

23. COMMENT SUMMARIES AND RESPONSES

Introduction

This chapter responds to comments the Surface Transportation Board (STB or the Board) Office of Environmental Analysis (OEA) received on the Draft Environmental Impact Statement (EIS) and describes how and where those comments led to changes in the Draft EIS. Although the comment responses refer to OEA, the cooperating agencies participated in reviewing, summarizing, and responding to comments. OEA's responses to comments clarify or correct information in the Draft EIS, explain and communicate government policy or regulations, direct commenters to information in the Draft EIS, or answer technical questions.

Appendix Q of this Final EIS provides a catalog of oral comments OEA received during the public meetings on the Draft EIS. Appendix R provides a catalog of written comments OEA received on the Draft EIS. Tables in this chapter provide two versions of an index that allow readers to find their comment excerpts and the associated responses. Table 23-1 provides the index in numeric order by comment document number and excerpt number (separated by a dash such as 42-3) assigned to each oral or written comment. The comment document and excerpt numbers assigned to the oral and written comments can be traced back to the original comment via Appendices Q and R. Table 23-2 provides the index in order by commenter category (such as Federal agencies, associations, private citizens) and sorted alphabetically by commenter name.

To find a comment document excerpt and OEA's response to the comment, find the commenter's name or organization in either Table 23-1 or 23-2 and note the comment number (the comment document number and excerpt number separated by a dash). Then go to the appropriate section of Chapter 23 (also identified in the tables) to find the comment number and its associated comment and response text. Copies of the agency and public comments on the Draft EIS are located in appendices Q and R, respectively. Substantive changes in this Final EIS are indicated by change bars in the left-hand margin of each chapter and appendix. OEA's responses to the comments are summarized in Chapter 23.

Methodology

OEA prepared the comment responses in accordance with Council on Environmental Quality (CEQ) guidance at 40 Code of Federal Regulations (C.F.R.) § 1501.6, which states "an agency is not under an obligation to issue a lengthy reiteration of its methodology for any portion of an EIS if the only comment addressing the methodology is a simple complaint that the EIS methodology is inadequate. But agencies must respond to comments, however brief, which are specific in their criticism of agency methodology." The CEQ guidance goes on to state that "if a number of comments are identical or very similar, agencies may group the comments and prepare a single answer for each group. Comments may be summarized if they are especially voluminous."

The following paragraphs describe the methodology OEA used to capture, track, and respond to public comments on the Draft EIS:

- OEA read all comment documents and their attachments to identify and extract comments. As a part of this process, OEA reviewed technical attachments (for example, reports) for potential applicability. After comment identification, OEA grouped individual comments by categories and assigned each comment to a subject matter expert in the appropriate discipline to prepare a response. OEA's subject matter experts reviewed each response to ensure technical and scientific accuracy, clarity, and consistency, and to ensure that the response addressed the comment.
- Frequently commenters submitted identical or similar comments. OEA grouped such similar comments together and for each issue, either provided a summary of the comment or a series of verbatim comments to illustrate the commenters' concerns. If OEA summarized comments, this chapter presents the summary as a "Summary Comment." If OEA extracted a comment or comments taken verbatim, this chapter presents it as a "Comment." OEA's response follows each summary comment, verbatim comment, or group of verbatim comments. If the comment resulted in a change to the Draft EIS, OEA's response describes the change.
- To the extent practicable, OEA presented the comments in this document by topic. Each comment-response pair, individual or summary, consists of 3 parts: (1) the comment, (2) the assigned comment identification number, and (3) the response by OEA.
- In some cases, OEA paraphrased individual comments to capture their meaning if they were general in nature (for example, the commenter supports or opposes an activity or action), if they indicated something was incomplete or insufficient but did not provide specific examples (for example, "cumulative impacts are inadequate"), or if they indicated something was not safe (for example, transportation of hazardous materials) but provided no specific information. Summarized comments are, of necessity, paraphrased, but OEA made every effort to capture the essence of every comment included in a summary comment.
- OEA did not modify certified transcripts of public hearings. However, some transcripts (and also some letters, e-mails, and faxes) contained obvious errors (for example, misspelled names or words). For this chapter, OEA corrected such errors in the extracted comments. Similarly, OEA deleted extraneous material (such as repeated words) from extracted comments whenever such a deletion would not alter the meaning of the comment. Appendix Q of this Final EIS contains an image of the text of each hearing transcript as certified by the court reporter.
- If the meaning of a comment was not clear, OEA made a reasonable attempt to interpret the comment and to respond based on that interpretation.
- When a comment resulted in a revision (addition, deletion, correction, etc.) to the Draft EIS text, the response states that OEA made a change and directs the reader to the location of the edited text. Substantive changes in text from the Draft EIS in this Final EIS are indicated by change bars in the left-hand margin of each chapter and appendix.

The methodology described herein enabled OEA to efficiently consider, individually and collectively, all comments it received on the Draft EIS and to respond to those comments. The remainder of this chapter is organized so that each section corresponds to the associated Draft EIS chapter.

**Table 23-1
Comment Index Organized by Comment Number**

Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
2-1	23.9 Noise and Vibration	Private Citizen	Peters, John	Appendix R
2-2	23.13.1 Land Use	Private Citizen	Peters, John	Appendix R
3-1	23.9 Noise and Vibration	Private Citizen	Hancock, Howard	Appendix R
3-2	23.2.4.1 Southern Segments Mac East and West	Private Citizen	Hancock, Howard	Appendix R
3-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Hancock, Howard	Appendix R
4-1	23.1.2 NEPA Process and Public Involvement	State Agency	Alaska State Legislature, Paul Seaton	Appendix R
5-1	23.13.2 Parks and Recreation Resources	Private Citizen	Demboski, Ben	Appendix R
6-1	23.5.4 Fisheries Resources	Private Citizen	Strong, Gregory	Appendix R
7-1	23.2.3 General Opposition and General Support	Private Citizen	Saunders, Phillip	Appendix R
8-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Rock, Royce	Appendix R
8-2	23.1.2 NEPA Process and Public Involvement	Private Citizen	Rock, Royce	Appendix R
9-1	23.13.2 Parks and Recreation Resources	Organization	Big Lake Trails Organization, Dan Kruse	Appendix R
10-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Knapp, Lynndeen	Appendix R
11-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Faiks, James	Appendix R
12-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Debenham, Douglas	Appendix R
13-1	23.13.2 Parks and Recreation Resources	Private Citizen	Mailer, William	Appendix R
13-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Mailer, William	Appendix R
13-3	23.19 Mitigation	Private Citizen	Mailer, William	Appendix R
14-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Shvarts, Lev	Appendix R
15-2	23.2.4 Alternatives Analysis	Private Citizen	Wolfe, John	Appendix R
15-3	23.9 Noise and Vibration	Private Citizen	Wolfe, John	Appendix R
16-1	23.13.2 Parks and Recreation Resources	Private Citizen	Debenham, Ray	Appendix R

Table 23-1 (continued)				
Comment Index Organized by Comment Number				
Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
16-2	23.6 Cultural and Historic Resources	Private Citizen	Debenham, Ray	Appendix R
16-5	23.13.2 Parks and Recreation Resources	Private Citizen	Debenham, Ray	Appendix R
16-6	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Debenham, Ray	Appendix R
16-7	23.11 Transportation and Safety Delay	Private Citizen	Debenham, Ray	Appendix R
16-8	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Debenham, Ray	Appendix R
16-9	23.3.2 Seismic Hazards	Private Citizen	Debenham, Ray	Appendix R
16-10	23.4 Water Resources	Private Citizen	Debenham, Ray	Appendix R
16-11	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Debenham, Ray	Appendix R
17-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Berean, Sandra	Appendix R
19-1	23.13.2 Parks and Recreation Resources	Private Citizen	Barcome, Lynda	Appendix R
20-2	23.5.3 Wildlife	Private Citizen	Ladd, Bryan and Lori	Appendix R
20-3	23.5.4 Fisheries Resources	Private Citizen	Ladd, Bryan and Lori	Appendix R
20-4	23.1.2 NEPA Process and Public Involvement	Private Citizen	Ladd, Bryan and Lori	Appendix R
20-5	23.2.3 General Opposition and General Support	Private Citizen	Ladd, Bryan and Lori	Appendix R
20-6	23.9 Noise and Vibration	Private Citizen	Ladd, Bryan and Lori	Appendix R
21-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Lind, Marc	Appendix R
21-2	23.2.2 Port MacKenzie	Private Citizen	Lind, Marc	Appendix R
22-1	23.13.2 Parks and Recreation Resources	Private Citizen	Mayfield, Dan	Appendix R
22-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Mayfield, Dan	Appendix R
22-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Mayfield, Dan	Appendix R
22-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Mayfield, Dan	Appendix R
23-1	23.13.2 Parks and Recreation Resources	Private Citizen	Nixon, Duane	Appendix R
24-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	O'Hara, William	Appendix R
24-2	23.2.3 General Opposition and General Support	Private Citizen	O'Hara, William	Appendix R

Table 23-1 (continued)				
Comment Index Organized by Comment Number				
Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
24-4	23.13.2 Parks and Recreation Resources	Private Citizen	O'Hara, William	Appendix R
25-1	23.13.6 Access	Private Citizen	Rader, Stuart	Appendix R
25-2	23.19 Mitigation	Private Citizen	Rader, Stuart	Appendix R
25-2	23.5.3 Wildlife	Private Citizen	Rader, Stuart	Appendix R
26-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Sumner, Richard	Appendix R
27-1	23.2.1 Proposed Action	Private Citizen	Russell, Daniel	Appendix R
30-1	23.3.2 Seismic Hazards	Private Citizen	Strong, Gregory	Appendix R
31-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Friends of the Lakes, Gregory Strong	Appendix R
33-1	23.2.3 General Opposition and General Support	Private Citizen	Sumner, Yvonne	Appendix R
33-2	23.3.2 Seismic Hazards	Private Citizen	Sumner, Yvonne	Appendix R
34-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Zwahlen, Nina	Appendix R
35-1	23.2.3 General Opposition and General Support	Private Citizen	Austermuhl, Noreen	Appendix R
35-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Austermuhl, Noreen	Appendix R
36-1	23.13.1 Land Use	Private Citizen	Riddell, Toby	Appendix R
36-2	23.2.4.1 Southern Segments Mac East and West	Private Citizen	Riddell, Toby	Appendix R
36-3	23.11 Transportation and Safety Delay	Private Citizen	Riddell, Toby	Appendix R
37-1	23.11 Transportation and Safety Delay	Private Citizen	Farmer, Kenneth	Appendix R
37-2	23.11 Transportation and Safety Delay	Private Citizen	Farmer, Kenneth	Appendix R
38-1	23.2.3 General Opposition and General Support	Private Citizen	Radlinski, Nicholas	Appendix R
39-1	23.2.3 General Opposition and General Support	Private Citizen	Sawhill, Jim	Appendix R
39-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Sawhill, Jim	Appendix R
40-1	23.13.2 Parks and Recreation Resources	Private Citizen	Peterson, Julie	Appendix R
40-2	23.4 Water Resources	Private Citizen	Peterson, Julie	Appendix R
40-5	23.6 Cultural and Historic Resources	Private Citizen	Peterson, Julie	Appendix R
40-7	23.5.3 Wildlife	Private Citizen	Peterson, Julie	Appendix R
41-1	23.2.2 Port MacKenzie	Private Citizen	Manning II, Ed	Appendix R

Table 23-1 (continued)
Comment Index Organized by Comment Number

Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
42-1	23.2.1 Proposed Action	Organization	Matanuska Electrical Association, E. Joe Griffith	Appendix R
43-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Maney, Duane	Appendix R
43-2	23.5.3 Wildlife	Private Citizen	Maney, Duane	Appendix R
43-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Maney, Duane	Appendix R
43-4	23.13.2 Parks and Recreation Resources	Private Citizen	Maney, Duane	Appendix R
43-5	23.1.1 Purpose and Need	Private Citizen	Maney, Duane	Appendix R
43-6	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Maney, Duane	Appendix R
43-7	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Maney, Duane	Appendix R
44-1	23.2.4.3 No-Action Alternative	Organization	Alaska Survival, Becky Long	Appendix R
44-2	23.2.3 General Opposition and General Support	Organization	Alaska Survival, Becky Long	Appendix R
44-3	23.14 Socioeconomics	Organization	Alaska Survival, Becky Long	Appendix R
44-4	23.2.3 General Opposition and General Support	Organization	Alaska Survival, Becky Long	Appendix R
44-5	23.2.4 Alternatives Analysis	Organization	Alaska Survival, Becky Long	Appendix R
44-6	23.5.2 Vegetation Resources	Organization	Alaska Survival, Becky Long	Appendix R
44-7	23.5.2 Vegetation Resources	Organization	Alaska Survival, Becky Long	Appendix R
44-8	23.1.2 NEPA Process and Public Involvement	Organization	Alaska Survival, Becky Long	Appendix R
44-9	23.1.2 NEPA Process and Public Involvement	Organization	Alaska Survival, Becky Long	Appendix R
44-10	23.2.4.3 No-Action Alternative	Organization	Alaska Survival, Becky Long	Appendix R
45-1	23.2.2 Port MacKenzie	Private Citizen	Swearer, Gary	Appendix R
45-2	23.5.3 Wildlife	Private Citizen	Swearer, Gary	Appendix R
45-3	23.13.2 Parks and Recreation Resources	Private Citizen	Swearer, Gary	Appendix R
45-4	23.5.3 Wildlife	Private Citizen	Swearer, Gary	Appendix R
45-5	23.1.1 Purpose and Need	Private Citizen	Swearer, Gary	Appendix R
46-2	23.1.1 Purpose and Need	Private Citizen	Hilfiker, Kenneth	Appendix R
46-3	23.9 Noise and Vibration	Private Citizen	Hilfiker, Kenneth	Appendix R
47-1	23.2.4.1 Southern Segments Mac East and West	Private Citizen	Strassenburgh, John	Appendix R
47-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Strassenburgh, John	Appendix R
47-2	23.1.1 Purpose and Need	Private Citizen	Strassenburgh, John	Appendix R

Table 23-1 (continued)
Comment Index Organized by Comment Number

Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
47-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Strassenburgh, John	Appendix R
48-2	23.5.3 Wildlife	Private Citizen	Egeland, Eric	Appendix R
49-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Egeland, Joan	Appendix R
50-1	23.11 Transportation and Safety Delay	Private Citizen	Sedgwick, Peter	Appendix R
51-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Smith, Daniel	Appendix R
52-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	McCain, Edward and Brenda	Appendix R
52-2	23.1.1 Purpose and Need	Private Citizen	McCain, Edward and Brenda	Appendix R
52-3	23.2.2 Port MacKenzie	Private Citizen	McCain, Edward and Brenda	Appendix R
52-4	23.9 Noise and Vibration	Private Citizen	McCain, Edward and Brenda	Appendix R
52-5	23.13.6 Access	Private Citizen	McCain, Edward and Brenda	Appendix R
52-6	23.13.6 Access	Private Citizen	McCain, Edward and Brenda	Appendix R
52-7	23.2.1 Proposed Action	Private Citizen	McCain, Edward and Brenda	Appendix R
52-8	23.13.6 Access	Private Citizen	McCain, Edward and Brenda	Appendix R
52-9	23.1.1 Purpose and Need	Private Citizen	McCain, Edward and Brenda	Appendix R
52-10	23.14 Socioeconomics	Private Citizen	McCain, Edward and Brenda	Appendix R
52-12	23.14 Socioeconomics	Private Citizen	McCain, Edward and Brenda	Appendix R
53-1	23.2.3 General Opposition and General Support	Private Citizen	Oney, Tara	Appendix R
54-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Willow Area Community Organization, Linda Oxley	Appendix R
54-6	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Willow Area Community Organization, Linda Oxley	Appendix R
54-8	23.14 Socioeconomics	Organization	Willow Area Community Organization, Linda Oxley	Appendix R
54-9	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Willow Area Community Organization, Linda Oxley	Appendix R
55-1	23.2.4.3 No-Action Alternative	Private Citizen	Berg, Kevin	Appendix R
55-2	23.2.2 Port MacKenzie	Private Citizen	Berg, Kevin	Appendix R
56-1	23.1.1 Purpose and Need	Private Citizen	Smole, Douglas and Sharon	Appendix R
56-2	23.1.1 Purpose and Need	Private Citizen	Smole, Douglas and Sharon	Appendix R
56-3	23.1.2 NEPA Process and Public Involvement	Private Citizen	Smole, Douglas and Sharon	Appendix R
56-4	23.2.4.3 No-Action Alternative	Private Citizen	Smole, Douglas and Sharon	Appendix R
56-5	23.2.3 General Opposition and General Support	Private Citizen	Smole, Douglas and Sharon	Appendix R
57-1	23.2.4 Alternatives Analysis	Private Citizen	Berg, Sharon	Appendix R
57-2	23.2.4.3 No-Action Alternative	Private Citizen	Berg, Sharon	Appendix R

Table 23-1 (continued)
Comment Index Organized by Comment Number

Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
58-1	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix R
58-2	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix R
58-3	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix R
58-4	23.1.1 Purpose and Need	Private Citizen	Whedbee, Grace	Appendix R
58-5	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix R
58-6	23.2.4.3 No-Action Alternative	Private Citizen	Whedbee, Grace	Appendix R
59-1	23.1.2 NEPA Process and Public Involvement	Private Citizen	Whedbee, Mike	Appendix R
59-2	23.1.1 Purpose and Need	Private Citizen	Whedbee, Mike	Appendix R
59-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Whedbee, Mike	Appendix R
59-4	23.13.1 Land Use	Private Citizen	Whedbee, Mike	Appendix R
59-5	23.9 Noise and Vibration	Private Citizen	Whedbee, Mike	Appendix R
59-6	23.2.4 Alternatives Analysis	Private Citizen	Whedbee, Mike	Appendix R
59-7	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Private Citizen	Whedbee, Mike	Appendix R
59-8	23.1.1 Purpose and Need	Private Citizen	Whedbee, Mike	Appendix R
59-9	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Mike	Appendix R
59-10	23.1.1 Purpose and Need	Private Citizen	Whedbee, Mike	Appendix R
59-11	23.1.1 Purpose and Need	Private Citizen	Whedbee, Mike	Appendix R
60-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Whedbee, Grace	Appendix R
60-5	23.10 Energy Resources	Private Citizen	Whedbee, Grace	Appendix R
60-6	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Whedbee, Grace	Appendix R
60-7	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Whedbee, Grace	Appendix R
61-1	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Private Citizen	Whedbee, Mike	Appendix R
61-2	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Private Citizen	Whedbee, Mike	Appendix R
61-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Whedbee, Mike	Appendix R
62-1	23.5.4 Fisheries Resources	Federal Agency	National Marine Fisheries Service, James Balsiger	Appendix R
62-2	23.5.4 Fisheries Resources	Federal Agency	National Marine Fisheries Service, James Balsiger	Appendix R
62-3	23.5.4 Fisheries Resources	Federal Agency	National Marine Fisheries Service, James Balsiger	Appendix R
62-4	23.19 Mitigation	Federal Agency	National Marine Fisheries Service, James Balsiger	Appendix R

Table 23-1 (continued)
Comment Index Organized by Comment Number

Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
62-5	23.5.4 Fisheries Resources	Federal Agency	National Marine Fisheries Service, James Balsiger	Appendix R
62-6	23.19 Mitigation	Federal Agency	National Marine Fisheries Service, James Balsiger	Appendix R
62-7	23.19 Mitigation	Federal Agency	National Marine Fisheries Service, James Balsiger	Appendix R
62-8	23.5.4 Fisheries Resources	Federal Agency	National Marine Fisheries Service, James Balsiger	Appendix R
62-9	23.5.4 Fisheries Resources	Federal Agency	National Marine Fisheries Service, James Balsiger	Appendix R
62-10	23.5.4 Fisheries Resources	Federal Agency	National Marine Fisheries Service, James Balsiger	Appendix R
62-12	23.4.5 Wetland Resources	Federal Agency	National Marine Fisheries Service, James Balsiger	Appendix R
62-13	23.5.4 Fisheries Resources	Federal Agency	National Marine Fisheries Service, James Balsiger	Appendix R
62-14	23.5.4 Fisheries Resources	Federal Agency	National Marine Fisheries Service, James Balsiger	Appendix R
62-15	23.4.5 Wetland Resources	Federal Agency	National Marine Fisheries Service, James Balsiger	Appendix R
63-13	23.19 Mitigation	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-14	23.16 Cumulative Impacts	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-15	23.13.1 Land Use	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-16	23.11 Transportation and Safety Delay	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-17	23.11 Transportation and Safety Delay	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-18	23.13.5 Hazardous Materials and Waste Sites	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-19	23.2.1 Proposed Action	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-20	23.16 Cumulative Impacts	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R

Table 23-1 (continued)				
Comment Index Organized by Comment Number				
Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
63-21	23.1.2 NEPA Process and Public Involvement	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-22	23.13.4 Visual Resources	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-23	23.19 Mitigation	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-24	23.2.1 Proposed Action	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-25	23.5.4 Fisheries Resources	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-26	23.7 Subsistence	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-27	23.15 Environmental Justice	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-28	23.1.2 NEPA Process and Public Involvement	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-29	23.4.5 Wetland Resources	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-30	23.2.4 Alternatives Analysis	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-8	23.1.1 Purpose and Need	Federal Agency	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
64-1	23.13.2 Parks and Recreation Resources	Private Citizen	McLaren, Marjorie	Appendix R
64-2	23.4.5 Wetland Resources	Private Citizen	McLaren, Marjorie	Appendix R
64-3	23.1.1 Purpose and Need	Private Citizen	McLaren, Marjorie	Appendix R
64-4	23.2.3 General Opposition and General Support	Private Citizen	McLaren, Marjorie	Appendix R
65-1	23.2.1 Proposed Action	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-2	23.13.6 Access	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-3	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R

Table 23-1 (continued)
Comment Index Organized by Comment Number

Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
65-4	23.13.6 Access	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-5	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-6	23.13.1 Land Use	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-8	23.13.2 Parks and Recreation Resources	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-9	23.13.2 Parks and Recreation Resources	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-10	23.13.2 Parks and Recreation Resources	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-11	23.13.6 Access	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-12	23.13.2 Parks and Recreation Resources	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-13	23.13.5 Hazardous Materials and Waste Sites	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-14	23.13.1 Land Use	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-15	23.14 Socioeconomics	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-16	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-17	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-18	23.13.2 Parks and Recreation Resources	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-19	23.13.1 Land Use	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-21	23.13.2 Parks and Recreation Resources	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-22	23.13.1 Land Use	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-23	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-24	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-25	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-26	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-27	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R

Table 23-1 (continued)				
Comment Index Organized by Comment Number				
Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
65-28	23.2.1 Proposed Action	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-32	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-33	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-34	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-39	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-40	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-45	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-49	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-51	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-54	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-55	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-56	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-57	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-61	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-62	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-7	23.2.1 Proposed Action	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-72	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-73	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-76	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-79	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-80	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-84	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R

Table 23-1 (continued)				
Comment Index Organized by Comment Number				
Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
65-85	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-86	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-95	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-112	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-118	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-119	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-124	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-127	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-132	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-133	23.19 Mitigation	State Agency	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
66-1	23.1.1 Purpose and Need	Organization	Port of Anchorage, William Sheffield	Appendix R
66-2	23.1.1 Purpose and Need	Organization	Port of Anchorage, William Sheffield	Appendix R
66-3	23.1.1 Purpose and Need	Organization	Port of Anchorage, William Sheffield	Appendix R
66-4	23.1.1 Purpose and Need	Organization	Port of Anchorage, William Sheffield	Appendix R
66-5	23.2.2 Port MacKenzie	Organization	Port of Anchorage, William Sheffield	Appendix R
66-6	23.19 Mitigation	Organization	Port of Anchorage, William Sheffield	Appendix R
66-7	23.2.2 Port MacKenzie	Organization	Port of Anchorage, William Sheffield	Appendix R
66-8	23.5.5 Threatened and Endangered Species	Organization	Port of Anchorage, William Sheffield	Appendix R
66-9	23.2.2 Port MacKenzie	Organization	Port of Anchorage, William Sheffield	Appendix R
67-1	23.2.4 Alternatives Analysis	State Agency	Dept. of Transportation and Public Facilities, Allen Kemplen	Appendix R
67-2	23.11 Transportation and Safety Delay	State Agency	Dept. of Transportation and Public Facilities, Allen Kemplen	Appendix R

Table 23-1 (continued)				
Comment Index Organized by Comment Number				
Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
67-3	23.16 Cumulative Impacts	State Agency	Dept. of Transportation and Public Facilities, Allen Kemplen	Appendix R
67-4	23.16 Cumulative Impacts	State Agency	Dept. of Transportation and Public Facilities, Allen Kemplen	Appendix R
68-1	23.16 Cumulative Impacts	Private Citizen	Abe, Ryota	Appendix R
68-2	23.11 Transportation and Safety Delay	Private Citizen	Abe, Ryota	Appendix R
68-3	23.13.1 Land Use	Private Citizen	Abe, Ryota	Appendix R
68-4	23.13.1 Land Use	Private Citizen	Abe, Ryota	Appendix R
68-5	23.2.4 Alternatives Analysis	Private Citizen	Abe, Ryota	Appendix R
68-6	23.2.3 General Opposition and General Support	Private Citizen	Abe, Ryota	Appendix R
69-1	23.13.1 Land Use	Alaska Native Village and Corporation	Cook Inlet Region, Inc., Kim Cunningham	Appendix R
69-2	23.1.2 NEPA Process and Public Involvement	Alaska Native Village and Corporation	Cook Inlet Region, Inc., Kim Cunningham	Appendix R
69-3	23.6 Cultural and Historic Resources	Alaska Native Village and Corporation	Cook Inlet Region, Inc., Kim Cunningham	Appendix R
69-4	23.13.1 Land Use	Alaska Native Village and Corporation	Cook Inlet Region, Inc., Kim Cunningham	Appendix R
69-5	23.14 Socioeconomics	Alaska Native Village and Corporation	Cook Inlet Region, Inc., Kim Cunningham	Appendix R
69-6	23.15 Environmental Justice	Alaska Native Village and Corporation	Cook Inlet Region, Inc., Kim Cunningham	Appendix R
69-7	23.19 Mitigation	Alaska Native Village and Corporation	Cook Inlet Region, Inc., Kim Cunningham	Appendix R
69-8	23.2.4 Alternatives Analysis	Alaska Native Village and Corporation	Cook Inlet Region, Inc., Kim Cunningham	Appendix R
70-3	23.2.4.1 Southern Segments Mac East and West	Private Citizen	Oney, J.A.	Appendix R
70-4	23.2.4 Alternatives Analysis	Private Citizen	Oney, J.A.	Appendix R
70-5	23.5.3 Wildlife	Private Citizen	Oney, J.A.	Appendix R
71-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Vadla, Evelyn	Appendix R

Table 23-1 (continued)
Comment Index Organized by Comment Number

Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
72-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Hirschmann, Randi	Appendix R
72-3	23.1.2 NEPA Process and Public Involvement	Private Citizen	Hirschmann, Randi	Appendix R
72-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Hirschmann, Randi	Appendix R
73-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Mat-Su/Copper Basin State Park Citizens Advisory Board, Mary Anderson	Appendix R
73-3	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Organization	Mat-Su/Copper Basin State Park Citizens Advisory Board, Mary Anderson	Appendix R
73-4	23.13.2 Parks and Recreation Resources	Organization	Mat-Su/Copper Basin State Park Citizens Advisory Board, Mary Anderson	Appendix R
73-5	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Organization	Mat-Su/Copper Basin State Park Citizens Advisory Board, Mary Anderson	Appendix R
73-6	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Mat-Su/Copper Basin State Park Citizens Advisory Board, Mary Anderson	Appendix R
74-1	23.2.3 General Opposition and General Support	Private Citizen	Hirschmann, Fred	Appendix R
74-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Hirschmann, Fred	Appendix R
74-3	23.2.2 Port MacKenzie	Private Citizen	Hirschmann, Fred	Appendix R
75-1	23.1.1 Purpose and Need	Private Citizen	Sharrock, Patrick	Appendix R
75-2	23.13.2 Parks and Recreation Resources	Private Citizen	Sharrock, Patrick	Appendix R
75-3	23.13.2 Parks and Recreation Resources	Private Citizen	Sharrock, Patrick	Appendix R
75-4	23.4 Water Resources	Private Citizen	Sharrock, Patrick	Appendix R
75-5	23.13.2 Parks and Recreation Resources	Private Citizen	Sharrock, Patrick	Appendix R
75-6	23.4.5 Wetland Resources	Private Citizen	Sharrock, Patrick	Appendix R
75-7	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Sharrock, Patrick	Appendix R
76-1	23.2.3 General Opposition and General Support	Private Citizen	Thompson, Gary	Appendix R
76-2	23.1.2 NEPA Process and Public Involvement	Private Citizen	Thompson, Gary	Appendix R
77-1	23.2.2 Port MacKenzie	Private Citizen	Gilliland, Robert	Appendix R
77-2	23.2.2 Port MacKenzie	Private Citizen	Gilliland, Robert	Appendix R

Table 23-1 (continued)
Comment Index Organized by Comment Number

Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
77-3	23.14 Socioeconomics	Private Citizen	Gilliland, Robert	Appendix R
77-4	23.1.1 Purpose and Need	Private Citizen	Gilliland, Robert	Appendix R
77-5	23.16 Cumulative Impacts	Private Citizen	Gilliland, Robert	Appendix R
77-6	23.14 Socioeconomics	Private Citizen	Gilliland, Robert	Appendix R
78-1	23.1.2 NEPA Process and Public Involvement	Private Citizen	Dobson, Tina	Appendix R
80-1	23.2.4 Alternatives Analysis	Private Citizen	Baskin, Lance	Appendix R
80-2	23.5.3 Wildlife	Private Citizen	Baskin, Lance	Appendix R
80-4	23.2.4 Alternatives Analysis	Private Citizen	Baskin, Lance	Appendix R
80-6	23.5.3 Wildlife	Private Citizen	Baskin, Lance	Appendix R
80-8	23.2.1 Proposed Action	Private Citizen	Baskin, Lance	Appendix R
81-9	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Bucaria, Garvan	Appendix R
81-10	23.2.4 Alternatives Analysis	Private Citizen	Bucaria, Garvan	Appendix R
82-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Shafer, Robert	Appendix R
83-1	23.13.2 Parks and Recreation Resources	Organization	Deshka Landing Outdoor Association, Joseph Wright	Appendix R
83-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Deshka Landing Outdoor Association, Joseph Wright	Appendix R
83-3	23.13.5 Hazardous Materials and Waste Sites	Organization	Deshka Landing Outdoor Association, Joseph Wright	Appendix R
83-4	23.13.2 Parks and Recreation Resources	Organization	Deshka Landing Outdoor Association, Joseph Wright	Appendix R
83-5	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Deshka Landing Outdoor Association, Joseph Wright	Appendix R
84-1	23.5.3 Wildlife	Federal Agency	Dept. of Interior, Willie Taylor	Appendix R
84-2	23.19 Mitigation	Federal Agency	Dept. of Interior, Willie Taylor	Appendix R
84-3	23.2.1 Proposed Action	Federal Agency	Dept. of Interior, Willie Taylor	Appendix R
84-4	23.5.4 Fisheries Resources	Federal Agency	Dept. of Interior, Willie Taylor	Appendix R
84-5	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Federal Agency	Dept. of Interior, Willie Taylor	Appendix R
84-6	23.5.3 Wildlife	Federal Agency	Dept. of Interior, Willie Taylor	Appendix R
84-7	23.5.3 Wildlife	Federal Agency	Dept. of Interior, Willie Taylor	Appendix R
84-8	23.5.4 Fisheries Resources	Federal Agency	Dept. of Interior, Willie Taylor	Appendix R
84-9	23.5.4 Fisheries Resources	Federal Agency	Dept. of Interior, Willie Taylor	Appendix R
84-10	23.5.4 Fisheries Resources	Federal Agency	Dept. of Interior, Willie Taylor	Appendix R
84-11	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Federal Agency	Dept. of Interior, Willie Taylor	Appendix R
84-12	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Federal Agency	Dept. of Interior, Willie Taylor	Appendix R

Table 23-1 (continued)
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Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
84-13	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Federal Agency	Dept. of Interior, Willie Taylor	Appendix R
84-14	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Federal Agency	Dept. of Interior, Willie Taylor	Appendix R
84-15	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Federal Agency	Dept. of Interior, Willie Taylor	Appendix R
84-16	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Federal Agency	Dept. of Interior, Willie Taylor	Appendix R
84-17	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Federal Agency	Dept. of Interior, Willie Taylor	Appendix R
85-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Painter, Rebecca	Appendix R
86-1	23.13.2 Parks and Recreation Resources	Private Citizen	Smith, Daniel	Appendix R
86-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Smith, Daniel	Appendix R
86-3	23.13.2 Parks and Recreation Resources	Private Citizen	Smith, Daniel	Appendix R
86-4	23.13.2 Parks and Recreation Resources	Private Citizen	Smith, Daniel	Appendix R
88-1	23.2.4 Alternatives Analysis	Private Citizen	Wilson, Joe and Pat	Appendix R
88-2	23.2.4 Alternatives Analysis	Private Citizen	Wilson, Joe and Pat	Appendix R
88-3	23.2.4 Alternatives Analysis	Private Citizen	Wilson, Joe and Pat	Appendix R
88-4	23.2.4 Alternatives Analysis	Private Citizen	Wilson, Joe and Pat	Appendix R
88-5	23.2.4 Alternatives Analysis	Private Citizen	Wilson, Joe and Pat	Appendix R
88-6	23.2.4 Alternatives Analysis	Private Citizen	Wilson, Joe and Pat	Appendix R
88-7	23.2.4 Alternatives Analysis	Private Citizen	Wilson, Joe and Pat	Appendix R
88-8	23.2.4 Alternatives Analysis	Private Citizen	Wilson, Joe and Pat	Appendix R
88-10	23.13.6 Access	Private Citizen	Wilson, Joe and Pat	Appendix R
88-11	23.2.4.1 Southern Segments Mac East and West	Private Citizen	Wilson, Joe and Pat	Appendix R
88-12	23.2.4 Alternatives Analysis	Private Citizen	Wilson, Joe and Pat	Appendix R
88-13	23.2.4 Alternatives Analysis	Private Citizen	Wilson, Joe and Pat	Appendix R
88-14	23.2.4 Alternatives Analysis	Private Citizen	Wilson, Joe and Pat	Appendix R
88-15	23.2.4 Alternatives Analysis	Private Citizen	Wilson, Joe and Pat	Appendix R
88-16	23.2.4 Alternatives Analysis	Private Citizen	Wilson, Joe and Pat	Appendix R
88-17	23.2.4 Alternatives Analysis	Private Citizen	Wilson, Joe and Pat	Appendix R
88-18	23.2.4 Alternatives Analysis	Private Citizen	Wilson, Joe and Pat	Appendix R
88-19	23.2.4.1 Southern Segments Mac East and West	Private Citizen	Wilson, Joe and Pat	Appendix R
88-20	23.16 Cumulative Impacts	Private Citizen	Wilson, Joe and Pat	Appendix R
88-21	23.16 Cumulative Impacts	Private Citizen	Wilson, Joe and Pat	Appendix R

Table 23-1 (continued)				
Comment Index Organized by Comment Number				
Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
88-22	23.16 Cumulative Impacts	Private Citizen	Wilson, Joe and Pat	Appendix R
88-25	23.2.4.1 Southern Segments Mac East and West	Private Citizen	Wilson, Joe and Pat	Appendix R
88-26	23.2.4 Alternatives Analysis	Private Citizen	Wilson, Joe and Pat	Appendix R
89-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Willow Chamber of Commerce, Jim Huston	Appendix R
90-1	23.4.5 Wetland Resources	Federal Agency	U.S. Army Corps of Engineers, Benjamin Soiseth	Appendix R
90-2	23.1.2 NEPA Process and Public Involvement	Federal Agency	U.S. Army Corps of Engineers, Benjamin Soiseth	Appendix R
90-3	23.2.1 Proposed Action	Federal Agency	U.S. Army Corps of Engineers, Benjamin Soiseth	Appendix R
90-4	23.4.5 Wetland Resources	Federal Agency	U.S. Army Corps of Engineers, Benjamin Soiseth	Appendix R
90-5	23.12 Navigation	Federal Agency	U.S. Army Corps of Engineers, Benjamin Soiseth	Appendix R
91-1	23.1.1 Purpose and Need	Private Citizen	Dittlinger, Bret	Appendix Q
92-1	23.2.1 Proposed Action	Private Citizen	Epstein, Lois	Appendix Q
93-1	23.2.2 Port MacKenzie	Private Citizen	Gilliland, Robert	Appendix Q
94-1	23.2.2 Port MacKenzie	Private Citizen	Mccain, Edward	Appendix Q
94-2	23.13.6 Access	Private Citizen	Mccain, Edward	Appendix Q
94-4	23.13.6 Access	Private Citizen	Mccain, Edward	Appendix Q
94-6	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Mccain, Edward	Appendix Q
94-7	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Mccain, Edward	Appendix Q
94-8	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Mccain, Edward	Appendix Q
94-9	23.9 Noise and Vibration	Private Citizen	Mccain, Edward	Appendix Q
94-10	23.4.2 Surface Water	Private Citizen	Mccain, Edward	Appendix Q
94-11	23.13.2 Parks and Recreation Resources	Private Citizen	Mccain, Edward	Appendix Q
95-1	23.13.6 Access	Private Citizen	Rader, Cam	Appendix Q
95-2	23.5.3 Wildlife	Private Citizen	Rader, Cam	Appendix Q
95-3	23.13.6 Access	Private Citizen	Rader, Cam	Appendix Q
96-2	23.13.2 Parks and Recreation Resources	Private Citizen	Russell, John	Appendix Q
96-3	23.2.1 Proposed Action	Private Citizen	Russell, John	Appendix Q
97-1	23.13.2 Parks and Recreation Resources	Private Citizen	Sharrock, Patrick	Appendix Q
97-2	23.4.5 Wetland Resources	Private Citizen	Sharrock, Patrick	Appendix Q

Table 23-1 (continued)				
Comment Index Organized by Comment Number				
Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
97-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Sharrock, Patrick	Appendix Q
97-5	23.13.2 Parks and Recreation Resources	Private Citizen	Sharrock, Patrick	Appendix Q
97-6	23.4.2 Surface Water	Private Citizen	Sharrock, Patrick	Appendix Q
98-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Whedbee, Mike	Appendix Q
98-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Whedbee, Mike	Appendix Q
99-1	23.13.1 Land Use	Private Citizen	Wilson, Joe	Appendix Q
101-1	23.13.6 Access	Private Citizen	Woelfel, Jim	Appendix Q
101-2	23.13.6 Access	Private Citizen	Woelfel, Jim	Appendix Q
101-3	23.13.2 Parks and Recreation Resources	Private Citizen	Woelfel, Jim	Appendix Q
101-4	23.13.6 Access	Private Citizen	Woelfel, Jim	Appendix Q
101-5	23.13.6 Access	Private Citizen	Woelfel, Jim	Appendix Q
102-1	23.13.2 Parks and Recreation Resources	Private Citizen	Wolfe, John	Appendix Q
102-2	23.2.4 Alternatives Analysis	Private Citizen	Wolfe, John	Appendix Q
102-3	23.9 Noise and Vibration	Private Citizen	Wolfe, John	Appendix Q
102-4	23.2.4 Alternatives Analysis	Private Citizen	Wolfe, John	Appendix Q
103-1	23.1.2 NEPA Process and Public Involvement	Private Citizen	Amidon, Steve	Appendix Q
103-2	23.2.1 Proposed Action	Private Citizen	Amidon, Steve	Appendix Q
104-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Austermuhl, Noreen	Appendix Q
105-1	23.2.3 General Opposition and General Support	Private Citizen	Billinger, Margaret	Appendix Q
105-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Billinger, Margaret	Appendix Q
106-1	23.13.1 Land Use	Private Citizen	Cherneski,	Appendix Q
107-1	23.13.1 Land Use	Private Citizen	Crowley, Marcus	Appendix Q
107-3	23.13.1 Land Use	Private Citizen	Crowley, Marcus	Appendix Q
107-4	23.13.1 Land Use	Private Citizen	Crowley, Marcus	Appendix Q
107-5	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Crowley, Marcus	Appendix Q
107-6	23.5.4 Fisheries Resources	Private Citizen	Crowley, Marcus	Appendix Q
107-7	23.2.3 General Opposition and General Support	Private Citizen	Crowley, Marcus	Appendix Q
108-1	23.13.2 Parks and Recreation Resources	Private Citizen	Crowley, Mary	Appendix Q
108-2	23.13.6 Access	Private Citizen	Crowley, Mary	Appendix Q

Table 23-1 (continued)
Comment Index Organized by Comment Number

Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
109-1	23.2.3 General Opposition and General Support	Organization	Big Lake Chamber of Commerce, Robert Deloach	Appendix Q
109-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Big Lake Chamber of Commerce, Robert Deloach	Appendix Q
109-3	23.4.2 Surface Water	Organization	Big Lake Chamber of Commerce, Robert Deloach	Appendix Q
109-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Big Lake Chamber of Commerce, Robert Deloach	Appendix Q
109-5	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Big Lake Chamber of Commerce, Robert Deloach	Appendix Q
110-1	23.1.2 NEPA Process and Public Involvement	Private Citizen	Hollinger, Judy	Appendix Q
111-1	23.5.2 Vegetation Resources	Private Citizen	Kramer, Cathi	Appendix Q
111-2	23.2.3 General Opposition and General Support	Private Citizen	Kramer, Cathi	Appendix Q
111-3	23.5.2 Vegetation Resources	Private Citizen	Kramer, Cathi	Appendix Q
112-1	23.13.2 Parks and Recreation Resources	Organization	Big Lake Trails Organization, Dan Kruse	Appendix Q
112-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Big Lake Trails Organization, Dan Kruse	Appendix Q
112-3	23.13.2 Parks and Recreation Resources	Organization	Big Lake Trails Organization, Dan Kruse	Appendix Q
112-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Big Lake Trails Organization, Dan Kruse	Appendix Q
112-5	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Big Lake Trails Organization, Dan Kruse	Appendix Q
112-6	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Big Lake Trails Organization, Dan Kruse	Appendix Q
113-1	23.9 Noise and Vibration	Private Citizen	Ladd, Laurie	Appendix Q
113-2	23.2.3 General Opposition and General Support	Private Citizen	Ladd, Laurie	Appendix Q
113-3	23.5.4 Fisheries Resources	Private Citizen	Ladd, Laurie	Appendix Q
114-1	23.13.2 Parks and Recreation Resources	Private Citizen	Lipse, Linda	Appendix Q
115-1	23.1.2 NEPA Process and Public Involvement	Private Citizen	Maixner, Kelly	Appendix Q
115-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Maixner, Kelly	Appendix Q
116-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Mayfield, James	Appendix Q
117-1	23.13.1 Land Use	Private Citizen	Rowe, Jim	Appendix Q
118-1	23.1.2 NEPA Process and Public Involvement	Private Citizen	Shupe, June	Appendix Q

Table 23-1 (continued)				
Comment Index Organized by Comment Number				
Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
119-2	23.4.2 Surface Water	Private Citizen	Smole, Douglas	Appendix Q
119-4	23.2.4.3 No-Action Alternative	Private Citizen	Smole, Douglas	Appendix Q
119-5	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Smole, Douglas	Appendix Q
120-1	23.1.2 NEPA Process and Public Involvement	Private Citizen	Smole, Sharon	Appendix Q
120-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Smole, Sharon	Appendix Q
121-2	23.5.5 Threatened and Endangered Species	Private Citizen	Strong, Gregory	Appendix Q
121-3	23.4.2 Surface Water	Private Citizen	Strong, Gregory	Appendix Q
123-1	23.13.1 Land Use	Private Citizen	Walch, Ken	Appendix Q
123-2	23.1.2 NEPA Process and Public Involvement	Private Citizen	Walch, Ken	Appendix Q
123-3	23.2.3 General Opposition and General Support	Private Citizen	Walch, Ken	Appendix Q
123-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Walch, Ken	Appendix Q
123-5	23.1.2 NEPA Process and Public Involvement	Private Citizen	Walch, Ken	Appendix Q
123-6	23.2.4.3 No-Action Alternative	Private Citizen	Walch, Ken	Appendix Q
123-7	23.2.4.3 No-Action Alternative	Private Citizen	Walch, Ken	Appendix Q
123-8	23.11 Transportation and Safety Delay	Private Citizen	Walch, Ken	Appendix Q
124-1	23.1.1 Purpose and Need	Private Citizen	Whedbee, Grace	Appendix Q
124-2	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix Q
124-3	23.1.1 Purpose and Need	Private Citizen	Whedbee, Grace	Appendix Q
124-4	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix Q
124-5	23.3.2 Seismic Hazards	Private Citizen	Whedbee, Grace	Appendix Q
124-6	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix Q
124-7	23.5.4 Fisheries Resources	Private Citizen	Whedbee, Grace	Appendix Q
124-7	23.5.5 Threatened and Endangered Species	Private Citizen	Whedbee, Grace	Appendix Q
124-8	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix Q
124-9	23.1.1 Purpose and Need	Private Citizen	Whedbee, Grace	Appendix Q
124-10	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix Q
124-11	23.2.4.3 No-Action Alternative	Private Citizen	Whedbee, Grace	Appendix Q
124-12	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix Q
124-13	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix Q
125-1	23.5.3 Wildlife	Private Citizen	Whedbee, Mike	Appendix Q
125-2	23.13.1 Land Use	Private Citizen	Whedbee, Mike	Appendix Q

Table 23-1 (continued)				
Comment Index Organized by Comment Number				
Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
126-1	23.1.2 NEPA Process and Public Involvement	Private Citizen	Dobson, Tina	Appendix Q
126-2	23.1.2 NEPA Process and Public Involvement	Private Citizen	Dobson, Tina	Appendix Q
126-3	23.1.2 NEPA Process and Public Involvement	Private Citizen	Dobson, Tina	Appendix Q
127-2	23.13.2 Parks and Recreation Resources	Private Citizen	Himmelright, John	Appendix Q
127-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Himmelright, John	Appendix Q
128-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Mayfield, James	Appendix Q
128-3	23.13.2 Parks and Recreation Resources	Private Citizen	Mayfield, James	Appendix Q
128-4	23.2.3 General Opposition and General Support	Private Citizen	Mayfield, James	Appendix Q
128-5	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Mayfield, James	Appendix Q
128-6	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Mayfield, James	Appendix Q
129-1	23.2.1 Proposed Action	Private Citizen	Parson, Jill	Appendix Q
129-2	23.5.3 Wildlife	Private Citizen	Parson, Jill	Appendix Q
129-3	23.5.4 Fisheries Resources	Private Citizen	Parson, Jill	Appendix Q
129-4	23.16 Cumulative Impacts	Private Citizen	Parson, Jill	Appendix Q
129-5	23.1.1 Purpose and Need	Private Citizen	Parson, Jill	Appendix Q
129-6	23.10 Energy Resources	Private Citizen	Parson, Jill	Appendix Q
129-7	23.1.1 Purpose and Need	Private Citizen	Parson, Jill	Appendix Q
129-8	23.2.1 Proposed Action	Private Citizen	Parson, Jill	Appendix Q
129-9	23.1.1 Purpose and Need	Private Citizen	Parson, Jill	Appendix Q
130-1	23.1.2 NEPA Process and Public Involvement	Private Citizen	Strong, Gregory	Appendix Q
130-2	23.5.5 Threatened and Endangered Species	Private Citizen	Strong, Gregory	Appendix Q
131-1	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix Q
131-2	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix Q
131-3	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix Q
131-4	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix Q
131-5	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix Q
131-6	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix Q
131-7	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix Q
131-8	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Grace	Appendix Q
132-1	23.1.1 Purpose and Need	Private Citizen	Whedbee, Mike	Appendix Q

Table 23-1 (continued)				
Comment Index Organized by Comment Number				
Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
132-2	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Mike	Appendix Q
132-3	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Mike	Appendix Q
132-4	23.2.2 Port MacKenzie	Private Citizen	Whedbee, Mike	Appendix Q
133-1	23.13.2 Parks and Recreation Resources	Private Citizen	Brautigan, Jon	Appendix Q
133-2	23.13.2 Parks and Recreation Resources	Private Citizen	Brautigan, Jon	Appendix Q
134-1	23.2.3 General Opposition and General Support	Private Citizen	Gattis, Richard	Appendix Q
134-2	23.2.4.1 Southern Segments Mac East and West	Private Citizen	Gattis, Richard	Appendix Q
135-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Hirschmann, Randi	Appendix Q
135-2	23.1.1 Purpose and Need	Private Citizen	Hirschmann, Randi	Appendix Q
136-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Charles, Steve	Appendix Q
136-3	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Private Citizen	Charles, Steve	Appendix Q
136-4	23.13.2 Parks and Recreation Resources	Private Citizen	Charles, Steve	Appendix Q
136-5	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Charles, Steve	Appendix Q
137-1	23.13.2 Parks and Recreation Resources	Private Citizen	Debenham, Ray	Appendix Q
137-2	23.4.2 Surface Water	Private Citizen	Debenham, Ray	Appendix Q
137-3	23.5.3 Wildlife	Private Citizen	Debenham, Ray	Appendix Q
137-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Debenham, Ray	Appendix Q
138-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Demboski, Ben	Appendix Q
138-2	23.13.6 Access	Private Citizen	Demboski, Ben	Appendix Q
138-3	23.5.3 Wildlife	Private Citizen	Demboski, Ben	Appendix Q
139-1	23.2.4.1 Southern Segments Mac East and West	Private Citizen	Roberts, Kit	Appendix Q
139-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Roberts, Kit	Appendix Q
140-1	23.2.3 General Opposition and General Support	Private Citizen	Sumner, Richard	Appendix Q
141-1	23.2.3 General Opposition and General Support	Private Citizen	Sumner, Yvonne	Appendix Q
141-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Sumner, Yvonne	Appendix Q

Table 23-1 (continued)
Comment Index Organized by Comment Number

Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
142-1	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Private Citizen	Whedbee, Grace	Appendix Q
142-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Whedbee, Grace	Appendix Q
142-3	23.2.1 Proposed Action	Private Citizen	Whedbee, Grace	Appendix Q
142-4	23.13.1 Land Use	Private Citizen	Whedbee, Grace	Appendix Q
142-5	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Private Citizen	Whedbee, Grace	Appendix Q
142-6	23.2.1 Proposed Action	Private Citizen	Whedbee, Grace	Appendix Q
142-7	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Whedbee, Grace	Appendix Q
143-1	23.5.3 Wildlife	Private Citizen	Whedbee, Grace	Appendix Q
143-2	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Private Citizen	Whedbee, Grace	Appendix Q
143-3	23.2.1 Proposed Action	Private Citizen	Whedbee, Grace	Appendix Q
144-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Evans, Dale	Appendix Q
144-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Evans, Dale	Appendix Q
145-1	23.13.6 Access	Private Citizen	Glaser, Don	Appendix Q
145-2	23.2.3 General Opposition and General Support	Private Citizen	Glaser, Don	Appendix Q
146-1	23.2.3 General Opposition and General Support	Private Citizen	Halstead, Dean	Appendix Q
147-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Willow Chamber of Commerce, Jim Huston	Appendix Q
147-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Organization	Willow Chamber of Commerce, Jim Huston	Appendix Q
148-1	23.13.2 Parks and Recreation Resources	Private Citizen	Hutchison, Robert	Appendix Q
148-2	23.14 Socioeconomics	Private Citizen	Hutchison, Robert	Appendix Q
148-3	23.14 Socioeconomics	Private Citizen	Hutchison, Robert	Appendix Q
149-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Lind, Marc	Appendix Q
150-1	23.2.2 Port MacKenzie	Private Citizen	Mccain, Edward	Appendix Q
150-2	23.13.6 Access	Private Citizen	Mccain, Edward	Appendix Q
150-5	23.9 Noise and Vibration	Private Citizen	Mccain, Edward	Appendix Q
150-6	23.13.6 Access	Private Citizen	Mccain, Edward	Appendix Q
150-7	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Mccain, Edward	Appendix Q
150-8	23.13.6 Access	Private Citizen	Mccain, Edward	Appendix Q
150-9	23.13.6 Access	Private Citizen	Mccain, Edward	Appendix Q

Table 23-1 (continued)
Comment Index Organized by Comment Number

Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
150-10	23.13.6 Access	Private Citizen	Mccain, Edward	Appendix Q
151-1	23.2.2 Port MacKenzie	Private Citizen	Owen, Christina	Appendix Q
151-3	23.2.3 General Opposition and General Support	Private Citizen	Owen, Christina	Appendix Q
152-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Palmatier, Dick	Appendix Q
152-2	23.13.2 Parks and Recreation Resources	Private Citizen	Palmatier, Dick	Appendix Q
153-1	23.2.1 Proposed Action	Private Citizen	Russell, Dan	Appendix Q
154-1	23.2.3 General Opposition and General Support	Private Citizen	Smole, Douglas	Appendix Q
155-1	23.13.2 Parks and Recreation Resources	Private Citizen	Votruba, Jason	Appendix Q
155-2	23.4.2 Surface Water	Private Citizen	Votruba, Jason	Appendix Q
155-3	23.13.5 Hazardous Materials and Waste Sites	Private Citizen	Votruba, Jason	Appendix Q
156-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Wade, Charles	Appendix Q
157-1	23.11 Transportation and Safety Delay	Private Citizen	Wagner, Matthew	Appendix Q
157-2	23.5.4 Fisheries Resources	Private Citizen	Wagner, Matthew	Appendix Q
159-1	23.2.1 Proposed Action	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-4	23.4.5 Wetland Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-5	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-6	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-7	23.9 Noise and Vibration	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-8	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-9	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-10	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-11	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-12	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-13	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q

Table 23-1 (continued)				
Comment Index Organized by Comment Number				
Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
159-15	23.1.2 NEPA Process and Public Involvement	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-16	23.2.1 Proposed Action	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-17	23.2.1 Proposed Action	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-18	23.2.1 Proposed Action	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-19	23.2.1 Proposed Action	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-20	23.3.1 Permafrost	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-24	23.4.2 Surface Water	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-25	23.4.2 Surface Water	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-26	23.4.3 Goundwater	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-27	23.4.3 Goundwater	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-28	23.4.4 Floodplains	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-29	23.4.4 Floodplains	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-30	23.4.5 Wetland Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-31	23.4.5 Wetland Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-32	23.4.5 Wetland Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-32	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-33	23.5 Biological Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-34	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-35	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-36	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-37	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-38	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q

Table 23-1 (continued)				
Comment Index Organized by Comment Number				
Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
159-39	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-40	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-41	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-42	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-43	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-44	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-45	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-47	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-48	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-49	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-50	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-51	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-52	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-53	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-54	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-55	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-56	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-57	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-58	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-59	23.5.3 Wildlife	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-60	23.5.3 Wildlife	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-61	23.5.3 Wildlife	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q

Table 23-1 (continued)
Comment Index Organized by Comment Number

Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
159-62	23.5.3 Wildlife	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-63	23.5.3 Wildlife	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-64	23.5.3 Wildlife	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-65	23.5.3 Wildlife	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-66	23.5.3 Wildlife	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-67	23.5.3 Wildlife	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-68	23.5.3 Wildlife	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-69	23.5.3 Wildlife	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-70	23.5.3 Wildlife	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-71	23.5.3 Wildlife	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-72	23.5.3 Wildlife	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-73	23.5.4 Fisheries Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-74	23.5.4 Fisheries Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-75	23.5.4 Fisheries Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-76	23.5.4 Fisheries Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-77	23.5.4 Fisheries Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-78	23.5.4 Fisheries Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-79	23.5.4 Fisheries Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-80	23.5.4 Fisheries Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-81	23.5.4 Fisheries Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-82	23.5.4 Fisheries Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-83	23.9 Noise and Vibration	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q

Table 23-1 (continued)
Comment Index Organized by Comment Number

Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
159-84	23.12 Navigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-85	23.12 Navigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-86	23.13.1 Land Use	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-87	23.13.1 Land Use	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-88	23.13.1 Land Use	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-89	23.13.1 Land Use	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-90	23.13.1 Land Use	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-91	23.13.1 Land Use	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-92	23.13.1 Land Use	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-93	23.13.1 Land Use	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-94	23.16 Cumulative Impacts	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-95	23.16 Cumulative Impacts	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-96	23.16 Cumulative Impacts	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-97	23.16 Cumulative Impacts	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-99	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-100	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-101	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-102	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-103	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-104	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-105	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-106	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q

Table 23-1 (continued)				
Comment Index Organized by Comment Number				
Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
159-107	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-108	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-109	23.1.2 NEPA Process and Public Involvement	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-110	23.5.2 Vegetation Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-111	23.5.4 Fisheries Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-112	23.5.4 Fisheries Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-113	23.5.4 Fisheries Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-114	23.5.4 Fisheries Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-115	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-116	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-117	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-118	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-119	23.9 Noise and Vibration	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-121	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-122	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-123	23.19 Mitigation	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
160-1	23.13.2 Parks and Recreation Resources	Local Agency	Knik-Fairview Community Council, B.H. Tilton	Appendix Q
161-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Stanculescu, Victor	Appendix Q
161-2	23.13.2 Parks and Recreation Resources	Private Citizen	Stanculescu, Victor	Appendix Q
161-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Private Citizen	Stanculescu, Victor	Appendix Q
162-1	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-2	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R

Table 23-1 (continued)
Comment Index Organized by Comment Number

Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
162-3	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-4	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-5	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-6	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-7	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-8	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-9	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-10	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-11	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-12	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-13	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-14	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-15	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-16	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-17	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-18	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-19	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-20	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-21	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-22	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-23	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-24	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R

Table 23-1 (continued)				
Comment Index Organized by Comment Number				
Final EIS Comment Number	Final EIS Section	Category	Commenter	Appendix Location
162-25	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-26	23.6 Cultural and Historic Resources	Organization	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R

**Table 23-2
Comment Index Organized by Commenter**

Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
Federal Agencies			
63-13	23.19 Mitigation	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-14	23.16 Cumulative Impacts	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-15	23.13.1 Land Use	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-16	23.11 Transportation and Safety Delay	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-17	23.11 Transportation and Safety Delay	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-18	23.13.5 Hazardous Materials and Waste Sites	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-19	23.2.1 Proposed Action	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-20	23.16 Cumulative Impacts	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-21	23.1.2 NEPA Process and Public Involvement	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-22	23.13.4 Visual Resources	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-23	23.19 Mitigation	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-24	23.2.1 Proposed Action	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-25	23.5.4 Fisheries Resources	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-26	23.7 Subsistence	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-27	23.15 Environmental Justice	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-28	23.1.2 NEPA Process and Public Involvement	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-29	23.4.5 Wetland Resources	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-30	23.2.4 Alternatives Analysis	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
63-8	23.1.1 Purpose and Need	Dept. Environmental Protection Agency, Richard Parkin	Appendix R
84-1	23.5.3 Wildlife	Dept. of Interior, Willie Taylor	Appendix R
84-2	23.19 Mitigation	Dept. of Interior, Willie Taylor	Appendix R
84-3	23.2.1 Proposed Action	Dept. of Interior, Willie Taylor	Appendix R

Table 23-2 (continued)
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Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
84-4	23.5.4 Fisheries Resources	Dept. of Interior, Willie Taylor	Appendix R
84-5	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Dept. of Interior, Willie Taylor	Appendix R
84-6	23.5.3 Wildlife	Dept. of Interior, Willie Taylor	Appendix R
84-7	23.5.3 Wildlife	Dept. of Interior, Willie Taylor	Appendix R
84-8	23.5.4 Fisheries Resources	Dept. of Interior, Willie Taylor	Appendix R
84-9	23.5.4 Fisheries Resources	Dept. of Interior, Willie Taylor	Appendix R
84-10	23.5.4 Fisheries Resources	Dept. of Interior, Willie Taylor	Appendix R
84-11	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Dept. of Interior, Willie Taylor	Appendix R
84-12	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Dept. of Interior, Willie Taylor	Appendix R
84-13	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Dept. of Interior, Willie Taylor	Appendix R
84-14	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Dept. of Interior, Willie Taylor	Appendix R
84-15	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Dept. of Interior, Willie Taylor	Appendix R
84-16	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Dept. of Interior, Willie Taylor	Appendix R
84-17	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Dept. of Interior, Willie Taylor	Appendix R
62-1	23.5.4 Fisheries Resources	National Marine Fisheries Service, James Balsiger	Appendix R
62-2	23.5.4 Fisheries Resources	National Marine Fisheries Service, James Balsiger	Appendix R
62-3	23.5.4 Fisheries Resources	National Marine Fisheries Service, James Balsiger	Appendix R
62-4	23.19 Mitigation	National Marine Fisheries Service, James Balsiger	Appendix R
62-5	23.5.4 Fisheries Resources	National Marine Fisheries Service, James Balsiger	Appendix R
62-6	23.19 Mitigation	National Marine Fisheries Service, James Balsiger	Appendix R
62-7	23.19 Mitigation	National Marine Fisheries Service, James Balsiger	Appendix R
62-8	23.5.4 Fisheries Resources	National Marine Fisheries Service, James Balsiger	Appendix R
62-9	23.5.4 Fisheries Resources	National Marine Fisheries Service, James Balsiger	Appendix R
62-10	23.5.4 Fisheries Resources	National Marine Fisheries Service, James Balsiger	Appendix R

**Table 23-2 (continued)
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Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
62-12	23.4.5 Wetland Resources	National Marine Fisheries Service, James Balsiger	Appendix R
62-13	23.5.4 Fisheries Resources	National Marine Fisheries Service, James Balsiger	Appendix R
62-14	23.5.4 Fisheries Resources	National Marine Fisheries Service, James Balsiger	Appendix R
62-15	23.4.5 Wetland Resources	National Marine Fisheries Service, James Balsiger	Appendix R
90-1	23.4.5 Wetland Resources	U.S. Army Corps of Engineers, Benjamin Soiseth	Appendix R
90-2	23.1.2 NEPA Process and Public Involvement	U.S. Army Corps of Engineers, Benjamin Soiseth	Appendix R
90-3	23.2.1 Proposed Action	U.S. Army Corps of Engineers, Benjamin Soiseth	Appendix R
90-4	23.4.5 Wetland Resources	U.S. Army Corps of Engineers, Benjamin Soiseth	Appendix R
90-5	23.12 Navigation	U.S. Army Corps of Engineers, Benjamin Soiseth	Appendix R
State Agencies			
65-1	23.2.1 Proposed Action	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-2	23.13.6 Access	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-3	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-4	23.13.6 Access	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-5	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-6	23.13.1 Land Use	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-8	23.13.2 Parks and Recreation Resources	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-9	23.13.2 Parks and Recreation Resources	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-10	23.13.2 Parks and Recreation Resources	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-11	23.13.6 Access	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-12	23.13.2 Parks and Recreation Resources	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-13	23.13.5 Hazardous Materials and Waste Sites	Alaska Dept. of Natural Resources, Don Perrin	Appendix R

**Table 23-2 (continued)
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Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
65-14	23.13.1 Land Use	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-15	23.14 Socioeconomics	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-16	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-17	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-18	23.13.2 Parks and Recreation Resources	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-19	23.13.1 Land Use	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-21	23.13.2 Parks and Recreation Resources	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-22	23.13.1 Land Use	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-23	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-24	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-25	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-26	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-27	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-28	23.2.1 Proposed Action	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-32	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-33	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-34	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-39	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-40	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-45	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-49	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-51	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R

**Table 23-2 (continued)
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Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
65-54	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-55	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-56	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-57	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-61	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-62	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-7	23.2.1 Proposed Action	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-72	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-73	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-76	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-79	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-80	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-84	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-85	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-86	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-95	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-112	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-118	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-119	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-124	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-127	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
65-132	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R

Table 23-2 (continued)			
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Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
65-133	23.19 Mitigation	Alaska Dept. of Natural Resources, Don Perrin	Appendix R
4-1	23.1.2 NEPA Process and Public Involvement	Alaska State Legislature, Paul Seaton	Appendix R
67-1	23.2.4 Alternatives Analysis	Dept. of Transportation and Public Facilities, Allen Kemplen	Appendix R
67-2	23.11 Transportation and Safety Delay	Dept. of Transportation and Public Facilities, Allen Kemplen	Appendix R
67-3	23.16 Cumulative Impacts	Dept. of Transportation and Public Facilities, Allen Kemplen	Appendix R
67-4	23.16 Cumulative Impacts	Dept. of Transportation and Public Facilities, Allen Kemplen	Appendix R
Local Agencies			
160-1	23.13.2 Parks and Recreation Resources	Knik-Fairview Community Council, B.H. Tilton	Appendix Q
Alaska Native Villages and Corporations			
69-1	23.13.1 Land Use	Cook Inlet Region, Inc., Kim Cunningham	Appendix R
69-2	23.1.2 NEPA Process and Public Involvement	Cook Inlet Region, Inc., Kim Cunningham	Appendix R
69-3	23.6 Cultural and Historic Resources	Cook Inlet Region, Inc., Kim Cunningham	Appendix R
69-4	23.13.1 Land Use	Cook Inlet Region, Inc., Kim Cunningham	Appendix R
69-5	23.14 Socioeconomics	Cook Inlet Region, Inc., Kim Cunningham	Appendix R
69-6	23.15 Environmental Justice	Cook Inlet Region, Inc., Kim Cunningham	Appendix R
69-7	23.19 Mitigation	Cook Inlet Region, Inc., Kim Cunningham	Appendix R
69-8	23.2.4 Alternatives Analysis	Cook Inlet Region, Inc., Kim Cunningham	Appendix R
Organizations			
159-1	23.2.1 Proposed Action	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-4	23.4.5 Wetland Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-5	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-6	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q

**Table 23-2 (continued)
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Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
159-7	23.9 Noise and Vibration	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-8	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-9	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-10	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-11	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-12	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-13	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-15	23.1.2 NEPA Process and Public Involvement	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-16	23.2.1 Proposed Action	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-17	23.2.1 Proposed Action	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-18	23.2.1 Proposed Action	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-19	23.2.1 Proposed Action	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-20	23.3.1 Permafrost	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-24	23.4.2 Surface Water	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-25	23.4.2 Surface Water	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-26	23.4.3 Goundwater	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-27	23.4.3 Goundwater	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-28	23.4.4 Floodplains	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-29	23.4.4 Floodplains	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-30	23.4.5 Wetland Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-31	23.4.5 Wetland Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-32	23.4.5 Wetland Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q

**Table 23-2 (continued)
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Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
159-32	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-33	23.5 Biological Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-34	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-35	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-36	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-37	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-38	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-39	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-40	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-41	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-42	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-43	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-44	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-45	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-47	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-48	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-49	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-50	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-51	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-52	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-53	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-54	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q

**Table 23-2 (continued)
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Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
159-55	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-56	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-57	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-58	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-59	23.5.3 Wildlife	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-60	23.5.3 Wildlife	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-61	23.5.3 Wildlife	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-62	23.5.3 Wildlife	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-63	23.5.3 Wildlife	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-64	23.5.3 Wildlife	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-65	23.5.3 Wildlife	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-66	23.5.3 Wildlife	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-67	23.5.3 Wildlife	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-68	23.5.3 Wildlife	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-69	23.5.3 Wildlife	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-70	23.5.3 Wildlife	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-71	23.5.3 Wildlife	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-72	23.5.3 Wildlife	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-73	23.5.4 Fisheries Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-74	23.5.4 Fisheries Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-75	23.5.4 Fisheries Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-76	23.5.4 Fisheries Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q

**Table 23-2 (continued)
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Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
159-77	23.5.4 Fisheries Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-78	23.5.4 Fisheries Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-79	23.5.4 Fisheries Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-80	23.5.4 Fisheries Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-81	23.5.4 Fisheries Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-82	23.5.4 Fisheries Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-83	23.9 Noise and Vibration	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-84	23.12 Navigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-85	23.12 Navigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-86	23.13.1 Land Use	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-87	23.13.1 Land Use	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-88	23.13.1 Land Use	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-89	23.13.1 Land Use	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-90	23.13.1 Land Use	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-91	23.13.1 Land Use	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-92	23.13.1 Land Use	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-93	23.13.1 Land Use	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-94	23.16 Cumulative Impacts	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-95	23.16 Cumulative Impacts	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-96	23.16 Cumulative Impacts	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-97	23.16 Cumulative Impacts	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-99	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q

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Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
159-100	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-101	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-102	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-103	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-104	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-105	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-106	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-107	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-108	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-109	23.1.2 NEPA Process and Public Involvement	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-110	23.5.2 Vegetation Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-111	23.5.4 Fisheries Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-112	23.5.4 Fisheries Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-113	23.5.4 Fisheries Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-114	23.5.4 Fisheries Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-115	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-116	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-117	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-118	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-119	23.9 Noise and Vibration	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-121	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
159-122	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q

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Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
159-123	23.19 Mitigation	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix Q
162-1	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-2	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-3	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-4	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-5	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-6	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-7	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-8	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-9	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-10	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-11	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-12	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-13	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-14	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-15	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-16	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-17	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-18	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-19	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-20	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-21	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R

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162-22	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-23	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-24	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-25	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
162-26	23.6 Cultural and Historic Resources	Alaska Railroad Corporation, Kathryn Kusske-Floyd	Appendix R
44-1	23.2.4.3 No-Action Alternative	Alaska Survival, Becky Long	Appendix R
44-2	23.2.3 General Opposition and General Support	Alaska Survival, Becky Long	Appendix R
44-3	23.14 Socioeconomics	Alaska Survival, Becky Long	Appendix R
44-4	23.2.3 General Opposition and General Support	Alaska Survival, Becky Long	Appendix R
44-5	23.2.4 Alternatives Analysis	Alaska Survival, Becky Long	Appendix R
44-6	23.5.2 Vegetation Resources	Alaska Survival, Becky Long	Appendix R
44-7	23.5.2 Vegetation Resources	Alaska Survival, Becky Long	Appendix R
44-8	23.1.2 NEPA Process and Public Involvement	Alaska Survival, Becky Long	Appendix R
44-9	23.1.2 NEPA Process and Public Involvement	Alaska Survival, Becky Long	Appendix R
44-10	23.2.4.3 No-Action Alternative	Alaska Survival, Becky Long	Appendix R
109-1	23.2.3 General Opposition and General Support	Big Lake Chamber of Commerce, Robert Deloach	Appendix Q
109-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Big Lake Chamber of Commerce, Robert Deloach	Appendix Q
109-3	23.4.2 Surface Water	Big Lake Chamber of Commerce, Robert Deloach	Appendix Q
109-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Big Lake Chamber of Commerce, Robert Deloach	Appendix Q
109-5	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Big Lake Chamber of Commerce, Robert Deloach	Appendix Q
9-1	23.13.2 Parks and Recreation Resources	Big Lake Trails Organization, Dan Kruse	Appendix R
112-1	23.13.2 Parks and Recreation Resources	Big Lake Trails Organization, Dan Kruse	Appendix Q
112-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Big Lake Trails Organization, Dan Kruse	Appendix Q
112-3	23.13.2 Parks and Recreation Resources	Big Lake Trails Organization, Dan Kruse	Appendix Q

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112-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Big Lake Trails Organization, Dan Kruse	Appendix Q
112-5	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Big Lake Trails Organization, Dan Kruse	Appendix Q
112-6	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Big Lake Trails Organization, Dan Kruse	Appendix Q
83-1	23.13.2 Parks and Recreation Resources	Deshka Landing Outdoor Association, Joseph Wright	Appendix R
83-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Deshka Landing Outdoor Association, Joseph Wright	Appendix R
83-3	23.13.5 Hazardous Materials and Waste Sites	Deshka Landing Outdoor Association, Joseph Wright	Appendix R
83-4	23.13.2 Parks and Recreation Resources	Deshka Landing Outdoor Association, Joseph Wright	Appendix R
83-5	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Deshka Landing Outdoor Association, Joseph Wright	Appendix R
31-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Friends of the Lakes, Gregory Strong	Appendix R
42-1	23.2.1 Proposed Action	Matanuska Electrical Association, E. Joe Griffith	Appendix R
73-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Mat-Su/Copper Basin State Park Citizens Advisory Board, Mary Anderson	Appendix R
73-3	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Mat-Su/Copper Basin State Park Citizens Advisory Board, Mary Anderson	Appendix R
73-4	23.13.2 Parks and Recreation Resources	Mat-Su/Copper Basin State Park Citizens Advisory Board, Mary Anderson	Appendix R
73-5	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Mat-Su/Copper Basin State Park Citizens Advisory Board, Mary Anderson	Appendix R
73-6	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Mat-Su/Copper Basin State Park Citizens Advisory Board, Mary Anderson	Appendix R
66-1	23.1.1 Purpose and Need	Port of Anchorage, William Sheffield	Appendix R
66-2	23.1.1 Purpose and Need	Port of Anchorage, William Sheffield	Appendix R
66-3	23.1.1 Purpose and Need	Port of Anchorage, William Sheffield	Appendix R
66-4	23.1.1 Purpose and Need	Port of Anchorage, William Sheffield	Appendix R
66-5	23.2.2 Port MacKenzie	Port of Anchorage, William Sheffield	Appendix R
66-6	23.19 Mitigation	Port of Anchorage, William Sheffield	Appendix R
66-7	23.2.2 Port MacKenzie	Port of Anchorage, William Sheffield	Appendix R

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66-8	23.5.5 Threatened and Endangered Species	Port of Anchorage, William Sheffield	Appendix R
66-9	23.2.2 Port MacKenzie	Port of Anchorage, William Sheffield	Appendix R
54-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Willow Area Community Organization, Linda Oxley	Appendix R
54-6	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Willow Area Community Organization, Linda Oxley	Appendix R
54-8	23.14 Socioeconomics	Willow Area Community Organization, Linda Oxley	Appendix R
54-9	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Willow Area Community Organization, Linda Oxley	Appendix R
89-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Willow Chamber of Commerce, Jim Huston	Appendix R
147-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Willow Chamber of Commerce, Jim Huston	Appendix Q
147-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Willow Chamber of Commerce, Jim Huston	Appendix Q
Private Citizens			
68-1	23.16 Cumulative Impacts	Abe, Ryota	Appendix R
68-2	23.11 Transportation and Safety Delay	Abe, Ryota	Appendix R
68-3	23.13.1 Land Use	Abe, Ryota	Appendix R
68-4	23.13.1 Land Use	Abe, Ryota	Appendix R
68-5	23.2.4 Alternatives Analysis	Abe, Ryota	Appendix R
68-6	23.2.3 General Opposition and General Support	Abe, Ryota	Appendix R
103-1	23.1.2 NEPA Process and Public Involvement	Amidon, Steve	Appendix Q
103-2	23.2.1 Proposed Action	Amidon, Steve	Appendix Q
35-1	23.2.3 General Opposition and General Support	Austermuhl, Noreen	Appendix R
35-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Austermuhl, Noreen	Appendix R
104-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Austermuhl, Noreen	Appendix Q
19-1	23.13.2 Parks and Recreation Resources	Barcome, Lynda	Appendix R
80-1	23.2.4 Alternatives Analysis	Baskin, Lance	Appendix R
80-2	23.5.3 Wildlife	Baskin, Lance	Appendix R
80-4	23.2.4 Alternatives Analysis	Baskin, Lance	Appendix R
80-6	23.5.3 Wildlife	Baskin, Lance	Appendix R
80-8	23.2.1 Proposed Action	Baskin, Lance	Appendix R

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55-1	23.2.4.3 No-Action Alternative	Berg, Kevin	Appendix R
55-2	23.2.2 Port MacKenzie	Berg, Kevin	Appendix R
57-1	23.2.4 Alternatives Analysis	Berg, Sharon	Appendix R
57-2	23.2.4.3 No-Action Alternative	Berg, Sharon	Appendix R
105-1	23.2.3 General Opposition and General Support	Billinger, Margaret	Appendix Q
105-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Billinger, Margaret	Appendix Q
133-1	23.13.2 Parks and Recreation Resources	Brautigan, Jon	Appendix Q
133-2	23.13.2 Parks and Recreation Resources	Brautigan, Jon	Appendix Q
81-9	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Bucaria, Garvan	Appendix R
81-10	23.2.4 Alternatives Analysis	Bucaria, Garvan	Appendix R
136-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Charles, Steve	Appendix Q
136-3	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Charles, Steve	Appendix Q
136-4	23.13.2 Parks and Recreation Resources	Charles, Steve	Appendix Q
136-5	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Charles, Steve	Appendix Q
106-1	23.13.1 Land Use	Cherneski,	Appendix Q
107-1	23.13.1 Land Use	Crowley, Marcus	Appendix Q
107-3	23.13.1 Land Use	Crowley, Marcus	Appendix Q
107-4	23.13.1 Land Use	Crowley, Marcus	Appendix Q
107-5	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Crowley, Marcus	Appendix Q
107-6	23.5.4 Fisheries Resources	Crowley, Marcus	Appendix Q
107-7	23.2.3 General Opposition and General Support	Crowley, Marcus	Appendix Q
108-1	23.13.2 Parks and Recreation Resources	Crowley, Mary	Appendix Q
108-2	23.13.6 Access	Crowley, Mary	Appendix Q
12-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Debenham, Douglas	Appendix R
16-1	23.13.2 Parks and Recreation Resources	Debenham, Ray	Appendix R
16-2	23.6 Cultural and Historic Resources	Debenham, Ray	Appendix R

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16-6	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Debenham, Ray	Appendix R
16-7	23.11 Transportation and Safety Delay	Debenham, Ray	Appendix R
16-8	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Debenham, Ray	Appendix R
16-9	23.3.2 Seismic Hazards	Debenham, Ray	Appendix R
16-10	23.4 Water Resources	Debenham, Ray	Appendix R
16-11	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Debenham, Ray	Appendix R
137-1	23.13.2 Parks and Recreation Resources	Debenham, Ray	Appendix Q
137-2	23.4.2 Surface Water	Debenham, Ray	Appendix Q
137-3	23.5.3 Wildlife	Debenham, Ray	Appendix Q
137-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Debenham, Ray	Appendix Q
5-1	23.13.2 Parks and Recreation Resources	Demboski, Ben	Appendix R
138-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Demboski, Ben	Appendix Q
138-2	23.13.6 Access	Demboski, Ben	Appendix Q
138-3	23.5.3 Wildlife	Demboski, Ben	Appendix Q
91-1	23.1.1 Purpose and Need	Dittlinger, Bret	Appendix Q
78-1	23.1.2 NEPA Process and Public Involvement	Dobson, Tina	Appendix R
126-1	23.1.2 NEPA Process and Public Involvement	Dobson, Tina	Appendix Q
126-2	23.1.2 NEPA Process and Public Involvement	Dobson, Tina	Appendix Q
126-3	23.1.2 NEPA Process and Public Involvement	Dobson, Tina	Appendix Q
48-2	23.5.3 Wildlife	Egeland, Eric	Appendix R
49-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Egeland, Joan	Appendix R
92-1	23.2.1 Proposed Action	Epstein, Lois	Appendix Q
144-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Evans, Dale	Appendix Q
144-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Evans, Dale	Appendix Q
11-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Faiks, James	Appendix R

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37-2	23.11 Transportation and Safety Delay	Farmer, Kenneth	Appendix R
134-1	23.2.3 General Opposition and General Support	Gattis, Richard	Appendix Q
134-2	23.2.4.1 Southern Segments Mac East and West	Gattis, Richard	Appendix Q
77-1	23.2.2 Port MacKenzie	Gilliland, Robert	Appendix R
77-2	23.2.2 Port MacKenzie	Gilliland, Robert	Appendix R
77-3	23.14 Socioeconomics	Gilliland, Robert	Appendix R
77-4	23.1.1 Purpose and Need	Gilliland, Robert	Appendix R
77-5	23.16 Cumulative Impacts	Gilliland, Robert	Appendix R
77-6	23.14 Socioeconomics	Gilliland, Robert	Appendix R
93-1	23.2.2 Port MacKenzie	Gilliland, Robert	Appendix Q
145-1	23.13.6 Access	Glaser, Don	Appendix Q
145-2	23.2.3 General Opposition and General Support	Glaser, Don	Appendix Q
146-1	23.2.3 General Opposition and General Support	Halstead, Dean	Appendix Q
3-1	23.9 Noise and Vibration	Hancock, Howard	Appendix R
3-2	23.2.4.1 Southern Segments Mac East and West	Hancock, Howard	Appendix R
3-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Hancock, Howard	Appendix R
46-2	23.1.1 Purpose and Need	Hilfiker, Kenneth	Appendix R
46-3	23.9 Noise and Vibration	Hilfiker, Kenneth	Appendix R
127-2	23.13.2 Parks and Recreation Resources	Himmelright, John	Appendix Q
127-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Himmelright, John	Appendix Q
74-1	23.2.3 General Opposition and General Support	Hirschmann, Fred	Appendix R
74-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Hirschmann, Fred	Appendix R
74-3	23.2.2 Port MacKenzie	Hirschmann, Fred	Appendix R
72-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Hirschmann, Randi	Appendix R
72-3	23.1.2 NEPA Process and Public Involvement	Hirschmann, Randi	Appendix R
72-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Hirschmann, Randi	Appendix R
135-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Hirschmann, Randi	Appendix Q

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110-1	23.1.2 NEPA Process and Public Involvement	Hollinger, Judy	Appendix Q
148-1	23.13.2 Parks and Recreation Resources	Hutchison, Robert	Appendix Q
148-2	23.14 Socioeconomics	Hutchison, Robert	Appendix Q
148-3	23.14 Socioeconomics	Hutchison, Robert	Appendix Q
10-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Knapp, Lynndeen	Appendix R
111-1	23.5.2 Vegetation Resources	Kramer, Cathi	Appendix Q
111-2	23.2.3 General Opposition and General Support	Kramer, Cathi	Appendix Q
111-3	23.5.2 Vegetation Resources	Kramer, Cathi	Appendix Q
20-2	23.5.3 Wildlife	Ladd, Bryan and Lori	Appendix R
20-3	23.5.4 Fisheries Resources	Ladd, Bryan and Lori	Appendix R
20-4	23.1.2 NEPA Process and Public Involvement	Ladd, Bryan and Lori	Appendix R
20-5	23.2.3 General Opposition and General Support	Ladd, Bryan and Lori	Appendix R
20-6	23.9 Noise and Vibration	Ladd, Bryan and Lori	Appendix R
113-1	23.9 Noise and Vibration	Ladd, Laurie	Appendix Q
113-2	23.2.3 General Opposition and General Support	Ladd, Laurie	Appendix Q
113-3	23.5.4 Fisheries Resources	Ladd, Laurie	Appendix Q
21-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Lind, Marc	Appendix R
21-2	23.2.2 Port MacKenzie	Lind, Marc	Appendix R
149-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Lind, Marc	Appendix Q
114-1	23.13.2 Parks and Recreation Resources	Lipse, Linda	Appendix Q
13-1	23.13.2 Parks and Recreation Resources	Mailer, William	Appendix R
13-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Mailer, William	Appendix R
13-3	23.19 Mitigation	Mailer, William	Appendix R
115-1	23.1.2 NEPA Process and Public Involvement	Maixner, Kelly	Appendix Q
115-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Maixner, Kelly	Appendix Q
43-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Maney, Duane	Appendix R

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43-2	23.5.3 Wildlife	Maney, Duane	Appendix R
43-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Maney, Duane	Appendix R
43-4	23.13.2 Parks and Recreation Resources	Maney, Duane	Appendix R
43-5	23.1.1 Purpose and Need	Maney, Duane	Appendix R
43-6	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Maney, Duane	Appendix R
43-7	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Maney, Duane	Appendix R
41-1	23.2.2 Port MacKenzie	Manning II, Ed	Appendix R
22-1	23.13.2 Parks and Recreation Resources	Mayfield, Dan	Appendix R
22-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Mayfield, Dan	Appendix R
22-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Mayfield, Dan	Appendix R
22-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Mayfield, Dan	Appendix R
116-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Mayfield, James	Appendix Q
128-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Mayfield, James	Appendix Q
128-3	23.13.2 Parks and Recreation Resources	Mayfield, James	Appendix Q
128-4	23.2.3 General Opposition and General Support	Mayfield, James	Appendix Q
128-5	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Mayfield, James	Appendix Q
128-6	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Mayfield, James	Appendix Q
94-1	23.2.2 Port MacKenzie	Mccain, Edward	Appendix Q
94-2	23.13.6 Access	Mccain, Edward	Appendix Q
94-4	23.13.6 Access	Mccain, Edward	Appendix Q
94-6	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Mccain, Edward	Appendix Q
94-7	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Mccain, Edward	Appendix Q
94-8	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Mccain, Edward	Appendix Q
94-9	23.9 Noise and Vibration	Mccain, Edward	Appendix Q
94-10	23.4.2 Surface Water	Mccain, Edward	Appendix Q

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150-1	23.2.2 Port MacKenzie	Mccain, Edward	Appendix Q
150-2	23.13.6 Access	Mccain, Edward	Appendix Q
150-5	23.9 Noise and Vibration	Mccain, Edward	Appendix Q
150-6	23.13.6 Access	Mccain, Edward	Appendix Q
150-7	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Mccain, Edward	Appendix Q
150-8	23.13.6 Access	Mccain, Edward	Appendix Q
150-9	23.13.6 Access	Mccain, Edward	Appendix Q
150-10	23.13.6 Access	Mccain, Edward	Appendix Q
52-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	McCain, Edward and Brenda	Appendix R
52-2	23.1.1 Purpose and Need	McCain, Edward and Brenda	Appendix R
52-3	23.2.2 Port MacKenzie	McCain, Edward and Brenda	Appendix R
52-4	23.9 Noise and Vibration	McCain, Edward and Brenda	Appendix R
52-5	23.13.6 Access	McCain, Edward and Brenda	Appendix R
52-6	23.13.6 Access	McCain, Edward and Brenda	Appendix R
52-7	23.2.1 Proposed Action	McCain, Edward and Brenda	Appendix R
52-8	23.13.6 Access	McCain, Edward and Brenda	Appendix R
52-9	23.1.1 Purpose and Need	McCain, Edward and Brenda	Appendix R
52-10	23.14 Socioeconomics	McCain, Edward and Brenda	Appendix R
52-12	23.14 Socioeconomics	McCain, Edward and Brenda	Appendix R
64-1	23.13.2 Parks and Recreation Resources	McLaren, Marjorie	Appendix R
64-2	23.4.5 Wetland Resources	McLaren, Marjorie	Appendix R
64-3	23.1.1 Purpose and Need	McLaren, Marjorie	Appendix R
64-4	23.2.3 General Opposition and General Support	McLaren, Marjorie	Appendix R
23-1	23.13.2 Parks and Recreation Resources	Nixon, Duane	Appendix R
24-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	O'Hara, William	Appendix R
24-2	23.2.3 General Opposition and General Support	O'Hara, William	Appendix R
24-4	23.13.2 Parks and Recreation Resources	O'Hara, William	Appendix R
70-3	23.2.4.1 Southern Segments Mac East and West	Oney, J.A.	Appendix R
70-4	23.2.4 Alternatives Analysis	Oney, J.A.	Appendix R
70-5	23.5.3 Wildlife	Oney, J.A.	Appendix R

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151-3	23.2.3 General Opposition and General Support	Owen, Christina	Appendix Q
85-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Painter, Rebecca	Appendix R
152-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Palmatier, Dick	Appendix Q
152-2	23.13.2 Parks and Recreation Resources	Palmatier, Dick	Appendix Q
129-1	23.2.1 Proposed Action	Parson, Jill	Appendix Q
129-2	23.5.3 Wildlife	Parson, Jill	Appendix Q
129-3	23.5.4 Fisheries Resources	Parson, Jill	Appendix Q
129-4	23.16 Cumulative Impacts	Parson, Jill	Appendix Q
129-5	23.1.1 Purpose and Need	Parson, Jill	Appendix Q
129-6	23.10 Energy Resources	Parson, Jill	Appendix Q
129-7	23.1.1 Purpose and Need	Parson, Jill	Appendix Q
129-8	23.2.1 Proposed Action	Parson, Jill	Appendix Q
129-9	23.1.1 Purpose and Need	Parson, Jill	Appendix Q
2-1	23.9 Noise and Vibration	Peters, John	Appendix R
2-2	23.13.1 Land Use	Peters, John	Appendix R
40-1	23.13.2 Parks and Recreation Resources	Peterson, Julie	Appendix R
40-2	23.4 Water Resources	Peterson, Julie	Appendix R
40-5	23.6 Cultural and Historic Resources	Peterson, Julie	Appendix R
40-7	23.5.3 Wildlife	Peterson, Julie	Appendix R
95-1	23.13.6 Access	Rader, Cam	Appendix Q
95-2	23.5.3 Wildlife	Rader, Cam	Appendix Q
95-3	23.13.6 Access	Rader, Cam	Appendix Q
25-1	23.13.6 Access	Rader, Stuart	Appendix R
25-2	23.19 Mitigation	Rader, Stuart	Appendix R
25-2	23.5.3 Wildlife	Rader, Stuart	Appendix R
38-1	23.2.3 General Opposition and General Support	Radlinski, Nicholas	Appendix R
36-1	23.13.1 Land Use	Riddell, Toby	Appendix R
36-2	23.2.4.1 Southern Segments Mac East and West	Riddell, Toby	Appendix R
36-3	23.11 Transportation and Safety Delay	Riddell, Toby	Appendix R
139-1	23.2.4.1 Southern Segments Mac East and West	Roberts, Kit	Appendix Q

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8-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Rock, Royce	Appendix R
8-2	23.1.2 NEPA Process and Public Involvement	Rock, Royce	Appendix R
117-1	23.13.1 Land Use	Rowe, Jim	Appendix Q
153-1	23.2.1 Proposed Action	Russell, Dan	Appendix Q
27-1	23.2.1 Proposed Action	Russell, Daniel	Appendix R
96-2	23.13.2 Parks and Recreation Resources	Russell, John	Appendix Q
96-3	23.2.1 Proposed Action	Russell, John	Appendix Q
7-1	23.2.3 General Opposition and General Support	Saunders, Phillip	Appendix R
39-1	23.2.3 General Opposition and General Support	Sawhill, Jim	Appendix R
39-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Sawhill, Jim	Appendix R
50-1	23.11 Transportation and Safety Delay	Sedgwick, Peter	Appendix R
82-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Shafer, Robert	Appendix R
75-1	23.1.1 Purpose and Need	Sharrock, Patrick	Appendix R
75-2	23.13.2 Parks and Recreation Resources	Sharrock, Patrick	Appendix R
75-3	23.13.2 Parks and Recreation Resources	Sharrock, Patrick	Appendix R
75-4	23.4 Water Resources	Sharrock, Patrick	Appendix R
75-5	23.13.2 Parks and Recreation Resources	Sharrock, Patrick	Appendix R
75-6	23.4.5 Wetland Resources	Sharrock, Patrick	Appendix R
75-7	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Sharrock, Patrick	Appendix R
97-1	23.13.2 Parks and Recreation Resources	Sharrock, Patrick	Appendix Q
97-2	23.4.5 Wetland Resources	Sharrock, Patrick	Appendix Q
97-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Sharrock, Patrick	Appendix Q
97-5	23.13.2 Parks and Recreation Resources	Sharrock, Patrick	Appendix Q
97-6	23.4.2 Surface Water	Sharrock, Patrick	Appendix Q
118-1	23.1.2 NEPA Process and Public Involvement	Shupe, June	Appendix Q

Table 23-2 (continued)
Comment Index Organized by Commenter

Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
14-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Shvarts, Lev	Appendix R
51-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Smith, Daniel	Appendix R
86-1	23.13.2 Parks and Recreation Resources	Smith, Daniel	Appendix R
86-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Smith, Daniel	Appendix R
86-3	23.13.2 Parks and Recreation Resources	Smith, Daniel	Appendix R
86-4	23.13.2 Parks and Recreation Resources	Smith, Daniel	Appendix R
119-2	23.4.2 Surface Water	Smole, Douglas	Appendix Q
119-4	23.2.4.3 No-Action Alternative	Smole, Douglas	Appendix Q
119-5	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Smole, Douglas	Appendix Q
154-1	23.2.3 General Opposition and General Support	Smole, Douglas	Appendix Q
56-1	23.1.1 Purpose and Need	Smole, Douglas and Sharon	Appendix R
56-2	23.1.1 Purpose and Need	Smole, Douglas and Sharon	Appendix R
56-3	23.1.2 NEPA Process and Public Involvement	Smole, Douglas and Sharon	Appendix R
56-4	23.2.4.3 No-Action Alternative	Smole, Douglas and Sharon	Appendix R
56-5	23.2.3 General Opposition and General Support	Smole, Douglas and Sharon	Appendix R
120-1	23.1.2 NEPA Process and Public Involvement	Smole, Sharon	Appendix Q
120-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Smole, Sharon	Appendix Q
161-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Stanculescu, Victor	Appendix Q
161-2	23.13.2 Parks and Recreation Resources	Stanculescu, Victor	Appendix Q
161-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Stanculescu, Victor	Appendix Q
47-1	23.2.4.1 Southern Segments Mac East and West	Strasenburgh, John	Appendix R
47-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Strasenburgh, John	Appendix R
47-2	23.1.1 Purpose and Need	Strasenburgh, John	Appendix R
47-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Strasenburgh, John	Appendix R
6-1	23.5.4 Fisheries Resources	Strong, Gregory	Appendix R

Table 23-2 (continued)			
Comment Index Organized by Commenter			
Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
30-1	23.3.2 Seismic Hazards	Strong, Gregory	Appendix R
121-2	23.5.5 Threatened and Endangered Species	Strong, Gregory	Appendix Q
121-3	23.4.2 Surface Water	Strong, Gregory	Appendix Q
130-1	23.1.2 NEPA Process and Public Involvement	Strong, Gregory	Appendix Q
130-2	23.5.5 Threatened and Endangered Species	Strong, Gregory	Appendix Q
26-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Sumner, Richard	Appendix R
140-1	23.2.3 General Opposition and General Support	Sumner, Richard	Appendix Q
33-1	23.2.3 General Opposition and General Support	Sumner, Yvonne	Appendix R
33-2	23.3.2 Seismic Hazards	Sumner, Yvonne	Appendix R
141-1	23.2.3 General Opposition and General Support	Sumner, Yvonne	Appendix Q
141-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Sumner, Yvonne	Appendix Q
45-1	23.2.2 Port MacKenzie	Swearer, Gary	Appendix R
45-2	23.5.3 Wildlife	Swearer, Gary	Appendix R
45-3	23.13.2 Parks and Recreation Resources	Swearer, Gary	Appendix R
45-4	23.5.3 Wildlife	Swearer, Gary	Appendix R
45-5	23.1.1 Purpose and Need	Swearer, Gary	Appendix R
76-1	23.2.3 General Opposition and General Support	Thompson, Gary	Appendix R
76-2	23.1.2 NEPA Process and Public Involvement	Thompson, Gary	Appendix R
71-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Vadla, Evelyn	Appendix R
155-1	23.13.2 Parks and Recreation Resources	Votruba, Jason	Appendix Q
155-2	23.4.2 Surface Water	Votruba, Jason	Appendix Q
155-3	23.13.5 Hazardous Materials and Waste Sites	Votruba, Jason	Appendix Q
156-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Wade, Charles	Appendix Q
157-1	23.11 Transportation and Safety Delay	Wagner, Matthew	Appendix Q
157-2	23.5.4 Fisheries Resources	Wagner, Matthew	Appendix Q
123-1	23.13.1 Land Use	Walch, Ken	Appendix Q

Table 23-2 (continued)			
Comment Index Organized by Commenter			
Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
123-2	23.1.2 NEPA Process and Public Involvement	Walch, Ken	Appendix Q
123-3	23.2.3 General Opposition and General Support	Walch, Ken	Appendix Q
123-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Walch, Ken	Appendix Q
123-5	23.1.2 NEPA Process and Public Involvement	Walch, Ken	Appendix Q
123-6	23.2.4.3 No-Action Alternative	Walch, Ken	Appendix Q
123-7	23.2.4.3 No-Action Alternative	Walch, Ken	Appendix Q
123-8	23.11 Transportation and Safety Delay	Walch, Ken	Appendix Q
58-1	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix R
58-2	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix R
58-3	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix R
58-4	23.1.1 Purpose and Need	Whedbee, Grace	Appendix R
58-5	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix R
58-6	23.2.4.3 No-Action Alternative	Whedbee, Grace	Appendix R
60-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Whedbee, Grace	Appendix R
60-5	23.10 Energy Resources	Whedbee, Grace	Appendix R
60-6	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Whedbee, Grace	Appendix R
60-7	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Whedbee, Grace	Appendix R
124-1	23.1.1 Purpose and Need	Whedbee, Grace	Appendix Q
124-2	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix Q
124-3	23.1.1 Purpose and Need	Whedbee, Grace	Appendix Q
124-4	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix Q
124-5	23.3.2 Seismic Hazards	Whedbee, Grace	Appendix Q
124-6	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix Q
124-7	23.5.4 Fisheries Resources	Whedbee, Grace	Appendix Q
124-7	23.5.5 Threatened and Endangered Species	Whedbee, Grace	Appendix Q
124-8	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix Q
124-9	23.1.1 Purpose and Need	Whedbee, Grace	Appendix Q
124-10	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix Q
124-11	23.2.4.3 No-Action Alternative	Whedbee, Grace	Appendix Q
124-12	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix Q
124-13	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix Q
131-1	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix Q
131-2	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix Q

Table 23-2 (continued)			
Comment Index Organized by Commenter			
Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
131-3	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix Q
131-4	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix Q
131-5	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix Q
131-6	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix Q
131-7	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix Q
131-8	23.2.2 Port MacKenzie	Whedbee, Grace	Appendix Q
142-1	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Whedbee, Grace	Appendix Q
142-2	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Whedbee, Grace	Appendix Q
142-3	23.2.1 Proposed Action	Whedbee, Grace	Appendix Q
142-4	23.13.1 Land Use	Whedbee, Grace	Appendix Q
142-5	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Whedbee, Grace	Appendix Q
142-6	23.2.1 Proposed Action	Whedbee, Grace	Appendix Q
142-7	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Whedbee, Grace	Appendix Q
143-1	23.5.3 Wildlife	Whedbee, Grace	Appendix Q
143-2	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Whedbee, Grace	Appendix Q
143-3	23.2.1 Proposed Action	Whedbee, Grace	Appendix Q
59-1	23.1.2 NEPA Process and Public Involvement	Whedbee, Mike	Appendix R
59-2	23.1.1 Purpose and Need	Whedbee, Mike	Appendix R
59-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Whedbee, Mike	Appendix R
59-4	23.13.1 Land Use	Whedbee, Mike	Appendix R
59-5	23.9 Noise and Vibration	Whedbee, Mike	Appendix R
59-6	23.2.4 Alternatives Analysis	Whedbee, Mike	Appendix R
59-7	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Whedbee, Mike	Appendix R
59-8	23.1.1 Purpose and Need	Whedbee, Mike	Appendix R
59-9	23.2.2 Port MacKenzie	Whedbee, Mike	Appendix R
59-10	23.1.1 Purpose and Need	Whedbee, Mike	Appendix R
59-11	23.1.1 Purpose and Need	Whedbee, Mike	Appendix R
61-1	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Whedbee, Mike	Appendix R
61-2	23.13.3 Sections 4(f) and 6(f) Evaluation Summary	Whedbee, Mike	Appendix R
61-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Whedbee, Mike	Appendix R

Table 23-2 (continued)			
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Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
98-3	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Whedbee, Mike	Appendix Q
98-4	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Whedbee, Mike	Appendix Q
125-1	23.5.3 Wildlife	Whedbee, Mike	Appendix Q
125-2	23.13.1 Land Use	Whedbee, Mike	Appendix Q
132-1	23.1.1 Purpose and Need	Whedbee, Mike	Appendix Q
132-2	23.2.2 Port MacKenzie	Whedbee, Mike	Appendix Q
132-3	23.2.2 Port MacKenzie	Whedbee, Mike	Appendix Q
132-4	23.2.2 Port MacKenzie	Whedbee, Mike	Appendix Q
99-1	23.13.1 Land Use	Wilson, Joe	Appendix Q
88-1	23.2.4 Alternatives Analysis	Wilson, Joe and Pat	Appendix R
88-2	23.2.4 Alternatives Analysis	Wilson, Joe and Pat	Appendix R
88-3	23.2.4 Alternatives Analysis	Wilson, Joe and Pat	Appendix R
88-4	23.2.4 Alternatives Analysis	Wilson, Joe and Pat	Appendix R
88-5	23.2.4 Alternatives Analysis	Wilson, Joe and Pat	Appendix R
88-6	23.2.4 Alternatives Analysis	Wilson, Joe and Pat	Appendix R
88-7	23.2.4 Alternatives Analysis	Wilson, Joe and Pat	Appendix R
88-8	23.2.4 Alternatives Analysis	Wilson, Joe and Pat	Appendix R
88-10	23.13.6 Access	Wilson, Joe and Pat	Appendix R
88-11	23.2.4.1 Southern Segments Mac East and West	Wilson, Joe and Pat	Appendix R
88-12	23.2.4 Alternatives Analysis	Wilson, Joe and Pat	Appendix R
88-13	23.2.4 Alternatives Analysis	Wilson, Joe and Pat	Appendix R
88-14	23.2.4 Alternatives Analysis	Wilson, Joe and Pat	Appendix R
88-15	23.2.4 Alternatives Analysis	Wilson, Joe and Pat	Appendix R
88-16	23.2.4 Alternatives Analysis	Wilson, Joe and Pat	Appendix R
88-17	23.2.4 Alternatives Analysis	Wilson, Joe and Pat	Appendix R
88-18	23.2.4 Alternatives Analysis	Wilson, Joe and Pat	Appendix R
88-19	23.2.4.1 Southern Segments Mac East and West	Wilson, Joe and Pat	Appendix R
88-20	23.16 Cumulative Impacts	Wilson, Joe and Pat	Appendix R
88-21	23.16 Cumulative Impacts	Wilson, Joe and Pat	Appendix R
88-22	23.16 Cumulative Impacts	Wilson, Joe and Pat	Appendix R
88-25	23.2.4.1 Southern Segments Mac East and West	Wilson, Joe and Pat	Appendix R
88-26	23.2.4 Alternatives Analysis	Wilson, Joe and Pat	Appendix R
101-1	23.13.6 Access	Woelfel, Jim	Appendix Q
101-2	23.13.6 Access	Woelfel, Jim	Appendix Q
101-3	23.13.2 Parks and Recreation Resources	Woelfel, Jim	Appendix Q

Table 23-2 (continued)			
Comment Index Organized by Commenter			
Final EIS Comment Number	Final EIS Section	Commenter	Appendix Location
101-4	23.13.6 Access	Woelfel, Jim	Appendix Q
101-5	23.13.6 Access	Woelfel, Jim	Appendix Q
15-2	23.2.4 Alternatives Analysis	Wolfe, John	Appendix R
15-3	23.9 Noise and Vibration	Wolfe, John	Appendix R
102-1	23.13.2 Parks and Recreation Resources	Wolfe, John	Appendix Q
102-2	23.2.4 Alternatives Analysis	Wolfe, John	Appendix Q
102-3	23.9 Noise and Vibration	Wolfe, John	Appendix Q
102-4	23.2.4 Alternatives Analysis	Wolfe, John	Appendix Q
34-1	23.2.4.2 Northern Segments Houston, Big Lake, and Willow	Zwahlen, Nina	Appendix R

23.1 Purpose and Need for Agency Action

23.1.1 Purpose and Need

Summary Comment

Commenters requested clarification on the purpose and need for the proposed action, asked questions, and made recommendations. Commenters questioned the economic feasibility of the project and recommended the preparation of a cost-benefit analysis, stated that the Draft EIS does not include any quantitative or qualitative data to support the identified project utility and need, expressed concern over costs and wasteful spending considering the current state of the economy, stated that there is infrastructure currently in place that can handle the movement of goods to and from Interior Alaska, stated that Port MacKenzie currently lacks a solid customer base to necessitate the costs for the proposed rail line, stated that the Port of Anchorage is only 2 nautical miles away and has the proper infrastructure in place to handle any increase in the movement and storage of goods, and suggested a reevaluation of the need for the proposed action.

Commenters also questioned whether rail transportation of heavy minerals from Interior Alaska would offset the costs of the proposed rail line. One commenter stated that the delivery of coal to Port MacKenzie is not needed because of the Port of Anchorage and that shortening the rail distance to Interior Alaska by 35 miles does not justify the substantial expenditure on the proposed rail line.

Commenters expressed concern that Port MacKenzie will not be profitable enough to justify the costs of the proposed rail line. Commenters suggested that Port MacKenzie has no major customer base and has identified no new customers in the past 9 years. One commenter expressed that the Port MacKenzie Master Plan states that the construction of port facilities would be economically feasible if a major user commits to using Point MacKenzie on a long term basis; however, no such customer has been identified.

Commenters questioned the long-term viability of Port MacKenzie and suggested that current infrastructure can handle the shipping needs from Interior Alaska. One commenter noted that the Port of Anchorage is expanding and will be able to handle any extra shipping and storage of dry bulk materials making Port MacKenzie and any proposed rail line unnecessary. One commenter stated that the existing road system allows for trucks to carry bulk shipments.

Commenters stated that there are currently three ports in Alaska that can handle the commercial import and export needs of the entire length of the Alaska Railroad Corporation (ARRC) main line. The Ports of Whittier, Seward, and Anchorage are all in year-round operation and the ports of Whittier and Seward are ice free, making them more viable than Port MacKenzie. With shipping needs already being met by these ports, commenters questioned whether the substantial cost to build the proposed rail line to Port MacKenzie is worth the burden to taxpayers. (45-5, 47-2, 47-7, 124-1, 129-5, 129-7, 129-9, 132-1, 135-2, 75-1, 56-1, 59-2, 59-10, 66-2, 59-11, 46-2, 124-3, 124-9, 77-4, 63-8, 64-3, 66-1, 66-2, 66-3, 66-4, 52-2, 56-2, 58-4, 91-1, 59-1, 52-9, 59-8)

Response

The proposed Port MacKenzie Rail Extension involves a petition by a common carrier, the ARRC, for a license or approval. It is not a Federal government-proposed or sponsored project. In cases like this, courts have held that project goals are to be determined by applicants, not the regulatory agency preparing the EIS.

In this case, ARRC has stated that the purpose of the proposed rail line is to provide rail service to Port MacKenzie and connect Port MacKenzie with the existing ARRC main line, providing Port MacKenzie customers with rail transportation between Port MacKenzie and Interior Alaska. The Applicant believes that by creating a rail connection with Port MacKenzie, the proposed project would make the development of natural resources in Interior Alaska more economically feasible, including the coal, limestone, timber, and metallic mineral resources along the existing ARRC main line corridor. The proposed rail line would support ARRC's statutory goal to foster and promote long-term economic growth and development in the State of Alaska. In support of this goal, the State of Alaska has appropriated a total of \$62.5 million for the MSB to support the design, environmental documentation, and permitting of the rail line.

The Applicant provided the purpose and need for the proposed rail line to the STB in the petition for authority to construct and operate the proposed rail line, and other Applicant-supplied filings. OEA reviewed those filings and presented the purpose and need as required by CEQ regulations.

Under 49 U.S.C. § 10901(c), the Board must authorize a rail line construction project "unless the Board finds that such activities are inconsistent with the public convenience and necessity." As part of its review of the application, the Board will consider the transportation-related merits of ARRC's proposal, along with the environmental record, and determine whether to authorize the proposed construction and, if so, what alternative(s) to approve.

With respect to economic data, the Applicant provided the information required by the applicable Board regulations. It is the Board, and not OEA, that will weigh the transportation benefits against potential environmental harms. OEA notes that the Board is not required to withhold approval of a proposed construction in the absence of financing and traffic commitments if it is persuaded that an Applicant will attract the level of traffic needed to justify the investment needed to construct the line. This approval is consistent with the current permissive licensing policy adopted by Congress in 1995, which now provides that rail constructions are to be approved unless found not to be in the public interest.

Finally, there has been no cost-benefit analysis for the proposed rail line, but the regulations implementing NEPA (see C.F.R. § 1502.23) do not require one.

23.1.2 NEPA Process and Public Involvement

Summary Comment

Commenters expressed concern about a lack of notification from the ARRC or OEA about the proposed action and the public meetings. (20-4, 76-2, 103-1, 115-1)

Response

As described in Section 1.4 of the EIS, there has been extensive opportunity for input from affected agencies, government entities, and the general public. In this case, ARRC conducted broad public outreach to inform the public and agencies about the proposed rail line and facilitate public participation. Prior to the start of OEA's public involvement process under NEPA, ARRC compiled a mailing list, composed of thousands of addresses, which was used to distribute project information. This list included property owners along the proposed rail line right-of-way (ROW). Everyone on the mailing list received notice of the public meetings. In addition to the large mailing list, the Matanuska-Susitna Borough (MSB or Borough) and ARRC jointly conducted public open houses between September and December of 2007.

OEA began its public involvement process on February 12, 2008 with the publication of a Notice of Intent to Prepare an EIS, Draft Scope of Study, Notice of Scoping Meetings, and Request for Comments (73 *Federal Register* [FR] 8106). Using the Applicant's extensive mailing list, but adding to it, OEA distributed a letter to more than 7,700 citizens; elected officials; Federal, state, and local agencies; tribal organizations; and other potentially interested stakeholders to introduce the proposed rail line, announce OEA's intent to prepare an EIS, request comments, and give notice of 6 public scoping meetings. The distribution encompassed the communities surrounding the proposed action and alternatives and groups outside the project area that could have an interest in the project. OEA also posted meeting notices in public locations (such as post offices, grocery stores, and restaurants) in the project area and initiated a toll-free project hotline. OEA provided project information on the STB Web site at www.stb.dot.gov and on an STB-sponsored project Web site at www.stbportmacraileis.com. OEA also placed notices of the scoping meetings in prominent sections of several newspapers, including the *Frontiersman*, the *Talkeetna Times*, and the *Anchorage Daily News*.

OEA held public scoping meetings in Knik, Big Lake, Willow, Houston, Wasilla, and Anchorage, Alaska, on March 3, 4, 5, 6, 10, and 11, 2008, respectively. OEA used a workshop format to allow attendees to provide comments to and ask questions of OEA. Approximately 146 citizens, representatives of organizations, elected officials, and officials from Federal, state, and local agencies attended the meetings. Some attendees submitted written comments during the meetings OEA received additional scoping comment letters during the scoping comment period, which closed on March 21, 2008.

OEA considered agency and public input received during the scoping process and on July 17, 2009 issued the final scope of study for the Draft EIS. OEA published the final scope of study in the *Federal Register*, placed it on the STB and project Web sites, and mailed an announcement of the availability of the final scope of study to approximately 8,000 individuals, agencies, and other interested parties on the OEA project mailing list. The final scope of study summarized the comments received and potential impacts to be analyzed.

On March 16, 2010, OEA distributed the Draft EIS to elected officials; Federal, state, and local agencies; interested organizations; and citizens who had requested a copy. OEA also made the Draft EIS available for public review in the reference section of 26 public libraries. OEA also sponsored 6 public meetings on the Draft EIS in April 2010 in Anchorage, Big Lake, Wasilla, Houston, and Willow. At each meeting, OEA gave a brief presentation of the proposed action

and environmental review process and then accepted oral comments from the public. OEA retained a court reporter at each meeting to record the oral comments. Written comments were also submitted at the meetings. Meetings were held in Anchorage, Big Lake, Wasilla, Houston, Willow, and Wasilla on April 6, 7, 8, 12, 13, and 14, 2009, respectively. An average of 38 people signed in at each meeting. A total of 68 oral comments were received at the meetings, and 18 written comments were submitted at the meetings.

OEA received a total of approximately 162 written and oral comments during the Draft EIS comment period, which closed on May 10, 2010. Comments were received from elected officials; Federal, state, and local agencies; organizations; and private citizens.

In short, beginning with the earliest stages of the environmental review process, OEA has conducted broad public outreach activities to inform the public about the proposed action and to facilitate public participation. OEA consulted with Federal, state, and local agencies; Native Alaskan organizations; affected communities; and all interested parties to gather and disseminate information about the proposed project. This Final EIS responds to comments received on the Draft EIS.

Summary Comment

Commenters expressed concern about OEA's public involvement process. Commenters questioned whether the meetings were just a formality and stated that information about the project and public meetings needed to be made more accessible. (118-1, 126-1, 72-3, 110-1)

Response

OEA held public scoping meetings in Knik, Big Lake, Willow, Houston, Wasilla, and Anchorage, Alaska, on March 3, 4, 5, 6, 10, and 11, 2008, respectively. OEA used a workshop format to allow attendees to provide comments to and ask questions of OEA. Approximately 146 citizens, representatives of organizations, elected officials, and officials from Federal, state, and local agencies attended the meetings. Some attendees submitted written comments during the meetings, and OEA received additional scoping comment letters during the scoping comment period, which closed on March 21, 2008.

The STB considers public meetings held for the purpose of receiving public comments on a Draft EIS to be an important component of the EIS process. For this reason, OEA held 6 public meetings across the project area following the issuance of the Draft EIS. During these meetings, OEA encouraged attendees to voice any concerns regarding the potential environmental impacts of the alternatives, make recommendations as to the preferred alternative, and speak to why a particular alternative is preferred or undesirable. These public comments, along with the Draft EIS and this Final EIS, comprise the complete EIS record that will be reviewed by the 3 member panel of the STB in making its final decision on whether to approve the proposed rail line.

Regarding access to information about the proposed action and the EIS process, OEA distributed project information to approximately 8,000 people on the mailing list, placed notices in prominent sections of several newspapers, posted meeting notices in public locations (such as post offices, grocery stores, and restaurants) in the project area, initiated a toll-free project hotline, and provided project information on the STB Web site at www.stb.dot.gov and on an

STB-sponsored project Web site at www.stbportmacraileis.com. OEA distributed the Draft EIS to elected officials; Federal, state, and local agencies; interested organizations; and citizens who had requested a copy. OEA also made the Draft EIS available for public review in the reference section of 26 public libraries.

Summary Comment

Commenters requested that Homer Public Library, Talkeetna Library, and Trapper Creek Library be added to the mailing list. One commenter requested that the Big Lake Library receive a hard copy of the Draft EIS rather than a CD. (4-1, 44-8, 120-1)

Response

The above libraries have since been added to the mailing list and were mailed copies of all relevant materials pertaining to this proposed action on or before March 30, 2010. These libraries have also been added to the distribution list for this Final EIS. OEA sent a hard copy of the Draft EIS to the Big Lake Library.

Comment

“I am sorry that I had to send this to your business e-mail however the information that has been put out for public comment via filing electronically is short on information and long on links. A better system needs to be in place for public testimony if in fact that is what you really want.” (8-2)

Response

While OEA regrets the difficulty the commenter had in filing electronically, OEA has used the electronic filing process for numerous projects and has received hundreds of comments through that mechanism. Indeed, OEA received a substantial number of comments via this process in this case. Thus, OEA does not believe its process is deficient.

Comment

“In the summary section you say that FRA may give grant(s) to build the railroad extension. Isn't there an OMB regulation that you may not give government funds through grants appropriations or assistance to any applicant that is harming or may cause harm to another federally-funded project? No Federal dollars may be spent on Port MacKenzie or the Railroad extension to support the Port until they have been cleared of being contributing factors to the damages to the Knik Arms shoal and the main factor in the Port MacKenzie Shoal that are causing navigational difficulties at the Port of Anchorage which is a federally-funded project and one of only 17 strategic military defense ports. In addition the Port of Anchorage is in the process of an expansion at a cost of 527 million dollars which is 52 percent federally-funded.” (59-1)

Response

The Office of Management and Budget and Federal Railroad Administration (FRA) regulations summarized by the commenter are not part of the Board's decision making process in this case. In response to the comment, OEA notes that ARRC estimates that ship traffic for export of bulk commodities from the Port MacKenzie Rail Terminal would include 5 Panamax class ships per year. Regardless of whether an expansion of the Port MacKenzie docks could affect the shoal, the Borough stated that the "proposed rail extension will have no impact on the physical dimensions of Port MacKenzie itself" (Duffy, 2010). In any event, OEA does not anticipate that an increase of 5 ships or the upper bound of 13 ships per year would require an expansion of the Port MacKenzie docks.

Comment

"Adequacy of the Draft EIS. We believe that the Draft EIS does not contain sufficient information to fully assess environmental impacts that should be avoided in order to fully protect the environment. EPA has assigned a rating of '2' (Insufficient Information) to the adequacy of the Draft EIS. As indicated above, we have identified potential alternative alignments that are within the spectrum of alternatives analyzed in the Draft EIS, which could reduce the environmental impacts of the proposal. We have identified additional information, data, analyses, or discussion that should be included in the Final EIS to meet the requirements of Section 404 of the CWA." (63-28)

"There is not enough detail provided to determine compliance with 404(b)(1) guidelines. Supplemental information and/or a supplemental EIS may be necessary if the EIS does not provide enough analysis to meet our regulatory requirements. Supplemental information should include additional discussion of Alternative routes and Alternative designs that would avoid or minimize impacts to Waters of the United States. USACE would require this information if a permit application is received." (90-2)

Response

The EIS provides a thorough and comparable analysis of each of the alternatives analyzed in detail, as required by CEQ regulations (40 C.F.R. parts 1500-1508). Section 1502.15, Affected Environment, states that the EIS "shall succinctly describe the environment of the area(s) to be affected or created by the alternatives under consideration. The descriptions shall be no longer than is necessary to understand the effects of the alternatives." See also section 1502.14, Alternatives Including the Proposed Action.

It appears that the U.S. Environmental Protection Agency's (USEPA) reference to insufficient information relates primarily to wetland information. The CEQ regulations state that the preparation of an EIS is expected to occur early in the planning process for the proposed Federal action and, for applications to an agency, the EIS "shall be commenced no later than immediately after the application is received" (see section 1502.5, Timing). Consequently, in the process of pursuing this early consideration of potential environmental impacts, it is not always feasible to have available the level of project detail necessary to meet final permitting requirements. That is especially true for long, linear projects with multiple alternatives.

Although we are not aware of any CEQ requirement that an EIS must provide all of the detailed information necessary to comply with subsequent construction permits should the initial Federal action be approved, we realize the importance of interagency cooperation and coordination in the NEPA process. We are also aware that the CEQ has provided guidance in its often-quoted NEPA's Forty Most Asked Questions regarding applicants who need permits (see question number 9 of that guidance). The CEQ notes that the purpose of this coordination is to “insure an early and comprehensive analysis of the direct and indirect effects of the proposal and any related actions.” OEA has worked with the U.S. Army Corps of Engineers (USACE) to achieve the goals of this coordination.

CEQ also notes in the guidance that “Section 1502.25(b) requires that the Draft EIS list all the federal permits, licenses and other entitlements that are needed to implement the proposal.” The guidance also states that “These provisions create an affirmative obligation on federal agencies to inquire early, and to the maximum degree possible, to ascertain whether an applicant *is or will be seeking other federal assistance or approval*, or whether the applicant is waiting until a proposal has been substantially developed before requesting federal aid or approval” (emphasis added). This clearly indicates that the EISs are not required to contain permit-level information. That information will be developed as the subsequent permit process takes place once it is known whether the STB has approved the proposed construction and the environmentally preferable alternative has been determined.

OEA recognizes USEPA's and USACE's concerns about the impacts to wetlands that the proposed action may have. A response to the comment about using alternatives with reduced wetland impacts is contained in Section 23.2.1 of this comment response chapter.

Comment

“I would like to add the following comments regarding the above referenced project to the public comment record which closes May 10. If there is a no-build choice that comes out of this process this summer can there be something in writing to the effect that whatever route is preferred, after reviewing the Final EIS and the public comments that the current Final EIS will stand and still be used for future railroad projects proposed in the affected areas? Inevitably, if this project does not go through this year, it will be proposed again sometime in the future and I would hope that there would be a desire to save many millions of dollars on not having to duplicate the entire EIS and study processes that have already been done over the past 3 years. In addition to adding this to the public comment record, could you respond with an answer as to whether this is possible.” (78-1)

Response

It is acceptable NEPA practice to use and incorporate previously completed NEPA analyses as long as that analysis remains current and is relevant to the pending Federal decision. The reason for this practice is, just as the commenter states, to avoid duplication of effort and thereby save time and money.

Comment

“Page A 76-78/This letter is for the NRE project, not Port MacKenzie.” (159-109)

Response

OEA has removed this letter from this Final EIS.

Comment

“Page 1-9 /Paragraphs 5 & 6 /recommend including USFWS regulatory authority regarding Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act.” (159-15)

Response

OEA has incorporated the suggested language into Chapter 1 of this Final EIS.

Comment

“The National Marine Fisheries Service will be looking and commenting on the draft after the public comment period closed for the critical habitat designation for the Endangered Cook Inlet Beluga Whale. But the public will not have access to that comment. This is a deficiency in the process.” (44-9)

Response

OEA completed a Biological Assessment (BA) and sent it to the National Marine Fisheries Service (NMFS) on November 25, 2009. NMFS responded on March 9, 2010 stating that the project would have no adverse affects on the beluga whale or its Critical Habitat. The BA is contained in Appendix H of the EIS and a copy of this correspondence is included in Appendix A of this Final EIS.

Comment

“A FACT BOOK produced by the MSB Planning Department in 2003 describes the 'formation of a Regional Transportation Planning Organization (RTPO)' consisting of MSB, Anchorage Municipality, Legislative Committees, U.S. Military, and the ARRC. It is unfortunate that the concept of coordination of various government bodies and agencies, as described with reference to the RTPO, have not occurred. The RTPO is defunct and coordination of transportation activities has not become a working reality.” (56-3)

Response

OEA and the STB respond to filings from applicants who propose to construct and operate rail lines for freight service. OEA and the STB are not responsible for planning the projects. In 1993, the MSB established the port district area and designated the land for development, including the development of Port MacKenzie, in the MSB Coastal Management Plan. A rail line to Port MacKenzie has been part of previous MSB planning studies, which have noted that good surface transportation access would be necessary to accommodate growth at Port MacKenzie and to develop it as a strong economic driver in the MSB. The 1997 MSB Long Range Transportation Plan (MSB, 1997) described the need for rail and improved road access to Port MacKenzie. In 2003, the MSB completed a preliminary study of road and rail corridor

alternatives that would connect Port MacKenzie to ARRC main line (MSB, 2003). In 2007, the state granted the MSB an appropriation to perform conceptual engineering and environmental documentation for the proposed rail line, which resulted in publication of the Preliminary Environmental and Alternatives Report (ARRC, 2008).

This Final EIS is intended to give the STB, FRA, USACE, and U.S. Coast Guard (Coast Guard) the information they would need to exercise their statutory responsibilities related to the proposed action.

Comment

“Section 1.1.2 Previous Port and Rail Planning Studies. The Draft EIS incorrectly assumes that the Preliminary Environmental and Alternatives Report, dated 2008 (‘the ARRC Report’), sufficiently addressed known public concerns regarding proposed route alignments. As documented in the ARRC Report, the planning consultants met with CIRI representatives only once on September 28, 2007 (see Page 1-4, Public Involvement Activities Summary). Since the project will directly affect all CIRI shareholders, and could indirectly affect other Alaska Native Corporation shareholders throughout the region, state and United States (see below), consultation with CIRI representatives should have been more meaningful and CIRI objections to route alignment through the CIRI Tract should have been given more consideration.” (69-2)

Response

OEA attempted Government-to-Government consultation with the Cook Inlet Region, Inc. (CIRI) on multiple occasions. OEA mailed CIRI a letter requesting comments on the proposed action on February 12, 2008, as well as a letter initiating formal government-to-government consultation with CIRI on August 15, 2008. In addition to these letters, OEA initiated several follow-up calls to CIRI. OEA provided the notice required under 40 C.F.R. §1506.6(3)(ii), which states that agencies must provide notice to Indian tribes when effects may occur on tribal lands. Additionally, CIRI shareholders had the opportunity to participate in the broad public outreach hosted by OEA to inform the public and agencies about the proposed action, as described in Section 1.4 of the Draft EIS. A meeting with CIRI was held on October 19, 2010 to discuss project concerns. On September 27, 2010, CIRI was invited to be a signatory on the Programmatic Agreement (PA) and attended a meeting on October 21, 2010 with other signatories to discuss their views, opportunities to participate, and potential changes to the draft PA.

Although not required under CEQ regulations, the Applicant, ARRC, made separate attempts to consult with CIRI prior to OEA’s efforts.

Comment

“I also wanted to put in that I’ve been in a number of these kinds of situations where the community has had to fight back or give their say about what the bigger picture is. And I think one of the cost benefits - or the costs that you need to add to the project are the lawsuits that are going to come out of this, because they will. No matter what route gets chosen, the port is a huge issue. It’s going to affect the whole city of Anchorage and who knows how big that’s

going to get. So I think you need to include lawsuits and the cost of having everything held up in court for this whole project to take place.” (126-2)

“Also, I think the people of this community will not roll over and accept the project, because people who’s told us they are professionals have done the proper studies to get this approved. We will not back down.” (126-3)

Response

The NEPA process allows for communities and stakeholders to learn about a project and to voice their concerns and for agencies to consider those comments. OEA is not required under NEPA to consider the costs of potential litigation when evaluating the impacts of a potential project. OEA has developed and prepared the EIS in compliance with the applicable CEQ regulations and the Board’s own regulations implementing NEPA. We do understand that sometimes parties may disagree with the STB’s decision, and decide to challenge the Board’s final decision in court which can result in delay and is often very costly.

Comment

“There have been a lot of comments from a lot of people over the last two or three years and there’s a feeling amongst the community that they’ve been given short shrift by a lot of organizations, not to mention yourselves. For example, the issue of the Castle Mountain fault from Houston down to the river and then the issue of bisecting a watershed that is the Little Susitna watershed has basically been discarded. And I think that a lot of people understand, even though they may not be experts in the field of seismic activity or geology, they understand that these things are not the kinds of things that are given short shrift. So as a result, I think you’re finding yourself to begin looking at a very slippery slope, and that is we’re not just talking now about one route versus another route, we’re talking about the future of the port of Anchorage.” (130-1)

Response

The EIS contains sections on both seismic hazards and water quality. Section 3.6 of the EIS outlines seismic hazards. These hazards were evaluated, and it was found that potential seismic activity could have equal impacts on all rail line alternatives. The most likely impact on the proposed rail line from seismic activity would be misalignment or damage to the tracks, rail bed, or the access road. Chapter 4 of the EIS discusses water resources. Sections 4.2, 4.3, 4.4, and 4.5 describe the study area, affected environment (existing conditions), and environmental consequences (impacts) to surface water, groundwater, floodplains, and wetlands, respectively.

OEA does not anticipate that the proposed action would affect the Port of Anchorage. Port MacKenzie is a deepwater port, and as such, can accommodate ships that the Port of Anchorage is incapable of handling.

Comment

“Figures. Many figures provided in the Draft EIS do not provide a level of detail that is necessary to visually determine the extent or types (in some cases) of resources affected by the

proposed alternatives. For example, impacts to property types are not represented in any figure in any detail. Many of these resource maps have been developed for ARRC previously, however, and are in the public domain. We recommend that the STB consider incorporating available figures into the Final EIS to provide better visual representation of resources and resource impacts if appropriate.” (63-21)

Response

The EIS contains many visual representations of the proposed rail line and its alternatives. Section 13.1 of the EIS focuses directly on land use issues, and contains multiple tables of information that pertain to property type and ownership throughout the project area. Table 13.1-1 provides the impact (in acres) to land owners within the footprint of the proposed rail line.

Comment

“I need to compliment you on the effort you made on the EIS report. For a technical person, it’s probably pretty good. It has a lot of good and informative maps, but I got to tell you for a public group the information that you can get out of the report is very difficult to come by. It is technically written. It is not easy to pull together and I don’t know if there is some way to develop some better matrices for bringing that information to the attention to the public or not, but it really is difficult for us to digest a document like that, 500 and some pages, in the very short time that you’ve given us to look it over.” (123-2)

Response

Comment noted.

Comment

“I am concerned with some of the information in the study that you’ve done with the EIS. There is some misinformation. Some of it’s been already been talked about. I think there’s some concern about the seismic fault areas that has been already brought up. There is some concern about some of the watershed areas. I noticed that on your project development plan at least one of the routes for road development, the Burma Road, is shown on the wrong location. There seem to be some substantial errors in that report and I’m hoping that during this process of public input some of those can be addressed or at least noticed and in the final report. Perhaps some of those areas can be corrected.” (123-5)

Response

The EIS contains sections on both seismic hazards and water quality. Section 3.6 of the EIS outlines seismic hazards. These hazards were evaluated, and it was found that potential seismic activity could have equal impacts on all rail line alternatives. The most likely impact on the proposed rail line from seismic activity would be misalignment or damage to the tracks, rail bed, or the access road. Chapter 4 of the EIS discusses water resources. Sections 4.2, 4.3, 4.4, and 4.5 describe the study area, affected environment (existing conditions), and environmental consequences (impacts) to surface water, groundwater, floodplains, and wetlands, respectively.

OEA has revised the figures in this Final EIS to reflect the correct location of the Burma Road project. This Final EIS has also been revised to clarify that the Burma Road project would also result in upgrades to West Susitna Parkway, Purinton Road, and Burma Road.

23.2 Proposed Action and Alternatives

23.2.1 Proposed Action

Summary Comment

Commenters expressed concern about the access road that would be constructed paralleling the entire length of the rail line. Commenters questioned the lack of information about the necessity of the road and expressed concern over the additional impacts from construction and maintenance of the road. Specific concerns include the lack of additional road-specific mitigation measures. Commenters suggested additional information be included in this Final EIS concerning the road, and another commenter suggested that the road be eliminated from the project. Commenters questioned the Applicant's plan to block the access road from the public in recreation areas. (63-19, 65-1, 65-7, 90-3)

Response

As explained in Section 2.1.1 of the EIS, the Applicant plans to construct an access road in the rail line ROW to enable them to move equipment and materials along the long, linear ROW during rail line construction. Following construction, the Applicant plans to use the road to support rail line maintenance activities. While this was not how railroads were built decades ago when the existing ARRC rail lines were constructed, it is now the standard practice for railroad construction. Under Alaska law, the ROW on state-managed lands would be available for use as a utility corridor and non-railroad vehicles could use the road to move along the ROW for utility inspection and maintenance activities. The Applicant has indicated it would not maintain the rail line access road as a public road. The access road would be used for construction of the rail line and subsequent rail line maintenance activities. The Applicant also has stated that the access road would share the embankment with the rail line track in sensitive habitat to reduce the project impacts. To prevent trespassing, ARRC would set up barriers at likely points along the access road where someone might take their personal vehicle onto ARRC's property.

Summary Comment

Commenters suggested the incorporation of a commuter train along the proposed rail line. It was stated that this could provide access to the proposed ferry service coming to Port MacKenzie and that the addition of a commuter train could help garner support for the rail line. (27-1, 153-1)

Response

Comment noted. The addition of a commuter train is outside the scope of the Applicant's proposed action and therefore outside the scope of the EIS.

Comment

“Temporary Construction Camp, Material Source Sites, and Staging Areas. We request that the Final EIS identify locations and area (acres) for temporary construction camp(s), potential material source sites (if undeveloped sites are considered), waste sites, and staging areas, including sites for storage, rock crushing, other material processing equipment and equipment turnaround areas. The location of material source sites should be identified, including quantity of materials (cubic yards).” (63-24)

Response

As stated on page 2-4 of the Draft EIS, the proposed rail line might require construction staging areas to store materials, weld sections of the rail line, and support construction activities. The locations of some of these facilities would vary depending on which alternative segments the Board authorized, if any. If the Board authorizes an alternative, the final decisions regarding exact locations of material sites, construction camps, and staging areas would be made during final design and permitting. Minor route adjustments also could be made during final design and permitting. ARRC would attempt to locate staging areas within the proposed 200-foot ROW at relatively flat, previously disturbed areas with established access to existing public roads. All stockpiled materials would be consumed or removed once construction is complete.

CEQ regulations state that the preparation of an EIS is expected to occur early in the planning process for the proposed Federal action and, for applications to an agency, the EIS “shall be commenced no later than immediately after the application is received” (see section 1502.5, Timing). Consequently, in the process of pursuing this early consideration of potential environmental impacts, it is not always feasible to have available the level of project detail necessary to meet final design and permitting requirements. That is especially true for long, linear projects with multiple alternatives. Although we are not aware of any CEQ requirement that an EIS must provide all of the detailed information necessary to comply with subsequent construction permits, should the initial Federal action be approved, we realize the importance of interagency cooperation and coordination in the NEPA process. We are also aware that CEQ has provided guidance in its often-quoted NEPA’s Forty Most Asked Questions regarding applicants who need permits (see question number 9 of the guidance). CEQ notes that the purpose of this coordination is to “insure an early and comprehensive analysis of the direct and indirect effects of the proposal and any related actions.” OEA has worked with the USACE to achieve the goals of this coordination.

The CEQ also notes in the guidance that “Section 1502.25(b) requires that the Draft EIS list all the federal permits, licenses and other entitlements that are needed to implement the proposal.” The guidance also states that “These provisions create an affirmative obligation on federal agencies to inquire early, and to the maximum degree possible, to ascertain whether an applicant *is or will be seeking other federal assistance or approval*, or whether the applicant is waiting until a proposal has been substantially developed before requesting federal aid or approval” (emphasis added). This clearly indicates that EISs are not required to contain permit-level information.

Comment

“As noted in the DEIS, construction of the proposed rail line extension to Port MacKenzie will result in additional development in the Port area. See, DEIS Section 2.1.1.10. MEA [Matanuska Electric Association] currently serves bulk commodity conveyor belts in other parts of its service territory that require up to 1,000 kW of energy per drive motor. Bulk commodity conveyor belts can cause electric system wide voltage fluctuations unless the system providing electric utility service to them is extremely robust.

Currently, MEA’s distribution service to the Port MacKenzie area is one three-phase feeder. With the load increases caused by the new Goose Creek Correctional Center and related infrastructure, MEA is planning to further upgrade service through construction of a new substation in the Port area with 115 kV sub-transmission service from Teeland Substation near Wasilla and a 230 kV tap into the existing Chugach Electric Association, Inc. (Chugach) transmission line from Beluga Power Plant. These upgrades should ensure that there is adequate capacity to serve foreseeable Port area loads, but additional voltage support could still be required to meet service quality standards for large fluctuating loads such as bulk commodity conveyor belts.

Additionally, service to the Port area would be almost entirely dependent upon the Chugach transmission line from Beluga Power Plant to Teeland Substation being operational. In just the past year, migration of the Susitna River has taken that transmission line out of service for an extended period of time. It is likely that future service interruptions will occur given the remote area through which this Chugach transmission line is located.

MEA believes that more reliable and better quality service could be provided to the increased electric load that will be developing in the Port area, partially as a result of the rail line extension project, if provision was made for direct transmission and sub-transmission. Interconnections between the new Port MacKenzie area substation and the Alaska Intertie at Douglas Substation in Willow. This would improve service to the Port area by providing better access to the generation resources owned by Golden Valley Electric Association in Healy, Fairbanks, and North Pole.

As noted in Section 13.1.4.1 of the DEIS, current land ownership in the subject area is complex. The Alaska Railroad Corporation (ARRC) proposes to acquire a 200’ wide right-of-way for this project, which includes space for an above ground power line. See, Section 2.1 and Figure 2-1 of the DEIS. Further, as noted in Sections 2.1.1.1 and 2.1.1.2 of the DEIS, the Alaska Railroad Corporation (ARRC) will be clearing vegetation from virtually the entire right-of-way and will be constructing an access road along the rail line. Unified land ownership, access roads, and vegetation cleared for other purposes will make the rail line route an ideal location for construction of the needed transmission and sub-transmission interconnection between the Port area and Willow.

MEA is not seeking a requirement that the ARRC build the needed transmission and subtransmission interconnections. Nor is MEA seeking a requirement that the ARRC issue MEA an easement for construction of this transmission and sub-transmission interconnection within the right-of-way that the ARRC has not yet acquired. However, MEA does believe that the FEIS

should include an analysis of the impacts of the transmission and sub-transmission interconnection lines, in addition to the distribution power line that is shown in Figure 2-1. Construction of these interconnections in or immediately adjacent to the ARRC right-of-way is clearly a foreseeable consequence of any build option selected.

To facilitate this analysis, MEA has attached hereto a revised Figure 2-1 for utilization in the FEIS that includes a typical pole that would serve the long-term needs of project area. This typical pole would be capable of holding a 230 kV transmission line circuit, a 115 kV subtransmission circuit, and a nominal 25 kV three-phase distribution circuit. MEA has also attached for your reference a modified version of DEIS Figure S-1 showing existing and planned electric transmission and sub-transmission systems.” (42-1)

Response

The Applicant did not propose any additional transmission lines along the proposed rail line ROW and therefore the transmission lines mentioned are outside the scope of the EIS. The MEA should coordinate with the Applicant regarding this issue.

Comment

“The Mat-Su borough is a 2nd class borough and does not have road powers except in individual, limited road service areas. We don’t think it is right that the RR [Railroad] should be able to force these costs on the local road services areas which have very limited budgets, and then make the local taxpayers pay through their property taxes as they have done in the past. Who is going to pay for building any of the crossings in the future?” (52-7)

Response

Chapter 2 of the EIS explains that ARRC would construct the at-grade and grade-separated crossings for the proposed rail line. Financing the cost of constructing the potential future crossings would need to be negotiated between ARRC and the parties interested in new crossings.

Comment

“2.1.1.5: Acquisition of Materials for Rail Line Construction: ARRC would obtain fill material from cut-and-fill activities during rail bed construction, and to the extent practicable, would adjust the design profile grade to balance cut and fill quantities. If needed, ARRC would obtain additional fill material from borrow sources within the ROW or offsite. Additional fill material from offsite sources need to be from legal gravel extraction locations or the land manager needs to concur on the location. A permit or lease may be required.” (65-28)

Response

ARRC would obtain ballast from existing commercial quarries or from its quarry in Curry, Alaska. Specific decisions related to the locations of borrow areas within the ROW would be determined during final design and permitting.

Comment

“4. POTENTIAL LAWSUIT ISSUES; A. The proposed east Mac route will isolate private properties. B. The number of potentially dangerous railway crossings will be increased. C. There remains unanswered environmental impact questions. D. The legality of eminent domain seizures vs. an existing right of way.” (80-8)

Response

Comment noted.

Comment

“Alternate Routes: The DEIS provides information on several different possibilities for alternative route segments but does not select a Preferred Alternative. While there are many different combinations of segments that are possible for a final alternative, the Department recommends selecting those routes and route segments located in the eastern portion of the potential project area. The eastern routes would be located in areas that are generally more developed, and thus would result in fewer impacts to fish and wildlife resources from habitat loss, disturbance, and fragmentation. The Department looks forward to working closely with the applicant during further analyses of alternatives.” (84-3)

“My first concern is that there is no clear choice. It looks like there are many, many all – many, many cons for virtually every choice and so there is no single alternative that does not have significant impacts to our areas. And so it looks like to make a choice, if a choice is made and the no choice alternative is not selected, that it’s just going to be a matter of what is the least onerous alternative or the lesser of evils. And that’s a concern to me.” (129-1)

“I’m wondering why we’re not looking long term for the best location to build a railroad. Are we looking for the best location or are we just looking for the cheapest and most convenient? The Alaska Railroad was built in 1915 and 95 years later we’re still living with the decision of where to put that railroad. Our great grandchildren are going to have to live with the decision that you make today or on this particular issue. This is not the Lower 48 and decisions should be based on the unique conditions that we have in Alaska where only one percent of all land is in private property hands. All the rest is owned by government entities or Native corporations. 84 percent of the Anchorage borough is parks. 84 percent. Of the one percent of privately owned land in Alaska, 23 percent is located in the Mat-Su Borough. The greatest concentration of private land in the entire state, even at this minimum, most of the land, 77 percent is still owned by the government entities or the Native corporations.” (142-3)

“After reading the EIS, it appears that it was written with the idea of giving the borough what they want even though it is apparent that it is not the best route for the people or the economy of the state of Alaska. A line to the west would open up land that would increase the tax base and the economy of Alaska via shorter route from the interior as you must measure the distance from the furthest point north down the port. Anything else is false figures. Train energy would be less, safety factor would be best, the environment would be less impacted.” (142-6)

Response

The EIS presents the potential impacts of the proposed action and alternatives, including the No-Action Alternative. The Board will issue a final decision based on the entire environmental record, including the record on the transportation merits, the Draft EIS, this Final EIS, and all public and agency comments received. The Board then will decide whether to approve the proposed project, deny it, or approve it with mitigating conditions, including environmental conditions.

Comment

“I apologize for not having had the opportunity to go over the draft EIS, but one thing I am not certain and I’ve asked around and no one seems to be certain whether it’s included, is the right-of-way going to be usable as a bike path or other recreational type of trail, maybe even commuting for some folks. That’s – active railroad right-of-ways are sort of the future for Rails-to-Trails. I’ve talked to the folks in DC about that and I want to be sure that that option is available. I understand the right-of-way is going to be fairly large, 200 feet, which is generally going to be enough to have some separation distance. And I understand there are some engineering issues to make sure that safety is assured, but I just want to be sure that that’s part of the final decision making.” (92-1)

Response

Existing land use for a small portion of land within the proposed ROW would be permanently changed, and any non-rail activities within the proposed ROW would require an ARRC-issued entry permit. The addition of a recreational trail along the proposed ROW is outside the scope of the Applicant’s proposed action and therefore outside the scope of the EIS.

Comment

“One question I might have is the overall plan of right-of-ways through any of these routes, inclusive down the road of any highway right-of-ways, because that’s still a long term question of both for if there is a bridge from Point MacKenzie tying in, in other words, a bypass around Wasilla or the Houston-Anchorage highway access, and whether or not that that’s part of this right-of-way acquisition.” (96-3)

Response

The addition of any highway ROW along the proposed rail line ROW is outside the scope of the Applicant’s proposed action and therefore outside the scope of the EIS.

Comment

“It’s going to affect a lot of us property owners back there. There is dog mushing, sledding, a lot of stuff that people use plus several of the people that have spoke tonight are my neighbors in there and there is a big concern to us going that way.” (103-2)

Response

The potential impacts of the proposed project on recreation resources are described in Section 13.2.5 of the EIS. Mitigation measures have been developed by OEA and the Applicant to reduce impacts on recreation resources, including mitigation measures VM-34, 39, 40, 48 (revised since the Draft EIS), and 49 in the EIS. Mitigation measures are included in Chapter 19 of the EIS.

Comment

“A second concern that I have is what I think the analysis did not do and that’s – I think – it appears to me it looked at each route individually but it didn’t look at the overall area, because there’s some things that are of serious concern to me about the overall area.” (129-8)

Response

The EIS analyzes the potential impacts of the proposed action and alternatives, including the No-Action Alternative. The EIS reports potential direct and indirect impacts from construction and operation of the proposed rail line and associated facilities. Impact areas are described both as part of a larger study area and at segment, segment combination, and alternative levels.

Comment

“We need to protect our homes. That is the thing that we don’t have very many of. I hear the people in Houston that are talking about the economic benefits to their area and I have a major problem understanding, because right now the city of Houston has a side rail and that side rail is where you would take off any type of a spur in order to put in to their industrial commercial area. That spur is totally – or that side rail is located perfectly for a spur to come off of. And I know they have financial problems that make it hard for them to put that spur in, but what I think that most of these people are not aware of or have not studied adequately is that if the Houston South route is chosen, the Railroad has stated that they are going to move that spur, that they are going – or not spur, the side rail, that they are going to cross the Little Susitna River again and put that side rail on the other side. When that happens, the Alaska Railroad will no longer make that available for them to come off of. It’s not in the right location. You cannot take a spur line for industrial use off of a high speed area of a railroad. It must come off of a side rail where the speed can be gathered up in order for them to get on. And the people of Houston think they’re gaining and they’re going to be losing. And I hate to see that happen to people because someone has given them this information and I wish that they would study this before they go in any further with their support of a route that is actually going to hurt their economy where they have the perfect thing now.” (143-3)

Response

The Applicant’s proposed action is described in Chapter 2 of the EIS and does not include providing an industrial spur. Thus, consideration of such a spur is beyond the scope of the EIS.

Comment

“The DEIS states on page 2-24 that the various proposed alternatives would result in the ‘clearing’ of all vegetation located within the 200-foot right-of-way. The apparent assumption that all vegetation within the right-of-way will be cleared substantially overstates the environmental impacts of the rail line extension. Vegetation such as grasslands, emergent wetlands, low shrubs and agricultural areas would be cleared only insofar as it is necessary to accommodate developed areas (e.g., embankments). ARRC therefore recommends that acreage covered by these vegetation types be removed from the calculation of what would be cleared to accommodate the rail extension. For similar reasons, ARRC also recommends a recalculation of the acreage estimated to be lost as wildlife habitat on page 2-25. As described in the previous paragraph, a large amount of vegetation will not be cleared from the right-of-way, but instead will remain as potential wildlife habitat. The entire right-of-way will still be available for wildlife use, including as a movement corridor. Instead of reporting the entire right-of-way as a ‘loss’ of wildlife habitat, a more accurate and precise description of the impact of the right-of-way should be used. Furthermore, because the roadbed is low and relatively narrow, it represents a barrier to only the smallest of wildlife. The DEIS thus overstates the fragmentation of habitat that the project would cause.” (159-1)

Response

As stated on page 2-3 of the Draft EIS, the analysis conducted for the Draft EIS assumed that vegetation within a 200-foot ROW would be cleared and recognized that this was a conservative assumption. Following review of comments on the Draft EIS, OEA requested that ARRC provide the anticipated footprint (area to be disturbed) for the proposed action, including the rail bed, access road, and associated facilities. ARRC provided the requested footprint information. In this Final EIS, OEA has used the footprint rather than the ROW in assessing the potential impacts to soils, floodplains, wetlands, vegetation, and wildlife from the proposed rail line.

Comment

“Page 2-12/ Paragraph 2/To be consistent in the document - add word ‘long’ to end of bullets numbers 5 and 8.” (159-16)

“Page 2-5/Last paragraph on page/1st sentence, Construction COULD, not would, be completed in 24 months.” (159-17)

“Page 2-33/Paragraph 3/Increased dust associated with the project is properly identified as a temporary impact here – this contradicts the vegetation section conclusion where dust is incorrectly identified as a greater, long-term impact.” (159-18)

“Page 2-36/Paragraph 1/Spelling error – change ‘Su-Kink’ to ‘Su-Knik’.” (159-19)

Response

OEA has made the suggested revisions in this Final EIS.

23.2.2 Port MacKenzie

Summary Comment

Commenters expressed concern over the viability of Port MacKenzie and questioned whether investing in Port MacKenzie would be economically beneficial to tax payers. Commenters suggested Port MacKenzie is unsafe due to fast moving currents and severe ice in the winter months. Commenters also suggested that there are problems with shoaling and that shipping lanes into the Port of Anchorage were being impacted. Several commenters indicated that Port MacKenzie was the cause of shoaling and that if Port MacKenzie were to continue to operate, operation costs and maintenance dredging, combined with a lack of a solid customer base, could supersede any return investment spent on expansion of infrastructure for Port MacKenzie. Commenters also questioned the need for Port MacKenzie because the Port of Anchorage, approximately 2 nautical miles away, is in the process of expansion and has the infrastructure in place to handle any additional shipping needs. (21-2, 41-1, 43-5, 45-1, 52-3, 55-2, 58-1, 58-2, 58-3, 58-5, 59-9, 66-5, 66-7, 66-9, 74-3, 77-1, 94-1, 124-2, 124-4, 124-6, 124-8, 124-10, 124-12, 124-13, 131-3, 131-4, 131-5, 131-6, 131-7, 131-8, 132-2, 132-3, 132-4, 150-1, 151-1)

Response

The Applicant's proposed action does not involve changes to or investment in Port MacKenzie. In a Verified Statement (under penalty of perjury), the MSB stated that "from 2005 through 2009, Port MacKenzie safely loaded and/or unloaded nine panamax size vessels and 190 barges. Three of these panamax size vessels were safely loaded at Port MacKenzie during the winter." The Borough also stated that "no vessel at Port MacKenzie has ever broken free of its moorings, or even broken a single mooring line." The Borough stated that "the average current at the face of Port MacKenzie's deep draft dock is less than 4 Knots" (Duffy, V.S., July 15, 2010).

ARRC estimates ship traffic for export of bulk commodities from the Port MacKenzie Rail Terminal would include 5 Panamax class ships per year. Regardless of whether an expansion of the Port MacKenzie docks could affect the shoal, the Borough stated that the "proposed rail extension will have no impact on the physical dimensions of Port MacKenzie itself" (Duffy, V.S., July 15, 2010). OEA does not anticipate that an increase of 5 ships, or the upper bound of 13 ships per year, would require an expansion of the Port MacKenzie docks.

Port MacKenzie is the closest deepwater port to the Alaskan Interior and is currently the only deep water port in operation along the west coast of the United States. Port MacKenzie's deep-draft dock has a depth of 60 feet at mean lower low water and can serve some of the largest vessels in the world. The Port MacKenzie's past customers include shippers of wood chips, saw logs, sand/gravel, cement, and scrap metal. Port MacKenzie is situated on 9,000 acres of land and has existing areas to stockpile goods. At present, freight truck is the only available mode of surface transportation for bulk materials to and from Port MacKenzie. ARRC anticipates that bulk commodity movements to and from Port MacKenzie would provide its customers with multi-modal options and promote long-term economic growth and development in the region.

Comment

“It is apparent that MSB’s assertion that Anchorage is the nearest port to the Alaska interior is intended in some unexplained manner to be the basis to justify the conclusion that a favorable EIS would approve the Board’s funding of the ARRC’s construction and operation of the proposed new rail line. Although Anchorage is certainly the nearest port in distance from Port MacKenzie, this reasoning is flawed on at least two counts. First, the provisions of 40 CFR require that any need for an Agency’s proposal for funding by the Board must be based upon substantive and credible proof. Secondly, any reasonable and foreseeable function of an Agency must also weigh the consideration of all adverse factors that may result from the requested proposal made by the Sponsor, MSB.” (77-2)

Response

As discussed in Section 1.5 of the EIS, the Board’s responsibilities as they relate to the proposed rail line are established by the ICC Termination Act of 1995, 49 U.S.C. § 10101. The Board is not involved with or responsible for funding of the proposed rail line.

Comment

“So I get my concern is about the port itself. The previous information of public by the EIS indicates that the Port MacKenzie is described as a deep water, deep draft dock with 60 feet of water on mean lower low tide. Now anyone who has access to maritime engineering information understands what 60 feet at a dockside – this is – the dock up there is sheet pile and 60 feet at mean lower low tide is a lot of water. And that’s why it had been previously published in the EIS, in the initial draft. It’s my – and we all know that or Anchorage or this Knik information has about a 30 foot tide twice a day. It’s – my understanding that the port of Anchorage has been authorized for a 35 foot mean lower low tide dredging operation which goes on annually. They are seeking to lower that to 45 feet to take it to an additional 10 feet draft. I have no reason to believe that the tidal action at Port MacKenzie is appreciably different than the tidal action at Anchorage and yet you previously are saying that is 60 feet without dredging at Port MacKenzie. My purpose here is to – I would like to have to my availability the engineering information that resulted in that conclusion. And that’s the purpose – I assume that that – you’re not going to be able to give it to me here. Can you furnish with a dot com or some sort of an engineering reference that will give me some understanding as to why they had to dredge to 45 feet in Anchorage and across Knik Arm they say they have already without dredging a 60 foot mean lower low tide.” (93-1)

Response

Port dredging is outside the jurisdiction of OEA, not part of the Applicant’s proposed action and outside the scope of the EIS.

Comment

“I started looking at the Port MacKenzie Port Master Plan that was written in 1998 and amended in 1999 and on Page 3.7 in early 1999 the borough received the state and the federal agency approval to construct a multipurpose deepwater port facility, access road and transit storage area.

And it goes onto describe four different variations of this dock that they might be building. And it says that no further permits are necessary and they – unless they increase in size and then the modifications of the permit may be required.” (131-1)

Response

Comment noted.

Comment

“In section 4.1, it also goes on to say that marine and navigation status, it says that they have done no studies on what – how it’s going to affect the marine section or the Knik Arms. And my question is how can this be? There’s no indication that any study was done before the permits was issued on the effects of a virtual dam that is being placed in the extremely fast moving water. No study on the effects of the fish when you make the drastic change to their migration and their critical habitat. In 2002, the port was shut down because 700 70-foot pilings housing – holding 350,000 cubic yards of gravel was found to have two out of the three pilings that were inspected that was defective and because there was no data on the silt that was underlying the docks. You know, it’s very interesting that if I wanted to do the same thing I’d have to tell them exactly how I’m going to do it. I have to know the construction methods and everything else and nothing seems to have been done here. It looks like they got carte blanche to do this entire development without any permits and without any study. This is something we really need to look into in light of the following information that I’m going to give you that I don’t believe has ever been looked at all.” (131-2)

Response

The Applicant’s proposed action does not involve changes to or investment in Port MacKenzie. Construction of Port MacKenzie is outside the jurisdiction of OEA and outside the scope of the EIS.

23.2.3 General Opposition and General Support

Summary Comment

Commenters expressed their disapproval and opposition with the proposed rail line, stating that it would be unnecessary and unacceptable. It was stated that the proposed rail line would lower the quality of life for Alaska residents because of noise and displacement of trails and homes.

Commenters suggested that the proposed rail line would be too costly and that the costs of the project outweigh any benefits. Commenters stated that the project has been poorly conceived and would be a waste of time and resources when trucking could adequately move freight from the port. Commenters expressed concern about the impacts on wetlands, water quality, fish and game habitat, endangered species, the trail system, lake recreation areas, and fishing and hunting. Concerns also were raised about the proposed rail line’s adverse impacts on privately held land. (20-5, 38-1, 44-2, 44-4, 53-1, 56-5, 64-4, 74-1, 76-1, 111-2, 113-2, 145-2, 146-1, 151-3, 154-1)

Commenters expressed general support for the proposed rail line and stated that the development of Port MacKenzie, along with the proposed rail lines would be good for Alaska. It was

suggested that the rail line would be an important asset to Alaska because it would allow for the import of freight and export of natural resources. Commenters also stated that the proposed rail line could help reduce congestion and transportation costs to and from Interior Alaska. Commenters suggested that they would like to see this project completed in the near future. Commenters stated that the rail line is the best economic engine and public works project proposed for Interior Alaska in years. It was stated that the Houston community is eager to see this spur developed. (7-1, 24-2, 33-1, 35-1, 39-1, 68-6, 105-1, 107-7, 109-1, 123-3, 128-4, 134-1, 140-1, 141-1)

Response

OEA acknowledges the comments in opposition and in support of the proposed rail line. Chapters 4, 5, 9, and 13 of the EIS describe potential impacts on water resources, wildlife habitat, noise, and land use, including recreation, respectively. Additionally, Chapter 19 of the Draft EIS presents the Applicant's voluntary and OEA's preliminary mitigation measures designed to reduce potential impacts to these resources. Chapter 19 of this Final EIS presents OEA's recommended mitigation measures. Chapter 1 addresses ARRC purpose and need. ARRC stated that by creating a rail connection with Port MacKenzie, the proposed project would make the development of existing natural resources more economically feasible, including the coal, limestone, timber, and metallic mineral resources that exist along the Alaska railroad corridor.

23.2.4 Alternatives Analysis

Summary Comment

Commenters suggested the reconsideration of a "Mac Central Segment," similar to the alignment that was considered in the Preliminary Environmental and Alternatives (PEAR), stating multiple reasons, including: the existing railroad easement through the Point MacKenzie Agricultural Project, the potential to minimize conflicts with farm land, potential reductions in impacts on wildlife, the reduction in noise for Goose Bay Refuge, and the avoidance of conflicts with the MSB's planned town site. The railroad easements have been in place since 1982 and allow for a 300-foot rail line easement across properties, regardless of agricultural development. Commenters requested further evaluation of the Mac Central Segment, acknowledging that the Mac Central Segment could maximize the distance between both the Susitna and Goose Bay refuges, which could decrease habitat fragmentation. Commenters noted that the Mac Central Segment was a viable option prior to the release of the PEAR and questioned the lack of evaluation the alignment was given in the report. Commenters suggested that the Mac Central Segment would need fewer crossings than the Mac East Segment and would have a much shorter and straighter track. It was suggested that the Mac East Segment could potentially restrict access and hinder commercial development along the proposed corridor. Commenters also suggested that the best solution would be to construct a segment as far west as possible, avoiding private property and recreation areas. It was suggested that the money spent on the proposed rail line would be better spent on developing the Port of Anchorage.

Commenters also suggested a "Mac SL" segment that would run north-south through the Point MacKenzie Agricultural Project, which would avoid having a rail line through the narrow Point

MacKenzie Road corridor. This “Mac SL” segment is consistent with the MSB’s plan to keep the rail line from coming close to the prison and alleviates any conflicts with the highway. Commenters noted the “Mac SL” segment does not run diagonally through agricultural land, having less impact to farms than the Mac East Segment. Commenters suggested that the “Mac SL” segment would impact fewer wetlands and have less environmental impacts.

Commenters also suggested a realignment of the Mac East segment to the west, with the route beginning at the bottom of the CIRI Tract, proceeding from there on a route which would intersect with the southwest corner of Section 8 and then run diagonally from that point in a northwest direction until it intersects with the proposed Connector 3 Segment, just north of the western border of the CIRI Tract. (15-2, 44-5, 57-1, 59-6, 68-5, 69-8, 70-4, 80-1, 80-4, 81-10, 88-1, 88-2, 88-3, 88-4, 88-5, 88-6, 88-7, 88-8, 88-12, 88-13, 88-14, 88-15, 88-16, 88-17, 88-18, 88-26, 102-2, 102-4)

Response

Section 2.2 of the EIS describes the development of alignments by the Applicant and OEA’s selection of alternatives for detailed analysis in the EIS. Subsequent to the close of the comment period on the Draft EIS, the Applicant proposed a variant to the Mac East Segment. In response to public comments, OEA evaluated the area between the Mac East and Mac West segments, leading to the development of the Mac East Variant Segment. Chapter 2.3.1.3 of this Final EIS describes the Mac East Variant Segment.

Comment

“It is unclear in the DEIS if earlier efforts were undertaken to avoid, to the maximum extent practicable, impacts to waters of the U.S. If such an alignment exists, and is reasonable and practicable, it should be evaluated in the final EIS. We recognize that CEQ’s ‘NEPA’s Forty Most Asked Questions’ guidance document states that ‘reasonable alternatives include those that are practical or feasible from the technical and economic standpoint.’ However, it does not limit a lead agency’s consideration of additional criteria, such as those criteria under the CWA 404(b)(1) guidelines. In fact, the express intent of the CEQ’s guidelines and of NEPA itself (Section 102(B)) is to require federal agencies to ensure that environmental factors receive sufficient consideration in decision-making.

The CEQ regulations at 40 CFR Part 1500.I(c) note that NEPA is intended to help agencies ‘take actions that protect, restore, and enhance the environment.’ In the same Section, sub-paragraph (f) instructs that we should ‘use all practicable means... to avoid or minimize any possible adverse effects of their actions upon the quality of the human environment.’ 40 CFR 1500.3 states that the ‘provisions of the Act and of these regulations must be read together as a whole in order to comply with the spirit and letter of the law.’ It is clear that the intent of NEPA is for agencies to incorporate environmental considerations into all phases of project planning.

The CWA 404(b)(1) Guidelines (Guidelines) even more explicitly require proponents to consider environmental criteria in project development. The Guidelines require in part, that *no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem.* The guidelines

define ‘practicable’ as ‘available and capable of being done after taking into consideration cost, existing technologies and logistics in light of overall project purposes.’

The Guidelines contain an explicit, overarching presumption that if a discharge does not ‘require... siting within (a) special aquatic site... to fulfill its basic purpose (i.e., is not ‘water dependent’), practicable alternatives that do not involve the discharge of dredged or fill material into special aquatic sites’ are available and would result in fewer environmental impacts.

The burden of proof is on an applicant to rebut this presumption by demonstrating that there are no practicable alternatives before a discharge can be permitted. We are concerned that the Draft EIS contains insufficient information to demonstrate that any of the alignment alternatives represent the least environmentally damaging practicable alternative (LEDPA). Limiting the selection of alternatives to only those which consider operational or other regulatory criteria, would not, in our view, be consistent with the Guidelines because the presumption would remain, and opportunities to avoid discharge into a special aquatic site would not be fully explored. Because of this, we recommend that STB consider additional alignments to maximize avoidance of waters of the U.S.

For example, the 2003 corridor analysis included an alignment that followed the Port MacKenzie Road and Knik-Goose Bay Road. Table 2-1 includes a brief discussion of why that alignment was not included in the Draft EIS. It does not appear, however that an alignment between the current Big Lake segment and Knik-Goose Bay Road was evaluated. Such an alignment could possibly swing east and then north in a broad curve, taking advantage of higher ground, and connect with the mainline near the proposed location for the current Big Lake segment.

The Guidelines also require that ‘no discharge of dredged or fill material shall be permitted unless appropriate and practicable steps have been taken which will minimize potential adverse impacts of the discharge on the aquatic ecosystem’ [40 CFR §230.10(d)]. We believe that, absent substantial efforts to avoid and minimize project impacts, the construction and operation of a rail line extension to Port MacKenzie may result in substantial and unacceptable impacts on aquatic resources of national importance (ARNIs). The Susitna and Little Susitna rivers, Willow Creek, and Knik Arm all support fishery and wildlife resources that are of statewide and national importance. The project area also includes several large wetland complexes which provide hydrologic and ecological support for these ARNIs. We believe that measures such as elevating portions of the rail line are practicable and should be considered where appropriate to minimize impacts to aquatic resources. We question whether an alternative without such measures could be demonstrated as being the LEDPA in compliance with the Guidelines.

For example, the proposed tie-in of the Big Lake segment to the ARRC mainline through the Cheri Creek wetlands does not appear to include any measures to minimize impacts to the stream and adjacent wetlands. We do not believe that the relocation of 2,460 feet of this anadromous stream and construction of the rail embankment, staging area, and access road on solid fill could be demonstrated to represent the LEDPA.

EPA also recommends that the Final EIS include a preliminary 404(b)(1) evaluation so that the public can review and comment on it prior to publication of the Record of Decision (ROD). A preliminary 404(b)(1) evaluation would assist in streamlining the 404 permitting process. In

addition, the final EIS should discuss and propose compensatory mitigation for all unavoidable impacts to the aquatic environment.” (63-30)

Response

Regarding the first paragraph commenting on whether “earlier efforts were undertaken to avoid, to the maximum extent practicable, impacts to waters of the U.S.,” as indicated in Section 2.2.1 of the Draft EIS, prior to OEA’s preparation of the Draft EIS, the Applicant conducted a constraints analysis based on engineering requirements and available environmental data to re-evaluate the alignments from the 2003 MSB study and develop alignments that could minimize potential impacts to the environment. That analysis considered wetland impacts. The Applicant subsequently prepared a wetland delineation that OEA independently verified and used in the preparation of the EIS. This has given OEA detailed information on the wetlands in the project area and has allowed OEA to ensure that all relevant environmental factors, including wetlands, are included in the determination of reasonable and feasible alternatives and the environmental review process.

Regarding the second and third paragraphs commenting on the incorporation “of environmental considerations into all phases of project planning” and the requirements for a Clean Water Act section 404 permit, OEA has analyzed and used the Applicant’s preliminary engineering in preparing the EIS and determining the environmentally preferable alternative. With respect to the commenter’s concerns that the Draft EIS did not contain sufficient information to determine a LEDPA, OEA is not the Applicant, nor is OEA applying for a section 404 permit. Nevertheless, OEA has coordinated with the USACE to try to include an alternative that would meet the LEDPA requirements that the USACE would apply to the permitting process that will take place subsequent to this Final EIS. The alternatives that OEA has considered are the result of a process that identified and considered a range of potential routes and led to the selection of a reasonable range of alternatives for analysis in this Final EIS. Section 2.2 of this Final EIS describes the alternatives development process and lists the alternatives eliminated from detailed study. During the development of a reasonable range of alternatives for the EIS, OEA asked the Applicant about potential changes in the alignments that could avoid wetlands and other impacts. If the Board authorizes the proposed action and designates a preferred alternative, the Applicant would follow the standard Clean Water Act section 404 mitigation sequence of first avoiding, then minimizing, and finally compensating for impacts to wetlands and other waters of the United States that would result from rail line construction. For wetlands filled and lost as a result of the project, in accordance with Clean Water Act section 404, the Applicant would have to mitigate to ensure “no net loss” of wetlands. Final decisions regarding minor route adjustments and other measures to minimize wetland impacts would be made during permitting and final design.

CEQ regulations state that preparation of an EIS is expected to occur early in the planning process for the proposed Federal action and, for applications to an agency, the EIS “shall be commenced no later than immediately after the application is received” (see section 1502.5, Timing). Consequently, in the process of pursuing this early consideration of potential environmental impacts, it is not always feasible to have available the level of project detail necessary to meet final permitting requirements. That is especially true for long, linear projects like this one with multiple alternatives. Although OEA is not aware of any CEQ requirement

that an EIS must provide all the detailed information necessary to comply with subsequent construction permits, should the initial Federal action be approved, we realize the importance of interagency cooperation and coordination, both during and following the NEPA process. We are also aware that the CEQ has provided guidance in its often-quoted NEPA's Forty Most Asked Questions regarding applicants who need permits (see question number 9 of the guidance). The CEQ notes that the purpose of this coordination is to “insure an early and comprehensive analysis of the direct and indirect effects of the proposal and any related actions.” OEA has worked with the USACE to achieve the goals of this coordination. The level of detail that the commenter would have liked is not and cannot reasonably be available until it is known whether the STB has approved the proposed construction and, if so, which alternative or alternatives will be constructed.

The CEQ also notes in the guidance that “Section 1502.25(b) requires that the Draft EIS list all the federal permits, licenses and other entitlements that are needed to implement the proposal.” The guidance also states that “These provisions create an affirmative obligation on federal agencies to inquire early, and to the maximum degree possible, to ascertain whether an applicant *is or will be seeking other federal assistance or approval*, or whether the applicant is waiting until a proposal has been substantially developed before requesting federal aid or approval” (emphasis added). This clearly indicates that EISs are not required to contain permit-level information; such information can be developed later.

Regarding the fourth and fifth paragraphs commenting on the 404(b)(1) guidelines for non-water dependent uses, raising concerns about insufficient information in the Draft EIS for the purposes of determining the LEDPA alternative, and noting that an applicant bears the burden of proof to demonstrate that there are no practicable alternatives, OEA has conducted a thorough alternatives analysis, an important part of which was to avoid wetlands. OEA believes that the EIS presents sufficient information about wetlands and the other environmental issues raised here to comply with CEQ regulations. During the initial development of alignments, the Applicant sought to minimize wetland impacts, and OEA sought to minimize wetland and other environmental impacts during the development of a reasonable range of alternatives for the Draft EIS. OEA has not found (and no commenter has presented) any other reasonable and practicable rail line alternative that would result in a material reduction in wetland impacts.

The sixth paragraph suggests that an alignment between the current Big Lake Segment and Knik-Goose Bay Road would have fewer wetland impacts. OEA reevaluated that area in response to the comment and determined that, while an alternative through that area might affect less wetland acreage, it would require taking a much larger number of residences than alternatives that would include the Big Lake Segment. In addition, such an alternative would require a substantial increase in cut and fill activity to overcome the steeper topography, even with an increase in track grade from 0.5 to 1 percent, and would require approximately a 100-foot increase in the maximum elevation of the rail line. The alternative would also require more highway-rail grade separations and numerous at-grade road crossings.

In the seventh paragraph, the EPA states that “absent substantial efforts to avoid and minimize project impacts, the construction and operation of a rail line extension to Port MacKenzie may result in substantial and unacceptable impacts on” ARNIs, including the Susitna and Little Susitna rivers, Willow Creek, and Knik Arm, as well as supporting wetlands. However, the

USEPA does not explain what the substantial and unacceptable impacts are. Nevertheless, OEA's analysis demonstrates a minimization of impacts to the waterbodies considered by the EPA to be ARNIs. The Willow Segment would cross the Little Susitna River and Willow Creek with bridges. The Houston North Segment would cross the Little Susitna River with a bridge. None of the other alternatives would cross the Susitna River or Knik Arm. Regarding the construction of a trestle across wetlands, the Applicant provided the following response, which OEA independently verified:

In its information request, SEA asks ARRC to provide information about the feasibility and in particular, the cost-of "elevating the proposed rail line on a trestle across wetlands and floodplains." In general, it costs approximately \$13,000 per foot to build an elevated rail trestle. By contrast, the cost of a standard rail line constructed at ground level is approximately \$1,000 per foot. Each of the proposed alternatives in this case would cross significant stretches of wetlands and floodplains. Assuming a 35-mile project, the elevation of less than 1.5 miles of track would add 50% to the overall project cost. Less than 3 miles would double the overall project cost. That added cost alone makes trestle construction infeasible.

In these circumstances, the trestle suggested by the commenter is not a reasonable and feasible alternative. Regarding the comment on the proposed tie-in of the Big Lake Segment in the eighth paragraph, each alternative has trade-offs and only one can be the LEDPA. OEA reasonably considered impacts to a range of resources, not only wetlands, in determining the environmentally preferable alternative.

While OEA is not seeking a section 404 permit and is thus unable to include a preliminary 404(b)(1) evaluation in this Final EIS, the Applicant has prepared wetland impact data based on the footprint of the proposed alternatives rather than the full width of the ROW to reflect a more realistic impact to resources due to rail line construction. OEA independently verified this data. This data is closer to what the Applicant would submit in their permit application. In addition, OEA coordinated with the USACE to include more detail on the wetland functional assessment across the alternatives in this Final EIS. Chapter 19 of the EIS proposes several mitigation measures to avoid impacts to wetlands.

Comment

"It is recommended that Table 2.2 Summary and Comparison of Potential Impacts be modified to include a new Transportation impact category. This section should provide a comparison of the alternatives as they impact existing and proposed Transportation facilities including trails, roads and aviation, as appropriate." (67-1)

Response

Potential impacts to transportation are discussed in the EIS in Chapter 11, Transportation Safety and Delay, and Chapter 13, Land Use. As stated in the EIS, Table 2-2 "highlights potential impacts for resource areas and topics for which there are noteworthy differences among the build alternatives." Potential impacts to trails are included in Table 2-2. OEA believes that the potential impacts to roads and aviation, as presented in the EIS, do not warrant inclusion in Table 2-2, given the stated purpose.

23.2.4.1 Southern Segments-Mac East and Mac West

Summary Comment

Commenters expressed a preference for the Mac East Segment based on fewer potential impacts to recreational opportunities and on it being more favorable to the farming community. One commenter suggested that the Mac East Segment would have the least impact on recreational parks and trail users. (47-1, 134-2)

Commenters recommended the Mac West Segment based on the potential positive impacts to future development, increased access to business and residential opportunities, fewer road crossings, and minimal impacts to recreation. One commenter suggested the Mac West Segment would have the least impact on future growth to the area by allowing better access for residents, businesses, and visitors. Commenters expressed a preference for the Mac West Segment, stating that the segment would require fewer road crossings, increasing safety. Commenters suggested that the Mac West segment would have the least impact to wetlands and wildlife habitat because the segment would run along the edge of uplands and would reduce potential hazards for wildlife. Commenters expressed a preference for the Mac West Segment because there are fewer residential areas along this route. (36-2, 70-3, 139-1)

Response

The EIS analyzes potential impacts of the proposed action and alternatives, including the No-Action alternative. The Board will issue a final decision based on the entire environmental record, including the record on the transportation merits, the Draft EIS, this Final EIS, and all public and agency comments received. The Board then will decide whether to approve the proposed rail line, deny it, or approve it with mitigating conditions, including environmental conditions.

Comment

“The Mac-E segment, in comparison to the Mac-SL segment, involves more wetlands, the terrain is more complex, and there are inferior soils for construction purposes. The Mac-E segment has considerable challenges in avoiding Carpenter Lake. In fact it is required to turn westward through the projected town site in order to avoid Carpenter Lake. Mac-E requires a grade separated crossing at the intersection with Holstien Road. One result of Mac-E will be a large moose kill due to the segments location in prime moose wintering area and a heavily used migration route for moose. This is expounded on in the KABATA EIS.” (88-11)

Response

OEA acknowledges the commenter’s opposition to the Mac East Segment. The EIS identifies and discloses the potential environmental impacts of the proposed action and alternatives, including those that the commenter mentioned, for consideration by agency decision makers and the public. The Board will consider the entire environmental record, including potential impacts and the mitigation measures in Chapter 19 of this Final EIS, in deciding whether to license the proposed rail line, and if so, which alternative(s) to approve.

Comment

“Following are the ‘SIGNIFICANT NEGATIVE IMPACTS’ due to the Mac-E segment. It is important to realize that most of the land in the Point MacKenzie area has already been dedicated to a specific use and is not available for residential or commercial use. The available land is mainly along the Point MacKenzie Road corridor. Having a railroad going through this narrow corridor has a huge negative impact on the development of the Point MacKenzie area because the coming development will be right along the railroad tracks. An example of the problems associated with growth around a railroad are being experienced right now in Wasilla.

Consequently there are several railroad projects planned or underway intended to reduce the railroad’s impact on Wasilla. J and K and L The railroad would split the Point MacKenzie Road corridor thereby preventing development of a cohesive community or any commercial development other than strip development. The best land and the obvious prime location for commercial development is at the junction of Point MacKenzie Road and Burma Road. The railroad would split this prime land and prevent the development of a cohesive town site. M The KABATA Final EIS chapter 2-115 states ‘Functional Classification of Pt. MacKenzie road alternative would be a rural principal arterial highway, with a design speed of 70 MPH.’ Having Mac-Rail adjacent to Point Mackenzie Road will greatly complicate the projected improvements in Point MacKenzie Road. The PEAR stresses that the railroad route should be kept away from the new prison. The Mac-E segment goes right in front of the prison. ARRC specifically stated in a meeting of government agencies that there would be negative consequences if there was a railroad alongside a major highway. Yet they are using Mac-E which is the ONLY southern segment that is adjacent to the highway which will evolve from the present Point Mackenzie Road. Providing for some separation between the Mac-Rail corridor and the developing areas also reduces other potential impacts such as noise, vibration, and visual impacts.” (88-25)

“Many people object to Mac East going through the area around the intersection of Ayrshire Road, Burma Road and Point MacKenzie Road, hereafter referred to as the ‘4-corners’ area. It is probable that ‘there will be numerous inputs on the DEIS referring to this area. Without knowing the importance of this 4-corners area to the growth of the Point MacKenzie area the evaluators of these inputs re the DEIS will not be able to realistically evaluate these inputs. So we think it is worthwhile to provide this background information regarding the 4-corners area. The 4-corners area is the hub of roads leading into and out of the general Point MacKenzie area. The roads include Point MacKenzie Road eastward, Ayrshire Road westward, Burma Road northward, Point MacKenzie road southward. The significance of these roads is as follows: Point MacKenzie Road Eastward: this is currently the only access road into and out of the area. This road connects the area to Wasilla which supplies almost all the current needs of the Point Mackenzie area and will continue to be very important far into the future. This road also is travelled both winter and summer by people accessing the recreational opportunities of the area. Ayrshire Road: Ayrshire Road westward provides access to the farms in the northern part of the agricultural area, to the prison farm, to the ‘gas line’ trail, to the gas liquification plant and to residents north of Ayshire Road. Ayrshire also provides access to the recreation area that the state operates at the Little Susitna River which provides a camping area and which provides the only boat ramp for the popular fishing destinations of the lower Little Susitna River. The ‘gas line’ trail refers to the cleared ROW of the ENSTAR gas line from Beluga to Wasilla. This trail provides snowmachines access to the huge remote areas west of the Little Susitna River. Burma Road northward: this road will connect this area to the Parks Highway north of the congested

area of Wasilla. Burma Road will greatly shorten the trip to the Parks Highway but will also avoid increasing the existing traffic congestion in Wasilla. Burma Road also will provide a second access road out of this area. The importance of having more than one access to all areas was driven home during the Miller's Reach fire. The upgrade of Burma Road is included in the '2000 to 2008 CIP' and is currently in the [? design, funding, ???CIP,] phase. Point MacKenzie Road southward from '4-corners': this road provides the only access to the port, to the maximum security prison and to the residents in the areas surrounding Point MacKenzie Road and Alsop Road. It also provides access to the S and M and hunting areas east of the port district. It is also the primary access to the southern portion of the agricultural project via Holstein Road. The soon to be operational vehicle ferry from the Port area to Anchorage will funnel traffic north to the 4-corners area. The Point MacKenzie area will experience significant growth in the coming years due to the increase in job opportunities, increases in commercial enterprises in support of the increasing population as well as traffic to the numerous recreational opportunities in the area. In the future there will be considerable traffic thru the 4-corners area because of improved access to the area provided by the Anchorage-to-Point MacKenzie vehicle ferry and the Knik Arm Bridge EIS. Commercial enterprises prefer to locate in high traffic areas which, in the Point MacKenzie area, will be primarily in the 4-corners area. So when there is public input to the DEIS regarding the impact of Mac East to the 4-corners area such input should be evaluated in light of the considerations given above." (88-19)

Response

Land Use is addressed in Chapter 13 of the EIS. The EIS provided a thorough analysis of the impacts by alternative segment and segment combinations on pages in section 13.1.5. Table 13.1-4 further summarizes impacts to private property by specific alternative segment and segment combinations. The potential for significant future growth along Point MacKenzie Road in the southern portion of the MSB depends heavily upon whether or not the Knik Arm Crossing is built. The Final EIS for the bridge was issued in 2007 and a record of decision was issued in December 2010. Nevertheless, impacts resulting from the crossing would be focused at the southern end of the project area. These impacts could include increased commercial and residential development and recreational activity. The potential increase in development in the southern portion of the rail line project area could be focused along Point MacKenzie Road. If the Mac East Segment, which would run along the west side of Point MacKenzie Road, were selected as part of an alternative, potential residential and commercial development could be limited to the eastern side of the road.

23.2.4.2 Northern Segments-Houston, Big Lake, and Willow

Summary Comment

Commenters expressed opposition to the Willow Segment due to concerns over a decline in property values, restricted access to recreation opportunities and loss in section 4(f) and 6(f) lands, increased noise and vibration, loss of visual aesthetics, impacts to wetlands, reduction to wildlife habitat and vegetation, and impacts to salmon and trout fisheries from river and stream crossings. Many commenters identified impacts to moose habitat and moose safety as their primary concern. Commenters also expressed concern regarding the length, construction time, and costs of this route. They expressed their preference for alternatives including the Big Lake

and Houston segments. (3-2, 13-2, 14-1, 21-1, 43-1, 43-3, 43-6, 43-7, 47-3, 51-1, 52-1, 54-3, 54-6, 73-2, 73-6, 82-1, 83-2, 83-5, 85-1, 86-2, 94-6, 136-1, 136-5, 138-1, 144-1, 144-2, 149-1, 150-7, 156-1, 161-1)

Commenters expressed opposition to the Houston Segment due to concern over a decline in property values, increased traffic delays, loss of private property, limited access to recreational opportunities, impacts to wetlands and fisheries from river and stream crossings, reduction in wildlife habitat, loss in visual aesthetics, increased noise and vibration, creation of safety hazards, and flooding and washouts from changes in surface water flow. Commenters also expressed opposition due to concerns that hazardous materials may be carried along the rail line, increasing the risk of hazardous spills. Many commenters identified concerns due to the Houston Segment's proximity to a fault line and the potential for an earthquake. They expressed their preference for alternatives including the Big Lake and Willow segments. (12-1, 16-6, 22-4, 35-2, 47-3, 49-1, 60-1, 72-4, 82-1, 97-4, 104-1, 109-2, 112-5, 112-6, 128-5, 135-1, 142-7)

Commenters expressed opposition to the Big Lake Segment due to concern over a decline in property values, increased traffic delays, loss of private property, limited access to recreational opportunities, impacts to wetlands and fisheries from river and stream crossings, reduction in wildlife habitat, loss in visual aesthetics, increased noise and vibration, creation of safety hazards, and flooding and washouts from changes in surface water flow. Many commenters specifically identified the loss of private property and government "takings" as their primary concern. (10-1, 22-2, 71-1, 81-9, 94-8, 115-2, 120-2, 128-6, 150-7)

Response

The EIS identifies and discloses the potential environmental impacts of the proposed action and alternatives, including those the commenters mention, for consideration by agency decision makers and the public. The Board will consider the entire environmental record, including potential impacts and the mitigation measures in Chapter 19 of this Final EIS, in deciding whether to license the proposed rail line, and, if so, which alternative(s) to approve.

Summary Comment

Commenters expressed a preference for the Willow Segment based on the perceived minimal impacts to private property and recreation, minimal loss of wetlands, fewer river and stream crossings, fewer concerns over safety and traffic delays at road crossings, and stated their belief that the soils in this segment were better suited for rail construction than either the Houston or Big Lake segments. Commenters also stated their belief that the alternatives containing this segment would open up land in the Willow area for future growth and development and will help alleviate existing rail traffic in the Borough by providing a more direct route to the Alaskan Interior. (8-1, 11-1, 16-8, 16-11, 17-1, 22-3, 24-1, 31-1, 35-2, 47-3, 59-3, 60-6, 60-7, 61-3, 72-1, 74-2, 75-7, 89-1, 98-3, 98-4, 105-2, 107-5, 109-4, 109-5, 112-2, 116-1, 119-5, 123-4, 127-3, 128-1, 137-4, 139-1, 142-2, 147-3, 147-4)

Response

Comment noted. Chapter 13 of the EIS addresses potential impacts to private property and recreation opportunities near the Willow Segment. Chapter 4 of the EIS addresses potential

impacts to water resources near the proposed Willow Segment. Section 11.4.1.1 in the EIS addresses grade crossing safety and Section 11.4.1.2 in the EIS addresses grade crossing delays for the proposed Willow Segment.

Summary Comment

Commenters expressed their preference for the Big Lake Segment due to perceived minimal impacts to recreational opportunities. They also stated their preference based on an alternative including the Big Lake Segment being the shortest route, which involves the least cost and construction, compared to those alternatives including the Houston and Willow segments. (112-4, 152-1)

Response

Comment noted. Section 13.2 in the EIS describes potential impacts to recreation resources from the Big Lake Segment. Section 2.3.3.5 in the EIS addresses construction of the Big Lake Segment.

Summary Comment

Commenters expressed a preference for the Houston Segment over the Big Lake and Willow segments based on perceived minimal impacts to recreation, wildlife and wildlife habitat, and fisheries, along with fewer impacts to cultural resources. Another commenter stated their belief that this alternative is consistent with the Houston Comprehensive Plan for community development. (26-1, 34-1, 39-2, 47-1, 54-9, 141-2, 161-3)

Response

Comment noted. Section 13.2 in the EIS addresses potential impacts to recreation resources in proximity to the Houston Segment. Sections 5.3 and 5.4 in the EIS describe potential impacts to wildlife and fisheries from the Houston Segment, and Section 13.1 addresses potential changes in land use from the Houston Segment.

Comment

“The other thing is EIS state appears to take a negative look at the Big Lake route, thoroughly covered, but not the Willow or Houston routes in the same light. This gives the impression that the Big Lake route is being viewed differently and being removed from consideration on the offset.” (94-7)

Response

The EIS analyzes the potential impacts of the proposed action and all alternatives considered for detailed study, including the No-Action Alternative. The Board will issue a final decision based on the entire environmental record, including the record on the transportation merits, the Draft EIS, this Final EIS, and all public and agency comments received. The Board then will decide whether to approve the proposed rail line, deny it, or approve it with mitigating conditions, including environmental conditions.

23.2.4.3 No Action Alternative

Summary Comment

Commenters expressed concern about the lack of clear communication and coordination among stakeholders. It was suggested that the No-Action Alternative be considered until transportation activities and projects in Alaska can be organized to plan for the long term. Commenters stated the need for feasibility issues to be resolved. Commenters questioned the necessity of Port MacKenzie and it was suggested that the No-Action Alternative be given great consideration. Commenters believe the Borough Administration is only looking at the short term by considering alternatives that are not in the interest of Alaska's citizens, its economy, or future commercial or industrial development opportunities. Commenters questioned the impacts of the No-Action Alternative and suggested a reevaluation. Concerns were raised about economic justification and the lack of economic data in support of the proposed rail line. Commenters stated that the No-Action Alternative is necessary until additional analysis of environmental and socioeconomic issues is conducted. (44-1, 44-10, 55-1, 56-4, 57-2, 58-6, 119-4, 123-6, 123-7, 124-11)

Response

As a licensing agency, the STB responds to filings from applicants who propose to build new rail lines that require the STB's approval. The STB is not responsible for planning those projects. As stated in Section 1.1.2 of the EIS, in 1993, the MSB established the port district area and designated the land for development, including the development of Port MacKenzie, in the MSB Coastal Management Plan. A rail line to Port MacKenzie has always been part of previous planning studies, which have noted that good surface transportation access would be necessary to accommodate growth at Port MacKenzie and to develop it as a strong economic driver in the MSB. The 1997 MSB Long Range Transportation Plan (MSB, 1997) described the need for rail and improved road access to Port MacKenzie. In 2003, the MSB completed a preliminary study of road and rail corridor alternatives that would connect Port MacKenzie to the ARRC main line (MSB, 2003). In 2007, the state granted the MSB an appropriation to perform conceptual engineering and environmental documentation for the Port MacKenzie Rail Extension, which resulted in publication of the PEAR (ARRC, 2008).

As the commenters note, NEPA requires consideration of the No-Action Alternative (retaining the status quo). The analysis of the No-Action Alternative in the EIS complies with NEPA and CEQ regulations.

Under 49 U.S.C. § 10901(c), the Board must authorize a rail line construction project "unless the Board finds that such activities are inconsistent with the public convenience and necessity." As part of its review of the application, the Board will consider the transportation-related merits of ARRC's proposal, along with the environmental record, and determine whether to authorize the proposed construction and, if so, what alternative(s) to approve.

With respect to economic data, the Applicant provided the information required by the applicable Board regulations. It is the Board, and not OEA, that will weigh the transportation benefits against potential environmental harms. OEA notes that the Board is not required to withhold approval of a proposed construction in the absence of financing and traffic commitments if it is

persuaded that an Applicant will attract the level of traffic needed to justify the investment needed to construct the line. This approval is consistent with the current permissive licensing policy adopted by Congress in 1995, which now provides that rail constructions are to be approved unless found not to be in the public interest.

Finally, there has been no cost-benefit analysis for the proposed rail line, but the regulations implementing NEPA (see C.F.R. § 1502.23) do not require one.

23.3 Topography, Geology, and Soils

23.3.1 Permafrost

Comment

“Page 3-14/Paragraphs 5 and 6/The statement in paragraph 5 about the documentation of permafrost in the area needs a citation. All the statements in paragraph 6 need citations. Page 3-15/Paragraph 1/Statements in this paragraph need citations. Page 3-15/Paragraph 4 and 5/Statements in these paragraphs should have citations. Page 3-16/Paragraph 1/Statements in this paragraph should have citations.” (159-20)

Response

Comment noted. Where applicable, citations have been added to this Final EIS. Those statements that are based on basic engineering principles, such as the removal of vegetation increasing ground surface temperature in summer, have not been given citations.

23.3.2 Seismic Hazards

Comment

“The Houston Route traverses a known active earthquake fault. Peter Haeussler of the U.S. Geological Survey shows that the area can produce an earthquake in the magnitude of 6 to 7. This puts the railroad in a zone of ‘goo’ where sediments liquefied and flowed during ancient earthquakes. I experienced first hand the 1964 Alaska earthquake. I saw what happened to roads and building in a earthquake of that magnitude. The buildings in downtown Anchorage slid out to sea. The road system on ‘goo’ at the end of Tumagain Arm disappeared. We could not even find any evidence that there was a road there.” (16-9)

Response

Seismic hazards were considered in the EIS. As discussed in Section 3.6, the Upper Cook Inlet Basin is a very tectonically active region and, due to the regional nature of seismic hazards, seismic events could affect all of the alternatives. The Applicant has volunteered to design the rail line and associated facilities to engineering criteria for seismic events and this provision is included as mitigation measure VM-1 in Chapter 19.

Comment

“What is of concern, and the reason for this letter is that the status of the sub surface geologic estate is NOT part of the Evaluation Matrix. The proposed Houston South route runs perfectly parallel for its entire length of travel with the Castle Mountain Earthquake Fault (Exhibit C). Let me be clear, we’re not talking about the proposed rail line merely crossing the fault, but rather the proposed route runs directly on top of or directly along side of the fault from the Susitna River to the Parks Highway. Dr. Peter Haeussler of the USGS states that this fault could fail at anytime with an expected 7.2 magnitude earthquake (1). This fault line has failed every 650-700 years for the last 2500 years. The last time this fault line failed was 650 years ago. The construction of a portion of a quarter million dollar rail project paid for with taxpayer dollars on top of a known, well documented and well studied earthquake fault is something prudent officials, such as yourself, should avoid. Even minor quakes could create frequent rail alignment failures resulting in numerous, expensive derailments. Let me urge you to remove from consideration the Houston South route as it is certainly not a safe, viable, commercial transportation route. In January of this year, the Alaska Rail Road’s ‘Preliminary Environmental and Alternatives Report’ finally acknowledged the existence of this fault. Unfortunately the Alaska Rail Road gave it ‘short shrift’ sighting the 1964 earthquake in Alaska did little damage to the railroad. Of course they failed to mention that the 1964 quake occurred twenty miles out at sea, and five miles below the earth’s surface, which is far and away and entirely different scenario than building a rail line virtually on top an active seismic fault. Because of its potential significance, the USGS has studied the Castle Mountain Fault for nearly 35 years. The Castle Mountain Fault, according to Drs. Labay and Haeussler of the USGS, ‘is one of several major east-northeast striking faults in southern Alaska, and is the only fault with historic seismicity and Holocene surface faulting’ (2). For your convenience and review, I have enclosed an abstract of that report. I am not an expert on the matter, but I suspect that a bonding company may be reluctant to commit funding to a project designed (in part) to be constructed virtually on top of an ‘active seismic fault.’ It is my belief that individuals at the following agencies may express serious chagrin at such a proposal: Alaska Earthquake Information Center, Alaska Division of Geological and Geophysical Surveys, Applied Technology Council, Alaska Division of Homeland Security and Emergency Management, Earthquake Engineering Research Institute, Federal Emergency Management Agency, U.S. Geological Survey. I know as I have spoken with many of them. The Houston South route was removed from consideration in the 2003 study of rail line extensions. Just 5 years ago the Alaska Rail Road endorsed the westerly route, which is now referred to Connection 3 or the ‘Willow Route.’ Because of the length of track and subsequent cost, this ‘Willow Route’ appears to be less favorable today than the shorter Houston South route. The problem remains of the potential of a 7.2 magnitude earthquake under the entire length of the Houston South Route. I urge you to again make the Connection 3 route, or Willow Route, the preferred route of the Surface Transportation Board.” (30-1)

Response

By “evaluation matrix”, OEA understands the commenter to be referring to Table 2-2 in the EIS. As indicated in Section 2.4.15 of the EIS, Table 2-2 only includes potential impacts for resource areas and topics for which noteworthy differences among the build alternatives were identified. As discussed in Section 3.6 of the EIS, the Upper Cook Inlet Basin is a very tectonically active region and, due to the regional nature of seismic hazards, seismic events could affect all of the

build alternatives. If seismic damage to the proposed rail line would occur, it would be highly unlikely to result in a derailment. Also, the Applicant has proposed only alignments that it believes would be feasible, so the financial risk associated with any of the alternatives would be acceptable. The Applicant has volunteered to design the rail line and associated facilities to engineering criteria for seismic events and this provision is included as mitigation measure VM-1 in Chapter 19.

Comment

“Also, if south central Alaska should suffer a major earthquake, the Knik River bridges could become impassable and an alternative route for fuel and supplies will be strategically necessary to supply interior Alaska.” (33-2)

Response

Comment noted.

Comment

“And by the way, the port was not this deep until the earthquake of 1964, which rendered the Knik Arms unnavigable and made this port a lot deeper. Now we are in – we’re sitting right in the middle of an earthquake fault in an earthquake belt. If these other earthquake areas could have made this fall, what happens if we have an earthquake right here in this area? And by the way, it’s very important to point out we had four earthquakes today on the Castle Mountain fault and no one seems to think that is a problem. We are destined for a much larger quake.” (124-5)

Response

Seismic hazards were considered in the EIS. As discussed in Section 3.6, the Upper Cook Inlet Basin is a very tectonically active region and, due to the regional nature of seismic hazards, seismic events could affect all of the alternatives. The Applicant has volunteered to design rail line and associated facilities to engineering criteria for seismic events and this provision is included as mitigation measure VM-1 in Chapter 19.

23.4 Water Resources

Comment

“The Environmental effects on the Houston Route would far exceed the Willow Route. It is eminently closer to many small lakes and recreational areas. Any spill, at all, would most likely directly affect or quickly leach into one of the many lakes. Additionally, the recreational cabins and permanent homes in this area rely on wells for their water. We cannot afford any contamination or interference with subterranean water streams. The Willow Route is along a glacial moraine that is above the water table and has less of a chance of impact on the lakes, rivers or wells. With the soil in a moraine area, contaminants would tend to be contained in the ground soils and consequently easier to clean up. Also of note, there are almost no full-time residences along the Willow Route and very few cabins.” (16-10)

Response

As discussed in Chapter 11, ARRC intends to transport primarily bulk materials and has no plans to transport hazardous materials. Thus, the likelihood of a release of hazardous materials due to an accident is low. The potential impact of drips and spills of lubricants during operation, should they occur, is addressed in Chapters 4 and 5 of the EIS. OEA anticipates that the nature of any such releases would be sufficiently limited that the differences in soils, geology, surface water, and groundwater characteristics among the build alternatives would not result in a material difference in the potential impacts on water resources of such releases.

Comment

“The railroad bed will create a ‘dam’ that is 35 miles long. This will keep the surface and ground water from flowing as it is now. We will have more wetlands with big puddles of water. The Willow route is mostly predominately moraine soil were the Houston routes are predominately bog and out wash. The Borough informed the Alaska Fish and Game that they would have to build bridges over any wetlands that were identified as ‘bog’ or ‘out wash.’ The Willow Route is along a glacial moraine that is above the water table and has less chance of impact on the lakes, rivers or wells.” (40-2)

“The Houston Route cuts through a large watershed area. In particular, the route between Muleshoe Lake and the adjacent unnamed lake to the east could disrupt the surface, subsurface and spring-fed movement of water that feeds Little Horseshoe Lake (West Lake) that in turn feeds Horseshoe Lake. If this movement of water is disturbed by rechanneling, damming or segregating, the affect could be drying up of the four lakes. This would have huge consequences for property owners around those lakes. The lakes are not at the same elevation.” (75-4)

Response

The potential impacts on surface waters are discussed in Section 4.2.4 of the EIS. As indicated in the Applicant’s voluntary mitigation measure VM-5, the Applicant would design and construct the proposed rail line and associated facilities in such a way as to maintain natural water flow and drainage patterns to the extent practicable. It is the Applicant’s interest to do so to help ensure the long-term stability of the rail bed. In addition, as indicated in the Applicant’s voluntary mitigation measure VM-3, the Applicant would obtain section 404 and section 10 permits for project-related construction activities in wetlands and waterbodies. Further provisions for minimizing changes to natural flow patterns are provided in mitigation measures 1 through 7 in this Final EIS.

23.4.1.1 Regulatory Setting

OEA did not receive comments on this topic.

23.4.2 Surface Water

Comment

“Another one of my concerns is what’s happening with the Glenn Highway there across the Eklutna Flats. The road is acting as a dike and you will see that the water on the mountainsides to the east is building up and killing all the trees, where on the south side of the road it’s drying up and the trees are starting to grow. Is this going to be what’s happened with the railroad where it goes out for this 10 miles with only half a dozen culverts?” (94-10)

“In addition, it’s also been pointed out that the watershed system – I’m also a real estate broker and a construction company owner, and the – as a real estate broker I have seen the watershed programs. I’ve got a big book that’s about this thick with all the maps and so forth of the drainages in this particular area. And should you build a levy that was – talking about a little bit earlier on which to build the railroad tracks and all of its supporting area, you’re going to transect that area and have a major change on the inflow of the water systems in the Big Lake drainage area.” (109-3)

“Additionally in the area of the Houston South route, there’s a very unique hydrological drainage system that needs consideration and I’ll address that in the interest of time in another comment, but it’s quite unique and it’s separate from the Big Lake drainage and I’m not sure that everyone here knows that it is different and it affects the overflow of the Little Su and the water levels in our area.” (119-2)

“This is swamp areas with lakes, rivers and you basically can’t ride in the summertime through there because it’s all swampy. But I know you’ve done some testing on it and I know what you think you know is there, but you have to physically look at it to see where the water is running and where – and a dam and basically what you’re building in the railroad is a dam with a few culverts underneath it to let the water get through. But it’s basically a dam. It’s going to effect the water quality throughout that area.” (137-2)

“The – probably one of the major aspects that’s maybe underrated right now, which has been already stated, is the blocking of the east-west drainage to the swamps, because that’s where all the runoff and all the water is going from east to west into the Big Su. Once you put that rail line bed down, that’s pretty much putting a dam in there.” (155-2)

“Now you’ll notice that paper that I gave you has a tab. And that tab shows you what Mr. Smole was referring to and that is that there is a watershed that’s unique to this place and there’s a watershed that’s 20 miles long and it runs just west of Horseshoe Lake and it goes into the Little Su. Now that’s different than the Big Lake watershed that goes into Cook Inlet. Now if you divide that watershed with a earthen dam to support a rail line and a 200 foot wide right-of-way to support an access road – and in addition now apparently there’s discussion in the legislature to add to that phenomenon a bullet line for gas – you are going to effectively bisect and destroy a watershed that produces salmon that feeds the beluga whales.” (121-3)

Response

The potential impacts on surface water are discussed in Section 4.2.4 of the EIS. As indicated in the Applicant's voluntary mitigation measure VM-5, the Applicant would design and construct the proposed rail line and associated facilities in such a way as to maintain natural water flow and drainage patterns to the extent practicable. It is in the Applicant's interest to do so to help ensure the long-term stability of the rail bed. In addition, as indicated in the Applicant's voluntary mitigation measure VM-3, the Applicant would obtain section 404 and section 10 permits for project-related construction activities in wetlands and waterbodies. Further provisions for minimizing changes to natural flow patterns are provided in mitigation measures 1 through 7. As discussed in Section 5.5 of the EIS, OEA consulted with the NMFS regarding potential impacts on beluga whales. The NMFS concurred with OEA's finding that the proposed rail line "is not likely to adversely affect the endangered Cook Inlet beluga whale or its proposed Critical Habitat." In reaching this conclusion, OEA and the NMFS considered potential impacts on salmon (NMFS letter dated March 9, 2010 in Appendix A of this Final EIS).

Comment

"One point before I close. And this has been some concern to me. The distance between Muleshoe Lake and the unnamed lake to its east is approximately 600 feet. The 200 foot on either side of the segment for purposes of the wetlands evaluation within the thousand feet figure that's in the EIS noted in Appendix C lies within each lake. What impact that has related to that, I don't know." (97-6)

Response

To provide context for the analysis of potential impacts on wetlands within the anticipated rail line footprint, OEA examined an area within 500 of the centerline of the proposed rail line segments. Open water (such as a lake) within this distance was classified as other wetland and waters(see section C.1.4 of the EIS).

Comment

"Page 4.2-20/Paragraph 3/Spelling error - change 'Rodgers Creek' to 'Rogers Creek'" (159-24)

Response

OEA has made the suggested change to Section 4.2 of this Final EIS.

Comment

"Page 4.2.24/Paragraph 3/The bridge on Houston South is next to an existing one. This is mis-construed throughout the document and needs to be addressed generally." (159-25)

Response

OEA has revised Section 2.1.1.7 and Section 4.2.4.1 in this Final EIS to clarify that a bridge over the Little Susitna River on the Houston South Segment would match the existing main line bridge over this waterbody.

23.4.3 Groundwater

Comment

“Page 4.3-1/Paragraph 2/Suggest removal of ‘ ... or Chugach mountains ...’ in the last sentence - the location of the Chugach mountains (east of Knik Arm) makes it highly unlikely that they contribute to the groundwater of the Susitna River Basin.” (159-26)

Response

OEA has made the suggested change to Section 4.3 of this Final EIS.

Comment

“Page 4.3-3/Table 4.3-1/To be consistent in the document – there is improper use of dashes on rows 6, 7, and 10; the rest of the table uses the term ‘through’ instead of dashes - suggest minor change.” (159-27)

Response

OEA has made the suggested change to Table 4.3-1 in Section 4.3 of this Final EIS.

23.4.4 Floodplains

Comment

“Page 4.4-7/Paragraph 1/The conclusion statements ‘1 percent of the total floodplain’ and ‘less than 1 percent of the total floodplain’ (4.4-8, 4th paragraph) seem to contradict the term ‘substantial’ used to describe floodplain impacts in vegetation section.” (159-28)

Response

OEA has removed the word “substantial” from the discussion of potential floodplain impacts related to vegetation in Section 4.4 of this Final EIS.

Comment

“Page 4-4.9/Last paragraph on page/Bridge type for Little Susitna bridge is wrong. ARRC will match existing, not 28-foot spans.” (159-29)

Response

OEA has made the suggested change to Section 4.4 of this Final EIS.

23.4.5 Wetland Resources

Comment

“The Draft EIS contains very limited information regarding wetland function, and this information is not site-specific. Additional, detailed, site-specific information regarding wetland type and functions will be necessary to compare the environmental impacts of the various alternatives. This is necessary to identify the LEDPA and establish that all practicable steps have been taken to minimize impacts to aquatic resources.” (63-29)

“There is not enough detail provided about the specific design or impacts to select the Least Environmentally Damaging Practicable Alternative (LEDPA) at this point. USACE would require this information if a permit application is received.” (90-1)

“Recommend including a table of quantitative data for the wetland functions for each of the alternatives. How many acres of Low, Medium, High functioning wetlands for each of the alternatives.” (90-4)

Response

Information on wetland functions for each of the alternatives has been included in Section 4.5 and Appendix C of this Final EIS. LEDPA determination would be part of the subsequent section 404 permitting process that will take place if the Board authorizes the proposed construction and the approved alternative(s) is known. Although OEA is not aware of any CEQ requirement that an EIS must provide all of the detailed information necessary to comply with subsequent construction permits, should the initial Federal action be approved, OEA realizes the importance of interagency cooperation and coordination during the NEPA process. OEA is also aware that CEQ has provided guidance in its often-quoted NEPA’s Forty Most Asked Questions regarding applicants who need permits (see question number 9 of that guidance). CEQ notes that the purpose of this coordination is to “insure an early and comprehensive analysis of the direct and indirect effects of the proposal and any related actions.” OEA has worked with the USACE to achieve the goals of this coordination.

The CEQ also notes in the guidance that “Section 1502.25(b) requires that the EIS list all the federal permits, licenses and other entitlements that are needed to implement the proposal.” The guidance also states that “These provisions create an affirmative obligation on federal agencies to inquire early, and to the maximum degree possible, to ascertain whether an applicant *is or will be seeking other federal assistance or approval*, or whether the applicant is waiting until a proposal has been substantially developed before requesting federal aid or approval” (emphasis added). This clearly indicates that EISs are not required to contain permit-level information.

If the Board authorizes construction and operation of the proposed rail line, the Applicant would be responsible for obtaining any necessary permits and providing information required for the permitting process.

Comment

“Furthermore, the routes cross lots of wetlands, causing construction and ongoing maintenance issues and potential environmental damage from runoff and access roads.” (64-2)

Response

Section 4.5 of the EIS describes wetland resources and potential impacts for each of the alternatives. Potential impacts from both construction and operation are discussed, including runoff from the access road and the rail line.

Comment

“Also, as I stated in my remarks on April 6, wetland evaluation is the area 500 feet on either side of the segment. See Attachment C. Where the route passes between Muleshoe Lake and the adjacent lake, the area extends approximately 200 feet into each lake.” (75-6)

Response

To provide context for the analysis of wetlands near the project area, OEA examined an area within 500 feet of the centerline for an overall width of 1,000 feet. Open water (such as a lake) within 500 feet of the centerline was classified as other wetlands and waters (see section C.1.4 of the EIS). The lakes would be slightly within 200 feet of the proposed centerline, but the rail line footprint is not anticipated to extend into either lake.

Comment

“The next issue is wetlands. I refer back to the maps I’ve already noted. Please observe the two distinct water areas when in the – within the alternative route areas. In the northwestern area west of the Little Susitna River we have a large number of unusually formed lakes. In the eastern area we have lakes similar in configuration until you reach the latitude above Big Lake. I certainly cannot give a reason for the huge contrast, but the areas are separated by the Little Susitna River. As a mixed up river as – as that river is, I would not be as surprised to learn that at some time the river drained through the eastern area. Maybe the layout could be from glacier activity. I have no idea. In any event, it is now void of distinct – a distinct drainage system. My observation is that drainage could be similar to a mini Everglades, water moving imperceptively (ph) slow but affecting a large area. The following approximated value elevations manifest the slow southerly flow of water in the area starting with Seymour Lake which is up on the right hand area of the longer lakes. Seymour Lake is approximately 300 feet. Beaver Lake is 190 feet. Muleshoe Lake is 175 feet. West Lake, or Little Horseshoe Lake I think is – that’s the way you referred to it in the EIS, is 160 feet. Horseshoe Lake is 160 feet. Hourglass Lake is 155 feet. And Big Lake is 145 feet. These changes in elevation were magnified by the range in 2006. Overflow of water from the area around Muleshoe Lake flooded into West Lake. Our – West Lake rose by approximately 16 inches and I think Horseshoe Lake did the same thing... The rise was from the rain itself and the overflow stream. So where did the water go? I can only conclude that some became part of the ground water system that feeds lakes and some migrated south as service water until normal drainage level was reached.” (97-2)

Response

The potential impacts on surface water are discussed in Section 4.2.4 of the EIS. As indicated in the Applicant's voluntary mitigation measure VM-5, the Applicant would design and construct the proposed rail line and associated facilities in such a way as to maintain natural water flow and drainage patterns to the extent practicable. It is in the Applicant's interest to do so to help ensure the long-term stability of the rail bed. In addition, as indicated in the Applicant's voluntary mitigation measure VM-3, the Applicant would obtain section 404 and section 10 permits for project-related construction activities in wetlands and waterbodies. Further provisions for minimizing changes to natural flow patterns are provided in mitigation measures 1 through 7 in this Final EIS.

Comment

"Page 4.5-17/Table 4.5-3/To be consistent in the document fix this table's use of decimal points in the reported acreage calculations – some values show tenths others do not." (159-30)

Response

In the EIS, acres are presented in Table 4.5-3 as integer values and proportions (percentages) to the tenth of a percent.

Comment

"Page 4.5-9/Paragraph 3/' ... use of rock salt and sand for increasing traction, which could damage or kill vegetation and aquatic life.' – ARRC uses sand, which has little or no effect on vegetation outside the ballast prism. This statement should be removed." (159-31)

Response

OEA has revised this statement in Section 4.5 of this Final EIS.

Comment

"Page 4.5-9/Paragraph 6/This paragraph properly refers to a low potential for fires and the unlikely changes to overall fire management – recommend that similar language be added to the wildfire discussion in the vegetation section." (159-32)

Response

OEA has reviewed the discussion of fire potential and fire management in Section 5.2.4.1 of the EIS and compared it to the discussion referenced by the commenter in Section 4.5. OEA has concluded that the discussions cover the same subject matter.

Comment

"Throughout Chapter 4.5 of the DEIS, wetlands impact calculations are based on the full 200-foot right-of-way, rather than the actual project footprint. See DEIS at 4.5-1 ('the EIS assumes

that...construction activities would disturb the entire ROW'). While ARRC appreciates the efficiency of measuring potential wetlands impacts in this manner, it is confident that construction of the rail extension will actually impact a small portion of the wetlands within the 200-foot right-of-way. In the analysis contained within the PEAR, the conceptual design was carried forth using existing topographic information. The ARRC was then able to actually model the footprint resulting in permanent impact resulting from embankment construction. This analysis has been updated for the final alignments used in the DEIS, and is summarized in the chart attached to this letter. The substantial differences are the result in the differences in terrain between the alignment alternatives. For example, the 200-foot right-of-way for the Houston South segment contains a marginally greater amount of wetlands within the initial right-of-way for the Big Lake Segment. However, the most of the Houston South segment's terrain is relatively flat, meaning that the proposed embankment will be relatively consistent and narrow, affecting only the wetlands directly in its path. By contrast, the Big Lake alignment traverses rolling hills, meaning that construction of an embankment will require significant cuts and fills estimated to be 60 feet or more. Because the wetlands along this route are in valleys that would have to be filled, the embankment would actually impact more wetlands than would the Houston South embankment. Final calculation of such wetlands impacts are properly postponed until ARRC applies for its Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers. For purposes of this Final EIS, however, ARRC recommends using the more precise footprint calculations in the attached chart to more accurately compare the wetlands impacts of various alignment options." (159-4)

Response

In this Final EIS, OEA has revised the analysis to use the rail line footprint anticipated by ARRC, which includes the rail bed, terminal reserve area, access road, and associated facilities.

Comment

"In sections 4.5.3 and C.3 of the DEIS, the STB-ARRC provide an accurate description regarding the important role wetlands play in providing water quality to EFH and anadromous species. However, in reviewing methods employed to determine wetland type and function, NMFS concludes the amount of wetlands impacted may be significantly underestimated and not accurately characterized using rapid assessment and aerial surveys methods. Wetland surveys and functional assessments need to be conducted in a manner that generates defensible results and would dictate conveyance structure design and dimensions to further avoid and minimize impacts to EFH. The DEIS does not include suggestions for full span bridges or to elevate portions of track and alignments to maintain wetland function and aquatic connectivity. If these measures are technically unavailable, the STB-ARRC should justify that rationale. Back filling wetlands and realigning 2,460 feet of known anadromous waters (Cheri Creek, Section G.3.4.8, page G.4) to construct rail alignments through the wetlands does not avoid and minimize impacts to the stream and adjacent wetlands. NMFS recommends a finer level of resolution in identifying and delineating critical and high value wetlands that support EFH and anadromous species and avoiding especially valuable areas altogether if possible." (62-15)

Response

During scoping for preparation of the EIS, OEA and the USACE met with the Applicant and discussed the methods to be used for wetland delineation. USACE agreed with the methods proposed and used by the Applicant, which OEA independently verified. If the Board authorizes the proposed construction, the Applicant may refine the information presented in the EIS for purposes of final design and/or permitting, but as discussed above, that level of detail is not required by NEPA or CEQ regulations.

Following receipt of comments on the Draft EIS, and at OEA's request, the Applicant provided additional information on the cost of elevating the rail line to avoid fill in wetlands and/or floodplains. That information, which OEA has independently verified, indicates that the cost of elevating the rail line over wetlands, except perhaps in very limited circumstances, would be prohibitively expensive and thus would not be a reasonable and feasible alternative for this project. OEA however, has developed several mitigation measures to reduce and minimize potential impacts to streams and wetlands. This mitigation, all of which is set out in Chapter 19 of the EIS, includes several mitigation measures, including measures VM-3, VM-4, VM-5, VM-10, VM-11, 2, and 3, to avoid and minimize impacts to streams and wetlands.

Comment

“Conduct wetland delineations of final alignments to refine the detail and description of site specific wetland function and hydrologic contribution of transected streams and rivers.” (62-12)

Response

If the Board approves construction and operation of the proposed rail line, OEA anticipates that the Applicant could be required to conduct additional wetland delineation and hydrologic analysis as part of other permitting processes.

23.5 Biological Resources

Comment

“Page 5.1-1/Paragraph 3/Second sentence is unclear suggest a revision-possibly break into multiple sentences to clarify.” (159-33)

Response

OEA has made the suggested change to Section 5.1 in this Final EIS.

23.5.1 Regulatory Setting

OEA did not receive comments on this topic.

23.5.2 Vegetation Resources

Comment

“The ARRC has an agenda to spray herbicides on their rail line as a vegetation control strategy. They are not dedicated to finding non-herbicide alternatives to control in spite of overwhelming majority public opinion and comment against herbicides. Thus, they will want to spray this new line and we will have to deal with these toxins ending up in our waters, fish and wildlife and our bodies causing much illness.” (44-6)

“A development project like this will cause the influx of invasive plant species. And since the powers that be have made this the new boogy man and provided many federal and state grants to fight such, eventually there will be herbicide applications to control invasive plants.” (44-7)

Response

The Applicant currently controls vegetation along its rail lines using nonchemical methods. In April 2010, Alaska Department of Environmental Conservation (ADEC) approved ARRC’s pesticide permit application to apply the herbicide AquaMaster (active ingredient is glyphosate) along with Agri-Dex, a non-ionic surfactant and spray oil, along the railroad ROW between Seward and Indian (ADEC, 2010). If the proposed rail line is authorized by the Board and constructed by ARRC, ADEC would have to permit the use of the herbicide AquaMaster for rail line vegetation control. ADEC would not do so unless the potential impacts from such use would be low.

Comment

“Horseshoe Lake is going to be affected by the Houston route greatly. We lost 26 homes in the Miller’s Reach fire in our area alone. That railroad is coming right through our neighborhood. We are the only Firewise Community in the whole Mat-Su Borough. My – the members of my community spend thousands of hours volunteering their time trying to rebuild and improve the area, as well as going out into the bigger Greater Big Lake and trying to teach people about Firewise.” (111-1)

“You folks are trying to put a railroad in an area that is a very high fire risk area. This is a borough map. High fire risk. Both Big Lake routes, Houston and Big Lake routes, run right through high fire risk.” (111-3)

Response

The EIS addresses wildfire issues from rail operation in Chapter 5.2.4.1. While railroads in Alaska are not known to have been a common cause of wildland fires in the past, sparks from rail line operation and maintenance could increase the potential for fires. Of the fire statistics that are available from Alaska Department of Natural Resources (ADNR) Division of Forestry (<http://forestry.alaska.gov/firestats/>), a very small percentage of fires and acreages of area burned can be attributed to rail lines. In 2009, 1 rail fire burned 0.2 acre. The total number of fires in that year was 527 and the total number of acres burned totaled 2,951,592.9 acres. In 2008, no fires were reported to be caused by rail. There is no detailed information for fires in 2007. In

2006, rail was reported to be the cause of 2 fires, burning 84 acres. The total number of fires in 2006 was 307 and the total number of acres burned was 266,267 acres. The remaining years of fire statistics (back to 1990) did not provide statistics on fire causes. According to ANDR, the overwhelming majority of fires in Alaska are a result of lightening, debris burning, and campfires. OEA anticipates that the increased risk of fire from operation of the proposed rail line would be low and does not anticipate changes in fire management practices as a result of the proposed rail line.

Comment

“Page D-9/D.2 last bullet/ARRC manages removal of vegetation on rail bed to ‘prevent the spread of invasive and noxious weeds (ARRC 2008)’ - recommend using the term ‘control’ rather than ‘prevent’.” (159-110)

Response

OEA has revised Appendix D in this Final EIS.

Comment

“Page 5.2-1/Paragraph 3/ ‘When disturbed mature forests could take UP to 100 years to recover.’ This statement contradicts several later statements that refer to ‘70 to 200 years to (forest) regeneration’ (pg. 5.2-6).” (159-34)

Response

OEA has reviewed the references used and revised Section 5.2 and associated sections of this Final EIS to indicate that forest maturity in the area is generally reached within approximately 100 years. OEA has also updated the information gathered from the ADF&G publication to reflect more accurately succession rates that would be typical within the study area.

Comment

“Page 5.2-16/Paragraph 2/ ‘...disrupting continuity and damaging the integrity of lake fringe areas that provide water and nutrient cycling functions and are important for wildlife use’ - recommend clarifying how this disruption/damage is measured.” (159-35)

Response

OEA revised the sentence in Section 5.2 of this Final EIS to clarify the potential impacts.

Comment

“Page 5.2-17/Paragraph 2/Second sentence - Change word ‘would’ to ‘could’ or ‘may’.” (159-36)

Response

OEA has made the suggested revision in Section 5.2 of this Final EIS.

Comment

“Page 5.2-17/Paragraph 3/’ ... unique ecological features’ - Define/clarify what features are being considered in this statement.” (159-37)

Response

OEA deleted the phrase from Section 5.2 of this Final EIS.

Comment

“Page 5.2-17/Paragraph 4/’ ... plant seeds would contribute ...’ - change ‘would’ to ‘could’ or ‘may’.” (159-38)

Response

OEA has made the suggested revision in Section 5.2 of this Final EIS.

Comment

“Page 5.2-17/Paragraph 5/’ ... alternatives would result infestations’ - Error in sentence unclear text.” (159-39)

“Page 5.2-17/4th Paragraph under Veg Impacts/This paragraph is confusing. In addition to the missing words identified above, the ‘infestations’ and the reasons for those ‘infestations’ need to be more clearly described. Moreover, there is no certainty that the Mac West-Conn 1-Willow and Mac East-Conn 3-Willow ‘would’ result in such infestations. In addition, the sentence starting with ‘Of these two alternatives...’ should be revised to ‘Of all the alternatives’ because the two alternatives previously discussed in the text did not include the Mac West-Conn-2-Big Lake alternative.” (159-40)

Response

OEA has clarified this paragraph in Section 5.2 of this Final EIS.

Comment

“Page 5.2-19/Paragraph 3/’ ... potential impact would be to forested area restoration ...’ - the word "area" should be plural.” (159-42)

Response

OEA has made the suggested revision in Section 5.2 of this Final EIS.

Comment

“Page 5.2-20/Paragraph 1/’ ... plant populations which would contribute to a greater risk ...’ - change ‘would’ to ‘could’ or ‘may’. Page 5.2-20/Paragraph 2/’ ... plant populations which would contribute to a greater risk ...’ - change ‘would’ to ‘could’ or ‘may’.” (159-45)

“Page 5.2-21/Paragraph 2/’plant populations, which would contribute to a greater risk’ - change ‘would’ to ‘could’ or ‘may’.” (159-48)

“Page 5.2-21/Paragraph 3/’...plant populations which would contribute to a greater risk’ - change ‘would’ to ‘could’ or ‘may’.” (159-50)

Response

OEA has decided not to make the suggested changes. While “could” would be appropriate if the sentences said “could contribute to the spread of weed species”, OEA believes that “would” is appropriate in the sentences as written, which discuss the risk of spreading weed species.

Comment

“Page 5.2-19/Paragraph 2/’... impact the greater amount of floodplains (37.0, 30.3, 37.0, and 30.3 respectively)’ - add word ‘acres’ after last listed 30.3.” (159-41)

“Page 5.2-19/Paragraph 3/’In addition, this alternative would impact a substantial acreage of floodplains ...’ - This statement contradicts conclusions made in the floodplain section of the Draft EIS. Impacts to one percent less of crossed stream floodplains would not be ‘substantial’.” (159-43)

“Page 5.2-19/Paragraph 4/Use of the word ‘substantial’ to address impacts to floodplains contradicts floodplain section of the Draft EIS. One percent or less of crossed stream floodplains would not be ‘substantial’.” (159-44)

“Page 5.2-20/Paragraph 3/Use of the word ‘substantial’ to address impacts to floodplains contradicts floodplains section of the Draft EIS. Impacts to one percent or less of crossed stream floodplains would not be ‘substantial’.” (159-47)

“Page 5.2-21/Paragraph 2/Use of the word ‘substantial’ to address impacts to floodplains - contradicts floodplains section of the Draft EIS. Impacts to one percent or less of crossed stream floodplains would not be ‘substantial’.” (159-49)

Response

OEA has revised the statements in Section 5.2 of this Final EIS.

Comment

“On page 5.2-7, the DEIS references a 1997 Auerbach study in support of a brief paragraph discussing the potential impact of dust deposition on vegetation in the project area. It is worth noting that the Auerbach study evaluated dust impacts to arctic tundra along the Dalton Highway. Because arctic tundra has much less canopy structure than forested areas associated with the rail extension, and because the Dalton Highway carries a great deal more traffic than the non-public access road in the project area, the dust impacts here would likely be far below those measured in the Auerbach study.” (159-5)

Response

Comment noted.

Comment

“Page 5.2-21/ Paragraph 4/Second to last sentence - This is an unnecessary statement that adds nothing to the environmental assessment. ARRC suggests deleting it.” (159-51)

Response

In this Final EIS, OEA has clarified, but retained, statements describing the relative amounts, depending on the segment or alternative, of the project footprint that would be under a critical fire protection classification because the classification provides a general indication of the risk of property damage in the event of a fire.

Comment

“Page 5.2-5/Paragraph 3/’Interruption of natural wildland fire ecology’ - Current land management practices have already interrupted the natural fire ecology, large portions of the project area are managed for fire suppression.” (159-52)

“Page 5.2-6/Paragraph 1/ ’Alteration of natural fire regimes’ - Existing management, roads, and developments have already altered the natural fire regimes in most areas, large portions of the project area are managed for fire suppression.” (159-53)

Response

OEA has revised the statements in this Final EIS to clarify that changes to fire cycles apply to areas other than those managed for fire suppression.

Comment

“Page 5.2-6/Paragraph 2/ARRC suggests adding the following text to the end of the first sentence – ‘... in forested and shrub dominated cover types’ - Plant composition would probably not be impacted in grass, sedge, low shrub, agriculture lands because clearing would not be needed.” (159-54)

Response

OEA has made the suggested revision in Section 5.2 of this Final EIS.

Comment

“Page 5.2-7/Paragraph 3/There are already invasive species present throughout the project area, and it is highly unlikely that the project will spread them elsewhere - recommend changes to the paragraph to acknowledge this fact.” (159-55)

Response

OEA disagrees. As discussed in the EIS, rail line construction could result in the spread of invasive species.

Comment

“Page 5.2-7/Paragraph 5/’...severely impact or even eliminate these species’ - There is no reason to speculate about what might happen to rare species since there is no evidence that any are present.” (159-56)

Response

OEA has deleted the statement in Section 5.2 of this Final EIS.

Comment

“Page 5.2-9/Paragraph 1/This statement is noted to substantiate several other ‘natural wildland fire ecology/regimes’ that are used throughout the vegetation section - active management has suppressed fires in much of the project area. Natural fire conditions are likely in an unnatural state currently.” (159-57)

Response

OEA has revised the discussion of fire cycles in Section 5.2 of this Final EIS to clarify that natural fire conditions do not exist throughout the project area.

Comment

“Page 5.2-9/Maintenance Clearing/Soil disturbance should not result from vegetation clearing for operational maintenance in the rail bed. This is a maintenance activity on the track only, not the embankment.” (159-58)

“Page 3-9 of the DEIS accurately states that operation of the rail extension would not impact geology or soils. But the DEIS’s discussion of ‘maintenance clearing’ on page 5.2-9 indicates that ‘disturbance’ of soils in the right-of-way ‘would result from ongoing mechanical clearing and trimming of vegetation...’ While it is true that ARRC would clear vegetation from the right-of-way as appropriate to ensure safe operation of the rail line, this clearing would not disturb the soil. ARRC uses rail-operated equipment and manual, above-ground clearing with hand tools that does not impact the soil. In fact, such clearing would be beneficial to the extent that it keeps wildlife clear of the tracks, reducing the likelihood of animal strikes.” (159-6)

Response

OEA has revised the text in Section 5.2 and associated sections of this Final EIS to remove the references to soil disturbance on the embankment associated with maintenance vegetation clearing.

23.5.3 Wildlife

Comment

“The Willow corridor would disrupt prime basically untouched wilderness/forested areas with huge impacts to wildlife.” (43-2)

“The woods and wetlands that would be destroyed by a rail spur are home to many moose, bear, fox, lynx, grouse, etc. The loss to the area of these animal species would also result in a loss of quality of life for the human inhabitants of the area.” (45-4)

Response

Section 5.3 of the EIS describes potential impacts to wildlife resources for each of the alternatives considered for detailed study, including alternatives that include the Willow Segment. Section 5.3.4 of the EIS discusses potential impacts due to construction and operation, including potential impacts to wildlife such as bears, moose, wolves, furbearers and other mammals, and birds. Potential impacts discussed include short- and long-term habitat loss and alteration, construction mortality, operation mortality, habitat fragmentation, and reduced productivity and survival. A comparison of potential impacts is presented for the Willow Segment and the other northern segments (Houston-Houston North, Houston-Houston South, and Big Lake). The analysis shows that the Willow Segment would impact more total habitat than the other segments. Similarly, the Willow Segment would also impact the most bird nesting habitat when compared to the other segments.

Comment

“Big Lake Area is a major breeding ground for trumpeter swans, sandhill cranes, eagles both bald and golden, numerous owls and hawks. The impacts of a railway through my backyard is just not acceptable.” (20-2)

“The Big Lake Spur Route will pass very close to both Echo and Homestead Lakes (within 2500-3000 feet). Both lakes currently have numerous waterfowl nesting habitats for the following species: loons, swans, sandhill cranes, mallard ducks, goldeneye ducks and other various duck and wildfowl species. A rail line in close proximity would cause most of the species listed to seek other nesting areas and possibly result in lost nesting seasons.” (45-2)

“The displacement of wildlife is about the same for the Willow and the Houston route. However the loons in Crooked Lake will be affected by the noise and most likely not mate or lay their eggs.” (40-7)

“My biggest concern is that which ever route is picked that the Houston Route be AVIODED IF AT ALL POSSIBLE. I write my comments as a long time Alaska photographer and birder. I believe that the impact to wetlands would be disastrous to migratory bird habitat and life cycle. The area just east of the Papoose Lake area has many groups and populations of trumpeter swans, sand hill cranes, many species of geese and too numerous ducks to name. I am asking that the routes of Willow and Big Lake be chosen before the Houston route.” (48-2)

“And we’ve got loons on Crooked Lake. The trains going by, the noise would stop their – their nesting areas on Crooked Lake. We found out that even the boats going by during their nesting time will affect whether they have chicks that year or not. The boat – the railroad that you got set up isn’t too far away from their nesting area.” (137-3)

Response

The EIS analyzes the potential impacts of the proposed rail line on birds, including loss of bird habitat and nesting habitat and displacement of individual birds for all segments (a comparative analysis for the northern segments is provided in this Final EIS Tables 5.3-4, 5.3-5, and 5.3-6). Potential noise impacts due to train operation to nesting and foraging wildlife, including loons, is discussed in Section 5.3.4.1 of the EIS. Disturbance from train passage could cause animals nesting or foraging near the ROW to startle and flee, potentially alerting predators to their location and facilitating predation. Periodic disturbances during the breeding season could lead to a loss or reduction in breeding success because adults tending young might be interrupted or displaced from nests. As shown in Table 5.3-6 of the EIS, the Houston-Houston North and Houston-Houston South segments could impact the most common loons and lakes with common loons. The Willow Segment would impact the most Pacific loons.

Comment

“The Mac East would be the least safe for people and wildlife. In the winter time, all the snow cleared land – roads and railroad – is where the moose want to stay near during the winter (deep snow). This causes danger – collisions for people and wildlife both. This area is already a natural pathway for wildlife – just west of the hills and lakes. The wildlife tend to congregate here all winter. It would also be a problem because of the farms and farmland to the west that people have access to now and would grow as time goes by. They would need the maximum possible number of railroad crossings and as time goes by it would get worse.” (70-5)

“1. WILDLIFE: No Environmental Impact Study (E.I.S.) has been performed regarding train and moose collisions. According to specialized Mat Su Fish and Game (F&G) moose biologists, this is a high moose population area and the concerns for such collisions are serious. The existing railroad easements one mile to the west of the Mac East proposed route, are on hayfields or re-growth lands which are not prime moose habitats. The new proposed Mac East route from Big Lake south to the industrial park at Pt MacKenzie, primarily traverses through old growth, virgin forests. According to F&G moose biologist Tony Kavalok, this is some of the most prime habitat for moose.” (80-2)

“My family and I have recreated in the area and we’ve hunted the Big Darryl/Little Darryl (ph) area near Deshka Landing for moose for over 20 years. This proposed route as it comes through the Rolly Lakes area and it skirts through the big swamp near Deshka, it crosses right between Big Darryl and Little Darryl on the outskirts of Nancy Lake State Recreation Area. Right there for 20 years we’ve watched every year that the moose herd towards the end of hunting season. If you’re familiar with moose at all you know they get their harem going and they have – I’ve counted – probably the best time I’ve ever seen it; I’ve seen five bulls with probably 30 cows all in that one area right where you’re coming through. And as I can – best I can tell by your map, you’re not cutting through the nasty swamp here, you’re cutting through the timber right on the

edges of the swamp and that's where I've seen it. It's right next to your line. It goes right through Little Darryl Lakes area. I think it's going to negatively affect that area." (138-3)

"We talk about the number of moose that are found. You've got to remember the entire Matanuska Valley is home to moose. We're not talking about one area. They travel. They don't live in one place. They don't put down roots and stay there. They travel all over. I can still remember the morning I got up and looked out and looked down my runway and had 47 moose on less than 20 acres of land because the wolves had herded them in. So I can tell you that moose are everywhere in this valley and if we're going to look at where we're going to have the most impact on the moose, then we need to look at the game areas that we talked about earlier." (143-1)

Response

Moose cross the existing ARRC main line and, therefore, OEA expects that moose also would cross the proposed rail line. The EIS acknowledges the potential for mortality due to train collisions during rail line operation. Specifically, Section 5.3.4.1 of the EIS presents the anticipated potential impacts to moose from construction and operation of the proposed rail line based on available data on moose population and moose movements and train strikes. Mitigation measure VM-18 would reduce potential impacts by providing for construction and vegetation management to avoid attracting moose to the ROW. In addition, mitigation measure 33 in the EIS (revised since the Draft EIS) would provide for additional consultation with game managers to establish measures to limit moose mortality due to train strikes. The Mac East Segment would cross Holstein Avenue and Baker Farm Road; these 2 roads provide east-west access within the agricultural area and across the Mac East Segment. Both crossings would be grade-separated and provide continued access to the agricultural areas.

Comment

"The most southerly tract (560 acres) that would be impacted by the east Mac route is of particular importance. This is because of the Edge Effect it provides between the 9,000 acre industrial park development and the agricultural lands. The proposed Mac East route will divide this tract through the center for one full mile. This tract has been developed and improved for moose habitat for 26 years. In addition, there is currently a 2 acre pond under construction, financed by the Department of Natural Resources Wildlife Habitat Enhancement Program. This pond will provide resting, feeding and nesting areas in the spring and fall to migratory wading shore birds. The origin of all the waters that supply this pond (snowmelt, rain and natural springs) originate along the proposed east Mac rail bed. Any contaminants from this rail bed will flow directly into the pond. The east Mac route proposes an 8 mile long by 300 feet wide easement, requiring the clearing of virgin timberland. An existing easement parallels this proposed route and has already been cleared. The proposed route will destroy a large swath of land that contributes to the Edge Effect for moose habitat." (80-6)

Response

The potential impacts of the proposed rail line on moose habitat and moose are discussed in Section 5.3.4.1 of the EIS. Based on the analysis presented in the EIS, OEA concluded that

habitat loss due to construction of the proposed rail line would be unlikely to affect the existing moose population. OEA reached the same conclusion for anticipated moose mortality due to collisions with trains. Mitigation measure VM-18 would minimize any potential impacts by providing for construction and vegetation management to avoid attracting moose to the ROW. Mitigation measure 33 (revised since the Draft EIS) would provide for additional consultation with game managers to establish measures to limit moose mortality due to train strikes. Section 4.2 of the EIS addresses potential impacts to surface water. As discussed in Chapter 2 of the EIS, the Applicant proposes to acquire a 200-foot ROW, but clearing of the entire ROW is not anticipated in most locations. Analysis has been updated to reflect a more realistic impact to resources due to rail line construction, which is based on the rail line footprint, including rail bed, access road, and associated facilities. This Final EIS also includes analysis of Mac East Variant, a new southern segment (see Section 2.3.1.3 of this Final EIS), that would be located partially on an existing easement through the Point MacKenzie Agricultural Project.

Comment

“Migratory Birds: The DEIS needs to more thoroughly describe the potential direct and indirect impacts of the project alternatives on migratory birds. For example, there is a brief mention of potential impacts on migratory breeding birds on page 5.3-5, and an attempt to quantify nest losses on a per year basis on p. 5.3-12. The Department believes this type of assessment is valuable but unclear on how those data were quantified. More detail on quantification methods and references used to obtain densities of land bird territories should be included in the Final EIS, so that the potential effects of the rail line are better understood. For a project of this size, the Department recommends that the applicant use sample plots and conduct territory mapping to get actual figures for at least a sample of landbird and raptor species.” (84-1)

“As described in Executive Order 13186 (Responsibilities of Federal Agencies to Protect Migratory Birds), all federal agencies need to promote the conservation of migratory bird populations. In addition to following the timing restrictions on land clearing activities to avoid impacting nesting birds (discussed on p. 19-9), compensatory mitigation measures may be necessary to offset permanent habitat loss to breeding birds.” (84-6)

Response

Section 5.3.2 of the EIS summarizes the analysis methodology and Appendix E presents the detailed information used and the results of the analysis of potential impacts on birds, including migratory birds. OEA believes that the available data used in the analysis are sufficient to meet the requirements of NEPA and the Board’s implementing regulations. Based on the nature of the potential impacts identified, OEA does not believe that mitigation beyond what is recommended in Chapter 19 (such as mitigation measure VM-16) would be warranted.

Comment

“Bald Eagles: Bald eagles nest in the project vicinity and are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d). The DEIS acknowledged that bald eagles and their nests are protected, and appropriately indicates that the U.S. Fish and Wildlife Service (FWS) Bald Eagle Management Guidelines will be followed. However, there is no plan to

conduct bald eagle nest surveys. The FWS has current (i.e. Spring 2010) eagle nest survey data that is available to the applicant, but it may be necessary for the project proponent to supplement those data with additional surveys.” (84-7)

“And I just had a couple of things I wanted to address tonight and I’ll submit this one – what it is, I’ve got pictures of an eagle’s nest, just a brand new eagle’s nest in the adjoining property to me right in the sound area of the railroad. The nest is three years old. They nested last year and had little ones for the first time and then I’m sure they’ll be returning this year.” (125-1)

“The eagle nest is one thing. One little eagle nest can significantly impact what a route is. And I don’t know that anyone really did a survey. There are a lot of eagles around here. There may be a lot of nests and the eagle nests are federally protected. So that’s just a small thing.” (129-2)

Response

An eagle nest survey within 0.5 mile of the proposed rail line has been conducted and the results were incorporated into the EIS. Section 5.3.4.1 of the EIS, and in particular Table 5.3-10, presents the potential impacts of each alternative considered for detailed study (including alternatives that would use the Big Lake Segment) on birds, including eagles. If the Board authorizes construction and operation of the proposed rail line and if additional information on eagle nests would be needed at the time of construction for the Applicant to comply with the Bald and Golden Eagle Protection Act and associated regulations, then it would be the Applicant’s responsibility to obtain additional information. See also mitigation measure VM-17, which states that during bald eagle nesting season, the Applicant and its contractor(s) shall use their best efforts to avoid bald eagle disturbance during construction.

Comment

“My other concern is that at least prior to development of the Ag Project there was a huge winter trail, mainly winter trail, that moved from as far away as Mt. Susitna, used to communicate [sic] with Point MacKenzie and probably the Palmer Hay Flats. There are a substantial number of moose that either use south Point MacKenzie or travel through south Point MacKenzie. As I’m sure you’re aware, moose tend to travel the right-of-way, the railway right-of-way in the winter if there’s deep snow and I think there has to be some thought given to overpasses/underpasses to allow those moose to travel through there or we’re to end up with signs that are talking about 500,000 moose killed this winter instead of only a couple hundred thousand.” (95-2)

Response

EIS Section 5.3.4.1 presents anticipated potential impacts to moose from construction and operation of the proposed rail line based on available data on moose population and movements and train strikes. The same section also discusses potential impacts on other mammals. Mitigation measures VM-18 and VM-33 would provide measures to reduce the frequency of moose-train collisions when moose cross the rail line. The number of anticipated train collisions with moose and other mammals is sufficiently low that OEA believes that a mitigation measure to require provisions for mammals to cross under the rail line along stream banks is not warranted.

Comment

“Page 5.3-21/ Table 5.3-7/Table needs footnote that data represents direct loss for entire 200’ ROW, which is an overestimation (as discussed in comment letter).” (159-64)

Response

As stated on page 2-3 of the Draft EIS, the analysis conducted for the Draft EIS assumed that vegetation within a 200-foot ROW would be cleared and recognized that this was a conservative assumption. The analyses in this Final EIS of potential vegetation and wildlife habitat impacts are based on the anticipated footprint of disturbance, taking into account information now available on the estimated amount of cut and fill that would be required to construct each alternative, including the rail bed, access road, and associated facilities.

Comment

“Page 5.3-12/Paragraph 1 /’Loss of forest communities would generally require 5 to 20 years or more to reestablish trees and shrub habitat for cover, perching, and nesting for most raptors and landbirds; 50 to 100 years for trees large enough’ – This statement contradicts several earlier statements that refer to ‘70 to 200 years to (forest) regeneration’ (pg. 5.2-6).” (159-59)

Response

OEA has reviewed the references used and revised Section 5.3 and associated sections of this Final EIS to indicate that forest maturity in the area is generally reached within approximately 100 years. OEA has also updated the information gathered from the ADF&G publication to reflect more accurately succession rates that would be typical within the study area.

Comment

“Page 5.3-13/Paragraph 2/Regarding oiled birds – There is no clear explanation as to how birds would get covered in oil (this statement appears to be out of context). This paragraph only implies the negative environmental consequences of oiled birds and is not clear how it relates to this project.” (159-60)

Response

OEA has deleted the referenced paragraph from this Final EIS.

Comment

“Page 5.3-13/Paragraph 4/ ’...direct loss of between 450 to 600 acres of wildlife habitat.’ – Many affected areas would still be usable by wildlife, and therefore still provide ‘wildlife habitat’; recommend changing the phrase ‘direct loss’ to ‘impact’ or change the habitat features.” (159-61)

“Page 5.3-7/Paragraph 6/ ‘Train traffic on the rail would result in wildlife fatalities...’ – Change ‘would’ to ‘could’ or ‘may’.” (159-69)

“Page 5.3-7/Paragraph 6/ ‘...small mammals and birds would be killed or injured’ – Change ‘would’ to ‘could’ or ‘may’.” (159-70)

“Page 5.3-7/1st bullet/2nd to the last and last sentences: change ‘would’ to ‘could’.” (159-71)

Response

OEA has made some of the suggested revisions in this Final EIS. If the likelihood that some wildlife (such as moose, as well as smaller mammals and birds) would be struck by passing trains is sufficiently great, the term “would” has been retained, where appropriate.

Comment

“Page 5.3-13/Impact to wildlife by segment section/Was expecting a direct comparison of the contrasting segments (e.g., Mac East to Mac West) but the text reads more as a comparison of the southern end segments to the northern end section segments.” (159-62)

Response

The referenced section of the EIS provides an overview discussion of the potential impacts associated with the southern segments. Segment-specific information is provided in the tables that accompany the narrative (such as Table 5.3-1, Table 5.3-2, and Table 5.3-3).

Comment

“Page 5.3-2/Paragraph 2/Forested and wetland habitats are not mutually exclusive – suggest a revision to sentence to clarify.” (159-63)

Response

As stated in Section 5.3.2, wildlife habitat analysis is based on the results of the vegetation analysis described in Section 5.2. In Section 5.2, OEA identified and quantified vegetation types along the rail line footprint using the U.S. Geological Survey National Land Cover Database (Homer *et al.*, 2004), and vegetation types are described in Appendix D of the EIS. Based on the NLCD database, forest habitat and wetland habitat are mutually exclusive. Reference to Appendix D has been added to both Section 5.2 and 5.3 in this Final EIS.

Comment

“Page 5.3-8/Paragraph 3/Facilitation of predator movements – the text in this paragraph does not match the heading – suggest a revision to the heading and or text.” (159-72)

“Page 5.3-7/Paragraph 3/Much of the project area currently is within a fire suppression area so this impact would not necessarily occur – may want to discuss as differential impact of segments/alignments.” (159-68)

Response

OEA has made the suggested clarifications in this Final EIS.

Comment

“Page 5.3-4 and 5/bird intro/The introduction to the bird section is incomplete and inconsistent with the following text – suggest a revision that parallels the introduction to the mammals section.” (159-65)

Response

In the Draft EIS, a general introduction was provided at the beginning of Section 5.3.3 for the discussion of wildlife that followed. No introductory discussion was provided specifically for mammals. In this Final EIS, OEA has deleted the introductory discussion of birds at the beginning of Section 5.3.3.2 because the information provided is repetitive.

Comment

“Page 5.3-7/Paragraph 1/Construction clearing would be done before or after the bird nesting period in compliance with the Migratory Bird Treaty Act so active nests would not be destroyed as stated in this paragraph.” (159-66)

Page 5.3-7/Paragraph 2/ ‘Birds with eggs or young in nests in trees or on the ground would be destroyed during ROW clearing.’ Change ‘would’ to ‘could’ or ‘may’. Vegetation clearing may only occur outside of bird nesting windows.” (159-67)

Response

OEA has clarified the statement regarding impacts to nesting birds in this Final EIS.

23.5.4 Fisheries

Comment

“The Houston South route to Port Mackenzie will bisect 20 miles of the Little Susitna Watershed. This railroad corridor will disrupt or destroy critical salmon spawning habitat. It is this habitat that produces food for the whales. Recommending this route flies in the face of NOAA and the Marine Mammal Protection Act studies and subsequent recommendations. The Willow Route avoids these hazards and therefore avoids challenges from the environmental community. Lawsuits from the environmental community will cause costly delays, which could ultimately make this project ‘cost prohibitive’.” (6-1)

“I think what is even more significant is the watersheds. There are two separate watersheds. Those areas impact the salmon streams which in turn affect Cook Inlet. They affect the fishing in Cook Inlet, both private parties, fish – sports fishermen and also they impact our commercial fisheries. And they impact, what now is an issue, the beluga whales who feed on them.” (129-3)

“Okay. Any further expansion on this port will make this much more dangerous. The effects of this narrowing affects our salmon. They migrate through this area. But more importantly than that, these salmon are the food to the beluga whale. This is the number one area for beluga whale in this – the whole area. Beluga whale went on the endangered species list in 2008, in

October, because we went from 5,000 in 1970 down to only 300 today. In fact, NOAA clearly states that they will not approve our bridge across Knik Arms because of the damage it could do to the whales.” (124-7)

Response

The potential impacts to fisheries resources from the proposed rail line are discussed in Section 5.4 of the EIS. As discussed, each of the alternatives would cross anadromous fish streams. Because OEA identified potential impacts to anadromous fish, including salmon, from the proposed rail line, OEA consulted with the NMFS as required by section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations at 50 C.F.R. part 600. OEA also consulted with the NMFS under section 7 of the Endangered Species Act to discuss potential impacts to the Cook Inlet beluga whale that could result from construction and operation of the proposed rail line. The NMFS requested (and OEA prepared) a BA (Appendix H of the EIS) to analyze the potential indirect impacts from the proposed project, and specifically requested an analysis of the potential effects of the rail line on salmon and salmon habitat (forage fish/habitat) that the beluga whale relies on as a food source. The NMFS concurred with OEA that any of the alternatives for the proposed rail line “may affect, but is not likely to adversely affect” the Cook Inlet beluga whale or its designated Critical Habitat if salmon-bearing streams would be crossed with fish passable bridges and culverts per NMFS guidance and state permit requirements (see Appendix A of this Final EIS). OEA’s recommended mitigation measures included in Chapter 19 and Appendix G of this Final EIS would require the Applicant to: (1) design, construct, and maintain the conveyance structures of salmon-bearing streams using the National Marine Fisheries Service 2008 publication “Anadromous Salmonid Passage Facility Design” or equivalent and reasonable measures (VM-10); (2) obtain state permits and authorizations, such as the ADF&G fish habitat permit (VM-14); and (3) implement Essential Fish Habitat (EFH) conservation measures agreed upon with the NMFS during the EFH consultation process (VM-15).

Comment

“Fish Creek is a major or only red salmon stream that is still active and making a comeback after the 1995 Miller’s Reach Big Lake Fire. I see no mention of any EPA notes off this side of Knik sound for the salmon spawning stream.” (20-3)

“And the amount of the streams that you have to cross. You’re going to cross what, the Little Su twice, maybe Willow Creek. You look at the amount of smaller creeks. You know, you got Fish Creek and some of these other ones that maybe are not so big as far as for salmon spawning, but they have just as much impact as these other ones do. That’s the biggest concern, is the impact on fish, you know, as far as for fish habitat and the streams.” (107-6)

Response

Two different Fish creeks are identified in the EIS. One would be crossed by the Willow Segment and the other would be crossed by the Big Lake Segment. Both streams have been identified as supporting sockeye salmon (red salmon) in this Final EIS (Table 5.4-6). The potential impacts to fisheries resources at these crossings have been assessed in Section 5.4,

Fisheries Resources. Chapter 19 of the EIS presents mitigation measures, including measures to protect salmon fisheries, that would require the Applicant to obtain state permits and authorizations, such as an ADF&G fish habitat permit, and to design and construct crossings of anadromous streams to provide for fish passage.

Comment

“Under Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), federal agencies are required to consult with the Secretary of Commerce on any action that may adversely affect EFH. EFH has been designated in the project area for anadromous salmon. EFH for salmon consists of the aquatic habitat necessary to allow salmon production needed to support a long-term sustainable salmon fishery and salmon contributions to healthy ecosystems.” (62-1)

Response

As noted above and documented in Appendix A of the EIS, OEA consulted with the NMFS on Endangered Species Act and EFH issues (see letter dated January 30, 2009). The NMFS responded with input on Endangered Species Act and EFH issues on March 4, 2009. In response, OEA prepared a draft EFH assessment report to evaluate the potential impacts of the proposed rail line on crossings of salmon-bearing streams (see the Draft EIS Appendix G) and the NMFS provided comments along with comments on the Draft EIS. A final revised EFH Assessment is included in Appendix G of this Final EIS.

Comment

“The potential impacts to EFH and anadromous species vary considerably amongst the alternatives for this project. Any of the proposed alignments will significantly impact hydrogeomorphic processes, connectivity and function of wetlands, stream and rivers, associated aquatic species and anadromous fish populations these watersheds support.” (62-2)

“Improperly designed and constructed stream and river crossings are well documented to have long term negative impacts to EFH and anadromous populations. Although the DEIS describes the numerous negative impacts poorly placed rail crossings will have on wetlands, hydrogeologic functions and associated EFH and anadromous species, there is little in this DEIS to indicate these impacts will be avoided and minimized.” (62-3)

Response

Chapters 4 and 5 of the EIS describe potential impacts of the proposed rail line to wetlands, waters, and fisheries. Chapter 19 of the EIS includes several mitigation measures, such as measures VM-3 through VM-12, 1 through 10 (measures 8 and 9 have been revised since the Draft EIS), VM-14, VM-15, 23 (revised since the Draft EIS), 30, 31, and 32 to maintain connectivity between waterbodies, provide for fish passage, and avoid and minimize potential impacts to wetlands, waters, and fisheries.

Comments

“1. NMFS also suggested the STB-ARRC and project consultants (E-mail 2009), follow design guidance for constructing stream and river crossing structures, such as conveyance structures, bridges, and culverts, as described in the Anadromous Salmonids Passage Facility Design (NMFS 2008), and/or follow the Stream Simulation: An Ecological Approach to Providing Passage for Aquatic Organisms at Road Stream Crossings (USFS 2008). The level of detail in the DEIS regarding the proposed rail alignments is insufficient to identify appropriate measures to avoid, minimize and mitigate for adverse effects to living marine resources including EFH. Additionally, the mitigation measures proposed in this DEIS are inadequate to offset the adverse effects of the project on salmon and their habitat. We recommend that STB-ARRC initiate and maintain further dialog with all stakeholders and resource agencies to develop measures that reduce impacts of the final alignments. The preferred rail alignment in the final EIS should incorporate the resource agencies’ specific recommended mitigation measures, such as refined alignments and crossing designs to avoid and minimize adverse effects to salmon and EFH.” (62-8)

“2. To accurately assess and properly plan for the installation of culverts or bridges an appropriate level of hydrologic and fisheries data needs to be collected at each of the proposed crossings. Streams and rivers transected by the proposed rail alignments, while not currently listed in the ADF&G anadromous catalog, may contain and/or support anadromous populations, or water sources essential in supporting EFH or anadromous populations. If a tributary has been determined not to be an anadromous water body, but contributes water to a stream or river that is confirmed anadromous, the impact from the loss of that discharge needs to be considered. The DEIS (Table 4.2-2, pg 4.2-7), as well as additional data submitted to NMFS (Noel, 2010) indicate that STB-ARRC contractors conducted limited fisheries and hydrology surveys in August of 2008 (8/12-8/16). Surveys conducted for one week in mid August of any year at any proposed crossing do not represent the various seasonal life cycle stages of all anadromous species, nor would these studies represent the complexity of seasonal high flows, typical of April and May during spring snow melt, draining wetlands, or streams and rivers. Survey design, sampling methods and efforts need to be conducted in a manner that generates defensible results that assist in the design of conveyance structures that avoid and minimize impacts to EFH and anadromous species.” (62-10)

“As discussed in the Anadromous Salmonid Passage Facility Design (NMFS 2008), all crossing designs should be based on site-specific information, such as anadromy, seasonal instream flows and peak discharge, and flood plain regime (50-year to 100-year flood events). This information should be included in this Final EIS. Crossings that transect EFH and anadromous waters within wetlands should incorporate bridge or elevated tracks to provide long-term water supply.

The DEIS identifies potential adverse effects and environmental impacts that rail line construction and operation could have on wetlands, hydro-geologic functions and associated EFH and anadromous species. However, the DEIS lacks the level of site specific analysis and information required to identify appropriate mitigation efforts that would avoid and minimize long term impacts to anadromous species of Cook Inlet.” (62-13)

“2) Conduct fisheries surveys of all tributaries to be crossed that are not currently listed in the ADF&G Anadromous Catalogue. a. Conduct surveys that would represent all anadromous species at all life stages in all waters crossed within each alignment. 3) Conduct hydrologic surveys of all tributaries to be crossed that are not currently listed in the ADF&G Anadromous Catalogue. a. Conduct surveys to target seasonal snow melt periods from April and May, when instream flows are of highest magnitude. 4) Design conveyance structures, using suggestions (NMFS 2008, USFS 2008) to accommodate peak instream flows of all life stages of anadromous species in tributaries identified as anadromous.” (62-14)

“Bridge and Culvert Designs. To the extent that they are compatible with standards used by the permitting agencies, EPA supports use of the National Marine Fishery Service (NMFS) Anadromous Salmonid Passage Facility Design criteria for all crossings as referenced in the draft EIS. The key point in this design criteria is that all crossings should maintain the normative physical processes within the stream-floodplain-riparian corridor by: 1) promoting natural sediment transport patterns, 2) providing unaltered fluvial debris movement, and 3) restoring or maintaining functional longitudinal continuity and connectivity of the stream-floodplain-riparian corridor. EPA recommends that to avoid and minimize impacts to aquatic resources to the maximum extent practicable, all crossings should consist of a bridge or stream simulation culvert spanning the stream floodplain, providing long-term dynamic channel stability, retention of existing spawning areas, maintenance of food (benthic invertebrate) production, and minimized risk of failure. All crossing designs should be based on site-specific information such as: estimates of peak discharge, flow velocities and patterns; channel stability; sediment and bed load transport; flooding regime (50-year to 100-year flood frequency and magnitude); cross-section profiles of channel morphology and water surface elevations; etc. This information should be included in the final EIS.” (63-25)

Response

Streams, rivers, lakes, and ponds were included in the analysis of potential impacts to fish if they are: 1) cataloged anadromous waters, 2) connected to a cataloged anadromous water, 3) if fish habitat was determined to be present during OEA stream-crossing investigations in 2008, or 4) if the refined Geographic Information System (GIS) geomorphic analysis conducted for Section 4.1 of this Final EIS showed stream connectedness and anadromous and/or resident fish habitat potential upstream of each crossing. A comparison of the number of fish-bearing crossings identified by the 2008 field data and the ADF&G catalog matched the number of crossings the GIS geomorphic analysis indicated would be fish-bearing or have the potential to be fish-bearing. The approach OEA used in identifying fish-bearing waterbodies was conservative in that all waterbodies currently supporting fisheries and waterbodies with the potential to support fisheries, even if they currently do not, are included in the analysis.

The GIS geomorphic analysis was used to estimate upstream habitat potential for selected fish species to enhance the comparison of potential anadromous and resident fisheries impacts among the alternatives through analysis of habitat conditions at a microwatershed scale. These data have been included in Section 5.4 of this Final EIS and the EFH assessment (Appendix G of this Final EIS). OEA believes the conservative methods used to determine fish presence and the data generated by the fish habitat models based on the GIS geomorphic analysis is sufficient to

compare the level of impact along segments, segment combinations, and alternatives for purposes of NEPA.

Regarding site-specific level of detail requested for existing conditions or proposed crossing structures at each crossing, OEA notes that CEQ regulations state that the preparation of an EIS is expected to occur early in the planning process for the proposed Federal action and, for applications to an agency, the EIS “shall be commenced no later than immediately after the application is received” (see section 1502.5, Timing). Consequently, in the process of pursuing this early consideration of potential environmental impacts, it is not always feasible to have available the level of project detail necessary to meet final permitting requirements. That is especially true for long, linear projects with multiple alternatives like the proposed rail line. Although OEA is not aware of any CEQ requirement that an EIS must provide all of the detailed information necessary to comply with subsequent construction permits, should the initial Federal action be approved, OEA realizes the importance of interagency cooperation and coordination during the NEPA process. OEA is also aware that CEQ has provided guidance in its often-quoted NEPA’s Forty Most Asked Questions regarding applicants who need permits (see question number 9 of that guidance). CEQ notes that the purpose of this coordination is to “insure an early and comprehensive analysis of the direct and indirect effects of the proposal and any related actions.” CEQ also notes in the guidance that “Section 1502.25(b) requires that the Draft EIS list all the federal permits, licenses and other entitlements that are needed to implement the proposal.” The guidance also states that “These provisions create an affirmative obligation on federal agencies to inquire early, and to the maximum degree possible, to ascertain whether an applicant is or will be seeking other federal assistance or approval, or whether the applicant is waiting until a proposal has been substantially developed before requesting federal aid or approval.” This clearly indicates that EISs are not required to contain permit-level information, such as the detailed design information that would ultimately be required for a fish habitat permit for a stream crossing structure.

Chapter 19 of the EIS includes numerous mitigation measures, such as measures VM-3 through VM-12, 1 through 10 (measures 8 and 9 have been revised since the Draft EIS), VM-14, VM-15, 23 (revised since the Draft EIS), 30, 31, and 32 to maintain connectivity between waterbodies, provide for fish passage through permitting, and avoid and minimize potential impacts to streams, wetlands, and fisheries. OEA believes these measures would be appropriate avoidance and mitigation of potential impacts.

Comment

“Of greatest concern for NMFS regarding this project are the currently proposed dimensions of culverts and bridges and the lack of information regarding hydrology and anadromous fish presence in streams and rivers to be crossed. NMFS has the following recommendations regarding the design of stream and river crossings and fisheries, hydrologic and wetland surveys.

1) Design of Stream and River Crossings: Part 1 Section 19.2 (page 19.3, VM-10), and again in Part 2 Section Appendix G.4 (G.4.1, page G-29) of the DEIS, the STB-ARRC references the Anadromous Salmonid Passage Facility Design (NMFS 2008).

‘Applicant voluntarily proposed the following measures for mitigating potential project related impacts to water resources’.

‘For all project related crossings of fish-bearing waters that incorporate bridges or culverts, the Applicant shall design, construct, and maintain the conveyance structures in accordance with the National Marine Fisheries Service 2008 publication, Anadromous Salmonid Passage Facility Design (NMFS 2008), or equivalent and reasonable requirements’.

However, the above referenced design and construction recommendations were not incorporated in the stream and river crossings proposed for this project in the DEIS. A specific example is listed in Section G (Table G.5, pg G.15) entitled Essential Fish Habitat. Crossing point CI-2.6 is identified in the ADFG Anadromous Catalogue as ADFG 247-41-10100-2080, with upper reaches (0010, 0020, and 3002). These reaches are identified as having coho salmon adults and smolt present and rearing habitat. Thus, coho salmon maybe present spawning farther upstream indicating a need for a crossing structure that would accommodate this species at all life stages. The STB-ARRC describes this water body as 27 feet in width, but proposes a ‘72 inch culvert (6 feet wide)’, ‘buried up to approximately 40 percent of its diameter where possible,’ and concludes that it would result in ‘fragmenting coho rearing habitat.’ Review of the tables (G.5, pages G 14-16) indicate none of the suggested crossings of any known anadromous waters will use any method or design criteria referenced by the STB-ARRC in the voluntary mitigation measures described in Anadromous Salmonid Passage Facility Design (NMFS 2008). NMFS questions how these specifications represent ‘Voluntary Mitigation Measures’ stated in this DEIS.

Recommendations within the Anadromous Salmonid Passage Facility Design clearly advise that to maintain anadromous passage, minimum hydrological connectivity and instream flow after the rail line is operational, and that the conveyance structure needs to incorporate the following:

‘...the minimum culvert bed width must be greater than the bankfull channel width’ (section 7.3.2.1 - pg 69), or if a stream is not fully entrenched, ‘the minimum culvert bed width should be at least 1.3 times the bankfull channel width.’ (section 7.4.2.1 - pg 70).

We have similar concerns regarding fish passage structures listed in section 5.4 (Table 5.4-3, pgs 5.4-10, and Table 5.4-5, pgs 5.4-14 through 5.4-16). Several conveyance structures are listed in these tables for both anadromous and resident fish species and they do not meet the minimal measures prescribed in the Anadromous Salmonid Passage Facility Design (NMFS 2008) or in the Stream Simulation: An Ecological Approach to Providing Passage for Aquatic Organisms at Road-Stream Crossings (USFS 2008). Of further concern to the NMFS is language in Section 5.4.2 (pg 5.4-1) and G.3.1 (pg G-8).

‘SEA determined that it would not be reasonable to use the potential impacts that would be anticipated for these undersized structures to distinguish between alternatives because the hydrologic review and the Applicant-proposed conveyance structures are preliminary, and the final conveyance structure types and sizes would be determined during the final permitting and design. ARRC would base final conveyance structure designs on reasonable terms, conditions, and design criteria that would result from the ADF&G Fish Habitat permit that would likely

ensure a conveyance structure size similar to the channel width to maintain flow conditions suitable for fish passage.'

NMFS recommends that the final EIS include much more detailed plans and specifications for the proposed stream crossing locations (bank full width, depth, seasonal instream flows, presence or absence of fish, instream flow contribution of non-anadromous water to anadromous waters), and associated conveyance structures, including allocation of sufficient funding to cover construction costs. As seen in other projects of this kind, funding for conveyance structures that minimize impacts to fisheries and wetlands may not be available in the final permitting phase of the project unless funds are appropriated in the early planning phase." (62-9)

"2) Although the STB-ARRC cite the Anadromous Salmonid Passage Facility Design (NMFS 2008), as providing guidance to the design and construction of rail crossings, those recommendations are not reflected in the proposed crossing structures." (62-5)

Response

As explained in Section 2.1.1.7 of the EIS, the types and sizes of water crossing structures analyzed in the EIS are based on preliminary engineering and are subject to change during final design and permitting. The types of structures proposed were based on information available in 2007. Subsequently, the Applicant developed revised voluntary mitigation measures that incorporated NMFS guidance, so the preliminary identification of crossing structures did not incorporate application of NMFS guidance. Following receipt of comments on the Draft EIS, OEA requested and the Applicant provided updated information on preliminary water crossing structures for crossings where the preliminary structures in the Draft EIS appeared to conflict with NMFS guidance based on data now available. Apparent discrepancies in the Draft EIS between the channel width and the size of some proposed crossing structures also was the result of mislabeling field data on wetted width as channel width in some Section 5.4 and Appendix F tables. For some crossings (at the time of the field surveys), the wetted width included the channel width and the width of any standing water associated with surrounding wetlands. The proposed conveyance structure was sized to convey lateral flow in the stream channel, which, in some cases, is much narrower than the wetted width values presented in the table. In the tables in Section 5.4 and Appendix F of this Final EIS, the column "Channel Width (feet)" has been corrected to "Wetted Width (feet)," with an asterisk explaining that the wetted width, in some cases, is much wider than the channel where the crossing structure would be placed.

Regarding more detailed crossing structure plans and specifications, OEA notes that, as discussed above, permit-level information, such as design information required for a fish habitat permit for a stream crossing structure, is not required for an EIS.

Comment

"Fish Passage: Additional detail about stream crossings would be helpful to assess fish passage issues. The description of VM-10 indicates the project will follow the National Marine Fisheries Service (NMFS) 2008 handbook for design. However, the NMFS 2008 fish passage handbook is not specific to Alaska, and provides no specific recommendations regarding types of stream crossings. Rather, the handbook only gives options available, and does not account for low or

high flows for fish passage. The Department recommends the following concepts be incorporated in the DEIS for all stream crossings.” (84-4)

“Bridges: All crossings with bankfull widths greater than 20 feet should use a bridge. The Department recommends the project adhere to U.S. Department of Transportation (USDOT) and Alaska Department of Fish and Game (ADFG) standards for channel crossings and fish passage (see references below). This would include providing for animal access (from small mammals up to moose) at crossings along streambanks, per previous negotiations with resource management agencies.” (84-8)

“Culverts: All culverts should be designed and implemented so as not to result in barriers to fish passage, including juvenile salmon. The applicant should embed all culverts in fish bearing streams. Preferred method for designing these culverts is stream simulation, as described in technical guidance developed by the U.S. Forest Service (FS) and ADFG. Culverts should be designed to accommodate bankfull width or wider, and should be 40% buried (or buried at least 2 feet unless scour calculations show less scour). Pipe arches should be buried 20%. Culverts should be designed to accommodate 80% of capacity at the 100-year flood event (or to the 50-year flood event provided floodplain relief culverts are used to meet the 100-year event criteria) and sloped to within 25% of the existing stream slope (i.e., a 1 % channel can range from 1.25% to 0.75% only). No culvert should be installed without bed fill. Streambed fill should be dynamically stable up to the 50-year flow event. No double culverts should be used for this project.” (84-9)

“Hydraulically-designed culvert: In the unlikely situation that a hydraulically-designed culvert is necessary in a fish-bearing stream, the high fish passage flow criteria is the 1 percent annual duration exceedance interval, and 7-day, 2-year low flow criteria for the appropriate season as determined by ADFG. Flow event calculations should use methods described by the U.S. Geological Survey (2003) and compared to the document by Ashton and Carlson referenced below.” (84-10)

Response

As discussed above, the EIS contains numerous mitigation measures for avoiding and mitigating potential impacts to fisheries. OEA believes that these measures, including VM-10, VM-14, and VM-15, provide appropriate specificity at this stage of the project and that additional detailed requirements, such as those suggested by the commenter, will be applied, if appropriate, during the permitting process.

Comment

“I haven’t seen any reports on the impact this would have for the salmon stream in our properties.” (113-3)

Response

Section 5.4 of the EIS discusses potential impacts to fisheries, including salmon, from the proposed rail line. Chapter 19 of the EIS presents numerous mitigation measures to avoid and minimize potential impacts to fisheries from the proposed rail line, such as mitigation measures

VM-3 through VM-12, 1 through 10 (measures 8 and 9 have been revised since the Draft EIS), VM-14, VM-15, 23 (revised since the Draft EIS), 30, 31, and 32.

Comment

“And I’m not sure what the unnamed tributary is to Little Willow Creek. I know one that’s in Reville that I’m guessing that’s the one. But there is a decent salmon run that goes into that, but I doubt if there would be in the future if this rail line goes through.” (157-2)

Response

The proposed Willow Segment would cross 2 salmon-bearing streams that are tributaries to Little Willow Creek. Both are crossed by the existing ARRC main line. One is Rogers Creek and 1 is an unnamed stream at Mile Post (MP) 190.3. The Applicant anticipates crossing these streams using bridges. Section 5.4 of the EIS discusses potential impact to fisheries, including salmon, from the proposed rail line. Chapter 19 of the EIS presents numerous mitigation measures to avoid and minimize potential impacts to fisheries from the proposed rail line, such as measures VM-3 through VM-12, 1 through 10 (measures 8 and 9 have been revised since the Draft EIS), VM-14, VM-15, 23 (revised since the Draft EIS), 30, 31, and 32.

Comment

“Page F-10/Table F-5/The ranking of S1 needs to be defined in the footnotes contained in the table.” (159-111)

Response

OEA has made the suggested change in this Final EIS.

Comments

“Page F-27/Paragraph 2/Connector 1 Segment crossing of little Susitna River should be a bridge crossing at this location and not a culvert crossing (channel width is 27 feet).” (159-112)

“Page 5.4-6/Paragraph 4/First sentence should read – During construction there could be direct mortality of fish (delete ‘when’ – add ‘if’) equipment (delete ‘was’ – add ‘is’) driven through a streambed.” (159-77)

“Page 5.4-6/Paragraph 3/Fourth sentence should read – Removal of riparian vegetation and disturbance for stream bank (delete ‘would’ – add ‘could’) result in increased erosion...” (159-78)

“Page 5.4-8/Paragraph 4/Second sentence should read – In stream bridge supports (add – ‘can’) lead to upstream scour and...” (159-80)

“Page 5.4-9/4th on pg/Management of vegetation within ROW is not likely to cause an increase of sediment and turbidity (see above and in comment letter).” (159-82)

Response

OEA made the suggested revisions in this Final EIS.

Comment

“Page F-34/Paragraph 1/Consideration should also be given to a temporary fill of wetlands to support construction of the crossing at Goose Creek.” (159-113)

Response

OEA has revised the paragraph in this Final EIS to acknowledge that some impacts during construction could be temporary.

Comment

“Pages G-31-33, H-28-31/Any modifications made to mitigation measures in Section 19 should also be made to those in the EFH Assessment and the Biological Assessment.” (159-114)

Response

Comment noted.

Comment

“Page 5.4-10 thru 5.4-18/Tables 5.4-3, 5.4-4, 5.4-5, 5.4-6, 5.4-7/Tables need footnotes to describe the potential blockage. At first glance one could assume that the potential blockage applies to the proposed culvert not upstream and downstream potential blockages. This also needs to be more clearly described in the text.” (159-73)

“Page 5.4-14 thru 5.4-16/Table 5.4-5/Footnote on Habitat columns should be ‘b’ instead of ‘a’. Footnote ‘b’ on Potential Blockage column does not seem to fit. See comment above about adding a footnote for the Potential Blockage column.” (159-74)

Response

In this Final EIS, OEA clarified footnote “b” in Table 5.4-5 by removing the material related to blockage and creating a separate footnote “g” containing this information and has revised the appropriate tables.

Comment

“Page 5.4-19/Paragraph 2/’The Alaska Department of Fish and Game considers Cook Inlet radiation sticklebacks and Pacific lamprey Species of Conservation Concern.’ ARRC is not aware of a species of fish called ‘radiation stickleback’.” (159-75)

Response

Threespine and ninespine stickleback are both species complexes with many isolated subspecies, commonly referred to as radiations. These species and subspecies inhabit the Cook Inlet watershed region. OEA has revised the text to make this distinction clear.

Comment

“Page 5.4-4/Table 5.4-1/Remove American Shad *Alosa sapidissima* – Shad is documented as an invasive species in Alaska but has little to no potential to be present in the project area.” (159-76)

Response

American Shad are listed as an invasive species by the ADF&G, however they are considered an established population. According to the U.S. Geologic Survey, American Shad can now be found in Southern Alaska in the waters of the Cook Inlet watershed.

Comment

“Page 5.4-7/Paragraph 1/Last sentence: Blocked spawning fish might attempt to use inadequate spawning areas, which (delete ‘would’ – add ‘could’) result in uncertain survival of eggs, larvae, and juvenile fish. The statement ‘and ultimately would likely result in reduced productivity’ should be deleted on the basis that fish productivity levels can be attributed to a multitude of factors and interactions dependent upon flow conditions, food availability, water quality, natural fluctuations in population, marine survival and other conditions that may not necessarily be related to the proposed project.” (159-79)

Response

OEA revised the sentence in this Final EIS to account for the fact that other factors, in addition to inadequate spawning areas, could also affect productivity.

Comment

“Page 5.4-8/last on pg/The relevant water body in this case has a low debris load, and in any case, removal of debris is a standard maintenance practice. When debris is removed, it can be placed back in the stream the downstream side of the drainage structure, which does not result in permanent loss of this habitat structure and minimizes the interruption in the downstream transport of large woody debris.” (159-81)

Response

OEA has revised the sentence in this Final EIS to reflect the possibility of returning woody debris to the stream.

23.5.5 Threatened and Endangered Species

Comment

“Now the National Oceanic and Atmospheric Administration, also known as NOAA, and their fishery service, which is their administrative arm, has worked with the Alaska Fisheries Science Center and published a report. And the name of that report that they published was the Status Review and Extinction of the Cook Inlet Belugas. This parallels another report entitled a Final Environment Impact Statement issued under the auspices of the Marine Mammal Protection Act through their operational arm known as the Conservation Plan. On Page 71 of that plan it says, under habitat alteration, number 2, which is a priority, that action must be taken to foster salmon recovery and conserve salmon habitat so that this food is available for these beluga whales. Taking away the food source for any mammal is obviously going to result in extinction.” (121-2)

Response

OEA consulted with the NMFS regarding potential impacts to the Cook Inlet beluga whale that could result from construction and operation of the proposed rail line. The NMFS requested a BA to analyze the potential indirect impacts from the proposed project, and specifically requested an analysis of the potential affect of the rail line on salmon and salmon habitat (forage fish/habitat) that the beluga whale relies on as a food source. Because all salmon-bearing streams would be crossed with fish passable bridges or culverts per NMFS guidance and state permit requirements, the NMFS concurred with OEA that any of the alternatives for the proposed project “may affect, but is not likely to adversely affect” the Cook Inlet beluga whale or its designated Critical Habitat. The NMFS’ concurrence with OEA is considered the official position of the NMFS and concludes OEA’s and the NMFS’ obligation related to the proposed rail line under section 7 of the Endangered Species Act, 16 U.S.C. § 1531, and the Marine Mammal Protection Act, 16 U.S.C. § 1361, unless modifications are made that would cause effects not previously considered. The NMFS letter dated March 9, 2010 documents its concurrence with OEA (see Appendix A in this Final EIS).

Comment

“We also have concerns that future construction activities associated with the Port Mackenzie expansion following a rail extension, may negatively impact marine mammal noise mitigation efforts underway for the Port of Anchorage Intermodal Expansion Project. For several years, we have been working cooperatively with the National Marine Fisheries Service (NMFS) to minimize potential impact to the beluga whale, recently listed under the Endangered Species Act (ESA). The POA is very sensitive to the noise generated by port operations, especially from in-water construction work being performed as part of the ongoing intermodal expansion project. In response, the POA complies with several permit conditions specifically mandated in order to mitigate potential harm to Cook Inlet beluga whales. These measures include, but are not limited to, shutting down in-water work for two hours on each side of every low tide and shutting down for two full weeks each summer for local hatchery smolt releases. Any additional construction efforts outside of, but in proximity to, our Port Expansion footprint must take into consideration cumulative noise and vibration impacts and must not interfere with, or compound, mitigation

measures and safety radii already in established Port of Anchorage marine mammal permits. Construction at Port MacKenzie will be approximately 1 to 2 miles away from Port Expansion construction activities, depending upon phasing and staging. The Port's marine mammal safety radii, as established by NMFS to prevent harassment, currently extends 4,991 meters offshore. Any noise from Port MacKenzie construction would have an additive effect increasing safety and harassment radii for existing POA permits. In closing, the POA fully expects that similar permit conditions will be put in place should future expansion of the Port MacKenzie dock be undertaken." (66-8)

"Any further expansion on this port will make this much more dangerous. The effect of this narrowing affects our salmon. They migrate through this area. But more importantly than that, these salmon are the food to the beluga whale. This is the number one area for beluga whale in this – the whole area. Beluga whale went on the endangered species list in 2008, in October, because we went from 5,000 in 1970 down to only 300 today. In fact, NOAA clearly states that they will not approve our bridge across Knik Arms because of the damage it could do to the whales." (124-7)

"You'll note that the year that they started building this addition to the port with their dock going out into the water was the year that they began finding there were 1370 beluga whales in the inlet. And subsequently in 207 – or 2007, they discovered we're down to 300 plus whales. So it's clear that changing the navigational structure of Cook Inlet not only affects the Department of Defense, but it also affects the atmospheric conditions set by NOAA and the whales. So we're at a point now where, okay, if we can't logically have our arguments heard as they affect the routes, then maybe we need to go to the next step and that is do we really need this port. And I suspect that when we talk to the Department of Defense and the Department of Homeland Security and the Department of the Army and the Army Corp of Engineers and NOAA, not to mention the 27 in-state conservation groups that are going to take some concern regarding the kinds of things that you've heard discussed this evening. And that will make this project stagnant and when it becomes stagnant it will eventually become cost prohibitive." (130-2)

Response

Comments noted. The expansion of Port MacKenzie is not part of the proposed action. As discussed in Section 1.3 of the EIS, the MSB plans for expansion of the port facilities are independent of the proposed rail line. OEA consulted with the NMFS under section 7 of the Endangered Species Act regarding the potential impacts of the proposed rail line on the Cook Inlet beluga whale. OEA prepared a BA to evaluate potential impacts to the Cook Inlet beluga whale that could result from construction and operation of the proposed rail line. The NMFS concurred with OEA that any of the alternatives for the proposed project "may affect, but is not likely to adversely affect" the Cook Inlet beluga whale or its designated Critical Habitat. The NMFS' concurrence with OEA is considered the official position of the NMFS and concludes OEA's and the NMFS' obligation related to the proposed rail line extension under section 7 of the Endangered Species Act and the Marine Mammal Protection Act unless modifications are made that would cause effects not previously considered. A NMFS letter dated March 9, 2010 documents their concurrence with OEA (see Appendix A in this Final EIS).

23.6 Cultural and Historic Resources

Comment

“Cultural and Historic Resources of the report were just wrong from my point of view. It states that ‘because the Willow route was longer, there would be more effect on historical sites.’ Just logic tells me that the natives lived around the areas that had water. These were their highways and trails. Looking at the map, it is obvious that the Houston route would cross or be closer to more lakes and rivers where the majority of historical sites would be located.” (16-2)

“There are more cultural and historic sites along the Houston route.” (40-5)

Response

OEA did not find the language quoted by the commenter in Chapter 6 of the Draft EIS. Areas with high potential for cultural resources were identified through a probability model which utilized information on previously documented cultural resource locations, historic trails, waterways, and Dena’ina place names. Surveys along the Houston Segment did not reveal many cultural resources. That, combined with the abundance of wetlands, creates a low potential for cultural resources. Impacts to cultural resources were based on intersections with historic trails, known cultural resources within the 200-foot ROW, cultural resources identified within the study area, and known dog sledding trails. This analysis of resources identified more potential impacts from the Big Lake and Willow segments than either of the segment combinations using the Houston Segment.

Comment

“Chapter 6, Cultural Resources. CIRI appreciates the sensitivity to cultural resources expressed in the Draft EIS. However, given CIRI’s responsibility and commitment to cultural resource protection throughout the Region, it is troubling that nominal effort was made to consult with CIRI on cultural resource matters (e.g., form letters with minimal follow-up effort). Additionally, based on available CIRI records, it does not appear that CIRI received a draft of the proposed Section 106 programmatic agreement, nor does it appear that CIRI was invited to be a signatory on the agreement. While CIRI certainly defers to the Knik Tribal Council on most cultural resource matters in the project area, it fully intends to monitor and participate in cultural resource protection matters to the extent that it is required to do so due to the significance of the issue and/or limited Knik Tribal Council capacity. Accordingly, CIRI fully expects that cultural resource consultation with CIRI will improve from this point forward, starting with an invitation for CIRI participation in the Programmatic Agreement.” (69-3)

Response

OEA acknowledges the comment. The draft Programmatic Agreement (PA) was included as Appendix J of the Draft EIS, which was sent to CIRI on March 16, 2010. OEA consulted extensively with the Knik Tribal Council, and did try to consult with CIRI on several occasions, including August 15, 2008, February 5, 2009, and March 16, 2010. A meeting with CIRI was held on October 19, 2010 to discuss project concerns. On September 27, 2010, CIRI was invited

to be a signatory on the PA and attended a meeting on October 21, 2010 with other signatories to discuss their views, opportunities to participate, and potential changes to the draft PA.

Comment

“Page I-18/Table I-3, TYO-00027/The AHRS contains incorrect information about this site. The former railroad bridge has been replaced with a culvert. ARRC will provide information to OHA to update the AHRS.” (159-115)

“Page I-19/Table I-3, TYO-00096/The AHRS contains incorrect information about this site. The former railroad bridge at Mile 187.7 has been replaced with a concrete ballast deck bridge. ARRC will provide information to OHA to update the AHRS.” (159-116)

“Page: 6-17, Table I-3 Paragraph: 2. The 1917 ARRC bridge at MP 180.8 no longer exists. It was fully replaced by a concrete ballast deck (CBD) bridge. The former bridge at MP 187.7 (should be 187.6) also no longer exists, and was replaced with a CBD. ARRC provided a revised AHRS card for this bridge to SHPO to update the AHRS database. A copy is attached. Although these sites will remain listed in the AHRS, it is incorrect to refer to them as historic properties. Furthermore, many sites listed in the AHRS are not actually historic properties, since determinations of eligibility have not been conducted.” (162-15)

Response

Table I-3 in Appendix I of the Draft EIS lists the historic sites in the broad study area previously documented in the Alaskan Heritage Resources Survey, and OEA appreciates ARRC providing OEA with the updated information. OEA has revised Chapter 6 of this Final EIS to note these bridges, but to remove them from the analysis of potentially affected sites. Table I-3 in Appendix I of this Final EIS has been revised so that not all the sites are referred to as historic properties.

Comment

“Pages S-20, 2-27, 6-15, Various/All three pages state that ‘...Traditional cultural properties are likely to be found or have been found within the study area, project area, and ROW in the course of research for the propose Port MacKenzie Road Extension.’ This is inconsistent with the last sentence, 4th paragraph, Page 6-15, which state that ‘Consulting parties did not identify any traditional cultural properties in the study area during government-to-government or NHPA Section 106 consultation for the proposed action’.” (159-117)

“Pages: S-20, 2-27, 6-15 Paragraph: Various: These pages state that ‘...Traditional cultural properties are likely to be found or have been found within the study area, project area, and ROW in the course of research for the propose Port MacKenzie Road Extension.’ This is inconsistent with the last sentence, 4th paragraph, Page 6-15, which states that ‘Consulting parties did not identify any traditional cultural properties in the study area during government-to-government or NHPA Section 106 consultation for the proposed action’.” (162-14)

Response

Traditional cultural properties have not been found in the study area. OEA has revised the sentence in this Final EIS so it does not imply that traditional cultural properties were likely to be found in the study area.

Comment

“Page S-20, 2-27, 6-29, 16-12, Various/These pages indicate ‘the integrity of any historic trails would still be adversely affected through the introduction of auditory and visual effects.’ Also see table footnotes (Pages 6-30, 6-31, and 6-33). There is an assumption that trails used for dog sledding are historic, at least in part, due to noise and visual conditions. However, page 6-19 states ‘the importance of the study area to the dog sledding landscape lies not only in the people and series of events related to dog sledding that occurred there, but also to the trails and other historic remains in the study areas associated with dog sledding.’ This suggests neither the visual landscape nor the existing noise environment are critical elements of integrity. FRA guidance (page 3-8) also supports a finding that noise is not a critical element of integrity for the trails. In some cases, actual noise sensitivity of parks (and presumably trails) depends on how they are being used. Parks (and trails) used for passive purposes such as reading, meditation, and conversation would be considered more noise-sensitive than those used for sports or other active recreational pursuits. Also most trails are multi use.” (159-118)

Response

The National Historic Preservation Act (NHPA) section 106 regulations include the following example of the Criteria of Adverse Effect at 36 C.F.R. § 800.5(a)(2)(v) – Introduction of visual, atmospheric, or audible elements that diminish the integrity of the property’s significant historic features. The introduction of the proposed rail line into the landscape where none of these elements are currently present would affect 2 of the 7 aspects of integrity that characterize the *Iditarod Dog Sledding Historic District/Historical Vernacular Landscape*: “setting” and “feeling.”

Comment

“The Alaska State Historic Preservation Office (SHPO) has already concurred on the SRBA recommendation and STB finding that the Iditarod Dog Sledding Historic District/Historical Vernacular Landscape is eligible for listing in the National Register of Historic Places (NRHP). The SHPO’s September 1, 2010 letter recommends ‘further refinement’ of boundaries using the National Register Bulletin: Guidelines for Evaluating and Documenting Rural Historic Landscapes (Guidelines). For the reasons discussed below, ARRC agrees that additional refinement of the boundaries of the proposed historic landscape is needed.” (162-1)

Response

It is correct that SHPO concurred with The National Register of Historic Places (National Register) eligibility after the Draft EIS. The boundaries will be delineated through the provisions in the PA if the Board authorizes construction and operation of the proposed rail line. This is in accordance with NHPA section 106 regulations at 36 C.F.R. § 800.4(b)(2), which

allow for the phased identification and evaluation of historic properties for projects that consist of corridor alternatives or large land areas.

Comment

“As an initial matter, ARRC is not convinced that the proposed historic Iditarod Dog Sledding Cultural Landscape qualifies as eligible National Register of Historic Places (NRHP) under Criterion A for association with the gold rush era of Alaska (1898-1925). At least some of the area may qualify for NRHP eligibility under Criterion G for its association with the Iditarod Race (1967-1978). We strongly believe that the boundaries of the identified historic landscape, which currently encompass over 476,000 acres, are excessive. Revised boundaries should be identified to encompass concentrations/areas of contributing features that best meet the requirements for significance and integrity.” (162-2)

Response

The SHPO concurred with the National Register eligibility determination on September 1, 2010. It is not clear what the 476,000 acres refers to, but if it is a calculation of the study area, that would be much larger than the area of contributing elements of the historic property. The boundaries will be delineated through the provisions in the PA if the Board authorizes construction and operation of the proposed rail line.

Comment

“As the SHPO has rightly suggested, any historic cultural landscape should be delineated using the Park Service’s Guidelines, which contains an entire section devoted to ‘Selecting Boundaries.’ According to the Guidelines, boundaries should be limited to ‘areas having historic significance, rather than just scenic values.’ Furthermore, ‘recent changes that have erased historic characteristics, and do not have exceptional importance, make a property ineligible, even if scenic qualities are still present.’ Due to several changes in the location of the Iditarod Trail and external changes that have ‘erased’ the original trail’s historic characteristics, the actual areas of potential ‘historic significance’ within the study area are relatively few and far between. The viewscape from those areas, while vast, cannot independently qualify as a historic landscape under the Guidelines.” (162-3)

Response

The boundaries of each contributing element and non-contributing element of the historic property would be delineated through the provisions in the PA within the area of potential effects of a selected alternative if the Board authorizes construction and operation of the proposed rail line. Portions of the trail that have been “erased” may be found to have lost integrity of design, location, and association, and as a result, may be non-contributing elements. The final boundaries would be based on the historic significance of the property, not scenic qualities.

Comment

“With regard to the type of historic landscape potentially at issue here – ‘[t]rails and roads’ – the Guidelines ‘require[s] verification that the land nominated be the actual location of the trail,’ as

well as ‘integrity of setting and location.’ Even where the location of the trail can be verified, and sufficient historic integrity is present, the boundary of the historic landscape should be limited to ‘the length and width of the byway and a margin of land’ alongside that byway. Adherence to the Guidelines accordingly would not lead to the designation of the entire study area as a historic landscape. Rather, a narrow strip of land tracing the path of the portions of the Iditarod that remain historically significant should be the limit of any historic designation.” (162-4)

Response

The final delineation of boundaries of each contributing element within the area of potential effect would be made in accordance with the provisions of the PA, and, when appropriate, the boundaries would be limited as described above.

Comment

“Although the 1986 comprehensive management plan for the Iditarod National Historic Trail (NHT) suggests that the entire Trail is considered as potentially eligible for inclusion into the NRHP, it is more accurate to say that certain segments probably deserve such status. ARRC contends that nominations to the NRHP should be made for those specific Trail sites and segments that best represent the historic values of the Trail. The comprehensive plan therefore recommended a thematic nomination to the NRHP. This thematic nomination is still underway. It is beyond the scope of this project to complete such an effort. Nonetheless, ARRC considers it unlikely that the segment of the Trail near the alternative alignments would be considered eligible, since no one knows exactly where the trail is or was, and no remnants of it are likely to be found given the nature of a winter trail that primarily traverses wetland/treeless areas.” (162-5)

Response

The trail as a whole is eligible for the National Register, but it consists of contributing trails and other contributing resources (e.g., kennels, buildings, old roadhouses), and those that do not retain integrity or were built after the period of significance would be considered non-contributing elements. Some are shown in Figure 6-5, and those within the area of potential effects of a selected alternative would be delineated in accordance with the provisions of the PA if the Board authorizes construction and operation of the proposed rail line.

Comment

“One or more smaller areas within the study area may, after further review and careful delineation of boundaries, be determined to be eligible for the NRHP. But any further efforts by STB to define those boundaries should only be conducted after a final alignment for the rail extension has been selected.” (162-6)

Response

OEA agrees with the comment. The PA will provide the mechanism to complete the delineation of boundaries if the Board authorizes construction and operation of the proposed rail line.

Comment

“No determination of effect regarding impacts on the Iditarod Dog Sledding Cultural Landscape should be made until the preferred alignment is selected and analysis shows that the refined boundaries of the landscape extend within the APE of the preferred alignment. The following design features should still support a finding of no adverse effect:” (162-7)

“Crossings with the Iditarod Trail, and other potential contributing trails, would be grade-separated.

Although some noise from train operations would be audible, the grade-separated crossings would prevent noise levels from reaching levels considered to be moderate or severe impacts per FTA and FRA noise guidance. FRA guidance specifically supports a finding that noise is not a critical element of integrity for the contributing trails. Noise sensitivity of parks-and presumably trails-depends on how they are being used. The trails in the study area are multi-use, and regularly subjected to frequent high noise levels associated with snowmobiles.

Any noise impacts would be limited to about 200 feet at each trail-track intersection, in the location of separated grade crossings. Because the trails are often 15 to 20 miles long, such an impact should be considered negligible, and not one that affects the historic integrity of the property.

Visual impacts would also be minimized by keeping the height of the embankment low, to the extent possible, throughout the approved alignment. Separated grade crossings and stream crossings would necessarily require the grade to be raised to provide adequate clearance. Importantly, dogs and mushers use the trails for their functionality, not the viewshed. While some features of the landscape are important landmarks, the project would not prevent continued use of the landscape features identified in the 2009 report as a means for way-finding.

The functionality and connectivity of the trails would be maintained, and their continued use as a circulation system would not be changed by the project. Especially in light of the documented fact that many of the trail routes have likely changed somewhat over the years, the functionality of the trails is more important than their exact route.” (162-8)

Response

The final determination of effect would be made in accordance with the provisions of the PA, after boundaries of all contributing elements within the area of potential effects can be delineated and the effectiveness of the design features, such as grade separations, can be fully analyzed if and where contributing elements of the landscape fall within the area of potential effects. This is consistent with NHPA section 106 regulations at 36 C.F.R. § 800.5(a)(3), which allows for the phased application of the criteria of adverse effect.

Comment

“The draft Programmatic Agreement (PA) included in Appendix J could lead to some of the same problems that have been present in the Northern Rail Extension PA. For example, various

statements in the PA require that the SHPO concur with most plans and reports. Usually, if a federal agency satisfies all of the steps of the Section 106 process, it has the final determination on how to follow the regulations after considering SHPO comments. The PA in Appendix J, however, seems to require SHPO concurrence. ARRC accordingly recommends changing the wording of the PA from ‘SHPO concurrence’ to ‘SHPO comment.’

More broadly, a PA is supposed to either substitute a different process for the standard Section 106 process, or make adjustments to the standard Section 106 process. The PA in Appendix J does not do either of these things. The PA would be substantially improved if, consistent with 36 CFR 800 Sec. 800.14(b), it was structured to tailor future Section 106 efforts and mitigation to the specific needs of this project. Because this project involves a long linear corridor that extends through two potentially historic landscapes and has many issues related to trails and access, circumstances warrant a departure from the usual Section 106 process.” (162-9)

Response

The draft PA was developed specifically for this project. After the draft PA was included in the Draft EIS, the Cultural Resources Annual Report for 2009 was prepared, which provided more specific information on the Dena’ina and the Iditarod Dog Sledding cultural landscapes. The draft PA has been revised and the current draft (see Appendix J of this Final EIS) is based on additional comments received in a meeting with the SHPO on October 20, 2010, the meeting with the parties to the PA on October 21, 2010, and additional written comments provided by the SHPO, the Advisory Council on Historic Preservation, and other parties up until the Final EIS went to press for reproduction.

Comment

“Furthermore, the draft PA (Section IV.A.1.) specifies the need for additional identification and evaluation efforts for historic properties in any areas of surface/subsurface disturbance along the selected alignment that are outside the portion of the APE surveyed during the NEPA process. ARRC disagrees that a 100 percent ground survey is needed along the selected alignment. SRBA developed a probability model to identify areas of low, medium and high probability model and then surveyed many areas to ground-truth that model. Consistent with the Identification Plan (SRBA 2008) provided in Attachment C of the draft PA, the PA should be revised to clarify that any additional survey efforts needed for the selected alignment will be in areas not surveyed during the ground truthing surveys conducted during the EIS process, but only in areas that are determined to be high or medium probability for cultural resources.” (162-10)

Response

Any additional survey would follow the Identification Plan in Attachment C of the PA. Neither the Draft EIS nor the draft PA required a 100 percent ground survey for a selected alternative, but the language in the PA has been revised (see Appendix J of this Final EIS) as a result of the meeting held on October 21, 2010 with the SHPO, Advisory Council on Historic Preservation, and other parties, and Section IV.A.1 has been clarified.

Comment

“We are gratified to hear that a meeting will be held later this month between STB and SHPO later this month to discuss the PA. We urge you to invite all consulting parties, including ARRC, the MSB, and tribal organizations to participate in this meeting in accordance with 36 CFR 800.14(b)(2).” (162-11)

Response

The meeting was held on October 21, 2010, and all consulting parties were invited to participate.

Comment

“Finally, despite extensive efforts by STB, ICF, and SRBA, the Dena’ina Cultural Landscape issue remains unresolved, and SRBA recommends continued consultation and documentation of the landscape. Any Dena’ina Cultural Landscape would extend far beyond the limits of the study area for this project, and it is thus beyond the scope of this project to complete such an effort. Consultation is needed between the parties (including ARRC) to identify any design changes that could be implemented to minimize any impacts from the rail extension. Such consultation could lead to additional mitigation, potentially including some level of funding to the Knik Tribal Council to conduct additional documentation of the Dena’ina cultural landscape, which may be needed more in areas beyond the project limits, or development of means to bridge the prehistoric with contemporary cultural practices to spur the cultural revitalization process.” (162-12)

Response

The Dena’ina Cultural Landscape was one of the topics discussed during the meeting with the parties held on October 21, 2010. The PA has been revised to further delineate the boundaries of the Dena’ina Cultural Landscape, or any portions thereof, that appear eligible for the National Register and are within the area of potential effects of a selected alternative if the Board authorizes construction and operation of the proposed rail line.

Comment

“Page: 6-15 Paragraphs: 2, 3, 4: The definition of archaeological sites, historic sites, cultural landscapes, and TCP are not entirely accurate. They should be clarified, and a definition of historic properties should be included.” (162-13)

Response

The comment states that the definitions are not entirely accurate and should be clarified, yet do not identify what is inaccurate or how they can be better clarified. The definition of historic property is included in Section 6.1.1 of the EIS, and that definition is in the Advisory Council on Historic Preservation’s regulations at 36 C.F.R. § 800.16(I)(1).

Comment

“Page: J-7 Paragraph: IV.B.2. This stipulation states that a Treatment Plan is considered final when concurrence is given by SHPO and Tribes. Why are only Tribes being asked for concurrence, and not other consulting parties? What if the historic property is not a resource that has significance for the Tribe? Also, ‘scared’ should be changed to ‘sacred’.” (162-16)

Response

Stipulation V.B. of the PA in this Final EIS provides ample opportunity for all parties to review and comment on the Treatment Plan, as follows: “STB will summarize the outcomes of the workshop, develop an Implementation Plan in consultation with ARRC, and submit this information to signatories and interested consulting parties, who shall have a 30-day review and comment period. The STB shall incorporate comments as appropriate.” OEA has corrected the spelling error.

Comment

Page: J-7 Paragraph: V.B.2. This stipulation assumes that all of the historic sites identified in the 2008 field survey are eligible for the National Register. To our knowledge, no determinations of eligibility have been completed for archaeological resources. This stipulation should also include previously identified archaeological resources that are eligible for the National Register, if any exist within the APE of the selected alignment, and not just properties discovered in 2008.” (162-17)

Response

Stipulation IV. of the PA allows for the final evaluation of properties for National Register eligibility after the Board has made its decision on whether to license the construction and operation of an alternative. It would not be necessary to do further evaluation for the National Register on sites located outside the area of potential effects of the selected alternative.

Comment

“Page: J-8 Paragraph: VII.B. This stipulation requires that a curation arrangement be part of any treatment plan. Please clarify that this applies only to treatment plans that include data recovery. It should not apply if the treatment plan involves alternative approached to mitigation (refer to V.C.)” (162-18)

Response

The PA has been revised as a result of the meeting with the SHPO on October 20, 2010 and the meeting with the parties on October 21, 2010, and Stipulation VII.B. of the PA was revised to indicate that curation only applies to treatment plans that include data recovery (see Appendix J of this Final EIS).

Comment

“Page: J-8 Paragraph: VII.C. It seems unfair that ARRC will be responsible for ‘reasonable costs’ for curation, but does not get any input into what might be considered reasonable. There should be a dispute resolution procedure that ARRC could appeal to if they do not find the costs fair or if the quantity of materials sent for curation results in excessive costs.” (162-19)

Response

The ARRC could use PA Stipulation XII. Dispute Resolution for that purpose.

Comment

“Pages: J-9-10 Paragraph: VIII. There are quite a few reports included in this section – many of them seem duplicative to reports required in Stipulations IV and V. Reporting requirements should be streamlined? In addition, the schedule for final reports between Stipulations IV and V and Stipulation VII.D.4 seem to disagree.” (162-20)

Response

The PA has been revised as a result of the meeting with the SHPO on October 20, 2010 and meeting with the parties on October 21, 2010, and the revisions included simplifying the reporting requirements.

Comment

“Pages: J-11-12 Paragraph: XII. Dispute resolution is not adequately addressed. PA Section XII allows a ‘party to the agreement’ to object to ‘any treatment plan or report provided for review or actions proposed,’ and it provides a means for resolving a dispute that does not require SHPO concurrence. However, this section is not clearly related to all the ‘SHPO concurrence’ stipulations, and it is not clear what happens if the SHPO (rather than another ‘party to the agreement’) refuses to concur. Also, what happens if a party wishes to object to a determination of eligibility?” (162-21)

Response

All parties have an opportunity to review and comment on all reports and findings of eligibility being prepared through the PA process. The dispute resolution should only be used for cases not addressed during the report, review, and comment phase.

Comment

“Page: J-12 Paragraph: Item 2. Who are the ‘parties to the agreement’? Is it just the participating signatories and invited signatories, or does it include concurring parties? Terminology needs to be consistent and clear.” (162-22)

Response

Parties include all signatories to the PA.

Comment

“Page: J-14 Paragraph: J.3.3. Patrick Gamble is no longer the President and CEO of the Alaska Railroad. The new President and CEO is Christopher Aadnesen.” (162-23)

Response

The PA has been revised and Mr. Christopher Aadnesen is identified as the signatory for ARRC.

Comment

“Page: J-15. It is not clear why the concurring parties are limited to federally recognized tribes and do not include the Native corporations (who have been consulting parties for Section 106). Also, what about other historic associations included such as the Dorothy Page Museum, Wasilla-Knik Historical Society, etc.?” (162-24)

Response

The PA has been revised as a result of the meeting with the SHPO on October 20, 2010 and meeting with the parties on October 21, 2010, and additional parties that expressed an interest in participating are included as signatories.

Comment

“Page: J-25 Paragraph: Item 2. This section stipulates a minimum 20-m, no-work buffer around unanticipated discoveries. This may result in areas where construction cannot get around a discovery that could be adequately protected with a smaller buffer. We suggest inserting ‘or as otherwise agreed upon by the signatories’ so there is some flexibility in establishing a buffer sufficient to ensure the discoveries are fully protected and can be investigated while still allowing construction to proceed.” (162-25)

Response

OEA has revised the PA accordingly.

Comment

“Page: J-28 + Attachment B. The Plan for Tribal Consultation appears to be a summary of tribal consultation during the EIS process. It is of limited value for describing consultation procedures during implementation of the PA.” (162-26)

Response

The PA has been revised as a result of the meeting with the SHPO on October 20, 2010 and meeting with the parties on October 21, 2010, and the Plan for Tribal Consultation has been updated accordingly.

23.7 Subsistence

Comment

“The Draft EIS defines subsistence (Section 2.4.5) as the ‘customary and traditional uses of wild and renewable resources for food, shelter, food, clothing, and other uses’ but then goes on to state that since no federally or state designated subsistence areas are located in the project area, impacts to subsistence are only indirect. It is important to note that many residents in south central Alaska practice subsistence activities (as defined by the Draft EIS) in the project area and utilize resources that may be impacted by this project. Because subsistence activities do occur in the project area, the conclusion that impacts are only indirect does not reflect the actual activities currently occurring in the project area. We recommend that the Final EIS be revised to reflect the subsistence activities, even if different terminology is required, that are occurring in the project area, and that the impacts to those activities, both direct and indirect, be clearly identified. It is also important to note that Executive Order (EO) 12898 specifically identifies impacts to subsistence as necessitating special treatment. Specifically, Section 4-401 of the EO states, ‘In order to assist in identifying the need for ensuring protection of populations with differential patterns of subsistence consumption of fish and wildlife, Federal agencies, whenever practicable and appropriate, shall collect, maintain, and analyze information on the consumption patterns of populations who principally rely on fish and/or wildlife for subsistence. Federal agencies shall communicate to the public the risks of those consumption patterns.’ If such populations occur in the project area, and their subsistence activities could be impacted by this project, we recommend that this type of information be collected and integrated into the Final EIS.” (63-26)

Response

In the Draft EIS, OEA used the Federal and state regulatory definitions of subsistence. OEA also researched and applied the legal boundaries for the application of those definitions. The conclusion regarding indirect impacts was based on that approach. EPA’s comment appears to agree with the definitions but not the boundaries. Federal boundaries apply to where people live; if they live in a rural area, they can conduct subsistence hunting and fishing on Federal lands. However, there are no Federal lands in the project area. State subsistence boundaries apply to the area of the activity, and the project area is a “non-subsistence area” under state regulations. Hence, there are no state-recognized subsistence uses in the project area. Regarding traditional activities conducted by Dena’ina living, for example, in Knik and Eklutna, the Draft EIS did address those activities (see Page 7-4), but did not label them subsistence. OEA agrees that the activities discussed have important cultural meanings to the Dena’ina. Although these traditional use areas are now in a nonsubsistence area, these Native entities have a traditional connection to the land and still consider their use of the land as subsistence. Federal provisions under 16 U.S.C. §§ 3111-3126 require the evaluation of effects on subsistence uses and, while these

traditional uses by the Native entities are no longer regulated under subsistence regulations, they are still considered subsistence by the Native people, and it is useful to acknowledge these traditional activities.

Game Management Unit (GMU) 16B is the area nearest the proposed rail line that is managed for subsistence harvests, has subsistence resources that may migrate into the area from project area lands, and has subsistence users from study area communities that use the project area lands to access this GMU. Except for GMU 16B, all other lands open to subsistence are far away from the study area and therefore subsistence impacts would not be expected. In addition, any potential impacts from the proposed rail line on resources that migrate through the study area to areas other than west of the Susitna River are subject to considerable non-project influences, given the existing impacts to subsistence resources created by developed areas (for example, the communities of Big Lake, Houston, Wasilla, and Palmer) near the project area.

23.8 Climate and Air Quality

OEA did not receive comments on this topic.

23.9 Noise and Vibration

Comment

“This Railroad Connection 2 will run right through my house and my business and storage yard, I oppose this direction for your unneeded spur. Even if it didn’t go through my house and property I would still oppose all the noise pollution that it would bring. I am over a mile away from the main line right now and can hear it’s noise.” (2-1)

Response

Comment noted. The commenter is correct in noting that railroad noise can sometimes be heard at long distances away from trains, especially when ambient noise levels are relatively low. However, the audibility of train noise does not necessarily constitute an adverse impact.

Comment

“Noise of course will increase for all build alternatives, but the swamps in the Willow route will carry and echo train sound more than other wooded routes to Houston or Big Lake would. Per the DEIS noise would have ‘severe’ impacts.” (3-1)

Response

Outdoor sound propagation is a complex phenomenon and can be affected by terrain, vegetation, and weather conditions. Train noise can, at times, be heard at long distances away from trains, especially when ambient noise levels are relatively low. However, the audibility of train noise does not necessarily constitute an adverse impact. Noise levels categorized as “severe” for parks and other section 4(f) properties based on FRA criteria and procedures are discussed in Section 9.5 of the EIS.

Comment

“As far as noise pollution, trains are obnoxiously noisy and loud – as I recall your DEIS cites noise levels between 80-90 db. All of the rail route alternatives are through a near wilderness quiet. Railroad noise in such an area carries for miles cross-country, and I don’t know of any feasible way to make a railroad quieter. The solution, to my thinking, is to take your proposed railroad route as far west as safely possible out along the east bank of the Susitna River.” (15-3)

“My other concern is noise and that just basically concerns a railroad in general. Your report speaks in terms of, I believe, 80, 90, hundred decibel noise levels for a train going by. And in that area up there, that carries for miles. And it’s one thing if you’re in an urban area. You’ve got cars and trucks and other urban traffic running around. It kind of muffles or at least joins the noise level of trains, trucks and whatnot. But out there in that area in the Mat-Su Valley, that noise is just unbearable and it travels for miles and miles as I say. And when you have a lake lot up there that is out in the middle of basically nowhere and it’s quiet, your railroad is going to destroy the values all through that area.” (102-3)

“All our properties – there’s a bunch of us here that live back there – it’s going to be like right in our backyard. And the noise – I don’t like the idea of having two trains a day coming, you know, within what 25 miles of my house because they’re very loud. And I was just wondering what – I didn’t see any comments in here on that for the noise impact.” (113-1)

Response

Noise levels cited by the commenters would only occur in the immediate vicinity of at-grade crossings of roads by the rail line when a locomotive safety warning horn is sounded. Train noise can at times be heard at long distances from a rail line, especially when ambient noise levels are relatively low. However, the audibility of train noise does not necessarily constitute an adverse noise impact. The STB’s environmental regulations require identification of sensitive receptors (including residences) that would be newly exposed to a 65 DNL or greater noise level or an increase in noise level of 3 dBA or greater. Analyses described in this Final EIS indicate that 1 residential receptor near the Mac East Variant Segment and 1 receptor near the Connector 3 Segment would be anticipated to experience a noise level of 65 DNL or greater and an increase in noise level of at least 3 dBA. OEA notes that a route along the east bank of the Susitna River is discussed in the EIS.

Comment

“I’m really not wanting to have the noise of the trains twice a day for the rest of our lives.” (20-6)

Response

Comment noted.

Comment

“In addition, I do not agree with the position of DNR as quoted in the Draft Environmental Impact Study for the Rail Extension to Point McKenzie stating that the Willow route which divides the Willow Creek and Nancy Lake State Recreation Areas has no facilities or specific resources within that area that would be adversely affected. Since I recreate in Nancy Lake State Recreation Area nearly every month of the year, I can tell you the noise from the current location of the railroad detracts from the wilderness experience I have on Red Shirt Lake. The current location of the track is 8 miles away. Putting a railroad within 1 mile of Red Shirt Lake will decrease the recreational experience in one of the Mat-Su’s nicest recreation areas.” (46-3)

Response

In regard to Nancy Lake State Recreation Area, Section 13.2.5 of the EIS states that “No known trails, campsites, or other active recreation sites are associated with the affected area.” This refers to the area that would be directly affected by the Willow Segment rail line and ROW and does not include the entire Nancy Lake State Recreation Area. Potential noise impacts on Nancy Lake State Recreation Area are discussed in Chapter 9 of the EIS. As discussed in Chapter 9 of the EIS, audible noise is not necessarily an adverse impact; rather, noise levels would not be adverse unless they reach or exceed OEA and FRA thresholds.

Comment

“The EIS addresses the noise issue using a factor of 10 trains during the day for every one that runs at night, but the reality is that along the current rail line the majority of the freight trains run at night.” (52-4)

“In Chapter 9 ‘Noise Element’ you treat the noise as though the trains will be moving during the day. Alaska Railroad moves passenger trains during the day and freight trains at night. The rail extension is specified as a high speed freight line. You need to redo the noise and vibration study to reflect the impact of the high speed 100 ton ore car moving over the rails during the night. It is my understanding that the impact is 10 times greater at night.” (59-5)

“And I think your noise study is a little ridiculous for Alaska too, because you said that the 10 to 1 factor between day to night trains, there’s going to be 10 trains in day from one at night. Well, the Alaska Railroad runs their freight train, it’s night, not during the day. So the noise impact is going to be a lot more. You said one of your microphone stations for the noise was at the end of my driveway and I don’t recall anybody being there for 24 hours. You can’t see my house in any of your drawings, because it’s under your big black dots.” (94-9)

“Another problem I have is with your noise study. It’s very apparent whoever did that didn’t talk to the Alaska Railroad, because it says there’s going to be 10 trains in the day for every one at night, that’s in your opening statement there on noise, yet the Alaska Railroad does that just backwards. They run their freight trains at night and the passenger trains run during the day, because – so they can work on the tracks during the day and not have to run their people off the tracks every five minutes for a train. So there is going to be a lot more noise and stuff like that at night because that’s when the freight trains run.” (150-5)

Response

Train operational data used in the noise study were provided by ARRC. The noise study assumed that train operation could occur at any time of the day or night. The STB's standard practice is to allow railroads the ability to operate at any time so as to not interfere with interstate rail operations. The calculation of the DNL (day-night average) noise level metric that OEA uses for analysis of railroad noise assigns a "penalty" for nighttime noise, such that a single nighttime train noise event is counted as 10 events (multiplied by 10), not the other way around.

In response to comments, OEA asked the Applicant to verify the anticipated average operating speed and the Applicant responded with 51 mph. Accordingly, the analysis of potential noise and vibration impacts (and other potential impacts affected by train speed) in this Final EIS is based on a 51 mph average operating speed.

The noise monitors are small and inconspicuous. Because these monitors operate unattended, it is understandable that nearby neighbors might not have been aware of them.

Comment

"Pages S-22, 9-9, 16-16, Various/All 3 pages state there would be no adverse noise impacts associated with operation of any of the build alternatives. However, later in the text in those sections, the DEIS indicates there would be noise impact on Section 4(f) properties for some of the alignments. It is unclear in Section 9 how the acreages for park impacts were determined and whether the impacts are severe or moderate." (159-119)

Response

In the Draft EIS, the statement of no adverse noise impacts included the statement that this finding was based on OEA's thresholds, which are different than those used for the section 4(f) analysis that applies to FRA, one of the cooperating agencies. In this Final EIS, OEA has revised the analysis such that 2 sensitive receptor locations near at-grade crossings would be expected to experience an adverse noise impact based on OEA thresholds. In this Final EIS, OEA has clarified in the discussion of the noise analysis methodology that the FRA "severe" criterion was used in the impact analysis because, based on FRA's criteria, noise levels that are less than the "severe" level may be noticeable, but not sufficient to cause strong, adverse reactions. Impact acreages were calculated by overlaying Geographic Information System (GIS)-based train noise contours (based on FRA criteria/ambient noise levels) onto GIS-based section 4(f) data to calculate the estimated area of the potential impact.

Comment

"Table 9-8 on page 9-18 of the DEIS depicts the estimated noise impacts from the rail extension project on various Section 4f properties. As an initial matter, it is not clear to ARRC how these acreages were calculated. In particular, it is unclear whether the acreages in Table 9-8 include only areas within the 200-foot right-of-way, or just areas outside the right-of-way but within the 60dBA contour. ARRC is also confused about what land use category was assumed. Except for campgrounds, parks would seem to fall into category 3, and therefore have a higher threshold for noise impacts than residences. Finally, it is important to note that many of the areas presumably

included in the table already are frequently used by snowmobiles and other recreational vehicles that would likely have similar noise impacts to a train.” (159-7)

Response

The acreages referred to by the commenter do not include areas within the ROW because OEA assumed that the Applicant would acquire the ROW and it would no longer be part of the section 4(f) property if the rail line was constructed. The noise level of the contour used to determine the acreages of potentially “severe” impact outside the ROW varies, as specified in FRA procedures, depending on the ambient noise level in the area. As indicated on page 9-3 of the Draft EIS, parks (except campgrounds) were analyzed based on land use Category 3 as defined in FRA procedures (FRA, 2005). Ambient noise levels were estimated on the basis of population density (per FRA, Federal Transit Administration [FTA]), which conservatively do not include the effects of noise generated by snowmachines, all-terrain vehicles, and similar sources of noise.

Comment

“Page 9-1/3rd bullet/The FRA guidance document referred to was updated in 2005.” (159-83)

Response

Comment noted. The 2005 version was the version actually employed in preparation of the Draft EIS. Chapter 9 of this Final EIS has been revised to explain that the 2005 version was the version employed in preparation of the Draft EIS.

23.10 Energy Resources

Comment

“Port MacKenzie to Willow Connector is 44.8 miles long, the Houston North to Willow Connector is 44.3 miles long, Houston South is 49.4 miles long and Big Lake is 54.4 miles long. This means that trains to the interior must travel an additional 4.6 miles on the Houston South corridor and 9.6 miles on the Big Lake corridor, a total of 110% further for Houston South and 121% further for the Big Lake Corridor than the Willow Corridor. Per the study done for the Borough by Shannon & Wilson, Inc. dated October 26, 2007, if the current rail line was up to a 60 MPH specification, train energy used to go from Port MacKenzie to the Willow connector by each of the corridors shows the Willow Route saves the most train energy. Using the Mac East examples, the Willow route will save total train energy over the other routes from 5.4% (Houston North) to 16.5% (Houston South) and 26.2% (Big Lake). The Mac West example demonstrates the Willow route will save 6.1%, 17.7% and 43.6% respectively. The additional capital expense of the shorter Willow route should be repaid through the substantially lower operating costs in a relatively short timeframe. This means the railroad will realize higher net returns and less operating cost (fewer lines to maintain and a shorter travel time for less personnel expense).” (60-5)

Response

As noted in Section 10.5.1.2 of the EIS, estimated energy consumption would vary by alternative within approximately a 25 percent margin around the median energy consumption for all alternatives, but the total demand for diesel generated by operation of the proposed rail line would be a very small share of the annual statewide consumption of distillate fuel.

Under 49 U.S.C. § 10901(c), the Board must authorize a rail line construction project “unless the Board finds that such activities are inconsistent with the public convenience and necessity.” As part of its review of the application, the Board will consider the transportation-related merits of ARRC’s proposal, along with the environmental record, and determine whether to authorize the proposed construction and, if so, what alternative(s) to approve.

With respect to economic data, the Applicant provided the information required by the applicable Board regulations. It is the Board, and not OEA, that will weigh the transportation benefits against potential environmental harms. OEA notes that the Board is not required to withhold approval of a proposed construction in the absence of financing and traffic commitments if it is persuaded that an Applicant will attract the level of traffic needed to justify the investment needed to construct the line. This approval is consistent with the current permissive licensing policy adopted by Congress in 1995, which now provides that rail constructions are to be approved unless found not to be in the public interest.

Finally, there has been no cost-benefit analysis for the proposed rail line, but the regulations implementing NEPA (see C.F.R. § 1502.23) do not require one.

Comment

“Secondly, the report also says that for a railroad, for every gallon of diesel you get 156 to 520 ton miles. For a truck, you only get 68 to 133 truck-ton miles for a truck per gallon of diesel. That’s really wonderful, but what’s not shown in here is the roads already exist. Trucks can haul now. And railroad exists with ports both in Anchorage and in Seward.” (129-6)

Response

As noted in Section 10.5.1 of the EIS, OEA expects that energy consumption would decrease to the extent that truck traffic to and from Port MacKenzie would be replaced by rail transportation. In addition, the haul distance from Interior Alaska to Port MacKenzie is notably less than the distance to the ports at Anchorage and Seward, and energy use for transportation to Port MacKenzie would also be less. OEA also notes that the capabilities of the three ports differ and also affect the overall transportation costs for shippers.

23.11 Transportation and Safety Delay

Comment

“Safety is a very important issue. With over 1,000 recreational trail crossings by the railroad on the Houston Route, it will be very dangerous for the recreational riders year around. The Willow route will not impact recreational riders nearly as extensively.” (16-7)

Response

Section 13.2 of the EIS discusses the potential impact of the proposed rail line on trails in the project area, including trails that would be crossed by the Houston Segment. As described in Section 2.1.1.9 of the EIS, crossing of the rail line would only be allowed at designated locations and designated trail crossing locations would be grade-separated for safety.

Comment

“Our home on Carpenter Lake is off of Farmers Road and we would have to cross the rail twice (Mac East/Connector 3) in order to get to work and back home if both crossings are on grade.” (36-3)

“In Chapter 11 - Grade Safety and Crossing Delay, you publish a schedule of expected delays at anticipated road crossings. For Connector 3, you identify two road crossings; Ayrshire Avenue and West Carpenter Lake Road. However, in actual fact, the connector crosses three roads, Ayrshire Road, West Carpenter Lake Road, and Farmers Road, all within the space of a half mile. No mention is made of the crossing of Farmers Road, which would occur within one hundred yards of the crossing of West Carpenter Lake Road. Farmers Road is perpendicular to Ayrshire Road and is used as an access road to several homes on or near Carpenter Lake.” (37-1)

“If the Connector 3 route were to shift a couple of hundred yards to the west and south, it would only need to cross one road, Ayrshire Road, saving two unnecessary and extremely inconvenient crossings.” (37-2)

Response

In association with the Connector 3 Segment, the Applicant proposed to relocate Farmers Road near the junction with West Carpenter Lake Road such that there would be an at-grade crossing of West Carpenter Lake Road but no crossing of Farmers Road (see ARRC, 2008, Preliminary Environmental and Alternatives Report, Volume 3, page 48). In this Final EIS, OEA has revised Figure 2-3 to show this feature of the Applicant’s proposed action. As presented in Appendix L of the EIS, OEA analyzed potential delay at at-grade rail/roadway crossings, including a crossing of West Carpenter Lake Road. OEA found that, on average, less than 1 vehicle per day would be delayed at the grade crossing and that the average delay per stopped vehicle would be approximately 1 minute. Thus, drivers and passengers would rarely be inconvenienced by delay if a rail crossing was constructed on West Carpenter Lake Road.

This Final EIS also includes analysis of a Connector 3 Variant Segment that would cross Farmers Road instead of Carpenter Lake Road. As presented in Appendix L of this Final EIS, OEA analyzed potential delay at at-grade rail/roadway crossings, including a crossing of Farmers Road. OEA found that, on average, less than 1 vehicle per day would be delayed at the grade crossing and that the average delay per stopped vehicle would be approximately 1 minute. Thus, drivers and passengers would rarely be inconvenienced by delay if a rail crossing were constructed on Farmers Road.

Comment

“As a land owner in Point MacKenzie area, I would like to make an input to the proposed railway extension in STB 35095. My major concern is the safety of the railway/road crossings. I feel the Mac West route would have the lowest impact on the residence and have the fewest vehicles driving across the track.” (50-1)

Response

OEA has thoroughly considered safety at new rail/roadway crossings. As discussed in Section 11.4.1.1 of the EIS, OEA calculated predicted accident frequency for existing at-grade crossings, extrapolated the results to new grade crossings, and calculated hazard index for both existing and potential new grade crossings. As shown in Table 11-3 of this Final EIS, OEA found that the hazard index would be higher for alternatives involving the Mac West Segment than for comparable alternatives involving the Mac East Segment, but lower than those that include the Mac East Variant Segment. OEA also found that for all potential new grade crossings, an accident would be anticipated less often than once every 100 years. FRA delegated jurisdiction over grade crossing safety to the state, so for all at-grade rail/roadway crossings on the proposed rail line, ARRC would need to consult with Alaska Department of Transportation and Public Facilities (ADOT&PF) to identify the required traffic control devices.

Comment

“Pages 2-1, 2-7 Maximum design speed is listed at 60 mph but operational speed (Class 4) is 40 mph. Please explain this discrepancy. Also, if analysis does not consider higher speed with regard to safety and impacts, it should be revised.” (63-16)

Response

The Applicant has proposed to design and construct the proposed rail line to provide for operation at 60 mph. In response to comments, OEA asked the Applicant to verify the anticipated average operating speed and the Applicant responded with 51 mph. Accordingly, the analysis of grade crossing delay (and other potential impacts affected by train speed) in this Final EIS is based on a 51 mph average operating speed.

Comment

“Emergency/Accident Response and Impacts. The STB has determined that the potential for hazardous material spills from leaks, derailment or collisions is ‘low’ and ‘unlikely,’ and only a ‘slight possibility.’ The evaluation of potential impacts on various resources also only considers

small leaks as opposed to catastrophic failures. While STB is not required to consider a worst case scenario under NEPA, there is no evaluation of ARRC accidents and incidents in the EIS to determine if ARRC's history supports these conclusions. For instance, there have been numerous ARRC incidents and derailments in the last three decades that have resulted in hundreds of thousands of gallons of fuel released and multiple railcar loads of coal spilled (Dunbar, Curry, Gold Creek, Canyon, etc.).

Past ARRC fuel spills have demonstrated that when a major spill does occur, such as the December 1999, Gold Creek spill. Response is often slowed or complicated by remoteness of the site, as well as limitations in spill response resource availability, and the resulting impacts can be substantial. Given that ARRC trains contain up to 125 cars, and fuel tanker cars contain up to 23,000 gallons of fuel per car, a worst case scenario derailment or collision could result in hundreds of thousands of gallons of product being released into the environment, which could immediately contaminate a major surface water body. We recommend that that STB reconsider the conclusion that a hazardous material spill or release will result in low impacts given that low frequency and probability does not affect magnitude of the impact should such a spill occur.” (63-17)

Response

In this Final EIS, OEA has included an expanded discussion of ARRC accident and incident history (see Chapter 11 and Appendix L). However, as discussed in the EIS, ARRC anticipates shipping bulk commodities and does not anticipate shipping hazardous materials on the proposed rail line. As a result, the likelihood of a hazardous materials release as a result of a rail accident on the proposed rail line would be low. OEA also notes that the frequency of ARRC rail accidents is lower than for freight railroads in the United States in general and that the accidents that do occur have rarely resulted in a hazardous material release, even when hazardous materials are being shipped.

Comment

“Where proposed railroad alternatives intersect future major road facilities as identified in the Matanuska-Susitna Borough Official Streets and Highways Plan, the document should address the importance of acquiring sufficient right-of-way to allow for future development of separated crossings. This would also add South Burma Road (Major Collector) at MP B 0.8 and Willow Fishhook Road (Minor Arterial) MP 186.9 as future separated facilities.” (67-2)

Response

None of the proposed rail line alternatives analyzed in the EIS would cross Willow Fishhook Road. As discussed in Chapter 11 and Appendix L of this Final EIS, OEA examined the need for grade-separated crossings for the alternatives, including a crossing of South Burma Road, based on Federal Highway Administration (FHWA) criteria and found that a grade-separated crossing would not be warranted. OEA notes that, as in this case, the time frame for analysis is typically limited to 3 to 5 years into the future because longer-term projections of rail traffic would be speculative. However, the analysis conclusion would be unchanged if a longer-term projection of vehicle traffic were used.

Comment

“For the Mac East Corridor, what is the associated cost with creating grade separation at every rail crossing? Have these costs been included in your deliberations? Will the ARRC agree to pay for the cost of such grade separations in the future? While current traffic levels may tolerate delays expected for at-grade separations, will future traffic as expected with the development of a major transportation corridor and the associated surrounding development create a concern? Will the current offset from the roadway provide adequate queuing space for anticipated delays without creating a safety hazard along the Point Mackenzie Road or side roads? Certainly within the next 20 years there is more than just a chance of significant development in this area. There may be a short terms savings, but the overall total future cost may be much greater.” (68-2)

Response

The Mac East Segment would cross Holstein Avenue and Baker Farm Road. As discussed in Section 2.1.1.9 of the EIS, the Applicant has proposed grade-separated crossings at these locations as part of the proposed action, so vehicle delays would not occur at these crossings. If the Board authorizes construction and operation of the proposed rail line and the Applicant decides to proceed with construction, the Applicant would be obligated to include construction of grade crossings where they were proposed on the route constructed.

Comment

“If you look at impacts caused by what it’s going to do for highway traffic, heavy truck traffic, the impacts are tremendous. And I think the rail alternative, particularly with the Willow route, reduces the load, traffic load that would otherwise be picked up by surface transportation trucks.” (123-8)

Response

OEA agrees that the proposed rail line could potentially reduce heavy truck traffic on highways. However, because the exact nature of the commodities that would be shipped and the origin and destination of those commodities is not known at this time, the extent and location of possible intermodal shifts from truck to rail and the precise effect on truck traffic is not known.

Comment

“And we have to contend with the railroad without proper crossing and it’s bad enough as it is now. If they increase traffic it’s going to make it really hard for us to get into our property and it’s going to make it more dangerous.” (157-1)

Response

OEA is uncertain which of the existing rail/roadway at-grade crossings on the ARRC main line is being discussed by the commenter. As discussed in Chapter 11 of the EIS, OEA analyzed the at-grade crossings on the existing main line between where the Big Lake and Willow segments would connect to the ARRC main line. OEA found that increased vehicle delay at these existing grade crossings would be minimal (see Section 11.4.1 of the EIS). As also discussed in Section

11.4.1 of the EIS, OEA analyzed the potential safety impacts for the same existing grade crossings and found that the predicted interval between accidents would decrease by between 3 and 4 years (for example, from once every 62 years to once every 59 years).

23.12 Navigation

Comment

“The Unnamed Water Body with an U.S. Army Corps of Engineers Navigation Status of Navigable. Is this Water Body subject to the ebb and flow of the tide?” (90-5)

Response

The unnamed water body entry in Table 12-1 of the Draft EIS was an error. OEA has removed the entry from the table in this Final EIS.

Comment

“Page 12-7-8/Table 12-2/Footnote b is misleading. It suggests only those structures types designated "Drainage Structure" would be determined by the Applicant during final design, and that a final determination as to structure type has been made for those locations having bridge or culvert already specified. This is not the case, as any of the culverts could be changed to a bridge during final design. Some of the waterbodies with culverts identified as the drainage type may become bridges if they are determined to be navigable, or larger culverts are needed for hydrology or fish passage. This is a problem in other portions of the document also (e.g., Appendix F). For example, Willow alignment crossing W-20.9 is 7.4 feet wide, anadromous, and possibly navigable. A 36" diameter culvert (see tables F-6 and 12-2) would not be adequate for this location and the appropriate drainage structure for this location would be determined during final design.” (159-84)

Response

As discussed in Section 2.1.1.7 of the EIS, the water crossing structures that were analyzed are preliminary and subject to revision during final design and permitting. In this Final EIS, OEA has revised footnote b in Table 12-2 to clarify that final design and permitting requirements could result in changes to any and all crossing structures selected during preliminary design, consistent with the discussion in Section 2.1.1.7 of the EIS. OEA also has added this clarification to Section 12.3 in this Final EIS.

Comment

“Page 12-8 F-12-14/Table 12-2 and Table F-6/The tables are not consistent. For example- compare the channel widths for both HN 4.4 and HN 4.8. Also, compare the channel widths for W 16.9 (32 ft vs. 1-2 ft). A thorough comparison of the tables is needed.” (159-85)

Response

In Table 12-2 and Table F-6 in the Draft EIS, the column label “channel width” is incorrect. The correct label for this column is “wetted width.” OEA revised the tables in this Final EIS and verified that the information presented is consistent.

23.13 Land Use

23.13.1 Land Use

Comment

“No on Connection 2. It will go through our storage yard, home, and consignment business. This is for our retirement, PLEASE don’t go this way.” (2-2)

Response

As indicated in Section 13.1 of this Final EIS, OEA has not identified any residences or businesses within the ROW of the Connector 2 Segment.

Comment

“Locating the rail adjacent to Point MacKenzie Road would create several problems with development of our community. The Point MacKenzie Comprehensive Plan identifies the area around the intersection at Point MacKenzie Road and Ayrshire Road as the best location to develop a community town center. Situating the rail next to Point MacKenzie Road would prohibit development to the West side of the road and promote strip type development from the intersection all the way to Port MacKenzie on the East side of the road.” (36-1)

Response

Section 13.1.5.1 of the EIS describes the potential impacts to the proposed Point MacKenzie Town Center. While exact location, planning, and funding for the Town Center has not yet been secured, in a letter to OEA dated November 18, 2008, the MSB Planning Department identified a site near the intersection of Point MacKenzie Road and Burma Road as a potential future location for the Town Center. This location would be near the proposed Mac East Segment, and the Big Lake Segment would cross this current planned location. In a letter dated January 14, 2009, ARRC indicated it would consider ways to shift the Mac East Segment to the west to lessen potential impacts to the proposed development. ARRC proposed a Mac East Variant Segment on August 3, 2010, which would avoid hindrances to development along the Point MacKenzie Road. OEA independently reviewed the proposed segment and associated segment variations and OEA has added an analysis of them to this Final EIS. In addition, the MSB has indicated that planning and placement of a Town Center is contingent on the location of rail line construction.

Comment

“2.1.10 & 2.1.1.6 Construction Staging Areas and Communication Towers. ARRC will attempt to place construction staging areas and communication towers within the right-of-way. It is not addressed what the applicant will do if they are not within the ROW. How will they work with the land owner? Do they foresee permits or leases being applied for? One of the towers appears to be adjacent to the Iditarod National Historic Trail and other official trails. How will the ARRC work with the land managers to identify the locations and possible effects any needed access roads and towers may have?” (65-19)

“Page 13.1-11 Please provide additional information on the condemnation process, and anticipated impacts from this process.” (63-15)

Response

OEA’s mitigation measure 44 would require that any land acquisition by the Applicant be in conformance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. § 4601), regulations promulgated pursuant to that statute (49 C.F.R. part 24), and all reasonable terms and conditions of Alaska Statute (Alaska Stat. § 34.60.010 through Alaska Stat. § 34.60.150), Relocation Assistance and Real Property Acquisition Practices. Moreover, the Applicant has indicated that the MSB would acquire property required for the proposed rail line, consistent with the MSB and state laws and guidelines. In addition, mitigation measure 45 (revised since the Draft EIS) requires consultation with local airports in the vicinity and the ADOT&PF and the Federal Aviation Administration to ensure that new project-related communications towers are appropriately sited and that notice has been given to pilots of the construction and location of the new towers.

Comment

“I have been a member of the Aurora Dog Mushers for almost 50 years. We were told two weekends ago when we had a dog race – it wasn’t a race, it was a weekend for kids for autism. We were informed that the railroad would move our clubhouse. We don’t know where, and who knows, it could have been downtown Big Lake, but who wants all this traffic in back of us?” (106-1)

Response

The anticipated location of the Big Lake Segment is shown on various figures in the EIS. It is OEA’s understanding that the clubhouse referenced by the commenter is located at the southern terminus of South Gonder Road and approximately 1.5 miles west of Liten Lake. The Big Lake Segment would not impact the Aurora Dog Mushers’ Clubhouse because the ROW for this segment would lie approximately 0.6 miles east of Liten Lake.

Comment

“And, you know, you look at just the other pieces of property that you got impact, you know, you look at the intersection of where this Big Lake route’s going to come in. I – if I’m not mistaken, looking at the map, it’s going to go right through the senior center that we have there.

So you're going to look at displacing a whole bunch of people that their livelihood alone was this state and here they are, they're retired in a place and now you're going to move them out of the area in itself. You know, that's uprooting people in a lot of areas." (107-3)

Response

The senior center, located at 11975 West Mid Valley Way, is located outside of the proposed 200-foot ROW for the Big Lake Segment.

Comment

"The second one I wanted to address was dealing specifically with my runway. I have a runaway, it's a private runway. It's Kucera Airport and it was addressed in the first EIS saying that if the Houston south route was chosen, that that runway would have to be closed. It wasn't addressed in the second EIS anywhere that I found in it. I haven't gone through all the – the whole – I haven't gone through the whole EIS, but I didn't see anywhere that it was addressed. A little bit of history about the Kucera Airport. I don't know if it's on the historical register, but it was put in by the late Herb Brazil (ph), as I understand it, so it's 50, 60 years old – or 40 or 50 years old probably. It was the primary access to the property that he acquired. And the person that I acquired the property from was the Kuceras and they had heired the property from Brazil. I purchased the property as an airport development three years ago and it's divided into four parcels. If this runway – or this runway is our commuter runway for work in Anchorage. If this runway is used – this runway was used to evacuate people during the Miller's Reach fire as well as other rescue operations. Losing this runway would be financially devastating to our family as well as changing our entire lifestyle. We currently have three families that live in the development and we plan on developing it further." (125-2)

Response

As indicated in the PEAR (ARRC, 2008), the private runway in question lies on both private and public land. The PEAR study and the 2010 Matanuska-Susitna Tax Appraisers website indicate that the land north of West Kucera Road is owned by the State of Alaska Mental Health Trust Authority. The proposed Houston South Segment would cross the north end of the runway located on the land currently owned by the Mental Health Trust Authority. If this alternative is authorized by the Board, closure of this runway could result. Chapter 13.1 has been revised in this Final EIS to provide this clarification.

Comment

"The EIS does not adequately address the human element on the various routes. Very little has been done on the impact to people and their property values. Less than 2% of Alaska is owned by private individuals. Why has private ownership been given so little priority and the parks which cover the vast majority of land been given so much priority?" (59-4)

"The Big Lake area where the Houston route and the Big Lake route runs has 26 percent private ownership. Again, that is a very small amount. This – there's a lot of private land by Alaskan's standards, because we have the largest percentage of it, but when we compare it to the area where the people who are going to be making the decisions that can ruin the quality of life of

most of the people in the Big Lake area, we find that they have an overwhelming majority of their land in private hands and a minority in government lands. It is imperative that they remember that we have enough parks, but not enough private land.” (142-4)

Response

The EIS addresses potential impacts of the proposed rail line on all types of property, including private property, in Section 13.1, Land Use. The EIS provides an analysis of the impacts to private property by alternatives, segments, and segment combinations in Section 13.1.5. See Table 13.1-4 in this Final EIS for a summary of the extent of private property impacts of specific alternatives, segments, and segment combinations. The EIS analyzes the potential impacts on parks and game refuges, in part, to meet the requirements for FRA of section 4(f) of the U. S. Department of Transportation Act of 1966, 49 U.S.C. § 303 and 23 U.S.C. § 138. To add further detail on impacts to private property, this Final EIS contains new figures showing specific residences and structures located within the proposed rail line ROW.

Comment

“Table S-2 Summary p.32 The table listing ‘Potential Impacts’ to agriculture may be under reporting the amount of acres affected. The table lists ‘Acres in Agricultural Use Lost’, but this number does not account for agricultural lands that are still undeveloped. These undeveloped acres are still protected for future agricultural use by AS 38.05.321.” (65-6)

“13.1.4.1 Existing Land Ownership Private Land: ‘...Private land in the vicinity of the proposed rail line is characterized as forested and some agricultural and development is typically low-intensity, residential. Development typically occurs near lakes and ponds and linearly along highways. There are areas of private land in the vicinity of the proposed rail line east of the northern portion of the Willow Segment, around Big Lake, and agricultural land associated with the Point MacKenzie Agricultural Area between the Mac West and Mac East segments.’ This summary of Private Land identifies agricultural lands but does not address patent restrictions placed upon some of them. All private land within the Point MacKenzie Agricultural Area are subject to AS 38.05.321. Some of the private land identified as being east (and possibly west) of the northern portion of the Willow segment also have AS 38.05.321 agricultural use restrictions. Note that several times in Chapter 13.1 the DEIS states that there is no data available to determine land ownership in the proposed ROW. The land ownership is then assumed to be publicly owned by the State of Alaska. This data is available and the final EIS should contain accurate land ownership information for all of the proposed routes.” (65-14)

“13.1.4.3 Existing Zoning Point MacKenzie Agricultural Area: ‘...Land titles are subject to a recorded declaration of covenants, conditions, and restrictions to promote agricultural use. The covenants, conditions, and restrictions limit improvement sites, residential locations, and subdivision of the original farm unit.’ These lands are subject to a perpetual covenant for the benefit of all Alaska residents and running with the land that restricts or limits the use of the land for agricultural purposes. No conversion of these lands to non-agricultural use is allowed. This Draft EIS does not address this patent restriction or outline the process by which these restrictions could be removed. The anticipated economic feasibility of the land’s productivity for agricultural pursuits has not been realized. The Point MacKenzie Agricultural Area has several

active dairies, livestock operations, and several thousand acres of hay are in production. How has the Draft EIS concluded that the goals for agriculture have not been met? In 1997, AS 38.05.321 was amended to ease restrictions on the subdivision of agricultural land. Prior to 1997 AS 38.05.321 allowed agricultural parcel owners to subdivide into as many subdivisions of at least 40 acres as they wanted to. AS 38.05.321 limited agricultural parcel owners to a maximum of 4 subdivided parcels of at least 40 acres. This was an additional restriction not a lessening of restrictions.” (65-22)

Response

In this Final EIS, Table S-2, Table 2-2, and Table 13.1-4 have been revised to show the acreage of private land in the proposed ROW that would be subject to the agricultural use restrictions of Alaska Stat. § 38.05.321. The discussion in Section 13.1 of this Final EIS has been revised to include the agricultural use restrictions and to note that removal of the covenants for agricultural use on lands crossed by the proposed rail line would result in the loss of land available for agricultural use. Section 14.5.1.2 of the EIS discusses the potential loss of agricultural production as a consequence of the proposed rail line. ROW acquisition would be the responsibility of the Applicant and, as such, the method used to eliminate or override the covenants preventing non-agricultural use of some land that would be crossed by the rail line (if construction and operation is authorized by the Board) also would be the responsibility of the Applicant. Mitigation measure 44 would require that any land acquisition by the Applicant be in conformance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. § 4601), regulations promulgated pursuant to that statute (49 C.F.R. part 24), and all reasonable terms and conditions of Alaska Statute (Alaska Stat. § 34.60.010 through Alaska Stat. § 34.60.150), Relocation Assistance and Real Property Acquisition Practices. Moreover, the Applicant has indicated that the MSB would acquire property required for the proposed project consistent with the MSB and state laws and guidelines. Table 13.1-1 of the EIS explains that data on land ownership came from the MSB tax assessor records and that OEA reasonably assumed that property missing from the tax records is publicly owned.

Comment

“Regarding the Mac-East corridor, how will a rail immediately adjacent to the existing road affect existing and future access to private property? Will the rail limit the functionality of future frontage roads along Point Mackenzie Road?” (68-3)

“Regarding the Mac-East corridor, please further describe how future development will be both limited and enhanced by a rail placed so close to Point Mackenzie Road where one might expect significant future commercial and other development that would be sources of significant economic activity for the area. For example, will commercial centers be pushed further from the road, will industrial activities be allowed to occur all along the rail even outside the Port District, will pedestrian access be negatively impacted?” (68-4)

Response

The potential for significant future growth along Point MacKenzie Road in the southern portion of the MSB is highly uncertain and appears to depend heavily upon whether or not the Knik Arm Crossing is built. The Final EIS for the bridge was issued in 2007 and a record of decision was issued in December 2010. The Mac East Segment could result in more favorable conditions for development on the east rather than west side of the road as a result of limited access to lands to the west of the rail line. In part to avoid hindrances to potential future development along Point MacKenzie Road, the Applicant has proposed the Mac East Variant Segment, which OEA has analyzed as part of this Final EIS.

Comment

“CIRI supports extension of the rail line to Port MacKenzie, but objects to any route alignment which will unfairly impact certain CIRI lands in the Point Mackenzie area. Specifically, CIRI strongly objects to consideration of Connector 2, due to its significant impact to CIRI lands located in Sections 4, 5, 6, 8 and 17, T. 15 N., R 4 W., Seward Meridian (the CIRI Tract) and objects to the current alignment of the Mac East/Connector 3 alignment for the same reason. Among other things, CIRI contends that the preparers of the Draft EIS did not fully consider the negative impact that Connector 2 and the Mac East route alignments will have on CIRI land use, as well as the socio-economic impacts the routes will have on CIRI shareholders, and possibly other Alaska Native Corporation shareholders.” (69-1)

“Chapter 13.1, Land Use. a. Settlement Lands. The Draft EIS inappropriately assumes that CIRI lands are like other private lands in the area, which they are not. Unlike other Native Corporations in Alaska, CIRI had limited ANCSA selection opportunities due to the scarcity of available and suitable lands in the Cook Inlet Region. Because of the limited selection opportunities, CIRI was forced to seek relief through litigation, which resulted in a 1976 settlement between CIRI, the state of Alaska and the United States (the Terms and Conditions for Land Consolidation and Management in the Cook Inlet Area, Dated December 10, 1975, as clarified August 31, 1976, the Terms and Conditions). The CIRI Tract was specifically selected under the Terms and Conditions due to its probable value to CIRI over time, a value which benefits all CIRI shareholders, not just CIRI shareholders in the immediate vicinity of the CIRI Tract. The size and location of the CIRI Tract make it a unique CIRI asset, more so than other CIRI lands in the project area which may be impacted by the project. Additionally, the CIRI Tract is already heavily burdened by existing public right-of-way, with a minimally used 600 foot right-of-way along its eastern border. It is for these reasons that CIRI adamantly objected to unreasonable route alignments through the Tract at its September 28, 2007 meeting with the route planners. It appears that CIRI objections were not considered and, instead, route planners unreasonably deferred to concerns regarding fragmentation of the relatively abundant agricultural lands in the area. b. Town Center. As noted in the Draft EIS, the Point Mackenzie Comprehensive Plan recommends a Community Center to the east of the CIRI Tract. Given the site characteristics of the CIRI Tract, it is well suited to complement Town Center plans for the area. The current Connector 2 and Mac East alignments will severely diminish the likelihood of this happening. As such, not only will the routes, as planned, cause significant harm to an Alaska Native Corporation, they will also unreasonably reduce or complicate the land area available to the Town Center vision.” (69-4)

“I’d like to know more about an issue of Mac East route, particularly in the area of the intersection of Port MacKenzie Road, Burma Road and Ayrshire. South west of that intersection, there’s three sections of land owned by a Native regional corporation and a Native tribal organization. And you’ve got Mac East going diagonally through their land which, you know, you would think would cut down the development potential of that land and reduce its value. So I’m wondering, you know, have you determined that they’re willing to sell you land for that easement, or if they’re not willing, are you going to try to get it by eminent domain or reroute the Mac East? Or if the reg – if the owners refute your ability to use state eminent domain laws and are willing to contest it in court, what’s your port then? Are you going to reroute the line then or – I wonder how much analysis you did on this issue.” (99-1)

“Even if you’re going to go through and do the Big Lake or Houston area, how are you planning on acquiring the property? Are you going to do it reasonably, if you’re going to go that route, or are you just going to, you know, condemn it in that aspect there?” (107-4)

Response

OEA’s mitigation measure 44 would require that any land acquisition by the Applicant be in conformance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. § 4601, along with other requirements. Implementing regulations provide procedural and other requirements (appraisals, payment of fair market value, notice to owners, etc.) in the acquisition of real property, permanent easements, and temporary easements and provide for relocation payments and advisory assistance in the relocation of persons and businesses. Therefore, CIRI and its shareholders would be compensated by the Applicant. Moreover, the Applicant has indicated that the MSB would acquire property required for the proposed project consistent with the MSB and state laws and guidelines. Lands that are within the proposed rail line ROW would then shift to management by ARRC for rail line operation and maintenance and any non-rail use. Under this scenario, CIRI compensation by the MSB would be pursuant to state law and guidelines. However, due to CIRI and other comments, OEA has included an analysis of a modified route (Mac East Variant, see Section 2.3.1.3 of this Final EIS), which would intersect a smaller area of CIRI land, to the west of the Mac East and Connector 3 segments in this Final EIS.

Comment

“Reading down through this big wad of documents that I got off the internet on the whole proposal for this whole thing, you know, you’re taking a look at the amount of private property that you got to impact alone just to go through the Big Lake area. You’re looking at 307 pieces of private property alone. If you take the Willow area, you’re down to 187 pieces of private property. And, you know, you got less state land, less borough land, you know, in the Big Lake and the Houston area versus the more state and borough land that you got to go through with the Willow area.” (107-1)

Response

Comment noted.

Comment

“So I just have a problem with the two routes that go through Big Lake, seems like they’d displace more residences than any of the other ones and there’s more private land being displaced, you know, taken away to develop.” (117-1)

Response

Comment noted.

Comment

“The handout that I gave you is primarily to show the residential lot development within the community council area. I had hoped to expand that map to take it on up to Willow, and if it would be helpful I can do that for you and submit it before your May deadline. But I didn’t see anything in the EIS report that really addressed the density of residential development and this is an attempt to try to fill that gap.” (123-1)

Response

The EIS does not address density of development. Instead, it examines residences and businesses that could potentially be affected and identifies the residences and structures in the ROW that would be acquired for each alternative if the Board authorizes construction and operation of the proposed rail line. New figures showing the locations of residences and structures that would be taken are included in Section 13.1 of this Final EIS.

Comment

“Page 13.1-3/Paragraph 4/Native Alaskans/native Alaskan Corporations- suggest defining the terminology, especially given the different description on pag. 13.1-6 ‘Alaska Native Corporations’ and ‘Native Land (Native Allotments)’.” (159-86)

“Page 13.1-3/Paragraph 4/Suggest naming the Alaska Native Corporations who own the land (e.g. Cook Inlet Regional Incorporated and Knikatnu, Inc.)- this would be consistent with the other land owners.” (159-87)

“Page 13.1-4/Table 13.1-1/Suggest including names of the native corporation land owners.” (159-88)

“Page 13.1-6/Paragraph 2/Suggest listing the specific native corporations that own land. Recommend deleting sentence 3, which contradicts the subsistence section- there is no subsistence in this area. Suggest explaining the difference between the surface and subsurface rights of land ownership.” (159-89)

“Page 13.1-6/Paragraph 3/This is the first mention of Native Allotments. See comment relating to 13.1.4.1.” (159-90)

“Page 13.1-7/Paragraph 3/ Reference is made to zoning though special land use districts, but only one district is mentioned- the Port MacKenzie District. It may be appropriate to also include the Knik Sled Dog and Recreation special land use district and the Nancy Lakes State Recreation Area special land use district.” (159-91)

Response

OEA acknowledges the comments and has made appropriate revisions in this Final EIS.

Comment

“Page 13.1-7/Paragraph 3/Suggest moving paragraph about Port MacKenzie District from Existing Land Use Plans section to this section.” (159-92)

Response

OEA is unclear about what the commenter is suggesting because the Existing Land Use Plans section consists of a table without narrative. Therefore, OEA has made no changes to the language of the EIS in response to this comment.

Comment

“Page 13.1-7/Paragraph 4/Paragraphs for City of Houston Port MacKenzie District Point MacKenzie Agricultural Area have no mention of zoning, but more about land uses.” (159-93)

Response

As stated in Section 13.1.4.3 of the EIS, the Borough does not have Borough-wide zoning codes, but regulates through special land use districts, residential land use districts, and other mechanisms. The City of Houston, Port MacKenzie District, and Point MacKenzie Agricultural Project are examples of such areas.

23.13.2 Parks and Recreation

Comment

“Please do not build this Extension to Willow Alaska. It will cross parklands and ruin hunting and fishing in the area. My family depends on the Moose and Salmon I get every year from this area.” (5-1)

Response

Section 13.2 of the EIS analyzes potential impacts to hunting and fishing activities in the vicinity of the proposed rail line. OEA has developed measures to mitigate the potential impact of the project on fish and game resources. The Applicant also has voluntarily offered various mitigation measures. These measures include the Applicant’s voluntary mitigation measures VM-9, VM-10, VM-11, VM-13, VM-14, VM-15, and VM-18 and OEA’s mitigation measures 23 (revised since the Draft EIS), 27, 30, 31, 32, 33 (revised since the Draft EIS), and 46 (revised

since the Draft EIS). The final mitigation measures are presented in Chapter 19 of this Final EIS.

Comment

“During the April 7, 2010 Public Hearing held in Big Lake, Alaska regarding the MacKenzie railroad project on the STB draft EIS, the STB was asked by the audience if they had seen or read the 2009 Big Lake Comprehensive Plan. Enclosed is the PDF document of the Big Lake Final Plan that the community developed for the long term (20+ year) vision and recommended developments for the Big Lake community. This plan was developed and adopted by Big Lake community stakeholders over many years, extensively reviewed in Public Hearings, and endorsed in 2009 by the Mat-Su Assembly under ordinance as the guiding community planning document. The document can be found online at http://www.matsugov.us/index.php?option=com_docman&task=doc_download&gid=1906&Itemid=238 and it is also attached electronically for the public record and your consideration. This official planning document for Big Lake is a detailed all encompassing community planning tool, including existing and future trail strategies that are entirely consistent with the presentation and recommendations made by Big Lake Trails, Inc. (Dan Kruse, Vice President), which is also enclosed in PDF format for your reference and record. Please review the comprehensive planning document as you consider this very important decision as it accurately reflects the opinions and sentiments of the majority in Big Lake and what you heard and was submitted at the Big Lake Public Hearing held on April 7, 2010 with the STB regarding the draft rail project EIS. Restating our April 7, 2010 position, Big Lake Trails, Inc. supports the Willow rail route, with the Big Lake route as a poor second choice, and completely opposes any and all of the Houston rail routes given the severe impacts it will have to the existing MSB approved historic and regionally significant recreational trail system and to a large segment of greater Big Lake area private property owners.” (9-1)

Response

As indicated in Section 13.2.1.3 of this Final EIS, the Big Lake Comprehensive Plan Update Draft (2009) was reviewed and considered in the analysis of recreation resources in the EIS. The resources that were identified during review of this document are listed in Table 13.1-2, Table 13.1-3, and Section 13.2.4.3. Impacts to these resources that could result from rail line segments are listed in Section 13.2.5 of this Final EIS.

Comment

“Residents of Willow use the area proposed for the rail extension for recreation, hunting and fishing. The proposed loss of wildlife habitat and degradation of the many highly used trails in the area would have a profound negative impact on the area. I just can’t imagine how snow machines and dog sled teams will safely negotiate crossing tracks.” (13-1)

Response

Potential impacts to wildlife habitat are analyzed in Section 5.3 of the EIS. Mitigation measures have been developed by OEA and the Applicant to minimize potential impacts on wildlife habitat. In this Final EIS, these include the mitigation measures listed in Section 19.3. Impacts to recreational activities, including snowmachining and dog sledding, are analyzed in Section

13.2 of the EIS. Trails that would be provided with grade-separated crossings of the rail line are identified in Tables 13.2.-1, 13.2-2, and 13.2-3 of this Final EIS. In addition, OEA has developed measures to mitigate impacts to trails. These include OEA's mitigation measures 39, 41 (revised since the Draft EIS), and 47, found in Chapter 19 of this Final EIS.

Comment

“DPOR states that the Willow route would ‘reduce recreation experience because the line is 1/4 mile from one campsite.’ This does not make sense. The fact is that the line through Houston would go right next to or within a 1/4 mile of over 1000 recreational cabins and trails and campsites not just one which was not included in the Tryck and Hayes report either. I do not believe he was adequately informed on the environmental impact of the routes. When DPOR report exclusively stated that the Willow would displace wildlife on ‘his’ parks and recreation areas. Does the DPOR not care about the wildlife on the Borough, Native, State of Alaska (Mental Health and University) areas? These areas are currently being used for wildlife and recreation. Does this not have just as much effect, if not more, than the ‘official reserves’ do? It is a lot more land.” (16-1)

Response

Potential impacts of the proposed rail line on recreation resources are described in Section 13.2.5 of the EIS. Mitigation measures have been developed by OEA and the Applicant to reduce impacts on recreation resources. In the Draft EIS, these include the Applicant's voluntary mitigation measure VM-34, and OEA's mitigation measures 38, 39, 40, 48, and 49. Mitigation measures 38, 40, 48, and 49 have been revised since the Draft EIS and are included with mitigation measure 39 in Chapter 19 of this Final EIS. Potential impacts to wildlife habitat are analyzed in Section 5.3 of the EIS.

Comment

“The Big Lake Area is a very busy year-around recreational area. I personally, have ridden my snow mobiles and 4-wheelers over this area since the 1960's. There are over 1000 snowmachine/4-wheeler trails that the railroad would have to cross on the Houston Route. The Willow Route might have 20 to 30 trails.” (16-5)

“The Aroura Dog Mushing Club is located at the end of Gonder Road. There are numerous mushing trails in the area (including connectors with Iditarod Trail). Also located in the area are many snowmachine trails. The Big Lake Spur Route would cause a major disruption of many of these trails.” (45-3)

“Don't understand how you can protect all the trails. Willow has spent years developing, mapping, protecting and grooming all these trail systems. You can't ignore all the community involvement with these trails. One or two crossings will not be enough.” (19-1)

“On occasion we find a rare place worth more than another for some inherent qualities that exist within that area and we attempt to preserve those qualities and that area so that they may be enjoyed. Such is the case with the Recreation Areas that the Willow route proposes to cut through.” (86-1)

“Trails are vital part of the environmental, social, historical and economic fabric of Big Lake. Both secured and non-secured trails provide a critically important stimulus to our local economy, provide valued recreational opportunities for our residents and provide required transportation links to cabins, settlements and other communities. The rail extension through Big Lake is of grave concern to trail users because it threatens to permanently divide, damage or destroy the tapestry of this community that so many of us have so carefully woven.” (22-1)

“My concern would be the invasion of the railroad into the Willow and Big Swamp area. This area needs to remain a playground for snowmachiners, dog teams, cross-country skiing, etc. If this route is unfortunately chosen I would at least like to see track crossings at all current trails west of Willow. Please don’t limit recreational access to Alaska only to expand the profits of ARRC.” (23-1)

“We are concerned about the character of the lake and its surrounding areas. This is one of the most prized recreational areas in this state and supports robust summer and winter recreational activities. It is also becoming increasingly popular with year round residents. The recreational trail system in this area is extensive with thousands of miles in and around Big Lake. It is often called the gateway to the western Susitna Valley area and is extensively used by snowmobilers and dog mushers in the winter. I have enclosed a map of the major Big Lake trails with an approximation of the routes of the rail spur indicated. You will note that the central route crosses and recrosses many of the main trails in this area and many more that are not indicated. The western route has the least impact on the trail system.” (24-4)

“My husband and I own property on West Papoose Lake and are opposed to the construction of a rail line on Pt McKenzie that would seriously restrict recreational travel in the Matsu area. The ability to cross rail lines by snowmobile or other means would be greatly restricted, severely limiting winter access and activities in the area.” (64-1)

“You’re putting your railroad, no matter which one of these various routes you select – will eventually select, you’re putting it through the prime recreational area for all of Southcentral Alaska. And everybody in that area has recreational property up there. They sail the lakes, they swim, they do whatever.” (102-1)

“Snow machine trails would be affected which pretty much would cut us off. The peace and quiet and the quality of life in which is the reason most of us buy lake property in the first place would be greatly affected.” (127-2)

“I’d like to speak on behalf of the trail use. The basin where the Big Lake route would go is rather unique. We’ve spent quite a few years, almost 20 in fact, involved with dog mushing and primarily junior dog mushers. And the Aurora Dog Mushers have a lease agreement with the borough where we have close to a hundred miles of trails back there and it is not heavily trafficked at all by motorized. So in that basin that stretches from the Big Lake route proposed all the way across the Houston routes that had been mentioned for the recreational snow machine trails, we basically coexist very well there. Our kids can run dogs in there and not have to worry for the most part of having the, you know, conflict with snow machines as we take them further out or they explore further.” (108-1)

“We are concerned about the character of the lake and its surrounding areas. This is one of the most prized recreational areas in the state and supports robust summer and winter recreational activities. It is also becoming increasingly popular with year round residents. The recreational trail system in this area is extensive with thousand miles – with thousands of miles in and around Big Lake. It’s often called the gateway to the Western Susitna Valley and is extensively used by snowmobilers and dog mushers in the winter.” (128-3)

“I’m very, very concerned about the effects of a railroad would have through that area. Number one is the effects on the people who live in that area. It’s a very highly recreational area, probably the highest recreational area in the state of Alaska, any place, with more snow machining in the winter, more trails, more people in the summer waterskiing or hiking or going on their four-wheelers or their motorcycles out through that area. There’s literally thousands of trails out in that area that we use weekends or daily or whatever we want on the thing.” (137-1)

Response

Potential impacts of the proposed rail line on recreation resources are described in Section 13.2.5 of the EIS. This analysis includes the potential impacts of the rail line on trails, based on the available trail information cited. As described in Section 13.2.5.1, the Applicant has proposed to relocate or provide grade-separated crossings for all trails that are officially recognized at the time of construction or ROW acquisition by the Applicant. This would include the trails identified in Tables 13.2-1, 13.2-2, and 13.2-3 of this Final EIS. Table 13.2-4 in this Final EIS indicates trails that would be crossed by each alternative. Additionally, OEA has developed measures to mitigate potential impacts on trails, including OEA’s mitigation measures 39, 41 (revised since the Draft EIS), and 47. These mitigation measures are presented in Chapter 19 of this Final EIS. The potential impact of the proposed project on historic and socioeconomic resources in the area are identified and analyzed in Chapters 6 and 14 of the EIS, respectively.

Comment

“The use of the area around our cabins will be destroyed if they put the railroad inside this recreational area.” (40-1)

“The Nancy Lake State Recreation Area is a very pristine natural park full of wildlife and scenic Alaskan beauty, but still within close proximity to communities, and also with good accessibility. The State Of Alaska DNR has performed a wonderful job throughout the decades preserving its beauty and pristineness. Accessing and exploring the park is like going back in time. It’s quiet and serene, in a very theraputic way. Constructing a railroad adjacent to it would be a travesty to say the least.” (43-4)

Response

Potential impacts of the proposed rail line on recreation resources, including the Nancy Lake State Recreation Area, are analyzed in Section 13.2.5 of the EIS. OEA has developed measures to mitigate potential impacts to this resource including OEA’s mitigation measures 48 and 49 (both revised since the Draft EIS), which are included in Chapter 19 of this Final EIS.

Comment

“There are more contributing trails identified in Figure 6-5 than the maps illustrating the trails listed in 2.1.1.9 (official trails identified for crossings). Are there going to be crossings provided for these contributing routes, especially any currently used trails? This difference in the trail illustrations is not specifically addressed in the document.” (65-10)

Response

The trails discussed in Chapter 6 of the EIS are features identified as contributing to the historic significance of the Iditarod Dog Sledding Historic District under the provisions of section 106 of the NHPA. These contributing trails may or may not meet the criteria of officially recognized trail used in the analysis of recreation resources. Table 13.2-1 in this Final EIS identifies trails that would be crossed with a grade-separated crossing as part of the Applicant’s proposed action and includes many of the contributing trails. As part of the proposed rail line, the Applicant would provide grade-separated crossings for any officially recognized trails that are known now or at the time of the ROW acquisition by the Applicant. In addition, mitigation measures 41 and 54 in this Final EIS would provide a mechanism for identifying additional trails that warrant grade-separated crossings (e.g., trails contributing to the Iditarod Dog Sledding District).

Comment

“Unofficial trails can also include means of accessing public or navigable waters on state land (11 AAC 38.05.127), riparian buffers along those waters (11 AAC 51.045), or trails along section lines (11 AAC 51.025). Page 13.2-14 The State disagrees that 11 AAC 96.020 and 11 AAC 51.025 easements are unofficial trails. They can be developed or undeveloped, but not unofficial. Also, the above sentence is not explicitly included in the glossary definition of an ‘unofficial trail’ (page GL-18). Section line easements are valid existing rights established by operation of law when DNR acquired the lands (AS 19.10.010), and the ARRC may have to provide crossings in the future as described under provisions of 11 AAC 51.025. If the applicant desires to vacate an 11 AAC 51.025 easement, there are specific regulations that outline the steps required to accomplish this (11 AAC 51.065).” (65-12)

“Where the proposed rail line could cross a trail that is officially recognized, meaning specifically established within currently-adopted plans by ADNOR and/or MSB or are established within these plans at the time of construction or ROW conveyance (whichever occurs first), and are located on state, MSB property, or whose locations are provided for by recorded ROW or easement...The state officially recognizes trails through plans, state issued authorizations and recorded ROW, easements and plats. The definition provided by the ARRC does not include recorded plats and state issued authorizations. Please add this to the definition of an officially recognized trail. ARRC would coordinate with the trail owner and consult with the user groups as appropriate where the crossing location could have to be relocated... or where multiple crossings within one mile might be consolidated. What role does the land owner and user groups have in the decision making process? It states that the ARRC will coordinate with the trail owner and user groups, but not that they need concurrence. What happens if the groups do not agree on relocation of a trail? Additionally, there is specific guidance on how to legally relocate

an RS 2477 route. The method described in 2.1.1.9 does not necessarily fulfill these requirements (i.e. 11 AAC 51 and more specifically 11 AAC 51.065).” (65-8)

Response

The glossary in the EIS includes a definition of “officially recognized trails” that was used to identify trails for which the Applicant has proposed to provide a grade-separated crossing. This definition includes trails that have been specifically established within currently adopted plans by ADNR and/or the MSB or are established within these plans at the time of construction or ROW acquisition by the Applicant or the MSB (whichever occurs first). The definition is also limited to trails whose primary purpose is for recreation. Some trails with RS2477 easements such as the Herning Trail and Nancy Lake – Susitna Trail fall within the definition. In this Final EIS, additional discussion has been provided to clarify that the definition applies only to the EIS document and that trails not meeting the definition are not necessarily “unofficial.” Section 13.2.1.1 of this Final EIS acknowledges that a formal vacation process exists for abandonment of a RS2477 ROW and briefly outlines the process. OEA’s mitigation measure 41 (revised since the Draft EIS) states that the Applicant shall include in their consultation with landowners, agencies, and user groups, “...location and design of crossings for trail easements that intersect with the proposed rail line.” In addition, mitigation measures 41 and 54 in this Final EIS would provide a mechanism for identifying additional trails that warrant grade-separated crossings (e.g., trails contributing to the Iditarod Dog Sledding Historic District). Interested parties could contact OEA if consultation does not occur or they believe the outcome is unreasonable.

Comment

“Officially Recognized Trails. These trails would be closed temporarily during construction and crossings could be relocated or consolidated with other trails if they exist nearby to reduce the number of crossings of the rail line in proximity to one another. Trail closures, though temporary, could affect user enjoyment though ARRC would time construction activities during the most appropriate timeframe to limit impacts to trails. Impacts such as closure of trails during construction would be temporary and would not result in permanent impairment of the features of the resource that qualify it as a section 4(f) resource. Only the temporary closures are discussed, not the permanent relocations and consolidations. What are the impacts of relocating and consolidating the trails?” (65-18)

Response

The potential impacts of permanent closures are discussed in the EIS under operation impacts, not construction impacts. Section 13.2.5 of this Final EIS contains revisions to clarify the potential impacts that could result from trail relocation and consolidation.

Comment

“13.2.5.1 Operations Impacts. The rail line could block access to and along public and navigable water bodies with access rights reserved through AS 38.05.127 (as described in Title 11 AAC 51.045). This would result in a change in recreational access patterns to certain waters. Because of the frequency of these access points, it is anticipated that users would identify an alternative location for recreational access to navigable and public waters that was not affected by the

proposed rail line. Given the ARRC definition that access needs to be officially recognized at the time of construction or ROW acquisition (which ever occurs first), how will any alternate access be legal across the rail line if it doesn't already exist at time of construction? The rail line is a linear feature, and traveling to an area not affected by the proposed rail line could be a substantial diversion. Additionally, if access is blocked at one stream, and forces the public to use an alternate route, how will the public legally travel back to the stream they are attempting to access without trespassing on public or private land (or the railbed)?" (65-21)

Response

Section 13.2.1.2 of the EIS describes state regulations pertinent to recreation resources and lists the regulations identified by the commenter. As the commenter notes, the proposed rail line could result in changes to access patterns. Section 13.2.4.1 of this Final EIS includes revised language that includes this information. Additionally, Section 13.2.4.1 of this Final EIS has been revised to include the ADNR's authority, as outlined under Alaska Stat. § 38.05.127. OEA's mitigation measure 38 (revised since the Draft EIS) specifies that ARRC would be required to provide access to navigable and public waterbodies, consistent with Alaska Stat. § 38.05.127.

Comment

"An example is the tremendous impact the Willow Alternative would have on the Willow Creek State Recreation Area. As the DEIS states (see pages 13.2-12 and 13.2-13), the Willow Creek State Recreation Area is a popular area that 'receives intensive sport fishing activity... fishing, camping, floating/boating, winter trails, wildlife viewing, and hunting.' The Willow Segment would bisect the heart of the Willow Creek State Recreation Area, crossing the historic Lucky Shot Trail and Willow Creek, a popular a 'blue ribbon' trout and salmon stream. This would essentially destroy its cultural and recreational character and appeal." (73-4)

Response

Potential impacts to the Willow Creek State Recreation Area and the resources and facilities located therein are described in Section 13.2.5 of the EIS. Potential impacts to fisheries and wildlife are described in Sections 5.2 and 5.4 of the EIS.

Comment

"In my testimony and correspondence during the last 2 1/2 years of review concerning 'illegal crossing' of the ROW, I neglected to clarify that illegal crossings would occur most often during the five or six month period of winter when snowmachiners and dog mushers use the area for recreation and training. Snow trails crisscross the entire area. From my review of the Draft EIS, I do not find any analysis of use of the area during winter. In that regard, I find the EIS is seriously flawed." (75-2)

Response

Potential impacts on trails resulting from the proposed rail line are analyzed in Section 13.2.5 of the EIS. This analysis includes an identification of the uses of the recreation resources, including generally allowed uses of state land without developed trails, in any season.

Comment

“However, if this project can be viewed as economically viable, environmentally responsible and your board is inclined to approve a preferred route, it is imperative that the Houston alternative be removed from consideration in the public interest for the following reasons: 1. The route, without question, cuts a large recreation area in half. Winter recreation users will be refused east/west travel without illegal crossing of the tracks. The service road along the track will most likely be used as a main trail by users to find locations to jump the track where snow conditions look good on the other side. There may be official and unofficial trails, but kids and adventurers make a trail anywhere if snow depth permits. This is what prompts illegal crossing. Your Figure 13.2-5 at page 13.2-10 shows trails but it does not fairly represent the free movement by snowmachiners east/west and west/east across the Houston route (Attachment B). 2. You told me that no analysis of winter usage in the recreation area by snowmachiners and dog mushers was conducted.” (75-3)

Response

Potential impacts from the construction and operation of the Houston Segment of the proposed rail line on recreation resources are described in Section 13.2.5 of the EIS. This analysis includes the potential impacts of the rail line on trails based on the available trail information cited. As described in Section 13.2.5.1, the Applicant has proposed to relocate or provide grade-separated crossings for all trails that are officially recognized at the time of construction or ROW acquisition by the Applicant. This would include the trails identified in Tables 13.2-1, 13.2-2, and 13.2-3 of this Final EIS. Additionally, OEA has developed measures to mitigate potential impacts on trails. These include OEA’s mitigation measures 39, 41 (revised since the Draft EIS), and 47. OEA’s mitigation measure 40 (revised since the Draft EIS) was developed to ensure that bridges and culverts are designed and constructed to allow for winter travel including snowmachines. In addition, mitigation measures 41 (revised since the Draft EIS and 54 in this Final EIS would provide a mechanism for identifying additional trails that warrant grade-separated crossings (e.g., trails contributing to the Iditarod Dog Sledding Historic District). OEA’s mitigation measures are presented in Chapter 19 of this Final EIS.

Comment

“The route between Muleshoe lake and the adjacent lake totally destroys a popular snowmachine/dog mushing trail. The trail could not be relocated because of the two lakes which cannot be used during the spring breakup even though travel could be open with adequate snow depth on land.” (75-5)

Response

The Applicant has proposed to provide grade-separated crossings and/or relocate officially recognized trails, and Houston Lake Loop Trail between Muleshoe Lake and the adjacent lake meets the Applicant’s definition of an officially recognized trail. The Applicant proposes to acquire a 200-foot ROW. The distance between the two lakes is approximately 600 feet, so there would be sufficient space for both the rail line ROW and trail to pass between the lakes.

Comment

“We are deeply concerned with the affects of the construction and usage of the rail tracks through the Willow Creek State Recreation Area and the little Susitna State Recreation Area. Crossing the Willow Creek will inevitably cause harm to the creek and fish habitat. In the summer this area receives a very large amount of sport fisherman and recreationalists (as confirmed in the EIS in 13.2-12). The train trestle will severely tarnish the enjoyment of this area and adversely affect the fish habitat. The Willow alternative also crosses the little Susitna River, which will see the same affects as crossing the Willow Creek. These two areas are very important to the local economy and if fishing is disrupted it will mean millions of dollars lost and many jobs lost.” (83-1)

Response

Section 13.2.5 of the EIS analyzes potential impacts to the recreation resources identified by the commenter. Section 13.3 of this Final EIS analyzes the potential visual impacts of the proposed rail line. Section 5.4 of the EIS includes an analysis of potential impacts to fisheries resources. Chapter 14 of the EIS analyses potential impacts to socioeconomic resources in the area and includes a discussion of the Little Susitna Recreation River and the Willow Creek State Recreation Area, as well as the number of anglers and recreationists in the area. OEA has recommended mitigation measures 48 and 49 (both revised since the Draft EIS) to minimize impacts on the Willow Creek State Recreation Area, Nancy Lake State Recreation Area, and Little Susitna State Recreation River.

Comment

“Willow’s historic winter trail system will be adversely affected if the rail line would be constructed. The rail line would cross over at least 6 main East-West snowmachining and dog mushing trails. We fear that the North-South rail corridor will subsequently cut off users of these trails and expose the railroad to unwanted trespassing on their property.” (83-4)

“Snow machining particularly is a big issue out there in the Willow swamp and the big swamp. And those trails run east and west. They don’t – it will not accommodate the snow machiners by just simply running north and south.” (148-1)

“This north-south route through Willow here is going to cut off probably about six east-west trails for mushing and snow machining, cross country skiing, and like previously stated, that’s a pretty major part of what goes in Willow here in the wintertime. The fact that we already have north-south trails that run through the big swamp, it’s not really that big of an advantage to have the railroad come through for the fact that we’ll add another one there. It’s more about you can’t take the dogs over the rails, you can’t snow machine over the trails, you can’t cross country ski over the rails. It’s really going to have a huge impact on the user groups. I know many people moved here for that aspect and many, many people recreate here for that aspect.” (155-1)

Response

Potential impacts to recreation resources, including trails, due to construction and operation of the Willow Segment are analyzed in Section 13.2.5 of the EIS. Tables 13.2-2 and 13.2-3 of this

Final EIS identify trails that would be crossed by the rail line using grade-separated crossings, thereby providing for continued use along the trail. In addition, mitigation measures 41 and 54 in this Final EIS would provide a mechanism for identifying additional trails that warrant grade-separated crossings (e.g., trails contributing to the Iditarod Dog Sledding Historic District).

Comment

“The Draft EIS points out the obvious drawbacks, such as noise, vibration, negative hunting and wildlife impacts, access restriction across railroad right of way (trespass) and other limitations that will be imposed on the recreation areas referenced. The affected recreation areas are close enough to population centers that they actually get used by many people for the purpose that they were intended and not as preserves or refuges where access is limited by a more remote situation.” (86-3)

Response

Comment noted.

Comment

“In short, people use and enjoy these places for the qualities they have to offer. I know of no one who currently defines their recreation activities in these areas to include the presence of a railroad. The Willow railroad spur will not enhance recreational activities. A railroad corridor through these recreational areas will in fact have an adverse affect on all recreation activities. Recreation, be it in the form of snowmachine riding, skiing, hunting, fishing, or just the quiet enjoyment of a unique area, is the purpose for which these Recreation Areas were established.” (86-4)

Response

Section 13.2.5 of the EIS analyzes the potential impacts to recreation resources that could result from construction and operation of the proposed rail line. Section 19.9 of the EIS presents mitigation measures to address potential impacts on recreation activities.

Comment

“Unless you build the railroad up, right now your plan and profile says it’s only going to be four feet above existing ground, these things are going to glacier up, fill up with water if you just try to put a culvert in and they’re not going to be usable. You’re going to have to think about that.” (94-11)

Response

Following receipt of comments on the Draft EIS, OEA requested that the Applicant provide additional information on alternative designs for and estimated costs of grade-separated trail crossings. The information provided by the Applicant in response to OEA’s request indicates that the Applicant anticipates installing culverts used for trails with the bottom of the culvert at approximately the same elevation as the existing trail elevation. In addition, mitigation measure

41 (revised since the Draft EIS) would require that, the Applicant shall consult with resource management agencies including the Alaska Department of Natural Resources, the Alaska Department of Fish and Game, and appropriate trail user groups regarding provision, access, and design of crossings for trail easements that intersect with the proposed rail line. Consultation with these groups and site-specific designs would help ensure that the problems listed by the commenter would be avoided.

Comment

“And I have not been able to look at the EIS or if you’ve designed it yet for snow machine access and personal recreation access. And that’s one of my concerns here, because this is the one area other than Turnagain Pass that is accessible and close to Anchorage. This is where my kids learned how to play. I have friends with cabins from Burma Road to Willow and friends who live out in Long Lake. And again, safe access, safe crossing and corridors.” (96-2)

Response

Section 13.2.5 of the EIS analyzes the potential impacts to recreation resources, including trails that could result from construction and operation of the proposed rail line. Table 13.2-2 and 13.2-3 of this Final EIS identify the trails that would be crossed by the proposed rail line using grade-separated crossings to provide safe access across the rail line.

Comment

“I reviewed the draft EIS and it appears fairly – to fairly represent the issues at hand, however I’m still seriously bothered by two concerns that I have raised in earlier comments during the last two and a half years. The first one is recreation. I’m referring to – to the map here. First I want to bring to your attention the map titled road and recreation map of the Matanuska Valley. The map has a 1972 copyright and clearly includes the area bounded by the Willow alternative and Big Lake alternative. The only trail shown on the map are the Historic Iditarod Trail and some trails south of Willow along Long Lake or near Long Lake. I now – you don’t have it, but I’m going to refer to you figure 13.2-5, Page 13.2-10 in the draft EIS. Please note on that there are – well, I’ll just read what I had. Please note the multitude of trails all over the place and particularly look at the area west of the Houston route. Very important is that those trails will not be accessible from the Big Lake Horseshoe Lake area without illegal crossing of the Houston north routes. Likewise, snow machiners traveling within an area west of the Little Susitna River would not have access to the eastern area without illegally crossing the Houston alternative.” (97-1)

Response

Section 13.2.5 of the EIS analyzes the potential impacts to recreation resources, including trails that could result from construction and operation of the proposed rail line. Table 13.2-2 and 13.2-3 of the EIS identify the trails that would be crossed by the proposed rail line using grade-separated crossings. The Iron Dog and Houston Lake Loop trails are examples of trails that would have grade-separated crossings for the Houston North Segment. In addition, mitigation measures 41(revised since the Draft EIS) and 54 in this Final EIS would provide a mechanism

for identifying additional trails that warrant grade-separated crossings (e.g., trails contributing to the Iditarod Dog Sledding Historic District).

Comment

“And I object to closing any unofficial trails without further discussion with the railroad.” (101-3)

Response

Comment noted.

Comment

“Trails are a vital part of the environmental, social, historical and economic fabric of Big Lake. Both secured and non-secured trails provide a critically important stimulus to the Big Lake economy. They provide value, recreational opportunities for residents, and provide required transportation links to cabins, settlements and other communities. The rail extension through Big Lake is of grave concern to all trail users, because it threatens to permanently divide, damage or destroy the tapestry of the community that so many of us have so carefully woven with these trails. The attached map that you have in front of you shows the impact of the proposed rail alignments it will have on the Big Lake trail system. Those are the orange arrows intersecting rail and trail points.” (112-1)

“The proposed rail extensions will impact Big Lake recreational trails as follows. The Big Lake route currently intersects and conflicts with trails in two locations. Not shown of course is the conflict that we believe will occur with the proposed Wasilla to Big Lake trail currently under study. This proposed trail, when developed, will be of economic importance to the whole Mat-Su Borough. The Willow route, it intersects and conflicts with trails in three locations as shown on the map. The Houston routes, both north and south, they intersect and conflict with trails in seven locations. By the way, we have 15 trails in Big Lake spanning 130 miles.” (112-3)

Response

Section 13.2.5 of the EIS analyzes the potential impacts to recreation resources, including trails that could result from construction and operation of the proposed rail line. Table 13.2-2 and 13.2-3 of this Final EIS identify the trails that would be crossed by the proposed rail line using grade-separated crossings. The trails identified by the commenter and included in the Big Lake Trails Plan were analyzed and included as appropriate in this Final EIS. Several of the trails indicated by the commenter were assessed in the Draft EIS. This Final EIS includes the trails in the Draft EIS, as well as the Big Lake Trails #1, #2, #5, and #14.

Section 13.2.5 of the EIS indicates that the proposed action includes providing grade-separated crossings for trails that meet the Applicant’s definition of an “officially recognized trail” at the time of construction or ROW acquisition by the Applicant. Therefore, if the Wasilla to Big Lake Trail is constructed or an easement is reserved at the time of rail line construction or ROW acquisition by the Applicant, the Applicant’s proposed rail line would include a grade-separated

crossing of the trail. If constructed, this trail would be crossed by the Big Lake Segment of the rail line.

Comment

And I was wondering on the railroads and stuff, if you're on a snow machine you have to stop and go across there, otherwise you get tickets. And there's trails all over the place and they were – originally were saying, oh well, they're not going to have tickets for just having your – not having your seatbelt on. Well, now they are. But now they're giving tickets on Big Lake. You give them an inch, they take a mile. And it's just more and more regulations that they're going to be passing on everybody here in Big Lake.” (114-1)

Response

Comment noted.

Comment

“I'd like to comment on mostly the Big Lake route. I didn't see it on any of these maps here, but part of that route borders or is actually in the western end of a special land use district and it's the Knik sled dog and recreation district. And a bunch of people in our area worked on that for several years and it was passed in December of '08. And the – it cuts across the Iditarod National Historic Trail and cuts right through a – the Aurora dog mushing trails. You show it on there.” (133-1)

“Also, no matter where you go on this you're going to cross the Iditarod National Historic Trail and I know from talking with you a few years ago that there's already something in there to put some sort of culvert in or some overpass, however it would be. I'd like to see something on your maps about the sled dog district on there. You know, it just don't seem fair that you don't have it on there.” (133-2)

“It has come to the attention of the Knik-Fairview Community Council Non Profit, in Wasilla, Alaska, that the current EIS review, with the Draft rail alignment for extending the Alaska Rail Road from somewhere between Houston, Alaska and Willow, Alaska, south to Port MacKenzie, Alaska, is lacking something of special importance. That lack is any mention, what so ever, of the Knik Sled Dog Recreational District, as approved by Mat-Su Borough ordinance Serial No. 08-161. This area overlies the historically designated Iditarod Trail and is definitely something that anyone reviewing the report would want to be aware of. We would like to request an amendment to the report, with extended review time, be put before the public.” (160-1)

Response

An analysis of the potential impacts of the proposed rail line on the Iditarod National Historic Trail is included in Section 13.2.5 of the EIS. A grade-separated crossing of this trail would be constructed for any rail line segment that would cross the trail. Section 6.4.2.4 of this Final EIS includes a discussion of the Knik Sled Dog and Recreation Special Land Use District.

Comment

“Within that Willow corridor there’s Willow segment and the connectors to it. There’s four state managed areas, Willow Creek State Recreation Area, Nancy Lake State Recreation Area, the Little Susitna recreational rivers and the Susitna Flats Game Refuge. And there’s also other recreational areas that Ben just talked about in Willow with the West Gateway Trail System, which is not state managed lands, but it uses state’s funding for winter trail maintenance. And all those trails have easements and/or are managed throughout the winter by the Willow trail community.” (136-4)

Response

Comment noted.

Comment

“And I’m with other people here. The trail system will be destroyed out there. Everybody goes across the Susitna River here, the Iditarod, and it’s blocking it off. And I don’t know about the drainage, but it sure looks like it would affect the drainage. When you put the railroad going down Willow Creek and crossing you’re to have a trespass problem, especially if you tear up the roads that you’re going to put along with it, because people will follow the railroad tracks to go down there and go fishing. They don’t want to buck the woods. It’s quite a ways down there. People walk down the creek now, during the king season particularly, and do a lot of fishing. So you will have all that trespass problem – in fact, you’ll have trespass problems all along through there. It seems to me that the ideal way is to take the shortest route.” (152-2)

“Additionally, these are not official trails listed in tables 13.2-2 and 3 on Page 13.2. The second paragraph states, quote, blockage of unofficial trails would be considered a permanent adverse impact to recreational trails, trail use and recreational access, unquote, and the public could not cross the right-of-way without approval from the railroad. Lastly, unofficial trails are those trails created anywhere when snow depth allows. I, along with family members, neighbors near Horseshoe Lake and probably thousands of other snow machiners cross the Houston alternative every winter. The Houston alternative clearly bisects a large recreational area that is used by residents in the Mat-Su Valley and Anchorage and encourages illegal crossings.” (97-5)

Response

Section 13.2.5 of the EIS analyzes the potential impacts to recreation resources, including trails, that could result from construction and operation of the proposed rail line. Tables 13.2-2 and 13.2-3 of this Final EIS identify the trails that would be crossed by the proposed rail line using grade-separated crossings. Grade-separated crossings of the Houston Segment would be constructed for the Big Lake #14, Crooked Lake, Flat Lake Connector, and Big Lake #5 trails. Other grade-separated crossings for the Houston North and Houston South segments would be constructed for the Houston Lake Loop, Big Lake #1, and Big Lake #2 trails. Snowmachines and other trail users could legally cross the rail line at any of these crossings. Section 4.2.4 of the EIS describes the potential impacts on surface water, including drainage patterns and drainage areas that could occur as a result of the construction and operation of the proposed project. As indicated in Section 13.2.1 of the EIS, ARRC trespassing and safety policies dictate

that individuals could not legally cross or enter the rail line ROW without first obtaining approval from ARRC, and could not use the access road, travel along the tracks, or cross the tracks. Crossings of the rail line outside of public crossing locations would be considered trespass. Whether trespass would be more likely in some locations than others could depend on many factors for which data are not available, such as the frequency and type of trail and non-trail use.

Comment

“The winter recreation from the Willow area to the west is dependent on trails that many of them would be cut by the rail selection of the Willow route and that would have a large impact on the availability of people to be able to travel to the west out to the Susitna River and to access areas out with dog mushing, snow machining and other winter uses. Which has been mentioned before, a dog team has a very tough time getting over and across a railroad intersection safely.” (161-2)

Response

Section 13.2.5 of the EIS analyzes the potential impacts to recreation resources, including trails that could result from construction and operation of the proposed rail line. Tables 13.2-2 and 13.2-3 of this Final EIS identify the trails that would be crossed by the proposed rail line using grade-separated crossings. As indicated here, road and trail crossings of the proposed rail line would be provided for continued access to the Susitna River.

Comment

“A reserve area usually indicates that the railroad will take ownership of the land. Is the ARRC proposing to take ownership of the existing recreation facilities within the proposed Terminal Reserve area?” (65-9)

Response

The potential impacts resulting from the construction and operation of the Mac West Terminal Reserve and the Mac East Terminal Reserve are discussed in Section 13.2.5.1 of the EIS. The Mac East Terminal Reserve would not be anticipated to result in the conversion or ownership of any identified recreation resources. The Mac West Terminal Reserve and the Mac West Segment would cross the Point MacKenzie Trailhead Parking Lot and Figure 8 Lake Loop Trail. OEA has developed mitigation measures specific to these resources – including OEA mitigation measures 39 and 47 – as identified in Chapter 19 of the EIS. Furthermore, as part of their proposed action, the Applicant would cross all officially recognized trails – including the Figure 8 Lake Loop Trail – using grade-separated crossing to maintain the use of the trail.

23.13.3 Section 4(f) and 6(f)

Comment

“By supporting this railroad extension, you will be contributing to the physical and economic damage to a federally funded project. As you are aware, the Alaska Railroad is exempt from the

NEPA process of 4(f). Therefore once Federal dollars are removed, all 4(f) should be removed from the equation.” (59-7)

Response

The USDOT regulation known as section 4(f) is not applicable to the actions of the STB because the Board is an independent agency; however, the requirements of section 4(f) are being considered in the EIS due to the involvement of the FRA. The FRA is participating in the preparation of the EIS as a cooperating agency and is a USDOT agency subject to section 4(f) regulations.

Comment

“The current EIS has made it almost impossible for you to choose any route other than Houston South or the Big Lake alternatives because of the unreasonableness of the Alaska Department of Natural Resources (ADNR). There are numerous examples of the ADNR allowing use of the parks when it is in Alaska’s economic best interest. This finding of no de-minimis is not in keeping with the normal procedures of the park system and speaks to the undue influence of the Mat-Su Borough Management. Every property of ADNR’s has long range goals which allow for roads, foresting, mining, hunting, fishing, trails and other activities for the benefit of Alaskans. This railroad falls into the classification of economic benefit for all Alaskans, but must have the proper mitigation measures to protect the public land. The NEPA process and the multitude of government agencies were developed with the intent to provide this protection.” (61-1)

Response

According to the section 4(f) requirements related to *de minimis* impacts (49 U.S.C. § 303(d)), written concurrence from “official(s) with jurisdiction” over the section 4(f) property is required for a *de minimis* finding (see Section 13.2.5 and Appendix M). As discussed in the EIS, the ADNR has jurisdiction over some of the section 4(f) resources that would be crossed by the proposed rail line. Thus, a determination of other than *de minimis* impacts cannot be made for these section 4(f) resources without concurrence from the ADNR.

Comment

“The NEPA process for 4(f) states that you may use a route that has a no de-minimis when it is not feasible or prudent to use other routes. All routes are feasible although we still need to look at what cost we will pay, not only monetarily but to the environment, the lifestyle of people, train safety, train energy, loss of wetlands, dissecting watershed and recreational trails and the total disregard to the wishes of the majority of the people who live in the area.” (61-2)

Response

The EIS presents OEA’s analysis of potential impacts of the proposed action and alternatives, including potential impacts related to socioeconomics, safety, delay, wetlands, water resources, and recreational trails.

Comment

“Appendix M: Draft Section 4(f) Section 6(f) Evaluation. Iditarod National Historic Trail, Historic sections of the trail, and historic sites associated with the trail may be subject to Section 4(f) if deemed historically significant; however, the portion of the trail in question for this project (Knik to Susitna River) is considered ineligible for inclusion on the National Register as a historic trail segment plan (BLM 1986) and is therefore not subject to the provisions of Section 4(f) under this condition. DNR has been unable to locate an ineligibility determination for the Knik to Susitna River Primary Trail of the Iditarod National Historic Trail. Please provide a more specific citation with the required concurrence from the State Historic Preservation Officer and/or Advisory Council on Historic Preservation. Otherwise, remove this statement. ‘The cultural resources analysis conducted through the Section 106 process for the proposed rail extension identified dog sledding associated with the INHT including improvements made from 1967 through 1978 for the Iditarod Race as a cultural landscape potentially eligible for inclusion on the National Register. Per the Cultural and Historic Resources section of the draft EIS, dog sledding associated with the Iditarod National Historic Trail and Iditarod Race are considered a cultural landscape and assumed eligible for inclusion in the National Register’ (6.4.3.2, Page 6-19). Since Part 1 of the draft EIS states that this is eligible (not potentially), please provide a 4(f) review. In addition to the above issues, the Iditarod Trail is a recreation trail that is collocated with an RS 2477 route and has a recorded state easement (ADL 222930) and survey (ASLS 830001 Goose Creek to Susitna Station). Please provide documentation as to why the RS 2477 route and recorded easement with platted survey for an active recreation route do not qualify under a Section 4(f) review.” (65-17)

“The Department also takes the position that the Iditarod National Historic Trail (INHT) cannot be excluded as a Section 4(f) property on the basis of the 1986 Comprehensive Management Plan. That plan, while suggesting the Knik to Susitna River portion of the INHT may not be historically significant, did not eliminate that possibility. The Department acknowledges this may be somewhat of a moot point as the trail is included along with the currently listed Section 4(f) properties for proposed grade-separated crossings and/or relocation (DEIS, p.2-6). However, such mitigation, again, is not voluntary if the INHT is a Section 4(f) property.” (84-14)

Response

The National Trails System Act, 16 U.S.C. § 1241, states that no land along a national historic trail shall be subject to the provisions of section 4(f) of the U.S. Department of Transportation Act of 1966 unless such land or site is deemed to be of historical significance under appropriate historical site criteria, such as the NHPA, 16 U.S.C. § 1246(g). At the time of publication of the Draft EIS, such a designation had not occurred. Following publication of the Draft EIS, the SHPO concurred with a determination that a dog sledding historic district associated with the Iditarod National Historic Trail and the Iditarod Race is eligible for inclusion on the National Register (referred to as the Iditarod Dog Sledding Historic District). The Iditarod National Historic Trail was identified as a contributing trail in the Iditarod Dog Sledding Historic District. Thus, in this Final EIS, the trail is considered subject to section 4(f) requirements because it is both a recreational and historical resource. This Final EIS includes mitigation measures (41 and 54 in Chapter 19) that would require a grade-separated crossing or relocation/consolidation for all section 4(f) trails (see Section 13.2.5 and Appendix M).

Comment

“It is significant that the Draft EIS notes the status of Section 4(f) of the U.S. Department of Transportation Act of 1966 and 6(f) of the Lands & Water Conservation Fund Act in the evaluation of a preferred alternative. These Statutes mandate the Secretary of Transportation and Secretary of Interior not approve a project that uses either 4(f) or 6(f) lands and restricts the use of funding from USDOT agencies unless the impacts are de minimis or there is feasible alternative. The purpose of Section 4(f) is to: ‘Preserve publicly owned public parklands, waterfowl and wildlife refuges, and significant historic sites’ (USDOT, summary of environmental legislation, 1998). Four properties that qualify for Section 4(f) within the Willow Alternatives are the Willow Creek and Nancy Lake SRA’s, Little Susitna State Recreational River, and Susitna Flats State Game Refuge. Another Section 4(f) resource are the trails of the West Gateway Trail System. Chapter 13.2 of the DEIS discusses 4(f), and compares the various alternatives with respect to impacts on public park or recreation areas, and refuges. The Willow alternative has by far the greatest impact on 4(f) resources (see page 13.2-25). The Mac West Willow alternative would affect the greatest number of trails (9), the longest length of recreational trails (3395 feet), and the ROW would affect the greatest number of park, recreation, and refuge acreage (217). Further, train operation would cause ‘severe noise impacts’ to 2765 acres of 4(f) properties. This is contrasted with the Mac East - Houston South and the Mac East - Big Lake alternatives which would result in severe noise impacts on zero 4(f) properties. The Surface Transportation Board and other agencies evaluating the DEIS for the preferred alternative should consider not only the practical aspects of the project without Secretary approval and Federal funding but, also, the purpose and intent behind Sections 4(f) and 6(f).” (73-3)

Response

The Board will consider the entire record, including the Draft EIS, this Final EIS, and public comments, in making its final decision on whether to approve, approve with conditions (which could include conditions designed to mitigate impacts on the environment), or deny the Applicant’s request for a license to construct and operate the proposed rail line. Appendix M, Section M.1, of the EIS describes the purpose and intent of section 4(f) of the U.S. Department of Transportation Act of 1966. Appendix M Section M.2.a and Section M.2.b describe the purpose and intent of section 6(f) of the Land and Water Conservation Fund Act.

Comment

“Section 6(f) of the LWCFA also restricts Federal funding where public lands have received LWCFA funding. Within the study area, this only applies to the Nancy Lake SRA. The DEIS states that if the Willow Alternatives are chosen, the border of the SRA can be moved east to avoid the Railroad Corridor. This is an impractical solution that is likely to generate strong public resistance. Nancy Lake SRA is very popular with the public, and it is extremely unlikely that the public would not strenuously object to reducing the size of its recreation area. In addition, such a change would require the approval of the Alaska State Legislature, always a long drawn out and uncertain process. In addition to these direct impacts to 4(f) lands, the Willow alternative would adversely affect the recreational character and enjoyment of surrounding public lands.” (73-5)

“Additionally, the Department concurs with the identification of the Nancy Lake State Recreation Area for Section 6(f) conversion, although the size of the conversion area is unsettled. If the Section 6(f) Segment is selected, NPS approval of an acceptable Section 6(f) replacement package will be required.” (84-17)

Response

Appendix M of the EIS describes the process that would need to be followed to obtain National Park Service and other approvals to allow conversion of property subject to section 6(f) requirements. OEA’s mitigation measure 48 (revised since the Draft EIS) would require that “the Applicant consult with the Alaska Department of Fish and Game and the Alaska Department of Natural Resources to develop and implement measures to minimize, to the extent practicable, impacts to the Nancy Lake State Recreation Area. Such measures could include replacing recreation area acreage needed for rail line right-of-way with new acreage adjacent to the affected recreation area.”

Comment

“The Department considers publicly owned areas that receive de facto use as park, recreation, or refuge lands to be eligible for Section 4(f) protection. The routes crossed by the various Segments described in the DEIS affect many public properties that receive de facto recreational use. This type of use is strongly supported in the area through official planning documents such as the Matanuska-Susitna Borough Recreational Trails Plan and the West Gateway Trail System Plan. Because the project proposes to block these trails and to use trespass regulations to prohibit crossing (DEIS, p.2-33, and Appendix M, p.M-36), the project would have a profound adverse affect on existing recreational use of public lands.” (84-12)

Response

Under the section 4(f) regulations, properties must meet specific criteria to be considered eligible for protection under section 4(f) of the U.S. Department of Transportation Act of 1966. These criteria are discussed in Appendix M, Section M.1 of the EIS. These criteria were applied to resources in the project area as part of developing a list of section 4(f) properties and resources for inclusion in Appendix M of the EIS. OEA notes that the FHWA 2005 policy paper clarifies that to meet the definition of a section 4(f) park, recreation area, or wildlife refuge, the land must be officially designated as such by a Federal, state, or local agency. In addition, the officials of those governmental entities having jurisdiction over the land also must determine that one of the major purposes and functions of the land is for park or recreation use, or as a refuge. A de facto recreational use is not an officially designated use. The planning documents listed by the commenter were consulted in the development of a list of section 4(f) resources and agencies with jurisdiction over trails in the project area.

Comment

“The Department concurs that all potential alternatives could affect various Section 4(f) properties, and concurs with the specific use findings and temporary use de minimis findings for the DEIS listed Section 4(f) properties. However, the Department believes the list is incomplete. While the DEIS acknowledges the project area is crossed by many recreational trails and is well

suited for both winter and non-winter outdoor recreation activities, only ‘officially recognized trails’ are identified for Section 4(f) status (DEIS, p.2-33, and Appendix M, p.M-36). Exclusion of other trails very likely has resulted in a number of Section 4(f) properties not being recognized.” (84-11)

“While it is understood that a crossing may not be provided for every trail, the level of mitigation incorporated in the project must reflect all Section 4(f) properties affected. As presented, Section 4(f) mitigation is only proposed for the officially recognized trails by providing some type of crossing for those trails. The affect on other trails that may end up being blocked does not appear to be mitigated, other than on a voluntary basis. To the extent these trails are eligible Section 4(f) properties, mitigation, such as an integrated connecting trail system to the crossing locations, or additional trailhead facilities near the crossing locations, may be appropriate, and is not voluntary.” (84-13)

Response

Under the section 4(f) regulations, properties must meet certain criteria to be considered eligible for protection under section 4(f) of the U.S. Department of Transportation Act of 1966. These criteria are listed in Appendix M, Section M.1 of the EIS. These criteria were applied when a list of 4(f) properties and resources was developed for inclusion in Appendix M of the EIS. Trails that meet the 4(f) criteria and are officially recognized trails would be crossed using grade-separated crossings or would be relocated or consolidated as part of the Applicant’s proposed action. This Final EIS includes mitigation measures (41 and 54 in Chapter 19) that would require a grade-separated crossing or relocation/consolidation for all section 4(f) trails. These trails are identified in Section 13.2 of this Final EIS.

Comment

“The DEIS indicates that one Section 6(f) property would be affected by the Willow Segment. If this Segment is selected, additional environmental analysis would be necessary before the National Park Service (NPS) could issue a determination. The Department recommends continued coordination with the Alaska Department of Parks and Outdoor Recreation in this regard.” (84-15)

Response

The Division of Parks and Outdoor Recreation is part of the ADNR. Mitigation measure 48 (revised since the Draft EIS) requires consultation with the ADNR regarding impacts to the Nancy Lake State Recreation Area, which is the only section 6(f) property that would be crossed by the proposed rail line.

Comment

“While the DEIS Section 6(f) Evaluation (Appendix M) is clear and provides adequate information to allow the public an opportunity to comment, the Department is concerned the area affected by the Section 6(f) conversion at Nancy Lake State Recreation Area has been significantly underestimated. To the extent the area affected by ‘severe’ noise represents a significant contravention of the original intent of the grant and associated recreation values,

including quiet and solitude, the entire area affected would be considered to have been converted, rather than the smaller area suggested in the DEIS (Appendix M, p.M-52).” (84-16)

Response

The definition of “severe” noise impacts is a relative measurement based on ambient noise levels and the type of land use. As part of the proposed project, up to 2 trains per day would be operated on the rail line. Train horn soundings are consistent with recreation use as they provide safety to area users. FRA does not consider the noise generated by 2 trains to be a conversion of the Nancy Lakes State Recreation Area and would not be a contravention of the land as a 6(f) resource.

Comment

“The Department has no objection to Section 4(f) approval of this project contingent upon resolution of the Section 4(f) status of the other de facto recreational trails and the INHT. Resolution among involved parties as indicated in SEA Preliminary Mitigation Measure 41 with documentation in the final statement of the additional measures to minimize harm, as suggested under the Section 4(f) Evaluation comments, and with documentation of the consultation for ‘Officially Recognized Trails’ (Appendix M, pp.47-48) could satisfy this contingency.” (84-17)

Response

Comment noted.

Comment

“The DEIS identifies the following Section 4(f) properties, including one also identified as a Land and Water Conservation Fund Act (LWCF) Section 6(f) property. The properties in order as described in Appendix M, ‘Draft Section 4(f) and Section 6(f) Evaluation’ are: Little Susitna State Recreation River- 4(f) use not de minimis (ndm); temporary use de minimis (dm). Nancy Lake State Recreation Area- 4(f) (ndm); temporary use (dm); 6(f) conversion. Willow Creek State Recreation Area- 4(f) use (ndm); temporary use (dm). West Gateway Trail- 4(f) use (dm); temporary use (dm). Mud Lake Trail- 4(f) use (dm); temporary use (dm). Nancy Lake – Susitna Trail- 4(f) use (dm); temporary use (dm). Iron Dog Trail- 4(f) use (dm); temporary use (dm). Crooked Lake Trail- 4(f) use (dm); temporary use (dm). Iditarod Link Trail- 4(f) use (dm); temporary use (dm). Figure 8 Lake Loop Trail- 4(f) use (dm); temporary use (dm). Point MacKenzie Recreational Trailhead Parking Area- 4(f) use (dm); temporary use (dm). Flathorn Lake Trail- 4(f) use (dm); temporary use (dm). Pipeline Trail- 4(f) use (dm); temporary use (dm). Knik Connector Trail- 4(f) use (dm); temporary use (dm). 16 Mile Trail- 4(f) use (dm); temporary use (dm); Aurora Dog Musher’s Club Trail System- 4(f) use (dm); temporary use (dm). Heming Trail- 4(f) use (dm); temporary use (dm). Susitna Flats State Game Refuge- 4(f) use (dm); temporary use (dm). Iditarod National Historic Trail- Not 4(f), subject to review under Programmatic Agreement.” (84-5)

Response

Comment noted.

Comment

“And specifically, in the draft environmental impact statement it refers to the 4(f) lands, which as I understand it restricts federal funds from – transportation funds for – transportation corridors within state managed – or actually public managed lands. And not only is that specific to 4(f) but there’s a reason behind that statute and that’s because it’s supposed to be protecting state parks and public parks, whether it’s state parks or local parks.” (136-3)

Response

Appendix M of the EIS includes the section 4(f) evaluation conducted for this project and includes a discussion of the purpose and intent of section 4(f) of the U.S. Department of Transportation Act of 1966.

Comment

“What happens to our expectations of quiet enjoyment when we purchase some of the most expensive and the quietest property anywhere in your survey? The 4(f) impact on the parks should carry little consideration in light of the total disruption to the way of life of over 3,000 residents of the Big Lake area. 4(f) funding of – or findings of de minimis impact does not mean that we can’t build that route.” (142-1)

Response

Appendix M of the EIS includes the evaluation of the potential impact on 4(f) resources, including the definition and implications of a *de minimis* finding. Chapter 9 of the EIS presents the analysis of potential noise impacts on residents in the project area anticipated as a result of the proposed rail line. As presented in this Final EIS, 2 residences, one on the Connector 3 Segment and one on the Mac East Variant Segment, were identified where an adverse noise impact would be anticipated as a result of the proposed project due to locomotive horn sounding at a nearby grade crossing. OEA does not anticipate that noise levels that would result from the proposed rail line would result in adverse affects for residents in other locations.

Comment

“The parks account for the majority of the land available. These parks have a master plan. Most of them plan – will release one-third of all of their land back into settlements eventually. In other words, it’s going to become private property. Instead of issuing a 4(f) statement of impact on the parks, why did they not look out for the future of Alaska and say let’s put the railroads through the park and establish planned communities for Alaska’s future? In this way we can have communities that had been laid out and not the mishmash mess that we find in most of our communities. Where are the forward thinking people?” (142-5)

“4(f) is written to protect parks, mainly where – areas where parks are a rare thing, where they’ve got one park in the whole state and it covers one percent of the land. In Alaska our parks are covering an average of over 60 percent of every acre of land. That is not something that we have to protect as strongly as we do in the states.” (143-2)

Response

Appendix M of the EIS was prepared based on the regulatory requirements implementing section 4(f) of the U.S. Department of Transportation Act of 1966, because FRA, a cooperating agency, is subject to section 4(f). For the EIS, parks, recreational areas, and refuges that presently exist in the project area were considered as required by section 4(f) regulations. Section 4(f) regulations do not include a provision that would provide for consideration of the percentage of park lands in a state.

23.13.4 Visual Resources

Comment

“Evaluation of Visual Aesthetic Impacts. Currently there is little consideration of impacts to visual resources or aesthetics outside of the context of cultural and historic resources, and there is no justification offered for the dismissal of visual impacts in the draft EIS. If visual resources, such as scenic vistas, viewsapes or panoramic views, occur in the project area and could be impacted by the project, the Final EIS should include an analysis of such impacts and offer mitigation for such impacts. Otherwise, an explanation of why the issue was excluded from the EIS should be offered.” (63-22)

Response

In response to the comment, OEA conducted an analysis of visual resources and has provided the analysis as Section 13.3 of this Final EIS.

23.13.5 Hazardous Sites and Materials

Comment

“Hazardous Wastes Associated with Known Contaminated Sites. Although EPA has identified the Mac East-Big Lake alternative as the alternative with the least environmental impacts, and our preferred alternative, we also recognize the potential for encountering hazardous wastes associated with the former Susitna Gunnery Range. Since the actual extent of the contamination is not fully identified at this time, we recommend additional analysis be conducted to determine the extent of the contamination. We also recommend that a Hazardous Waste Mitigation Plan be developed for this site prior to construction if this alternative is carried forward for the Board’s consideration in the Record of Decision. We recommend that this plan be developed in close coordination with our agency as well as the Alaska Department of Environmental Conservation Contaminated Sites Program.” (63-18)

Response

As discussed in Section 13.3 of the Draft EIS (Section 13.4 of this Final EIS), all project alternatives would pass through the former Susitna Gunnery Range. Any hazardous wastes present in the study area that resulted from military activities would be the responsibility of the military. Nevertheless, because some ordnance remains have been found since the military declared the area “cleared”, the Applicant states that they would provide contractors with

training in unexploded ordnance identification and to follow established notification procedures upon discovery. In addition, this Final EIS includes 2 mitigation measures (43 and 50) that would address construction activities within the Susitna Gunnery Range.

Comment

“Table 13.3-2 Known Hazardous Material Sites and Regulated Facilities of Concern. If the vertical and lateral extent of the contamination is undetermined, how do you know that the proposed project is outside of this contaminated site?” (65-13)

Response

This comment appears to be in reference to Site 4 in Table 13.3-2 of the Draft EIS. Based on the available information about the characteristics of the site, the release, and the approximately 1,000-foot or greater distance of Site 4 from the anticipated footprint of any proposed rail line segment, OEA believes that it is unlikely that the Applicant would encounter contamination from this site during construction of the proposed rail line.

Comment

“The transmission of coal and other bulk products in open rail cars will subject the landscape to unwanted non-native dust and debris being cast down into the immediate area of the rail line. Although currently stated that hazardous materials will not be transmitted, if they are transmitted and an accident takes what are the plans to mitigate the effects on the environment? Any hazardous accident will be devastating to the area.” (83-3)

“One of the concerns that needs to be addressed is the amount of coal, coal dust, gravel, gravel dust, whatever flying out of the train cars as they come by. I grew up near train tracks and played with a lot of coal growing up. So I know it does happen and spilling into Willow Creek in the swamps the – all the streams that this is going to cross is going to have a huge negative impact.” (155-3)

Response

As discussed in Chapter 1 of the EIS, the commodities that would be shipped are unknown at this time, but are expected to include bulk materials and to not include hazardous materials. Nevertheless, potential impacts of hazardous materials transport and provisions for emergency response are discussed in Sections 5.2.4 and 11.3 of the EIS, respectively. Emergency preparedness is also addressed in mitigation measures VM-28, VM-45, and VM-46. Commenters did not identify any examples of releases of bulk materials during transport by ARRC. OEA is not aware of environmental problems resulting from ARRC’s current bulk material transport practices and, therefore, sees no reason to expect such problems in association with the proposed rail line.

23.13.6 Access

Comment

“When the state developed the Pt Mac Agricultural Project it interrupted access to our homestead along the seismic line nearest our property. The state or borough eventually extended the Port Access Road allowing use of the interior right of way from/to the Tee and sub-station. When the Borough paved the Port Access Road it occupied the parking lot we used and made our existing trail/winter road unusable. Chugach Electric Association put in a new trail/winter trail allowing access. How do you intend to allow access from the winter trail head to the south and west? Will there be an access/crossing near the port? How will it connect with existing trails?” (25-1)

“I guess the other concern I have is the way the borough works they don’t apparently express too much concern about whether a crossing, a parking lot, actually has access to where you need to go. So I’m hoping that some thought will be given to how Chugach – how the property owners are going to have access going west and south.” (95-3)

“I have a few concerns, all arise out of the – the simple problem of access to Point MacKenzie. Access to South Point MacKenzie is difficult to say the least at any time winter or summer and the railroad proposes to bisect our current accesses to our property. I believe I can safely say that I speak for all property owners on South Point MacKenzie that we object to closing of any access that we currently have without being provided other adequate access.” (101-1)

“The last thing I would like to comment on is that where the railroad is proposed to run is through a relatively windy spot. It’s in the flat land area that’s unprotected. And I think there will be significant snow drifting on the south side of that railroad. And wherever crossings are made we need to account for that and at least get far enough beyond that drifting area so that any access that is made will be usable to us. If you build it down in the swamp or don’t do anything, it’ll be closed any way.” (101-2)

“Over the course of my 30 years of property ownership I’ve probably used at least four different accesses to my property at different times. That arises because conditions change every year. There are many different reasons to need different places to access our property depending on the conditions. Overall I would say that I object to the closing of any section lying easements without substantial discussions being held with property owners south of the railroad. Not that I’m against it, but we need to have extremely well thought out decisions before this happens and I hope that will happen.” (101-4)

“The marshaling yards that are located in a couple of different options on South Point MacKenzie appear to probably interrupt at least three different access points that I’ve used for years including the current trail head that’s down there. I – again, I would object to closing any of those accesses without further discussion. I am sure that if the railroad discusses with us we can come up with some solutions that probably most of us can live with, but somebody has to talk to us first and that certainly hasn’t occurred yet. I believe we need some further discussions to be held.” (101-5)

“I am also a property owner in that area. And my concern is a 200 foot right-of-way. This right-of-way touches the edge of our property and there are no sanctioned crossings. Like my – the road to my house is not on there as a trail that would have a culvert, a crossing. How do I get home? What is going to be permitted there and then will I be able to walk off my property and hike my property line or hike through the woods? I mean, I can’t cross the right-of-way, you know, until I get down in the swamp on Iditarod what, five miles away. And so I think the trails, the local trails, there’s just – there’s so many to count that feasibility-wise there’s no way you can make crossings for all of them. And so I’m concerned about the access.” (108-2)

Response

As described in Section 2.1.1.9 of the EIS, ARRC would install crossings where the rail line would cross a roadway to maintain access to existing public and private roads (including driveways to private residences) across the rail line. Officially recognized trails that would be crossed using a grade-separated crossing are identified in Table 13.2-1 of this Final EIS. As indicated in Section 2.1.1.9 of the EIS, these grade-separated crossings would be designed to accommodate existing trail users at the time of construction or ROW acquisition by the Applicant (whichever comes first). Many of the officially recognized trails identified in this Final EIS are multiuse winter trails; however, some winter trails may not meet the criteria for officially recognized trails and would be blocked where they would be crossed by the rail line.

OEA’s mitigation measure 47 would provide that the Point Mackenzie Trailhead and Parking Lot would be relocated and the Figure 8 Lake Loop Trail would be crossed using a grade-separated crossing as part of the Applicant’s proposed action as described in Section 13.2.5.1 of the EIS. This would allow for continued access into areas south and west from the trailhead.

In addition, OEA’s mitigation measure 41 (revised since the Draft EIS) would require that the Applicant shall consult with resource management agencies, including the ADNR and the ADF&G, appropriate trail user groups, and property owners regarding location and design of crossings for trail easements that intersect with the proposed rail line, ROW acquisition by the Applicant or the MSB (whichever occurs first), and that the Applicant shall provide trail crossings, including trail crossings that are part of the Applicant’s proposed action (for officially recognized trails), such that the average distance between crossings over the length of the proposed rail line is not greater than 3 miles.

Comment

“Section line easements- Even though there are no existing roads in this area at present there are easements on the protracted section lines. The Matanuska Susitna Borough and the State of Alaska have not allowed these easements to be vacated until equal or better access has been provided. Is the railroad going to be allowed to vacate these easements and not allow access across the tracks?” (52-5)

“Then I have another concern with your grade crossings in the section line easements. The Organic Act of 1866 provided for section line easements on every mile square. And even though these townships haven’t been surveyed, they’re protracted townships and protracted sections. And I know the Willow Trail Committee has had to honor that. Every time they’ve had to pay

for a survey, a survey of one of their trails, they've had to monument these section lines and show these easements." (150-2)

Response

Section line easements were considered in the EIS, and the regulations providing for their establishment and for vacating easements are described in Section 13.2.1.2. Standards for vacating easements are provided in Alaska Admin. Code 11 § 51.065 and implemented by ADNR. OEA's mitigation measure 41 (revised since the Draft EIS) would require the Applicant to consult with resource management agencies, including the ADNR and the ADF&G, appropriate trail user groups, and property owners regarding location and design of crossings for trail easements that intersect with the proposed rail line.

Comment

"The rail road has a bad reputation for not allowing any new crossings. In spite of the rapid growth in the area, we don't believe any new rail road crossings have been allowed in the past 30 years in the Mat-Su borough. If a person's land is divided by the railroad, they might as well let it go for taxes because they will not have access to it." (52-8)

"Mac-East completely separates one ag parcel from its only access road and from utilities. This will result in the need for another rail road crossing or providing access via another road. This condition also complicates providing future utilities to the parcel. The easement required for one ag project tract will be extremely close to the parcel's residence. The Mac-East segment splits one ag parcel diagonally. This requires the rail road to provide an additional crossing or the rail road will need to provide access roads from the nearest crossing to the parcel on both sides of the tracks." (88-10)

Response

The Applicant has indicated that it anticipates acquiring private property beyond the 200-foot ROW in cases where additional areas of a parcel, sometimes including the entire parcel, or structures on the parcel would otherwise be an uneconomic remnant. The Applicant also has indicated that the MSB would acquire property required for the proposed project consistent with the MSB and state laws and guidelines and subsequently transfer the property to the Applicant prior to beginning rail operation. OEA's mitigation measure 44 would require any acquisition by the Applicant to conform with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. § 460), regulations promulgated pursuant to that statute (49 C.F.R. part 24), and all reasonable terms and conditions of Alaska Statute (Alaska Stat. § 34.60.010 through Alaska Stat. § 34.60.150), Relocation Assistance and Real Property Acquisition Practices.

Comment

"Existing land use for a small portion of land in proximity to the proposed ROW would be permanently changed, and any non-rail activities within the proposed ROW would require an ARRC-issued entry permit. Where are these small portions located? What sorts of changes are foreseen? Please note so that the affected land owner can specifically comment in regards to the

permanent changes. One could read the above statement to be a broad general statement or one describing the creation of stranded inholdings that would require ARRC permits for a land owner to monitor and manage their land.” (65-11)

Response

In this Final EIS, Section 13.1.5.1 has been revised to clarify the types of changes anticipated for land in proximity to the proposed rail line. This would include changes to the uses of some land within the 200-foot ROW. OEA does not anticipate that existing land use outside of the proposed ROW would change as a result of the proposed rail line except in situations where the Applicant would acquire land outside the ROW because the land would otherwise become an uneconomic remnant.

Comment

“Access into 4(f) resources is an issue. The State disagrees with the characterization that existing section-line easements are unlikely to be potentially viable access points into the Susitna Flats State Game Refuge (SFSGR). Appendix M.l.c.2 (Section 4(f) and Section 6(f) Evaluation; page M-30), states that, ‘It is possible that individuals could also access the refuge via section line easements, though it is unlikely due to the lack of public parking areas and the privately-owned agricultural parcels that would have to be crossed to enter the refuge via section line easements (Paulsen pers. Comm., 2009a).’ This is restated again in Appendix M.l.d.2 (page M-38) under Impacts to 4(f) resources. While it is correct that the agricultural parcels in the area have had some section-line easements vacated, section-line easements and roads still exist and provide access around those agricultural parcels. Additionally, all section-line easements within agricultural parcels were not automatically vacated. Some remain, and are connected to public access easements around numerous lakes located on and adjacent to the agricultural parcels. The lack of a designated parking lot does not invalidate the potential use of existing valid section-line easements by the public. The public can park along existing borough road ROW’s in the area or make arrangements with private land owners for parking, and enter the SFSGR by walking along section-lines. The SFSGR is managed cooperatively by ADF&G and ADNR. The final EIS should reflect communications with the area managers regarding access into the refuge, not solely Matanuska-Susitna Borough (MSB) personnel. In addition, the text of that communication with the MSB was not included in the review materials.” (65-2)

Response

As discussed in Chapter 2 of the Draft EIS, the Applicant proposes to provide grade-separated crossings of the rail line for officially recognized trails or to relocate the trails to avoid the need for a crossing. Based on Table 13.2-1 in the Draft EIS, which listed officially recognized trails that would be crossed by each segment, between 3 and 6 grade-separated crossings of the proposed rail line would have been provided for trails in the vicinity of the eastern edge of the Susitna Flats State Game Refuge. Since publication of the Draft EIS, the SHPO has concurred with a determination that a dog sledding historic district, including contributing trails, is eligible for listing on the *National Register (Iditarod Dog Sledding Historic District)*. As a result, OEA has added mitigation measure 55 to this Final EIS to provide for grade-separated trail crossings of the contributing trails that are not officially recognized trails for purposes of the Applicant’s

proposed action, which could result in additional grade-separated crossings near the Susitna Flats State Game Refuge. Further, mitigation measures 41 and 54 in this Final EIS would require that the Applicant consult with resource management agencies, including the ADNR and the ADF&G, appropriate trail user groups, and property owners regarding location and design of crossings for trail easements that intersect with the rail line. In addition, access also would be provided via an at-grade road crossing for the Little Su River Road and a proposed bridge over a tributary to the Little Susitna River (see Figure 4.2-3 in this Final EIS).

Comment

“Another one of my concerns is the crossings. You have almost 10 miles there where there’s no crossings other than a few dog sled trails. It says you will honor all recorded right-of-ways and easements. Are you aware of what a protracted township is, protracted section line? Even though these things aren’t surveyed, every mile square has a 50 foot easement on either side of the section line. And there’s a rural procedure that you have to go through with the State of Alaska or the Mat-Su Borough to vacate these section lines. And the term they use or what they like to say is you have to provide them with equal or better access or they won’t vacate it. Is the railroad going to honor that? And I would like to see the railroad pay for these crossings rather than try to dump it on local government or the private developer. Are you aware that State Fish and Game says there’s a 50 foot pedestrian easement for mean high water upland for pedestrians to fish and whatnot? Are we going to be able to walk under the railroad tracks to go fishing or are they going to block it? And I would like you to ask somebody from the railroad what happens at Ferry every Fourth of July.” (94-2)

“Another concern is the 50 foot pedestrian easement around all streams and major lakes that Fish and Game has made us honor for close to 30 years, some even before that. And are you going to be able to continuously walk down the edge of these streams or when you come to the railroad are you going to be blocked and arrested for trespassing like happens on most of them right now?” (150-8)

“The State of Alaska says there is a fifty foot pedestrian easement along all major river, streams and lakes that must be honored. Is the railroad going to block them?” (52-6)

Response

The EIS does not state that “the Applicant will honor all recorded right-of-ways and easements;” instead, in Chapter 2, Section 13.2, and Appendix M, the EIS states that the Applicant has proposed to provide grade-separated crossings for officially recognized trails that would be crossed by the proposed rail line. Section line easements were considered in the EIS and the regulations providing for their establishment and for vacating easements are described in Section 13.2.1.2. As described in Section 13.2.1.2 of the EIS, Alaska Admin. Code 11 § 51.045 provides for reservation of an access easement of at least 50 feet from either side of a mean high water line for all rivers determined to be public or navigable water before ADNR grants a lease or conveys land adjacent to inland waters. Section 13.2.4.1 of this Final EIS has been revised to elaborate on the potential impact that the proposed rail line could have on public and navigable waterbodies, as well as provisions for ADNR to reserve access before issuing a sale or lease of ADNR land.

Additionally, OEA's mitigation measure 39 would require that project-related culverts and bridges would be designed and installed to accommodate public access and use of the statutory easements as established by the reasonable requirements of Alaska Stat. § 38.05.127. In addition, mitigation measure 41 (revised since the Draft EIS) would require that the Applicant shall consult with resource management agencies, including the ADNR and the ADF&G, appropriate trail user groups, and property owners regarding location and design of crossings for trail easements that intersect with the rail line and that the Applicant shall provide trail crossings, including trail crossings that are part of the Applicant's proposed action (for officially recognized trails), such that the average distance between crossings over the length of the proposed rail line is not greater than 3 miles.

Comment

"It says you're going to have an access road along the edge of the tracks. Is that going to be available for the public to use or is that going to be private and are private individuals or the local government going to have to build another road parallel to it for their use?" (94-4)

"Another thing, it says you'll be building a road along the railroad to build it and then you're going to tear it up. And I question that our tax money is going to build this road, our tax money is going to tear it up, and then our local tax money is going to have to build another one. And I think if you build a road it needs to be turned over to the local people for use." (150-10)

Response

Section 2.1.1.2 of the EIS states that ARRC would use the road for maintenance activities following completion of construction and would not maintain the access road within the ROW as a public road. Section 13.2.4.1 of the EIS indicates that once the ROW was legally established, any occupancy, use, or crossing of the ROW except at established public and/or private crossing locations without an ARRC-issued entry permit would be considered trespass.

Comment

"So I guess my initial comment is that there's private property [sic] all along the bluff from the port all the way around to the size line that runs out of the back of the project. All those people need access. Chugach needs access at least during the winter. They use fairly heavy equipment, big loads. So whatever crossing is placed at that end needs to allow for crossing with vehicles from, you know, wheelers and snow machines to the equipment that Chugach uses, which sometimes is fairly substantial. As Jim said, I don't care where the access is as long as I don't have to go back up to Burma Road someplace to get across the railroad." (95-1)

Response

As described in Section 2.1.1.9 of the EIS, ARRC would install crossings where the rail line would cross a roadway to maintain access to existing public and private roads across the rail line. Officially recognized trails that would be crossed using a grade-separated crossing are identified in Table 13.2-1 of this Final EIS. As indicated in Section 2.1.1.9 of the EIS, these grade-separated crossings would be designed to accommodate existing trail users at the time of construction or ROW acquisition by the Applicant, whichever comes first.

Comment

“The other problem I had is the Willow 2 site appears to be at my driveway and this same thing happened seven years ago where they completely blocked out my whole house, barn, corrals, everything under your big dock there showing where the area is going to be affected by the noise. And you’re making people think that there’s nobody in that area. And I did real battle with the borough a few years ago on this when they said nobody was – house was going to be on the route when mine was completely covered up under their big black line. And I think next time you might want to show that as shading or something like that. It’s an aerial photograph and if it wasn’t for that big dot you could easily see my operation there.” (150-6)

Response

As described in Section 2.1.1.9 of the EIS, ARRC would install grade crossings where the rail line would cross a roadway to maintain access to existing public and private roads across the rail line. Chapter 9 of the EIS includes an analysis of the potential noise impacts that could result from the construction and operation of the rail line. Chapter 13 of this Final EIS includes new figures showing residences and other structures within the proposed ROW that would be taken if the proposed rail line is authorized and constructed; none are located in the Willow Segment ROW.

Comment

“You had asked once before about how often the railroad needs to provide crossings. I don’t think every mile is too ridiculous, because at the cost of building roads in this borough right now between 50 and a hundred dollars a foot, we’re talking between 150,000 and 260,000 for a half of mile of road and that isn’t practical for most subdivisions.” (150-9)

Response

Comment noted.

Comment

“The draft EIS has not sufficiently addressed impacts to public use of area resources. Access to fish and game resources on public lands must be maintained across each potential alignment. Hunting and fishing activities are not limited to officially designated trails. It is not acceptable for this project to result in blockages of free access to state resources on public lands. Route-specific measures to provide passage across the alignment must be determined and included in this Final EIS. These measures must include, but not be limited to, crossings at intervals frequent enough to allow historic usage patterns. Structures designed to pass humans across the alignment should also be designed to allow moose and other wildlife to cross (see attachment). More work with appropriate agencies and user groups to develop acceptable mitigation is necessary before the EIS can be finalized.” (65-4)

Response

Fish and game resources are discussed in Section 5.3 and Section 5.4 of the EIS. Section 13.2 of the EIS describes potential impacts to recreation areas and game refuges, including potential impacts to access. Access to recreation resources would be maintained by road crossings and grade-separated crossings of known officially recognized trails as identified in Section 13.2 of this Final EIS. In addition, mitigation measures 41 and 54 would require provision of additional grade crossings to provide for additional access in a manner that OEA believes is reasonable. Section 5.3 of the EIS presents the potential impacts of the proposed rail line on moose and, based on the limited impacts anticipated, OEA does not believe that requiring grade-separated crossings capable of conveying moose across the rail line would be warranted.

Comment

“I would also like to make the point that there is a lot of recreation that goes on in the Willow area with the Dëshka Landing, all the lakes in the area. There are some very expensive properties in that area, but the access is a big problem for me and, you know, everybody puts in there to hit the Susitna River to get to their remote cabins in the winter. There’s a lot of fishing in the area. You got Red Shirt Lake. I mean, there’s – it’s skirting just the outsides of areas where you’re not even allowed to shoot a firearm at certain times, but we’re going to go ahead and run a train through some of these areas. I guess that’s probably my biggest concern here, is those trains coming through and limiting access. The point has already been made that over half the state is not accessible for me to use. I mean, there’s – a lot of the state is closed down. This is a very accessible area. A lot of people use it and I would hate to see this road accessible area for hunting and fishing be negatively affected by this train.” (138-2)

“And we live out by Vera Lake. And you’ve heard all the reasons. I can repeat them all. I won’t have to because of the trails out there, but the land – the lakes area this close to a large city like Anchorage, there’s no more beautiful area than that. And to block all that access where all the snow machines go out that way and they have to cross the railroad track, that would be a large mistake.” (145-1)

Response

Section 13.2.5 of the EIS analyzes the potential impacts to recreation resources, including trails, that could result from construction and operation of the proposed rail line. Tables 13.2-2 and 13.2-3 of this Final EIS identify the trails that would be crossed by the proposed rail line using grade-separated crossings. As described in Section 2.1.1.9 of the EIS, access over public and private roads also would be maintained. In addition, mitigation measures 41 and 54 would provide a mechanism for identifying additional trails that warrant grade-separated crossings to provide for additional access.

23.14 Socioeconomics

Summary Comment

Commenters expressed concern over the lack of information in the Draft EIS on further plans to construct a depot in the Willow area or other plans that would be economically beneficial to the Willow area. Commenters expressed concern about the impacts to tourism, which is a major source of income for many residents and an integral part of the economic vitality of Willow. (54-8, 148-2, 148-3)

Response

A depot in the Willow area is not part of the Applicant's proposed action. If the Board licenses the construction and operation of the proposed rail line, ARRC as a common carrier would provide freight rail service to shippers on reasonable request. Section 13.2 of the EIS discusses the potential impact of the Willow Segment on recreational activities including hiking, sport fishing, snowmachining, dog sledding, and general user enjoyment. Section 14.4 of the EIS discusses the importance of tourism and recreation for the economy of the Borough and the importance of recreation areas around Willow; Section 14.5.1.2 discusses potential impacts from the proposed rail line on tourism and recreation.

Comment

"The 2007 Mat Su Borough funded Cole report states that the non-consumptive uses of the resources in the borough exceed the consumptive uses by a ratio of about 20 to 1, which in dollars is \$363 million in tourist expenditures compared to \$18 million for consumptive uses such as commercial logging. The Alaska Department of Fish and Game, Division of Sport Fishing has estimated that for 2007, in southcentral Alaska, \$989 million (\$561million residents, \$428 million non-residents) was spent by sport fishers on fishing trips, equipment, and development and maintenance of land use. The Opportunity to go fishing has a value often difficult to measure in dollars. But it is an important part of the economy and a vital source of income to many in small towns and cities. Why am I mentioning these figures for an area larger than the proposed extension? If this proposed rail is to jump start an industrial economy, then our current economy for the railbelt and the Mat Su Borough is affected by the cumulated impacts." (44-3)

Response

Section 13.2 of the EIS discusses the potential impact of the proposed rail line on recreational activities, including sport fishing. Section 14.4 of the EIS discusses the importance of tourism and recreation for the economy of the Borough; Section 14.5.1.2 discusses potential adverse effects to tourism and recreation. Potential cumulative impacts are discussed in Section 16.5.12 of the EIS.

Comment

“This project is going to put the Seward coal loading facilities out of business. Who will compensate the community for this economic loss? Who will pay for the equipment no longer used?” (52-10)

Response

Because the type and quantity of bulk materials and other cargo that would be transported by the proposed rail line is not known at this time, it currently is not feasible to assess whether there would be any impacts to the Seward coal loading facility.

Comment

“Will the equipment at Pt McKenzie no longer be needed when these other areas then are developed just 10 miles from the tidewater?” (52-12)

Response

Because the precise type and quantity of cargo that would be transported by the proposed rail line is not known at this time, the type of equipment that could be required at Port MacKenzie also is unknown. Equipment currently available at Port MacKenzie has been tested and found suitable for loading wood chips and coal onto outgoing ships.

Comment

“14.4 Socioeconomics, Affected Environment: What impact will there be to taking on agricultural covenants? How does farm equipment cross the rail line if it bisects a parcel?” (65-15)

Response

Land titles in the Point MacKenzie Agricultural District and in some other areas are subject to covenants for agricultural use. The lifting of these covenants in lands crossed by the proposed project could potentially result in the loss of land available for agricultural use. Section 14.5.1.2 of the EIS discusses the potential loss of agricultural production as a consequence of the proposed rail line. ARRC has proposed to provide crossings for public roads that would be crossed by the rail line and agricultural equipment could use such crossings. Provision of additional crossings could be arranged through the ROW acquisition process. OEA’s mitigation measure 44 would require the Applicant to conduct ROW acquisition in conformance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. § 4601, along with other requirements.

Comment

“Chapter 14, Socio-Economics. It is apparent that the preparers of the Draft EIS do not understand purpose of ANCSA and how that purpose relates to CIRI lands in the study area. As noted above, CIRI lands, like other Native Corporation lands under ANCSA, are to be managed

for the long-term benefit of the Corporation's shareholders who reside throughout the Cook Inlet Basin, state, and United States. Accordingly, economic benefits resulting from the management or development of CIRI lands reach far beyond the immediate area addressed in the EIS, even, in some cases, to other Regional and Village Corporation shareholders in accordance with revenue sharing requirements of Section 7(i) of ANCSA. Given the socio-economic history of Alaska Natives, it is not reasonable or acceptable that a unique CIRI asset that will benefit Alaska Natives throughout the region, state, and United States, will be unreasonably harmed out of deference to agricultural interests in the immediate project area. This is especially true given the fact that a reasonable alternative exists, as noted above." (69-5)

Response

OEA's mitigation measure 44 would require the Applicant to conduct ROW acquisition in conformance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. § 4601, along with other requirements. Implementing regulations of that Act provide procedural and other requirements (appraisals, payment of fair market value, notice to owners, etc.) in the acquisition of real property, permanent easements, and temporary easements and provide for relocation payments and advisory assistance in the relocation of persons and businesses. Therefore, CIRI and its shareholders would be compensated by the Applicant. Moreover, the Applicant has indicated that the MSB would acquire property required for the proposed project consistent with the MSB and state laws and guidelines. Lands that are within the proposed rail line ROW would then shift to management by ARRC for rail line operation and maintenance and any non-rail use. Under this scenario, CIRI compensation by the MSB would be pursuant to state law and guidelines. Due to concerns raised by CIRI and other commenters, OEA has included an analysis of a modified route (Mac East Variant, see Section 2.3.1.3 of this Final EIS), which would intersect a smaller area of CIRI land to the west of the Mac East and Connector 3 segments, in this Final EIS.

Comment

"It is inconceivable that any realistic consideration in a DEIS of a purpose and need asserted in the ARRC's proposal to construct and operate a new rail to Port MacKenzie would fail to include relevant data and credible proof of the adverse environmental effect and consequences on operating seaports other than the Port of Anchorage. It is contrary to the provisions of 40 CFR for the DEIS to deemphasize as insignificant any environmental impact issue that may be inconsistent with the ARRC's application to construct and operate a new rail line to Port MacKenzie." (77-3)

"These port functions are presently being performed at the ports of Whittier and Seward and they are also included among the prospective and reasonably foreseeable projects shown to be performed at the Port of MacKenzie by the MSB for consideration by the SEA in the DEIS. Whether these existing port functions at Whittier and Seward are to be replaced or not is of no import. However, the reasonableness of a potential adverse environmental and consequential effect on these communities should be considered in any environmental impact study concerning the assertions regarding the issue of funding by the Board for the ARRC's application for construction of a new rail line." (77-6)

Response

Because the precise type and quantity of cargo that would be transported through the proposed rail line are not yet known, it is not possible to analyze the potential impacts to other ports and neighboring communities with the kind of detail suggested by the commenters. The nature and extent of impacts to other ports and neighboring communities, if any, would depend on whether activities at Port MacKenzie would reduce activities at other ports in the state. The Board would provide no funding for the proposed rail line; it is only considering whether to issue a license that would permit the Applicant to construct and operate the rail line.

23.15 Environmental Justice

Comment

“We note that some alternatives, even the more environmentally preferable Mac East-Big Lake Alternative, have potential to cause substantial impacts to private property and/or cultural resources. We are particularly concerned about such impacts if the private property owners meet the criteria of disadvantaged populations. We recommend that there be additional analysis of these communities. We also recommend that steps be taken to ensure that potentially affected communities have meaningful involvement in the process.” (63-27)

Response

Regarding disadvantaged community criteria, Chapter 15 of the EIS analyzes the potential impacts from the proposed action and alternatives on minority and low income populations. The analysis is consistent with Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations, Executive Order (E.O.) 12898, 59 *FR* 7629 (February 16, 1994), which directs Federal agencies to:

Promote nondiscrimination in Federal programs substantially affecting human health and the environment, and provide minority and low-income communities access to public information on and an opportunity for public participation in, matters relating to human health or the environment.

E.O. 12898 also directs agencies to identify and consider “disproportionately high and adverse” human health or environmental effects of their actions on minority and low-income communities and provide opportunities for community input in the NEPA process, including input on potential effects.

Section 15.3 of the EIS outlines steps taken by OEA to evaluate environmental justice impacts using a 5-step analytical methodology. OEA used data available from the 2000 U.S. Census to identify minority and low income populations within the study area. Once these populations were identified, OEA assessed whether any high or adverse health and environmental impacts to human populations would occur as a result of the proposed action. OEA’s analysis shows that residences that would be impacted by the Big Lake Segment would be slightly more likely to house families in poverty than residences in the Borough as a whole: poverty rates for specific census block groups along the Big Lake Segment are typically between 13 percent and 16 percent, according to the 2000 census, compared to 11 percent for the Borough. The census blocks with the most residences that would be impacted by the segment are census block 2085,

located on the western shore of Loon Lake, census block 2113, about a mile south of the ARRC main line, both blocks in census tract 4, and block group 2. In block 2085, minorities were 30.1 percent of the population, per the 2000 census, and mostly Alaska Natives or American Indians or of “Two or More Races.” In block 2113, 58 percent were minorities, of which 50 percent were Alaska Natives or American Indians. These percentages were higher than those seen in the Borough, which had a population with 13.7 percent minorities, of which 5.5 percent were Alaska Natives or American Indians. This means that the likelihood of minority or poor people residing in one of the houses that would be taken by the Big Lake Segment is greater than the average likelihood for residences in the Borough. Nevertheless, as documented in Section 15.5 of the EIS, OEA expects no high and adverse human health or environmental effects from construction or operation of the proposed rail line, including the purchase of property or relocation of residences.

OEA believes that all potentially affected communities have had ample opportunity to participate in the NEPA review process. During the scoping process, OEA and the cooperating agencies held public meetings to discuss concerns and potential impacts from the proposed action. These meetings were held in Knik, Big Lake, Willow, Houston, Wasilla, and Anchorage, Alaska, on March 3, 4, 5, 6, 10, and 11, 2008, respectively. OEA and the cooperating agencies invited public comment on all aspects of the Draft EIS and provided a 45-day public comment period, which began March 26, 2010 and ended May 10, 2010. The Draft EIS also was distributed to over 7,700 interested parties. During this time, OEA and cooperating agencies held 6 public meetings in the project area. These meetings were held April 6, 7, 8, 12, 13, and 14, 2010 in Anchorage, Big Lake, Wasilla, Houston, Willow, and Wasilla, Alaska respectively. At each meeting, OEA gave a brief presentation of the proposed action and environmental review process and then accepted oral comments from the public. Written comments were also submitted at the meetings. Comments from the public meetings and the Draft EIS are located in Appendices Q and R of this Final EIS. Concerns raised have been taken into consideration and responded to in this Final EIS.

Comment

“Chapter 15, Environmental Justice. In some ways, ANCSA was environmental justice legislation. Accordingly, federal agencies should thoroughly consider the damage being proposed to Alaska Native Corporation lands. It is apparent that the preparers of the Draft EIS did not do so in this case. As noted above, the CIRI Tract is a unique CIRI asset, which has the potential of producing significant and ongoing revenue for CIRI shareholders, and possibly shareholders of other Alaska Native Corporations. Accordingly, route alignment through the Tract should be planned so as to minimize negative impacts to the Tract. This can only happen through meaningful consultation with CIRI representatives, which has not happened.” (69-6)

Response

Chapter 15 of the EIS analyzes the potential impacts from the proposed action and alternatives on minority and low income populations consistent with E.O. 12898, which directs Federal agencies to:

Promote nondiscrimination in Federal programs substantially affecting human health and the environment, and provide minority and low-income communities access to public information on and an opportunity for public participation in, matters relating to human health or the environment.

E.O. 12898 also directs agencies to identify and consider “disproportionately high and adverse” human health or environmental effects of their actions on minority and low-income communities and provide opportunities for community input in the NEPA process, including input on potential effects.

Contrary to the commenter’s claims, the NEPA process has included ample opportunity for consultation and public input from CIRI and others. For example, during the scoping process, OEA held public meetings to discuss concerns and potential impacts from the proposed action in Knik, Big Lake, Willow, Houston, Wasilla, and Anchorage, Alaska, on March 3, 4, 5, 6, 10, and 11, 2008, respectively. OEA and the cooperating agencies invited public comment on all aspects of the Draft EIS and provided a 45-day public comment period, which began March 26, 2010, and ended May 10, 2010. During this time, OEA and cooperating agencies held 6 public meetings in the project area. These meetings were held April 6, 7, 8, 12, 13, and 14, 2010 in Anchorage, Big Lake, Wasilla, Houston, Willow, and Wasilla, Alaska, respectively.

At each meeting, OEA gave a brief presentation of the proposed action and environmental review process and then accepted oral comments from the public. Written comments were also submitted at the meetings. Comments from the public meetings and the Draft EIS are located in Appendices Q and R of this Final EIS. Concerns have been taken into consideration and responded to in this Final EIS.

23.16 Cumulative Impacts

Comment

“Page 16-14. Please revise the discussion of temperature changes to reflect that global temperatures have risen 1.5°F since 1900, not 1990.” (63-14)

Response

The year 1990 has been corrected to 1900 in Section 16.5.6 and in Section O.3.6.1 of this Final EIS.

Comment

“Indirect and Cumulative Effects Analysis. The cumulative impacts discussion does not currently include reasonably foreseeable coal mining activities in Wishbone Hill area, or the development of compressed or liquefied natural gas storage/export facilities that are being planned for the Port MacKenzie area. Since these projects, which are in or in the general vicinity of the project area, could result in the production of a bulk commodity that could be exported from the Port, or displace components of this project, we believe they should be considered in the cumulative impacts section. In addition, if the Wishbone Hill mining plans include rail export (thus a potential customer of the proposed project), or if current Usibelli coal could be

diverted from Seward, the impacts from that coal transport (i.e. fugitive coal dust) may need to be considered in the indirect effects analysis.” (63-20)

Response

As of May 2010, Usibelli Coal Mine Inc. did not have definite plans to mine coal at Wishbone Hill and may use a feasibility study over the coming year to determine if coal mining there is practical (AND, May 27, 2010). OEA considers possible coal mining in Wishbone Hill to be speculative, and therefore this project is not included in the cumulative impacts analysis of the EIS. Potential natural gas transport, storage, and processing facilities are considered in the discussion of an additional project, the Alaska Stand Alone Pipeline Project, in this Final EIS.

Comment

“The Department has an active project to design and construct improvements to South Burma Road and is a reasonably foreseeable activity. This effort should be mentioned in the narrative.” (67-3)

Response

Section 16.4.2 under “Road Projects” and Appendix O.1.11.5 of the EIS describe the “South Big Lake/Burma Road Upgrade Project.” This project is considered reasonably foreseeable and is considered in the cumulative impacts analysis.

Comment

“The Big Lake Segment proposes to ‘Construct an approximately 430-foot bridge on Parks Highway over the proposed rail and an unnamed anadromous fish stream.’ This section of the Parks Highway is a designated Highway Safety Corridor through the intersection with Big Lake Road. In addition, the 2010-2013 Statewide Transportation Improvement Program (STIP) currently has a Design project entering the final stages of an Environmental Assessment document. Additional analysis and coordination may be appropriate for this alternative.” (67-4)

Response

In response to the commenter’s suggestion, OEA consulted further with ADOT&PF to discuss the coordination of the projects. On September 12, 2010, the FHWA issued their Finding of No Significant Impact for the planned modification of Parks Highway through the intersection with Big Lake Road (FHWA, 2010b). Appendix O.1.11.1 of this Final EIS identifies the subject STIP project on Parks Highway and reflects its planned funding and construction status.

Comment

“Please consider the direct, indirect, and cumulative impacts to the Goose Bay State Game Refuge. Numerous developments in the area have been planned and many are under way. For example, the Goose Creek Correctional facility is being constructed at the headwaters of the refuge, a high voltage intertie cuts through the refuge, the Knik Arm Crossing or Port Mackenzie

Ferry if constructed will further increase traffic within this area, and now a planned rail corridor in close proximity may bring additional concerns.” (68-1)

Response

The proposed rail line would not result in indirect or direct impacts to the Goose Bay State Game Refuge; thus, it cannot contribute to cumulative impacts on this resource.

Comment

“It is significant to note that upon consideration of relevant data the OEA has deleted the Knik Arm Crossing as a reasonably foreseeable project by the MSB to be considered as a basis for construction of a rail line to Port MacKenzie. Without questioning any specifics it seems that a number of the ‘reasonably foreseeable projects’ may also be gross speculations of uncertain future events described by the MSB as being valid reasons for the need to construct a new rail line to Port MacKenzie.” (77-5)

Response

Contrary to the comment, OEA did include the Knik Arm Crossing as a project for which potential environmental impacts were evaluated in combination with potential impacts of the proposed rail line. The projects and actions noted in Section 16.4.2 of the EIS are all projects or actions considered to be past, present, or reasonably foreseeable and which are in the same geographic area and potentially would affect the same resources as the proposed rail line. The proposed rail line would have independent utility and would not depend on any of the future projects considered in the analysis of potential cumulative impacts. Projects that were not considered reasonably foreseeable were not addressed in the EIS because they are too speculative.

Comment

“Point MacKenzie lies between Susitna Flats SGR and Goose Bay SGR, 2 areas utilized by all mammal species especially moose. Moose frequently browse along and cross Point MacKenzie road as seasonal feeding opportunities change. The cumulative effects of the prison, port development and Mac East railroad will forever destroy wildlife habitat and traditional feeding areas.” (88-20)

Response

Section 5.3 of the EIS thoroughly discusses potential impacts of the proposed rail line on wildlife (including moose) in the study area. Appendix E of the EIS provides additional supporting information on wildlife resources. Potential cumulative impacts on all wildlife including moose from the proposed action, Goose Creek Correctional Center, and Port MacKenzie Development projects, in addition to other projects, are presented in Section 16.5.3 and Section O.3.3.1 of the EIS. Potential impacts addressed include potential short-term and long-term habitat loss and long-term habitat alteration.

Comment

“DEIS impacts from Mac Rail when added to impacts from the correctional center, could result in cumulative habitat loss, forested habitat fragmentation, and wildlife-vehicle collision mortality, which could cause locally substantial impacts along the Mac East segment.” (88-21)

Response

As discussed in Section 5.3 of the EIS, OEA anticipates that the proposed rail line would result in reduced habitat for approximately 5 to 7 moose and that estimated mortality from moose-train collisions ranges from 3 to 17 moose per year. Section 16.4.2 of the EIS lists the projects and actions, including the Goose Creek Correctional Center, that have been considered for potential cumulative impacts. Section 16.5.3 and Section O.3.3.1 of the EIS addresses potential cumulative impacts, such as habitat loss, altered habitat suitability, and wildlife mortality, from these projects and the proposed action.

Comment

“Construction and operations activities associated with projects in Mac East area could contribute to adverse cumulative effects to the biological environment. Included are wildlife habitat destruction and altered suitability, including increases in invasive plant populations and interruption of natural fire ecology, increased public access, noise and potential direct and indirect wildlife mortality.” (88-22)

Response

Section 16.5.3 of the EIS addresses overall cumulative impacts to biological resources in the study area. Sections O.3.3.1 and O.3.3.2 of the EIS present the analysis and conclusion of cumulative impacts on biological resources from projects that would potentially impact the same biological resources as the Mac East Segment. Potential impacts identified include those mentioned by the commenter.

Comment

“So I haven’t seen anything that says what the overall impact if we have a railroad, which theoretically is going to bring more traffic to the port and therefore more traffic in the inlet. Has that even been addressed?” (129-4)

Response

Section 5.5, Threatened and Endangered Species, and Section 18.2, Irreversible and Irrecoverable Commitment of Resources, of the EIS address potential impacts from increased ship traffic at Port MacKenzie that could result from the proposed rail line in terms of potential noise and disturbance impacts on the endangered Cook Inlet beluga whale.

Comment

“Page 16-11/Paragraph 1/Paragraph uses the term ‘Matanuska-Susitna area’ which is a vast area that extends well beyond the area evaluated for the cumulative impacts related to this project – suggest a revision to terminology to clarify extent of evaluation.” (159-94)

“Page 16-12/Paragraph 1 /Paragraph uses the term ‘Matanuska-Susitna area’ which is a vast area that extends well beyond the area evaluated for the cumulative impacts related to this project – suggest a revision to terminology to clarify extent of evaluation.” (159-97)

Response

Chapter 16 of the EIS explains that the focus of the cumulative impacts analysis was the area of the proposed rail line, not the larger MSB. One example is in paragraph 1 of Chapter 16, indicating that the cumulative impacts analysis considers potential impacts “in the area of the proposed rail line.” Another example is in Section 16.3.1, which indicates the analysis boundaries (16.3.1) are “Parks Highway to the north, Cook Inlet to the south, Knick Arm to the east, and the Susitna River to the west.” Throughout the chapter, OEA notes that the analysis applies to a geographic area that overlaps with that of the proposed rail line. OEA believes that the chapter adequately describes the focus of the analysis and impacts.

Comment

“Page 16-11/Paragraph 3/The wetland mitigation bank is included as a negative cumulative impact to water resources. The bank is set aside to mitigate the cumulative impacts. Suggest a revision to discuss this project in a separate paragraph.” (159-95)

“Page 16-12/Paragraph 1/The wetland mitigation bank is included as a negative cumulative impact to biological resources. The bank is set aside to mitigate the cumulative impacts. Suggest a revision to discuss this project in a separate paragraph.” (159-96)

Response

OEA has revised the subject paragraphs in this Final EIS to clarify that the wetland mitigation bank’s beneficial impacts for fish and wildlife populations could be somewhat negated by some of the proposed rail line alternatives.

23.17 Short-Term Use Versus Long-Term Productivity of the Environment

OEA did not receive comments on this topic.

23.18 Irreversible and Irretrievable Commitment to Resources

OEA did not receive comments on this topic.

23.19 Mitigation

Comment

“Page 19-8/Paragraph 1/number 19 – Add the Alaska Department of Fish & Game to the agency list for this measure.” (159-106)

“Page 19-8/SEA-14/ADF and G would be more like to be involved in identifying appropriate stream crossing locations than ADEC.” (159-122)

“Page 19-8/Paragraph 4/number 17 – This is covered by VM-3 – suggest deleting.” (159-108)

“Measure 17: The Alaska Department of Natural Resources has no specific standards for railroad design or construction, nor do they have the jurisdiction to develop such standards. ARRC accordingly recommends removal of this measure.” (159-8)

“Page 19-3/VM-2/This should be updated for final. NPDES program is now implemented by ADEC and is called the Alaska Pollutant Discharge Elimination System (APDES).” (159-121)

“Page 19-16/VM-36/This should be updated for final. NPDES program is now implemented by ADEC and is called the Alaska Pollutant Discharge Elimination System (APDES).” (159-123)

Response

OEA has made the suggestion revisions in this Final EIS.

Comment

“Monitoring and Adaptive Management Monitoring is important to assess the accuracy of predictions of effects and to ensure the success of mitigations. In addition, monitoring provides the means to identify the need for modifying (increasing or decreasing) mitigation. Adaptive management provides the flexible program for achieving these changes to mitigation. We recommend that the final EIS include a section that describes all of the propose monitoring that would be necessary to implement the preferred alternative, and any adaptive management strategies that would be employed.” (63-23)

Response

Chapter 19 of this Final EIS presents recommended mitigation measures, which include monitoring that OEA recommends the Board impose if the Board gives final approval for the project. Where OEA believes it would be appropriate, the recommended mitigation measures provide flexibility for the measures to be refined during permitting or subsequent consultation with agencies. For example, the Applicant would be required to obtain Federal and state permits and authorizations, such as the USACE section 404 permit and the ADF&G Fish Habitat Permit, which could require more specific monitoring measures.

Comment

“Page 19-1. We continue to have concerns regarding STB’s use of this term. Although we understand it is part of the applicant’s process, we continue to believe that the use of this term is misleading to the public.” (63-13)

Response

As stated in Chapter 19 of the Draft EIS, OEA encourages applicants before the Board to propose voluntary mitigation. In some situations, voluntary mitigation might replace mitigation measures the Board might otherwise impose, or it could supplement mitigation the Board might impose. It is called voluntary mitigation in the Draft EIS because it is offered by the Applicant for OEA and Board consideration. In Chapter 19 of this Final EIS, OEA has made it clear that all measures included in the chapter, whether developed by the Applicant or OEA, are measures that OEA is recommending the Board impose if the Board authorizes construction and operation of the proposed rail line. Any mitigation measures the Board imposes would be binding on the Applicant, regardless of whether the measure was developed by OEA or volunteered by the Applicant.

Comment

“Page 19-2/Paragraph 2/Printed versions of the PEAR say ‘January 2008’.” (159-103)

Response

The paragraph referenced by the commenter is not included in this Final EIS.

Comment

“The DEIS alludes to NMFS involvement and approval of mitigation measures for EFH designated waters, yet we have not been consulted to date.” (62-4)

Response

As recorded in Appendix A of the Draft EIS, OEA wrote to the NMFS on February 12, 2008, March 21, 2008, January 30, 2009, and November 25, 2009 and received input from the NMFS on March 21, 2008 and March 4, 2009. In addition, following publication of the Draft EIS, OEA received the NMFS comments on the BA (see the EIS Appendix H) that OEA had submitted to the NMFS for review. A copy of the NMFS letter is included in Appendix A of this Final EIS. OEA also organized and conducted a conference call with the NMFS on December 3, 2010 to discuss EFH conservation recommendations and conclude the consultation process.

Comment

“The level of detail and information in the Draft EIS is insufficient to identify appropriate measures to avoid, minimize, and mitigate impacts to EFH and anadromous species.” (62-6)

Response

The Draft EIS considered the potential impacts to EFH and anadromous species from each of the route segments and alternatives analyzed in detail. Following receipt of comments on the Draft EIS, OEA has re-examined the available data to estimate the potential impacts in greater detail based on the suitable anadromous fish habitat potentially affected by each of the alternatives. The refined analysis is presented in Section 5.4 and Appendices F and G of this Final EIS. Chapter 19 includes numerous mitigation measures to avoid, minimize, and mitigate potential impacts to EFH and anadromous species, such as measures VM-3 through VM-12, VM-14, VM-15, 1 through 10 (mitigation measures 8 and 9 have been revised since the Draft EIS), 14 (revised since the Draft EIS), 16 (revised since the Draft EIS), 20, 30, 31, and 32.

Comment

“NMFS would be less concerned with the specific rail alignment selected for this project if the stream crossings were designed to incorporate measures and recommendations referred to in the Anadromous Salmonid Passage Facility Design (NMFS 2008), to avoid and minimize long term impacts and subsequent loss of EFH and anadromous species. Whichever alignment is selected as the preferred alternative, it should allocate funding early in the project planning phase, rather than in the final permitting phase, in order to implement appropriate mitigation measures.” (62-7)

“19.2.9.2 OEA’s Preliminary Mitigation Measures 39). What is the timeline and funding source for the plan under number 39?” (65-24)

Response

The Applicant’s voluntary mitigation measure VM-10 states that ARRC would design, construct, and maintain bridges and culverts in fish-bearing waters in accordance with the NMFS 2008 publication, “Anadromous Salmonid Passage Facility Design”. Additional measures to protect anadromous fish streams and EFH are provided in mitigation measures VM-11 and VM-15. OEA has also developed mitigation measures (mitigation measures 16 and 32a in this Final EIS) that would require the Applicant to inspect project-related culverts and bridges culverts semi-annually and take corrective action if fish passage is blocked and conduct annual inspections for improperly functioning culverts and take corrective action, if appropriate. If the Board authorizes construction and operation of the proposed rail line, the Board may impose mitigation measures as conditions of the authorization, which would become requirements that the Applicant would be required to fund.

Comment

“Mitigation measure VM-3: Amend to include ADF&G Special Area Permit in list of state permits.” (0065-32)

Response

OEA’s practice is not to make substantive changes to mitigation measures volunteered by the Applicant. If OEA believes that additional mitigation provisions are warranted, then OEA

develops additional mitigation measures. In this case, OEA believes the language of the Applicant's voluntary mitigation measure VM-3 measure encompasses the permit noted by the commenter and an additional measure is not necessary.

Comment

“Mitigation: On p. 19-4, Voluntary Mitigation Measure 4 (VM-4) indicates that compensatory mitigation for wetland losses would possibly be provided. The Department recommends that appropriate compensatory mitigation be offered by the applicant for all unavoidable losses of wetland acreage and function. Such an approach is in accordance with federal regulations for ‘Compensatory Mitigation for Losses of Aquatic Resources’ found at 40 CFR 230.91-230.98 (see Federal Register, April 10, 2008, 73 FR 19594).” (84-2)

Response

OEA's practice is not to make substantive changes to mitigation measures volunteered by the Applicant. Mitigation measures VM-3 and VM-4 proposed by the Applicant would require the Applicant to obtain a section 404 permit under the Clean Water Act and provide reasonable compensatory mitigation, which would be determined during the permitting process consistent with applicable Federal regulations, including the regulation noted by the commenter. No additional clarification or amplification of this measure is required in this Final EIS.

Comment

“Mitigation measure VM-4: Amend to remove ‘...to the extent practicable’.” (65-33)

Response

OEA's practice is not to make substantive changes to mitigation measures volunteered by the Applicant. If OEA believes that additional mitigation provisions are warranted, then OEA develops additional mitigation measures. In this case, OEA sees no need to modify the Applicants' imposed voluntary mitigation or to recommend additional mitigation of its own.

Comment

“Mitigation measure VM-5: Amend to include ‘... and access road ...’ after ‘...rail line...’. Clarify that the applicant will ensure connectivity for all wetland drainages.” (65-34)

Response

OEA's practice is not to make substantive changes to mitigation measures volunteered by the Applicant. If OEA believes that additional mitigation provisions are warranted, then OEA develops additional mitigation measures. In this case, OEA believes that mitigation measure 1 encompasses what the commenter suggests.

Comment

“Mitigation measure VM-10: Amend by inserting ‘...in consultation with ADF&G Division of Habitat and...’ after ‘structures’. Clarify that an ADF&G Fish Habitat Permit will be required to cross specified anadromous streams.” (65-39)

Response

OEA’s practice is not to make substantive changes to mitigation measures volunteered by the Applicant. If OEA believes that additional mitigation provisions are warranted, then OEA develops additional mitigation measures. Mitigation measure VM-14 includes the requirement for the Applicant to obtain a fish habitat permit from ADF&G. Therefore, no change to the voluntary mitigation recommended in this Final EIS is required.

Comment

“Mitigation measure VM-11: Amend to include ‘...in consultation with ADF&G...’ after ‘Applicant’.” (65-40)

Response

OEA’s practice is not to make substantive changes to mitigation measures volunteered by the Applicant. If OEA believes that additional mitigation provisions are warranted, then OEA develops additional mitigation measures. OEA believes that the mitigation measure as written provides for ADF&G input. Therefore, no change to the voluntary mitigation is required in this Final EIS.

Comment

“Page 19-6/Paragraph 4/3rd bullet – Mitigation at this level of detail is better left to permit conditions created by the U.S. Army Corps of Engineers – recommend deleting this bullet.” (159-104)

Response

OEA agrees that the appropriateness of the specific mitigation provision identified by the commenter would be determined during permitting. This is also true for the other specific features included in mitigation measure 3 and, as a result, the mitigation measure states that the specific measures could be required in a permit (but are not required by the mitigation measure). Accordingly, no revision to OEA’s mitigation measure 3 is required in this Final EIS.

Comment

“Mitigation measure SEA-4: Amend to include ‘all’ after ‘mark’.” (65-45)

“Mitigation measure SEA-8: Clarify that all travel off the ROW must be approved by the land owner.” (65-49)

“Mitigation measure SEA-10: Amend to clarify that gravel mining below the OHW mark of anadromous streams would require authorization (not just consultation) from ADF&G.” (65-51)

“Mitigation measure SEA-14: Amend to add: ‘...and, in the case of fish-bearing streams, ADF&G’ to the end of the sentence.” (65-55)

Response

OEA has made the suggested revisions to the corresponding mitigation measures in this Final EIS.

Comment

“Mitigation measure SEA-13: Amend to add that no storage of fuel would be allowed within 100-feet of anadromous waterbodies.” (65-54)

Response

OEA has not made the specific suggested change to mitigation measure 13 but has revised the measure to require that the Applicant comply with the reasonable requirements of the ADEC for project-related tank storage facilities.

Comment

“Mitigation measure SEA-16: Amend to add: ‘blockages to free-fish passage’ after ‘to avoid’. Clarify that the applicant accepts the responsibility to clear all blockages, including those related to beaver activity and perched culverts, under the alignment for the life of the rail line. Also, culverts must be designed to allow fish passage at low flows.” (65-56)

Response

In response to the comment, OEA has added the phrase “blockages to free fish passage” to mitigation measure 16.

Comment

“Mitigation measure SEA-20: Recommendation – Amend to add: ‘and natural condition’ after ‘contours’.” (65-61)

Response

OEA did not make the suggested change. “Natural condition” would encompass additional characteristics, such as vegetation, that may not be feasible or desirable to restore to preconstruction conditions.

Comment

“Page 19-8/Paragraph 8/number 21 – This condition is redundant with #14 above – suggest deleting or combining it with number 14.” (159-107)

“Mitigation measure SEA-21: Remove.” (65-62)

Response

OEA has not included mitigation measure 21 from the Draft EIS in this Final EIS because it would duplicate mitigation measure 14 in this Final EIS.

Comment

“Pt. Mac is a cow/calf moose rearing area. Historically, moose from as far away as Mt. Susitna traveled to/from Pt. Mac in the spring and fall. How are you planning to allow moose travel? A sign explaining how many have been killed this winter is not an acceptable means of mitigation.” (25-2)

Response

EIS Section 5.3.4.1 of the EIS discloses potential impacts to moose from construction and operation. While most moose would be able to cross the rail line ROW without incident, the EIS acknowledges the potential for mortality due to train collisions during rail line operation. In general, moose are not expected to calve in the vicinity of the southern segments, but do calve in the vicinity of the northern segments (see the EIS Appendix E, Figure E-4). Mitigation measure VM-18 would provide for developing preferred habitat away from the rail line and for a widened embankment to allow for moose retreat when a train passes. Mitigation measure 27 would provide for limiting growth of vegetation near the rail bed that would be attractive to moose. Mitigation measure 33 (revised since the Draft EIS) would require consultation with ADF&G to develop a strategy to reduce moose-train mortality. OEA believes that this mitigation would be adequate to minimize the potential impacts to moose.

Comment

“Mitigation measure SEA-24: Amend to clarify that ADF&G will make the final determination on whether a stream is fish bearing.” (65-72)

Response

After considering this and other comments on the Draft EIS, OEA has decided not to include mitigation measure 24 from the Draft EIS in this Final EIS. OEA concluded that mitigation measure 27 in this Final EIS supersedes the need for mitigation measure 24 from the Draft EIS.

Comment

“Mitigation measure SEA-25: Amend to add ‘anadromous and resident fish streams’ and ‘moose calving area’ to the list of potential highly sensitive areas.” (65-73)

Response

In this Final EIS, OEA has not included mitigation measure 25 from the Draft EIS because it would be repetitive of mitigation measure 23 in this Final EIS.

Comment

“Mitigation measure SEA-28: Amend to refer to appropriate BMPs contained in the Alaska Forest Resources and Practices Act (FRPA).” (65-76)

Response

In this Final EIS, OEA has not included mitigation measure 28 from the Draft EIS because OEA believes mitigation measure 27 in this Final EIS is adequate.

Comment

“Mitigation measure SEA-31: Amend to include all work below the Ordinary High Water mark of all fish bearing streams to possible work. Remove the word ‘reasonable’.” (65-79)

Response

The proposed revisions do not appear to apply to mitigation measure 31 in the Draft EIS, which included in this Final EIS without any change.

Comment

“Mitigation measure SEA-32: Amend to replace: ‘...not narrow an anadromous water body between its mean high water lines...’ with ‘...not modify an andromous water body below the ordinary high water mark ...’.” (65-80)

Response

OEA did not make the requested change to mitigation measure 32 because project construction, such as installation of bridge piers, would require modifications below the ordinary high water mark.

Comment

“Mitigation measure SEA-33: Amend to add recommendations outlined in attachment A into this mitigation measure.” (65-132)

“Attachment A. ADF&G guidelines for Moose Mortality Mitigation (accommodates most other large wildlife¹)

- Provide undercrossings in areas of natural moose travel areas where possible, with a maximum spacing of one to two miles between under crossings.
- Place additional undercrossings in high use areas.
- Provide an open line-of sight through undercrossings and under bridges.
- Provide an openness² of 2.0 or greater for moose undercrossings.
- Reduce sound levels coming from above and echoes within undercrossing structures.

- Provide upland (non-submerged and non-iced) corridors through and approaches to all undercrossings.
- Provide suitable walking surface (e.g., cover rip-rap with soil) across the alignment.
- Provide minimum of 12 feet clear opening above ground/snow line of sight (i.e., with 2 feet of snow cover need 14 feet clearance from ground surface).
- Configure access road and railroad crossings separately with open space in between. Do not design one long undercrossing under both prisms.
- Consider fencing or other measures to keep animals from entering area between the access road and railroad alignments.
- Institute snow removal policy and procedures to eliminate berms that may block access across the alignment

¹ includes moose, brown bear, black bear, wolf, coyote, red fox, and lynx; unknown if adequate for bison; smaller terrestrial wildlife species may need more frequent corridor crossings due to scaling of home ranges and seasonal habitat requirements

² openness is a concept of uncrowdedness that reduces the apparent cross sectional area of a crossing by the travel distance required to pass beneath or through the crossing; other important factors can include aspect ratio, apparent cross-sectional area, shape, materials used, acoustic characteristics, lighting characteristics, and predator detection and avoidance” (65-133)

“Mitigation measure SEA-40: Comment – Include guidelines recommended into SEA- 33 into these crossings to allow large mammal passage.” (65-118)

“Moose impact mitigation is an issue that has not been sufficiently addressed in this document. Mitigation measure 33 instructs the applicant to develop, in consultation with resource agencies, a strategy to reduce moose mortality caused by train impacts. This approach is grossly insufficient and circumvents the EIS process. Developing mitigation measures in the proposed manner does not bind the applicant to any course of real action, is ambiguous as to how much input resource agencies may have, and does not allow for public comment. Project-specific moose-related mitigation measures, on a route-by-route basis, must be included in the final EIS. These measures must include not only collision-related mitigation, but habitat fragmentation (e.g. properly designed and placed underpasses), and construction related impacts. More work and direct interaction with local Division of Wildlife Conservation staff is necessary before the EIS can be finalized. Mitigation Measure 46 provides direction to the applicant to develop, in consultation with resource agencies, mitigation measures to address impacts to the Susitna Flats State Game Refuge (SFSGR) if the Mac West Route is authorized. This approach is grossly insufficient and circumvents the EIS process. Developing mitigation measures in the proposed manner does not bind the applicant to any course of action, is ambiguous as to how much input resource agencies may have, and does not allow for public comment. Specific measures to mitigate impacts to the SFSGR need to be included in the final EIS. These measures should include, but not be limited to, compensatory mitigation, retention of public access to the refuge, and impacts to fish and wildlife. More work and direct interaction with local ADF and G and DNR staff is necessary to develop acceptable mitigation before the EIS can be finalized. Mitigation Measure 48 provides direction to the applicant to develop, in consultation with resource agencies, mitigation measures to address impacts to state parklands and recreational

areas if the Willow Route is authorized. Again, this approach is grossly insufficient and circumvents the EIS process. Developing mitigation measures in the proposed manner does not bind the applicant to any course of action, is ambiguous as to how much input resource agencies may have, and does not allow for public comment. Specific mitigation measures need to be proposed as part of the final EIS and should include, but not be limited to, compensatory mitigation and public access components. More work and direct interaction with local DNR and ADF and G staff is necessary to develop acceptable mitigation measures before the EIS can be finalized.” (65-3)

Response

Moose cross the existing ARRC main line and, therefore, OEA expects that moose also would cross the proposed rail line. The EIS acknowledges the potential for mortality due to train collisions during rail line operation. Specifically, Section 5.3 of the EIS presents the anticipated potential impacts to moose from construction and operation of the proposed rail line based on available data on moose population and moose movements and train strikes. Based on the analysis presented in the EIS, OEA has concluded that habitat loss due to construction of the proposed rail line would likely not substantially affect the existing moose population. OEA reached the same conclusion for anticipated moose mortality due to collisions with trains. Mitigation measure VM-18 would provide for construction and vegetation management to avoid attracting moose to the ROW. Mitigation measure 33 (revised since the Draft EIS) would provide for additional consultation with game managers to establish measures to limit moose mortality due to train strikes. The number of anticipated train collisions with moose and other mammals is sufficiently low that OEA believes that a mitigation measure to require provisions for mammals to cross under the rail line along stream banks is not warranted. OEA believes the mitigation in this Final EIS is adequate to minimize impacts to moose that would result from this project.

Comment

“Mitigation measure – New (19.2.3 Biological Resources). Free fish passage will be maintained across the project reach for the life of the project. This includes, but is not limited to, blockages through culverts and bridges caused by beaver activity and perched culverts.” (65-84)

Response

OEA believes that the measure suggested by the commenter is unnecessary because it would largely duplicate mitigation measure 16 (revised since the Draft EIS). The measure would require the Applicant to ensure all project-related culverts and bridges are clear of debris to avoid blockages to free-fish passage (where applicable), stream-flow alteration, and increased flooding. Moreover, the Applicant would be required to inspect all project-related bridges and culverts semi-annually (or more frequently, as seasonal flows dictate) for debris accumulation and remove and properly dispose of debris promptly.

Comment

“Mitigation measure – New (19.2.3 Biological Resources). Wetlands catalogued as anadromous under AS 16.05.871 will be avoided. Fill will not be placed within anadromous wetlands.” (65-85)

Response

Mitigation measures VM-3 and VM-4 would require the Applicant to avoid and minimize fill in wetlands and to obtain a permit as required by section 404 of the Clean Water Act prior to construction activities in wetlands. In addition, mitigation measure 3 would provide for implementation of best management practices to minimize project-related impacts to waters of the United States, including wetlands. OEA believes the mitigation in the EIS is adequate to minimize impacts to wetlands, including those cataloged as anadromous, and that no new mitigation is required.

Comment

“Mitigation measure – New (19.2.3 Biological Resources). Public access to fish and wildlife resources shall be maintained during construction and operation to the maximum extent practicable.” (65-86)

Response

OEA believes that other mitigation measures provide for reasonable public access to fish and wildlife resources. Mitigation measure 39 would provide access points to recreation areas during construction, mitigation measure 40 (revised since the Draft EIS) would require bridge and culvert design to accommodate stream and river access, and mitigation measure 41 (revised since the Draft EIS) would provide a mechanism for identifying additional trails that warrant grade-separated crossings to allow for additional access. OEA believes the mitigation in this Final EIS is adequate to provide the maximum amount of access practicable and that no new mitigation is required.

Comment

“Mitigation measure – new (19.2.6 Noise and Vibration). Recommendation – The Applicant shall consult with and obtain fish habitat permits from ADF&G for pile driving activities and use of explosives near anadromous streams.” (65-95)

Response

Mitigation measure VM-3 would require the applicant to obtain fish habitat permits from ADF&G. In addition, mitigation measure 30 would establish specific limits related to explosives use unless alternate limits were approved by ADF&G. OEA believes the mitigation in the EIS is adequate to minimize impacts due to pile driving and the use of explosives to anadromous streams and that no new mitigation is required.

Comment

“2. Dissimilar Assignment of Mitigation Measures. We read with great interest Section 19.2, Mitigation Measures, both the voluntary mitigation measures and your recommended final mitigation measures, particularly in the area of essential fish habitat (EFH). The POA Intermodal Expansion Project also has to perform EFH mitigation in and around the Ship Creek estuary. What was striking to us was the severity of the difference between permit conditions that could be mandated on an Alaska Railroad construction permit, and those that have been levied on the POA for similar situations. Of particular concern is that as a part of our 404 permit, we are required to maintain a mitigation escrow account in order to fund projects that will compensate for projected losses of EFH in the Ship Creek area. That account was set at \$8.6 million. Ironically, two of the projects to be funded through this account will be Cook Inlet beluga whale prey species EFH in the Mat-Su Borough. It is troubling that none of the recommended mitigation measures in this draft EIS require anything similar for the rail extension project. We believe this matter should be closely re-examined with an eye towards leveling the playing field and recommending a similar mitigation escrow account be established as a part of this project’s permit conditions.” (66-6)

Response

First, the mitigation measures presented in the Draft EIS do not include recommended conservation measures from the NMFS because comments on the EFH assessment were not available to OEA when the Draft EIS was published. The NMFS’s standard procedure for EFH review is to review the Draft EIS and then provide comments as part of the NEPA comment process.

Second, according to the Port of Anchorage’s comment, the mitigation requirements mentioned resulted from the section 404 process with the USACE. The NMFS likely provided input to the USACE during this permit process, as the USACE is required to consult with the NMFS prior to issuing a permit. ARRC has not completed the section 404 permit process, but when the section 404 Public Notice is published, the NMFS will be able to comment and suggest recommended conservation measures regarding EFH, and the USACE can make these measures binding as a condition of the section 404 permit if they choose to do so.

Third, OEA did consult with the NMFS on EFH and Endangered Species Act issues (for the beluga whale) early in the NEPA process. An EFH assessment report and BA were submitted to the NMFS for their review. OEA received comments from the NMFS on the Draft EIS on May 10, 2010, and they have stated that they would provide more input after a preferred alternative is chosen. OEA would evaluate the NMFS’s recommended conservation measures at that time. The Applicant consulted with the NMFS under section 7 of the Endangered Species Act to discuss potential impacts to the Cook Inlet beluga whale that could result from the construction and operation of the proposed rail line. The NMFS requested a BA to analyze the potential indirect impacts from the proposed project, and specifically requested an analysis of the potential effects of the rail line on salmon and salmon habitat (forage fish/habitat) that the beluga whale relies on as a food source. Because all salmon-bearing streams would be crossed with fish passable bridges and culverts per NMFS and state design standards, the NMFS concurred with OEA that the proposed project “may affect, but is not likely to adversely affect” the Cook Inlet

beluga whale or its designated Critical Habitat. The NMFS's concurrence with OEA is considered the official position and concludes OEA's and the NMFS's obligation under section 7 of the Endangered Species Act. A complete administrative record of the consultation is on file at the NMFS's Juneau office. In addition, OEA has a correspondence from NMFS dated March 9, 2010 stating their concurrence with OEA (see Appendix A). It also should be noted that any construction or expansion activities conducted by Port MacKenzie would be considered a separate action from the proposed rail line. Port MacKenzie would be required to conduct their own section 7 consultation with the NMFS regarding threatened and endangered species, including the Cook Inlet beluga whale.

Comment

“Measure 23 and 25: Because these two measures effectively cover the same issue, ARRC suggests combining them. Furthermore, ARRC is concerned that the measures do not adequately define the term ‘highly sensitive habitat areas’. The definitions employed by the federal and state agencies listed in the mitigation measures are overly broad and impracticable for use in developing mitigation measures on a project like this one. ARRC accordingly recommends that SEA either develop a more project-specific definition of ‘highly sensitive habitat areas’ or remove this mitigation measure.” (159-9)

Response

OEA has reviewed mitigation measures 23 and 25 from the Draft EIS and agrees with the commenter that the measures could be combined, which they have been in this Final EIS as mitigation measure 23. Mitigation measure 23 was also edited to eliminate overlap with the provisions of other mitigation measures, such as VM-3.

Comment

“Measure 29: Generally speaking, invasive plants are common throughout the project setting, and the existing ecosystem in the area tends to be more robust than arctic environment. The operation of the railroad through the project setting will not likely have any significant effect upon the further propagation of invasive plant species. ARRC therefore strongly recommends the removal of the first bullet in mitigation measure number 29.” (159-10)

Response

Table 5.2-3 and Figures 5.2-2 through 5.2-4 in the EIS provide information on the location of known weed sites in the study area. As shown, the density of weed sites varies within the study area and weed sites have not been identified near all of the segments. Thus, OEA believes that the development of a nonnative and invasive species management plan is appropriate. In this Final EIS, OEA has revised mitigation measure 29 to clarify that the first bullet is specific to actions that would be undertaken as part of construction rather than operation of the rail line.

Comment

“Measure 33: There is presently in place a MOU with ADF&G specifically pertaining to the cataloging of moose strikes, as well as the implementation of maintenance, design, and

operational measures to reduce moose mortality resulting from train collisions. This program has been successful in significantly reducing train-moose collisions over the last 20 years. Mitigation measure 33 significantly changes the existing agreement, and would result in significant operating and maintenance changes for this single segment of the railroad. Though it recognizes that they are offered as suggestions, ARRC strongly recommends deleting all but the final bullet.” (159-11)

Response

The bullets list actions that could be part of the strategy. OEA deleted the bullet regarding not seeding after July 15th.

Comment

“Measure 38: The subject of Alaska Statute 38.05.127 requires permitting from ADNR, and will be addressed in negotiations with that agency. ARRC thus recommends deletion of the second bullet.” (159-12)

Response

The mitigation provision mentioned by the commenter is one of many mitigation provisions that reference a Federal or state regulatory or permitting requirement. OEA believes that mitigation measure 38 is appropriate as originally written; a revised version of it has been included in this Final EIS due to potential project-related impacts to navigation.

Comment

“Page 19-10/Paragraph 2/number 25 – As described in the soil section of the Draft EIS, permafrost is rare, if not non-existent in the project area – suggest removing any permafrost related references and/or conditions.” (159-99)

“Page 19-7/Paragraph 2/number 9 – As described in the soil section of the Draft EIS permafrost is rare if not non-existent in the project area – suggest removing any permafrost related references and/or conditions.” (159-105)

Response

As indicated in Chapter 3 of the EIS, permafrost is present, though uncommon in the study area, and may not be in the vicinity of the proposed rail line. Accordingly, in this Final EIS, OEA has eliminated the specific measures related to permafrost from mitigation measure 9 in the Draft EIS and has included a revised version of the measure as mitigation measure 9 in this Final EIS. Mitigation measures 23 and 25 from the Draft EIS have been combined and revised and are included in this Final EIS as mitigation measure 23.

Comment

“Page 19-10/Paragraph 1/number 24 – This is not possible in locations where the project crosses streams and rivers, where crossing/drainage structures and appurtenances must be installed.

Suggest replacing with, ‘Applicant shall disturb the smallest area practicable and minimize clearing within 100 feet of any water bodies or wetlands.’” (159-100)

Response

OEA has reviewed mitigation measure 24 from the Draft EIS and concluded that it is duplicative of the broader mitigation measure 27 from the Draft EIS. This Final EIS includes mitigation measure 27, but deletes mitigation measure 24 from the Draft EIS.

Comment

“Page 19-12/Paragraph 6/number 33, Bullet 4 – This BMP contradicts with other revegetation BMP’s. It may be necessary to reseed areas to prevent erosion and sedimentation – a timing window for reseeding complicates that process. Suggest deleting this condition.” (159-101)

Response

OEA believes that other mitigation measures, including mitigation measure 27, should be adequate for minimizing vegetation that would be attractive to moose, so OEA has deleted the applicable component (“condition”) from mitigation measure 33, as suggested by the commenter.

Comment

“Chapter 19, Mitigation. Following from the above, CIRI recommends the following mitigation requirements in the final EIS. a. Cultural Resources. Efforts will be made to improve consultation with CIRI on cultural resource matters. b. Land Use. In the event that the Surface Transportation Board authorizes use of the Mac East alignment the Alaska Railroad Corporation will be required to initiate and continue ongoing consultation with CIRI in an effort to minimize economic impacts to the CIRI Tract, with full consideration to be given to realignment of the route to the west, to the extent that physical circumstances associated with the land allow the realignment.” (69-7)

Response

As mentioned in Appendix B of the Draft EIS, CIRI had been contacted on February 12, 2008, August 15, 2008, and February 5, 2009, but OEA did not receive a response prior to publication of the Draft EIS. OEA also met with CIRI on October 19 and 21, 2010. Since publication of the Draft EIS, CIRI also has been added as an invited signatory on the PA. Considering CIRI’s input on the Mac East Segment, input from agricultural land owners adjacent to the Mac East Segment, and potential impacts in general, the Applicant proposed, and OEA decided to analyze, a variant of the Mac East Segment in this Final EIS. The Mac East Variant would cross less CIRI property than the Mac East Segment and would cross the property to the west of where it would be crossed by the Mac East Segment. As a result, OEA believes that the objectives of the additional mitigation measures requested by the commenter have been achieved without adding the requested measures to Chapter 19 of this Final EIS.

Comment

“19.2.2.2 OEA’s Preliminary Mitigation Measures 17). During final design of the project, the Applicant shall conduct all siting, design, and development of the rail line and associated facilities according to the reasonable requirements within the jurisdiction of the Alaska Department of Natural Resources and the Alaska Department of Fish and Game. Please define ‘reasonable requirements’ and how disagreements between the ADNR/ADFG and the applicant on these requirements will be resolved?” (65-16)

“19.2.8.2 OEA’s Preliminary Mitigation Measures 38). In coordination with the Alaska Department of Natural Resources (ADNR), the Applicant shall ensure that project-related bridges and culverts placed on navigable or public waters, as determined by the ADNR, are designed and installed to accommodate:...Navigation by recreational boat users in a manner that shall not impede existing uses, to the extent practicable, and...Public access and use of the statutory easements as established by the reasonable requirements of Alaska Statute 38.05.127, Access to Navigable or Public Water. Who determines what is ‘practicable’ and the ‘reasonable requirements’ of a statute? This could actually not be a mitigation measure, since the ARRC could find that it’s not ‘practicable’ and the statute is ‘unreasonable’. How will disagreements between ADNR and the applicant on the use of this mitigation measure be resolved?” (65-23)

“The words ‘practicable’ and ‘reasonable requirements’ are used throughout the document. Neither of these words are defined in the glossary. No where is it addressed that the land manager needs to concur on what the ARRC considers to be practicable and reasonable or in some cases be informed that they have made this decision. Additionally, both practicable and reasonable are heavily used in the mitigation measures, making it difficult to determine what exactly the ARRC is proposing for mitigation. What role does the landowner have in the decision making process to determine what is practicable and reasonable? For example, mitigation measure 19.2.8.2(38) states: ‘Public access and use of the statutory easements as established by the reasonable requirements of Alaska Statute 38.05.127...’. What does the ARRC consider to be the reasonable requirements of a statute? Authorizations issued by the state are subject to valid existing rights. The project description provided by the ARRC appears to indicate that they would like to vacate all valid existing rights or at least control them. Please note that an EIS does not provide the legal authority to accomplish this type of restriction.” (65-5)

“Mitigation measure SEA-17: Amend to remove the word ‘reasonable’.” (65-57)

Response

As explained in Chapter 1 of this Final EIS, the Board’s jurisdiction over transportation by rail carriers is exclusive to ensure that interstate commerce is not unreasonably restricted by other requirements. If an agency and the Applicant are unable to agree on what are reasonable requirements as part of permitting or consultations required by any mitigation measures imposed by the Board, either party may request that the Board address the matter.

Comment

“40) The Applicant shall consult with the appropriate management agencies, including the Alaska Department of Natural Resources and the Alaska Department of Fish and Game to ensure that project-related bridges and culverts are designed, constructed, and maintained to accommodate travel by winter modes of transportation (snow machine, dog sled, etc.) on streams and rivers used for recreational access, as determined under mitigation measure 38. How will it be determined under mitigation measure 38? Winter access on a water body is not confined to a 38.05.127 easement. Is the ARRC just referring to water determined navigable and not the bulleted items? Also, the ADFG is included as an agency under mitigation measure 40, but not 38. Please explain what the ARRC envisions the role of ADFG to be in regards to this measure.” (65-25)

Response

OEA has included a revised version of mitigation measure 40 in this Final EIS to avoid a cross-reference to mitigation measure 38. OEA did not include ADF&G in mitigation measure 38 in this Final EIS because it is OEA’s understanding that ADNR is responsible for State of Alaska determinations of navigability and access to navigable and public waters.

Comment

“There is one special request that we would like you to consider. That is to require the Alaska Railroad to salvage all trees in the right-of-way of whatever route is selected. There is a great need for firewood by residents in the area. Trees in excess of three inches in diameter should be salvaged and transported to staging areas where individuals could collect them.” (13-3)

Response

Mitigation measure 42 (revised since the Draft EIS) would require that the Applicant consult with ADNR Division of Forestry and that timber removed from the ROW would be handled in accordance with the Forest Resources and Practices Act and Susitna Forestry Guidelines.

Comment

“41) The applicant shall consult with resource management agencies including the Alaska Department of Natural Resources, the Alaska Department of Fish and Game, and appropriate trail user groups regarding provision, access, and design of crossings for trail easements that intersect with the rail line. Consultation shall include concerns related to general dispersed-use access, informal public trails on state land, blazed section lines, and long stretches of rail line without designated public crossings. A blazed section line could be a developed legal easement. Why is the ARRC consulting about general dispersed-use access, informal public trails on state land and long stretches of rail line without designated public crossings, since these are defined as ‘unofficial trails’ that will not have crossings? Is this mitigation since the EIS states no legal crossings will be constructed?” (65-26)

Response

In this Final EIS, OEA has revised mitigation measure 41 to remove the mention of blazed section lines. The Applicant's proposed action includes grade-separated crossings for officially recognized trails but that does not mean that grade-separated crossings could not be constructed at other locations. Mitigation measure 41 appropriately provides for consultation to address both the specific crossing designs and the potential additional grade-separated crossings.

Comment

"Mitigation measure VM-42: Amend." (65-112)

Response

The commenter did not provide a recommended change, so the measure has not been amended.

Comment

"Mitigation measure SEA-41: Revise to read: The Applicant shall consult with resource management agencies including the Alaska Department of Natural Resources and the Alaska Department of Fish and Game, and appropriate trail user groups, to develop and implement measures regarding provision, access and design of crossings for trail easements trails that intersect with the rail line. Consultation shall include concerns related to general dispersed use access, informal public trails on state land, blazed section lines, section line easements, and long stretches of rail line without designated public crossings." (65-119)

Response

OEA has revised mitigation measure 41 to meet the intent of this comment. The measure now requires the Applicant to provide trail crossings, including trail crossings that are part of the Applicant's proposed action (for officially recognized trails), such that the average distance between crossings over the length of the proposed rail line is not greater than 3 miles.

Comment

"Mitigation measure SEA-46: Change to: If the Surface Transportation Board authorizes the Mac West Segment, the Applicant shall consult with the ADF&G and DNR to develop and implement mitigation measures to address impacts to the Susitna Flats State Game Refuge. Mitigation measures will include, but not be limited to, compensatory mitigation and public access to the refuge." (65-124)

Response

OEA has added ADNR to the mitigation measure. The measure already addresses compensation.

Comment

“48) If the Surface Transportation Board authorizes the Willow Segment, the Applicant shall consult with the Alaska Department of Fish and Game and the Alaska Department of Natural Resources to develop and implement measures, including consideration of the replacing acreage used for rail right-of-way, to minimize impacts to the Nancy Lake State Recreation Area, Little Susitna State Recreation River, and Willow Creek Recreation Area to the extent practicable. Is the railroad swapping their land or paying for new land to replace acreage? Otherwise, this is not necessarily a mitigation measure.” (65-27)

Response

In this Final EIS, OEA has included a revised version of mitigation measure 48.

Comment

“Mitigation measure SEA-49: Amend to include ADF&G.” (65-127)

Response

In this Final EIS, OEA has included a revised version of mitigation measure 49.

Comment

“Measure 51: ARRC has been coordinating with the military concerning the possibility of unexploded ordinance UXO within the project area. There have been long standing negotiations between ADEC and the military regarding additional sweeping of the Point MacKenzie area. Existing ARRC training and procedures have been developed in conjunction with the military and include procedures prior to construction as well as the discovery of UXO’s during construction. These measures, which are presently in use at Port MacKenzie, and have been used on similar projects on Elmendorf Air Force Base, would substantially fulfill the requirements of mitigation measure number 51. Requiring ARRC to perform work presently planned by the military will weaken ADEC’s negotiations with the military, and will likely result in the ARRC being burdened with the military’s UXO responsibilities. Given the success of ARRC’s existing program, and the potential for adversely affecting significant, yet unrelated negotiations between ADEC and the military, ARRC strongly recommends this mitigation measure be deleted in its entirety.” (159-13)

Response

OEA has reviewed mitigation measures 43, 50, and 51 from the Draft EIS and, in light of the comment, has revised mitigation measure 43 to incorporate coordination with the military to ensure worker safety and proper handling of unexploded ordnance if any are identified during project-related design and construction activities. Due to the revisions made to mitigation measure 43, OEA believes that mitigation measure 51 is no longer necessary and has deleted it from this Final EIS.

Comment

“Page 19-18/Paragraph 11/number 40 – Should refer to mitigation measure 39, not 38.” (159-102)

Response

The reference to mitigation measure 38 in mitigation measure 40 is correct, but OEA agrees with other commenters that the specific provisions incorporated by the reference are not clear. Thus, in this Final EIS, OEA has revised mitigation measure 40 to clarify the identity of streams and rivers for which winter recreational access would be provided.