



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Fairbanks District Office
Eastern Interior Field Office
1150 University Avenue
Fairbanks, Alaska 99709-3844
(907) 474-2200



3 JUL 2007

In Reply Refer To:
8354 (024)

Jim Fehrenbacher, Manager
Alaska Dept. of Transportation and Public Facilities
Tok Maintenance Station
P.O. Box 356
Tok, Alaska 99780

NR DOT & PF -ROW

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Dear Mr. Fehrenbacher:

This letter is in response to the visit and discussions we have had concerning maintenance issues on the Taylor Highway through Bureau of Land Management (BLM) managed lands, particularly the Fortymile National Wild and Scenic River (FNWSR) Corridor.

The Omnibus Act of 1959 quit-claim-deeded the right to maintain and operate certain roads in Alaska (including the Taylor Highway) to the State. This essentially is a perpetual right-of-way (ROW) for these roads for highway purposes. This ROW for the Taylor Highway is 100 feet from centerline. Within this 200-foot corridor, this ROW grants you the authority to do what is needed to maintain this road. No further permit or authorization is needed from BLM to carry out activities for the purpose of maintaining the road within the existing ROW. Please recognize that this does not preclude you from the need to obtain any other necessary permits from other agencies (e.g. Corps of Engineers 404 permits, ADF&G fish habitat permits.) Please also note that the BLM is still the underlying land owner and any activities outside of those necessary to maintain the highway would require a permit or authorization from BLM.

If you deem it necessary to work outside of your existing ROW to maintain the highway, an additional ROW may be needed. We recommend that your office put together a specific proposal for a highway maintenance ROW describing the work you want to do beyond the existing ROW. A BLM right-of-way application form (SF 299) and a sample Plan of Operations are attached for your information. At least one pre-application meeting is highly recommended to help both parties understand your needs and BLM's requirements including the FNWSR considerations.

If you have any further questions, feel free to call me (474-2320) or Realty Specialist Nancy Whicker (474-2331.)

Sincerely, ,

/s/ Lenore Heppler

Lenore Heppler, Manager
Eastern Interior Field Office

Cc: John Bennett, ADOT&PF, Chief, Right-of-Way ✓