



October 10, 1972

Re: Yukon - Prudhoe Highway
00-2516

Your Ref: F-14122, AA-6116

Mr. Curtis V. McVee
State Director
Bureau of Land Management
555 Cordova Street
Anchorage, Alaska 99501

Dear Mr. McVee:

This refers to Mr. Thompson's letter dated September 19, 1972, concerning the above-referenced right of way applications.

There appears to be some misunderstanding as to the State's past actions regarding this highway, so I will take this opportunity to give you a brief chronology with copies of pertinent correspondence for your information and files F-14122 and AA-6116.

On April 3, 1970, Governor Miller advised Secretary Mickel by telegram that he had authorized construction of a highway from the Yukon River to Prudhoe Bay and referred to Title 43, Section 932, as authorization for his action.

On April 7, 1970, Commissioner Beardsley advised State Director Silcock of the State's intent to have the highway constructed and attached a map showing the approximate location of the highway.

On April 22, 1970, the State filed application for one hundred thirty-three free use permits for material sources to construct the highway.

On April 29, 1970, Commissioner Beardsley asked Secretary Mickel to modify PLO 3520 to allow construction of the highway.

On May 6, 1970, Right of Way Director Chitty advised State Director Silcock that detailed plans for the highway between the Yukon River and Prudhoe Bay were available for inspection along with detailed specifications and other documents.

On January 8, 1971, the State applied for right of way under RS 2477 between the Yukon River and Prudhoe Bay. Detailed maps were attached. You acknowledged receipt on January 8, 1971, and gave our application Serial No. AA-6116. On January 12 your office advised the Director of our request.

On June 3, 1971, one hundred forty-six free use applications for materials were forwarded to your office. They were acknowledged and serialized June 14, 1971.

Mr. Curtis V. McVee
State Director

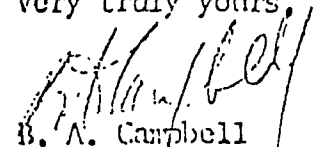
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We modified our January 8, 1971, application on July 28, 1971, to provide for the Yukon River Bridge Crossing and, again in September 1971 to provide for a realignment in the Atigun - Dietrich Pass area.

From the above our position is that the State clearly utilized RS 2477 in April of 1970; again in January, July and September 1971, all pre-dating PLO 5150. We do not agree that PLO 4582 needed modification to allow a right of way under RS 2477 by virtue of the language of RS 2477. Be that as it may, we do not agree that another application is needed from us covering the area from the northern boundary of PLO 3520 to Prudhoe Bay. The State had a valid existing right pre-dating PLO 5150.

Very truly yours,



B. A. Campbell
Commissioner of Highways

Attachments: As stated

cc: R/W Director
Design Engineer