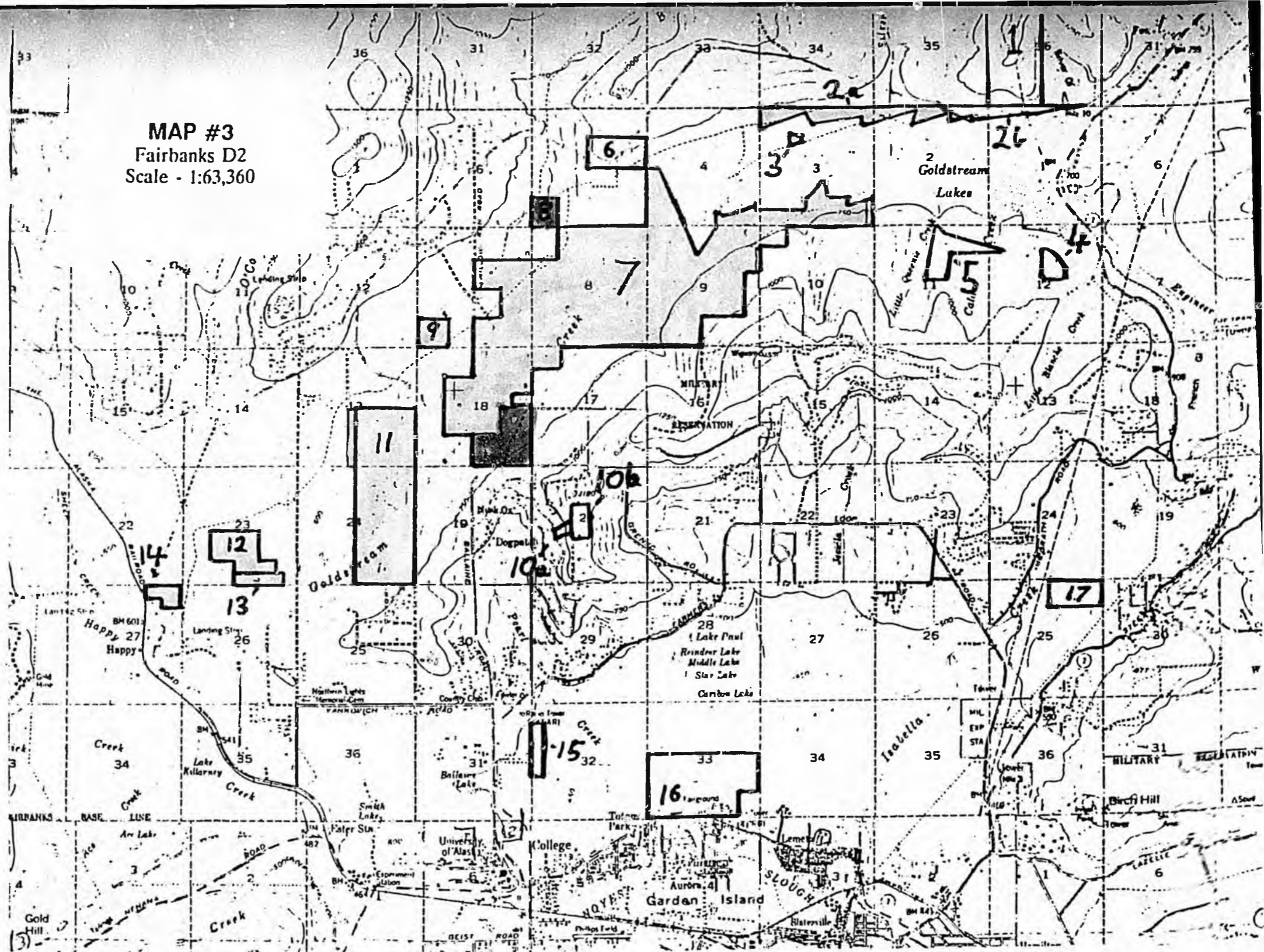
cc: Senator Bettye Fahrenkamp  
Representative Mark Boyer  
Gary Gustafson, Division of Land & Water Management  
Ron Swanson, Division of Land & Water Management  
Janet Burleson, Division of Land & Water Management

**MAP #3**  
Fairbanks D2  
Scale - 1:63,360

State Land Parcels

-  In the proposed Goldstream P.U.A.
-  Recommended to add to the G.P.U.A.

(Ignore numbers -- they are for another project.)



# TANANA BASIN AREA PLAN



April 9, 1990

APR 11 1990

Mr. Barnaby Dow  
Representative Davis' Office  
Box V  
Juneau, AK 99811

Dear Barnaby,

On March 17, 1990 I sent you legal descriptions for two parcels that the Tanana Basin Area Plan planning team is recommending for addition to the proposed Goldstream Public Use Area. We have found two additional parcels that the TBAP planning team recommends for addition to the public use area, but were not included in the March 17 letter.

The legal descriptions of the two parcels totalling 180 acres are:

T1N R1W, Fairbanks Meridian

Section 2: lot 11

Section 11: lots 1-5

Section 12: lots 2, 3

Both parcels are already classified public recreation/wildlife habitat.

Please amend the legal description of the bill, unless you know of some other reason not to add these two parcels. If they are not added to the bill, the plan will propose to manage them consistent with the purposes of the bill (managed for multiple use, with an emphasis on fish and wildlife and recreation values, open to mineral entry, etc.). A map is enclosed that shows these additions.

Alaska Department of Natural Resources

Land & Resources Section  
3700 Airport Way  
Fairbanks, Alaska 99709  
(907) 451-2700

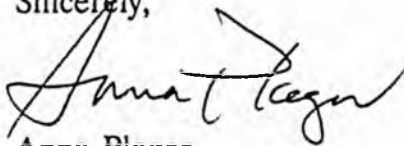


Alaska Department of  
**NATURAL  
RESOURCES**

Page 2  
Barnaby Dow  
April 9, 1990

Please let me know if these are added to the bill. Thank you.

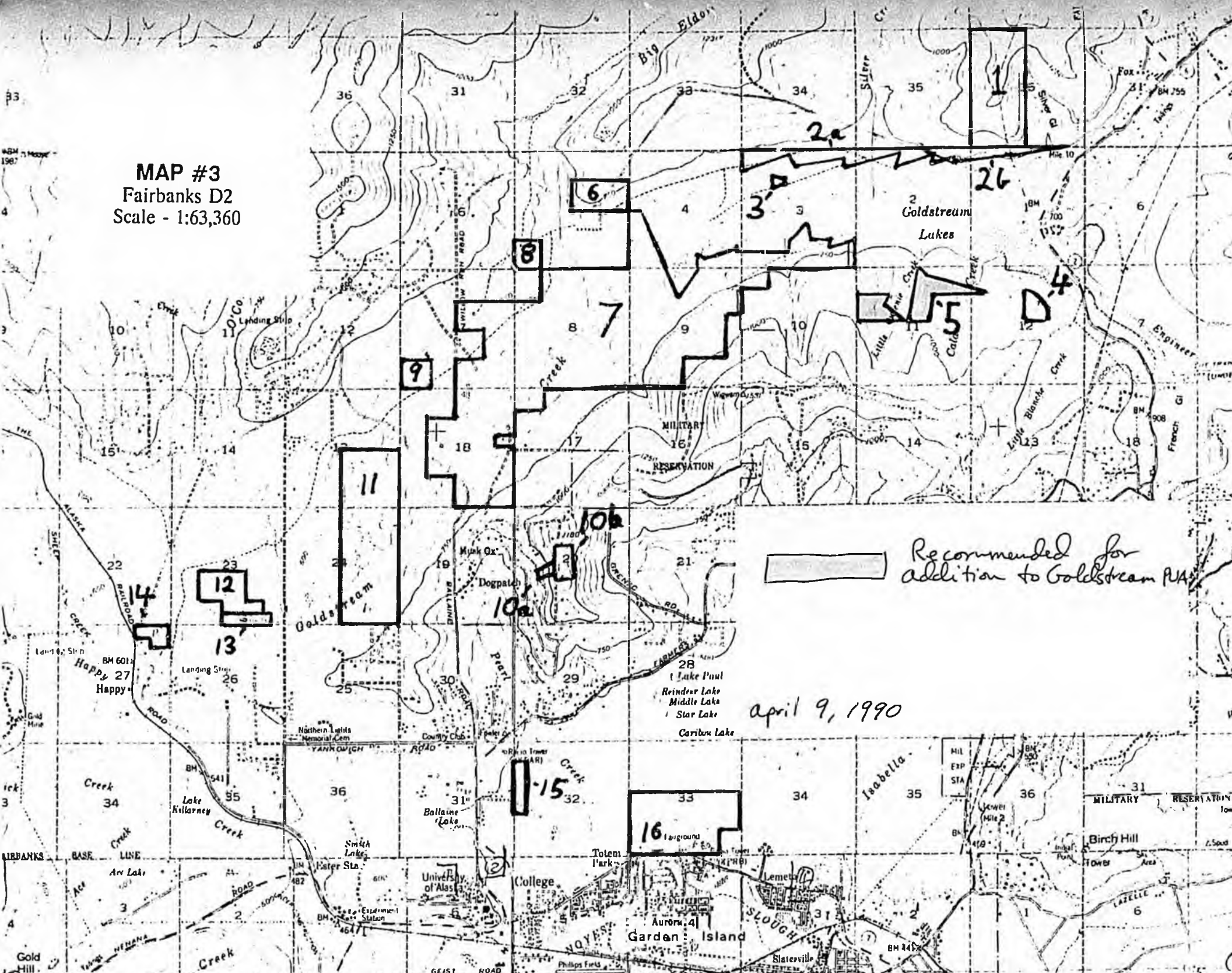
Sincerely,

A handwritten signature in cursive script, appearing to read "Anna Plager".

Anna Plager  
Project Manager

cc: Senator Bettye Fahrenkamp  
Representative Mark Boyer  
Gary Gustafson, Division of Land & Water Management  
Ron Swanson, Division of Land & Water Management  
Janet Burleson, Division of Land & Water Management

MAP #3  
Fairbanks D2  
Scale - 1:63,360



Recommended for addition to Goldstream N.P.

April 9, 1990

# MEMORANDUM

State of Alaska <sup>B</sup>

DEPARTMENT OF NATURAL RESOURCES-DIVISION OF LAND AND WATER MANAGEMENT  
LAND AND RESOURCES SECTION - 3700 AIRPORT WAY, FAIRBANKS, ALASKA 99709

TO: Larry Ostrovsky  
Special Assistant  
Commissioner's Office

DATE: January 19, 1990

FILE NO:

RECEIVED  
JAN 29 1990

THRU: Ron Swanson  
Chief, Land and Resources Section

TELEPHONE NO: 451-2741

FROM: Ed Fogels  
Assistant Project Manager  
Tanana Basin Area Plan Update

SUBJECT: Goldstream Public Use Area

I have reviewed House Bill 303, entitled "An Act Establishing the Goldstream Public Use Area." All the lands described by this bill are within Tanana Basin Area Plan (TBAP) Subunit 1H2. The primary surface uses for this subunit are recreation and habitat, and most of the land has been classified accordingly with the joint classification of Public Recreation/Wildlife Habitat. Prohibited surface uses within Subunit 1H2 are land sales, remote cabins, and improved pasture grazing. This subunit is open to locatable and leasable minerals.

The Tanana Basin Area Plan recommends that Subunit 1H2 be administratively designated as a Public Reserve (page 3-24):

"The Goldstream Creek riparian zone is special value habitat for black bear, most furbearers, small game, and moose (B-1 habitat). Sport hunting and trapping are very important uses of this unit. Care should be taken to preserve opportunities for hunting, trapping, wildlife viewing and trail use in this area since open space in close proximity to Fairbanks will become increasingly important for these uses as population expands. It is recommended that unit 1H2 be established as a Public Reserve".

The Public Reserve designation was intended to be a multiple use designation which would give more assurance of long term public-retention than classification, yet would allow more flexible management than legislative designations. However, the state has never established public reserves nor has written regulations to implement the category. The TBAP update planning team is currently evaluating TBAP's Public Reserve recommendations, and will also review HB 303 to see if this legislation can offer the needed management for this area.

Except for the administrative designation, HB 303 generally is consistent with TBAP's management intent. Some comments on specific parcels described by HB 303 follow.

Township 1 North, Range 1 West, Fairbanks Meridian:

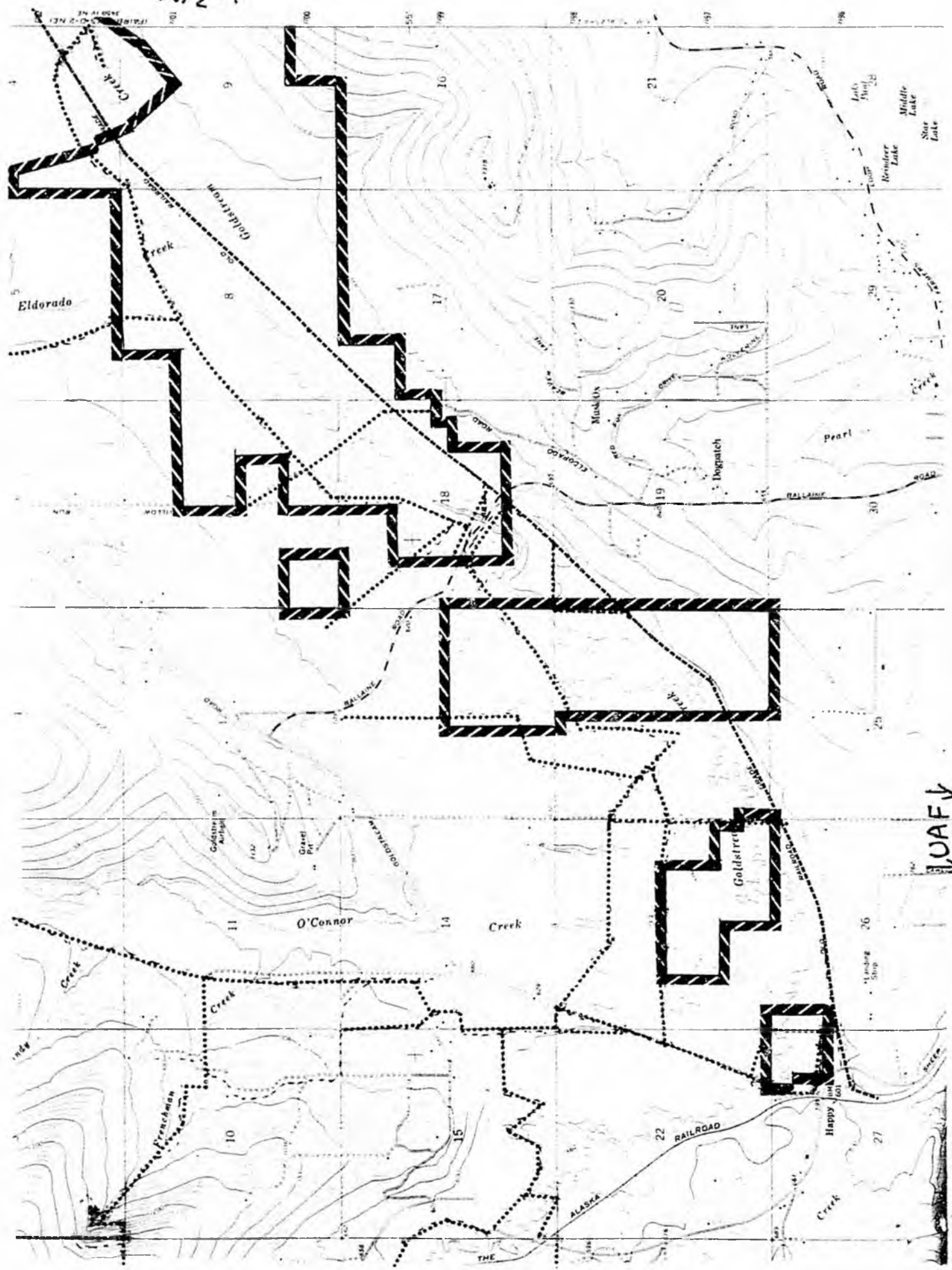
Section 7: Lot 4 - This parcel (40 acres) is mental health land, and is classified Resource Management.

Township 1 North, Range 2 West, Fairbanks Meridian:

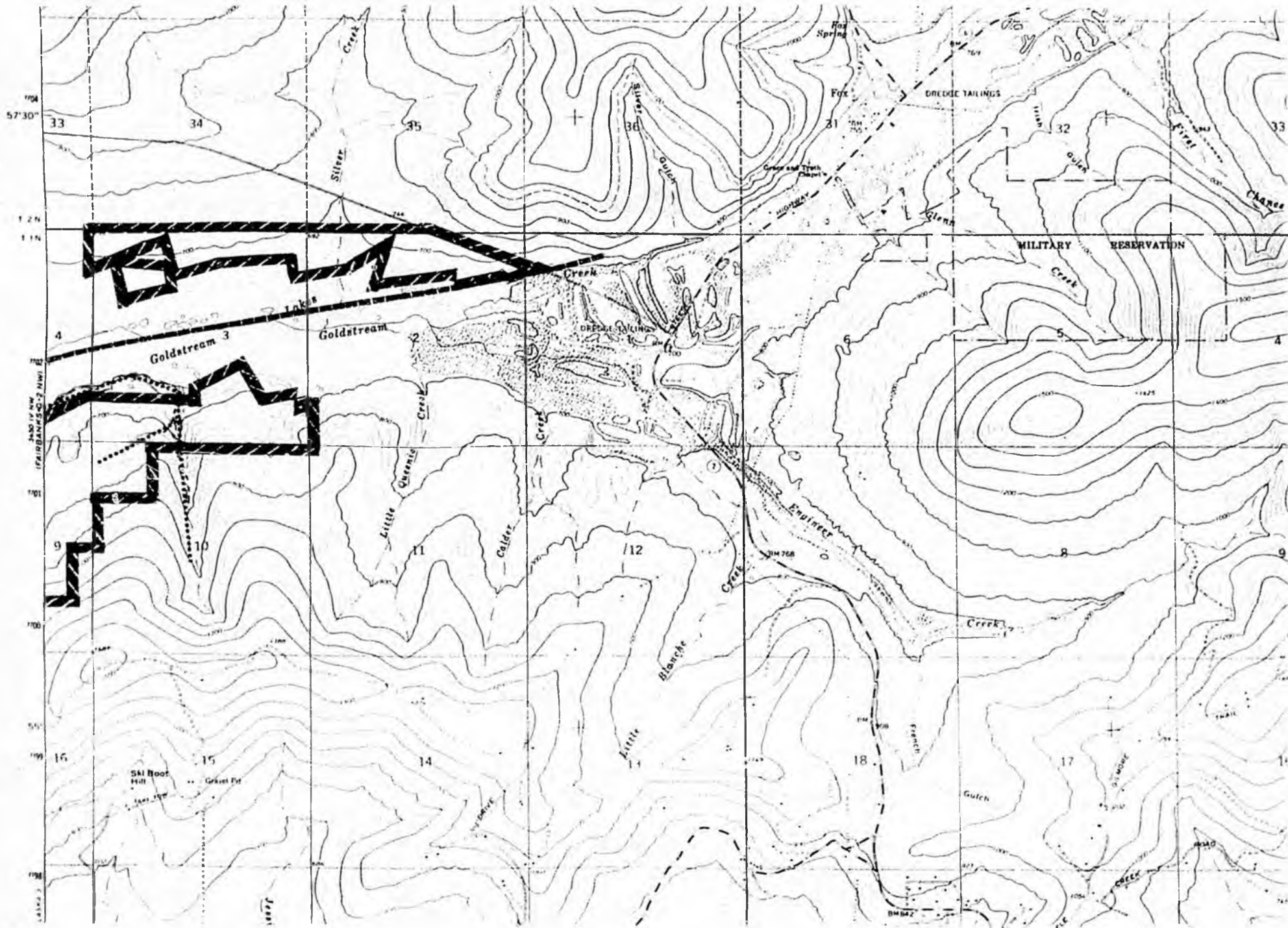
Section 23: NE1/4SW1/4, NW1/4SE1/4, N1/2SW1/4SE1/4, NW1/4SE1/4SE1/4  
This parcel (110 acres) is mental health land, and is classified Resource Management.

Section 26: W1/2W1/2NW1/4 - Most of this parcel is not state land. The only state-owned land within this parcel is W1/2W1/2NW1/4NW1/4 (10 acres).

SEE  
NEXT  
MAP



UAFV



STEVE COWPER, GOVERNOR

**DEPARTMENT OF NATURAL RESOURCES**

**DIVISION OF LAND AND WATER MANAGEMENT**

3801 C STREET  
P.O. Box 107005  
ANCHORAGE, ALASKA 99510-7005  
PHONE: (907) 782-2892

May 1, 1990

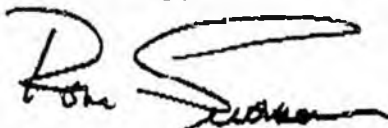
Barnaby Dow  
Representative Mike Davis  
P.O. Box V  
Juneau, Alaska 99811

Dear Mr. Dow:

This is in response to your request for information on the agricultural potential of state land within the proposed Goldstream Public Use Area. The Division of Agriculture has reviewed the potential of the Goldstream Valley, and has determined the land within the proposed public use area has inadequate soils for agricultural development.

The Tanana Basin Area Plan's management intent for state land within the proposed public use area states that the land should be retained in public ownership and managed for their recreation, wildlife and other multiple use values. Agriculture is an exclusive use of the land, and would not be compatible with this management. In addition, the Tanana Basin Area Plan prohibits land disposals, including agricultural disposals, on these lands.

Sincerely,



Ron Swanson, Chief  
Land and Resources



# Alaska State Legislature

Representative Mike Davis

District 19

P.O. Box V  
Juneau, Alaska 99811  
(907) 465-4930

Interim Office:  
P.O. Box 81435  
Fairbanks, Alaska 99708  
(907) 456-8161

TO: Sen. Bettye Fahrenkamp, Chair  
Senate Resources Committee

FROM: Rep. Mike Davis

DATE: March 21, 1990

RE: HB 303

I am requesting a Hearing for HB 303 at your earliest convenience. HB 303 would establish the Goldstream Public Use Area. The land delineated in the bill is an area that Fairbanksans have come to rely on in a multitude of ways. Mushing, snowmobiling, hiking, bicycling, hunting, trapping and prospecting all take place in the area that stretches from the Sheep Creek to Fox (see attached map).

HB 303 is designed to preserve these existing uses and guarantee their access by the public. While maintaining the substantial recreation, sporting and wildlife values of the area, HB 303 would not preclude activities such as mineral entry and mining on existing claims. Habitat enhancement and use of All Terrain Vehicles would also continue. However, HB 303 would protect the area from future land disposal.

Sporting groups and conservation organizations have already expressed their support for the bill. The Division of Land and Water Management endorses the measure, pointing out that HB 303 follows the intent of the Tanana Basin Area Plan. The TAP delineated the area for designation as a public reserve under the Department of Natural Resources. But to date, no regulations have been promulgated and no such designation has been implemented anywhere in the state (see attachment).

Thank you for your consideration.

# Alaska State Legislature

## Senate Resources Committee

Senator Bettye Fahrenkamp, Chairman  
Senator Jay Kerttula, Vice Chairman  
Senator Dick Eliason  
Senator Steve Frank  
Senator Rick Halford  
Senator Arliss Sturgulewski  
Senator Fred Zharoff



P.O. Box V  
Juneau, Alaska 99811  
(907) 465-4907

### MEMORANDUM

TO: Senate Resources Committee Members

FROM: Senator <sup>Bettye</sup>Fahrenkamp, Chairman

DATE: April 27, 1990

RE: HB 303 draft CS

The 4/27/90 draft for CS HB 303 (Res) makes the following changes from the 4/21/90 draft to satisfy concerns raised by DNR, DF&G, and the Alaska Railroad.

Page 1, lines 11 and 12 of 4/27 version: Deletes "establish" adds the words "protect, maintain, enhance, and perpetuate the present use of".

This states the reason for the bill in a straightforward manner at the beginning of the bill in the purposes section.

In the 4/27 version, the purposes for which the public use area are established are made more general by listing specific uses elsewhere.

This is done under AS 41.23.150 MANAGEMENT, where the specific uses are listed and the commissioner is directed to allow these uses consistent with the general purposes of the bill. Also, mining was added to the list of uses. (page 2, lines 4 - 11).

Page 2, lines 1 - 3: a new subsection was added that specifically says land disposals may not take place, which is the major thrust of a public use area.

Page 3, line 3: this section used to say "Nothing in AS 41.23.140 - 41.23.170 prohibits F&G from engaging in rehabilitation, enhancement, etc." Now it says "Consistent with" so that in a possible conflict with the purpose of the bill and Fish and Game's mission of rehabilitation, enhancement, and development of fish and wildlife habitat will not automatically prevail.

Page 3, line 10: the word "traditional", appearing before "access" was struck.

Page 3, line 29 through page 4, line 1: to reassure the Alaska Railroad, the following phrase was added: "Subject to valid existing rights".

Page 5, lines 4 - 5: This act is repealed July 1, 2010.



# Alaska State Legislature

Representative Mike Davis

District 19

P.O. Box V  
Juneau, Alaska 99811  
(907) 465-4930

Interim Office:  
P.O. Box 81435  
Fairbanks, Alaska 99708  
(907) 456-8161

TO: Members of the Senate

FROM: Rep. Mike Davis

DATE: May 2, 1990

RE: HB 303

I am requesting your support for HB 303, scheduled for the Senate floor today. HB 303 would establish the Goldstream Public Use Area. The land delineated in the bill is an area that Fairbanksans have come to rely on in innumerable ways. Mushing, snowmobiling, hiking, bicycling, hunting, trapping and prospecting all take place in the area that stretches from the Sheep Creek to Fox (see attached article).

HB 303 is designed to preserve these existing uses and guarantee their access by the public. While maintaining the substantial recreation, sporting and wildlife values of the area, HB 303 would not preclude activities such as mineral entry and mining on existing claims. Habitat enhancement would also continue. However, HB 303 would protect the area from future land disposal.

A wide range of residents sporting groups and conservation organizations have testified in support of HB303. The Division of Land and Water Management and the Department of Fish and Game have endorsed the measure, pointing out that HB 303 follows the intent of the Tanana Basin Area Plan. The TBAP delineated the area for designation as a public reserve under the Department of Natural Resources. But to date, no regulations have been promulgated and no such designation has been implemented anywhere in the state.

Thank you for your consideration.

19-1  
yea

*MD*

HB 303



# Alaska State Legislature

Representative Mike Davis      District 19

P.O. Box V  
Juneau, Alaska 99811  
~~XXXXXX~~  
(907) 465-4930

Interim Office:  
P.O. Box 81435  
Fairbanks, Alaska 99708  
(907) 456-8161

TO: Senator Bettye Fahrenkamp, Chair  
Senate Resources Committee

FROM: Rep. Mike Davis *Mike*

DATE: January 25, 1990

RE: HB 303

*hb 303  
h res  
4/19/89*

I am writing to update you on HB 303, which would establish the Goldstream Public Use Area. As you may already know, the land delineated in the bill is an area that Fairbanksans have come to rely on in a multitude of ways. Mushing, snowmobiling, hiking, bicycling, hunting, trapping and prospecting all take place in the area that stretches from the Parks Highway to Fox.

HB 303 is designed to preserve these existing uses and guarantee their access by the public. While maintaining the substantial recreation and sporting and wildlife values of the area, HB 303 would not preclude activities such as mineral entry and mining on existing claims. Habitat enhancement and use of All Terrain Vehicles would also continue. However, HB 303 would protect the area from land disposal.

Sporting groups and conservation organizations have already expressed their support for the measure. The Division of Land and Water Management has indicated that HB 303 follows the intent of the Tanana Basin Area Plan. Hearings for HB 303 will be held withi at two weeks in the House Resources Committee. If you need more information please call or write my office.

Thank you for your consideration.



# Alaska State Legislature

Representative Mike Davis

District 19

P.O. Box V  
Juneau, Alaska 99811  
(907) 465-4930

Interim Office:  
P.O. Box 81435  
Fairbanks, Alaska 99708  
(907) 456-8161

TO: Sen. Bettye Fahrenkamp, Chair  
Senate Resources Committee

FROM: Rep. Mike Davis

DATE: March 21, 1990

RE: HB 303

I am requesting a Hearing for HB 303 at your earliest convenience. HB 303 would establish the Goldstream Public Use Area. The land delineated in the bill is an area that Fairbanksans have come to rely on in a multitude of ways. Mushing, snowmobiling, hiking, bicycling, hunting, trapping and prospecting all take place in the area that stretches from the Sheep Creek to Fox (see attached map).

HB 303 is designed to preserve these existing uses and guarantee their access by the public. While maintaining the substantial recreation, sporting and wildlife values of the area, HB 303 would not preclude activities such as mineral entry and mining on existing claims. Habitat enhancement and use of All Terrain Vehicles would also continue. However, HB 303 would protect the area from future land disposal.

Sporting groups and conservation organizations have already expressed their support for the bill. The Division of Land and Water Management endorses the measure, pointing out that HB 303 follows the intent of the Tanana Basin Area Plan. The TBAP delineated the area for designation as a public reserve under the Department of Natural Resources. But to date, no regulations have been promulgated and no such designation has been implemented anywhere in the state (see attachment).

Thank you for your consideration.

Provided by Rep. Davis' office

CHANGES FOR SENATE CSHB 303 (resources)

April 23, 1990

Page 1, Line 23 - 25. Further clarifies recreational uses including horseback riding, hiking, skydiving, hot air balloon flying, ATV's, boating and bicycling.

(Other existing uses, that may not have been listed, are not precluded by adding these names. They must be considered as part of the planning process for the Public Use Area.)

Page 2, Lines 6 - 10. Language is added to require the commissioner to provide copies of management plan and any revisions to the chairs of the Resources Committees within 30 days of it's adoption or revision.

(This is an attempt to answer concerns about future tampering with uses and provides a vehicle for greater legislative oversight)

Page 4, Lines 13, 24 & 25

Adds additional 340 acres to the Goldstream Public Use Area. Land and Water management plans to manage these areas consistent with the intent of the bill, regardless of its passage.

(Total acreage is 3115 acres)

Provided by Rep. Davis' office

GROUPS SUPPORTING HB 303

Alaska Trapper's Association

Alaska Dog Musher's Association

Alaska Outdoor Council

Northern Alaska Environmental Center

Fairbanks Chapter, Alaska Audobon Society

Alaska Environmental Lobby

Department of Natural Resources

Department of Fish and Game

ARRC Comments on HB 303  
(Goldstream Public Use Area)

- Agree with Legislative Counsel that the phrase "vacant and unappropriated" should technically remove the Tanana Valley right-of-way from the bill. This is property acquired by the ARRC from the federal government and like all railroad property is administered by the railroad.
- However, this is a term of art with a rather specialized definition under public land law. We had asked to add the qualifying language to the bill to simplify and clarify its coverage for the general public, to whom those words "vacant and unappropriated" may mean little, or who may think it applies if a railroad track doesn't presently exist on the land.
- Absent the addition, we would hope to at least have the Committee indicate in this hearing that it also concurs with this interpretation and that it does not intend to make ARRC property part of the public use area simply by passing this bill. We understand, of course, that other issues may arise outside the bill as alluded to by Legislative Counsel, such as abandonment, and those should be dealt with in other forums.

214WPLEGAL

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907.465.3800


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 23, 1990

SUBJECT: Goldstream Public Use Area; Alaska  
Railroad ROW (HB 303)

TO: Senator Bettye Fahrenkamp, Chair  
Senate Resources Committee

FROM: Richard A. Bradley  
Legislative Counsel 

Tom Moyer has asked that I comment on a question that has arisen. The Alaska Railroad has suggested that HB 303 be amended to offer reassurances to ARR that its "old Tanana Valley right-of-way" not be affected by anything that is enacted in a version of HB 303.

It is a policy choice to the committee whether it places such an assurance in the bill but it seems quite unnecessary.

The only land that is the subject of the bill is the "vacant and unappropriated state-owned land and water and the state and and water acquired in the future within the boundaries described . . . ." See Sec. 41.23.170. What this means is that the land that is subject to this bill is land managed by the commissioner of natural resources if that land is "vacant and unappropriated". Land managed by any other agency of the state government is not affected by HB 303, even if its land is described in Sec. 41.23.170.

If the land within the "old Tanana Valley right-of-way" is still managed by ARR, then it is not transferred to the Goldstream Public Use Area. If it has lost its status as a railroad right-of-way (but see my comments below) and become "vacant and unappropriated state-owned land", then it is available for the Goldstream Public Use Area.

My only point is that HB 303 has no effect on the result.

Senator Bettye Fahrenkamp  
Page 2  
April 23, 1990

Note that ARR seems to have whatever assurance law can give. AS 42.40.450 provides:

Sec. 42.40.450. ADVERSE POSSESSION. No prescription or statute of limitations runs against the title or interest of the corporation to or in land owned by the corporation or under its jurisdiction. Title to or interest in land owned by the corporation or under its jurisdiction may not be acquired by adverse possession or prescription, or in any other manner except by conveyance from or formal vacation by the corporation.

Note also that under AS 42.40.420, the ARR may authorize use of railroad land for public purposes "for a walkway or a trail" if the ARR finds that no safety hazard is involved and that the trail will not interfere with present or future operations of the actual utility corridor (right-of-way). Alternatively, if ARR is subject to the rail banking provisions of Federal law, the railroad may reserve its right-of-way and permit the present development of the land for recreational purposes. See 16 U.S.C. 1247(d), copy enclosed. The U.S. Supreme Court recently held that Sec. 1247(d) was a valid exercise of Congressional power. Presault v. Interstate Commerce Commission, \_\_\_ U.S. \_\_\_, 58 LW 4193 (February 21, 1990). At this time, I have not sought to determine whether ARR is subject to 16 U.S.C. 1246(d) but AS 42.40.420 seems a close analog to Sec. 1247(d).

Finally, there is a suggestion that the last sentence of Sec. 41.23.160(d) weakens the ARR claim. In my view, the sentence is being misread.

The sentence provides: "Existing trails remain open to public use."

It is clear that a ARR right-of-way is not an "existing trail" that was open to public use; whatever use that existed constituted a technical trespass, even if the ARR ignored the use. Moreover, if there were "existing trails" on the right-of-way, AS 42.40.450 protects ARR from prescriptive rights arising from the use. In my view, the last sentence of Sec. 41.23.160(d) has no application to ARR rights-of-way and presents no problems to ARR.

If I may be of further assistance, please advise.

RAB:gc  
G14/024

Enclosure

Expenditure of funds for acquisition of lands for one trail interpretation site, see section 1249 of this title.

Implementation of marking requirements of trail plan, see section 1244 of this title.

Snowmobiles, use on segments of Ice Age National Scenic Trail, see section 1244 of this title.

**West's Federal Forms**

Eminent domain proceedings, see § 5711 et seq.

Sentence and fine, see § 7531 et seq.

**Code of Federal Regulations**

Administration of forest development transportation system, see 36 CFR 212.1 et seq.

Criminal law enforcement, see 43 CFR 9260.0-1 et seq.

Land uses, see 36 CFR 251.9 et seq.

Management areas, see 43 CFR 8351.0-1 et seq.

Off-road vehicles, see 43 CFR 8340.0-1 et seq.

Procedures and practices for management and use of public lands for specific kinds of public recreation activities, see 43 CFR 8300.0-1 et seq.

Prohibitions, see 36 CFR 261.1 et seq.

Recreation programs, see 43 CFR 8000.0-1 et seq.

Use authorizations, see 43 CFR 8372.0-1 et seq.

Visitor service, see 43 CFR 8360.0-3 et seq.

**§ 1247. State and local area recreation and historic trails**

**(a) Secretary of Interior to encourage States, political subdivisions, and private interests; financial assistance for State and local projects**

The Secretary of the Interior is directed to encourage States to consider, in their comprehensive statewide outdoor recreation plans and proposals for financial assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act [16 U.S.C.A. § 4601-4 et seq.], needs and opportunities for establishing park, forest, and other recreation and historic trails on lands owned or administered by States, and recreation and historic trails on lands in or near urban areas. The Secretary is also directed to encourage States to consider, in their comprehensive statewide historic preservation plans and proposals for financial assistance for State, local, and private projects submitted pursuant to the Act of October 15, 1966 (80 Stat. 915), as amended [16 U.S.C.A. § 470 et seq.], needs and opportunities for establishing historic trails. He is further directed, in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49) [16 U.S.C.A. § 4601 et seq.], to encourage States, political subdivisions, and private interests, including nonprofit organizations, to establish such trails.

**(b) Secretary of Housing and Urban Development to encourage metropolitan and other urban areas; administrative and financial assistance in connection with recreation and transportation planning; administration of urban open-space program**

The Secretary of Housing and Urban Development is directed, in administering the program of comprehensive urban planning and assistance under section 701 of the Housing Act of 1954 [40 U.S.C.A. § 461] to encourage the planning of recreation trails in connection with the recreation and transportation planning for metropolitan and other urban areas. He is

Further directed, in administering the program of comprehensive recreation trails under section 701 of the Housing Act of 1954 [40 U.S.C.A. § 461] to encourage such recreation trails.

**(c) Secretary of Agriculture to encourage States, local agencies, and private interests**

The Secretary of Agriculture is directed, in accordance with authority vested in him, to encourage States and local agencies and private interests to establish such trails.

**(d) Interim use of railroad rights-of-way**

The Secretary of Transportation, the Chairman of the Interstate Commerce Commission, and the Secretary of the Interior, in administering the Railroad Revitalization and Regulatory Reform Act of 1976 [45 U.S.C.A. § 801 et seq.], shall encourage State and local agencies and private interests to establish appropriate trails using the provisions of such programs. Consistent with the purposes of that Act, and in furtherance of the national policy to preserve established railroad rights-of-way for future reactivation of rail service, to protect rail transportation corridors, and to encourage energy efficient transportation use, in the case of interim use of any established railroad rights-of-way pursuant to donation, transfer, lease, sale, or otherwise in a manner consistent with this chapter, if such interim use is subject to restoration or reconstruction for railroad purposes, such interim use shall not be treated, for purposes of any law or rule of law, as an abandonment of the use of such rights-of-way for railroad purposes. If a State, political subdivision, or qualified private organization is prepared to assume full responsibility for management of such rights-of-way and for any legal liability arising out of such transfer or use, and for the payment of any and all taxes that may be levied or assessed against such rights-of-way, then the Commission shall impose such terms and conditions as a requirement of any transfer or conveyance for interim use in a manner consistent with this chapter, and shall not permit abandonment or discontinuance inconsistent or disruptive of such use.

**(e) Designation and marking of trails; approval of Secretary of Interior**

Such trails may be designated and suitably marked as parts of the nationwide system of trails by the States, their political subdivisions, or other appropriate administering agencies with the approval of the Secretary of the Interior.

(Pub.L. 90-543, § 8, Oct. 2, 1968, 82 Stat. 925; Pub.L. 95-625, Title V, § 551(22), Nov. 10, 1978, 92 Stat. 3516; Pub.L. 98-11, Title II, § 208, Mar. 28, 1983, 97 Stat. 48.)

**Historical Note**

References in Text. The Land and Water Conservation Fund Act, referred to in subsec. (a), is Pub.L. 88-578, Sept. 3, 1964, 78 Stat. 897, as amended, which is classified generally to section 4601-4 et seq. of this title. For classification in the Code, see Short Title note set out under section 4601-4 of this title and Tables volume.

Act of October 15, 1966, referred to in subsec. (a), is Pub.L. 89-665, as amended, popularly known as the "National Historic Preservation Act" which is classified generally to subchapter II (section 470 et seq.) of chapter 1A of this title. For complete classification in the Code, see Short Title note set out under section 470 et seq. of this title and Tables volume.

TO: Sen. Bettye Fahrenkamp, Chair  
Senate Resources Committee

TESTIMONY OF R.H. BISHOP ON H.B. 303.

My name is Richard Bishop. I live in Goldstream Valley. Except for a few years in the bush, I have lived there since 1966.

I support HB 303. I have frequented Goldstream valley since moving to Fairbanks in 1961. I have watched public and private uses there over the years and this is what I've seen.

The Tanana Valley Railroad was put through there in the early 1900's. The creek was channelized for quite a stretch. People mined, cut wood, built cabins, made trails, and homesteaded. Generations of kids, including my own, and adults, have hunted, trapped, camped, prospected, travelled, picked berries, watched wildlife, and enjoyed the outdoors there in various ways.

Today Goldstream Valley is a productive wildlife area. It supports a wide array of typical Interior Alaska wildlife in good numbers. It holds the possibility of valuable gold deposits. There is an extensive trail network, mostly winter trails, but many areas are accessible in summer also. To some extent the valley is a hub for winter trail travel in all directions, for as far as you want to go. For the most part adjacent landowners have supported or at least tolerated trails and their use. In many cases they are the trail users. I don't know how ~~many~~ many people use the valley annually, but it must be several hundred, and including casual uses, it's very likely a few thousands.

I have been amazed and pleased at how well the valley lands have accommodated the variety and amount of use occurring there. I believe that with a minimum of attention it can continue to do so. That minimum consists of: (1) Continued public ownership of state lands; (2) Ensuring that a trail system persists; and (3) Ensuring that wildlife habitats persist. HB 303 does this, but of course the public must watch the management process to ensure that it meets the intent of the law. A law just preventing land disposals could not ensure the persistence of trails, habitats, or even uses for which the area is so important. The valley's history has shown that the specifics of where the trails are and what the habitats are are less important than ensuring that they persist.

I think present and future Fairbanksans will thank you for passing this bill. I certainly will. And this may amount to an unethical offer, but if you pass it, I'll be glad to show you some of the best blueberries in the Interior, right there in Goldstream Valley!

*Happy Earth Day!*  
*Dick Bishop*

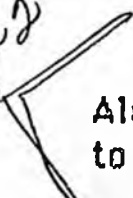

April 20, 1990  
Anchorage, Alaska

Memorandum

To: Tom Moyer  
From: Larry J. Houle *LJH*  
Re: House Bill 303

Thanks for the opportunity to comment on HB 303. As mentioned we believe the old Tanana Valley Right-of-Way would be affected by this bill. Arguably this ROW might be referred to on page 3 line 28 & 29, however, we do not consider any ROW whether in use or not to be "vacant and unappropriated state-owned land."

We suggest a specific reference to this ROW be placed into this bill, perhaps beginning on line 26, page 2.

*Page 2*  (f) Property acquired by the Alaska Railroad Corporation under the Alaska Railroad Transfer Act, 45 USC 1201 et. seq., shall not be subject to this Act. 

As you know I am not an attorney and you may want to call on them to clean up the language. Thanks, see you next week!

LJH

Number 576

Bud Wiese, teleconferencing from Fairbanks, said he supported HB 303.

Shirley Liss, teleconferencing from Fairbanks, agreed with Mr. Bishop. She said there is a lot of interest in the trails in the valley and, in general, the residents of the valley want to keep the status quo. She added that if a owner of private land adjacent to the Goldstream Use Area wanted to trade that land for state land in another spot, the state should not refuse that offer.

Dean Brown, Northern Regional Manager for the Division of Land and Water Management in DNR, said she supported this bill.

Ms. Brown said that the purposes in the bill are rather broad, because they protect all existing interests. She said management would be a major concern, because of the potential for conflicting interests. On page 2, lines 13 - 18 validity of existing rights and permits needs to be clarified. In the words, "The Commissioner shall permit the exploration, development, and extraction of subsurface resources in a manner that is compatible with the purpose specified in AS 41.23.140 (i) 24." she suggested changing the "shall" to "may" so the Commissioner can retain

discretion. On page 2, lines 2 - 5 she wanted to assure that the public process be followed for any kind of enhancement over activity in that area.

Ms. Brown said that access for the Department of Public Safety and the Department of Fish and Game is already guaranteed for enforcement purposes.

Senator Fahrenkamp noted that she hoped this bill was not making management more complicated. Ms. Brown said that was her concern, also.

TAPE 1, SIDE 2

Number 001

Ed Grasser, Alaska Outdoor Council, supported HB 303 and the testimony of Mr. Dick Bishop. He said they would like to see an emphasis on habitat enhancement.

Chuck Lennox, President of the Arctic Audubon Society in Fairbanks, teleconferenced his testimony supporting HB 303. He was concerned that open spaces and wildlife habitat be protected.

Larry Houle, Alaska Railroad, teleconferencing from Anchorage, said they are concerned with the old Tanana

Valley right-of-way that runs up into the Goldstream area. He said they do have a deed to that piece of property.

Mr. Houle, he suggested adding on page 2 a new paragraph (f) saying property acquired by the Alaska Railroad Corporation under the Alaska Railroad Transfer Act 45.0C.1201 shall not be subject to this act.

Senator Sturgulewski said that this issue raised by the Railroad is substantive and to cut out that portion would do away with the intent of the legislation.

Senator Fahrenkamp said they would work on amendments to the bill and take it up again at their next meeting.

Senator Fahrenkamp adjourned the meeting at 2:37 p.m.

John Becker  
P.O.Box 82266  
Fairbanks, AK 99708

Edwin Tripp  
9235 3rd Way S.E.  
Olympia, WA 98503

Margaret Benson  
P.O. Box 1900  
Fairbanks, AK 99707

Sue Tuccio  
P.O. Box 82305  
Fairbanks, AK 99708

Bobbie Holst  
1001 Old Steese Hwy North  
Fairbanks, AK 99712

Joanne Ballew  
621 Bullion Drive  
Fairbanks, AK 99712

Lowell North  
1241 Silverberry Drive  
Fairbanks, AK 99712

Barbara Buck  
7000 Chena Hot Springs Road  
Fairbanks, AK 99712

Roger Post  
P.O. Box 72962  
Fairbanks, AK 99707

Beverly Nester  
5465 Chena Hot Springs Road  
Fairbanks, AK 99712

Phil Berrian  
2911 Alderberry Trail  
Fairbanks, AK 99709

Richard Bishop  
1555 Gus's Grind  
Fairbanks, AK 99709

John and Jane Aspnes  
2003 Swallow Drive  
Fairbanks, AK 99709

Eric Mayo  
282 Hay Way  
Fairbanks, AK 99709

Cynthia Davis  
711 Dalton Trail  
Fairbanks, AK 99709

Tony Gasbarro  
2687 Horsetail Trail  
Fairbanks, AK 99709

Dorothy Wilde  
P.O. Box 80005  
Fairbanks, AK 99708

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: PHIL BERRIAN

TITLE:

ADDRESS: 2911 ALDERBERRY TRAIL

CITY: FAIRBANKS

ZIP: 99709

PHONE: 455-6070

BILL NO: HB 303

SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA

MESSAGE: REQUEST THAT YOU AMEND SPECIFIED WINTER TIME TRAIL USES TO INCLUDE HORSEBACK RIDING. MANY HORSES IN VALLEY RIDDEN ALL YEAR. WOULD GUARANTEE MULTIPLE USE OF TRAILS AND ACCESS TO THE AREA. HOSEMEN IN VALLEY WILL SUPPORT BILL WITH THIS AMENDMENT.

EOM

POMID: 07105532

DATE: 03/22/90

TIME: 10:55:32

LIONAME: FAIRBANKS LIO

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: JANE ASPNES  
TITLE:  
ADDRESS: 2003 SWALLOW DRIVE  
CITY: FAIRBANKS ZIP: 99709  
PHONE: 479-6483  
BILL NO: HB 303  
SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA  
MESSAGE: PLEASE DO ALL YOU CAN TO MOVE THE GOLDSTEAM GREEN BELT BILL OUT OF  
COMMITTEE AND ENCOURAGE THE SENATE TO PASS IT. THANK YOU. EOM/CLS

POMID: 07090528  
DATE: 04/25/90  
TIME: 09:05:28  
LIONAME: FAIRBANKS LIO

COPIES: SENATORS

KERTTULA  
ELIASON  
FRANK  
HALFORD  
STURGULEWSKI  
ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: JOHN ASPNES  
TITLE:  
ADDRESS: 2003 SWALLOW DRIVE  
CITY: FAIRBANKS  
PHONE: 479-6483

ZIP: 99709

BILL NO: HB 303

SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA

MESSAGE: PLEASE DO ALL YOU CAN TO MOVE THE GOLDSTREAM GREENBELT BILL, HB 303,  
OUT OF COMMITTEE AND ENCOURAGE THE SENATE TO PASS IT. EOM

POMID: 07091159

DATE: 04/19/90

TIME: 09:11:59

LIONAME: FAIRBANKS LIO

COPIES: SENATORS

KERTTULA  
ELIASON  
FRANK  
HALFORD  
STURGULEWSKI  
ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: JOHN ASPNES

TITLE:

ADDRESS: 2003 SWALLOW DRIVE

CITY: FAIRBANKS

PHONE: 479-6483

BILL NO: HB 303

SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA

MESSAGE: PLEASE VOTE IN FAVOR OF THE GOLDSTREAM GREENBELT BILL (HB 303).

EOH

ZIP: 99709

POMID: 07093128

DATE: 04/19/90

TIME: 09:31:28

LIONAME: FAIRBANKS LIO

COPIES: SENATORS

ADAMS  
BINKLEY  
COGHILL  
DUNCAN  
ELIASON  
FAIKS  
FISCHER  
FRANK  
HALFORD  
JONES  
KELLY  
KERTTULA  
PEARCE  
POURCHOT  
RODEY  
STURGULEWSKI  
SZYMANSKI  
UEHLING  
ZHAROFF

HB303D TO HB303D

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: LORI POND

TITLE:

ADDRESS: 3817 AUTUMN CT

CITY: JUNEAU, AK

PHONE: 465-4400

BILL NO: SB 519

SUBJECT: GUIDELINES FOR CHILD CUSTODY & VISITATION

MESSAGE: I AM OPPOSED TO THIS AND I THINK THAT THEY SHOULD PUT A STATEMENT IN THERE ABOUT THE NONCUSTODIAL PARENT THAT DECIDES NOT TO SHOW UP FOR THESE VISITATIONS AT THE LAST MINUTE AND LEAVES THE CHILD AND THE PARENT WAITING. 6 AM FRIDAY IS TOO EARLY FOR THE CHILD AND THE CUSTODIAL PARENT. IF YOU HAD A SMALL CHILD YOU WOULD HAVE TO GET UP BETWEEN 4-5 AM. THIS IS RIDICULOUS. AND THEN THE PARENT WOULD NOT SHOW UP. I URGE THEM TO OPPOSE THIS BILL ALSO.

ZIP: 99801

POMID: 00084620

DATE: 04/19/90

TIME: 08:46:20

LIONAME: JUNEAU LIO

COPIES: SENATORS

ADAMS  
BINKLEY  
COGHILL  
DUNCAN  
ELIASON  
FAIKS  
FISCHER  
FRANK  
HALFORD  
JONES  
KELLY  
KERTTULA  
PEARCE  
POURCHOT  
RODEY  
STURGULEWSKI  
SZYMANSKI  
UEHLING  
ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: DR AND MRS JAMES FULBRIGHT  
TITLE:  
ADDRESS: 2601 BONIFACE PKWY  
CITY: ANCHORAGE, AK ZIP: 99504  
PHONE: 338-0561  
BILL NO: SB 126  
SUBJECT: LICENSURE BY CREDENTIALS  
MESSAGE: I STRONGLY URGE YOU TO VOTE NO ON SB 126. THANK YOU.

POMID: 03150357  
DATE: 04/04/90  
TIME: 15:03:57  
LIONAME: ANCHORAGE LIO

COPIES: SENATORS

ADAMS  
BINKLEY  
COGHILL  
DUNCAN  
ELIASON  
FAIKS  
FISCHER  
FRANK  
HALFORD  
JONES  
KELLY  
KERTTULA  
PEARCE  
POURCHOT  
RODEY  
STURGULEWSKI  
SZYMANSKI  
UEHLING  
ZMAROFF

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: DICK BISHOP  
TITLE:  
ADDRESS: 1555 GUS'S GRIND  
CITY: FAIRBANKS ZIP: 99709  
PHONE: 455-6151  
BILL NO: HB 303  
SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA  
MESSAGE: PLEASE SCHEDULE HB 303 FOR A HEARING IN YOUR COMMITTEE AT YOUR EARLIEST CONVENIENCE. THANKS FOR YOUR SUPPORT ON THIS BILL. THE JOINT LETTER WITH REP. DAVIS WAS VERY WELL DONE. EOM/MJO/C

POMID: 07144822  
DATE: 04/04/90  
TIME: 14:48:22  
LIONAME: FAIRBANKS LIO

*called*

## PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: SHANA HORMANN, M.S.W.

TITLE:

ADDRESS: PO BOX 34761

CITY: JUNEAU, AK

PHONE: 789-9047

ZIP: 99803

BILL NO:

SUBJECT:

MESSAGE: I URGE YOUR SUPPORT FOR REAPPOINTMENT OF SANDRA HENRICKS TO THE HUMAN RIGHTS COMMISSION. I APPRECIATE HER WORK FOR WOMEN AND CHILDREN AND ALL ALASKA'S MINORITIES DURING HER FIRST TERM. PLEASE SUPPORT HER CONFIRMATION TO A SECOND TERM.

POMID: 00130245

DATE: 04/20/90

TIME: 13:02:45

LIONAME: JUNEAU LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BARNES	BOUCHER	ADAMS
BOYER	BROWN	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIDSON	DAVIS, C.	DUNCAN
DAVIS, M.	DONLEY	ELIASON
ELLIS	FINKELSTEIN	FAIKS
FOSTER	FURNACE	FISCHER
GOLL	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HOFFMAN	HUDSON	JONES
JACKO	KOPONEN	KELLY
KUBINA	LARSON	KERTTULA
LEMAN	MACLEAN	PEARCE
MARTIN	MENARD	POURCHOT
MILLER	NAVARRE	RODEY
PETTYJOHN	PHILLIPS	STURGULEWSKI
RIEGER	SHARP	SZYMANSKI
SHULTZ	SHACKHAMMER	UEHLING
TAYLOR	ULMER	ZHAROFF
WALLIS	ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: ERIC MAYO

TITLE:

ADDRESS: 282 HAY WAY

CITY: FAIRBANKS

PHONE: N/R-

ZIP: 99709

BILL NO: HB 303

SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA

MESSAGE: I SUPPORT HB303 AND URGE YOU ALL TO PASS IT OUT OF COMMITTEE AND TURN INTO LAW.

POMID: 07130623

DATE: 04/20/90

TIME: 13:06:23

LIONAME: FAIRBANKS LIO

COPIES: SENATORS

KERTTULA  
ELIASON  
FRANK  
HALFORD  
STURGULEWSKI  
ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: CYNTHIA DAVIS  
TITLE:  
ADDRESS: 711 DALTON TRAIL  
CITY: FAIRBANKS  
PHONE: 479-0306

ZIP: 99709

BILL NO: HB 303

SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA

MESSAGE: PLEASE DO ALL YOU CAN TO MOVE THE GOLDSTREAM GREENBELT BILL OUT OF  
COMMITTEE AND ENCOURAGE THE SENATE TO PASS IT. EOM

POMID: 07125152  
DATE: 04/20/90  
TIME: 12:51:52  
LIONAME: FAIRBANKS LIO

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: TONY GASBARRO  
TITLE:  
ADDRESS: 2687 HORSETAIL TRAIL  
CITY: FAIRBANKS  
PHONE: 455-6287

ZIP: 99709

BILL NO: HB 303

SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA

MESSAGE: URGING YOU TO PASS THIS BILL AND SUPPORT HB 303.

POMID: 07131124  
DATE: 04/20/90  
TIME: 13:11:24  
LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES SENATORS

BOYER  
DAVIS, M.  
KOPONEN  
MILLER  
SHARP

FRANK  
COGHILL

## PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: MARY MCCART  
 TITLE:  
 ADDRESS: 8051 A MEDELLIN  
 CITY: ANCH ZIP: 99507  
 PHONE: 349-5163  
 BILL NO:  
 SUBJECT: SERVICE HIGH - BUDGETING  
 MESSAGE: PLEASE APPROVE BUDGET ALLOCATIONS FOR SERVICE HIGH SCHOOL IMPROVEMENTS  
 ALLOWING THE STANDARDS TO BE UP TO THE REST OF ANCHORAGE HIGH SCHOOLS. /MAB

POMID: 03132348  
 DATE: 04/20/90  
 TIME: 13:23:48  
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BARNES	BOUCHER	ADAMS
BOYER	BROWN	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIDSON	DAVIS, C.	DUNCAN
DAVIS, M.	DONLEY	ELIASON
ELLIS	FINKELSTEIN	FAIKS
FOSTER	FURNACE	FISCHER
GOLL	GRUENBERG	FRANK
GRUSSENDURF	HANLEY	HALFORD
HOFFMAN	HUDSON	JONES
JACKO	KOPONEN	KELLY
KUBINA	LARSON	KERTTULA
LEMAN	MACLEAN	PEARCE
MARTIN	MENARD	POURCHOT
MILLER	NAVARRE	RODEY
PETTYJOHN	PHILLIPS	STURGULEWSKI
RIEGER	SHARP	SZYMANSKI
SHULTZ	SWACKHAMMER	UEHLING
TAYLOR	ULMER	ZHAROFF
WALLIS	ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: DOROTHY M WILDE  
 TITLE:  
 ADDRESS: P.O. BOX 80005  
 CITY: FAIRBANKS ZIP: 99708  
 PHONE: 479-2358  
 BILL NO: HB 303  
 SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA  
 MESSAGE: RECOMMEND PASSAGE OF THE GOLDSTREAM PUBLIC USE AREA.

POMID: 07132549  
 DATE: 04/20/90  
 TIME: 13:25:49  
 LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES SENATORS

BOYER	FRANK
DAVIS, M.	COGHILL
KOPONEN	
MILLER	
SHARP	

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: BOBBIE HOLST  
TITLE:  
ADDRESS: 1001 OLD STEESE HWY NORTH  
CITY: FAIRBANKS ZIP: 99712  
PHONE: 457-7148  
BILL NO: HB 308 303 ✓  
SUBJECT: ~~2-YR RESIDENCY BOARD/COMMISSION MEMBERS~~  
MESSAGE: PLEASE ADD HORSEBACK RIDING TO LINE 4 PAGE 1.

POMID: 07093224  
DATE: 03/20/90  
TIME: 09:32:24  
LIONAME: FAIRBANKS LIO

COPIES: SENATORS

FRANK  
KERTTULA  
ELIASON  
HALFORD  
STURGULEWSKI  
ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: BOBBIE HOLST

TITLE:

ADDRESS: 1001 OLD STEESE HWY., N.

CITY: FAIRBANKS

ZIP: 99712

PHONE: 457-7148

BILL NO: HB 303

SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA

MESSAGE: PLEASE VOTE NO ON GOLDSTREAM VALLEY LOCK-UP.

EOM/MJO

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: SUE RIDLING

TITLE:

ADDRESS: 3001 DOIL DRIVE

CITY: ANCH

ZIP: 99507

PHONE: 561-5090

BILL NO: SB 430

SUBJECT: SUSITNA VALLEY REMOTE RECREATION AREA

MESSAGE: I DO NOT SUPPORT LOGGING IN THE SUSITNA VALLEY AND I WANT THE REMOTE RECREATIONAL AREA PRESERVED AS IS. /MAB

POMID: 07082102

DATE: 03/16/90

TIME: 08:21:02

LIONAME: FAIRBANKS LIO

COPIES: SENATORS

ADAMS  
BINKLEY  
COGILL  
DUNCAN  
ELIASON  
FAIKS  
FISCHER  
FRANK  
HALFORD  
JONES  
KELLY  
KERTTULA  
PEARCE  
POURCHOT  
RODEY  
STURGULEWSKI  
SZYMANSKI  
UEHLING  
ZHAROFF

POMID: 03092834

DATE: 03/16/90

TIME: 09:28:34

LIONAME: ANCHORAGE LIO

COPIES: SENATORS

ADAMS  
BINKLEY  
COGILL  
DUNCAN  
ELIASON  
FAIKS  
FISCHER  
FRANK  
HALFORD  
JONES  
KELLY  
KERTTULA  
PEARCE  
POURCHOT  
RODEY  
STURGULEWSKI  
SZYMANSKI  
UEHLING  
ZHAROFF

PUBLIC OPINION MESSAGE

GOLDSTREAM

HB303D to HB303DB

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

DEAR: SENATOR FAHRENKAMP

NAME: SUE LAIRD  
TITLE:  
ADDRESS: POB 1624  
CITY: CORDOVA  
PHONE: 424-3826  
BILL NO: SB 236

ZIP: 99574

SUBJECT: REVENUE BONDS FOR COPPER RIVER HIGHWAY  
MESSAGE: PLEASE QUESTION 25 MILLION IN REVENUE BONOS TO BUILD THE COPPER RIVER HIGHWAY INTO A SEASONAL, SUBSTANDARD, 4 WHEEL DRIVE, PIONEER, TOLL ROAD. SAFE, ENERGY EFFICIENT, PUBLIC TRANSPORTATION IS OUR FUTURE. PLEASE CONSIDER INSTEAD, BUILDING THE SHORTER ROAD TO WHITTIER AND INCREASING FERRY SERVICE TO ALL COMMUNITITES IN PRINCE WILLIAM SOUND.

POMID: 14111501  
DATE: 03/21/90  
TIME: 11:15:01  
LIONAME: MAT-SU LIO

NAME: JOHN BECKER  
TITLE:  
ADDRESS: BOX 82266  
CITY: COLLEGE  
PHONE: 479-2505  
BILL NO: HB 303

ZIP: 99708

SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA  
MESSAGE: I SUPPORT THE PASSAGE OF HB303 CREATING THE PUBLIC USE AREA FOR THOSE LANDS.

POMID: 07121043  
DATE: 03/21/90  
TIME: 12:10:43  
LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES SENATORS

FOSTER	KERTTULA
HOFFMAN	SZYMANSKI
LARSON	JONES
KUBINA	FISCHER
	POURCHOT
	COGHILL
	BINKLEY
	UEHLING
	DUNCAN
	FRANK
	PEARCE
	ZHAROFF

COPIES: REPRESENTATIVES SENATORS

KOPONEN	KERTTULA
DAVIS, M.	ELIASON
	FRANK
	HALFORD
	STURGULEWSKI
	ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: LAUREL LONERGAN

TITLE:

ADDRESS: P.O. BOX 82305

CITY: FAIRBANKS

ZIP: 99709

PHONE: 455-6076

BILL NO: HB 303

SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA

MESSAGE: I TOTALLY SUPPORT PUBLIC USE OF THE GOLDSTREAM AREA. AS A RESIDENT OF THE GOLDSTREAM VALLEY, I USE THE DOG TRAILS AND THE SKI TRAILS OFTEN, AND I WOULD LIKE TO KEEP IT THAT WAY. EOM

POMID: 07155538

DATE: 03/21/90

TIME: 15:55:38

LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVE

DAVIS, M.

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: EDWIN A. TRIPP

TITLE: (ALASKAN RESIDENT, IN MILITARY OUTSIDE)

ADDRESS: 9325 3RD WAY S.E.

CITY: OLYMPIA

ZIP: 98503

PHONE: N/R-

BILL NO: SB 126

SUBJECT: DENTAL LICENSING BY CREDENTIALS

MESSAGE: I WANT YOU TO SUPPORT SB126 TO ALLOW DENTAL LICENSURE BY CREDENTIALS. /MAB

POMID: 03155755

DATE: 03/21/90

TIME: 15:57:55

LIONAME: ANCHORAGE LIO

COPIES: SENATORS

ADAMS  
BINKLEY  
COGHILL  
DUNCAN  
ELIASON  
FAIKS  
FISCHER  
FRANK  
HALFORD  
JONES  
KELLY  
KERTTULA  
PEARCE  
POURCHOT  
RODEY  
STURGULEWSKI  
SZYMANSKI  
UEHLING  
ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: TERRI BRAMEL  
TITLE:  
ADDRESS: BOX 2963  
CITY: HOMER, AK  
PHONE: 235-7852  
BILL NO:  
SUBJECT:

ZIP: 99603

MESSAGE: PLEASE AMEND SB 359 MUNICIPAL IMPACT ASSISTANCE. FORTY MILLION IS NOT ADEQUATE FOR DEC FOR FIRST RESPONSE TO A CATASTROPHIC OIL SPILL. THANK YOU.

POMID: 13144852  
DATE: 03/20/90  
TIME: 14:43:52  
LIONAME: SOLDOTNA LIO

COPIES: SENATORS

KERTTULA  
ELIASON  
FRANK  
HALFORD  
STURGULEWSKI  
ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: MARGARET BENSON  
TITLE:  
ADDRESS: PO BOX 1900  
CITY: FAIRBANKS  
PHONE: 488-2048  
BILL NO: HB 303

ZIP: 99707

SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA  
MESSAGE: PEOPLE DON'T THINK OF HORSEBACK RIDING AS A WINTER SPORT BUT WITH WINTERS 6 MONTHS LONG AND ANIMALS THAT EAT ALL YEAR IT INDEED BECOMES A WINTER ACTIVITY. PLEASE INCLUDED HORSEBACK RIDING ON LINE 4 HB 303 ALONG WITH MUSHING, SKIING, ETC. AS A PROTECTED WINTER ACTIVITY.

POMID: 07134213  
DATE: 03/20/90  
TIME: 13:42:13  
LIONAME: FAIRBANKS LIO

COPIES: SENATORS

KERTTULA  
ELIASON  
FRANK  
HALFORD  
STURGULEWSKI  
ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: SUE TUCCIO  
TITLE:  
ADDRESS: P.O. BOX 82305  
CITY: FAIRBANKS  
PHONE: 474-0032  
BILL NO: HB 303  
ZIP: 99708

SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA  
MESSAGE: THE GOLDSTREAM PUBLIC USE AREA HAS FOR DECADES BEEN A FAVORITE RECREATION AREA FOR MANY INTEREST GROUPS INCLUDING SKIERS, DOG MUSHERS, HIKERS AND BERRY PICKERS. I LOVE AND ENJOY THIS SPECIAL PLACE. PLEASE SUPPORT HB 303 PRESERVING ITS BEAUTY.  
EOM-FZ

POMID: 07160043  
DATE: 03/20/90  
TIME: 16:00:43  
LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVE    SENATORS  
DAVIS, M.                    KERTTULA  
                                 ELIASON  
                                 FRANK  
                                 HALFORD  
                                 STURGULEWSKI  
                                 ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: MIRNA TOLAN  
TITLE: SOUTHEAST STATE FAIR BOARD MEMBER  
ADDRESS: BOX 908  
CITY: HAINES  
PHONE: 766-2649  
BILL NO:  
SUBJECT:  
ZIP: 99827

MESSAGE: I REQUEST THAT YOU SUPPORT ADDING ADDITIONAL OPERATIONAL FUNDING FOR STATE FAIRS TO THE DEPARTMENT OF NATURAL RESOURCES BUDGET. THE AMOUNT INCLUDED IN THE BUDGET, \$144,500, WOULD RESULT IN REDUCED FUNDING FOR FAIRS REQUESTING STATE AID. FAIRS ARE AN IMPORTANT PART OF OUR STATE AGRICULTURAL AND CULTURAL EXCHANGE AND AN EDUCATIONAL EVENT WHICH SHOULD BE FUNDED BY THE STATE. THANK YOU FOR CONSIDERING MY REQUEST.

POMID: 12155636  
DATE: 03/20/90  
TIME: 15:56:36  
LIONAME: SITKA LIO

COPIES: REPRESENTATIVES    SENATORS  
DAVIS, M.                    DUNCAN  
MENARD                      ELIASON  
BROWN                        JONES  
FOSTER                        PEARCE  
SHARP                         ZHAROFF  
GRUSSENDORF  
DAVIS, C.  
TAYLOR  
ULMER  
GOLL

## PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: JAMES F. ANDRUS

TITLE:

ADDRESS: 3250 LATOUCHE STREET, APT J-18

CITY: ANCHORAGE

ZIP: 99508

PHONE: 276-7794

BILL NO: SB 59

SUBJECT: MANDATORY SEATBELTS

MESSAGE: ALASKA PROVIDES NO DRIVER TRAINING IN ANY SCHOOLS, NOR PUBLIC SAFETY EDUCATION. HALF THE DRIVERS IN OTHER STATES IGNORE SEATBELT LAWS. TRAINING AND EDUCATION ARE MORE EFFECTIVE THAN SEATBELT LAWS AND REPRESENT GOVERNMENT'S TRUE RESPONSIBILITY. DON'T BURDEN ALASKANS WITH INEFFECTIVE SEATBELT LAWS. KILL SB 59 AND FUND TRAINING AND EDUCATION INSTEAD. /BN

POMID: 03124332

DATE: 03/19/90

TIME: 12:43:32

LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BARNES	BOUCHER	ADAMS
BOYER	BROWN	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIDSON	DAVIS, C.	DUNCAN
DAVIS, M.	DONLEY	ELIASON
ELLIS	FINDELSTEIN	FAIKS
FOSTER	FURNACE	FISCHER
GOLL	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	KALFORD
HOFFMAN	HUDSON	JONES
JACKO	KOPONEN	KELLY
KUBINA	LARSON	KERTTULA
LEMAN	MACLEAN	PEARCE
MARTIN	MENARD	POURCHOT
MILLER	NAVARRE	RODEY
PETTYJOHN	PHILLIPS	STURGULEWSKI
RIEGER	SHARP	SZYMANSKI
SHULTZ	SWACKHAMMER	UEHLING
TAYLOR	ULMER	ZHAROFF
WALLIS	ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: JOANNE BALLEW

TITLE:

ADDRESS: 621 BULLION DRIVE

CITY: FAIRBANKS

ZIP: 99712

PHONE: N/R-

BILL NO: HB 303

SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA

MESSAGE: REGARDING HB 303, I WOULD LIKE TO MAKE KNOWN THAT I DISAGREE IN PRINCIPLE WITH LINE 14 OF THE FIRST PAGE THAT LISTS WINTER RECREATION ACTIVITIES, EXCLUDING HORSEBACK RIDING. I FEEL THAT HORSEBACK RIDING SHOULD BE INCLUDED WITH THE ACTIVITIES. EOM

POMID: 07123911

DATE: 03/19/90

TIME: 12:39:11

LIONAME: FAIRBANKS LIO

COPIES: SENATORS

KERTTULA  
ELIASON  
FRANK  
HALFORD  
STURGULEWSKI  
ZHAROFF

*ck with Mike*

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: LOWELL NORTH

TITLE:

ADDRESS: 1241 SILVERBERRY DR.

CITY: FAIRBANKS

PHONE: 457-3706

BILL NO: HB 303

SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA

MESSAGE: IN ITEM #4, PLEASE INCLUDE HORSE BACKRIDING. HORSEMEN HAVE BEEN  
SING THESE TRAILS IN THIS AREA AND SHOULD NOT BE RESTRICTED.

EOM

ZIP: 99712

POMID: 07124335

DATE: 03/19/90

TIME: 12:43:35

LIONAME: FAIRBANKS LIO

COPIES: SENATORS

KERTTULA  
ELIASON  
FRANK  
HALFORD  
STURGULEWSKI  
ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: DONALD DENUCCI, DDS

TITLE:

ADDRESS: 2441 HASTINGS LANE

CITY: ANCH

PHONE: 337-1574

BILL NO: SB 126

SUBJECT: DENTAL LICENSING BY CREDENTIALS

MESSAGE: SB126 OFFERS GREATER PROTECTION TO THE HEALTH OF ALASKANS THAN THE  
WESTERN REGIONAL BOARD EXAM. THE W R E B ASSURES ONLY MINIMAL COMPETENCY IN  
DENTISTRY. DENTISTS ARE THE ONLY HEALTH PROFESSION IN AK NOT LICENSED BY  
CREDENTIALS. VOTE YES FOR SB126. /MAB

ZIP: 99504

POMID: 03124544

DATE: 03/19/90

TIME: 12:45:44

LIONAME: ANCHORAGE LIO

COPIES: SENATORS

ADAMS  
BINKLEY  
COGHILL  
DUNCAN  
ELIASON  
FAIKS  
FISCHER  
FRANK  
HALFORD  
JONES  
KELLY  
KERTTULA  
PEARCE  
POURCHOT  
RODEY  
STURGULEWSKI  
SZYMANSKI  
UEHLING  
ZHAROFF

## PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: BARBARA BUCK

TITLE:

ADDRESS: 7000 CHENA HOT SPRINGS RD.

CITY: FAIRBANKS

ZIP: 99712

PHONE: 488-2093

BILL NO: HB 303

SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA

MESSAGE: PERTAINING TO HB 303, VOTE NO PREFERABLY. CHANGES TO LINE #4 - FIRST  
 PAGE, INCLUDE HORSEBACK RIDING TO THE LIST OF WINTER RECREATION. THIS WOULD  
 MAKE IT MORE ACCEPTABLE. IT STILL DOES NOT ADDRESS AG ACCESS OR MINING RIGHTS  
 AND ACCESS. EOM

POMID: 07124720

DATE: 03/19/90

TIME: 12:47:20

LIONAME: FAIRBANKS LIO

COPIES: SENATORS

KERTTULA  
 ELIASON  
 FRANK  
 HALFORD  
 STURGULEWSKI  
 ZHAROFF

## PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: JAMES F. ANDRUS

TITLE:

ADDRESS: 3250 LATOUCHE STREET, APT J-18

CITY: ANCHORAGE

ZIP: 99508

PHONE: 276-7794

BILL NO: SB 59

SUBJECT: MANDATORY SEATBELTS

MESSAGE: SO FAR IN 1990 ALONE, AUTOMAKERS HAVE ISSUED THREE RECALLS TO FIX  
 DEFECTIVE SEATBELTS. IN STATES WITH SEATBELT LAWS, INSURANCE COMPANIES DENY  
 BENEFITS TO ACCIDENT VICTIMS WHO DON'T WEAR SEATBELTS. SB 59 DOESN'T  
 DISTINGUISH BETWEEN DEFECTIVE SEATBELTS AND PERSONAL NEGLIGENCE. SB 59 SETS  
 BAD LEGAL PRECEDENT. PROTECT ALASKAS' RIGHTS BY KILLING SB 59. /BN

POMID: 03124354

DATE: 03/19/90

TIME: 12:43:54

LIONAME: ANCHORAGE LIO

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BARNES	BOUCHER	ADAMS
BOYER	BROWN	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIDSON	DAVIS, C.	DUNCAN
DAVIS, M.	DONLEY	ELIASON
ELLIS	FINKELSTEIN	FAIKS
FOSTER	FURNACE	FISCHER
GOLL	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HOFFMAN	HUDSON	JONES
JACKO	KOPONEN	KELLY
KUBINA	LARSON	KERTTULA
LEMAN	MACLEAN	PEARCE
MARTIN	MENARD	POURCHOT
MILLER	NAVARRÉ	RODEY
PETTYJOHN	PHILLIPS	STURGULEWSKI
RIEGER	SHARP	SZYMANSKI
SHULTZ	SHACKHAMMER	UEHLING
TAYLOR	ULMER	ZHAROFF
WALLIS	ZAWACKI	

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: ROGER POST  
 TITLE:  
 ADDRESS: P.O. BOX 72962  
 CITY: FAIRBANKS  
 PHONE: 455-6583  
 BILL NO: HB 303  
 SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA  
 MESSAGE: AS A GOLDSTREAM RESIDENT I REQUEST YOUR SUPPORT FOR HB303.

ZIP: 99707

POMID: 07145017  
 DATE: 03/19/90  
 TIME: 14:50:17  
 LIONAME: FAIRBANKS LIO

COPIES: SENATORS

KERTTULA  
 ELIASON  
 FRANK  
 HALFORD  
 STURGULEWSKI  
 ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: JAMES R. ANDRUS  
 TITLE:  
 ADDRESS: 3250 LATOUCHE STREET, APT J-18  
 CITY: ANCHORAGE  
 PHONE: 276-7794  
 BILL NO: SB 59  
 SUBJECT: MANDATORY SEATBELTS

ZIP: 99508

MESSAGE: STATE LAWMAKERS WE MUST BESEECH..TO STAY WITH THE GOALS THEY CAN REAC  
 ...DON'T MAKE US WEAR BELTS...HELP US SAVE OUR WON PELTS...FOR SAFETY YOU JUST  
 HAVE TO TEACH. FUND SAFETY ADVERTISING TO HELP US BELIEVE IN SEATBELTS.  
 COERCION NEVER WORKS. KILL SHB 59. /BN

POMID: 03135735  
 DATE: 03/19/90  
 TIME: 13:57:35  
 LIONAME: ANCHORAGE LIO

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BARNES	BOUCHER	ADAMS
BOYER	BROWN	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIDSON	DAVIS, C.	DUNCAN
DAVIS, M.	DONLEY	ELIASON
ELLIS	FINKELSTEIN	FAIKS
FOSTER	FURNACE	FISCHER
GOLL	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HOFFMAN	HUDSON	JONES
JACKO	KOPONEN	KELLY
KUBINA	LARSON	KERTTULA
LEMAN	MACLEAN	PEARCE
MARTIN	MENARD	POURCHOT
MILLER	NAVARRÉ	RODEY
PETTYJOHN	PHILLIPS	STURGULEWSKI
RIEGER	SHARP	SZYMANSKI
SHULTZ	SHACKHAMMER	UEHLING
TAYLOR	ULMER	ZHAROFF
WALLIS	ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: DENNIS HAKANSON

TITLE:

ADDRESS: 3624 E. 17TH

CITY: ANCHORAGE

ZIP: 99508

PHONE: 277-1765

BILL NO: SB 444

SUBJECT:

MESSAGE: PLEASE SUPPORT SB 444 AND HB 515. THIS IS A CHANCE TO CORRECT A LONG  
OVERDUE INEQUITY. /CMR

## PUBLIC OPINION MESSAGE

DEAR: SENATOR FAHRENKAMP

NAME: BEVERLY NESTER

TITLE:

ADDRESS: 5465 CHENA HOT SPRINGS ROAD

CITY: FAIRBANKS

ZIP: 99712

PHONE: 488-6356

BILL NO: HB 303

SUBJECT: ESTABLISHING GOLDSTPFAM PUBLIC USE AREA

MESSAGE: PLEASE AMEND HB 303 TO INCLUDE HORSE BACK RIDING AS A USE IN NUMBER  
4. HORSES ARE RIDDEN ALL WINTER AS WELL AS SUMMER IN THE GOLDSTREAM AREA  
AND AS PART OF THE PUBLIC SECTOR SHOULD NOT EXCLUDED IN AN AREA THEY HAVE  
USED FOR DECADES. EOMPOMID: 03144844  
DATE: 03/19/90  
TIME: 14:48:44  
LIONAME: ANCHORAGE LIOPOMID: 07154207  
DATE: 03/19/90  
TIME: 15:42:07  
LIONAME: FAIRBANKS LIOCOPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BARNES	BOUCHER	ADAMS
BOYER	BRJWN	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIDSON	DAVIS, C.	DUNCAN
DAVIS, M.	DONLEY	ELIASON
ELLIS	FINKELSTEIN	FAIKS
FOSTER	FURNACE	FISCHER
GOLL	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HOFFMAN	HUDSON	JONES
JACKO	KOPONEN	KELLY
KUBINA	LARSON	KERTTULA
LEMAN	MACLEAN	PEARCE
MARTIN	MENARD	POURCHOT
MILLER	NAVARRÉ	RODEY
PETTYJOHN	PHILLIPS	STURGULEWSKI
RIEGER	SHARP	SZYMANSKI
SHULTZ	SWACKHAMMER	UEHLING
TAYLOR	ULMER	ZHAROFF
WALLIS	ZAWACKI	

COPIES: SENATORS

KERTTULA  
ELIASON  
FRANK  
HALFORD  
STURGULEWSKI  
ZHAROFF

27 MARCH 90'

DEAR BETTYE;  
 PER OUR PHONE CONVERSATION  
 THIS IS HBO 303 B "AN  
 ACT ESTABLISHING THE  
 GOLDSTREAM PUBLIC USE AREA"

WE FEEL IT SHOULD BE  
 NAMED A "LOCK OUT" OF  
 THE ARR R.O.W. THROUGH  
 GOLDSTREAM VALLEY AND  
 ON TO CHATANIKA. WITH  
 THIS OIL THERE IS NO  
 FUTURE ACCESS TO MINING  
 THINGS FOR RAILROAD BALLAST,  
 HISTORIC TRANSPORTATION LINK  
 NORTH OF FAIRBANKS.

THANK YOU IN ADVANCE  
~~John T. McGehee~~  
 4825 GLASGOW DRIVE  
 FAIRBANKS ALASKA 99709

PHONE 479 5451



**Transportation Contracting Ltd.**

Exporting and Importing Services  
 Transportation Consultants

4825 Glasgow Dr., Suite A  
 Fairbanks, Alaska 99709  
 Telephone: (907) 479-5451  
 Facsimile: (907) 474-8056

TERRY (T.T.) MCGHEE  
 Owner

# Senator John B. (Jack) Coghill

Alaska State Legislature

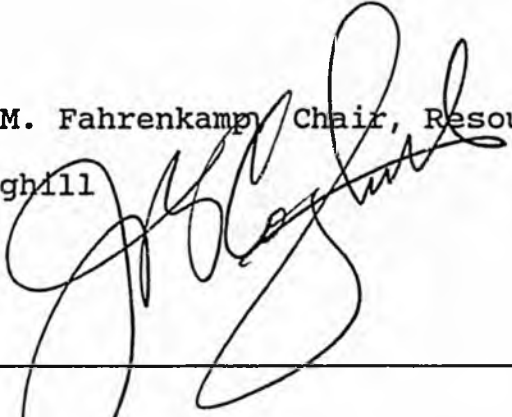
Box V  
Juneau, Alaska 99811  
(907) 465-4797

Box 55028  
North Pole, Alaska 99705  
(907) 488-0862



## M E M O R A N D U M

To: Senator Bettye M. Fahrenkamp, Chair, Resources  
From: Senator Jack Coghill  
Date: April 16, 1990  
Subj: HB 303



---

Horse owners in the Tanana Valley are requesting that HB 303 be amended in order to accommodate horses in the Goldstream Valley where horses have been used YEAR AROUND for decades - since 1902 to be exact!

I enclose an article that a constituent sent me and which is written by Celia Hunter. It appeared in the Alaska Magazine.

Your consideration of this request is appreciated.

# A Look At Fairbanks

By  
Celia M. Hunter

*Reprinted with permission from Alaska Magazine*

Would you believe there are 3,000 horses, mules and burros within a 30-mile radius of Fairbanks? A survey conducted by the local 4-H clubs came up with this estimate, shy a few hundred in 1978, and I have corrected it for 1980 based on information from veterinarians, feed store owners, and horse people in the Fairbanks North Star Borough.

In a community where the cost of living is between 30 and 50 percent higher than in Seattle, horses are big business. The same 4-H survey estimated that the horses consume local hay to the tune of over one million dollars, plus another one and a quarter million dollars worth of grain, both local and imported.

But to the owners of these horses, mules, and burros, the animals mean much more than being part of the local economy. People — and these people are predominantly female — keep horses because they care about them as pets, enjoy the vigorous exercise of horseback riding, and treasure the rural lifestyle that horses typify.

Alaska and sled dogs seem more synonymous, but judging by the figures, horse ownership is right up there with sled dog ownership. And like horse people all over the United States, some of these horses are trained year-round to compete at local fairs and horse shows, where the rider's apparel and the horse's grooming influence the final scores.

It might seem improbable that riding could be a year-round activity where temperatures drop 50 and 60 below zero during the winter, but the secret is that these periods of intense cold are rare. Winter temperatures range from about 10 above to 20 to 30 below much of the time, which means that both horses and riders can be reasonably comfortable.

If you have horses you need places to ride. A major recreational asset, used almost exclusively by permanent residents rather than tourists or other visitors, is the intricate and lengthy system of trails throughout the back country of the borough, as well as through the more populated suburbs. Trail-related activities are among the most popular outdoor activities of Fairbanks and borough residents.

In addition to several hundred miles of trails, often old mining roads or tracked vehicle roads, which have been taken over by horseback riders, there are scores of miles of trails cut by cross-country skiers, which they share off-season with joggers, runners, and also horseback riders. The dog mushers have a maze of trails for competitions crisscrossing the swampy ground between College Road and Farmer's Loop Road close to Fairbanks. Ranging farther out from town across the Tanana River into the expanse of flats extending south to the Alaska Range, the snowmobilers have their favorite haunts.

The area along both sides of the Chena Hot Springs Road, traversing the Chena and Little Chena valleys eastward from Fairbanks some 70 miles to its destination at Chena Hot Springs is strongly horse country. Neighbors often ride horseback to visit each other, and organized trail rides, both for fun and competition are frequent events. Several active 4-H horse clubs have memberships ranging as high as 60 youngsters.

Gail Mayo is a leader of one of these 4-H groups. Gail and her husband Larry live on a small ranch on Sheep Creek Road, about 12 miles outside the city. Larry, a geologist, specializes in hydrology and glaciers. They own their own Cessna 180, which Larry uses in some of his field work. They raise all their own hay in a hundred-acre field they have leased with some friends, and are able to sell a good many tons to other horse owners. Most of the hay for local horses is raised in the vicinity of Fairbanks.



The average horse owner probably pays out about \$1,000 a year to feed each horse, using a combination of hay and grain. Some owners are able to cut corners on these costs by doing as the Mayos do, raising part of their feed, and using Alaska-grown barley from the large farming enterprise near Delta Junction.

Imported oats, barley, or corn cost \$300 per ton, a large percentage of this figure being for freight. Because of constantly increasing oil and gasoline prices, freight rates in Alaska have skyrocketed, affecting almost every item. In midsummer last year the musk ox farm at Unalakleet was using parcel post to ship bales of hay from the Anchorage area to Unalakleet because this was the cheapest way to feed the musk ox.

Horse use, as ascertained in the 4-H survey, showed that 75 percent of the horses and mules were used for trail riding or pleasure. About 13 percent of the animals were used for sport hunting and packing, and about 40 percent were used in a business, which included breeding, training and riding lessons, renting or leasing horses, and professional hunting and guiding. Most of the mules were used as draft animals around local farms, and enough horses fit this category to account for 4 percent of the total.

The number of horses per family varied between one and three. Prices for the horses ranged from \$500 to \$15,000, though the average cost of a horse is thought to be about \$1,200. This means horses in the Fairbanks vicinity have an overall value of nearly \$3 million.

Getting away from the immediate vicinity of Fairbanks, you'll find a good many professional guides and outfitters using horses. These guides may do some hunting trips in the fall, but their major business is fast becoming one of operating pack stock for hiking parties and mountain climbers who need to have their gear carried cross-country to take-off points.

Berle Mercer, a friendly, competent ex-Nebraska farmer, who owns the old Carl Anderson homestead at Lignite, just north of Healy, maintains a string of pack animals which spend much of each summer hauling climbing parties from the Wonder Lake area up to McGonagall Pass, where they head up the Muldrow Glacier to the summit of Mount McKinley.

Dan Wetzell, formerly of Crevice Creek on the John River in the Brooks Range, has switched his emphasis from guiding hunters with his pack string to carrying gear for hiking groups exploring Bob Marshall's old stamping grounds in the new Gates of the Arctic National Park.

George Pollard, a noted guide-outfitter operating within the Kenai National Moose Range, uses horses as pack stock while guiding parties through the wilderness of the southern section of the range.

Horses have been a part of Alaska ever since the Klondike stampede, when hundreds of them traversed the treacherous White Pass Trail out of Skagway. Today's horse owners are maintaining a great tradition.

**HB**

**311**

iscal notes from Department of Transportation and  
Public Facilities and Department of Revenue.

CS FOR HOUSE BILL NO. 311 (Transportation) was referred to  
the Finance Committee.

Selection=>

PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12
HELP		EXIT	MENU		PRINT	BWD	FWD		FIRST	LAST	QUIT
BASIS	Journal Text										

02/22/90

SENATE JOURNAL

PAGE 2543

HB 311

The Resources Committee considered CS FOR HOUSE BILL NO. 311  
(Transportation) (An Act approving the issuance of revenue  
bonds for construction of a road from Portage to Whittier  
and of the Bradfield River resource road; and providing for  
an effective date) and recommended do pass. The report was  
signed by Senator Fahrenkamp, Chair, and concurred in by  
Senators Kerttula, Halford, Frank, Eliason, Zharoff and  
Sturgulewski.

Previous fiscal notes from Department of Transportation and  
Public Facilities and Department of Revenue.

CS FOR HOUSE BILL NO. 311 (Transportation) was referred to  
the Finance Committee.

Selection=>

PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12
HELP		EXIT	MENU		PRINT	BWD	FWD		FIRST	LAST	QUIT

SENATE COMMITTEE REPORT

FURTHER

RESOURCES  
FINANCE

DATE TURNED INTO OFFICE \_\_\_\_\_

5/8/89

Mr. President:

STATE AFFAIRS Committee considered CSHB 311 (TRSP)

approving the issuance of revenue bonds for construction of a road from Portage to Whittier and of the Bardfield River resource road; efd

and recommended

- replace with \_\_\_\_\_ CS \_\_\_\_\_ )  same title
- or adopt \_\_\_\_\_ CS \_\_\_\_\_ )  new title
- attached amendment(s) and  technical title change (HB only)
- \_\_\_\_\_ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

FISCAL NOTE(S)  zero  fiscal impact  appropriation no FN  
 new  updated  previous  
 same as previous fiscal note(s) published \_\_\_\_\_

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Al Adams  
Jan Fuchs  
Twin Kelly

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Pat [Signature]  
 Chair signature and recommendation

Committee Backup attached

STATE OF ALASKA  
1990 LEGISLATIVE SESSION

BILL VERSION: CSHB 311 (Trans)  
PUBLISH DATE: 5/04/89

REQUEST: FISCAL NOTE

Revision Date: 2/05/90  
Title: Revenue Bonds for Portage to Whittier  
and Bradfield River Roads  
Sponsor: House Transportation  
Requestor: Kubina

Agency Affected: DOT&PF  
BRU:  
Components:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTURAL	100.0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	100.0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	100.0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	100.0	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: Funding is to determine the financial feasibility of constructing and operating a Portage to Whittier and Bradfield River Resource toll road under authority of Alaska Statutes 37.15.610-37.15.760, as amended by Legislation enacted in Chapter 165, SLA 1988:

Prepared by: W. Keith Gerken  
Division: Deputy Commissioner, Operations

Phone: 465-3900  
Date: Feb. 5, 1990

Approved by Commissioner: Mark S. Hickey  
Agency: Department of Transportation and Public Facilities

Date: 2/5/90

Distribution (by preparer):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

# Alaska State Legislature



Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman  
Sen. Al Adams  
Sen. Tim Kelly  
Sen. Rick Uehling

P.O. Box V  
State Capitol  
Juneau, Alaska 99811

907-465-3712

## Senate State Affairs Committee

### MEMORANDUM

TO: Senate State Affairs Committee Members  
FROM: Senator Pat Pourchot *Pat*  
RE: Monday, February 5 Committee Hearing  
DATE: February 2, 1990

TELECONFERENCE: Whittier, Anchorage

On Monday, February 5 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

\*CS HJ 64. Relating to the placement of a geographically correct Alaska on national maps.

This resolution, sponsored by Representative Ulmer, urges all major U.S. magazines, newspapers, textbook publishers and map publishers to place Alaska in its correct geographical position on maps of the United States and that all geographical attributes of Alaska be correct in size and location.

\*CS HB 311. An Act approving the issuance of revenue bonds for construction of a road from Portage to Whittier and of the Bradfield River resource road: and providing for an effective date.

This bill provides for the issuance of up to \$27,000,000 in revenue bonds for construction of approximately 9 miles of road from Portage to Whittier and up to \$22,300,000 for construction of the 29 mile Bradfield River Resource Road. CS HB 311 provides the funding mechanism for creation of the first toll facilities in the state.

\*Indicates first Senate State Affairs hearing

# Alaska State Legislature



While in Session,  
P O Box V  
State Capitol  
Juneau, Alaska 99911  
-65-4659

P O. Box 2463  
Valdez, Alaska 99686  
835-2695

Representative Eugene Kubina

During the past 4 years, a great deal of time has been spent researching the feasibility of providing access to Whittier. It seems incredible that here sits a town, located approximately 9 miles from Portage, that is virtually inaccessible other than by limited rail and ferry service. Yet, this community provides access to Prince William Sound and its tremendous resources and recreational/tourism opportunities. This, coupled with a large, year round, "ice free" deepwater port make the possibilities for development of this area unlimited.

Whittier is a unique community. The actual size of the City of Whittier is less than 6 acres. The population is approximately 350 people. In 1983, the Department of Natural Resources transferred 600 acres to the city. This area remains undeveloped because no funding has been identified to provide access to the area.

The Department of Transportation has looked at numerous alternatives for access to Whittier. Obviously, several of the alternatives reviewed were not cost effective.

Currently, the most feasible alternative appears to be the construction of a single lane access road. This road would be constructed around the first tunnel and through the second tunnel. The existing railroad tracks would be overlaid thereby providing joint vehicular and rail use. The current width of the tunnel is 14' 6". Modifications would be required in periodic places to allow for 6 turnout and pulloff areas in case of emergencies or vehicle breakdowns. These turnout areas would be 25 feet wide X 100 feet long. Emergency telephones would be placed every half mile along

the tunnel. The cost to construct this road is estimated to be between \$17-20 million.

With federal transportation dollars dwindling, it is apparent that innovative financing methods will be necessary to fund this project. House Bill 311 provides for the issuance of up to \$27 million in revenue bonds for construction of a road from Portage to Whittier. This amount represents a 35% cushion coverage ratio. As revenue bonds are stand alone bonds, the project must be self sustaining. Therefore, this coverage factor is necessary to make these bonds attractive and secure to investors.

Certain safeguards currently exist in Alaska Statutes to ensure that no project is undertaken unless it has been scrutinized carefully. AS 37.215.730 states that no toll facility can be constructed unless the following conditions are met:

- a. DOT submits to the governor and legislature a feasibility study that finds the project is financially feasible and able to produce revenue adequate to repay the bonds.
- b. If financing in addition to revenue bonds is required to finance the toll facility, the department submits to the governor and legislature a finance plan that includes an estimate of the total cost of the toll facility and a description of the sources of money that will be used to finance the total cost of the toll facility; and
- c. The office of management and budget reviews the feasibility study and the finance plan, if required, and reports its finding and recommendations to the governor and legislature not later than 90 days after the study and plan are received by the office.

In summary, House bill 311 identifies the funding mechanism for the project. This is the first step, however, unless all the above conditions are met, the project will not be deemed feasible.

We need to look at new, innovative methods of financing our transportation needs. I strongly feel that state toll facilities are a real alternative to provide us with the funds necessary to continue to build necessary basic infrastructure. We need to take this first step to provide DOT with the necessary direction and authority to pursue this project as the states first state toll facility

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_ Agency Affected: State Bond Committee  
 Title: \$49,300,000 Revenue Bonds for Portage to Whittier and Bradfield River Roads BRU: \_\_\_\_\_  
 Sponsor: Senate Transportation Components: \_\_\_\_\_  
 Requestor: Senate State Affairs

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
<b>OPERATING</b>						
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LANDS & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	4,798.7	4,798.7	4,798.7	4,798.7
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>4,798.7</b>	<b>4,798.7</b>	<b>4,798.7</b>	<b>4,798.7</b>
<b>CAPITAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>REVENUE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	4,798.7	4,798.7	4,798.7	4,798.7
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>4,798.7</b>	<b>4,798.7</b>	<b>4,798.7</b>	<b>4,798.7</b>

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: Fiscal effect for FY 90 is zero.

\$2,628,100 annual debt service for Portage to Whittier Road and \$2,170,600 annual debt service for Bradfield River Road on \$27 million and \$22.3 million revenue bonds respectively. 30 year maturities and 9 percent interest estimated on bonds. Fund source is Toll Facilities Construction Fund for FY 92-93 and Toll Facilities Revenue Fund thereafter. Construction assumed to begin FY 93.

Prepared By: Milt Barker MB  
Division: Treasury

Phone: 465-2350  
Date: \_\_\_\_\_

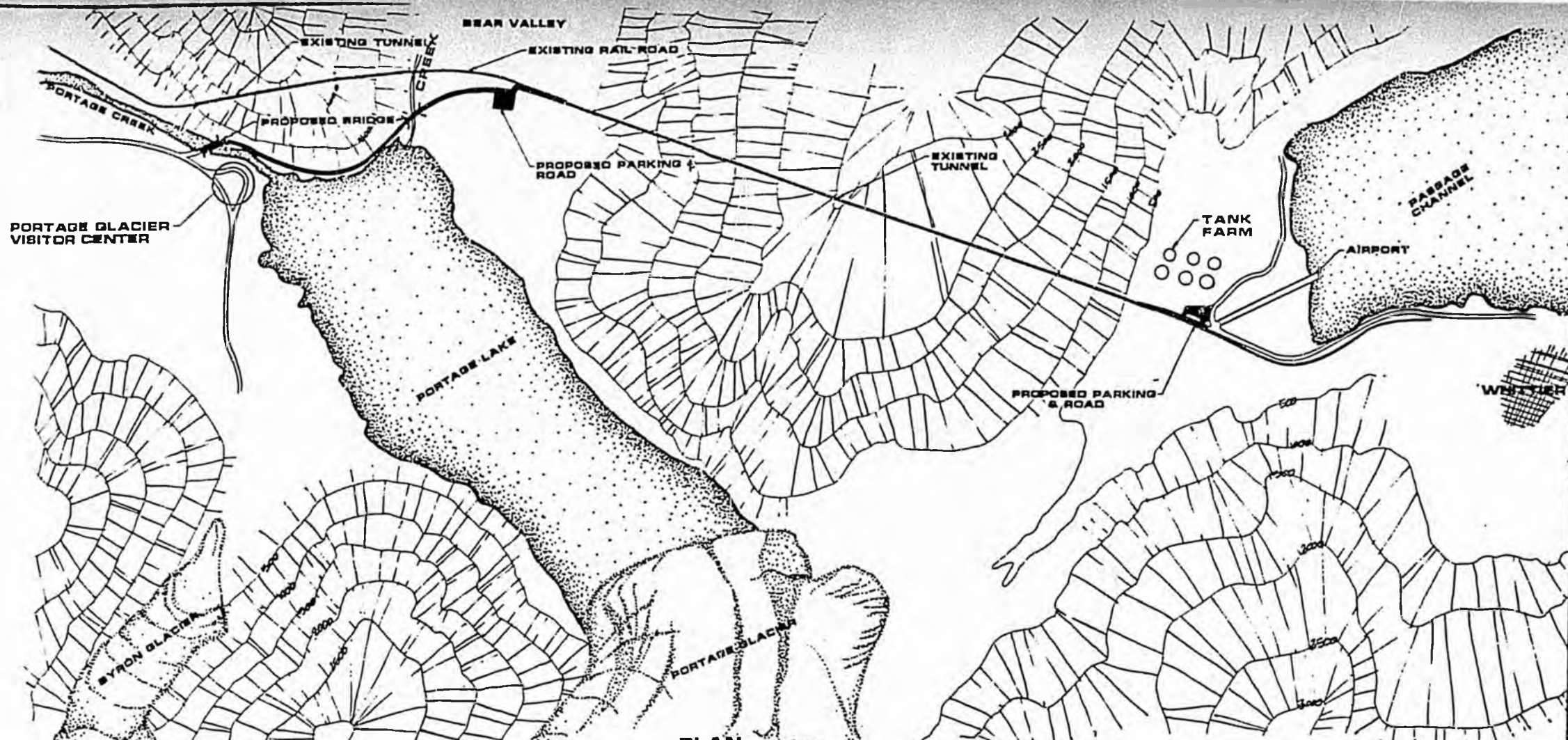
Approved by Commissioner: [Signature]  
Agency: Department of Revenue

Date: Jan 31, 1990

Distribution (by preparer):

Legislative Finance  
Legislative Sponsor

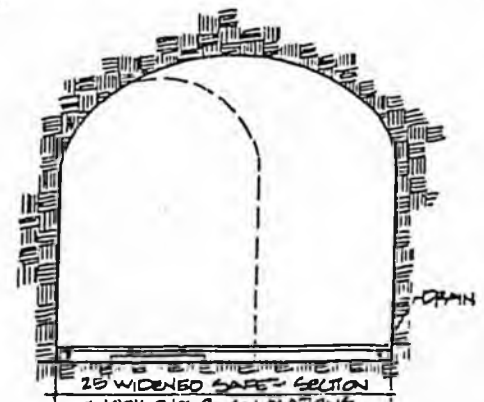
Requestor  
Office of Management and Budget  
Impacted Agency(ies)



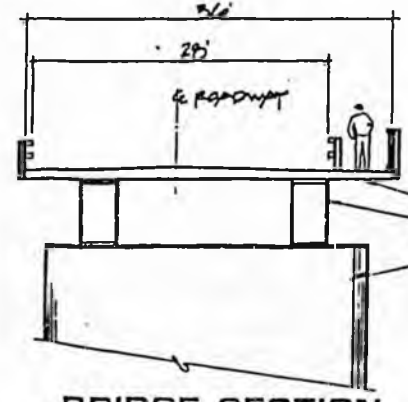
**PLAN**  
 SCALE (FEET)  
 0 500 1000 Feet



**EXISTING RAILROAD SECTION**



**WIDENED TUNNEL SECTION**



**BRIDGE SECTION**

CONCRETE DECK  
 STEEL BOX GIRDERS  
 CONCRETE PIERS

1	PL
1	PL
1	PL
1	PL
1	PL

**WHITTIER ACCESS**

**Peratrovich, Nottingham & Drage, Inc.**  
 Engineering Consultants  
 1508 West 36th Avenue,  
 Anchorage, Alaska 99503 (907) 561-1011

**CONCEPT PLAN** **1-1**

(9) "revenue fund" means the International Airports Revenue Fund created by AS 37.15.430. (§ 1 ch 149 SLA 1972)

Revisor's notes. — Reorganized in 1988 to alphabetize the defined terms.

**Article 4. Toll Facilities Revenue Bonds.**

<p><b>Section</b>          610. Bond authorization          620. Construction fund          630. Revenue fund          640. Bond redemption fund          650. Bond terms          660. Bond resolution          670. Enforcement by holder          680. Amounts required for payments</p>	<p><b>Section</b>          690. Bond negotiability          700. Refunding          710. Bonds as legal investments          720. State toll facilities          730. Review of toll facility projects          740. Toll facility charges          750. Statutory construction          760. Definitions</p>
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**Sec. 37.15.610. Bond authorization.** For the purpose of providing part or all of the money to be used, with or without any grants or other money that may become available, the issuance and sale of revenue bonds of the state in the total principal sum of not to exceed \$500,000,000 is authorized to acquire, construct, equip, and install the additions, improvements, extensions, and facilities authorized in AS 37.15.720 and 37.15.730. The principal of and interest on these bonds are paid out of and secured by the gross revenue derived by the state from the ownership, use, and operation of the toll facilities, and out of any other revenue or money that the state legislature may provide exclusive of any state tax or license. Bonds may not be issued to assist in the acquisition, financing, or operation of projects without prior approval from the legislature. (§ 1 ch 162 SLA 1984)

**Sec. 37.15.620. Construction fund.** (a) The toll facilities construction fund is established for deposit of proceeds of the sale of the bonds authorized by AS 37.15.610 and any grant or other money that is legally provided for the same purposes for which the bonds are authorized except for any accrued interest paid on the bonds by the purchaser. The money in the construction fund is used to pay the cost of acquiring, constructing, and equipping facilities authorized in AS 37.15.720 and 37.15.730 and costs incidental to those activities, including costs of the authorization, issuance, and sale of the bonds. To the extent allowed in the bond resolution, money in the construction fund may also be used for the payment of interest on the bonds during the time of actual construction, and for any additional time, not exceeding one year after construction is completed. Money in the construction fund may also be transferred to the bond redemption fund, as permitted by the bond resolution, to establish a reserve for the payment of the principal and interest on the bonds.

(b) The bond resolution may provide for the investment of money in the construction fund as the committee determines. The interest earned upon or any profit derived from the sale of the investment is deposited in the construction fund. (§ 1 ch 162 SLA 1984)

**Sec. 37.15.630. Revenue fund.** (a) The toll facilities revenue fund is established and shall be set apart from all other money of the state. The toll facilities revenue fund is a trust fund for the purposes under AS 37.15.610 — 37.15.760, where all revenue, fees, tolls, charges, and rentals are deposited that are derived by the state from the ownership, lease, use, and operation of the facilities authorized by AS 37.15.720 and 37.15.730. The revenue, fees, tolls, charges, and rentals may not include the proceeds of any state tax or license. The money in the revenue fund may only be used to

(1) pay or secure the payment of the principal of and interest on the toll facilities bonds and principal of and interest on any other revenue bonds issued by authorization of the legislature to provide money to acquire, construct, and equip facilities authorized by AS 37.15.720 and 37.15.730 and to be payable out of the revenue fund;

(2) pay the normal and necessary costs of maintaining and operating the facilities acquired, constructed, or equipped under AS 37.15.610 — 37.15.760;

(3) pay the costs of renewals, replacements, and extraordinary repairs to facilities acquired, constructed, or equipped under AS 37.15.610 — 37.15.760;

(4) redeem before their fixed maturities any and all revenue bonds issued for the purpose of acquiring, constructing, and equipping facilities authorized by AS 37.15.720 and 37.15.730;

(5) provide money to acquire, construct, and equip necessary additions and improvements to facilities authorized by AS 37.15.720 and 37.15.730; and

(6) provide money to pay any and all other costs relating to the ownership, use, and operation of the facilities.

(b) The investment of money in the revenue fund may be made as the committee determines. The interest earned upon or any profits derived from the sale of an investment under this subsection shall be deposited in the revenue fund. (§ 1 ch 162 SLA 1984)

**Sec. 37.15.640. Bond redemption fund.** The toll facilities revenue bond redemption fund is established for deposit in trust of money for paying and securing the payment of principal of and interest and redemption premium, if any, on bonds and is set apart from all other money of the state. The committee, on behalf of the state, shall obligate the state to set aside and pay into the bond redemption fund from the revenue fund an amount of money sufficient to pay the principal of and interest and redemption premium, if any, on the bonds as the

payments become due and, if the committee considers it necessary, to set aside and maintain a reserve for this purpose. The bond redemption fund is drawn upon for the purpose of paying the principal of and interest and redemption premium, if any, on the bonds, and the bonds do not constitute a general obligation of the state. (§ 1 ch 162 SLA 1984)

**Sec. 37.15.650. Bond terms.** (a) The toll facilities bonds are sold in the amounts or series and at the time as determined by the committee. Before selling a series of bonds, the committee shall give notice inviting sealed bids. If satisfactory bids are received, the bonds offered for sale are awarded to the highest responsible bidder. If the committee determines that a bid received is not satisfactory as to price or responsibility of the bidder, the committee may reject the bid received. Bonds, or a series of bonds, may not be sold if the effective interest rate over the life of the bonds exceeds 11 percent per year or that rate of interest that is 125 percent of the rate of the Bond Buyer Index of 20 Municipal Bond Average Yields for the week previous to the date of sale of the bonds, whichever is higher. Interest is payable annually or semiannually.

(b) The bonds mature at the time fixed by the committee. The bonds may be subject to redemption before their fixed maturities as determined by the committee and with the premium fixed by the committee, but a bond may not be subject to redemption before its fixed maturity date unless the right to redeem that bond is expressly mentioned on the face of the bond. The bonds

(1) may be in denominations determined by the committee;

(2) may be issued in coupon form or in fully registered form, and may be registrable as to principal or both principal and interest, all under regulations and conditions the committee provides;

(3) are payable as to principal and interest at the place determined by the committee;

(4) shall be signed on behalf of the state by the governor and shall be attested to by the lieutenant governor, both of which signatures may be facsimile signatures, and each of the interest coupons attached to them shall be signed by the facsimile signatures of these officials;

(5) shall have the seal of the state impressed, printed, or lithographed on them; and

(6) shall be issued under and subject to the terms, conditions, and covenants, providing for the payment of the principal of and interest on the bonds and the other terms, conditions, covenants, and protective features safeguarding this payment and relating to the maintenance, operation, and improvement of the toll facilities as found necessary by the committee, which covenants may include a provision requiring the setting aside and maintenance of certain reserves to secure the payment of the principal and interest.

(c) If found reasonably necessary, the committee may select a trustee or trustees for the holders of the bonds or any series of the bonds, for the safeguarding and disbursement of any of the money in any of the funds created by AS 37.15.620, 37.15.630, and 37.15.640, or for the duties for authentication, delivery, and registration of the bonds as the committee may determine. The committee shall also fix the rights, duties, powers, and obligations of the trustee or trustees.

(d) In the committee's determination of all of the matters and questions relating to the issuance and sale of the bonds and the fixing of the maturities, terms, conditions, and covenants of the bonds as provided in (a) — (c) of this section, the decisions of the committee shall be those found to be reasonably necessary for the best interests of the state and its inhabitants, and those that will accomplish the most advantageous sale of the bonds, with due regard, however, (1) to necessary or normal costs of maintenance and operation; (2) to renewals and replacements of and repairs to the toll facilities; (3) to all improvements to toll facilities and property of toll facilities owned, used, operated, or leased in connection with toll facilities; and (4) to the future growth and expansion of all of the facilities and the possibility of additional revenue bond financing for toll facilities purposes. A decision of the committee, as expressed in any bond resolution, is final when any bonds have been issued under the bond resolution.

(e) A bond resolution may provide that the bonds issued contain a recital that they are issued under AS 37.15.610 — 37.15.760, and any bonds containing this recital are conclusively considered to be valid and to have been issued in conformity with AS 37.15.610 — 37.15.760.

(f) The validity of the authorization and issuance of bonds is not affected by any proceeding for the acquisition or construction of the additions, improvements, or facilities for which the bonds have been issued or by any contract in connection with the acquisition or construction. (§ 1 ch 162 SLA 1984)

**Sec. 37.15.660. Bond resolution.** The committee is authorized and directed to adopt the bond resolution and prepare all other documents and proceedings necessary for the issuance, sale, and delivery of the bonds or any part or series of them. The bond resolution shall fix the principal amount, denomination, date, maturities, place or places of payment, rights of redemption, if any, terms, form, conditions, and covenants of the bonds or each series of them. The committee shall also determine and provide for the date and manner of sale of the bonds, and shall provide whether the notice of sale is to be published elsewhere in addition to the publication required by AS 37.15.650. (§ 1 ch 162 SLA 1984)

**Sec. 37.15.670. Enforcement by holder.** The holder of any bonds or the trustee for the holders of the bonds or any series of them, may, by appropriate proceedings in the courts of record of the state, compel the transfer, setting aside, and payment of money and the enforcement of all of the terms, conditions, and covenants as required and provided in AS 37.15.610 — 37.15.760 and in the bond resolution. (§ 1 ch 162 SLA 1984)

**Sec. 37.15.680. Amounts required for payments.** The committee shall, before December 31 of each year, commencing with the year in which the bonds are issued, certify to the commissioner of revenue and the commissioner of transportation and public facilities the amounts required in the next ensuing calendar year by a bond resolution to be paid out of the revenue fund into the bond redemption fund and to be paid into and maintained in any reserve fund or account or any other fund or account created by a bond resolution. The committee shall also certify to the commissioners the last date upon which payments may be made. (§ 1 ch 162 SLA 1984)

**Sec. 37.15.690. Bond negotiability.** The bonds and the coupons attached to them are fully negotiable instruments under the laws of the state. (§ 1 ch 162 SLA 1984)

**Sec. 37.15.700. Refunding.** (a) The bonds or any part of them may be refunded at or before their maturity by the issuance of refunding revenue bonds of the state if in the opinion of the committee refunding is advantageous to and in the best interest of the state and its inhabitants.

(b) The issuance of refunding bonds need not be authorized by an act of the legislature, and the committee shall adopt the resolution and prepare all other documents and proceedings necessary for the issuance, exchange or sale, and delivery of the bonds. All provisions of AS 37.15.610 — 37.15.760 applicable to revenue bonds are applicable to the refunding bonds and to the issuance, sale, or exchange of the bonds, except as otherwise provided in this section.

(c) Refunding bonds may be issued in a principal amount sufficient to provide money for the payment of all bonds to be refunded by them, and, in addition, for the payment of all expenses incident to the calling, retiring, or paying of the outstanding bonds, and the issuance of the refunding bonds. These expenses include the difference in amount between the par value of the refunding bonds and any amount less than par for which the refunding bonds are sold, any amount necessary to be made available for the payment of interest on the refunding bonds from the date of sale of them to the date of payment of the bonds to be refunded or to the date upon which the bonds to be refunded will be paid under the call of the bonds or agreement with the holders of

them, and the premium, if any, necessary to be paid in order to call or retire the outstanding bonds and the interest accruing on the outstanding bonds to the date of the call or retirement. (§ 1 ch 162 SLA 1984)

**Sec. 37.15.710. Bonds as legal investments.** Toll facilities bonds are legal investments for all banks, trust companies, savings banks, savings and loan associations, and other persons carrying on a banking business, all insurance companies and other persons carrying on an insurance business, and all executors, administrators, trustees, and other fiduciaries. The bonds may be accepted as security for deposits of all money of the state and its political subdivisions. (§ 1 ch 162 SLA 1984)

**Sec. 37.15.720. State toll facilities.** The state is authorized to acquire, construct, equip, and maintain toll bridges, tunnels, highways, roads, crossings, and causeways found to be necessary by the commissioner of transportation and public facilities. (§ 1 ch 162 SLA 1984; am § 2 ch 165 SLA 1988)

**Effect of amendments.** — The 1988 amendment inserted "tunnels."

*Subsequent project & projects State*



**Sec. 37.15.730. Review of toll facility projects.** A toll facility may be financed under AS 37.15.610 — 37.15.760 if the following conditions are met for that toll facility:

*DOT*

(1) the department submits to the governor and the legislature a feasibility study that finds that the toll facility is financially feasible and able to produce revenue adequate to repay the bonds with which it is financed;

(2) if financing in addition to revenue bonds is required to finance the toll facility, the department submits to the governor and legislature a finance plan that includes an estimate of the total cost of the toll facility and a description of the sources of money that will be used to finance the total cost of the toll facility; and

(3) the office of management and budget reviews the feasibility study and the finance plan, if required, and reports its findings and recommendations to the governor and legislature not later than 90 days after the study and plan are received by the office. (§ 1 ch 162 SLA 1984; am § 3 ch 165 SLA 1988)

**Effect of amendments.** — The 1988 amendment rewrote the catchline, which read "Knik Arm Crossing," rewrote the introductory language, which read "Notwithstanding the provisions of AS 37.15.720 the first state toll facility to be

financed under AS 37.15.610 — 37.15.660 is the Knik Arm Crossing near Anchorage if the following conditions are met," substituted "toll facility" for "crossing" in paragraph (1) and, in paragraph (2), substituted "required to finance the toll facil-

ity" for "anticipated," "that includes" for "to include," and "cost of the toll facility" for "cost of the project" twice.

**Sec. 37.15.740. Toll facility charges.** The commissioner of transportation and public facilities shall fix and collect the fees, charges, tolls, and rentals derived by the state from the ownership, lease, use, and operation of the facilities authorized by AS 37.15.720 and 37.15.730 and improvements of the facilities as will provide revenue sufficient to comply with all of the covenants of the bond resolution. (§ 1 ch 162 SLA 1984)

**Sec. 37.15.750. Statutory construction.** AS 37.15.610 — 37.15.760 shall be liberally construed in order to carry out the purposes for which the provisions were enacted, and all existing laws in conflict with AS 37.15.610 — 37.15.760 are superseded as necessary to accomplish the purposes of AS 37.15.610 — 37.15.760. (§ 1 ch 162 SLA 1984)

**Sec. 37.15.760. Definitions.** In AS 37.15.610 — 37.15.760, unless the context requires otherwise

(1) "bond redemption fund" means the toll facilities revenue bond redemption fund created by AS 37.15.640, including any accounts that are created in that fund after October 4, 1984;

(2) "bond resolution" means the resolution authorizing the issuance of bonds adopted by the committee under AS 37.15.660;

(3) "bonds" means the toll facilities revenue bonds authorized by AS 37.15.610 — 37.15.760;

(4) "committee" means the state bond committee created by AS 37.15.110, or any other committee, body, department, or officer of the state that or who succeeds to the rights, powers, duties, and obligations of the state bond committee by act of the legislature;

(5) "construction fund" means the toll facilities construction fund created by AS 37.15.620;

(6) "revenue fund" means the toll facilities revenue fund created by AS 37.15.630;

(7) "toll facilities" means highways, roads, bridges, tunnels, crossings, and causeways upon which tolls, charges, rentals, or other user fees are placed by the commissioner of transportation and public facilities. (§ 1 ch 162 SLA 1984; am § 4 ch 165 SLA 1988)

**Effect of amendments.** — The 1988 amendment inserted "tunnels" in paragraph (7).

## SECTION #6

THIS SECTION PROVIDES A CLOSE LOOK AT THE ACTUAL METHOD BEING CONSIDERED TO FINANCE THIS PROJECT, THE FINANCIAL FEASIBILITY OF THIS PROJECT IS DISCUSSED AT LENGTH IN THIS SECTION.

### FINANCING & BONDING

Last year, the Department of Revenue, State Bond Committee reviewed House Bill 311 to provide an analysis of the bonding capacity of this project. The traffic projections, annual debt service, bond sale monies and other factors were taken into consideration. As revenue bonds are stand alone bonds with no pledge or collateral from the state of Alaska, it becomes very important to make the project a financially feasible project in order to attract bond buyers.

The Department estimates that \$27 million would be the maximum amount this project should be bonded for. Of this \$27 million, \$22.950 million would be actual construction dollars. The remaining \$4.050 million would be required to cover financial fees, reserve requirements and other up front charges.

Key assumptions used in determining the bonding capacity of each alternative include:

- Passenger and vehicle tolls, as well as O & M expenses, are assumed to increase at the rate of inflation, taken for this analysis to be 5 percent per annum.
- Revenue bonds are based on the net revenues of the project. Typically, a debt service coverage factor of at least 1.35 is required to satisfy the financial safety requirements of potential bond buyers. This factor implies that for every \$1.00 borrowed in the form of revenue bonds \$1.35 must be available to repay the debt from net revenues.
- The Bond Buyer's Index of Municipal Bond Interest Rates, which is an indicator of bond interest trends for the United States published by the Daily Bond Buyer, indicated a range of interest rates from 8.85 to 10.31 percent for revenue bond issues nationwide in 1985. Bond rates in Alaska are generally on the high end of the scale, due to the relatively volatile nature of the state economy. For this analysis revenue bonds are assumed to be issued at a tax free market interest rate of 10 percent per annum.

- Revenue bonds are typically issued for a period of twenty to thirty years following completion of capital construction. For this analysis a thirty year period has been used.
- Eighty five percent of projected bonding capacity was assumed to be available to pay for the costs of construction, including outlays for engineering design and construction administration. The remaining 15 percent was assumed to be required to offset bond sales costs, reserve requirements, and other up-front expenses.
- Bonding capacities were based on the net revenue streams for the period 1988 to 2007. For each alternative, the net present value of the revenue streams was deflated to represent 1986 dollars.