

Dalton Highway Meeting Agenda

Date: Tuesday, October 29, 2024

Time: 9:00 AM – 11:00 AM

Location: Fairbanks International Airport Administration Office Conference Room

Parking will be validated

1. Welcome and Opening Remarks

Time: 9:00 AM – 9:10 AM

Lead: Commissioner Ryan Anderson

- Introduction of participants
- Overview of agenda and meeting goals

2. Recap of Meeting with Governor

Time: 9:10 AM – 9:30 AM

Lead: Commissioner Anderson/Industry Representatives

- Summary of key points from the Governor's meeting
- Any follow-up actions required
- Implications for the Dalton Highway

3. Update on Hiring and Staffing

Time: 9:30 AM – 9:45 AM

Lead: Jason Sakalaskas/Jody Thomas

- Current vacancy status and recruitment plans
- Additional staffing plans or options

4. Discussion of Potential Models for Future Highway Commission

Time: 9:45 AM – 10:15 AM

Lead: Commissioner Anderson

- Examples of potential commission structures
- Considerations for governance, oversight, and funding
- Open discussion on preferred models

5. Klondike Highway Industrial Usage Example

Time: 10:15 AM – 10:25 AM

Lead: Jody Thomas/Jason Sakalaskas

- Overview of the Klondike Highway Industrial Use Plan
- Lessons learned and applicable insights for the Dalton Highway
- Discussion on whether similar models could work for Dalton

6. Industry Representatives Open Discussion

Time: 10:25 AM – 10:55 AM

Lead: Industry Leads

- Recommendations, questions, concerns, solutions
- Around the room

7. Next Steps and Closing Remarks

Time: 10:55 AM – 11:00 AM

Lead: Commissioner Anderson/Jody Thomas

- Review of action items and deadlines
- Scheduling of the next meeting
- Final thoughts or open questions

Chapter 35 **Toll Highways**

17 AAC 35.010. Industrial use highways. (a) Under the provisions of [AS 44.62](#) the department will, in its discretion, by regulation, designate a specified highway as an industrial use highway if its design features allow it to accommodate long or heavy loads. (b) Except as provided in [17 AAC 35.020](#)(d), use of a vehicle on an industrial use highway is controlled by the permit system established under [17 AAC 35.020](#) - [17 AAC 35.100](#) if the vehicle's length or width exceeds the limitations in [17 AAC 25](#). (c) Interested parties may, by written request, petition the commissioner for designation of a particular route as an industrial use highway. The written request must include (1) a descriptive summary of the condition of the existing facility and its capability to accommodate long or heavy loads; (2) the design changes for the roadway or structures and any other improvements necessary to allow the facility to accommodate long or heavy loads; (3) the costs of the design changes or other improvements necessary to allow the facility to accommodate long or heavy loads; (4) the proposed uses that dictate designation of the facility as an industrial use highway; (5) the economic, environmental, and social impact, and the degree to which designation of the highway as an industrial use highway will improve the general welfare of the people of the state; and (6) various means of financing the cost of the changes to the facility necessary to allow it to accommodate long or heavy loads. (d) Designation of a route as an industrial use highway is dependant upon a department study of (1) the ability of the particular route to accommodate the vehicle lengths or heavy loads specified in [17 AAC 35.020](#); (2) the safety of the movement of long or heavy loads and their impact upon users of the route; (3) the design changes necessary for the roadway and structures; maintenance operations requirements; and traffic engineering, including the location and proposed design of vehicle pullouts, passing lanes, and other improvements for the route to accommodate the movement of long or heavy loads; (4) the economic, environmental, and social impact, and the degree to which designation of the route as an industrial use highway will improve the general welfare of the people of the state; and (5) the various means of financing the costs of the changes to the route to enable it to accommodate long or heavy loads. (e) The department will, in its discretion, by regulation, establish specific length and weight limitations, not to exceed those set in [17 AAC 35.020](#), when the route is designated an industrial use highway. (f) The department will, in its discretion, repeal its designation of a route as an industrial use highway upon a finding in writing that continued use of the route as an industrial use highway is not in the public interest.

17 AAC 35.020. Industrial use highway permits. (a) A vehicle whose length exceeds the limitations of [17 AAC 25](#) but whose length is not more than 90 feet, including load, or whose weight exceeds the gross vehicle weight limitations of [17 AAC 25.060](#) but whose gross vehicle weight is not more than 200,000 pounds, will, in the department's discretion, be issued an industrial use highway permit to operate on an industrial use highway if the length and weight do not exceed those specified by the department for the industrial use highway. (b) Subject to (c) of this section, an overweight or oversize permit referred to in [17 AAC 25.010](#), and issued under [3 AAC 35](#), is not required for a vehicle for which an industrial use highway permit has been issued under [17 AAC 35.030](#). (c) A vehicle whose gross vehicle weight or whose length exceeds the weight or length limits specified for a particular industrial use highway may not operate on that industrial use highway unless it has a valid overweight or oversize permit issued under [3 AAC 35](#) and the permit fee, as calculated under [17 AAC 35.050](#), has been paid. (d) A vehicle used on

an industrial use highway which has neither an industrial use highway permit nor an overweight or oversize permit issued under [3 AAC 35](#), is subject to the weight and size limitations of [17 AAC 25.010](#)(a). (e) Application for an industrial use highway permit for a single trip must be made at least 24 hours before the applicant intends to move the vehicle on the highway. Application for an industrial use highway permit allowing multiple movements must be made at least 14 days before the applicant intends to commence operations. A permit will not be issued until the department has reviewed the permit application. In reviewing the permit application, the department will, in its discretion, conduct extensive analyses and will, in its discretion, solicit public comment. (f) A permit application form may be obtained at the department office designated for the specific industrial use highway, and a completed application must be submitted to the department. However, if the commissioner has delegated authority to issue industrial use highway permits to another state agency under [17 AAC 35.030](#)(f), a permit application form may also be obtained from that state agency and the completed application must be submitted to that state agency as described in (e) of this section rather than to the department.

[17 AAC 35.030. Application; permit issuance.](#) (a) An applicant for an industrial use highway permit shall submit a completed application to the department as required in [17 AAC 35.020](#)(e) and (f). All terms of the application, and representations of the applicant made on the application, are incorporated by reference into the permit issued regardless of whether the permit specifically states those terms or representations. (b) In the application the applicant shall state (1) the vehicles to be used under the permit, including their horsepower rating, number of axles, and braking power; (2) the gross vehicle weight and length, including load, for each vehicle to be used under the permit; (3) the number of movements to be made over the route if the application is for multiple movements; (4) the frequency of the movements, on a weekly basis, if the application is for multiple movements; (5) the duration of operations if the application is for multiple movements; and (6) any additional information necessary to evaluate the application which the department requests from the applicant. (c) The department will, in writing, either grant or deny the permit, and will, in its discretion, in writing, impose limitations upon operations under the permit, consistent with the state's best interests, to limit or prevent damage to the route, to ensure the safety of other users of the route, or to require that operations occur during off-peak traffic hours. (d) A permit is valid for 365 days after the date of its issuance, unless some shorter period is stated in the permit. (e) An aggrieved applicant may appeal the denial of a permit, or the imposition of limitations, under [17 AAC 35.090](#). (f) The commissioner will, in the commissioner's discretion, delegate to another state agency the responsibility for the issuance of industrial use highway permits and the collection of industrial use highway permit fees under [17 AAC 35.050](#).

[17 AAC 35.040. Permit revocation.](#) (a) An industrial use highway permit will, in the department's discretion, be revoked if (1) for a multiple-movement permit, the permit fees due are not paid within 60 days after issuance of the permit; (2) the vehicular operations are not as specified in the application or permit; (3) the vehicular operations, while consistent with the terms of the permit, cause excessive damage to the roadway or represent an unacceptable risk to other users of the highway; or (4) continued use of the route as an industrial use highway is not in the state's best interests. (b) A revocation of an industrial use highway permit made under this section will be in writing. (c) An aggrieved permit may appeal the revocation of the permit under the provisions of [17 AAC 35.090](#).

17 AAC 35.050. Industrial use highway permit fees. (a) The department will charge a non-refundable fee for an industrial use highway permit issued under [17 AAC 35.030](#). The permit fee is calculated to offset the costs to the state to keep the roadway surface and other structures, including bridges, in a condition to accommodate long or heavy loads, and to offset administrative costs related to issuing industrial use highway permits. The permit fee will be calculated under (b) or (c) of this section, as applicable. (b) A single-trip permit fee, based upon the criteria set out in (a) of this section, will be determined and set for each industrial use highway at least once each year and will be calculated on the basis of each vehicle Equivalent Axle Load (EAL). In the department's discretion, a single-trip permit fee will be determined and set more than once each year. The single-trip permit fee is calculated as follows: (1) Equivalent Axle Load (EAL) is calculated using the following formula, which is derived from B.A. Anani and M.C. Wang, State of the Art Review on Equivalent Axle Loading for Pavement Design, Report PTI 7803, Pennsylvania Transportation Institute, Pennsylvania State University (March, 1978): 4.79EAL for Single Axle = $[\text{Axle Weight (pounds)/1000}] + 1.18 + 14.79\text{EAL}$ for a Tandem Axle = $[\text{Axle Group Weight (pounds)/1000}] + 1.32 + 14.79\text{EAL}$ for a Three Axle Tandem = $[\text{Axle Group Weight (pounds)/1000}] + 1.40 + 1$ (2) The permit fee is calculated by multiplying the sum of EAL values calculated under (1) of this subsection for each axle or axle group of the vehicle, by the dollar amount set for an EAL for that industrial use highway. (c) The fee for a multiple movement permit is calculated as for a single-trip permit fee, and applied to each movement authorized under the multiple movement permit. (d) The single-trip permit fee must be paid to the department as a condition of issuance. A billing system may be established by the department for multiple movements of equivalent weights by one individual, firm or company, provided evidence of a good credit rating has been supplied by the individual, firm or company. Payment must be in a form acceptable to the department. (e) For purposes of this section, "administrative costs" include expenses associated with vehicle and load inspection, bridge and pavement design review, route inspection and monitoring, and billing costs.

17 AAC 35.060. Applicability of 17 AAC 25. (a) Seasonal weight restrictions imposed under [17 AAC 25.100](#) apply to operations on industrial use highways under an industrial use highway permit unless specifically exempted by the department for a particular route. (b) All other standards and requirements of [17 AAC 25](#), other than those for weight and length, apply to operations on industrial use highways under an industrial use highway permit unless those standards and requirements are inconsistent with [17 AAC 35](#), in which case the provisions of [17 AAC 35](#) control.

17 AAC 35.070. Indemnification and insurance. (a) A permittee under an industrial use highway permit shall indemnify, defend, and hold harmless the state for any claims that arise solely from the permittee's operations under its permit. (b) A permittee shall maintain general liability insurance, with a minimum policy limit per occurrence of not less than \$1,000,000, with the state named as an additional insured. If the permittee's policy contains higher limits, the state is entitled to coverage to the extent of the higher limits. (c) An applicant shall provide the proof of the required insurance coverage when a permit application is filed under [17 AAC 35.030](#).

17 AAC 35.080. Appeals. (a) An aggrieved party may appeal a decision by the department to deny, limit, or revoke an industrial use highway permit. The notice of appeal must be

submitted to the commissioner, in writing, by certified mail, return receipt requested, within 30 days after the receipt of the written notice of the department's decision. The notice of appeal must contain (1) the decision being appealed; (2) the alleged violation of statute or regulation upon which the appeal is based; (3) the factual arguments supporting the aggrieved party's allegation; and (4) the specific relief sought. (b) Within five working days after receipt of the notice of appeal under this section, the commissioner will appoint a person to act as the commissioner's designee to review the factual issues with respect to the appeal. (c) Within 10 working days after appointment, the commissioner's designee will provide the aggrieved party with his or her decision regarding whether to grant or deny the relief sought. The decision must be based upon (1) the information provided in the notice of appeal; and (2) records of the department. (d) An aggrieved party may request a formal hearing on the denial, limitation, or revocation of an industrial use highway permit if the commissioner's designee does not grant the relief sought. (e) The request for hearing must be in writing, must be mailed by certified mail, and must be received by the department no later than 15 calendar days after the date the aggrieved party receives the decision under (c) of this section. The request must set out (1) the list of exhibits the aggrieved party intends to introduce at the hearing; (2) names of persons to be called as witnesses at the hearing; and (3) whether the aggrieved party will be represented by counsel. (f) Within 10 days after receipt of the request for hearing made under (d) of this section, the commissioner may elect to act as the hearing officer or will appoint a hearing officer who is not an employee of the department. (g) Within five days after appointment, the hearing officer shall establish a date, time, and place for the hearing. In no event may the date of the hearing be more than 30 days after the request made under (d) of this section is received by the department. (h) The hearing must be recorded and must be conducted according to the following rules of evidence: (1) oral evidence may be taken only on oath or affirmation; (2) each party or party's counsel, but not both, may call and examine witnesses, introduce exhibits, cross-examine opposing witnesses on matters relevant to the issues even though those matters were not covered in the direct examination, impeach a witness regardless of which party first called the witness to testify, and rebut the evidence against himself or herself; (3) the hearing need not be conducted according to technical rules relating to evidence and witnesses; however, relevant evidence may be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of a court rule that makes improper the admission of the evidence over objection in a civil action; hearsay evidence may be used to supplement or explain direct evidence but is not sufficient by itself to support a finding unless it would be admissible over objection in a civil action; the rules of privilege are effective to the same extent that they are recognized in a civil action; irrelevant and unduly repetitious evidence may be excluded; (4) the burden of proof is on the aggrieved party and the standard of proof is proof by a preponderance of the evidence. (i) The hearing officer shall submit a report and recommended decision to the commissioner in the form required by [AS 44.62.510](#) within 30 working days after the hearing officer's receipt of the hearing transcript. (j) The commissioner will notify the aggrieved party by certified mail of the commissioner's decision on the appeal within 30 working days after his or her receipt of the hearing officer's report. The commissioner's decision is the final department decision and is subject to review in the manner provided by

AS 44.62.560. (k) Expenses incurred by the aggrieved party with respect to the hearing are the sole responsibility of the aggrieved party.

17 AAC 35.090. Existing contractual relationships. If the department has, by agreement with an individual, partnership, or corporation, allowed the improvement of a route in order to accommodate heavy loads, and the route is later designated an industrial use highway, that agreement remains in full force until terminated under its terms if there are no changes in the operations of long or heavy loads as set out in the agreement. If changes of the operations of long or heavy loads not contemplated by the agreement are sought by the individual, partnership, or corporation, and if the changes fall within the standards of **17 AAC 35.020(a)**, an industrial use highway permit is necessary and subsequent operations on the route are governed by the provisions of this chapter.

17 AAC 35.200. The Klondike Highway. (a) The Klondike Highway from Skagway to the Canadian Border is designated as an industrial use highway. A vehicle that exceeds the weight or length limitations of **17 AAC 25**, but whose gross vehicle weight is not more than 170,000 pounds and whose length does not exceed 85 feet will, in the department's discretion, be issued an industrial use highway permit for operations on this route. (b) The single-trip permit fee for the Klondike Highway is \$3.95 per equivalent axle load (EAL) as determined under **17 AAC 35.050(b)**. (c) An industrial use highway permit application for vehicular operations on the Klondike Highway may be obtained at the department's maintenance and operations offices in Skagway or Juneau.

17 AAC 35.900. Definitions. In this chapter, (1) "commissioner" means the commissioner of the Department of Transportation and Public Facilities; (2) "department" means the Department of Transportation and Public Facilities; (3) "gross vehicle weight" means gross weight as defined in **17 AAC 25.110**; (4) "multiple movements" means more than one transit over an industrial use highway using the same combination of vehicles, and hauling identical loads in terms of weight and length; (5) "single-trip permit" means a permit issued for a single movement of a vehicle between a starting point and an ending point without a stop between the two to load or unload the vehicle.

Breakdown of road maintenance issues on Dalton Highway with mile markers

72.5 Fort Hamlin Creek

Open potholes and degraded road conditions

75-88.5 Mackey Hill (Baker)

Roadbed soft and rutted out, bare rock road conditions

90-115 Baker to Arctic Circle

Open potholes and degraded road conditions

93 Dall River

Open potholes and degraded road conditions/wash boarding on roads

98 Finger Mountain

Open potholes and degraded road conditions

107 Old man camp

Open potholes and degraded road conditions

110 Beaver slide

Open potholes and degraded road conditions, no base super soft difficult when wet

114 Fish Creek

Open potholes and degraded road conditions

124-126 North Fork Bonanza

Chip seal, holes, unblade-able

132 Gobblers knob

Open potholes and degraded road conditions

156.3 South Fork Koyukuk

Open potholes and degraded road conditions

170 Rosie creek (Connection to cold foot)

Excessive holes in chip seal unfilled

222.82 Nutirwik Creek

Ruts and potholes

244.8 Atigun Pass southside to 246.8

Open potholes and degraded road conditions

259-275 Trevor Creek

No road surface, boulders, old creek bed conditions

311.9 Pump station #3

Rocky, boulder like terrain-degraded road conditions

340-355 Happy Valley Camp-Pump #2

Chip seal, degraded road service, holes in road

Mile	Marker/Descriptor	Condition Notes - Single Mile (Poor)	Condition Notes - Range (Poor)	Condition Notes - Range (Fair/Good)
56	Yukon River			
60.5	Hot Spot Café			
70.4	Ray River			
72.5	Fort Hamlin Hills Creek	Open potholes and degraded road conditions		
75				
79.1	No Name Creek		MP75-MP88.5: Roadbed soft and rutted out; bare rock road conditions	
82	82 Mile Material Site			
88	Overlook & Material Site (not marked)			
88.5	Mackey Hill	Mackey Hill is reported to be very rough this summer, drivers having to chain up in some circumstances; pretty bad mud holes a mile or two either side of the hill itself		
90				
92	Bakers Knob		MP90-MP115: Open potholes and degraded road conditions	
93	Dall River	Open potholes and degraded road conditions; wash boarding on roads		
94	Whimbrel Hill - 94 Mile MS		MP92-MP110: Extremely bad potholes (Beaver Slide has been bad for a few years with water runoff and potholes in the summer and washboard conditions in the winter. Lots of washboard, especially at the bottom of hills, plus potholes in the chip seal sections.	
98	Finger Mountain	Open potholes and degraded road conditions		
99				
105.4	Kanuti River			
107	Old Man Camp	Open potholes and degraded road conditions	MP112-MP117: Bad potholes; potholes in the chip seal.	
110	Beaver Slide	Open potholes and degraded road conditions; no base; super soft; difficult when wet		
112				
114	Fish Creek	Open potholes and degraded road conditions		
115.2	Arctic Circle			
117				
124			MP124-MP126: Chip seal, holes, unblade-able	
124.7	South Fork Bonanza			
125.4	North Fork Bonanza			
126				
127	Material Site 90-1			
129	Material Site 90-2			
132	Gobbler's Knob	Open potholes and degraded road conditions		
134	Prospect Creek			
136	Prospect Creek Camp (Road to Betties)			
137.1	Pump Station #5		MP137-MP175: Poor E1	
138	Jim River DOT			
139	Material Site 91-3		MP138-MP156.3: Jim River Camp to Koyukuk has bad potholes and frost heaves	
140.1	Jim River I			
141	Jim River II			
141.3	Douglas Creek			
144.1	Jim River III			
144.5	Solid Waste			
149	Material Site 93-3			
150.2	Grayling Lake Wayside			
152	Material Site 94-0			
153				
154	Material Site 94-02			
156.3	South Fork Koyukuk	Open potholes and degraded road conditions		
157	Material Site 95-1			
161	Chapman Lake			
164	Material Site 96-3			
164	Valley View Overlook			
167	Material Site 97			
170	Rosie Creek	Excessive holes in chip seal unfilled		
175	Coldfoot			
175.2	Slate Creek		MP175-208: Rough Pavement; frost heaved	
176	Clara Creek			
179.9	Marion Creek			
187.2	Minnie Creek			
188.5	Wiseman Road		While this section of the highway was paved 2012-2014, some of the section of road is on the hillside and susceptible to frost heaving. There are also culverts that are collapsed and standing water along the roadside and some of the bridge approaches are dangerous.	
190	Hammond River			
196	Sheep Creek			
197	Gold Creek			
198	Linda Creek		The paving job was great when first done, but it's falling apart now.	
204.2	Sukakpak Mountain			
208				
209.3	Dietrich Camp			MP209-MP222: Fair E1
211	Disaster Creek			
222				
224	Material Site 107-1A			
228.2	Nutirik Creek	Ruts and potholes	MP222-MP235: This section was/is being resurfaced (summer 2024), but there have been a lot of potholes, washboard, and other issues in this area. Bad rainstorms have sent small creeks overflowing the road.	
234.1	North Slope Borough boundary			
235	Chandalar Outhouse			
239.2	Chandalar House/DOT			MP239-MP242: Fair E1
242				
244.8	Atigun Pass bottom southside		MP242-MP247: Poor surface; most of the running surface is bedrock with E1 filling in gaps	
246.8	Atigun Pass top		MP244.8-246.8: Open potholes and degraded road conditions	
249.6	Spike Creek		MP247-275: Very Poor Surface, Little E1, Rough; Project in Pipeline for 2025/2026 to resurface	
253.7	Atigun River			
259	Trevor Creek		MP259-MP275: No road surface, boulders, old creek bed conditions	
265.5	Roche Moutonee Creek			
267.8	Holden Creek		MP246-MP290: Rough road conditions to southern end of a construction project since last year; if I'm down to 10MPH on a trip, it's often in this section.	
269.3	Pump Station #4			
275	Galbraith Lake			MP275-MP289: Good E1; likes to pot hole / washboard often
278	Island Lake			
284.2	Toolik Field Station/Lake			
288	Horizon Lake			MP289-MP305: Good Brand New E1
289				
299.1	N. Boundary of BLM Land			
302	Slope Mountain			
305.5	Sag River DOT			MP305-MP308: Fair E1; lots of pockets of borrow on running surface; needs resurfacing
307	Material Site 119-4			
311.9	Pump Station #3	Rocky, boulder like terrain-degraded road conditions	MP311-MP315: Rough road conditions	
314	Saginavirtok River			MP338-MP346: Rough chip seal; okay running surface; can manage driving 35-40 no problem
315	Saginavirtok River			
324.9	Ice Cut (bottom)			
334.5	Happy Valley Camp			MP346-MP357: Fair running surface; almost no E1 left
338				
340				
343	Sagwon Overlook		MP340-MP355: Chip seal; degraded road service; holes in road	MP357-MP364: Fair pavement; rough and heaved in lots of areas
346				
354.5	Last Chance Outhouse (closed)			
355				
357				
358	Pump Station #2			
364				
367				
377.5	Franklin Bluffs staging area			The final 50 miles into Prudhoe which is newly paved is good except for 3-4 gravel sections from collapsed culverts and flooding when it rains.
417	Prudhoe Bay			This was the worst part of the road in 2019, but the pavement is helping. Most of the dirt sections in this area are on purpose so that culverts can be replaced without tearing up the asphalt, but they get bad in storms.