

ALASKA LEGISLATURE COMMITTEE FILES 1999-2000 8672

10030 HOUSE TRANSPORTATION

BICYCLE HELMET FIT



Too tight, the helmet is too tight, the forehead and ears are exposed.



When the straps are too loose, the helmet slips backward, exposing the front of the head.



A properly adjusted helmet covers both the front and back areas of the head.

care of that child." Scientific literature on head injuries. In fact, the doctors discovered that only about 2% of kids wear helmets. They did a study of their city's helmet use. About 2% of kids wear helmets. Every day in the emergency room, the doctors saw head injuries. "It's terrible," says Bergman. "When they're not wearing helmets, children who can't see or the rest of their family have to do." So they turned their condition into a community-wide emergency-room study. One-third of the hospital's emergency room is the Snell Foundation both test helmets.)

Rivara and Bergman quickly learned how to get their message out. One problem they discovered was that helmets usually were sold at specialty stores for biking enthusiasts, at a cost of \$40 to \$60. But most kids' bikes were purchased at toy stores. Helmets were too expensive and too hard to find for most parents out buying bicycles for kids. Transforming themselves overnight into marketing experts, the doctors persuaded one Seattle helmet manufacturer to produce a low-priced model. Then they talked local toy stores into carrying helmets for kids. "My favorite was one retailer who put a hang tag on every bike he sold," Bergman recalls. "It said,

You can prevent head injuries in your community



Drs. Rivara (l) and Bergman want other communities to start helmet campaigns.

It takes time and a lot of hard work to develop community support for a bicycle-helmet campaign, but it is a relatively simple process, say Drs. Abe Bergman and Fred Rivara of Harborview Medical Center in Seattle. Here's how they did it:

- First, establish a coalition of interested groups, including health-care providers, insurance companies, PTAs, civic groups, hospitals and bicycle clubs.
- Second, find an underwriter to help offset the cost of helmets, either through bike shops or through manufacturers.
- Third, develop materials, handouts and tip sheets that provide information about the importance of helmet use and the need for proper fitting.
- Finally, use your community's newspaper, TV and radio stations to promote your safety program and helmet use for in-line skates and skateboards as well as bikes.

"This bicycle is missing a part." Along with the tag came a coupon good for a reduced price on a helmet. Bergman visited the buyer for one of the nation's largest toy-store chains and convinced him of the importance of helmets. Now children's helmets are available in the bicycle sections of the chain's outlets—and the price has gone below \$25.

The physicians soon realized that they were fighting something they call "the

nerd factor"—the idea among kids that wearing a bike helmet is not cool. To combat this, they enlisted Seattle-area celebrities to appear in TV ads. "Harold Reynolds, the former second baseman for the Mariners, did commercials wearing a helmet for us," says Bergman.

The doctors and their co-workers went to Girl Scouts and Boy Scouts camps, to YMCAs—to any place children were likely to congregate. But most of all, they aimed their PR blitz at parents. "If parents wear helmets when they bicycle, then about 98% of kids wear helmets," says Rivara. "If the parents don't wear helmets, it drops to 30%."

The latest studies done at Harborview show an amazing turnaround: While only 2% of Seattle-area bicyclists wore helmets a decade ago, about 70% do today. With pediatric brain injuries at an all-time low, Rivara and Bergman are eager to replicate their program throughout the country.

Bergman, in fact, already has seen how powerful the campaign can be. Earlier this year, he received a frantic phone call from the parents of his 19-year-old daughter's boyfriend. "They said that Kevin was in the emergency room," he recalls. The young man had been bicycling down a steep Seattle hill when a car cut him off. He went through the car's windshield. "He had serious fractures," Dr. Bergman says. But Kevin was wearing a helmet, so he suffered no head injuries. "He's alive to talk about it," adds Bergman. "If he hadn't had a helmet, Kevin would be dead."

Get a good helmet for only a few dollars

You can get headgear for as little as \$10, plus shipping and handling. Prudential HealthCare and Troxel, a leading manufacturer of helmets, have created a program to make protection easily available to adults and children. To find out more, call 1-800-694-3258.

Hospitalized Traumatic Brain Injuries in Alaska by EMS Region, 1997 Preliminary Results

<u>EMS Region</u>	<u>Reported TBI Injuries</u>	<u>Population Estimate</u>	<u>Rate per 100,000</u>
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Ranked by Population:

Aleutians	3	7,604	39
Bristol Bay	11	7,571	145
Nome	11	9,178	120
Northwest Arctic	17	6,701	254
North Slope	17	7,263	234
Kodiak Island	21	13,547	155
Valdez-Cordova	22	10,431	211
Southwest	28	22,507	124
Kenai Peninsula	41	48,098	85
Southeast	46	74,217	62
Matanuska-Susitna	66	52,448	126
Interior	82	96,886	85
Anchorage	173	254,849	68

Ranked by Rate of Traumatic Brain Injury:

Aleutians	3	7,604	39
Southeast	46	74,217	62
Anchorage	173	254,849	68
Kenai Peninsula	41	48,098	85
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STATE OF ALASKA
DEPT OF HEALTH & SOCIAL SERVICES
DIVISION OF PUBLIC HEALTH
SECT OF COMMUNITY HEALTH & EMS
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DEBRA M RUSSELL
BRAIN INJURY ASSN OF ALASKA
1251 MULDOON RD STE 32
ANCHORAGE AK 99504

Louis M. Sullivan



Decade of the Brain, 1990-1999

By the President of the United States of America

A Proclamation

The human brain, a 3-pound mass of interwoven nerve cells that controls our activity, is one of the most magnificent—and mysterious—wonders of creation. The seat of human intelligence, interpreter of senses, and controller of movement, this incredible organ continues to intrigue scientist and layman alike.

Over the years, our understanding of the brain—how it works, what goes wrong when it is injured or diseased—has increased dramatically. However, we still have much more to learn. The need for continued study of the brain is compelling; millions of Americans are affected each year by disorders of the brain ranging from neurogenetic diseases to degenerative disorders such as Alzheimer's, as well as stroke, schizophrenia, autism, and impairments of speech, language, and hearing.

Today, these individuals and their families are justifiably hopeful, for a new era of discovery is dawning in brain research. Powerful microscopes, major strides in the study of genetics, and advanced brain imaging devices are giving physicians and scientists ever greater insight into the brain. Neuroscientists are mapping the brain's biochemical circuitry, which may help produce more effective drugs for alleviating the suffering of those who have Alzheimer's or Parkinson's disease. By studying how the brain's cells and chemicals develop, interact, and communicate with the rest of the body, investigators are also developing improved treatments for people incapacitated by spinal cord injuries, depressive disorders, and epileptic seizures. Breakthroughs in molecular genetics show great promise of yielding methods to treat and prevent Huntington's disease, the muscular dystrophies, and other life-threatening disorders.

Research may also prove valuable in our war on drugs, as studies provide greater insight into how people become addicted to drugs and how drugs affect the brain. These studies may also help produce effective treatments for chemical dependency and help us to understand and prevent the harm done to the unborn children of pregnant women who abuse drugs and alcohol. Because there is a connection between the body's nervous and immune systems, studies of the brain may also help enhance our understanding of Acquired Immune Deficiency Syndrome.

Many studies regarding the human brain have been planned and conducted by scientists at the National Institutes of Health, the National Institute of Mental Health, and other Federal research agencies. Augmenting Federal efforts are programs supported by private foundations and industry. The cooperation between these agencies and the multidisciplinary efforts of thousands of scientists and health care professionals provide powerful evidence of our Nation's determination to conquer brain disease.

To enhance public awareness of the benefits to be derived from brain research, the Congress, by House Joint Resolution 174, has designated the decade beginning January 1, 1990, as the "Decade of the Brain" and has authorized and requested the President to issue a proclamation in observance of this occasion.

NOW, THEREFORE, I, GEORGE BUSH, President of the United States of America, do hereby proclaim the decade beginning January 1, 1990, as the Decade of the Brain. I call upon all public officials and the people of the United States to observe that decade with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of July, in the year of our Lord nineteen hundred and ninety, and of the Independence of the United States of America the two hundred and fiftieth.

George Bush

TBI ACT PASSES!

On July 12, 1996, the Senate passed language identical to the House passed version of the Traumatic Brain Injury Act. The act (now that it has passed it is no longer a bill) now goes to President Clinton for his signature. The Brain Injury Association is currently working with elected officials and others in an effort to have the President hold a signing ceremony. If you believe that President Clinton should honor people with brain injury and their families by hosting a public ceremony commemorating passage of this legislation, please call the White House and let President Clinton know. This call will only take a minute. The White House phone number is: (202) 456-1111.

The Traumatic Brain Injury Act authorizes the federal government to spend \$24.5 million over the next three years on:

- Grants to states to develop model treatment programs.
- Funds for the Centers for Disease Control and Prevention to study the incidence of brain injury.
- Funds for agencies in the Department of Health and Human Services to research into prevention, treatment and rehabilitation.
- Funds for the National Institutes of Health to host a national conference, gathering all the experts in the field.

Passage of the Act only ensured that these items are authorized. Call your

elected officials immediately and let them know that you want the Traumatic Brain Injury Act fully funded in the appropriations bill.

Congratulations to all those who have been involved in passing this legislation from the beginning - five years ago. Those of you who contacted your elected officials to ask them to pass this legislation had a definite impact. This time around, not a single legislator voted against the Traumatic Brain Injury Act. A special thanks goes out to Elizabeth Jenkins and the folks in Kansas who saved this bill at a time when it was on the verge of being killed by an amendment.

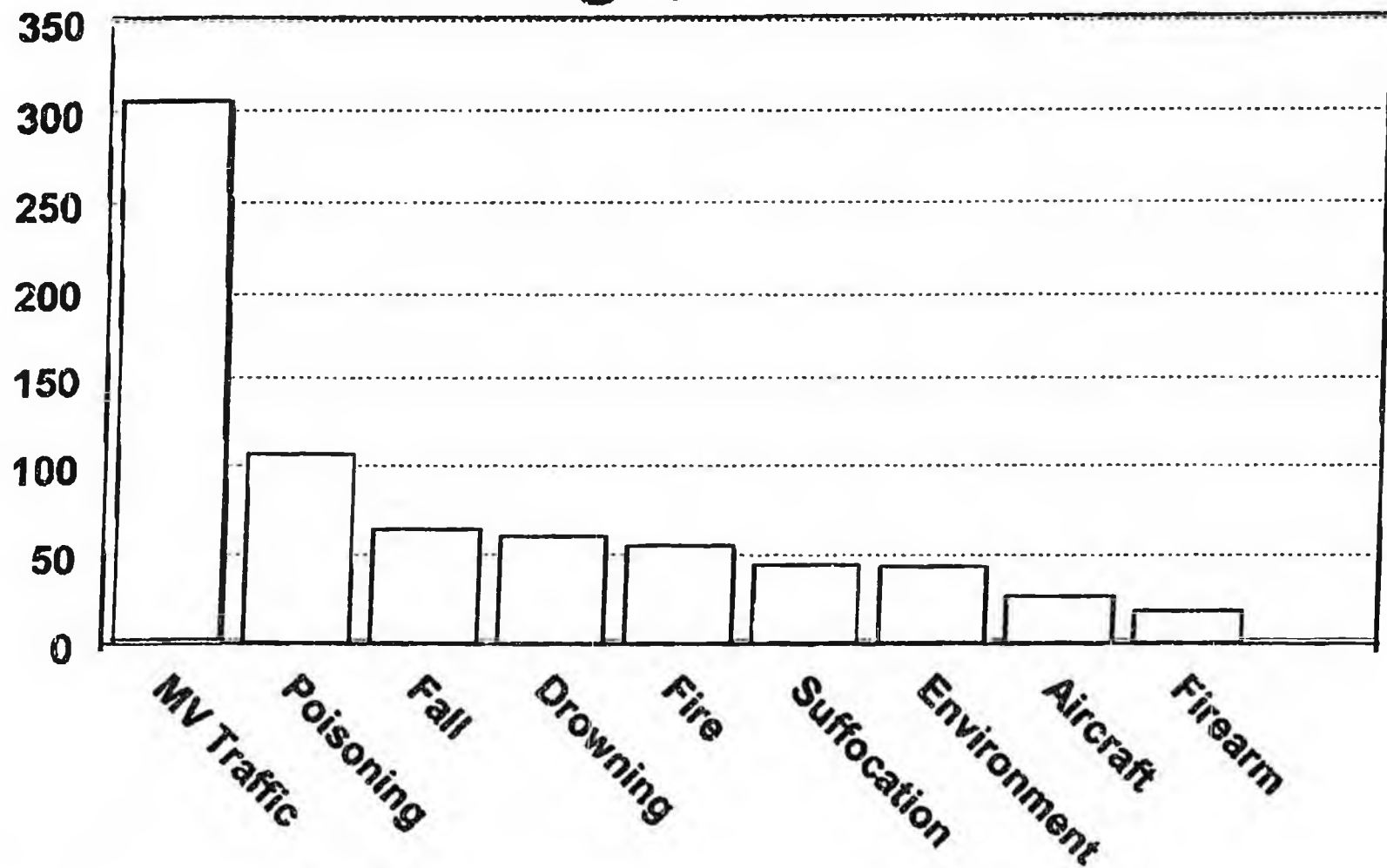
A number of legislators helped our cause in passing the Traumatic Brain Injury

Act. First and foremost, Jim Greenwood of Pennsylvania and his Legislative Director, Susan Cobb, ushered this legislation through the House and consistently worked with the Senate to keep that body on track. Other legislators who played pivotal roles include Senator Orin Hatch of Utah, Senator Ted Kennedy of Massachusetts and Congressman Frank Pallone of New Jersey. Thank these legislators if you have a chance, their work on behalf of people with brain injury will help this cause for many years to come!

Call your Representative:
(202) 225-3121

Call your Senators:
(202) 224-3121

Unintentional Injury Fatalities Anchorage, AK 1988-97

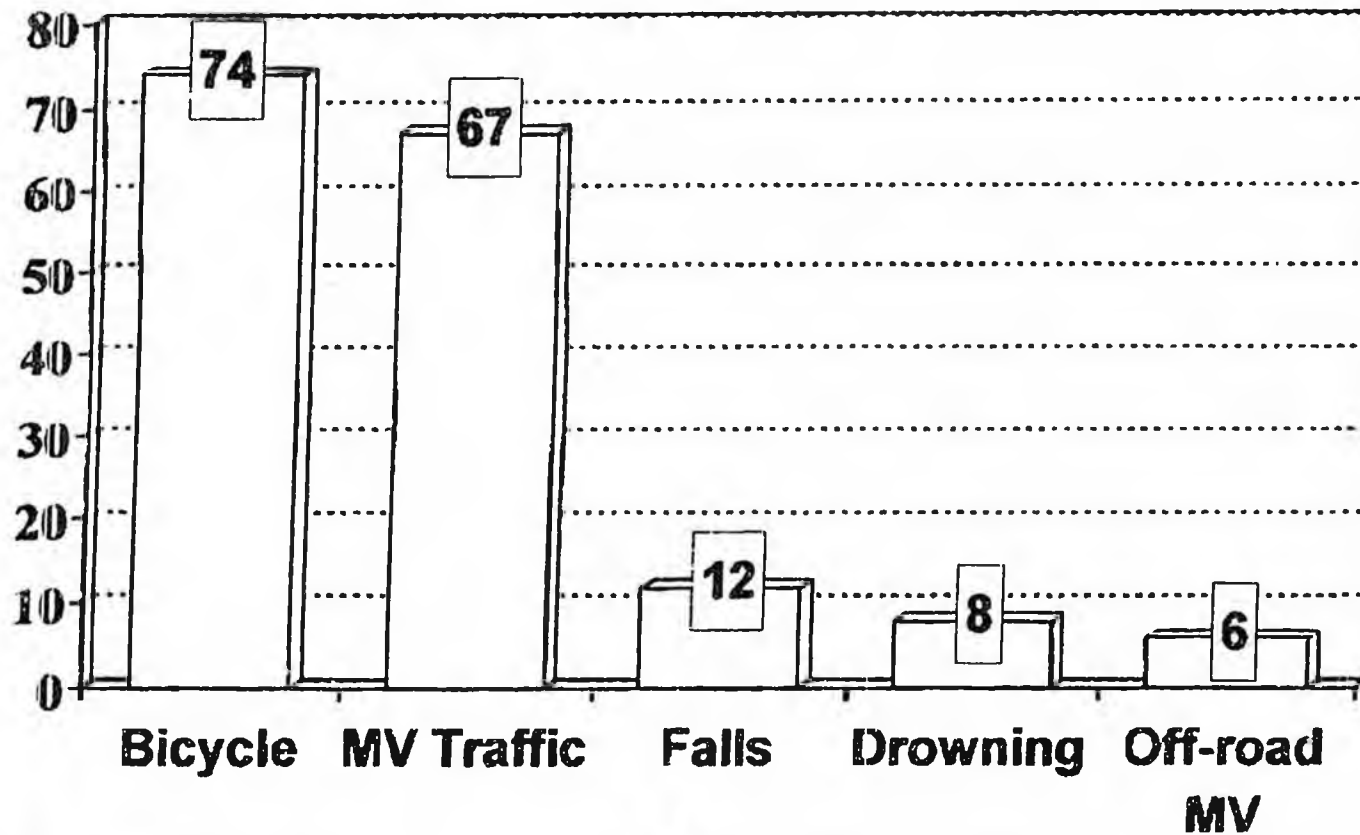


Actual number of deaths, 1988-97, from AKBVS

Injury Hospitalizations – Ages <15

Anchorage, AK 1991-98

N=178



Alaska Trauma Registry

Alaska Injury Prevention Center

Snowmachine Accidents Injure Two (Jan 8, 2000)

By KAREN AHO
Daily News reporter

A man in Butte and a child in Wasilla were hospitalized Friday after separate Snowmachine accidents, bringing to five the number of people hurt or killed in Snowmachine incidents in the Anchorage area since Christmas.

"I think people maybe don't respect them as dangerous machines," said Alaska State trooper Todd Summey, who responded to two of the accidents.

Sometime before 12:15 a.m. Friday, Scott Aaron Sears, 30, fell off his Snowmachine and hit his head, cracking his skull, Summey said. It did not appear that he was wearing the helmet he had with him. He was listed in satisfactory condition at Alaska Regional Hospital.

Sears had been riding on a trail alongside the Old Glenn Highway when he apparently hit a snow berm and lost control, Summey said. He fell off the machine about 100 feet farther down the trail. The machine continued another 60 feet. It did not appear that he was going fast, Summey said.

"It's unclear whether this was a clear motor vehicle accident or whether something else did occur," Summey said. "It's hard to tell, because a person can go 15 to 20 mph and if you fall on your head, and it's unprotected, and you hit a rock or ice, it's all over."

Motorists found Sears in the snow after stopping to check out the unattended machine, idling off Mile 12.

At 4:30 p.m. Friday, a 13-year-old boy was injured while being pulled on a sled behind a Snowmachine on a Wasilla roadway. Troopers said that when the machine, driven by a 14-year-old friend, rounded a corner on Scatters Way, the sled didn't make the bend and slid into an oncoming car, trooper Robert French said.

"They were both going slow," French said. "There was just no way they could avoid hitting each other."

The 13-year-old hit the car's bumper. He was taken to Valley Hospital with serious but not life-threatening injuries, French said. The snowmachiner was cited for driving on the road. The driver of the car was not cited, French said.

Kevin Hite, vice president of the Alaska State Snowmobile Association, said snowmachines have been forced into areas that are not ideal as riders seek places with adequate snow. In addition, more new riders join the ranks each year. He said he didn't know if those factors played a role in recent accidents. In general, inexperience or failure to wear a helmet do.

Two people died after a snowmachiner hit a pedestrian during a snowstorm in Wasilla the night of Dec. 27. The driver, Sean Doyle, 29, was riding along the side of Pittman Road when he struck Jose Payne, 17, of Big Lake, who was walking on the right side of the road.

On Dec. 26, Wasilla snowmachiner Robert Keith Coyne, 37, died in an avalanche at Hatcher Pass.

- Reporter Karen Aho can be reached at kaho@adn.com or 257-4450

Snowmachine Crashes Kill Three (Jan 29, 2000)

By S.J. KOMARNITSKY
Daily News reporter

A married couple and a father of two were killed in two separate Snowmachine accidents Thursday night that occurred less than an hour apart.

Diane Atkins, 48, and her husband Danny, 45, were pronounced dead shortly after 10 a.m. after hitting two spruce trees that had fallen across a road near their home off Island Lake Road in Nikiski. The trees had blown over onto berms on either side of the road, leaving them suspended above the ground.

"They were about chest high," said State Trooper Karl Erickson, who responded to the scene.

There was no sign the couple saw the trees before running into them, he said. They suffered head and chest injuries. Both were wearing helmets.

Meanwhile, Thomas Lee Hicks, 33, was found lifeless about 9:30 p.m. near the base of an electric pole off Hollywood Drive near Big Lake. Hicks, who was also wearing a helmet, had been riding with a friend on a utility easement about 30 feet off the road, Trooper Lt. Chuck Feller said. The two became separated, and it appeared that Hicks had tried to swerve at the last minute to avoid hitting the pole.

Blowing snow and whiteout conditions appeared to play a factor in both accidents, troopers said. Troopers could not estimate how fast the Atkinses or Hicks were going. Feller said it appeared Hicks was not moving at high speed because his machine traveled only about 30 feet after the accident. Charles Atkins said he doubted his brother and sister-in-law would be speeding. They were not rowdy types or likely to do crazy things, he said. They were more the type who urged people to slow down. The two had lived in the Nikiski area for 20 years, he said. They met while working together on the Trans-Alaska pipeline. Danny Atkins ran a landscaping business, and Diane had worked at the Unocal plant for several years.

Danny Atkins was the youngest of three siblings and was the handyman of the three, his brother said. As a child, he took things apart and once - for fun - turned all the light switches in the house upside down.

"He was a good guy," he said. "We'll miss him."

Hicks grew up in Alaska and was self-employed, plowing snow and doing other odd jobs, said his mother, Debbie Hicks. He had two children, and he and his fiancée were expecting another. And he loved to Snowmachine, his mother said.

"He was a good father," she said. "He loved his friends and his fiancée, and he was big-hearted."

* Reporter S.J. Komarnitsky can be reached at skomarnitsky@adn.com

Keep your head: Wear bike helmet every ride (June 4, 1999)

By BRUCE CHANDLER

Spring has finally arrived in Alaska. Like the bears, the bicycles are emerging from hibernation. Yesterday I saw two kids riding across the New Seward Highway at 36th Avenue with their bike helmets dangling from the handlebars rather than on their heads. This morning I passed a dad and his little girl riding together. Only the girl was wearing a helmet.

Nearly 20 years ago, a family that I cared for in Kodiak left for a one-week vacation in California. They returned two months later. Mom had a new hairstyle - her head was shaved. She had a large surgical scar from front to back on one side of her head. She was also on seizure medicines.

One beautiful day during the vacation, the family had gone on a bike ride. No one was wearing a helmet. Mom's bike had hit a pebble on the highway.

Mom had been thrown from the bike and landed headfirst on the highway pavement. Following emergency surgery for a brain hemorrhage, she had spent her first week after the crash in a coma and on a ventilator. Ever since, I have been a fan of bicycle helmets.

One morning a few years later, I was riding to work on my bike. I hit the brakes to stop at the intersection at the bottom of the hill below our house, just as I did every morning. However, on this particular morning the brakes locked. In an instant I went flying over the handlebars, landing headfirst. I was wearing a helmet, which was scratched and dented, but my head was protected. I continued on to work, embarrassed but unhurt.

According to the Centers for Disease Control and Prevention, nearly 1,000 people die each year from injuries caused by bicycle crashes. More than 500,000 people are treated in emergency departments and 33,000 are hospitalized for injuries related to bicycle riding. One-third of bicycle-related emergency department visits are for head injuries. Two-thirds of bicycle-related deaths and hospitalizations are due to head injuries. Many who survive bicycle-related head injuries have long-lasting neurologic disabilities.

Studies have shown that wearing a bicycle helmet reduces one's risk for head and brain injury by 85 percent. An estimated 75 percent of bicycle-related fatalities could be prevented if everyone on bicycles wore helmets.

Here are some tips for safe bicycling:

1. Always wear a bicycle helmet everywhere you ride. A helmet is a necessity, not an accessory. A helmet left at home or dangling on the handlebars will not prevent head and brain injury in a crash.
2. Wear a bicycle helmet correctly. A bicycle helmet should fit comfortably and snugly but not too tightly. It should sit on top of your head in a level position, and it should not rock forward and back or from side to side. Always keep the helmet straps buckled.
3. Buy a bicycle helmet that meets or exceeds the safety standards developed by the American National Standards Institute, the Snell Memorial Foundation, or the American Society for Testing and Materials.
4. Learn the rules of the road and obey all traffic laws. Ride on the right side of the road, with the traffic not against it. Use appropriate hand signals. Respect traffic signals.
5. Stop at all intersections marked and unmarked. Stop and look both ways before entering a street.
6. Restrict children to riding on sidewalks and bike paths until they are 10 years old, show good riding skills and can observe the basic rules of the road.
7. And, fellow parents, lead by example.

Anchorage is a wonderful place to ride a bike in summer. But a crash without a helmet can ruin your day - or your life.

* Bruce P. Chandler, M.D., M.P.H., is a medical officer with the Municipality of Anchorage, Department of Health and Human Services. This column previously appeared in the Anchorage Pulse.

Kenai Peninsula SAFE KIDS Coalition

Soldotna-Kenai
250 Hospital Place
Soldotna, Alaska 99669
(907)-262-8129

February 28, 2000

Subject: Bill ID: SB 188

Title: " An Act requiring a person under 16 years of age to wear a helmet when riding a bicycle; and providing for an effective date."

Dear Allen Kemplen:

The Kenai Peninsula SAFE KIDS Coalition supports this bill.

The Kenai Peninsula SAFE KIDS Coalition is a local coalition made up of many organizations and volunteers; Central Peninsula General Hospital and South Peninsula Hospital as co-lead organizations, Central Emergency Services, Kenai Fire and Police Depts, Kenai and Soldotna Animal Control, Soldotna Police Dept., Niki's Fire Dept., US Coast Guard, Kenai Public Health Dept, Emergency Nurses Assoc, Re-Bikes and Healthy Communities/ Healthy People. We are members of National SAFE KIDS Campaign, the first and only national organization dedicated solely to the prevention of unintentional childhood injury-the number one killer of children ages 14 and under. More than 260 State and Local SAFE KIDS Coalitions in all 50 states, the District of Columbia, Puerto Rico comprise the Campaign. Former U.S. Surgeon General C. Everett Koop, M.D., is chairman of the Campaign.

Over the last 10 years we have reached out with different projects to make kids, parents, and care givers aware that injury prevention is important. Unintentional injury remains the leading cause of death among children ages 14 and under in the United States.

According to Serious and Fatal Child and Adolescent Injuries in Alaska 1991-1994, Oct. 1997, Community Health and Emergency Medical Services, pp22-23:

"Bicycle crash injury was one of the leading causes of injury resulting in hospitalization for children ages 5-14. Between 30-40 children in this age group were admitted to a hospital each year. Seven children were fatally injured in the four-year period. The fatalities resulted from bicycle crashes with motor vehicles. The majority of non-fatal bicycle injuries (75%) occurred without motor vehicle involvement. Trauma registry data showed that 26% of these were classified as serious on the Abbreviated Injury Scale."

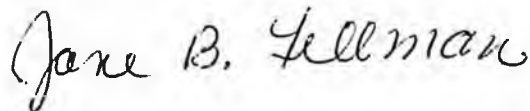
“Thirty-six percent of the hospitalized bicycle injury patients under age 20 sustained a head injury. Bicycle injury was the third leading cause of head injury in Alaska for young people under age 20. The National SAFE KIDS Campaign states that “bicycle helmets have been shown to reduce the risk of head injury by as much as 85 percent and the risk of brain injury by as much as 88 percent. Bicycle helmets have also been shown to offer substantial protection to the forehead and mid face.

I am enclosing National SAFE KIDS Campaign Fact Sheet on Bicycle Injury. This covers Deaths and Injuries, When and Where Bicycle Deaths and Injuries Occur, Who is at Risk, Bicycle Helmet Effectiveness, Bicycle Helmet Laws and Regulations, Health Care Cost and Savings, and Prevention Tips.

Last spring we held several bike rodeos at schools and kids fairs. We sold and distributed over 400 helmets. While an informal survey showed increase in helmet usage we know it still remains low.

With this bill it will give the importance of bike helmets more backbone. We know that helmets when worn correctly can reduce head injury and possible death.

Sincerely,



Jane B. Fellman
RN. Co-Coordinator
Kenai Peninsula SAFE KIDS Coalition

CC.

Jerry Ward
Drue Pearce
Rick Halford
Mike Miller
Georgianna Lincoln
Andrew Halcro
John Cowdery
Bill Hudson
Vio Kohring
Beverly Masek
Albert Kookesh
Harold Smalley
Gail Phillips
Gary Davis
John Torgerson

BICYCLE INJURY

The bicycle injury death rate among children ages 14 and under declined 48 percent between 1987 and 1997. However, bicycles remain associated with more childhood injuries than any other consumer product except the automobile. More than 70 percent of children ages 5 to 14 (27.7 million) ride bicycles. This age group rides about 50 percent more than the average bicyclist and accounts for approximately 24 percent of all bicycle-related deaths and more than 50 percent of all bicycle-related injuries.

Head injury is the leading cause of death in bicycle crashes and is the most important determinant of bicycle-related death and permanent disability. Head injuries account for more than 60 percent of bicycle-related deaths, more than two-thirds of bicycle-related hospital admissions and about one-third of hospital emergency room visits for bicycling injuries. The single most effective safety device available to reduce head injury and death from bicycle crashes is a helmet. Helmet use reduces the risk of bicycle-related death and injury and the severity of head injury when a crash occurs. Unfortunately, national estimates report that bicycle helmet use among child bicyclists ranges from 15 to 25 percent. Helmet usage is lowest (for all ages) among children ages 11 to 14 (11 percent). Bicycle education programs and mandatory bicycle helmet legislation are effective at increasing helmet use and, therefore, reducing bicycle-related death and injury.

DEATHS AND INJURIES

- In 1997, 225 children ages 14 and under died in bicycle-related crashes. Motor vehicles were involved in more than 200 of these deaths.
- In 1998, nearly 362,000 children ages 14 and under were treated in hospital emergency rooms for bicycle-related injuries.
- In 1998, children ages 14 and under accounted for approximately 28 percent of bicyclists injured in motor vehicle crashes. It is estimated that collisions with motor vehicles account for nearly 90 percent of all bicycle-related deaths and 10 percent of all nonfatal bicycle-related injuries. Collision with a motor vehicle increases the risk of death, severity of injury, and the probability of sustaining a head injury.
- More than 40 percent of all head injury-related deaths and approximately three-fourths of head injuries occur among children ages 14 and under. Younger children suffer a higher proportion of head injuries than older children.

WHEN AND WHERE BICYCLE DEATHS AND INJURIES OCCUR

- Children are more likely to die from bicycle crashes at non-intersection locations (66 percent), during the months of May to August (55 percent), and between 3 p.m. and 6 p.m. (39 percent).
- Nearly 60 percent of all childhood bicycle-related deaths occur on minor roads. The typical bicycle/motor vehicle crash occurs within one mile of the bicyclist's home.
- Children ages 4 and under are more likely to be injured in non-street locations around the home (driveway, garage, yard) than are children ages 5 to 14.
- Children ages 14 and under are nearly four times more likely to be injured riding in non-daylight hours (e.g., at dawn, dusk or night) than during the daytime.
- Among children ages 14 and under, more than 80 percent of bicycle-related fatalities are associated with the bicyclist's behavior including, riding into a street without stopping; turning left or swerving into traffic that is coming from behind; running a stop sign; and riding against the flow of traffic.
- Injuries related to the use of bicycle-mounted child seats typically occur when the bicycle crashes or tips over and when the child falls out of the seat. Falls account for 80 percent of these injuries.

WHO IS AT RISK

- Riding without a bicycle helmet significantly increases the risk of sustaining a head injury in the event of a crash. Non-helmeted riders are 14 times more likely to be involved in a fatal crash than helmeted riders.
- Children under age 10 are at greater risk for serious injury and are more likely to suffer head injuries than older riders. Approximately half of all bicycle-related injuries among children under age 10 occur to the head/face, compared to one-fifth among older children.
- Bicyclists admitted to hospitals with head injuries are 20 times more likely to die than those without head injuries.

- Correct fit and proper positioning are essential to the effectiveness of bike helmets. One study found that children whose helmets fit poorly are at twice the risk of head injury in a crash compared to children whose helmet fit is excellent. In addition, children who wear their helmets tipped back on their head have a 52 percent greater risk of head injury than those who wear their helmets centered on their head.
- Children ages 14 and under are five times more likely to be injured in a bicycle-related crash than older riders.
- Males account for more than 80 percent of bicycle-related deaths and 75 percent of nonfatal injuries. Children ages 10 to 14, especially males, have the highest death rate from bicycle-related head injury of all ages.

BICYCLE HELMET EFFECTIVENESS

- Bicycle helmets have been shown to reduce the risk of head injury by as much as 85 percent and the risk of brain injury by as much as 88 percent. Bicycle helmets have also been shown to offer substantial protection to the forehead and mid face.
- It is estimated that 75 percent of bicycle-related fatalities among children could be prevented with a bicycle helmet.
- Universal use of bicycle helmets by children ages 4 to 15 could prevent between 135 and 155 deaths, between 39,000 and 45,000 head injuries, and between 18,000 and 55,000 scalp and face injuries annually.
- Child helmet ownership and use increases with income and educational level, yet decreases with age. Children are more likely to wear a bicycle helmet if riding with others (peers or adults) who are also wearing one.

BICYCLE HELMET LAWS AND REGULATIONS

- Currently, 16 states and numerous localities have enacted some form of bicycle helmet legislation, most of which cover only young riders.
- Various studies have shown bicycle helmet legislation to be effective at increasing bicycle helmet use and reducing bicycle-related death and injury among children covered under the law. One example shows that five years following the passage of a state mandatory bicycle helmet law for children ages 13 and under, bicycle-related fatalities decreased by 60 percent.
- Helmet use among children is greater in those regions of the United States with the highest proportion of mandatory helmet laws. A recent study reported that the rate of bicycle helmet use by children ages 14 and under was 58 percent greater in a county with a fully comprehensive bike helmet law than in a similar county with a less comprehensive law.
- As of March 10, 1999, all new bicycle helmets manufactured must meet the new U.S. Consumer Product Safety Commission federal safety standard. Helmets meeting American National Standards Institute (ANSI), the Snell Memorial Foundation and/or the American Society for Testing and Materials (ASTM) standards are safe and may be available in stores until March 2002.

HEALTH CARE COSTS AND SAVINGS

- The total annual cost of traffic-related bicyclist death and injury among children ages 14 and under is more than \$3.4 billion.
- Every dollar spent on a bike helmet saves society \$30 in direct medical costs and other costs to society.
- If 85 percent of all child cyclists wore bicycle helmets in one year, the lifetime medical cost savings could total between \$109 million and \$142 million.
- A review of hospital discharge data in Washington state found that treatment for nonfatal bicycle injuries among children ages 14 and under costs more than \$113 million each year, an average of \$218,000 per child.

PREVENTION TIPS

- A bicycle helmet is a necessity, not an accessory. Always wear a bicycle helmet every time and everywhere you ride.
- Wear a bicycle helmet correctly. A bicycle helmet should fit comfortably and snugly, but not too tightly. It should sit on top of your head in a level position, and it should not rock forward and back or from side to side. The helmet straps must always be buckled.
- Buy a bicycle helmet that meets or exceeds the safety standards developed by the U.S. Consumer Product Safety Commission federal safety standard or those developed by ANSI, Snell or ASTM.
- Learn the rules of the road and obey all traffic laws. Ride on the right side of the road, with traffic, not against; use appropriate hand signals; respect traffic signals; stop at all stop signs and stop lights; and stop and look left, right and left again before entering a street.
- Cycling should be restricted to sidewalks and paths until a child is age 10 and able to show how well he or she rides and observes the basic rules of the road. Parental and adult supervision is essential until the traffic skills and judgment thresholds are reached by each child.



*Kenai Peninsula
Emergency Medical Services Council, Inc.*

P. O. Box 215
Seldovia, Alaska 99663
(907) 234-8900 FAX: (907) 234-7624
E-mail: dkschecks@xyz.net

February 28, 2000

Senate Transportation Committee
Senator Jerry Ward, Chairman
Senator Drue Pearce, Vice Chair
Senator Rick Halford
Senator Mike Miller
Senator Georgianna Lincoln

Dear Senators,

I am writing this letter in support of the following bills:

HB 283 Bicycle helmets for children under 16
SB 188, Bicycle helmets for children under 16
SB 187 Off-road vehicle helmets for children under 16.

As the Emergency Medical Services Coordinator for the Kenai Peninsula, a member of the Homer Safe Kids Coalition, and a volunteer EMT, I have seen first hand how effective bicycle helmets and ATV helmet use can be in preventing serious head injuries for bicycle and ATV riders. I have also seen the devastating effects to children who were not wearing helmets, which will continue to haunt me for years to come.

There are currently bike helmet programs throughout the entire Kenai Peninsula. The majority of EMS and fire services, hospitals, police departments and Alaska State Troopers work to promote bike helmet use and bicycle rodeos in the communities throughout the Borough. Through departmental budgets, grants from the Highway Safety Planning Agency and Safe Kids Coalitions, affordable bicycle helmets are given away or made available at reduced costs. In Anchor Point, Homer, Port Graham and Seldovia alone over 400 bicycle helmets were given away during bicycle rodeos last year with more planned for in this year's programs. ATV helmet programs have also been discussed in several communities.

With education to the children and parents, it is fairly easy to get younger children to wear helmets when riding. However, I have found that as the children get older, it becomes much more difficult to get the 10 to 12 year olds and teen population to wear helmets. Laws don't insure that people will comply but this may be what it takes with

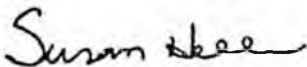
"improved public service through coordination, cooperation & communication"

this age group to get through to them. It also gives parents and all of us a better chance to insure that more children wear this life saving equipment.

When someone sustains a serious head injury, the devastating effect is felt by all; the patient, his or her family, the community and the tax payers who must then help fund their care for many years to come, if not for the rest of their life.

I urge your support for HB 283, SB 283 and SB 187.

Sincere thanks,



Susan Hecks, EMS Coordinator

Cc: Senator Johnny Ellis

A silent epidemic

Brain injury often goes unrecognized, health officials say

By ERIC BURKETT
Daily News reporter

At some point, we all will have to face the loss of someone we care for. The death of a loved one can leave survivors grappling for ways to continue with their own lives.

Brain injuries — as a result of car crashes, industrial accidents, violence or any number of other reasons — can have the same effect, and more than 5,000 Alaskans are living, to one degree or another, with the results.

Victims' abilities are "just snatched away," Debi Russell said. "It's like a death."

Russell is director of the Brain Injury Association of Alaska, based in Anchorage. A nonprofit organization dedicated to rehabilitating people with brain injuries, the association has become a "one-stop shop," Russell said.

After a brain injury, victims often are left at square one, having to relearn things they'd taken for granted such as speech and the ability to write or even to walk, she said. The most common victims are young men in their teens to 30s, all too often victims of their own sense of adventure. But there are plenty of other causes, too. In Alaska, alcohol and violence are common sources of brain injury.

"Violence is a major part, and there's been a major increase in recent years of people being shot to the head," Russell said. Domestic violence is an increasing cause of brain injury, she noted.

Literature from the national office of the Brain Injury Association refers to brain injury as a "silent epidemic," but perhaps even more startling is what its victims have to endure.

People with brain injuries receive little support, Russell said. Only about 5 percent of people with brain injury will receive all the care they need to be considered fully rehabilitated. As a result, most victims of brain injury find themselves condemned to a life of public assistance even though "the majority of people with brain injuries can be helped with rehabilitation," Russell said.

Much of the problem lies in lack of recognition. People, including health care professionals and social workers, simply don't recognize brain injuries, and patients often are misdiagnosed.

It's not unusual for people with brain injury to be given medication for depression, Russell said. Brain injury can alter an individual's personality so dramatically that it destroys their relationships with others. She recalled one patient who broke into tears after learning — with considerable relief — that he suffered from the results of a brain injury incurred years before. He wasn't just a "nasty" individual, she said.

Those frequently unpleasant personality changes make people with brain injury particularly susceptible to prejudice when they seek help.

Slurred speech, an unusual gait or difficulty expressing an idea "may mean that a lot of people don't want to deal with a brain injury," said Brad Bernier of Access Alaska.

Negotiating the paper trails of bureaucracies such as Social Security, Medicaid and other public assistance puts people with brain injury at a distinct disadvantage.

"The person with a disability can often get frustrated," he said, "or is already angry



HIROSHI YAMAUCHI / Anchorage Daily News

Debi Russell, director of the Brain Injury Association of Alaska, suffered a severe brain injury from carbon dioxide poisoning eight years ago when she was working for the Alaska State Troopers. Since then, she has

earned a master's degree in clinical psychology and a doctorate in rehabilitation counseling. Association volunteers include survivors of brain injury and relatives of brain injury victims.

CALL FOR INFO

BRAIN INJURY ASSOCIATION OF ALASKA
1251 Muldoon Road, Suite 333
338-9800, 1-888-845-4323
Brain Injury Association helps people with brain injury receive appropriate rehabilitation whenever possible and also work with people suffering from chronic pain syndrome and traumatic injury.

ACCESS ALASKA
3710 Woodland Drive
248-4777
Access Alaska helps people with disabilities in Anchorage get back on their feet and obtain needed services. We work closely with the Brain Injury Association in several areas.

about being put in that situation."

Consequently, those who might be able to help sometimes are slow to take on clients with brain injury.

"I think definitely there's some truth to that," said Leonard Abel of Juneau. But it

isn't reluctance — "they just don't know how." Abel is community mental-health services program administrator with the state Division of Mental Health and Developmental Disabilities.

The traditional mental-health approach that his department's employees are trained in doesn't work well for the brain-injury population, he said. Had brain injury been recognized before funding cutbacks since 1989, it would have been included in the state's services for mental health.

Problems between a person with brain injury and a state employee are "more apt to happen in a welfare office than a health office," he said, explaining that many state workers don't have the training or experience that benefit their colleagues in the health division.

The state recognizes the problem, however, and is trying to get funding in the form of federal grants, he said. Meanwhile, Abel appreciates the efforts of those working to increase opportunities for people with brain injury.

"The work of the Brain Injury Association and others "will have some effect," he said. "They will continue to work in people's faces until changes are made."

CITY OF KENAI
FIRE DEPARTMENT

105 SOUTH WILLOW STREET
KENAI, ALASKA 99611
(907) 283-7666



February 25, 2000

Senator Johnny Ellis
State Capitol, Room 9
Juneau, AK 99801-1182

SUBJECT: SENATE BILL 188 "CHILD HELMET LAW"

Dear Senator,

I am writing on behalf of the 15 members of my department who deal with child related injuries on a frequent basis.

As emergency medical responders we see too many tragedies that occur with children and preventable head injuries.

Our firefighters spend many hours in our local schools educating students on the dangers of not wearing a helmet when riding bicycles.

We believe this legislation can be used as an effective tool for the enforcement of wearing helmets in our community. Please help us by passing this bill.

Thank You,


James C. Baisden

Fire Marshal, City of Kenai

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. HB 283

Revision Date _____	Dept. Affected <u>Public Safety</u>	
Title <u>An Act requiring a person under 16 ... to wear a helmet when riding a bicycle ...</u>	ExU <u>AK. State Trooper - Detachments</u>	
Sponsor <u>Representative Kemplen</u>	Component <u>AK. State Trooper - Detachments</u>	
Requester <u>House Transportation Committee</u>	Component No. <u>2325</u>	

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill is not expected to have a budgetary impact.

Prepared by: <u>Royce Weller, Special Assistant</u>	Phone <u>465-2649</u>
Division <u>Office of the Commissioner</u>	Date/Time <u>3/7/00 12:00 AM</u>
Approved by Commissioner <u>Ronald L. Otte</u>	Date <u>3/8/00</u>
Agency <u>Department of Public Safety</u>	

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FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. HB 282

Revision Date		Dept. Affected	Public Safety
Title	<u>An Act requiring a person under 16 to wear</u>	BRU	<u>AK. State Trooper - Detachments</u>
	<u>a helmet when operating an off-road vehicle...</u>	Component	<u>AK. State Trooper - Detachments</u>
Sponsor	<u>Representative Kemplen</u>		
Requester	<u>House Transportation Committee</u>	Component No.	<u>2325</u>

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

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

This bill is not expected to have a budgetary impact.

Prepared by: <u>Royce Weller, Special Assistant</u>	Phone <u>465-2649</u>
Division <u>Office of the Commissioner</u>	Date/Time <u>3/7/00 12:00 AM</u>
Approved by Commissioner <u>Ronald L. Otte</u>	Date <u>3/8/00</u>
Agency <u>Department of Public Safety</u>	

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HB

289



ALASKA STATE LEGISLATURE
REPRESENTATIVE JOHN HARRIS
STATE CAPITOL 110, JUNEAU, ALASKA 99801-1182 (907) 465-4859

MEMORANDUM

February 16, 2000

To: Representative Andrew Halcro, chairman
House Committee on Transportation

From: Representative John Harris

John Manly for Rep. Harris

Re: Request for hearing

Please schedule a committee hearing on HB 289 as soon as your calendar will accommodate it. This bill directs the Alaska Railroad and the Alaska Marine Highway System to provide free transportation to members of the state's volunteer military forces to and from drills, training and other official functions. The transportation would be on a space-available basis at no added cost to the railroad or ferry system.

Attached to this memo are a copy of the bill and a sponsor statement. If you need additional information, please contact John Manly of my office.

Thank you for your expeditious attention to this request.



ALASKA STATE LEGISLATURE
REPRESENTATIVE JOHN HARRIS
STATE CAPITOL 110, JUNEAU, ALASKA 99801-1182 (907) 465-4859

Sponsor Statement

HB 289

"An Act relating to transportation of members of the Alaska National Guard, the Alaska Naval Militia, and the Alaska State Defense Force by the Alaska marine highway system and the Alaska Railroad; and relating to the Alaska State Defense Force."

The purpose of HB 289 is to provide a vehicle to get members of our volunteer defense forces to and from military training. In the current climate of downsizing and defense budget cuts, funding for transportation of members of some units is tight.

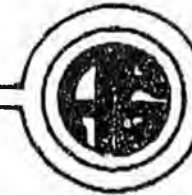
The State of Alaska, as the owner and operator of a passenger railroad and marine ferry system, is in the position to offer transportation for these military personnel, who are involved in training to defend our state and our freedoms.

House Bill 289 would simply mandate that the ferry system and the railroad provide free transportation, on a space available basis, for members of the above-referenced state defense organizations who are en route to or from drill, training, or other official militia activities.

The bill also changes "Alaska State Militia" to "Alaska State Defense Force" in several occurrences in the statutes. This change was made operationally several years ago, so as to distinguish the state's volunteer defense force from citizens' militias that are frequently in the news. The changes in HB 289 simply bring the statutes up-to-date.

HB 289 is a simple, straightforward initiative to help our volunteer, citizen soldiers get to and from their training.

Alaska Railroad Corporation



Position Statement

House Bill 289: by Representative John Harris

"An Act relating to transportation of members of the Alaska National Guard, the Alaska Naval Militia, and the Alaska State Defense Force by the Alaska Marine highway system and the Alaska Railroad; and relating to the Alaska State Defense Force."

The Alaska Railroad Corporation supports House Bill 289 to provide free transportation on a space available basis to members of the Alaska National Guard, the Alaska Naval Militia and the Alaska State Defense Force while engaged in a military exercise.

Alaska Statute 42.40 defines the Alaska Railroad Corporation's mission to provide safe, economical, and efficient transportation to residents, businesses, visitors and military installations in the state.

Since its completion in 1923, the Alaska Railroad has shared a close relationship with the United States military playing a key role in our nation's defense. During the second world war, the Department of Defense assumed control of the Alaska Railroad. The Railroad provided the prime logistical corridor for the military to move troops and materials between two deep water ports of entry and the interior of Alaska.

This close link with the military greatly influenced the Alaska Railroad's destiny in the early 1980's when the United States Government decided to divest its ownership of the Railroad. At the time, none of the larger U.S. Railroads were interested in purchasing the assets of the rail line. As a result, the Railroad was in jeopardy of being dismantled.

The U.S. Department of Defense (DOD) worked with Congress and the U.S. Department of Transportation to change this course of action. DOD stood willing to assume ownership of the line to protect the important transportation corridor. In the end, the State of Alaska assumed ownership of the rail line and today, continues to serve our military by moving supplies and equipment and in developing emergency response plans for times of crisis.

Again, the Alaska Railroad supports HB 289.

February 2000

Alaska Railroad Corporation



Testimony

House Military and Veterans' Affairs
February 10, 2000

House Bill 289: by Representative John Harris

For the record, my name is Wendy Lindskoog and I work for the Alaska Railroad Corporation (ARRC) as the Director of External Affairs.

Thank you Chairman Murkowski and Military and Veterans' Affairs Committee members for giving us the opportunity to testify on House Bill 289.

The Alaska Railroad Corporation supports House Bill 289 which will provide free transportation on a space available basis to members of the Alaska National Guard, the Alaska Naval Militia and the Alaska State Defense Force while engaged in a military exercise.

House Bill 289 builds on our historic link to the military providing yet another way for the Alaska Railroad to support our armed forces.

As many of you know, Alaska Statute 42.40 defines the ARRC's mission as providing safe, economical, and efficient transportation to residents, businesses, visitors and military installations in the state.

Since its completion in 1923, the Alaska Railroad has shared a close relationship with the United States military playing a key role in our nation's defense. During the second world war, the Department of Defense assumed control of the Alaska Railroad. The Railroad provided the military a prime transportation corridor for moving troops and materials between two deep water ports of entry and the interior of Alaska.

This close link with the military greatly influenced the Alaska Railroad's destiny in the early 1980's when the United States Government decided to divest its ownership of the Railroad. At the time, none of the larger U.S. Railroads were interested in purchasing the assets of the rail line. As a result, Alaska's Railroad was in jeopardy of being dismantled.

The U.S. Department of Defense (DOD) worked with Congress and the U.S. Department of Transportation to change this course of action. DOD stood willing to assume ownership of the line to protect the important transportation corridor.

In the end, the State of Alaska assumed ownership of the rail line which today, continues to serve our military by moving supplies and equipment and in developing emergency response plans for times of crisis.

The Alaska Railroad exists today thanks to our military's vision and we are pleased to have the opportunity to give back to our armed forces through House Bill 289.

Having said that, we were asked to supply information regarding the bill's fiscal impact on the Railroad. There will be no financial impact to the Railroad as long as space available is interpreted as meaning "on the date of travel on regularly scheduled ARRC passenger service." Under this definition, military personnel would not be taking the place of revenue paying customers.

For the committee's reference, I have attached to this written testimony some background information regarding the Alaska Railroad's rates and ridership trends on various passenger routes.

Thanks again for the opportunity to testify on this bill. We are pleased to support House Bill 289 which furthers our ability to support Alaska's military personnel and operations.

###

ARRC Trends and Rates:

Many visitors make their Alaska itinerary arrangements well in advance. However, our daily Whittier and Seward trains are very popular as "last minute" activity additions for tourists and visiting friends and relatives alike. These routes tend to sell out frequently from mid-June through early September.

Much of our volume on the Denali Star (the daily Anchorage-Talkeetna-Denali-Fairbanks and the daily Fairbanks-Denali-Talkeetna-Anchorage) trains is booked well in advance and tends to be capacity constrained from mid-June through early September. There are, of course, many days throughout the summer when space is available on this popular service depending upon the travel patterns of our visitors.

Our 2000 rate schedule follows:

Denali Star - one-way rail fare, per person

Anchorage to Talkeetna - \$70 peak, \$56 value

Anchorage to Denali - \$120 peak, \$96 value

Anchorage to Fairbanks - \$160 peak, \$128 value

Talkeetna to Denali - \$50 peak, \$40 value

Talkeetna to Fairbanks - \$90 peak, \$72 value

Denali to Fairbanks - \$48 peak, \$38 value

*Peak season: June 3 - Sept. 4, 2000

*Value season: May 13 - June 2 and Sept. 5 - 23, 2000

Anchorage-Seward - rail fare, per person

Anchorage to Seward, round-trip - \$86

Seward to Girdwood, one-way - \$50

Anchorage to Seward one-way - \$50

* no peak or value season, same rate May 13 - Sept. 10, 2000

Anchorage - Whittier - rail fare, per person

Anchorage to Whittier round-trip - \$52

Anchorage to Whittier one-way - \$26

*no peak or value season, same rate May 13 - Sept. 10, 2000

Winter Service:

In the winter, (Sept. 25 - May 7), we operate a weekend train between Anchorage and Fairbanks leaving Anchorage on Saturday mornings, arriving in Fairbanks that evening, and leaving Fairbanks on Sunday mornings, arriving in Anchorage that evening. Our winter rates are:

Anchorage - Talkeetna, \$32

Talkeetna - Hurricane, \$20

Hurricane - Fairbanks, \$32

Anchorage - Fairbanks, \$34

FISCAL NOTE

Bill Version: HB 289
 (H) Publish Date: 2/11/00

STATE OF ALASKA
 2000 LEGISLATIVE SESSION

Revision Date/Time (Note if correction) _____ Dept. Affected DOT&PF
 Title "An Act relating to transportation of members BRU Marine Highway System
of the Alaska National Guard," Component Southeast Vessel Operations
 Sponsor Representative Harris
 Requester (H) MLV Component Serial No. 630

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (AMHS fund)	(5.0)	(5.0)	(5.0)	(5.0)	(5.0)	(5.0)
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY00) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

(See Attached)

Prepared by Dennis Poshard, Legislative Liaison Phone 465-3904
 Division Office of the Commissioner Date/Time 2/9/00 12:02 PM
 Approved by Commissioner *Joseph L. ...* Date _____
 Agency Department of Transportation and Public Facilities

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HB 289 "An Act relating to transportation of members of the Alaska National Guard,"
Department of Transportation and Public Facilities

This bill would provide free transportation, on a space available basis, aboard Alaska Marine Highway System (AMHS) vessels to members of the state militia while en route to or from drills, training, or other official activities.

Expenditure Impact

There would be some additional work at AMHS terminals for terminal staff to verify the military orders of those seeking free passage. Since the volume of travel is not anticipated to be that great, this additional workload is assumed not to be significant.

Revenue Impact

State militia travel aboard AMHS vessels currently generates approximately \$5,000 per year. The financial impact, therefore, would be a reduction in revenue of \$5,000 to the AMHS. With free travel, it is possible even more militia members would choose to travel on the ferry system. This could result in some lost revenue opportunities in the future.

Assumptions

1. Free travel is for militia members and vehicles only. This does not include cabins, food, or family member passage.
2. Passage is on a space available basis on the day of travel only. If the passage is through multiple ports, paying passengers/vehicles could "bump" the free passengers/vehicles.
3. Specific procedures for the free passage will be developed and incorporated into the AMHS traffic manual.

FISCAL NOTE

Bill Version: HB 289
(H) Publish Date: 2/11/00

STATE OF ALASKA
2000 LEGISLATIVE SESSION

Revision Date: 2/11/00
Title: Military Transport

Sponsor: Representative John Harris
Requester: (H) Special Committee on Military and Veterans' Affairs

Dept. Affected Community & Economic De
BRJ
Component
Component Serial No.

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 01	FY 02	FY 03	FY 04	FY 05	FY 06
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES []						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1091 Designated Program Receipts						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: _____

POSITIONS


Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

HB 289 provides for space available travel for designated military and para military personnel. Applying the transportation industry common practice of not displacing revenue passengers with space available passengers as provided for within the legislation, HB 289 will have a zero dollar impact on the Alaska Railroad Corporation.

Prepared by Casey Sullivan - Legislative Aide

Phone 465-5031


 HOUSE SP. CNTE. ON MILITARY & VETERAN'S AFFAIRS

Phone _____

Date 2/9/00

COMMITTEE COPY

HB

319

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES
OFFICE OF THE COMMISSIONER

TONY KNOWLES, GOVERNOR

3132 CHANNEL DRIVE
JUNEAU, ALASKA 99801-7888

TEXT: (907) 465-3682
FAX: (907) 588-8385
PHONE: (907) 469-3000

February 22, 2000

Mr. Stephen Moreno
Alaska Division Administrator
Federal Highway Administration
P.O. Box 21648
Juneau, Alaska 99802

Dear Mr. Moreno:

I'm enclosing a report on the preferred alternative for the Juneau Access Project. The Department prepared the report to present our recommendation to Governor Knowles. In the report we recommend that Alternative 2: East Lynn Canal Highway of the Environmental Impact Statement (EIS) be selected as the preferred alternative. The report provides a well-reasoned and impartial analysis that is simple and clear. The Governor has accepted our recommendation. Alternative 2: East Lynn Canal Highway is the State's preferred alternative for the Juneau Access Project.

However, the Governor and I have determined that due to other critical funding needs in the State, we cannot afford the preferred alternative at this time. Therefore, we are suspending further work on the EIS.

If you wish to discuss any further details of the project, I can be reached at 465-3901, or you may contact Mike Downing of my staff directly at 465-2960.

Sincerely,



Joseph L. Perkins, P.E.
Commissioner

Enclosure

cc: Robert Doll, Southeast Region Director
Michael L. Downing, P.E., Statewide Design & Engineering Services Director

FISCAL NOTE

Bill Version: HB 319

(H) Publish Date: 1/26/00

**STATE OF ALASKA
2000 LEGISLATIVE SESSION**

Revision Date/Time (Note if correction) _____ Dept. Affected DOT&PF
 Title Transportation Bonds BRU Commissioner's Office
 Component _____
 Sponsor Rules Committee
 Requester Governor Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
-----------------------------	------------	------------	------------	------------	------------	------------

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
-------------------------------	------------	------------	------------	------------	------------	------------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: 0.0

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

The Department will submit a capital budget amendment to add projects funded by the bonds.

Prepared by: Dennis Poshard, Special Assistant to the Commissioner Phone 465-3904
 Division Commissioner's Office Date/Time 1/24/00 4:16 PM
 Approved by Commissioner [Signature] Date _____
 Agency For Joseph L. Rerkins, DOT&PF

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FISCAL NOTE

Bill Version: HB 319
 (H) Publish Date: 1/26/00

**STATE OF ALASKA
 2000 LEGISLATIVE SESSION**

Revision Date/Time (Note if correction) _____ Dept. Affected _____ Revenue _____
 Title Transportation Bonds BRU _____ Revenue Operations _____
 Component _____ Treasury Division _____
 Sponsor Rules Committee
 Requester Governor Component Serial No. 121

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel (Marketing & Selling Bonds)	15.0	15.0	15.0	0.0		
Contractual (Paying Agent)		5.0	10.0	15.0	15.0	15.0
Supplies	1.0	1.0	1.0	0.0		
Equipment						
Land & Structures						
Grants & Claims						
Debt Service	0.0	36,660.0	36,662.0	36,661.0	36,659.0	36,661.0
TOTAL OPERATING	16.0	36,681.0	36,688.0	36,676.0	36,674.0	36,676.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
1002 Federal Receipts		32,994.0	32,996.0	32,995.0	32,993.0	32,995.0
1003 GF Match		3,666.0	3,666.0	3,666.0	3,666.0	3,666.0
1004 GF	16.0	21.0	26.0	15.0	15.0	15.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	16.0	36,681.0	36,688.0	36,676.0	36,674.0	36,676.0

Estimate of current year (FY00) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 Authorizes \$350 million in general obligation bonds to fund transportation projects. It is anticipated that approximately 90% of the debt service on these bonds will be paid with federal funds.
 Assuming an interest cost of 6.22% (approximately 0.75% above current rates), and a 15-year term, annual debt service is approximate \$36.7 million beginning in fiscal year 2002. The state's match for annual debt service will be \$3.7 million.
 The state is currently working with the Federal Highway Administration to obtain a ruling allowing investment earnings on the funds obtained through the bond sale to be used for the state's 10% match to federal funds. If this ruling is granted, the general fund exposure will be eliminated in the earlier years and reduced in the later years.

Prepared by Deven Mitchell, Debt Manager
 Division Treasury Division
 Approved by Wilson L. Condon
 Agency Department of Revenue

Phone 465-3750
 Date/Time January 21, 2000
 Date January 21, 2000

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COMMITTEE COPY

AMENDMENT #1

TO: HB 319

sponsored by Rep. Allen Kemplen

page 2, line 29
delete "Gambel Street"

page 2, line 30
delete "to McCarrey Street"
insert "Interchanges at Bragaw & Airport Heights"

page 2, line 31
change "65,000,000" to "25,000,000"

FAILS 4-2

Department of Transportation and Public Facilities

Responses to House Transportation Committee Questions

February 24, 2000

- 1. The ferry called for in the "all marine" alternative for Juneau Access carried 105 vehicles. Why did the Governor select a ferry that only carries 30 vehicles that has never been part of your study?**

The Governor did not "select" a high speed ferry as an "alternative" within the context of an Environmental Impact Study (EIS). What he did was to increase the current service in Lynn Canal by committing a Fast Vehicle Ferry (FVF) to the route in addition to the Malaspina. Neither the Governor nor the DOT&PF has represented the FVF now under design by the AMHS as being an "alternative" which had been considered by the Juneau Access EIS. It is consistent with the Southeast Alaska Transportation Plan and could, like all AMHS ships, be employed anywhere in Alaska.

- 2. When the Governor announced his plan to build ferries for Juneau Access he said that he was going to continue the Road project by sending it on to the Feds. Are you going to complete the Environmental Impact Statement and send it to the Federal Highway Administration (FHWA) with the Road as the preferred alternative? And if so, do you need additional funding?**

We are going to submit the EIS as it exists today to the Federal Highway Administration. Based upon the technical studies and documentation contained in the EIS, the submission will recognize the "Road Alternative" as the preferred alternative. The department does not intend to conduct any further studies at this time. The time required to accomplish the remaining technical work on the preferred alternative would be approximately two years at a cost of \$1,937,000. This funding is not currently available to DOT&PF and would have to be appropriated by the legislature if the EIS were to be completely finalized our FY01 budget does not include a request for this funding. Attached is the scope of the work for finalizing the EIS.

- 3. I assume that the Federal Government has established some rules as to how you should spend the \$5.3 million that you have spent on Juneau Access. Is there a risk that the State of Alaska will have to pay it back?**

There are established federal guidelines governing the conduct of Environmental Impact Statements (EIS). The procedure is contained in the National Environmental Policy Act (NEPA) with implementing instructions in the Code of Federal Regulations, Title 23, Section 771. Throughout the conduct of our EIS we have followed those guidelines. We are confident that the federal government will not require us to repay the federal funds.

- 4. It is my understanding that this boat is to be a day boat. Bob Doll recently said that this boat would leave Auke Bay at 8 am and return about 5 pm. That's one round trip per day, 30 vehicles north and 30 vehicles south. Is that your intention?**

Yes, it is AMHS intention to operate the Fast Vehicle Ferry in the Lynn Canal, year round, on a one round trip per day schedule, probably 5 days per week. That will provide a capacity for some 300 cars

and 30 cargo vans per week above what currently exists. That should be ample to accommodate our winter demand. In the summer, all mainliners will go to Haines and Skagway and add to our Lynn Canal traffic capacity. This is in addition to utilizing the Malaspina during the summer as a day boat.

5. Your department says that this ship will burn 3.5 to 4 times the fuel as existing ships. What will be the cost per vehicle carried for the fast ferry?

Our best estimate of fuel consumption by the Fast Vehicle Ferry is 870 GPH at 32 knots. This can be compared with nominal consumption rates by the Columbia of 450 GPH and the Matanuska of 240 GPH. However, since the FVF can accomplish its mission in a shorter period, its fuel consumption per mission will be lower than might be expected from simply comparing consumption rates. For example, the cost of fuel for a round trip by the FVF in the Lynn Canal is estimated at \$2515., and for the Malaspina at \$2011. Since other costs for the FVF are considerably less, a round trip by the FVF will cost about one third of the cost for a round trip by the Malaspina.

The cost per vehicle per day carried by the FVF will be approximately \$128. For the Malaspina it is \$149.

6. Will the "fast ferries" be able to use the existing docks or will modifications be necessary?

To reduce loading and unloading time, we will provide stern loading capabilities at one end of each FVF route. At present, we are planning stern loading facilities at Juneau and Ketchikan. The FVF will be able to use side loading facilities in most other locations.

7. Do you intend to eliminate some existing ships when these come into service?

The implementation of the Southeast Transportation Plan, in which FVF's play an important part, will result in the ultimate retirement of some of the current vessels.

8. Environmental groups have said that they would take legal action to stop the Road project. If you complete the Environmental Impact Statement will it withstand a legal challenge?

A properly prepared EIS should be able to withstand a legal challenge. However, it is impossible to predict a court's decision on a potential challenge to a final Juneau Access EIS. The EIS for the Whittier Tunnel was challenged all the way to the U.S. Supreme Court. It was ultimately upheld, but during the process one court issued an order which stopped work on the project and cost the state several million dollars when the construction contractor was demobilized.

9. What happens if the legislature or the voters reject your bond package?

If the bond package is rejected we will fund the projects utilizing the regular federal program (STIP). Adding these projects to the STIP would displace other projects. Moreover, the state would need to satisfy the match requirement with approximately \$35 million in state general funds rather than investment earnings on bond proceeds.

Department of Transportation and Public Facilities

Juneau Access EIS Information

- Expended on the project to date — \$5,130,000
- Additional funding required to complete the EIS * — \$1,937,000
(Scope of work attached)
- Completion of the EIS is estimated to take 25 months with the following major milestones:

Complete technical studies and publish SDEIS: 12months

Conduct public hearings and procure permits: 10 months

Publish FEIS and receive the record of decision: 3 months

*Does not include legal costs if EIS is challenged

JUNEAU ACCESS FEIS BUDGET

Explanation of Estimated Cost

I. APPENDIX A

1. User Benefit Analysis: \$25,000 – Consultant

An update of the User Benefit Analysis will be prepared. This update will verify the Benefit Cost Ratio's and Net Present Values for all alternatives. These values are affected by the traffic forecast, the construction, operating and maintenance costs of each alternative and the user costs. Since we are up-dating our traffic forecast and reviewing the Marine Alternative vessel types, this Technical Appendix has the potential for major revisions. Traffic Forecasts should be completed prior to this task.

2. Traffic Forecast Analysis: \$50,000 – Consultant & Staff

Traffic forecasting is one of the most critical elements of the EIS. We received many comments from the public and agencies that our traffic forecasting was either too liberal or too conservative for the highway alternative. We feel that it is important to substantiate the DEIS forecast and will use a different approach to verify our ADT's. Work will be performed by our Traffic Section and a traffic consultant. This task should be completed early in the process to allow other appendices to be updated.

3. Financing Strategies: \$0 – Staff

We are not anticipating having to update the Financing Strategies Technical Appendices. The existing financing strategies are adequately covered in the appendix. The effort required will be to identify our preferred financing strategy in

the FEIS. The cost of this effort is included in the managers time and the Writing SDEIS estimates that appear later. This task will be completed in the FEIS.

II. APPENDIX B

1. Technical Alignment Report: \$600,000 – Consultant & Staff

The original Technical Alignment Report was based on an uncontrolled aerial mapping survey. This information was accurate enough for the DEIS but does not provide us with the confidence level needed for the FEIS. The East Lynn Canal route was re flown in the fall of 1997 using controlled aerial mapping techniques. The new contours have not been calculated or reduced. For approximately \$175,000 we can complete the controlled mapping for the full 65 miles from Berners Bay to Skagway. This will allow us to more accurately identify the alignment and calculate quantities, and slope limits for the entire alignment. This data is needed most critically for the Berners Bay Alignment and Bridges, the Gran Point and Met Point Critical Habitat Areas, the Katzehin River Crossing and the Skagway Tie-In. The contour mapping would be completed under an existing contract with Aeromap and the design calculations would be performed by in-house staff. It is critical to complete the contour mapping ASAP. This work is necessary for many other appendices.

2. Marine Segments Report: \$10,000 – Consultant & Staff

An update of the Marine Segments Report will need to be prepared. This update will re-evaluate the vessel for the East Lynn Canal Highway Alternative Shuttle Ferry. Public comment has shown that weather delays for the shuttle ferry are unacceptable and that the shuttle ferry must be able to operate in all but the most adverse weather conditions.

3. Railroad Analysis: \$0 – Staff

No action required except for minor update of wording in the FEIS.

4. Snow Avalanche Report: \$160,000 – Consultant & Staff

A minor update of the Snow Avalanche Report and a new Snow Avalanche Mitigation Report will be prepared. Avalanches were a major concern of the East Lynn Canal Highway during the public hearings. These concerns will need to be addressed. For three winters DOT&PF had a consultant monitor the East Lynn Canal avalanche paths. This information will be incorporated into a minor update of the report. A new Snow Avalanche Mitigation Report will need to be prepared to address the proposed mitigation for each of the 58 avalanche paths and what the mitigated hazard will be. Terry Onslow from Central Region M&O will help with the mitigation report. The possibility of incorporating the Katzehin Shuttle Ferry into our avalanche mitigation/avoidance program needs to be evaluated (shuttle service from Haines to Kensington during high incidence). This work will have some effect on the User Benefit Analysis if costs for mitigation change the construction and maintenance and operation costs. Otherwise it can be conducted independent of other activities.

III. APPENDIX C

1. Socio-economic Effects: \$50,000 – Consultant

A minor update of the Socio-economic Effects Appendix will need to be prepared. This update will need to further identify the effects of the increased traffic on the Haines, Skagway, and Juneau communities. More details on the types of impacts to businesses and numbers and types of vehicles will be developed. An update of the tourism

industry and number of tourists between 1994 and the present will be added to the existing report. This will be a consultant effort that can proceed independently of other updates.

2. Household Survey: \$0 – Staff

No new survey is required.

3. Land Use and Coastal Zone Technical Report: \$0 – Staff

Any issues will be addressed by staff in the writing of the FEIS.

IV. APPENDIX D

1. Steller Sea Lion Technical Report: \$75,000 – Consultant

Work to be performed includes updating the technical report based on using our controlled survey to better define highway impacts. This task needs to be started early but can proceed independently of other tasks.

2. Bald Eagle Technical Report: \$50,000 – Consultant

Work to be performed includes updating the recent years observations including the poor nesting rate for 1997 and to review alignment in vicinity of nesting trees based on the controlled survey. This work can be performed independently.

3. Wetlands Technical Report: \$250,000 – Consultant & Staff

Work to be performed includes field evaluating and mapping the wetlands. The preferred alignment through Berners Bay has not been field mapped. We will use the controlled survey and staff surveyors to flag the alignment. A consultant will field map and categorize the wetlands. Field survey should be done prior to spring vegetation in order to minimize

brushing requirements. Getting a late start will either delay the project or cost more to perform. This work can be performed independent of other studies except for needing the controlled survey.

4. Anadromous Fish Habitat Technical Report: \$25,000 - Consultant

Work to be performed includes identifying the length and type of structure to be used at all fish streams.

5. Wildlife Technical Report: \$30,000 - Consultant

Work to be performed will be a minor update of the Wildlife Technical Report plus a sensitive species analysis for the USFS. The sensitive species analysis is the result of DEIS comments. This work can be performed independent of other studies.

6. Visual Impact Assessment Technical Report: \$50,000 - Consultant

Work to be performed will be a minor update of the Technical Report in response to DEIS comments. The main effort will be to identify the height of cut slopes using the controlled survey and to generate drawings to show the visual impacts all along the highway route. This work can be performed independent of other studies.

V. APPENDIX E (NEW ITEMS)

1. Secondary/Cumulative Impacts: \$100,000 Consultant & Staff

This work is EPA driven. This work will have two components. The Secondary/Cumulative Environmental Issues and the Secondary/Cumulative Social Issues. It will be necessary to identify the cumulative impacts from the

proposed Goldbelt, Kensington and Jualin projects as well as the Juneau Access Project. This work will draw on work from the other appendices. It will be one of the last efforts to be completed, however its impacts will have to be considered during the scoping phases of the other work.

2. Highway Cost Estimate: \$10,000 – Staff & Consultant

Based on the controlled survey we will generate new project quantities and update the project cost estimate. We will also use a contractor as a consultant to verify our cost estimate. Based on recent bids for off road type work we feel that our cost estimate may be lowered. This work is dependent on the Technical alignment report and completion of the GPS mapping.

3. Project Mitigation Report: \$50,000 – Consultant & Staff

We will need to summarize all project impacts, (deep water disposal, wetlands fill, etc), identify all on project mitigation, (bridges, steepened slopes, revegetation, etc) and propose offsite mitigation to compensate for project impacts (improvements to Mendenhall River, Chilkat River, etc.). This work will be completed after most of the other appendices are completed.

4. Historical/Archaeological Update: \$10,000 – Consultant & Staff

In response to public comments we will need to further address some of the historical/archaeological issues. We will also need to evaluate the new proposed Skagway Tie-In for possible historical/archaeological impacts. This work can be performed independent of other studies, however some of the field work should be conducted in the spring prior to vegetative cover being established.

5. Hydrology: \$30,000 – Staff

A hydraulic study of all major streams and rivers will need to be performed. This work will be performed by the Regional Hydrologist and can be performed independent of other studies.

6. Permit Drawings & Applications: \$25,000 – Staff

All necessary permit drawings and applications will need to be prepared and submitted with the FEIS. This will cover staff time to design, draft and prepare all permit applications for deep water disposal, bridges, culverts and wetlands. This work will summarize all of the impacts from other studies and will be one of the last activities performed.

VI. DOCUMENT PREPARATION/SDEIS/FEIS/COMMENTS & ADMINISTRATION

1. Writing SDEIS: \$25,000 – Consultant

It is anticipated that a consultant will help to write the SDEIS. This is the estimated amount to cover the consultants involvement.

2. Printing SDEIS & FEIS: \$25,000 – Staff

Estimated cost for duplication and mailing out of the SDEIS and FEIS.

3. Managers Time: \$100,000 – Staff

All management of the SDEIS and FEIS will be taken over by the Department. In addition the manager will be responsible for reading and addressing all agency and public comments and attending all meetings. The manager will also administer all consultant contracts. It is estimated that this will be equivalent to one man year of effort.

4. Project Environmental Coordinators Time: \$150,000 – Staff

The project environmental coordinator will help draft all environmental consultant scope of services and review all work items. Will also draft responses to environmental concerns raised during the public comment period. It is estimated that this will take 9 man months of effort.

5. Contracts Coordinator's Time: \$15,000 – Staff

Contracts Coordinator will help prepare and track all consultant contracts and amendments.

6. Editing for FEIS: \$5,000 – Consultant

Cost for consultant to help with editing of the FEIS.

7. Public Hearings Travel/Graphics: \$30,000 – Staff

It is estimated that public hearings will be held in Juneau, Haines and Skagway. This is the estimated cost for travel, per diem, wages, graphics and hall rentals.

8. Drafting Support: \$20,000 – Consultant & Staff

Estimated Drafting Support for visual presentations, graphics and models in support of all appendices.

9. Contingency: \$100,000

It is estimated that a project of this magnitude should have a contingency of at least this amount.

TOTAL ESTIMATED COST	\$2,070,000
Current Balance	<u>\$ 133,000</u>
Required Funding	\$1,937,000

Alaska Marine Highway System's New Fast Vehicle Ferry

Background: The AMHS is working to acquire a successful fast ferry that is especially well suited for Southeast waters in response to public demand for more regular schedules and convenient daylight departures.

Q: So what exactly is a Fast Vehicle Ferry (FVF) anyway?

A: It functions like a high speed shuttle between ports. It operates at up to 38 mph as opposed to the 19 mph top speed of most of the other vessels in our fleet. The AMHS Fast Vehicle Ferry will carry about 250 passengers, about 30 vehicles, and three 15 ton, 28 foot commercial vans. The vehicle height clearance limit will be equal to or greater than any of the vessels currently in the AMHS fleet: 14 feet. Similar fast ferries in other parts of the world look something like this:



A rendering of the AMHS Fast Ferry will be available in Fall 2000 when the design/build team has been selected.

Q: How big will the wake be? Will it damage shorelines or docks?

A: At times the wake may be as high as 4 to 5 feet; however, by reducing the speed, the wake can be reduced to that of a large pleasure boat or a commercial fishing boat. Wake management is critical to successful FVF operation; it will be a top priority. The captain will reduce the speed of the vessel wherever and whenever wake could have an adverse impact. Areas of soft beach along the routes will be identified in the Route Operating Manual in advance to remind operators of the need for significantly reduced speeds. The FVF will not damage docks: operation in or near ports will be very slow and deliberate.

Q: Will a Fast Vehicle Ferry be able to transit all Southeast waters at any stage of the tide or current?

A: It's really too early in the study/design process to answer this question definitively for each specific area in the region. We do know that the FVF will result in significant reductions in travel times and greater scheduling convenience for travelers region-wide. However, in some of the more challenging Southeast passages the FVFs will have to slow down or vary their scheduled departure times in order to maintain our safety and environmental standards.

For example, results of a test run through Sergius Narrows by the AMHS General Manager, Operations Manager, Port Captain and our fast ferry consultant suggest that departure and arrival times may need to vary in order to accommodate each day's tide. Even with this variance taken into consideration, the FVFs will allow arrivals and departures to be scheduled at more convenient times than current scheduling practices allow.

Q: On which routes will the Fast Vehicle Ferry be used?

A: The Southeast Alaska Transportation Plan (SATP) calls for use of the FVF on routes from Ketchikan to Wrangell, and from Sitka to the proposed new terminal in Chatham. But this vessel will be capable of serving routes such as

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services
Department of Education & Early Development
State of Alaska

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A rendering of the AMHS Fast Ferry will be available in Fall 2000 when the design/build team has been selected.

Q: How will the Fast Vehicle Ferry benefit Southeast?

A: The high speeds at which the FVFs can safely travel will allow the AMHS to better meet the public's goals for regular, convenient service by achieving three important goals: 1) the FVF can make the round-trip between ports within one day, which translates into more convenience for the traveling public; 2) regular, predictable schedules can also be achieved with these faster ferries; and 3) the FVF design and carrying capacity will allow us to scale the system's capacity to better match demand, thus increasing efficiencies and eventually cutting costs.

Q: Will the quality of foodservice decline?

A: No. It will be different, but it will be good. On a dayboat like the FVF, with a maximum on-board time of 5 to 6 hours, self-serve hot and cold entrees, snacks, healthy munchies, cold and hot drinks will be available. The food service will likely be open during most of the passage.

Q: Will the FVF be affected by weather? More or less than the current fleet?

A: Even though we are designing for wintertime operability of greater than 95%, the FVF will be more affected by weather than the current AMHS ferries. This means that 5% of the time during the off-season the voyage may be cancelled for the safety and comfort of the passengers.

Q: Will there be significant environmental impacts?

A: No. The FVF will have zero overboard effluents by design; all waste will be taken off board at night. The FVFs will meet much stricter air quality requirements than the older ferries. When operating at top speed in unpopulated areas, the FVF will be marginally louder than existing ferries – about 70 decibels at 300 yards from the vessel – or much less than a large float plane. When operating at low speeds near ports, the FVF noise levels will be similar to existing AMHS ferries. The impact on fish and wildlife is considered to be minimal with proper operation; it is considered to be on par with existing AMHS vessels in this respect.

Q: How big will the wake be? Will it damage shorelines or docks?

A: At times the wake may be as high as 4 to 5 feet; however, by reducing the speed, the wake can be reduced to that of a large pleasure boat or a commercial fishing boat. Wake management is critical to successful FVF operation; it will be a top priority. The captain will reduce the speed of the vessel wherever and whenever wake could have an adverse impact. Areas of soft beach along the routes will be identified in the Route Operating Manual in advance to remind operators of the need for significantly reduced speeds. The FVF will not damage docks: operation in or near ports will be very slow and deliberate.

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For example, results of a test run through Sergius Narrows by the AMHS General Manager, Operations Manager, Port Captain and our fast ferry consultant suggest that departure and arrival times may need to vary in order to accommodate each day's tide. Even with this variance taken into consideration, the FVFs will allow arrivals and departures to be scheduled at more convenient times than current scheduling practices allow.

Q: On which routes will the Fast Vehicle Ferry be used?

A: The Southeast Alaska Transportation Plan (SATP) calls for use of the FVF on routes from Ketchikan to Wrangell, and from Sitka to the proposed new terminal in Chatham. But this vessel will be capable of serving routes such as

Sitka/Petersburg, Sitka/Juneau, Juneau/Petersburg, Ketchikan/Prince Rupert, and Juneau to Haines/Skagway.

Q: Will the FVF require a new terminal? Where will it be located?

A: The FVF will be capable of docking at existing terminals. New overnight support facilities will be required at what are currently planned to be the "home base" terminals: Ketchikan, Juneau and possibly Sitka.

Q: When will the FVFs be used? Will we still have mainline service?

A: Market demand will drive decisions as to when short-haul and long-haul service will be provided. FVF short-haul service will be provided year-round; mainliner service will be heavily concentrated in the summer. In the summer months we will operate both the FVFs (for local, short-haul service) and the mainliners (for through service). As the summer demand tapers off each year, the FVFs will continue to operate but may adjust their frequency according to demand for short-haul service. Similarly, mainline service in the winter will be adjusted to the demand for long-haul travel. As spring approaches, mainline ferry service will be increased until it matches frequencies that we currently run in the summer.

Q: How will the FVFs save the State money?

A: The FVFs will save the State money by allowing us to better tailor the ferries we operate to the market demand in different seasons. We will be able to maximize revenue in the summer that will help to support the operations of the AMHS year-round. The major source of savings comes from dayboat operations, in which only one crew shift is required per day, whereas the existing AMHS vessels are manned for 24 hours per day service with two crew ships per day.

Q: Will there be more or fewer jobs when the Fast Vehicle Ferry comes on line?

A: The total number of jobs in the AMHS will probably not be reduced, but employment will be concentrated in the summer when revenues and demand are at the peak. The FVF itself will increase the number of jobs by 8 to 10 new, year-round crew positions. In addition, there will be several new ferry service positions created ashore in each home port. While employment numbers on the mainline ferries will remain much as they are now, work aboard those ships will be concentrated in the summer months.

Q: Will the FVFs be built in Alaska?

A: Local boat builders will be invited to respond to the AMHS qualification process. They will be required to have an experienced fast ferry design partner and be capable of meeting all of the safety and quality requirements imposed by the US Coast Guard. These qualifications are needed to assure that Alaska gets the best and the safest FVF possible.

Q: The SATP calls for a Vessel Suitability Study - what is that? Will the results of this study affect the FVF?

A: We are conducting the Vessel Suitability Study (VSS) to determine the optimum vessel for each route and for the system as a whole. The initial results (of the weather/route study and the vehicle/passenger capacity study that are being conducted as a part of the VSS) are being incorporated into the design requirements for the FVF as they become available. We would have preferred to have the VSS completed prior to designing our fast ferry, but the federal funding is available now. Fortunately, it is already clear that introducing a fast vehicle ferry to the AMHS fleet is critical to improving the overall transportation system in Southeast.

Q: What is the purpose of the Sitka Access Corridor Study?

A: ADOT&PF will retain a consultant to assess the comparative socio-economic, environmental and capital costs of land transportation alternatives to marine service alternatives in order to further evaluate which alternative is in the best overall public interest.

Q: How does the Fast Vehicle Ferry fit into the implementation of other elements of the Southeast Alaska Transportation Plan?

A: The Southeast Alaska Transportation Plan (SATP) is complex. It has to be. A variety of transportation types, operated in a variety of ways, are required in order to move people and goods around this region in a safe and efficient way – that is, to meet the public's goals as stated in the adopted plan. Planning for this kind of inter-related transportation system is fairly straightforward. But implementing the plan is always much more complex. When the plan's words hit the designer's drawing board, there are a lot of details that must be adjusted on each project so that the system can work as a whole. So, the short answer is that the FVF is an important first step in implementation of the plan. And even though each step must be carefully coordinated with the rest of the elements in the plan, the FVF is in many ways a stand-alone project that will have many uses independent of other SATP projects.



Jack Meyers
SE Plan Implementation Manager
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6860 Glacier Highway
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ANDREW HALCRO
HOUSE TRANSPORTATION COMMITTEE
ALASKA LEGISLATURE
STATE CAPITOL, ROOM 418
JUNEAU, AK 99801

ALASKA MARINE HIGHWAY SYSTEM'S

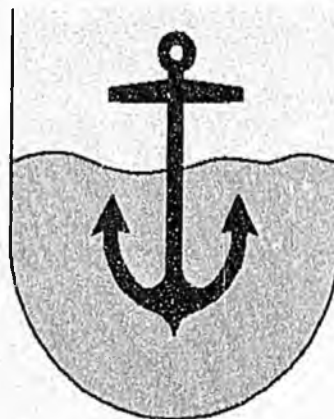
New Fast Vehicle Ferry

BACKGROUND

The Department of Transportation & Public Facilities' Alaska Marine Highway System (AMHS) is working to acquire a successful fast ferry that is especially well suited for Southeast waters in response to public demand for more regular schedules and convenient daylight departures.

Q: So what exactly is a Fast Vehicle Ferry, anyway?

A: It functions like a high speed shuttle between ports. It operates at up to 38 mph as opposed to the 19 mph top speed of most of the other vessels in our fleet. The AMHS Fast Vehicle Ferry will carry about 250 passengers, about 30 vehicles, and three 15 ton, 28 foot commercial vans. The vehicle height clearance limit will be equal to or greater than any of the vessels currently in the AMHS fleet: 14 feet. Similar fast ferries in other parts of the world look something like the one in the photo at right.



Q: How will the Fast Vehicle Ferry benefit Southeast?

A: The high speeds at which the FVFs can safely travel will allow the AMHS to better meet the public's goals for regular, convenient service by achieving three important goals: 1) the FVF can make the round-trip between ports within one day, which translates into more convenience for the traveling public; 2) regular, predictable schedules can also be achieved with these faster ferries; and 3) the FVF design and carrying capacity will allow us to scale the system's capacity to better match demand, thus increasing efficiencies and eventually cutting costs.

THE FVF AND THE SOUTHEAST ALASKA TRANSPORTA- TION PLAN

The Southeast Alaska Transportation Plan (SATP) is complex. It has to be. A variety of transportation types, operated in a variety of ways, are required in order to move people, vehicles and goods around this region in a safe and efficient way — that is, to meet the public's goals as stated in the adopted plan. Planning for this kind of inter-related transportation system is fairly straightforward. But implementing the plan is always much more complex. When the plan's words hit the designer's drawing board, there are a lot of details that must be adjusted on each project so that the system can work as a whole. So, the FVF is an important first step in implementation of the plan. And even though each step must be carefully coordinated with the rest of the elements in the plan, the FVF is in many ways a stand-alone project that will have many uses independent of other SATP projects.



Another example of a Fast Vehicle Ferry

Q: Will the quality of the food service decline?

A: No. It will be different, but it will be good. With a maximum on-board time of 5 to 6 hours, self-serve hot and cold entrees, snacks, healthy munchies, cold and hot drinks will be available. The food service will likely be open during most of the passage.



Q: On which routes will the FVF be used?

A: The Southeast Alaska Transportation Plan (SATP) calls for use of the FVF on routes from Ketchikan to Wrangell, and from Sitka to the proposed new terminal in Chatham. But this vessel will be capable of serving a variety of other routes as well.

Q: When will the FVFs be used? Will we still have mainline service?

A: Market demand will drive decisions as to when short-haul and long-haul service will be provided. FVF short-haul service will be provided year-round; mainliner service will be heavily concentrated in the summer. In the summer months we will operate both the FVFs (for local, short-haul service) and the mainliners (for through service). As the summer demand tapers off, the FVFs will continue to operate and adjust their frequency according to demand for short-haul service. Similarly, mainline service in the winter will be adjusted to the demand for long-haul travel. As spring approaches, mainline ferry service will be increased until it matches frequencies that we currently run in the summer.

Q: Will the FVF require a new terminal? Where will it be located?

A: The FVF will be capable of docking at existing terminals. New overnight support facilities will be required at what are currently planned to be the "home base" terminals: Ketchikan, Juneau and possibly Sitka.



Q: How will the FVFs save the State money?

A: The FVFs will save the State money by allowing us to better tailor the ferries we operate to the market demand in different seasons. We will be able to maximize revenue in the summer that will help to support the operations of the AMHS year-round. The major source of savings comes from dayboat operations, in which only one crew shift is required per day, whereas the existing AMHS vessels are manned for 24 hours per day service with two crew shifts per day.

Q: Will there be more or fewer jobs when the Fast Vehicle Ferry comes on line?

A: The total number of jobs in the AMHS will probably not be reduced, but employment will be concentrated in the summer when revenues and demand are at the peak. The FVF itself will increase the number of jobs by 8 to 10 new, year-round crew positions. In addition, there will be several new ferry service positions created ashore in each home port. While

employment numbers on the mainline ferries will remain much as they are now, work aboard those ships will be concentrated in the summer months.

More FVF Questions?
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More SATP Questions?
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ENVIRONMENTAL EFFECTS

No significant environmental impacts will be created by the introduction of the Fast Vehicle Ferry to the waters of Southeast. The FVF will have zero overboard effluents by design; all waste will be taken off board at night. The FVFs will meet much stricter air quality requirements than the existing ferries. When operating at top speed in unpopulated areas, the FVF will be marginally louder than existing ferries – about 70 decibels at 300 yards from the vessel – or much less than a large float plane. When operating at low speeds near ports, the FVF noise levels will be similar to existing AMHS ferries. The impact on fish and wildlife is considered to be minimal with proper operation; it is considered to be on par with existing AMHS vessels in this respect.

Q: How big will the wake be? Will it damage shorelines or docks?

A: At times the wake may be as high as 4 to 5 feet; however, by reducing the speed, the wake can be reduced to that of a large pleasure boat or a commercial fishing boat. Wake management is critical to successful FVF operation; it will be a top priority. The captain will reduce the speed of the vessel wherever and whenever wake could have an adverse impact. Areas of soft beach along the routes that require reduced speeds will be identified in the Route Operating Manual in advance. The FVFs will not damage docks; operation in or near ports will be very slow and deliberate.

Q: Will a Fast Vehicle Ferry be able to transit all Southeast waters at any tide or current?

A: It's really too early in the study/design process to answer this question definitively for each specific area in the region. We do know that the FVF will result in significant reductions in travel times and greater scheduling convenience for travelers region-wide. However, in some of the more challenging Southeast passages the FVFs will have to slow down or vary their scheduled departure times in order to maintain our safety and environmental standards.



Q: Will the FVF be affected by weather? More or less than the current fleet?

A: Even though we are designing for wintertime operability of 95+%, the FVF will be more affected by weather than the current AMHS ferries. This means that during the winter there is a 5% possibility of cancellation for the safety and comfort of passengers.



New ferry on the horizon

by Gary Smith, Naval Architect

The Alaska Marine Highway System is bringing speed to its fleet and may set a record in the process.

Planning is under way to design, build, and operate a fast vehicle ferry. Its mission is to provide safe and reliable daily round trip service for 250 passengers and 30-40 vehicles on routes of up to 320 nautical miles. Compare its 32 knots at normal operating speed to the Columbia's 17.3 knots, and it's not hard to imagine the FVF meeting its goal of 12 hours round-trip.

The AMHS ferries are limited by some of Southeast Alaska's challenging weather and navigational conditions. The FVF will be designed to operate safely year-round with minimum delays or cancellations due to weather.

What makes the FVF so fast? Light weight, powerful engines, and a sleek hull.

What makes the FVF so fast? Light weight, powerful engines, and a sleek hull.

Although the design process is only in the earliest stages, the FVF will almost certainly have an aluminum hull, which is lighter than conventional steel hulls. The hull type will be selected for speed as well. AMHS is currently researching hull types that will work best for speed in Southeast waters. Equipped with four large, conventional diesel engines, the FVF will have more horsepower for its size than existing vessels. A water jet propulsion system will replace the traditional propeller and rudder, which would be impractical at high speeds and would

provide too much resistance on a fast ferry. With an overall length of 200-300 feet (200 feet if a catamaran hull), it will be smaller than most existing ferries, and it will draw much less water when under way than other vessels of its size.

Speed between ports means there will be no need for overnight accommodations for either crew or passengers.

The FVF will be a dayboat. Eliminating cabins will increase the public spaces available for passengers and vehicles. A vehicle deck designed for quick and efficient loading and unloading (45 minutes is the goal) will further shorten the trip. The ship will be serviced each evening at new homeport facilities. This means taking on potable water, fuel, and supplies every night rather than carrying enough for several days. That adds up to weight savings and shorter turnaround times.

There will be trade-offs in operating costs. The FVF will see reduced costs for personnel. Only eight people will likely be required to operate the vessel for 12 hours. Currently, it takes 24 people to operate the LeConte for 24 hours. However, the FVF will consume three and a half to four times the amount of fuel of a conventional vessel.

Speed and the ability to operate in bad weather could have one undesirable result: seasickness. This isn't a problem for most crew and passengers during ordinary operating conditions on the slower conventional ferries. AMHS is currently researching wave heights and frequencies along the proposed FVF routes and studying the possible impact of various speeds and sea states on the FVF's passengers and crew. There will be rare times when the vessel does not sail due to weather. The vessel may be able to handle the conditions, but ride comfort would be unacceptable.

Glosten Associates, a marine consulting firm in Seattle, is performing sea state analysis and design studies to allow AMHS to make basic design decisions. Glosten is expected to complete this preliminary work in late December 1999. After this, AMHS will finalize its owner requirements in March 2000 and go out to bid for design and construction. A designer/builder team will be selected in September 2000. If all goes as scheduled, the FVF will be delivered and put into service in August 2002.

Federal funding will be used for the design and construction of the FVF.

Federal funding will be used for the design and construction of the fast vehicle ferry.

All of the fast ferries currently operating in the U.S. carry passengers only. AMHS's fast ferry will likely become the first one registered in the U.S. to carry both passengers and vehicles.

Like the other vessels in the AMHS fleet, the FVF will also be named for an Alaska glacier. Get out your atlas and stand by for an opportunity to name the new vessel.



Tides & Currents

January 2000

The Alaska Marine Highway System

In This Issue

Tracking the trends for 2000

Operations news

Terminal turns

New MQs for Storekeepers

Important STCW information

Master's meeting

Fast vehicle ferry

Cold weather safety

Great web sites

Santa, Smokey and pumpkins

Employee awards and kudos



ALASKA MARINE HIGHWAY
— A Proud Tradition —

From the Captain's Cabin Tracking the trends for 2000

by Captain Bob Doll, General Manager

In an effort to keep track of what's going on in the System, I have a number of indicators that I watch. Here's what some of my indicators are showing:

Revenue—For the first five months of this fiscal year (July through November) revenue received is at the highest level in the last eight years. Who knows if it will last, but since we opened bookings for the summer of 2000 on December 1, this month should be a good one too. That translates into good customer support.

On-line booking—Our customers now have the capability to request a reservation on the Internet and get an electronic response within one working day. This should be especially useful to Alaskans, who usually do not book ferry reservations through travel agents, and will free up the phone system for those who need advice.

Columbla Her federal project totals some \$4.4 million dollars, and includes hull paint from the sponson upward, superstructure paint, renovation of the theater and forward observation lounge, creation of some ADA cabins, and lots of lifesaving improvements. Next year, there will be a complete stateroom replacement.

Taku—Most of the work in this federal project is centered on SOLAS requirements, including car deck ventilation, fire safety, and rescue equipment, but also including exterior blasting and painting and replacement of reefers and compressors.

Expenses—Operating expenses are at the highest levels on record, some \$74 million. A great deal of that is the result of the same inflationary trends we see in our household budgets, and part is the result of operating nine ships, the world's largest deep-water RO-RO/passenger fleet. We need to seek cost reductions wherever they can be found and take every opportunity to capture additional revenue.

In just a few years we will observe the 40th Anniversary of the Malaspina's arrival in Ketchikan. I expect that celebration to mark the beginning of a System that is capitalizing on its assets and looking forward to the next forty years!



Captain Bob Doll

HB

320

1-LS1165VH
Utermohle
3/27/00

CS FOR HOUSE BILL NO. 320()

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE HARRIS

A BILL

FOR AN ACT ENTITLED

1 "An Act approving the application for and acceptance of a grant of certain
2 federal land by the Alaska Railroad Corporation; approving the conveyance of the
3 entire interest in land appurtenant to the Whittier DeLong Dock by the Alaska
4 Railroad Corporation; relating to use and disposition of the Whittier DeLong Dock
5 and associated land; and providing for an effective date."

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

7 * Section 1. The uncodified law of the State of Alaska is amended by adding a new
8 section to read:

9 FINDINGS. The legislature finds that the Whittier DeLong Dock and the associated
10 land are required for essential railroad purposes and that the acquisition of the dock and
11 associated land by the Alaska Railroad Corporation is in the best interests of the state.

12 * Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section
13 to read:

1 APPROVAL. The legislature authorizes the Alaska Railroad Corporation to apply for
2 and to accept a grant of a parcel of real property in Whittier, consisting of approximately 6.13
3 acres and the appurtenant facility known as the DeLong Dock, from the federal government
4 under terms of sec. 2837(b) - (e), Public Law 106-65. This section constitutes approval for
5 the Alaska Railroad Corporation to apply for and to accept a grant of federal land within a
6 municipality in accordance with AS 42.40.035(5).

7 * Sec. 3. The uncodified law of the State of Alaska is amended by adding a new section
8 to read:

9 USE AND DISPOSITION OF THE WHITTIER DELONG DOCK AND
10 ASSOCIATED LAND. (a) Within three months after the conveyance of the real property
11 described in sec. 2 of this Act from the United States to the Alaska Railroad Corporation, the
12 corporation shall reconvey ownership of the uplands, tidelands, and submerged lands to the
13 City of Whittier. The corporation shall retain ownership of the DeLong Dock and the railroad
14 tracks and rail bed located on the uplands.

15 (b) Notwithstanding (c) - (h) of this section, the corporation and the City of Whittier
16 are directed and authorized to enter into reciprocal leases for the DeLong Dock and
17 appurtenant land and to enter into a management agreement to operate the DeLong Dock and
18 appurtenant land as a single unit consistent with the terms contained in the document entitled
19 "Management Terms for DeLong Dock" and signed by the corporation and the City of
20 Whittier. If the document is not signed by both the corporation and the City of Whittier
21 within six months after the real property described in sec. 2 of this Act is conveyed by the
22 United States to the corporation, then the corporation and the City of Whittier shall comply
23 with (c) - (h) of this section.

24 (c) In exchange for ownership of the land described in (a) of this section, the City of
25 Whittier shall

26 (1) subdivide the land into two parcels that are separated by the centerline of
27 the DeLong Dock;

28 (2) grant a lease to the parcel of land north of the centerline of the DeLong
29 Dock to the corporation.

30 (d) The corporation shall grant a lease to that portion of the DeLong Dock south of
31 the centerline of the dock to the City of Whittier.

1 (e) The leases described in (c) and (d) of this section must include the following
2 provisions:

3 (1) each lease must be for a minimum term of 20 years;

4 (2) the rental rate for each lease is \$1.00 a year;

5 (3) the corporation shall have rail access to the dock, and the City of Whittier
6 shall have a usable road to lands at and beyond the dock;

7 (4) neither the corporation nor the City of Whittier may be required by the
8 lease to indemnify the other party for its own actions or the actions of a contractor,
9 subcontractor, or sublessee; liability of the parties shall be governed by the tort law of the
10 State of Alaska;

11 (5) the corporation and the City of Whittier may assign or sublease its interest
12 in the lease without the approval of the other party;

13 (6) the corporation and the City of Whittier shall agree to diligently work
14 together in good faith to resolve disputes and to collaborate with each other in developing a
15 management agreement for operation of the DeLong Dock facility with the goal of operating
16 the facility as a single entity for economic development purposes;

17 (7) the leases may not be subject to termination for a breach of a lease;

18 (8) the leases may be amended by mutual agreement of the corporation and
19 the City of Whittier.

20 (f) The corporation and the City of Whittier shall expeditiously and in good faith
21 undertake and complete the transactions described in this section under the terms and
22 conditions set out in this section and under such other terms and conditions as are mutually
23 satisfactory.

24 (g) Pending the completion of the transactions described in this section, the
25 corporation and the City of Whittier shall enter into an interim agreement for the use of the
26 Whittier DeLong Dock and associated land consistent with the provisions of this section.

27 (h) During the five-year period beginning on the date that the real property described
28 in sec. 2 of this Act is conveyed from the United States to the corporation, the property shall
29 be used for economic development of the Whittier and Prince William Sound areas, including
30 freight transportation, tourism, boat moorage for day cruiser or large ocean-going cruise ships,
31 fishing and fish processing, and other uses.

1 * Sec. 4. The uncodified law of the State of Alaska is amended by adding a new section
2 to read:

3 TRANSFER OF CERTAIN STATE LAND AT WHITTIER. In the event that all or
4 a portion of the land described in sec. 2837(b), Public Law 106-65, is transferred to the State
5 of Alaska or an agency of the State of Alaska other than the Alaska Railroad Corporation, the
6 State of Alaska shall expeditiously reconvey all land and improvements received under sec.
7 2837(b) - (e), Public Law 106-65, to the City of Whittier.

8 * Sec. 5. The uncodified law of the State of Alaska is amended by adding a new section
9 to read:

10 APPROVAL. The legislature authorizes the Alaska Railroad Corporation to transfer
11 its entire interest in the land described in sec. 3(a) of this Act in accordance with sec. 3 of this
12 Act. This section constitutes legislative approval for the corporation to convey its entire
13 interest in that land under AS 42.40.285(1).

14 * Sec. 6. This Act takes effect immediately under AS 01.10.070(c).

1-LS1165V
Utermohle
3/28/00

CS FOR HOUSE BILL NO. 320()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE HARRIS

A BILL

FOR AN ACT ENTITLED

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17 appurtenant land and to enter into a management agreement to operate the DeLong Dock and
18 appurtenant land as a single unit consistent with the terms contained in the document entitled
19 "Management Terms for DeLong Dock" and signed by the corporation and the City of
20 Whittier. If the management agreement is not signed by both the corporation and the City of
21 Whittier within six months after the real property described in sec. 2 of this Act is conveyed
22 by the United States to the corporation, then the corporation and the City of Whittier shall
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7 (4) neither the corporation nor the City of Whittier may be required by the
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12 Act. This section constitutes legislative approval for the corporation to convey its entire
13 interest in that land under AS 42.40.285(1).

14 * Sec. 6. This Act takes effect immediately under AS 01.10.070(c).



ALASKA STATE LEGISLATURE
REPRESENTATIVE JOHN HARRIS
STATE CAPITOL 110, JUNEAU, ALASKA 99801-1182 (907) 465-4859

Sponsor Statement

HB 320 – Relating to the DeLong Dock in Whittier

The DeLong dock is a US Army fuel transfer facility nearly 700 feet long located in Whittier. Last year, the Army determined it would surplus the dock and both the Alaska Railroad and the City of Whittier expressed interest in obtaining it, with expectation that it could be valuable in helping to meet the growing demand for public services after the new Whittier tunnel opens this summer.

The US Congress approved the transfer of ownership to the Alaska Railroad last summer. During the 1999 session, in anticipation of Congressional approval, the Legislature included a provision in SB 171 that requires legislative approval of land grants to the railroad.

The purpose of HB 320 is to give approval for the railroad to receive the DeLong dock and the associated submerged lands, uplands and tidelands, which the railroad is to then transfer to the City of Whittier. HB 320 also ratifies a memorandum of understanding between the railroad and the City of Whittier, which transfers ownership of the underlying real estate to the City and which requires the two entities to enter into mutually beneficial leases of portions of the dock and real estate. That is, the City will lease land under the north half of the dock to the railroad, and the railroad will lease the south half of the dock to the City.

HB 320 also directs and authorizes the two entities to enter into a management agreement for the use of the dock.

The Alaska Railroad and the City of Whittier have been working out the details of the transfer, the memorandum of understanding and the operating agreement for nearly a year, with the results reflected in the proposed committee substitute.



ALASKA STATE LEGISLATURE
REPRESENTATIVE JOHN HARRIS
STATE CAPITOL 110, JUNEAU, ALASKA 99801-1182 (907) 465-4859

Sectional analysis

Proposed CS for HB 320 – Relating to the DeLong Dock in Whittier

Sec. 1 states findings that acquisition of the dock and associated real estate would be in the best interest of the state.

Sec. 2 states the Legislature's approval for the railroad to accept the grant of land from the federal government, as required by AS 42.40.285(5), Ch. 59, SLA 1999 (SB 171 from last session).

Sec. 3 describes the use and disposition of the dock and land:

- a). gives the railroad 3 months after receiving the grant from the federal government to transfer the real estate to the City of Whittier.
- b). directs the city and railroad to enter into reciprocal leases and a management agreement within 6 months; if not, the terms of subsections (c) - (h) apply.
- c). directs the city to subdivide the parcel along the centerline of the dock and grant a lease of the land underlying the northern $\frac{1}{2}$ of the dock to the railroad.
- d). directs the railroad to lease the southern $\frac{1}{2}$ of the dock to the city.
- e). describes terms to be included in the leases, including 20 year term; \$1 rent per year; access by each entity to the dock; neither entity is required to indemnify the other for its actions or those of 3rd parties; each entity may assign or sublease its interests; both entities are required to work in good faith to resolve disputes and collaborate on managing the dock as a single entity for economic development; leases may not be terminated for breach of lease; and leases may be amended by mutual agreement.
- f). requires the city and railroad to work in good faith to execute the terms and conditions set out in this section.
- g). requires an interim agreement until the final terms under this section are completed.
- h). requires that during the five years after the property is conveyed by the federal government, it is to be used for economic development of Whittier and PWS.

Sec. 4 provides that if the property transfers to the State of Alaska or an agency of the state other than the Alaska Railroad, it is to be transferred to the City of Whittier.

Sec. 5 states the Legislature's approval for the railroad to transfer the real estate to the City of Whittier.

Sec. 6 provides an immediate effective date.

MANAGEMENT TERMS FOR DELONG DOCK

March 20, 2000

The City of Whittier ("City") and the Alaska Railroad Corporation ("ARRC") agree that the following constitute a basic framework to establish reciprocal property leases and guidelines for developing a management agreement for the joint operation of the DeLong Dock and associated tidelands and uplands (Tract W):

1. **Terms:** The parties will execute reciprocal property leases, each for a term of not less than 20 years and with a rental rate of \$1.00 per year. An interim dock operation agreement will be developed for a term of 2 years or such longer term as may be required for completion of the long term management agreement. This interim agreement is to allow both parties use of the dock facility during the ownership transfer to the ARRC from the US Army and to allow the ARRC to finalize the Whittier Master Development Plan for ARRC properties. A long term agreement for management of the dock facility will be made for a mutually agreed term once the ARRC Master Development Plan, DeLong Dock and Tract W properties are transferred to ARRC and the City of Whittier.
2. **Management:** The dock will be managed as a single facility by a single entity. If the City and ARRC determine to use a third party for management services at the dock, the City and ARRC shall give Chugach Alaska Corporation, or a subsidiary or affiliate, the right of first refusal with respect to providing such services. Any contract for such services shall be subject to public notice and ARRC Board approval. Both the ARRC and the City shall have the right to make commitments for use of the dock, including preferential use commitments. The selected operator shall prepare and submit to each party a proposed plan of operations (either yearly or at other such interval as the parties agree) which plan must be approved by each party before being implemented.
3. **Compensation and Revenue Sharing:** The dock manager will account to the City and ARRC for revenues received from operation of the dock. Total revenues received will be divided between the parties on a prorated basis with the higher portion of the net revenues allocated to the party that initiated the contract. The amount of the proportional split is to be agreed to by both parties in the management agreement.
4. **Repair, Maintenance and Operational Expense:** Costs of maintenance, repairs and operation of the DeLong Dock shall be shared jointly by the parties in a manner to be agreed to by both parties in the management agreement. A reserve for such costs shall be established as soon as possible out of revenues received from operation of the dock. Major capital improvements shall be undertaken only as agreed to by the parties in the management agreement.
5. **Access:** The parties shall execute appropriate documentation granting or assuring adequate track access and public road access to the dock and lands beyond the dock by road.
6. **Commercial Terms:** Standard commercial provisions of the leases such as indemnification, insurance requirements, assignment, and default shall be on equal reciprocal terms.
7. **Dispute Resolution:** Both parties shall diligently work together in a good faith effort to resolve disputes. Both parties shall collaborate with each other in developing the management agreement with the goal of operating the DeLong Dock facility as a single entity for economic development purposes.

CITY OF WHITTIER

By: _____
Its: _____
Date: _____

ALASKA RAILROAD CORPORATION

By: _____
Its: _____
Date: _____

HOUSE BILL NO. 320

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE HARRIS

Introduced: 1/26/00

Referred: Transportation, Community and Regional Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act approving the application for and acceptance of a grant of certain
2 federal land by the Alaska Railroad Corporation; approving the conveyance of the
3 entire interest in the Whittier DeLong Dock and associated uplands, tidelands, and
4 submerged lands by the Alaska Railroad Corporation; relating to use and
5 disposition of the Whittier DeLong Dock and associated land; and providing for
6 an effective date."

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

8 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new
9 section to read:

10 **FINDINGS.** The legislature finds that the Whittier DeLong Dock and the associated
11 land are required for essential railroad purposes and that the acquisition of the dock and
12 associated land by the Alaska Railroad Corporation is in the best interests of the state.

13 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section

1 to read:

2 APPROVAL. The legislature authorizes the Alaska Railroad Corporation to apply for
3 and to accept a grant of a parcel of real property in Whittier, consisting of approximately 6.13
4 acres and the appurtenant facility known as the DeLong Dock, from the federal government
5 under terms of sec. 2837, Public Law 106-65. This section constitutes approval for the Alaska
6 Railroad Corporation to apply for and to accept a grant of federal land within a municipality
7 in accordance with AS 42.40.285(5).

8 * Sec. 3. The uncodified law of the State of Alaska is amended by adding a new section
9 to read:

10 USE AND DISPOSITION OF THE WHITTIER DELONG DOCK AND
11 ASSOCIATED LAND. (a) Within six months after the conveyance of the real property
12 described in sec. 2 of this Act from the United States to the Alaska Railroad Corporation, the
13 corporation shall reconvey ownership of the uplands, tidelands, and submerged lands located
14 on the property to the City of Whittier. The corporation shall retain ownership of the DeLong
15 Dock and railroad-associated facilities.

16 (b) In exchange for ownership of the land described in (a) of this section, the City of
17 Whittier shall

18 (1) subdivide the land into two parcels that are separated by the centerline of
19 the DeLong Dock;

20 (2) grant a lease to the parcel of land north of the centerline of the DeLong
21 Dock to the corporation.

22 (c) The corporation shall grant a lease to that portion of the DeLong Dock south of
23 the centerline of the dock to the City of Whittier.

24 (d) The corporation and the City of Whittier shall expeditiously and in good faith
25 undertake and complete the transactions described in this section under terms and conditions
26 that are mutually satisfactory.

27 (e) Pending the completion of the transactions described in this section, the
28 corporation and the City of Whittier shall enter into an interim agreement for the use of the
29 Whittier DeLong Dock and associated land consistent with the provisions of this section.

30 (f) During the five-year period beginning on the date that the real property described
31 in sec. 2 of this Act is conveyed from the United States to the corporation, the property shall

1 be used for economic development purposes.

2 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section
3 to read:

4 APPROVAL. The legislature authorizes the Alaska Railroad Corporation to transfer
5 its entire interest in the land described in sec. 3(a) of this Act in accordance with sec. 3 of this
6 Act. This section constitutes legislative approval for the corporation to convey its entire
7 interest in that land under AS 42.40.285(1).

8 * **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).

**Memorandum of Understanding
For
Long Term Use of the DeLong Dock
Between the Alaska Railroad Corporation
and the City of Whittier**

1. General Understanding

The Alaska Railroad Corporation (ARRC) and the City of Whittier are interested in working together to have the U.S. Government transfer ownership of the DeLong Dock and its surrounding tidelands to the ARRC. When the ARRC receives ownership of the DeLong Dock Facility (dock) and the Tract W Tidelands, ARRC will retain ownership of the DeLong Dock facility and transfer ownership of the Tract W Tidelands to the City of Whittier. In the event the Tract W Tidelands are transferred to the State of Alaska, Department of Natural Resources, the ARRC will support the City of Whittier with the Department of Natural Resources in transferring ownership of the tidelands to the City of Whittier. The described properties are more particularly shown as the U.S. Army DeLong Dock on the map attached to this Memorandum of Understanding (MOU) as Attachment A, Long Term Use, DeLong Dock, Tract W.

Both parties agree to work together and support each other with the State Legislative Officials and Departments as necessary for State approval in transferring ownership of the Tract W Tidelands to the City of Whittier and the DeLong Dock Facility to the ARRC.

The intent of this MOU is to allow the ARRC to be the lead agency for processing the request on behalf of both parties. In the interim, the ARRC will actively pursue a permit from the U.S. Army for temporary use of the properties until such time as the property disposal process is finalized as set forth in the short term MOU between the City of Whittier and the ARRC dated June 8, 1999 and attached to this MOU as Attachment B. There is an immediate need to allow the public use of the dock for fishermen loading their catch or use by day cruise operators for day excursions.

It is further understood that the City of Whittier will subdivide the tidelands within U.S. Army Tract W into Parcel 1 and Parcel 2 and execute a long term lease to the ARRC for parcel 1. The ARRC will retain ownership of the DeLong dock facility and execute a long term lease to the City of Whittier for the use of the south ½ of the dock facility. The described lease properties are more particularly shown as the Long Term Use, DeLong Dock, Tract W on the map attached to this MOU as Attachment A.

Both parties agree to work together to develop the dock facility and adjoining ground for Cruise Ship, Day Cruise, Commercial Fishing and Fish processing operations that require public use of the facilities.

2. Collaboration for Long Term Lease Agreements

Both parties agree to work together to develop Long Term Lease agreements that address contractual and operational issues to allow the City of Whittier use of ½ of the Dock Facility and the ARRC use of parcel 1, Tract W tidelands. The major issues to be resolved in the separate agreement are the lease term and rate, operational control, maintenance of the dock facility, capital maintenance reserve and liability protection during the terms of the lease agreement.

The terms of these issues will be resolved in a separate operational lease agreement and do not become part of this MOU.

3. Historical Background

The Alaska Railroad was constructed and operated by the U.S. Government from its inception in 1914. In the 1940's, a railroad spur to Whittier was constructed in support of military logistics during World War II. Other Federal facilities constructed in Whittier for support of the war effort included the DeLong Dock, petroleum tank farm and other buildings for housing and administration.

Then in March 1964, Alaska suffered a severe earthquake that destroyed the military tank farm facilities. After the earthquake the U.S. Army exsessed the DeLong Dock and dock ownership was then transferred to the Alaska Railroad to be used in conjunction with its freight and barge operation.

In April 1973, the U.S. Army completed construction of a new fuel facility in Whittier. The Alaska Railroad exsessed the DeLong Dock and ownership of the dock facilities was transferred back to the U.S. Army at their request, to support the off loading of fuel for the military bases in Alaska.

Those fuel facilities and the DeLong Dock are no longer needed by the military and are presently in the process of being exsessed once again by the U.S. Army.

In May 2000, the Anton Anderson tunnel into Whittier will be opened to both vehicular traffic and rail traffic. Whittier is the gateway to Prince William Sound and will become a popular water recreational location for sightseeing, boating and both recreational and commercial fishing because of its geographical location to Alaska's largest city, Anchorage.

Consequently, there will be an influx of people traveling to Whittier and demands for more public services such as parking and restroom facilities to support the recreational boating, fishing and day cruise operators. The land underlying the Army fuel facilities and the DeLong Dock can play an important role in addressing these critical needs if they can be made available for such uses. The existing fuel facilities' property can be used by the City of Whittier as a parking area in addition to providing access to other ARRC and additional properties owned by the City of Whittier.