# **APPENDIX K**

Resolutions

#### TANANA TRIBAL COUNCIL

(907) 366-7160 Fax (907) 366-7195

TANANA TRIBAL COUNCIL

Post Office Box 130 Tanana, Alaska 99777

Resolution No. 2009-01

#### Authorization for the Bureau of Indian Affairs to submit an Indian Reservation Roads High Priority Project Plan (IRRHPP) application and place the Tanana Tribal Council Roads Design Project on an Indian Reservation Roads High Priority Project Transportation Improvement Plan (IRRHPP TIP).

WHEREAS, the Native Village of Tanana is a federally recognized Alaska Native Tribe; and

WHEREAS, the Tanana Tribal Council is the governing body of the Native Village of Tanana, and

WHEREAS, the Tribe qualifies for services and benefits pursuant to CFR 25 Part 170, Indian Reservations Roads (IRR) Program and the Tribe has transportation needs in their community; and

WHEREAS, the Tanana Tribal Council has recognized the need for the construction of new roads:

- Eller Subdivision residential streets-1.0 mile in length
- 2<sup>nd</sup> Avenue Extension—1.0 mile in length
- Tanana Highway-36.2 miles in length, and

WHEREAS, the Tanana Tribal Council is requesting the funding for a design and has matching funds, and

WHEREAS, 25 CFR Part 170.210 published in the Federal Register on July 19, 2004 requires documentation from the Tribe requesting BIA action;

NOW THEREFORE BE IT RESOLVED; that the Tanana Tribal Council requests that the Bureau of Indian Affairs—Alaska Region submit an application for DESIGN of the Tanana Community Streets Transportation Improvement Project for IRRHPP FY2010 funds as our Highest Priority Road Program (TCSTIP) with a project description and scope of work in Attachment A of this resolution;

**BE IT FURTHER RESOLVED**; that the Tanana Tribal Council provides the authority to the Bureau of Indian Affairs—Alaska Region to place the TCSTIP on an IRRHPP TIP if selected and approved.

#### CERTIFICATION

The foregoing resolution 2009-01 was adopted at a duly called and convened regular monthly meeting of the Tanana Tribal Council held on January 16, 2009, at which a quorum was present by a vote of;

5 in favor, *D*against, *D*abstain, <del>2</del>absent

SIGNED witus 1. Commen Curtis Sommer, Chairman

ATTEST Adele Grant, Secretary-Treasurer

## Alaska Department of Transportation and Public Facilities Project Nomination Master Sheet

Please tell us about your project and include as much information as you can. Contact the appropriate planner for your area prior to completing this form.

Name of Project: **Roads to Resources – Tofty Road Upgrade – Phase I Tanana Highway - Yukon River Highway, and the Road to Nome.** 

Contact Person: Lawrence Bredeman Sponsor: Manley Village Council

Phone, FAX, and e-mail: (907) 672-3176 - (907) 672-3200 - mvcirr@gmail.com

#### Address: P. O. Box 105, Manley Hot Springs, Alaska 99756

 $\sqrt{}$  What is your project? Please describe it. For instance, if it's a road or trail how long and wide will it be? If it's a bridge what will it span? Provide as much detail as possible;

- > This extremely important project for the people of the Interior of Alaska, the biggest reason is sustainable economies.
- > The Manley Village Council supports fully the plan for a "Road to Nome" and the investment in infrastructure for the future generations of Interior Alaskans.
- > Provides the first phase of the access "Road to Nome".

 $\sqrt{\text{Are parts of the project already constructed? Will another agency do some of the work? If so, please explain;}$ 

- Yes, Tofty Road has been in deferred maintenance for about 4 or 5 years.
- > The only new construction that will be required is the bypass or truck route around Manley Hot Springs that would begin at the Elliott Highway just North of Washington Creek at the old fire line that was part of the 1968 fire, intersecting Tofty Road at the 5 mile granite pit. See Tofty Road Upgrade Project Strip Map.

 $\sqrt{}$  Why do you want this project? Is there a safety concern? Does what you have now need replacement, rehabilitation or reconstruction? Please explain;

- This new road would have a huge impact economically for the Villages of Manley Hot Springs, Tanana, Ruby, and all rural communities up and downriver.
- Fuel and supplies could be shipped by truck over this proposed highway to a Yukon River tank farm and barge freight staging area.
- The Yukon River Highway would open up western Alaska to Nome and provide access for many distressed villages that have been experiencing poverty level economies coupled with the highest unemployment rate in the United States.
- The Manley Village Council believes that an investment of this size is really the only alternative that truly empowers villages to sustainable economies and families to sustain rural lifestyles.

# Quote taken from Governor Palin's State of the State speech January 22, 2009;

"To further develop, we're commissioning preliminary work on a road to Umiat, and pursuing a road to Nome. We need access to our resources. Alaskans – especially in our smaller communities, the heartbeat of Alaska, with truly so much potential – we need jobs for income and achievement. Responsible resource development – including drilling, mining, timber and tourism – means more jobs, instead of more government."

 $\sqrt{}$  Who will use this project and how will it help them? Are there health, quality of life and/or economic benefits? Please explain.

- > Improves the quality of life for all rural residents of the Interior and western Alaska as far away as Nome.
- Shipping costs for everything from heating fuel to toothpaste would be greatly reduced.
- > Most of the non commercial traffic will be rural residents from as far away as Nome.
- Planning, design, and construction must include all the communities impacted to be at the table, both the Tribes and the Cities.
- Design of the Yukon River Highway must include for all Native Regional and Village Corporation Lands as well as all private properties; signs installed every 300' describing ownership and restrictions as applied.

 $\sqrt{}$  Who will maintain the project after it is built?

#### State of Alaska

 $\sqrt{\text{Who owns the land where the project will be built? Will ADOT&PF have to purchase right-of-way?}$ 

#### > State of Alaska, Bean Ridge Village Corporation lands, Doyon

 $\sqrt{}$  Do you have a resolution of support from a local elected body or traditional council? If so, please attach.

#### > YES – see attached document

 $\sqrt{1000}$  How will you help? Do you have land for right-of-way or in-kind services to donate? Will you contribute money to the project? If known, what is the total dollar or percentage of total project cost to be contributed?

- The proposed Tofty Road Upgrade will be included in the 2009 Indian Reservation Roads Inventory (IRR) Update and Long Range Transportation Plan (LRTP) Update for the Manley Village Council.
- > This Bureau of Indian Affairs program will begin to generate funding for FY2010 for planning, maintenance, design and construction that is allocated to federally recognized Tribes annually.

 $\sqrt{1}$  Include photo, a map or graphic please.



This proposed route would allow highway traffic to bypass Manley.



Tanana Highway - Old mining road ends within 15 miles from Tanana.



Yukon River Highway – Down the north bank of river halfway to Ruby.



Yukon River Highway - Ruby section up river halfway to Tanana.



Yukon River Highway - Ruby section down river halfway to Galena.

Send the completed form to your area planner



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that would eventually reach the western coast. While much the proposal makes sense and needs to be identified as a This route was identified during Yukon River Basin village of the work may be outside the Plan's 20-year timeframe, meetings as a way, over time, to develop a road network future transportation route.



Manley Village Council - P.O. Box 105 - Manley Hot Springs, Alaska 99756

Voice: (907) 672-3176 Fax: (907) 672-3200 Email: mycirr@gmail.com

February 4, 2009

Dave Sanches, Area Planner Northern Region Alaska Department of Transportation & Public Facilities 2301 Peger Road Fairbanks, Alaska 99709 - 5316

RE: Nomination – Tofty Road Upgrade Design & Reconstruction Improvement Project

Dear Mr. Sanches,

The Manley Village Council is very pleased to learn of Governor Palin's plan for opening up Western Alaska by constructing a 'Road to Nome' and believe the route should be planned to connect Villages along the way that would provide access for human resources as well as access to Alaska's abundant natural resources.

The Manley Village Council has adopted the enclosed Resolution 2009 – 01, which provides our Tribe's full support of the Tofty Road Upgrade Design & Reconstruction Improvement Project, Proposed Tanana Highway, and the proposed Yukon River Highway. Once construction is complete these roads will be the "Road to Nome". In furtherance of this important project as a high priority economic stimulus project for Alaska, the Manley Village Council formally requests that ADOT&PF accept our nomination and resolution of support of the Tofty Road Upgrade Design & Reconstruction Improvement Project as Phase 1 the "Road to Nome".

Please respond to our formal request in writing (via electronic mail) and at your earliest convenience to advise us whether ADOT&PF has accepted Manley Village Council's project nomination for Roads to Resources.

Please do not hesitate to contact Lawrence Bredeman, our Transportation Coordinator, at (907) 672-3176 if you have questions or comments about our Tribe's request. I and the Manley Village Council look forward to partnering with you on this and other projects in the years ahead.

Sincerely, Jack Wright, 1<sup>st</sup> Chief

Cc; MVCDOT project file



Manley Village Council - P.O. Box 105 - Manley Hot Springs. Alaska 99756

Voice: (907) 672-3176 Fax: (907) 672-3200 Email: mvcirr@gmail.com

## Resolution No. 2009 - 01 Resolution Supporting Alaska Department of Transportation & Public Facilities for Design & Construction of the Tofty Road Upgrade & Improvement Project

WHEREAS; the Manley Village Council is a federally recognized tribe; and

WHEREAS; the Manley Village Council is the governing body of the Tribe; and

**WHEREAS;** to preserve our Alaska Native cultural and tribal values, and otherwise promote the economic health and welfare of tribal members, residents of the surrounding area, and the traveling public; and

**WHEREAS;** the Manley Village Council has the authorities and duty to provide for a safe and healthy environment for all our tribal members, residents of the surrounding area, and the traveling public; and

**WHEREAS;** the Manley Village Council fully supports Alaska's Department of Transportation & Public Facilities project nomination to design and reconstruct the Tofty Road Upgrade Design & Reconstruction Project; and

**WHEREAS;** the Tribe has identified this section of the Tofty Road Upgrade Design & Reconstruction Project is vital to the health and safety of all tribal members, residents of Manley Hot Springs, the Tanana Tribal Council and residents of the Native Village of Tanana, and the traveling public, and

WHEREAS; the Tofty Road Upgrade Design & Reconstruction Project is included as part of the Manley Village Council's Official Indian Reservation Roads (IRR) Inventory and is part of the Tribes' 20 year Long Range Transportation Plan (LRTP) 2009 update; and

### NOW THEREFORE, BE IT RESOLVED; NOW THEREFORE, BE IT

**RESOLVED;** that the Manley Village Council fully supports the Sarah Palin the Honorable Governor of the Great State of Alaska plan to Build a "Road to Nome" using the proposed Tanana Highway and the existing Tofty Road as Phase 1 of this high priority, Road to Resources, economic stimulus project.

#### **CERTIFICATION**

The foregoing resolution 2009 - 01 was adopted at a duly called and convened special transportation planning meeting of the Manley Village Council held on February 04<sup>th</sup>, 2009, at which a quorum was present by a vote of;

Z IN FAVOR, *Q*AGAINST, *Q*ABSTAIN, *Q*ABSENT

Signed:

**Jack Wright**, 1<sup>st</sup> Chief

Attest:

William Bredeman-Woods, Secretary-Treasurer

#### State of Alaska MINERALS COMMISSION



Department of Commerce, Community & Economic Development Office of Economic Development Mineral Development

**Irene Anderson** Bering Straits Native Corporation, Nome

**Del Ackels** Goldust Mines, Fairbanks

**Leo Mark Anthony**, C-D Development Co., Anchorage

**Gregory Beischer** Millrock Resources, Inc., Anchorage

Bartly Coiley Usibelli Coal Mine, Inc., Fairbanks

**Bill Jeffress** SRK Consulting Anchorage

**Karl Hanneman** Teck Cominco, Inc., Fairbanks

**Charlotte MacCay** Pebble Partnership, LLC., Anchorage

**Dr. Lance D. Miller** W. H. Pacific, Anchorage

**Rob Retherford** Alaska Earth Sciences, Inc. Anchorage

Mark Robinson Olympic Resources Group LLC, Wrangell

Richard A. Hughes Staff - Fairbanks February 17, 2009

Leo von Scheben, PE,LS,MBA Commissioner Department of Transportation & Public Facilities PO Box 112500 Juneau, AK 99811-2500

Dear Commissioner von Scheben:

Thank you for meeting with members of the Alaska Minerals Commission on Wednesday of last week. We enjoyed discussing the Western Alaska Transportation Study as it pertains to resources including minerals, energy and the people in western Alaska.

As noted in our 2009 Report to the Governor and Alaska State Legislature, the Minerals Commission recommends that the Governor and Legislature continue their support for transportation infrastructure. We were impressed with the mineral and energy report prepared by Chuck Hawley which builds on the interest in a transportation corridor to Nome that was recently renewed through the Western Alaska Transportation Study.

The Minerals Commission is pleased that the State is considering and evaluating this infrastructure corridor proposal. The development of the vast mineral resources of the Northern Region have been hindered by remoteness and inaccessibility. A transportation corridor would facilitate the development of the resources that include, but are not limited to:

- Arctic a rich polymetallic mineral district
- Lik a very rich lead zinc deposit similar to Red Dog
- The rich tin, gold and tantalum deposits of the Seward Peninsula
- Boulder Creek uranium

• Placer gold deposits along the south flank of the Brooks Range, and other areas.

211 Cushman Street, Fairbanks, Alaska 99701-4639 Telephone (907) 451-2738, Fax: (907) 451-2742 Email: rich.hughes@alaska.gov Website: http://www.commerce.state.ak.us/oed/minerals/mining.htm

Irene Anderson, Chairman



#### State of Alaska MINERALS COMMISSION

Irene Anderson, Chairman

Department of Commerce, Community & Economic Development Office of Economic Development Mineral Development

You mentioned interest in receiving communications supporting the study. We volunteered to assist in some of the needed outreach. Tim Towarak the

President of Bering Straits Native Corporation stated that a letter of support from BSNC is forthcoming. I will be in touch with Steve Titus at the ADOT Fairbanks office as to scheduling a presentation to the village representatives of the BSNC region this spring, possibly in late March or April. Norm Phillips of Doyon is on vacation and I will talk with him about the study in early March. Commission members will contact other Native Corporations and stakeholders in the region as well.

I expect that it will take much communication and cooperation between many people in western Alaska to encourage this project which will benefit all Alaskans.

Yours truly,

Trune Anderson

Irene Anderson Chairman

Wales Native Corporation P.O. Box 529 Wales, Alaska 99783 Phone/Fax (907) 664-3641

RECEIVED

Thursday, June 25, 2009

Steven Titus. PE **Regional Director** Northern Region ADOT&PF 2301 Peger Road Fairbanks, Alaska 99709

Dear Mr. Titus,

It is in the Wales Native Corporations (WNC) best interest to support the Western Alaska Access Planning Study. As a village corporation we have certain access to resources that may be viable to promote development in the future.

WNC land does not directly fall into the "transportation corridor" of the area planned to be studied. The location of that corridor would give WNC goods and services/resource costs reduced by a significant margin if this study led to reality.

It is WNC's stance that the protection of fish and wildlife, cultural and historical lands, and other significant areas of this part of the State of Alaska be undisturbed and protected. This protection must be of the utmost importance should the study lead to planning and implementation.

We at WNC thank you for asking for our support on this matter and look forward to a copy of your findings.

Wint Wey pub Winton Weyapuk, Jr.

President - WNC

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From:	Toghotthele Corporation [toghotthele@hotmail.com]				
Sent:	Friday, November 05, 2010 8:59 AM				
То:	Lohrke, Alison				
Subject:	RE: Public Involvement Efforts Underway for Western Alaska Access Planning Study				

Follow Up Flag:	Follow up
Flag Status:	Completed

Alison,

The city of Nenana is working on building the Tolchaket highway from Nenana to Kantishna, it is shovel ready and all the permits are done (500' ROW) for the 28 mile road. If this gets completed, that may be a good starting point for your western access route. Especially, if you factor in that most freight headed out there comes from Anchorage and you'd be adding lots of extra miles to go up through Manley, rather than turning west at Nenana. The Nenana Gas Basin development that Doyon is doing would provide cheap energy from this region too, you may want to reconsider your first choice for routes. Thanks,

Jim

Jim Sackett, CEO/President Martha Ketzler, Office Mgr. Toghotthele Corporation PO Box 249 Nenana, AK. 99760 (907)-832-5832 phone (907)-832-5834 fax www.toghotthele.com

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From: <u>alohrke@dowlhkm.com</u> To: <u>WAAPS@dowlhkm.com</u> Date: Wed, 6 Oct 2010 11:50:40 -0600 Subject: Public Involvement Efforts Underway for Western Alaska Access Planning Study

Good morning,

The Alaska Department of Transportation and Public Facilities is conducting public meetings on a proposed road corridor connecting the Fairbanks area to the Seward Peninsula. The Study was completed in January 2010 and multiple corridors were discussed. The Study identified resources and communities that would benefit from a road

corridor.

Public meetings are being scheduled in several communities from October 2010 – March 2011. The purpose of these meetings will be to gather community comments on the proposed Yukon River Corridor and other routes considered. Other meetings will be held with tribal and city governments, regional corporations, mine owners, and other groups.

A project specific flyer is attached to this e-mail with additional information regarding the project.

If you have questions, comments, or would like more information, please visit our project website, <u>www.westernalaskaaccess.com</u>, or send us an e-mail at <u>WAAPS@dowlhkm.com</u>. You may also contact the following persons by mail or phone:

Alexa Greene DOT&PF – Northern Region Planning 2301 Peger Road Fairbanks, Alaska 99709 907-451-2388 Tom Middendorf DOWL HKM 4041 B Street Anchorage, AK 99503 907-562-2000

We look forward to meeting with you in the upcoming months and hearing your input on the proposed alternative.

Thank you,

#### Alison Q. Lohrke

Public Involvement Planner



This e-mail including attached files is confidential. Its transmission is solely as an accommodation for the benefit of the recipient. The recipient bears the responsibility for checking its accuracy against corresponding originally signed documents provided by DOWL HKM. If you received this e-mail in error, its use is prohibited, please destroy it immediately.

Please consider the environment before printing.

\*\* You are receiving this e-mail because you have been identified as an interested party or stakeholder for the Western Alaska Access Planning Study.

If you would like to be removed from the mailing list, simply reply to this e-mail with "REMOVE."

Western Alaska Access Planning Study DOWL HKM 4041 B Street Anchorage, Alaska 99503 Attn: Brandon Telford

November 6, 2010

To Whom It May Concern:

Bean Ridge Corporation, the Alaska Native Claims Settlement Act village corporation of Manley Hot Springs fully supports the Yukon River Corridor to Nome.

Bean Ridge Corporation supports the Yukon River Corridor being build near Manley Hot Springs with a spur road off the Elliot Highway approximately 5 miles from "downtown" to ensure that the quiet enjoyment of residents of the community will be minimally disturbed. This will also allow the amenities of Manley Hot Springs to be utilized by travelers.

Manley Hot Springs serves as a staging area for downriver communities and land that the State of Alaska opened up for home sites and other land disposals programs, with the Yukon River Corridor Manley Hot Springs would continue to provide services.

The Yukon River Corridor to Nome would provide economic opportunity for Manley Hot Springs residents. Bean Ridge Corporations looks forward to working with you on further development plans.

Thank you.

Bean Ridge Corporation Dixie Dayo, President PO Box 110 Manley Hot Springs, Alaska 99756

Or PO Box 82062 Fairbanks, Alaska 99708

# MANLEY HOT SPRINGS COMMUNITY ASSOCIATION RESOLUTION 2011-1

**WHEREAS**, The Alaska Department of Transportation and Public Facilities is conducting state-wide public meetings on a proposed road corridor connecting the Fairbanks area to the Seward Peninsula; and

WHEREAS, The Alaska Department of Transportation and Public Facilities funded a study identifying resources and communities in Western Alaska that would benefit from a road corridor and recommended the Yukon River Corridor; and

**WHEREAS**, The Yukon River Corridor has the potential benefits of lower passenger transportation costs, lower fuel delivery costs, lower freight costs, lower energy and power infrastructure costs and increase in jobs, income and access to services; and

WHEREAS, The Yukon River Corridor is proposed to begin off the Elliott Highway in close proximity to Manley Hot Springs, bringing potential savings and increases in business revenues to the community.

**THEREFORE, BE IT RESOLVED** that the Manley Hot Springs Community Association, at a general meeting of its members, voted 6-1 in favor of supporting the Yukon River Corridor connecting the Fairbanks area with the Seward Peninsula.

Dated this 27<sup>th</sup> day of January, 2011

Terry Russell, President



Assuming that you have copies of all of the pertinent Land Orders, the process can be as follows: Effective Date of Public Land Order: This may be the easiest part of a PLO right of way review.

specifically named at all in PLO 601.) This exercise is necessary in order to establish the example, the Taylor Highway and the Manley Hot Springs to Eureka roads were named as Feeder roads with a ROW of 100' each side of centerline in DO 2665, but were not 1. Review the PLO's to see when the road in question is specifically named. (For carliest date that a PLO highway right of way may have been created.

Edgerton Cutoff and New Edgerton highway have long been a point of confusion. The Edgerton as a "feeder" road (200' ROW). The new Edgerton highway was also created under SO 2665 but the Richardson to Chitina. It is the road that is specifically referenced in PLO 601 and SO 2665 Cutoff is the old road which has been noted in the ARC report since the 1920's as a cutoff from construction. An ARC public notice dated 9/15/56 designated the new Edgerton as a "feeder" was not specifically mentioned as it was created under the "posting" requirements for new Caveat: It may be the easiest part of the research but it isn't foolproof. For example, the road under SO 2665 as staked.

If you do not have copies of the PLO's available, bound volumes of all Alaska Land Orders can be viewed or copied at the BLM public room. Another interesting resource within BLM is the

The transfer of the Department of Interior's jurisdiction to the Department of Commerce was reiterated on August 27, 1958, when Congress revised, codified, and reenacted the laws relating to highways as Title 23 of the U. S. Code. (P.L. 85-767, Sect. 119 - 72 Stat. 898).	The Alaska Omnibus Act, enacted on June 25, 1959 (P.L. 86-70 - 73 Stat. 141), directed the Secretary of Commerce to convey to the State of Alaska all lands or interests in lands "owned, held, administered by, or used by the Secretary in connection with the activities of the Bureau of Public Roads in Alaska." On June 30, 1959, pursuant to section 21(a) of the Alaska Omnibus Act, the Secretary of Commerce issued a quitclaim deed to the State of Alaska in which all rights, title and interest in the real properties owned and administered by the Department of Commerce in connection with the activities of the Bureau of Public Roads were conveyed to the system mileage of the rights of way were considered "or the system mileage of the rights of way included 2,200 miles classified as "primary" system routes, 2,208 miles of "secondary class A" routes, and 990 miles of "secondary class B" routes for a total of 5,399 miles of way.	ASPLS Standards of Practice Manual -2- Ch3 Guidelines - rev. 1/13/94 "Highway Rights of Way In Alaska" - John F. Bennett, PLS
	ANK CONTRACT	

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Municipality's claims for feeder and local roads under the DO 2665. The Court ruled that Right of Way Act of 1966: The Pease and Boysens patents were subject to a '47 Act reservation. They argued that the Right of Way Act of 1966 precluded the State and the ROW Act applied only to the '47 Act reservation, 43 USC 321d. DO 2665 was promulgated under 43 USC 321a, which was not repealed by the ROW Act.

decision in <u>Hahn v. Alaska Title Guaranty Co.</u> that publishing in the Federal Register was Federal government conveyed its interest in the Alaska highways to the State. That deed outside the chain of title. Issue in this case was whether the publication of the PLOs and was not recorded until October 2, 1969. Pease and Boysen claimed the State's interest notice of a prior interest. The Court distinguished PLOs and the DO from a wild deed DO in the Federal Register was constructive notice. The Court reaffirmed its earlier 34.15.290 which protects subsequent innocent purchasers for value who are without Constructive Notice: The PLOs and DO were not recorded. On April 4, 1959 the was invalid against them as subsequent innocent purchasers in accordance with AS constructive notice; therefore subsequent purchasers were not innocent purchasers protected by the recording statutes.

Title Company Liability: The Court was asked to overturn Hahn v. ATG, since the PLOs and DO were not recorded in Alaska. The Court refused to do so. The title companies were subject to the claims of Pease and Boysen.

ALL BILESE MATTUE CLAIMS AUT





Appendix K - Page 25

17 20 24 RIGES Bean Huttico Baker Lake FEET 0370 TORTY TAKE off Rose D #1 Therry Russell ( President Hat Springs Comm. Assoc.) 907-672-3003 The Repson I would do This is Because The other is uphill AFTER A Shont Turn, This makes more Sense



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Appendix K - Page 30

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The Elmot Hishway STARTS AT FOX TO Mankey

This is The way E wood Do it High is Pry Manley By PASS










Current To Date: 08-10-2005



# Note, Hish is Dry This Lake Aver is WATTIVE hand.

'Tanana A-3 63K; AK'; Scale: 1" = 1.964Mi 3,161Mt 10,371Ft, 1 Mi = 0.509", 1 cm = 1,245Mt Appendix K - Page 37

# TOZITNA, LIMITED P.O. Box 129 Tanana, Alaska 99777 (907) 366-7255 Fax: (907) 366-7122

# Resolution 11-01

A Resolution To The State of Alaska Department of Transportation and Public Facilities To Place The Proposed Road To Nome Within The Yukon River Corridor Route 2b To Run As Closely As Possible To The Ridge South Of The Yukon River And To Cross The Yukon River Between 6 and 9 Miles Above Tanana, Alaska

WHEREAS	Tozitna, Limited is the legal Alaska Native Settlement Act (ANCSA) village corporation for Tanana, Alaska, and
WHEREAS	Tozitna, Limited has an elected nine member Board of Directors, and
WHEREAS	The Board of Directors have the authority to conduct business for Tozitna, Limited, and
WHEREAS	According to the Western Alaska Access Planning Study of January 2010, the Yukon River Corridor Route 2b is the recommended corridor, and
WHEREAS	Many Tozitna, Limited shareholders are also tribal members of the Native Village of Tanana and are Indigenous people who have inhabited these ANCSA lands since time immemorial, and
WHEREAS	These shareholders and tribal members have traditional hunting grounds and Native Allotments surrounding the Fish Lake and Hay Slough areas which are critical to sustaining our cultural and subsistence lifestyle, and
WHEREAS	Tozitna, Limited objects to any route that will have detrimental effects on the land and subsistence resources surrounding Fish Lake and Hay Slough, which include traditional berry picking, fishing, hunting and gathering areas, and
WHEREAS	Tozitna, Limited recognizes that the Yukon River Corridor Route 2b can bring many benefits to the corporation, shareholders and tribal

· . . .

members of Tanana in the form of lower fuel costs, lower freight costs, reduced travel costs, employment possibilities, alternative route of escape during a natural disaster, access to corporate forest products as a potential revenue source, and

WHEREAS The benefits of the Yukon River Corridor Route 2b can spur economic development in Tanana through the creation of small businesses, support current small businesses, enable the ability to harvest logs and material for the construction of homes, provide employment for shareholders and tribal members, substantially lower freight costs for house materials, which would allow for more shareholders and tribal members to move back to Tanana, now

THEREFORE BE IT RESOLVED THAT the Tozitna, Limited Board of Directors considers the cultural and subsistence resources surrounding the Fish Lake and Hay Slough areas to be top priorities for protection, and

THEREFORE BE IT FURTHER RESOLVED THAT the Tozitna, Limited Board of Directors recommend and support the Yukon River Corridor Route 2b running as closely as possible to the ridge south of the Yukon River, with a crossing between 6 to 9 miles above Tanana, Alaska and intersecting White Alice Road from behind Mission Hill.

Adopted at the Tozitna, Limited Board of Directors meeting held this 5th day of February, 2011, at Tanana, Alaska, with quorum present.

Signed on behalf of the Tozitna, Limited Village Corporation for Tanana, Alaska.

ana, 2.5.11

Nina R. Heyano, President

Georgeana Wallace 2-5-11 Georjeana Wallace, Secretary

CITY OF TANANA P.O. Box 249 Tanana, Alaska 99777 (907) 366-7159 • Fax (907) 366-7169

Western Alaska Access Planning Study Tom Middendorf 4041 B Street Anchorage, Alaska 99503

RECEIVED FEB 2 3 2011

Tom,

Greetings from the Interior of Alaska, on November 11<sup>th</sup> 2010 the Tanana City Council met and authorized the City Manager to write this letter of support. The City Council favors the proposed Yukon River Corridor route 2B. We also wish to highlight that we understand this highway project will be developed in a number of phases and the need to complete phase 1 which would be a road from Manley Hot Springs to the south side of the Yukon River near Tanana. The importance of getting the highway built to the south shore in the next five years will give plenty of time and great opportunity to develop a deep water port. That will allow the barging season to extend almost thirty additional days a year (May 15<sup>th</sup> to October 15<sup>th</sup>).

Having a port on the south side of the bank will allow for a creation of winter roads/ice Bridge to access Tanana and continue into phase 2 of the road construction to Nome. During the summer season a barge system on the south shore would allow freight to be shipped from the middle of May to the middle of October without any weight restrictions. The City of Tanana would be most interested in the opportunity of helping with the creation of winter roads/ice bridge system and the maintenance, we would also want to provide the management and operations of a summer season barging/freight system. In cooperation with the Tanana Tribal Council IRR (Roads) Program the City would also be interested in contracting in the maintenance, dust control, snow removal and grading of the 55 miles from Manley to the south shore of the Yukon River. Tanana has the currently two fuel depots, a large grocery store, and other amenities that would support highway transportation travel.

The City would also endorse the same restrictions that are applied to the Dalton Highway, of restricting access for hunting and fishing activities, this newly created highway system to the south shore is the main traditional hunting/gathering area for subsistence resources by most residents of Tanana and Manley Hot Springs.

Please feel free to consult with the community and/or the City of Tanana for other ways we can help in this enormous endeavor.

**Respectfully Submitted**,

**Bear Ketzler** 

Bear Ketzler City Manager

Cc Tanana Chiefs Conference

"NUCHALAWOYYA" – Where the two rivers meet.

Appendix K - Page 40

То:	Middendorf, Thomas
Subject:	<b>RE: WAAPS comments</b>

From: Rich Thorne [mailto:rbthorne@hughes.net]
Sent: Saturday, March 05, 2011 1:47 PM
To: Greene, Alexa J (DOT); "mailto:meadow.bailey"@alaska.gov; igallion@dowlhkm.com >> "Gallion, Irene"
Subject: WAAPS comments

#### Dear Folks,

I am in favor of a road to Nome following the proposed route 2b - with reservations... This route makes the most sense to go to Nome. To access the Ambler mining district, you should build road through Bettles.

Reservations: All of the sociological and environmental issues must be addressed with regulations in place prior to construction. These include game regs to protect the rural residents' hunting and fishing areas and traditional hunting rights (the Dalton corridor restriction is a good place to start), studies on the effects of the proposed road on caribou and other wildlife need to be widely disseminated, and we need some way to mitigate the spread of invasive weeds. Our experience in 1992-4 trying to get an allweather road built to Bettles is instructive of the vehemence of the opposition to road building without protections for the traditional cultures of the rural Alaskans. Villagers from places many miles from Bettles came to Juneau to counter our lobby efforts - instructing us on issues involved that we didn't think that important - how could a road to Bettles affect Stevens Village (and others)? How can we protect the rural environment from the trash, human waste, and ORV damage that has occurred along the Dalton on this new road? Can we afford the additional maintenance and police? When the Dalton route was being considered, neither Stevens Village nor Rampart wanted a road - so the Yukon Crossing was run halfway between. The urban Alaska cultures need to be educated (and convinced) of the need to respect rural Alaska, our residents and our cultures. Something needs to be done to eliminate the horror of the urban road hunter stories from along the Glenn Highway in the late 1980s - Anchorage crashing the subsistence caribou hunt.

Should route 2b prove impractical for other reasons, please reconsider route 1 through Bettles land trades can be made to allow access across the Wildlife Refuges. Route 1 could be modified to access Ambler and the Route 2b villages with spurs to Kobuk, Shungnak, Ambler, and another down to Koyuk and southeast to the Route 2b villages. Many of the 2b villages have barge service - the upstream villages and mines don't have this option.

My feeling is that this road will not be built without the sociological and environmental issues being thoroughly addressed and mitigated <u>before</u> construction. **Promises will not be enough**. I don't think these issues are insurmountable, but it will be difficult.

Rich Thorne, Mayor City of Bettles

# TANANA TRIBAL COUNCIL

P.O. BOX 77130 TANANA, ALASKA 99777 (907) 366-7170 PHONE (907) 366-7195 FACSIMILE

TO: State of Alaska Dot	ATTN: Alison			
Fax #: 563-3953	Date: 3/8/11			
PH #: 907-562-2000	RE: Western Alaske Access Planning Stud			
Pages including cover sheet: 13	CC:			
□Urgent □For Review □Please Recycle	Reply Please Comment Please			
Comments: Faxing to Tom Middendorf and sending				
the original via mail	· · · · · · · · · · · · · · · · · · ·			
1st fux Opages Spages				

This Fax Was Sent To You By:

Executive Director

L.Christine A. Erhart Accountant/Bookkeeper

LDonna Folger Social Services

Gerald Nicholia Realty Director

Faith Peters
Youth Activities Coordinator

□Ada Albert Receptionist/Secretary

James Roberts Environmental Specialist/ Natural Resources

Curtis Sommer Transportation Planner

UStephanie Nicholia Housing Director

Jeanette Walker
 Tribal Court Clerk

Deanette Scannell Membership Services

L/Phyllis Erhart Elder's Program Director

Cliff Wiehl Maintenance Supervisor

 $\Box Other:$ 

THIS FAX MAY CONTAIN CONFIDENTIAL MATERIAL IF RECEIVED IN ERROR PLEASE DESTROY THE COPY AND CONTACT US AT THE NUMBER ABOVE, THANK YOU FOR YOUR CONSIDERATION. PLEASE ADVISE IF YOU DO NOT RECEIVE ALL LEGIBLE COPIES

p.1

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March8, 2011

Tanana Tribal Council

P.O. Box 130

Tanana, Alaska 99777

907-366-7160/7170

Dear Tom,

My name is Curtis Sommer. I currently work for the Tanana Tribal Council as their Transportation Planner. This is a packet I put together as a result of the meetings we had with the State DOT and also with Tozitna, Ltd. in response to the public meetings on the proposed Road to Nome.

Enclosed you will find a resolution from the Tanana Tribal Council, and one from Tozitna, Ltd. A letter from the Tanana Tribal Council's Executive Director, and maps showing our proposed Route 2b from Manley Hot Springs to Tanana.

Thank You

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**Curtis Sommer** 

**Transportation Planner** 

Tanana Tribal Council

March 7, 2011

Tanana Tribal Council

P.O. Box 130

Tanana, Alaska 99777

Dear Sir(s),

This is a letter from the Tanana Tribal Council governing body of the Native Village of Tanana. This is in

regards to the Route 2b of the proposed Road to Nome. The Tanana Tribal Council met jointly with the ANCSA Village Corporation, Tozitna, Ltd. and selected the route that would have minimal impact to the traditional, hunting and berry picking lands utilized by the Native Village of Tanana.

On the proposed Route 2b, between the villages of Manley Hot Springs and Tanana, the Tanana Tribal Council and Tozitna, Ltd. Corporation selected the route going on the ridge immediately South of the Yukon River, going West from Roughtop Mountain, alongside the Yukon River, and crossing the Yukon

River North, between 6 and 9 miles above Tanana, and intersecting the White Alice Road behind Mission Hill.

The impacts to our community depends on where this proposed road is placed. If placed away from the Native Village of Tanana's traditional lands utilized in customary and traditional, berry picking, hunting and trapping way, we will support it.

Enclosed is this letter and also a map of the proposed route 2b and the Tanana Tribal Council and ANCSA Corporation Tozitna, Ltd's proposed route to coincide with the Western Access Road to Nome.

Thank you,

Kalenbelezenay Kathleen Peters Zura

Raumeen reters zura

Executive Director

Tanana Tribal Council

#### Tanana Tribal Council

P.O. Box 130

Tanana, Alaska 99777

#### 907-366-7160/7170 Fax: 907-366-7195

Resolution 2011-04

A Resolution To The State of Alaska Department of Transportation and Public Facilities To Place The

Proposed Road to Nome Within the Yukon River Corridor Route 2b To Run as Closely To The Ridge

South of The Yukon River And To Cross The Yukon River between 6 and 9 miles Above Tanana, Alaska

WHEREAS, The Indigenous People have inhabited the lands in and around the surrounding areas of the Native Village of Tanana since time immemorial, and;

WHEREAS, The Indigenous People who have inhabited these lands in and around the surrounding areas of the Native Village of Tanana, have subsisted off the wild game, waterfowl, fish and berries taken from the lands, lakes, streams and rivers since time immemorial, and;

WHEREAS, The indigenous People have traditional hunting, fishing, berrypicking grounds and Native allotments surrounding the Fish Lake and Hay Slough areas which are critical to sustaining our cultural and subsistence lifestyles, and;

WHEREAS, The Tanana Tribal Council objects to any route that will have detrimental effects on the land and subsistence resources surrounding Fish Lake and Hay Slough, which includes traditional berry picking, fishing, hunting and gathering areas, and;

WHEREAS, The Tanana Tribal Council recognizes that the Yukon Corridor Route 2b can bring many benefits to the village corporation, Tozitna Ltd. Shareholders and tribal members of Tanana in the form of lower fuel costs, lower freight costs, reduced travel costs, employment possibilities, alternative routes of escape during a natural disaster, access to Tozitna, Ltd. Forest products as a potential revenue resource, and;

WHEREAS, the benefits of the Yukon River Corridor Route 2b can spur economic development in Tanana through the creation of small businesses, support current small businesses, enable the ability to harvest logs and material for construction of homes, provide employment for tribal members, substantially lower freight costs for house materials, which would allow for more tribal members to move back to Tanana, now

THEREFORE BE IT RESOLVED THAT the Tanana Tribal Council considers the cultural and subsistence resources surrounding Fish Lake and Hay Slough areas to be top priorities for protection, and

THEREFORE BE IT FURTHER RESOLVED THAT the Tanana Tribal Council recommend and support the Yukon River Corridor Route 2b running as close as possible to the ridge South of the Yukon River, with a crossing between 6 and 9 miles above Tanana on the Yukon River above Tanana, Alaska and intersecting the White Alice Road from behind Mission Hill.

This resolution was adopted at a duly called meeting of the Tanana Tribal Council, held on March  $\underline{1}$ , 2011 at which there was a guorum

SIGNATURES

Julie Roberts- Hezs hy Julie Roberts- Hyslop

President

manie Nicho Stephanie Nicholia

Secretary-Treasurer

#### Free Printable Topo Maps - Instant Access to Topographic Maps



on the Wertern Corridor Access, Road to Nome. From Mankey Hot Springs, North to Round top Monntain and West along the ridge directly and immediately South of the Yulion River. To cross between band 9 miles up river from Tanana and intersect the White Alice Road behind Mission Hill.



From Manley Hot Springs, North to Round top Mountain and West along the Ridge directly and immediately south of the Yukon River. To cross between G and Amiles upriver from Tanana and intersect the white Alice Road behind Mission Hill.

http://www.digital-topo-maps.com/topo-maps.shtml

#### Free Printable Topo Maps - Instant Access to Topographic Maps



Tanana Tribal Council and Tozitna, Ltd. proposed Route 25 on the Western Corridor Access, Roud to Nome. From Manley Hot Springs, North to Round top Mountain and West along the ridge directly and immediately South of the Jukon Rives

To cross the Ynkon River between 6 and 9 miles up river from Tanana and intersecting the White Alice Road behind Mission Hill:

#### Free Printable Topo Maps - Instant Access to Topographic Maps



Tanana Tribal Compill and Tozitna, Ltd. proposed Route 26 on the Western Corridor Access. Road To Nome. From Menley Hot Springs, North to Round Top Mountain and West along the Ridge, directly and immediately South of the Yukon River. To cross the Yukon River between 6 and 9 miles above upriver from Tanana and intersecting the White Alice Road behind Mission Hill.



the Yukon River. To cross the Yukon River bleveen 6 and 9 miles upriver from Tanana and intersecting the White Alice Road behind Mission Hill.



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Council Native Corporation PO Box 1183 Nome, AK 99762 (907) 443-6513 Phone (907) 443-5965 Fax council@arctic.net

March 9, 2011

Alexa Greene DOT& PF—Northern Region Planning 2301 Peger Road Fairbanks, Alaska 99709

Dear Alexa:

Please be advised the Council Native Corporation Board of Directors has voted unanimously to oppose the construction of the Fairbanks-Nome road construction project. After long consideration we feel the negative outcome far outweighs the positive outcomes. We have listed some of our major concerns below.

Our first concern is encroachment/trespass. There seems to a lack of any guarantees of set-back corridors that would limit potential road users from encroaching/trespassing on village or Regional Corporation lands. Our village corporation has been trying several techniques to address trespass problem but we have not been successful. It recently came to our attention other village/regional corporations are hiring their own law enforcement officers in their attempt to get trespass issues under control. Obviously, this would be cost prohibitive to our small village corporation. Expecting the State of Alaska to come to our defense and actually assist us with enforcement of trespass issues on our lands is totally unrealistic.

Fish and game is an obvious concern. As population increases, without access to the outside world, we struggle with decline of the fish and game resources. Studies continue but there does not seem to be any easy answer, other than population having direct impact on the fish and game numbers. For the foreseeable future there appears to be no end in sight. If this road projects proceeds fishermen and hunters from everywhere will have much easier access to our hunting and fishing areas. Currently the cost of getting here limits outside participation in hunting and fishing.

We do understand one of the purposes of this proposed road is future mineral development. A mining exploration company has been in our area over the last four years and if successful will be there for another twenty. Today we are struggling with issues this industry will bring. Our Tribal entity participates in a watershed alliance group and is currently pursuing funds to begin their own environmental study, before any development begins. Maybe we should have been more aware this would come someday but now that is it is in "our back yard" we are moving as quickly as we can.

Pebble mine is a perfect example of what we are dealing with. It is our feelings all mining development will be at our expense as the mining companies will leave after stripping and contaminating the land to

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simply return to their homes in urban cities, safely away from this contamination, and count their profits in comfort. We realize our input on this is limited, but this road would pave the way for many more developers to be in "our back yard". Again, a road right through our lands will open the gates for many more developers.

Employment, or possible employment, is yet another concern. Unemployment is and has continued to be at an all time high in our villages. What guarantees are in place to assure us that the bulk of the workforce for this proposed project will be rural residents? Just recently the State of Alaska recently bid out a small job of upgrading the Nome-Council road and the winning bidder/company was from California. There is no guarantee jobs provided by this small project will go to our rural residents. If this huge construction project goes forward our rural residents will be out there fighting for the few jobs made available to rural residents. Some consideration should be given to changing procedures/law to ensure local rural residents are given preference.

Cost is yet another concern. It has been announced the projected cost in today's dollars would be somewhere in the neighborhood of \$2.5 BILLION dollars. The projected cost of annual maintenance is approximately \$15 MILLION. How does the State of Alaska propose to recoup even a portion of the annual maintenance fees? Is the State contemplating taxation of unorganized boroughs in hopes mineral development will pay for this?

Public dollars could be spent upgrading our schools; providing funding for post-secondary education or vocational training for EVERY Alaskan student; upgrading our health-care system; building more assisted living facilities in rural areas, so our elders or handicapped residents could remain in rural Alaska; subsidizing air fares or fuel costs for rural Alaska; providing safe water; building sewer systems; building high efficiency homes for rural residents to minimize our dependence on fossil fuels; developing alternative energy sources, assisting villages impacted by climate change like Shishmaref, Kivalina, and Newtok—and the list could go on and on.

The influx of \$1.25 MILLION dollars coupled with the proposed construction funds of at least \$2.5 BILLION and \$15 million annual maintenance dollars of public monies would go part of the way in helping to meet the on-going needs of rural Alaska that currently exist.

Thank you for giving CNC the chance to comment on this project and its potential impact on our village.

Sincerely,

Larry W. Pederson, President

COUNCIL NATIVE CORPORATION

cc: Tom Middendorf



### TANANA CHIEFS CONFERENCE Full Board of Directors Resolution No. 2010-15

# SUPPORT FOR THE 500-MILE ROAD TO NOME

- WHEREAS, The Tanana Chiefs Conference Full Board of Directors acknowledges that there is a need for the development of a transportation system in rural Alaska; and
- WHEREAS, The Tanana Chiefs Conference Full Board of Directors recognizes that a road system to Nome will improve access to villages; and
- WHEREAS, The Tanana Chiefs Conference Full Board of Directors recognizes that a road system to Nome will decrease the cost of getting supplies, gasoline and heating fuel to rural communities; and
- WHEREAS, The Tanana Chiefs Conference Full Board of Directors acknowledges that a project of this magnitude will create much needed jobs in rural Alaska; and
- WHEREAS, The Tanana Chiefs Conference Full board of Directors recognizes a project of this magnitude will strengthen the economic infrastructure in rural Alaska communities; and
- WHEREAS, The Tanana Chiefs Conference Full Board of Directors recognizes and acknowledges that this road would increase the ability of medical and policing agencies to respond to community emergencies.
- NOW THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference Full Board of Directors support the State's proposed road to Nome; and
- **BE IT FURTHER RESOLVED** that the Tanana Chiefs Conference Full Board of Directors direct TCC staff to take actions needed to support this project that will strengthen the infrastructure of rural Alaska and bring jobs into our communities.

# **CERTIFICATION**

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference Full Board of Directors on March 18, 2010 at Fairbanks, Alaska and a quorum was duly established.



fatile M. M. Eury

Pat McCarty Secretary/Treasurer

Submitted by: Louden Tribal Council

