



**HAINES HIGHWAY MP 3.5 TO 25.3
PROJECT NUMBER 68606/SHAK-095-6(28)
COMMUNITY INFORMATIONAL MEETING**

MEETING NOTES

SUBJECT: Haines Highway MP 3.5 TO 25.3

DATE: March 5, 2009

TIME: 10:00 a.m.

LOCATION: Chilkat Indian Village, Klukwan, Alaska

PROJECT TEAM ATTENDEES:

Federal Highway Administration (FHWA)

Tim Haugh
Elizabeth Hoffman
Al Fletcher

State of Alaska Department of Transportation and Public Facilities (DOT&PF)

Jim Scholl
Jim Heumann
Carl Schrader
Arne Oydna

DOWL HKM

Steve Noble
Kristen Hansen
Lana Davis
Michela Spitz

Inter-Fluve

Dan Miller

Klukwan Tribe Members

A meeting for the Haines Highway Improvements was held for the Klukwan Tribe on March 5, 2009 at the Chilkat Indian Village in Klukwan, Alaska. Government-to-government letters initiating consultation for this project were sent to the tribe in 2005, and a formal tribal consultation meeting was held in Klukwan in December 2005. The intent of the meeting was to provide a project update, including work completed to-date, changes to the proposed design, environmental data collected to date, and the new project schedule.

Jim Scholl introduced Tim Haugh with the Federal Highway Administration (FHWA) who was attending via teleconference with Elizabeth Hoffman and Al Fletcher, as well as the rest of the

DOT&PF and DOWL HKM project team. Tim Haugh stated that they plan to have a number of opportunities for input from the tribal council and that any information that can be gleaned from the tribe would be helpful in developing a good project.

Steve Noble then welcomed those in attendance and reviewed the preliminary design, which essentially entails widening the roadway to provide 6-foot shoulders, and straightening some of the curves that do not meet 55 mph design speed standards. He then reviewed the new realignment areas, highlighting those areas that will fall outside DOT&PF's right-of-way, and areas that will require fill in the Chilkat River. He stated that this is a 3-R project (Resurfacing, Restoration and Rehabilitation) with the goal of identifying safety upgrades and curves that do not presently meet current safety and sight distance criteria. Steve also gave an overview of the environmental work and the reports and data that have been compiled to date.

Below is a summary of questions and comments that were raised during the presentation. Staff responses are in italics.

It was noted that this meeting is not considered a formal government-to-government meeting because there was not a quorum of members of the tribal council present. It was also noted that Kimberly Strong should be the main contact for the Tribal Council, or Brian Wood in her absence. This is only a community informational meeting. The tribal government needs to be consulted with in a more formal manner.

Jim Scholl stated he had been using the Tribal Administrator as a contact, since Kimberly Strong is out of town, but that he would contact Ms. Strong or Mr. Wood in the future. Kristen pointed out that the formal government-to-government consultation for this project was initiated in 2005, with a consultation letter from FHWA to Kimberly Strong and a formal tribal consultation meeting that was held in Klukwan with a quorum of the tribal council members. It was agreed that in the absence of a quorum of tribal council members, this meeting would be documented as a community informational meeting.

You are talking about installing large culverts in the slide areas. These will get filled with mud – do you have a plan for cleaning those out?

Steve stated that the plan is to install culverts that are large enough to drive a bulldozer through to clean out the debris and mud.

When will you make a decision on the location of the bridge?

Steve stated that right now we are conducting an alignment study that looks at the proposed location of the road along the entire corridor and two options are still under consideration for the reconstruction of the bridge. Most of the alignments follow the existing road. We plan to complete the environmental document over the next year, so from now to next spring we will be incorporating additional field work, research and public comments into the study, but we hope to have a better idea by fall/winter of this year as to where the bridge will be built.

Are you planning to build a boat ramp near the new bridge? The village council would be opposed to that.

Steve answered that a new boat ramp is not currently planned as part of this project, though they are looking at upgrading some of the existing pull-outs along the corridor.

I want to thank the group for coming with a very broad spectrum. I am going to ask you this question under a management perspective. What criteria are you using to decide where to move the bridge? What are the pros and cons from the environment and from a financial aspect? The reason I ask these questions is there was a project in the Kenai that impacted the river and King Salmon no longer run in the area and generally the financial people have the last word.

Steve noted that there are pros and cons with both options. The existing bridge does to meet design or load standards and the curve into the bridge is dangerous. The cost of the two bridge alternatives is only one consideration, there are many other issues including right-of-way, subsistence and environmental considerations to look at, that we want to be sensitive to and minimize impacts, so we are evaluating all of these issues in more detail.

I would like to know what year that was an accident at the curve at 22 mile? If there was even one there. If there was one there that might have been back in the 40s.

Steve stated that there have been accidents along the whole corridor and we have more than 10 years of accident data.

I would like to know how long people lived here to get into an accident like that. I know there was a bad one at 14 mile. But people who travel up and down the road and live here know to slow down in the winter time. I see people zipping by us. In addition I know that no one goes out on the water at high water. No one should be on the river during high water events. Is it new comers that want better rafting areas? The height of the bridge is more than adequate for river travel. In addition if you put in a new bridge, it could damage our fisheries. I have also never seen log jams; I have lived here practically my whole life.

Steve stated he was looking at issues heard during the process and concerns stated by some members of the public at an earlier meeting and long term residents that live near the bridge but that he agreed that the high water issue was an infrequent occurrence.

Can we reestablish the bridge in its current location without making a turnpike?

Jim Heumann stated there are currently two alternatives for the bridge location. One alternative is downstream of its existing location, which would be near the area of concern. Steve explained to maintain the 55 mph speed radii the new Wells Bridge would need to be near the existing subsistence area or else substantially realign the curves leading into the existing bridge alignment. The main advantage to relocating the bridge further downstream is that it would be a shorter crossing (305-foot long vs. the existing 460-foot long crossing). In addition, if the bridge was relocated downstream, it would only require 2 spans (1 set of piers in the water), rather than 3 spans (2 sets of piers in the water). We are also looking at a higher clearance to make it safer under high water conditions.

Jim Scholl emphasized that we are still looking at alternatives.

Steve stated that the existing structures would be removed in either option. Steve noted that in addition posting down the speed is an option being considered for leaving the bridge in its existing location and widening it to meet the new road width. He stated it is not good practice to have a wider road go into a narrow bridge.

Why don't you upgrade our road so it is equal to the road to Canada?

Jim Heumann stated that that is part of the intention of this project.

Steve noted that this is the last section of roadway and the last bridge to be upgraded along the corridor and this would remove any restrictions on traffic that exist on the roadway now.

Does the highway project include a pedestrian foot path to connect the Bald Eagle Preserve to the village? Right now there is not enough space for a pathway. We are trying to build a visitors center and we want to be able to accommodate people who would like to walk the whole area and keep it clear in the winter.

Steve stated there is not money in the budget to evaluate the trail and it is not part of the scope for this project. We do not have any money for construction and are only funded through to the preliminary engineering and environmental phases. That segment of the highway has a lot of roosting trees in that area and we are trying to limit our impacts to that area and expand the road to the mountain side.

I heard there is a shaman grave in that area...

Steve noted that in this case to put a pathway in, we would need more width and if there are concerns in that area with a shaman grave up the hill from the roadway, then we would have to widen toward the river, which means we would have to sacrifice important eagle roosting. We do feel the six-foot shoulder will improve the ability to walk along the road and perhaps in the future the tribe could work with their elected officials to fund a walking path.

What is going to happen with Klukwan hill?

Steve answered that the grades will match closely with the existing grades. The valley part of the curve will be raised about a foot but the details of design have not been worked out yet. The design details won't be looked at closely until the environmental document is complete. In the future, DOT&PF will have meetings to share the design aspects with the tribe.

Will the centerline move?

Steve answered that the centerline varies. We are trying to use the existing road bed as much as possible, in some areas we are widening the road 4 feet on both sides and in some areas we will be widening the road 8 feet on only one side. In some cases the road does depart completely from the existing roadbed.

So will you need more right-of-way?

Steve said that in some areas we will need to acquire more right-of-way before construction can begin, but most of the road will be within the existing right-of-way.

What is the width of the existing right-of-way now?

Steve stated that it varies from 60 feet to 300 feet.

Have you had input from the village?

Steve stated that we have involved the through several meetings. We conducted a subsistence use study and talked with villagers in Klukwan to document the more sensitive areas for subsistence fishing but we want to continue to get that information from you.

As the environmental planner can I have copies of all the environmental documents created as a result of the EIS?

Kristen Hansen stated that she would get copies to the tribal environmental planner as soon as they were finalized; most are still in draft form.

Steve clarified that project is an Environmental Assessment and not an Environmental Impact Statement.

We now get less of the fuel tax that many other countries. The best roads in the world are in Sweden. We were told to get more money we would have to get DNR involved. Do we have enough money to keep up with the snow and the slides? No and we only get about 70 percent of the costs covered. We need to develop a resolution that we want 90 percent of the fuel tax. Hawaii now gets 25 percent of the tax – Alaska only gets 20 percent. Improved roads would encourage more visitors. We are not capitalizing on our attractions.

Steve thanked the person for their comments.

When you design the road, can you move it towards the mountain and away from the river bank so that when funds do become available for a pathway it will be easier to build one? We have people parking their cars and tripods in the roadway to take pictures of the eagles. Do I need to follow up with a formal letter to request this, or are my verbal comments today sufficient, to ensure this will be considered as part of the planning process for this project?

Steve stated that we will look into the possibility of doing this, and will follow up with Klukwan when we know what can be done in this area to make more room for a future pathway to their Cultural Center.

Jim Scholl added that he should also fill in a comment sheet and submit it to the DOT&PF.

Jim Heumann stated that he is not opposed to the proposition, but the scope of the project is to upgrade the roadway and make it safer.

The people who stand in the middle of the road are a real hazard to drivers and it is a safety issue that needs to be addressed.

Jim Heumann answered that if people are setting up in the road, this is an enforcement issue. Jim Scholl stated he would forward these comments to the DOT&PF highway safety office to work on safety awareness and see if they could get someone to monitor/and write citations for safety violations.

Jim Scholl stated there is no budget at this time to include a pedestrian/nature trail/ pathway. In addition maintenance of the pathway and pullout would need to be considered. Jim said it is not just about building the pathway but maintaining it and DOT&PF does not have the resources for the maintenance.

Why doesn't someone clean out the pull-outs so people have somewhere to park?

Jim Heumann stated that DNR Parks is responsible for maintaining most of these pull-outs along the highway, and they just do not have enough resources for snow removal along all of these pull-outs. Most government organizations have limited money for maintenance.

Could we work with the DOT&PF and the state to work out a way to maintain these trails?

Jim Scholl stated that the trails are operated by the state DNR and that the village could work with them to try and work out these issues.

There are two other slides that you have not mentioned – one at the top of the hill and one at mile 21 where we go fishing. There is also a shaman grave just past the airport on the hill.

Steve stated that these details will be noted and taken into consideration.

What happens if you come across artifacts as part of your field studies or during construction?

Kristen stated there are processes in place for those kinds of situations. There would be coordination with the State Historic Preservation Office and the tribe if any archaeological resources were found during construction. Work would be stopped and consultation with SHPO and the Native Village would take place to determine appropriate steps.

Kristen noted that traditional and cultural properties for the most part have been identified. The existing cultural and historical resources report will be updated to reflect the new alignment and the Section 106 consultation process under the National Historic Preservation Act will be completed in the next few months. The tribe will receive a copy of the Findings Letter and the final archaeological report, and will be provided another opportunity to provide comments at that time. The Draft EA will also be distributed for public review and comment in early 2010, which will give the tribe another opportunity to provide input into the project.

Will you guys bid out the project?

Steve stated that yes DOT&PF would put the project out for bid.

Will there be a local hire clause?

Jim Heumann stated that it would be unlikely that such a clause would be included due to state and federal procurement policies.

Klukwan would be in favor of leaving the bridge where it is as it would be less impact to everyone. A lot of people fish near the proposed downstream relocation alignment.

Will there be restrictions to fishing near or in the channel once they are upgraded?

Steve stated that during construction, fishing could be temporarily restricted to allow construction to proceed, but the restrictions would be lifted after that.

If you widen the road you will push us out of our fishing area at mile 21.

Steve looked at the plan sheets in that particular location, and pointed out that the road would not push them out of their fishing area in this location as they are expanding towards the mountain in this area.

Are there plans for culverts at miles 19 and 23?

Steve stated there are plans for culverts in both these areas, but the specific locations have not been decided yet.

David Strong, Klukwan's GIS technician, asked if he could be in touch with DOT&PF's archaeological consultant so that they can exchange information and data.

Kristen noted that she would pass on the contact information for Cultural Resource Consultants (Mike Yarborough), and yes, he can share all of his information with Mr. Strong.

I am concerned about moving the bridge. The downstream location of the new bridge may conflict with subsistence activities. This is right where we set our nets. I would like some assurance that there will not be ecological impacts to the fishery resource there. There used to be coho spawning areas upstream, but now they do not spawn upstream. The downstream bridge relocation site will be near a king salmon spawning area and should not be considered. We also heard the same concerns from the past president Joe Hotch.

If you move or change the spawning ground the fish cannot follow the scent they left behind. The fish do not come back; they cannot smell where they were before.

Why cannot you just leave the bridge in its current location and widen it? I know you will need to have a temporary bridge; are you taking that into consideration? A temporary bridge would definitely impact the spawning area.

Steve stated that we will be looking at ways to construct the bridge and the impacts construction would cause. Using the old bridge as a temporary bridge is one option under consideration.

Tim Haugh suggested that acquiring the right-of-way and moving the road away from the river to make room for a future potential pathway to Klukwan's Cultural Center should be evaluated in the environmental document.

Jim Scholl stated that this would be looked at.

The meeting was concluded shortly after noon, followed by informal discussions with individual community members around the project plan drawings.

Written Comments Received from the Meeting

Comment: We need the Commissioners of the Depart. of Natural Resources. We need 90% of Federal Fuel Tax monies is critical. We cannot do the maintenance with 25%. The past aim truck has been receiving the Lyons share of the U.S. gov Fuel Tax entries. However, the Tribal government - U.S. Indian Orientation Act - created in 1934 and amended in 1936 to include Alaska Natives - must issue a re-designation that address the amount of fuel tax monies that the State of Alaska and other states of union are now receiving; the resulting request the state governments Department of Transportation will receive from 35% to 90% of the Federal Tax monies from the Fuel Tax. Today, the US Fuel Taxation perhaps is the highest in the nation because we are paying \$300/gal. and some areas in the Yukon River Communities, the cost per gal is about \$8/10/gal; The banking area at mile 19 is not getting maintained in such a manner as a place or use this parking area that is available during the spring, summer and fall summer seasons, If the entrance drive way "need to be widened" by reconstructing so a DOT plow can clean the parking area, we will never be able to use the parking area and the rest room in the winter season. The tribal government body operates under the US Federal law - self government status of the IRA Act of 1934 and it was amended in 1936 to include the Alaska Natives.

Comment: When was there an accident at 23 mile curve? Log Jams: What makes you think there won't be log jams even when you raise the bridge, or is it for business people mainly the river rafters. There are 2 slide areas on the hill one right on top of hill, the other at the bottom near 21 mile. I would like in writing about my fishing ground at 21 mile. I have children, 7 grandchildren and 1 great-grandchild will fish there. I want safety and protection on my area. There are two Sharman graves, one at Klukwan hill the other at 4 mile and our graves also. Fine those who all in the middle of the road 1,000.00 5,000.00