



**HAINES BOROUGH, ALASKA**  
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**MEMO**

TO: Haines Borough Assembly  
Mayor Tom Morphet

DATE: November 6, 2023

RE: Special Meeting re: Porcupine Road

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Here are some basic facts about the Haines Borough's assumption of ownership of Porcupine Road:

- In June 2000, by Resolution of Third Class Haines Borough #494, "A Resolution of the Haines Borough accepting ownership and maintenance responsibility of Klehini Crossing, the Porcupine Road and the Chilkat Lake Road", the Borough accepted ownership of the Klehini Crossing and Porcupine Road in exchange for DOT/PF making improvements to Chilkat Lake Road; and then agreed to take on ownership and maintenance responsibility for all of these assets.
- The transfer by Quitclaim Deed was effective May 25, 2005 (signed by Gary L. Paxton, Southeast Regional Director for DOT/PF)
- The Quitclaim Deed specifically noted: "Upon acceptance of this right of way interest by the Haines Borough, the State shall cease maintenance and operation of the Porcupine Road and Chilkat Lake Road, and the Haines Borough shall be responsible for the maintenance and operation of above described roads."
- The roads are used by commercial interests, homeowners, subsistence harvesters, hunters, residents and tourists (including independent travelers).
- A 2013 legal opinion requested by former Borough Manager Earnest from Borough Attorney Brooks Chandler, notes that "the Borough is not obligated to maintain borough roads outside the Townsite Service area." "The Borough Manager has the discretionary and optional authority to use general funds to pay for "nonroutine" road maintenance projects in areas outside the Townsite Service Area subject to the standard budget

appropriation authority of the Assembly. What qualifies as “noroutine” maintenance is open to debate.”

- The Borough has spent \$77,339 maintaining Porcupine Road from 2018 through 2022 (the last time the Borough spent funds addressing flooding near Herman Creek).

**Haines Borough  
PORCUPINE ROAD REPAIRS**

<u>Payee</u>	<u>Date</u>	<u>DESCRIPTION</u>	
BRAD RYAN	5/31/2018	ADMINISTRATION	505
NORTHERN CONSTRUCTION	6/14/2018	GRADING	1,394
NORTHERN CONSTRUCTION	7/20/2018	GRADING	1,394
WALDO ENTERPRISES	7/31/2018	EMERGENCY REPAIR	2,000
WALDO ENTERPRISES	7/31/2018	EMERGENCY REPAIR	4,560
WALDO ENTERPRISES	7/31/2018	DONATED LABOR & EQUIPMENT	(4,560)
KRISTA KIELSMEIER	7/31/2018	ADMINISTRATION	240
BRAD RYAN	7/31/2018	ADMINISTRATION	1,022
NORTHERN CONSTRUCTION	6/5/2019	PORCUPINE ROAD GRADING	1,862
Work Order #1689	6/30/2019	Porcupine Rd brushing	11,214
Word Order #1721	8/31/2020	Porcupine repair shoulder from washout	6,737
E.Coffland Jul 2020	7/31/2020	Porcupine rd washout	735
E. Coffland Apr21	4/30/2021	Porcupine	202
E. Coffland May21	5/31/2021	Inspect flood damage porcupine	135
Southeast Road Builders	7/30/2021	Porcupine Rd Wash-out Repair	12,655
Southeast Road Builders	7/6/2022	Porcupine Washout Berm	4,915
Southeast Road Builders	8/8/2022	Emergency Repairs Porcupine Rd	6,585
Southeast Road Builders	8/26/2022	Porcupine Rd Repairs	6,700
Southeast Road Builders	9/22/2022	Porcupine Rd Blading	2,880
Southeast Road Builders	8/8/2022	Emergency Repairs Porcupine Rd	6,585
Southeast Road Builders	8/26/2022	Porcupine Rd Repairs	6,700
Southeast Road Builders	9/22/2022	Porcupine Rd Blading	2,880
			77,339