

**APPENDIX A**  
**AGENCY CONSULTATION**



## A. AGENCY CONSULTATION

This appendix contains a selection of the Office of Environmental Analysis's (OEA's) written correspondence with Federal, state, and local agencies. The first letter, sent to the Bureau of Land Management on February 12, 2008, is representative of 22 others sent to 11 other agencies requesting input to the scoping process and comments on the draft scope. The letter sent to the Alaska Department of Natural Resources, State Historic Preservation Officer on March 23, 2009 is a sample letter that is representative of 6 others sent to one other agency and one tribal entity regarding the Section 106 Consultation meeting.

Table A-1 lists all of the agencies with which OEA has corresponded. Copies of correspondence between OEA and the agencies on the dates listed in Table A-1 are included.

<b>Table A-1</b>	
<b>Agencies Consulted and Dates of Correspondence</b>	
<b>Agency</b>	<b>Dates of Correspondence</b>
<b>Federal Agencies</b>	
Advisory Council on Historic Preservation	8/2/10; 8/23/10
Bureau of Land Management	2/12/08
Commander of Seventeenth Coast Guard District (oan-3)	2/12/08
National Marine Fisheries Service	3/21/08; 1/30/09; 3/4/09, 11/25/09; 3/9/10
National Marine Fisheries Service, Protected Resources Division and Habitat Conservation Division	2/12/08
U.S. Army Corps of Engineers	2/12/08
U.S. EPA-Alaska Operations Office	2/12/08
U.S. Fish and Wildlife Service	2/12/08; 4/16/08; 2/4/09; 2/6/09; 3/9/09
<b>State Agencies</b>	
Alaska Department of Environmental Conservation	2/12/08
Alaska Department of Fish and Game	2/12/08; 11/30/10
Alaska Department of Natural Resources, Alaska Coastal Management Program	2/12/08; 8/12/09; 2/16/10
Alaska Department of Natural Resources, Division of Mining, Land and Water	2/12/08; 12/3/10
Alaska Department of Natural Resources, Division of Parks	2/12/08
Alaska Department of Natural Resources, Office of Habitat Management and Permitting	2/12/08
Alaska Department of Natural Resources, Office of Project Management and Permitting	2/12/08; 3/21/08; 11/9/09; 12/31/09
Alaska Department of Natural Resources, State Historic Preservation Officer	2/12/08; 6/19/08; 7/23/08; 2/5/09; 3/23/09; 4/13/09; 5/15/09; 6/5/09; 8/2/10; 8/2/10
Alaska Department of Transportation & Public Facilities	2/12/08
Alaska Knik Arm Bridge and Toll Authority	2/12/08
<b>Local Agencies</b>	
Matanuska-Susitna Borough, Borough Manager	12/16/08

**Table A-1 (continued)**  
**Agencies Consulted and Dates of Correspondence**

<b>Agency</b>	<b>Dates of Correspondence</b>
Matanuska-Susitna Borough, Community Development Department	2/12/08; 11/9/09; 2/1/10
Matanuska-Susitna Borough, Historic Commission	2/5/09
Matanuska-Susitna Borough, Planning and Land Use Department, Planning Division	11/18/08



**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Economics, Environmental Analysis and Administration*

August 2, 2010

Charlene Dwin Vaughn, AICP  
Assistant Director, Office of Federal Agency Programs  
Federal Permitting, Licensing and Assistance Section  
Advisory Council on Historic Preservation  
1100 Pennsylvania Avenue NW, Suite 809  
Washington, D.C. 20004

Re: Finance Docket No. 35090, The Alaska Railroad Corporation – Petition for Exemption to Construct and Operate a Rail Line to Port MacKenzie, Alaska:  
**Invitation to Participate in the Undertaking, Review and Comment on a Draft Programmatic Agreement**

Dear Ms. Vaughn:

The Surface Transportation Board (Board), acting as the lead Federal agency, invites the Advisory Council on Historic Preservation (ACHP) to join in consultations with the Board, Alaska Railroad Corporation (ARRC) and the Alaska State Historic Preservation Officer (SHPO) regarding mitigation or minimization of possible adverse effects resulting from the proposed Port MacKenzie Rail Extension (proposed rail line or undertaking). The Federal Railroad Administration and a number of Native Alaskan tribes and tribal organizations have also been invited to participate.

**Description of the Undertaking**

The STB is evaluating a petition from ARRC, pursuant to 49 U.S.C. § 10502, requesting authority to construct and operate a new rail line from Matanuska-Susitna Borough's Port MacKenzie to connect with the existing ARRC rail system between Wasilla and north of Willow Alaska. On March 16, 2010, the Board's Section of Environmental Analysis (SEA) issued a Draft Environmental Impact Statement (Draft EIS) under the National Environmental Policy Act (NEPA) to evaluate potential impacts associated with the undertaking. The Draft EIS considers the potential impacts of a number of alternative routes for the proposed rail line. SEA is currently reviewing public comments on the Draft EIS. A vicinity map illustrating the location of the undertaking is provided in Exhibit 1.

A Board decision on whether to issue the license to construct and operate the proposed rail line meets the definition of an "undertaking" under the National Historic Preservation Act

(NHPA). SEA has initiated the consultation process, pursuant to Section 800.14(b) of the regulations (36 C.F.R. Part 800) implementing Section 106 of the NHPA (16 U.S.C. § 470f), and the draft Programmatic Agreement (PA), which is attached as Exhibit 2. SEA sent a copy of the draft PA to the Alaska SHPO on March 16, 2010; however, we have not received comments on the document to date.

The Area of Potential Effects (APE), described in more detail in the draft PA, includes the 200-foot-wide right-of-way, areas where the ground would be disturbed by construction and additional areas that could contain properties sensitive to audible and visual effects.

### **Steps Taken to Identify Historic Properties**

On March 8, 2008, SEA met with the SHPO to discuss a methodology for assessing potential effects to cultural resources caused by the proposed undertaking. On June 19, 2008, SEA submitted a work plan for identifying and evaluating historic properties within the APE. The work plan used a combination of desktop predictive modeling and on-the-ground testing to evaluate cultural resources within the APE, and the work plan is included in the draft PA (see Attachment C of Exhibit 2). SEA intends to have additional consultation with the Alaska SHPO and Tribes to discuss the draft PA and other cultural resources concerns and we would like to invite you to participate in that consultation.

SEA performed an initial literature review and consulted the Alaska Heritage Resources Survey database and other databases to identify known cultural resources in the study area. A review of scoping documents indicated the prominence of snow machine and all-terrain-vehicle use, which combines the trails' historic dog sledding and skiing uses with modern recreational use.

A cultural resources field survey by SEA in 2008 was limited to areas within the proposed 200-foot ROW, where direct effects to cultural resources would be most likely to occur. SEA developed a probability model for guiding cultural resource surveys along the various rail line alternatives using available Geographic Information System data inputs (e.g., previously documented cultural resource locations, historic trails, waterways, and Dena'ina place names) to generate maps identifying areas of low, moderate, and high probability for cultural resources. SEA used this probability model and information from the field survey to identify potential impacts to cultural and historic resources. Areas with a greater likelihood of having cultural resources nearby include banks along streams, lakes, and other waterways; ridges and other promontories; other known sites and Dena'ina place names; and trails. Wetland areas are considered to have the lowest potential to have cultural resources. SEA selected a sample of the total number of miles of the proposed alternatives for the cultural resources survey.

A three-person survey crew performed the SEA field surveys. Crew members were spaced 20 meters (about 65 feet) apart and used handheld Global Positioning System units to guide them along transect routes following or paralleling the centerline of the ROW. The areas surveyed included all probability levels (low, moderate, and high) along the ROW to focus on high- and medium-probability levels and include a sampling of low-probability areas. The field

crew surveyed 25.5 of the 115 miles of proposed alternatives. The SHPO reviewed the field research design before the survey.

### Description of Potentially Affected Historic Properties

We have enclosed a copy of the cultural resources survey reports that were completed in 2008 and 2009 for this undertaking (see Exhibits 3 and 4, respectively), which describe the potential historic properties identified as a result of the work plan and survey efforts. In addition, we have enclosed relevant sections of the Draft EIS (Exhibit 5, Draft EIS Appendix I and Exhibit 6, Draft EIS Chapter 6) which describe the potential historic properties identified within the APE and the larger study area. The attached information is summarized as follows:

There are 56 known prehistoric sites within 1 mile of the ROW, 29 of which were discovered during SEA's field surveys in September and October 2008. Most of the sites consist of what are called cache pits, which were used for storage, processing, or freezing foods; and large semi-subterranean house pits, called *nichil* in Dena'ina, used for permanent or winter homes. A determination of eligibility for inclusion in the *National Register* has not been conducted for any of the prehistoric sites. For more detailed descriptions of these prehistoric sites, see Exhibit 5, Draft EIS Appendix I.

Alaska Heritage Resources Survey Sites in the Study Area			
	Prehistoric	Historic	Total
Previously Documented Alaska Heritage Resources Survey Sites <sup>a</sup>	27	15	42
2008 Port MacKenzie Rail Extension Survey Documented Alaska Heritage Resource Sites	29	7	36
Totals	56	22	78

<sup>a</sup> Source: Draft EIS, 2010.

There are 22 historic sites within 1 mile of the proposed ROW. Most of the historic sites consist of historic structures, including bridges, roadhouses, cabins, and railroad stations. Seven of the historic sites listed were discovered during SEA's surveys for the proposed rail line. These sites include two cabins, one shooting blind, and three trails. A determination of eligibility for inclusion in the *National Register* has not been made for any of the historic sites, except for a 1917 Alaska Railroad Corporation (ARRC) bridge at Mile Post 180.8 (determined not eligible) and 1917 ARRC bridge at Mile Post 187.7 (determined eligible). For more detailed descriptions of these historic sites, see Exhibit 5, Draft EIS Appendix I.

In addition, SEA considered dog sledding associated with the Iditarod National Historic Trail and Iditarod Race to be a cultural landscape assumed eligible for inclusion in the *National Register*. The boundary for contributing resources to the dog sledding landscape extends beyond the study area and would include the remainder of the Iditarod National Historic Trail and other trails, kennels, and locations associated with the landscape's periods of significance. A preliminary boundary for this landscape in the study area includes the trail network (including the historic trail and race) associated with the 1898 to 1925 and 1967 to 1978 periods of significance and the buildings, kennels, and locations that contribute to the significance of these

periods, including the Aurora Dog Musers Club, Knik Kennels, and Knik Museum and Dog Musers Hall of Fame. For additional context and maps of this cultural landscape, see Exhibit 6, Draft EIS Chapter 6.

### **Description of Potential Effects**

SEA has prepared a draft PA for this undertaking because the nature and extent of potential impacts are not completely known at this time. The nature and extent of potential impacts depend on the alternative that ARRC receives the authority to construct and operate (if any), additional field survey to identify the extent of certain eligible properties, ability of ARRC to adjust track centerline to minimize or avoid impacts to eligible properties, and other final design considerations. However, the undertaking has the potential to affect historic properties as follows:

- Archaeological sites in the rail line ROW could be inadvertently or purposefully destroyed through surface and subsurface disturbances, primarily during construction. Therefore, these sites would lose their eligibility for listing in the National Register. Such disturbances would include soil removal or other operations that could cause erosion or contamination and could destroy the context of the archaeological site and its overall integrity. The numerous salmon streams in the area are host to archaeological sites in and adjacent to the streambeds. Proposed rail crossings of these streams, and changes in stream flow, could affect those archaeological sites.
- Cabins and other structures, and historic sites within the ROW would be disturbed or destroyed. Historic and potentially historic trails would be blocked in the case of unofficial trails. Officially recognized trails would be grade-separated or relocated, facilitating free passage; however, the integrity of any historic trails would still be adversely affected through the introduction of auditory and visual effects. Historic properties within 1 mile of the ROW could be adversely affected and lose their context and integrity through visual and audible effects. The sight of a railroad in the viewscape would be an adverse effect, as would the noise of passing trains, and construction and support vehicles. Trail blockage of officially recognized and unofficial trails could occur during construction, and unofficial trails would be blocked during rail line operation. Depending on the timing of construction activities and/or locations of installed crossings, some trail routes could be altered. Changes to dog sled, snow machine, and all-terrain vehicle routes could cause the loss of access to or use of the trails and associated historic landscapes and properties. All of the alternatives cross the Iditarod National Historic Trail, thereby increasing the visual and auditory effects on the historic integrity of the trail and its ancillary network.
- The dog sledding cultural landscape would be adversely affected to varying degrees through loss of visual integrity, cultural privacy, potential loss of or changes to access, and changes to traditional or culturally significant use of and connection to the property. It is likely that the proposed rail line would affect the dog sledding cultural landscape, because noise and visual effects would reduce the quality of this landscape for users. Officially recognized trails would be grade-separated, thereby reducing impediments to

free passage. However, the integrity of any historic trails would still be adversely affected through the introduction of auditory and visual effects, and access across the study area by dog sledders who travel across unofficial trails that are contributing resources to the dog sledding landscape would be impeded. Furthermore, contributing trails (e.g., Corral Hill Trail) that would not be crossed could be adversely affected by the proposed rail line if the rail line blocks non-contributing trails (e.g., parts of the West Gateway Trail System) that are used to access the contributing trail.

The table below summarizes the effects of the undertaking on historic properties for each alternative, and detail is provided in Exhibit 6, Draft EIS Chapter 6.

<b>Summary of Impacts to Potential Historic Properties by Alternative</b>					
<b>Alternative</b>	<b>Historic Trails Intersected by Right-of-Way</b>	<b>Known Cultural Resources within the 200-Foot Right-of-Way</b>	<b>Additional Known Cultural Resources within Project Area<sup>a</sup></b>	<b>Known Dog Sledding Contributing Resource Trails Intersected by Right-of-Way<sup>b</sup></b>	<b>Total</b>
Mac East-Connector 3-Willow	4	17	23	7	51
Mac West-Connector 1-Willow	4	13	18	11	46
Mac East-Big Lake	2	10	23	4	39
Mac West-Connector 2-Big Lake	2	6	19	9	36
Mac East-Connector 3-Houston-Houston North	2	4	17	3	26
Mac East-Connector 3-Houston-Houston South	2	5	14	3	24
Mac West-Connector 1-Houston-Houston North	2	0	12	8	22
Mac West-Connector 1-Houston-Houston South	2	1	9	8	20

<sup>a</sup> Outside the 200-Foot ROW but within 1 mile of the centerline. One mile equals the maximum extent for indirect auditory and direct visual effects.

<sup>b</sup> Number may include historic trails identified under "Historic Trails Intersected by Right-of-Way" column

Source: Draft EIS, 2010.

### **Conditions or Future Actions to Avoid, Minimize or Mitigate adverse effects**

SEA prepared a draft PA for this undertaking because the nature and extent of potential impacts, and the conditions or actions to avoid, minimize or mitigate adverse effects on historic properties are not completely known at this time.

Officially recognized trails would be grade-separated or relocated, facilitating free passage; however, the integrity of any historic trails would still be adversely affected through the introduction of auditory and visual effects. It is also likely that the proposed rail line would

affect the dog sledding cultural landscape, because noise and visual effects would reduce the quality of this landscape for users. Any mitigation for the effects on the historic trails and dog sledding cultural landscape would be developed through the PA.

### **SHPO and Tribal Consultation**

Consultation with Native American tribes in the vicinity of the proposed rail line is ongoing. Consultation was initiated as part of the Board's Government-to-Government Consultation and Coordination Plan (see Exhibit 7, Draft EIS, Appendix B). A total of 10 Federally Recognized Tribes, tribal groups, and Alaska Native Regional Corporations have been contacted as part of the government-to-government consultation and coordination. Several consultation meetings to date regarding Section 106 consultation and cultural resource issues have occurred between SEA, SHPO, Matanuska-Susitna Borough Historic Preservation Commission and Knik Tribal Council. As a result of the consultation meetings with SHPO on March 5, 2008, and February 24, 2009, four potential cultural landscapes of dog sledding, recreation, homesteading, and agriculture have been evaluated for eligibility to the NRHP and potential effects from the proposed rail line on the one eligible landscape, dog sledding, was assessed in the Draft EIS (see Exhibit 6, Draft EIS Chapter 6).

Consultation meetings with the Knik Tribal Council and the Matanuska-Susitna Borough Historic Preservation Commission on February 27, 2009, April 3, 2009, and May 15, 2009 resulted in the identification of the additional potential Dena'ina cultural landscape. The May 15th consultation meeting also resulted in the suggestion to look at the dog sledding and Dena'ina landscapes in the broader theme of a potential transportation landscape in the APE and larger study area. Evaluation of the study area as a transportation landscape is ongoing and its eligibility or ineligibility for listing in the *National Register* will be determined during the Section 106 process through the PA. Additional details on the Tribal Consultation are provided in the draft PA (see Attachment B of Exhibit 2).

In response to the consultation requests, documentation of the potential Dena'ina landscape began in June 2009 with a series of interviews with Dena'ina respondents living near and within the study area. These interviews focused on identifying landscape characteristics that typified historic uses and questions regarding continued use of the study area as part of an ongoing Dena'ina cultural legacy. Landscape characteristics identified during this process included circulation features (e.g., trails and water routes), archaeological sites, land use, and cultural traditions. This documentation as well as evaluation of the integrity of identified Dena'ina landscape characteristics is ongoing. If the Dena'ina cultural landscape is determined eligible, potential effects would be analyzed and mitigated through the Section 106 process and PA mechanism.

On July 23, 2008, the Alaska SHPO acknowledged receipt and acceptance of the *Cultural Resources Work Plan* (See Attachment C of Exhibit 2 for the work plan), and provided comments on the APE for direct and indirect effects and the extent of the study area. SHPO also noted that the variables of the predictive model appear reasonable, provided an outline for the methodology for completing Section 106 consultation, and asked that mitigation for the Iditarod National Historic Trail be incorporated into the PA (see Exhibit 8).

On February 5, 2009, the STB sent a letter to all of the Tribes and Alaska native organizations notifying them of the initiation of the Section 106 consultation process, asking them for assistance in identifying cultural resources in the project area, and asking if they were interested in participating as a consulting party to the draft PA. Consultation completed with specific Tribes and Alaska native organizations included:

- August 20, 2008, **Knikatnu, Inc.** requested a meeting with the STB and cooperating agencies at a tribal facility and indicated they want to continue to receive project information by mail and participate in the public involvement process. A follow-up phone call was made on December 9, 2008, and while an immediate meeting was not necessary, the request was made that the Knikatnu, Inc. be informed if the Houston route is selected. The Knikatnu, Inc. would like to receive project information by mail and participate in the public involvement process, and may request a meeting with the STB later.
- September 3, 2008, **Native Village of Tyonek** indicated they want to continue to receive project information by mail and participate in the public involvement process.
- April 1, 2009, **Eklutna, Inc.** indicated they have no interest in the project and further consultation is not required.
- February 27, 2009, a consultation meeting was held with the **Knik Tribal Council** and the **Matanuska-Susitna Borough (MSB) Historical Commission** with STB's consultant archaeologist. The majority of the meeting focused on Knik Tribal Council's desire to have the discussion of Dena'ina be broadened to a cultural landscape level and focus on not only prehistoric and ethnographic resources, but also the contemporary cultural practices of the Dena'ina and how these practices reflect their past as well as show the Dena'ina as a living part of the landscape today. The MSB Historical Commission representatives agreed with the Knik Tribal Council's concerns regarding Dena'ina cultural resource documentation and that the Dena'ina review should be expanded to a broader cultural landscape discussion.
- November 13, 2009, follow-up phone calls were made to all Tribes and Alaska native organizations to confirm their role in the PA as a consulting party or to continue to be included in the document circulation and contact lists.
- In a letter dated May 10, 2010, the **Cook Inlet Region, Inc. (CIRI)** indicated that they would like to participate in the PA. CIRI was included in the Attachment A3 of the draft PA, Tribes and Alaska Native Organization Contact List and was included in the Government-to-Government consultation plan. The STB also sent CIRI a copy of the Draft EIS, which contained the draft PA.

We have enclosed a copy of the draft PA for your review and comment if you choose to participate. The draft PA includes a process to complete identification of historic properties and assessment of effect, develop treatment, and monitoring. As previously stated, our office sent a

copy of the draft PA to the Alaska SHPO on March 16, 2010; however, we have not received comments on the document to date.

Thank you for your participation in this project. If you have any questions, please do not hesitate to contact Dave Navecky, SEA's Project Manager, at 202-245-0294, or Alan Summerville, ICF's Project Manager, at 703-934-3616.

Sincerely,



Victoria Rutson  
Chief  
Section of Environmental Analysis

Enclosures:

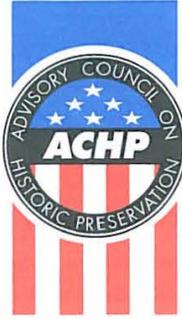
- Exhibit 1: Vicinity map
- Exhibit 2: Draft PA
- Exhibit 3: Cultural Resources Survey Report, 2008
- Exhibit 4: Cultural Resources Survey Report, 2009
- Exhibit 5: Draft EIS, Appendix I
- Exhibit 6: Draft EIS, Chapter 6
- Exhibit 7: Draft EIS, Appendix B
- Exhibit 8: Letter from the Alaska SHPO to SEA, dated July 23, 2008

cc: Judith Bittner, SHPO (w/o enclosures)

Milford Wayne Donaldson  
Chairman

Susan S. Barnes  
Vice Chairman

John M. Fowler  
Executive Director



Preserving America's Heritage

August 23, 2010

Mr. Daniel R. Elliott, III  
Chairman  
Surface Transportation Board  
395 E Street, S.W.  
Washington, D.C. 20423-0001

Dear Mr. Elliott:

In response to a notification by the Surface Transportation Board (STB), the Advisory Council on Historic Preservation (ACHP) will participate in consultation to develop a Programmatic Agreement for the proposed construction of a rail line to Port MacKenzie, Alaska. Our decision to participate in this consultation is based on the *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, contained within our regulations. The criteria are met for this proposed undertaking because the undertaking has the potential to require modification of the Section 106 review process to address the unique aspects of the proposed new rail line.

Section 800.6(a)(1)(iii) of our regulations requires that we notify you, as the head of the agency, of our decision to participate in consultation. By copy of this letter, we are also notifying Victoria Rutson, Federal Preservation Officer for STB, of this decision.

Our participation in this consultation will be handled by Najah Duvall-Gabriel who can be reached at (202) 606-8585 or via e-mail at [ngabriel@achp.gov](mailto:ngabriel@achp.gov). We look forward to working with your agency and other consulting parties to consider alternatives to this undertaking that could avoid, minimize, or mitigate potential adverse effects on historic properties and to reach a Programmatic Agreement.

Sincerely,

John M. Fowler  
Executive Director

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Economics, Environmental Analysis and Administration*

February 12, 2008

Kevin Keeler  
Bureau of Land Management  
6881 Abbott Loop Rd.  
Anchorage, AK 99013

Re: STB Finance Docket No. 35095, The Alaska Railroad Corporation – Petition for Exemption to Construct and Operate a Rail Line Extension to Port MacKenzie, Alaska

Dear Mr. Keeler:

The Alaska Railroad Corporation intends to file a petition with the Surface Transportation Board (Board), pursuant to 49 U.S.C. 10502, requesting authority to construct and operate a new rail line from Matanuska-Susitna Borough's Port MacKenzie in south-central Alaska to the existing Alaska Railroad Corporation rail system. The Board is the Federal agency responsible for granting authority for the construction and operation of the proposed new rail line. The Section of Environmental Analysis (SEA) is the office within the Board responsible for preparing the appropriate National Environmental Policy Act (NEPA) documentation for railroad construction and operation cases that come before the Board.

SEA has issued a Notice of Intent to prepare an Environmental Impact Statement (EIS) for the Port Mackenzie Rail Extension, a draft scope of study, and a notice of scoping meetings (see attachment). The purpose of this letter is to request your input to the scoping process. We appreciate your comments on the draft scope by the close of the scoping comment period on **March 21, 2008**.

The proposed Port MacKenzie Rail Extension would involve the construction and operation of a new rail line connecting the Matanuska-Susitna Borough's Port MacKenzie in south-central Alaska to a point on the Alaska Railroad Corporation main line between Wasilla and north of Willow, Alaska (see attached map). The proposed rail line would provide freight services between the Port and Interior Alaska and would support the Port's continuing development as a intermodal and bulk material resources export and import facility. Major elements of the proposed rail extension would include between 30 and 45 miles of new railroad track; a 200-foot-wide right-of-way; crossings of local roads, streams, trails, and utility corridors;

sidings; and ancillary facilities. The anticipated train traffic would be two trains daily on average, with one train per day traveling in each direction.

Mr. David Navecky is SEA Project Manager for the project. ICF International is serving as the independent third-party consultant to SEA to assist with the NEPA review process. Mr. Alan Summerville is ICF's Project Manager for the project.

Please send your comments to:

**David Navecky**  
**Surface Transportation Board**  
**395 E Street, SW**  
**Washington, DC 20423-0001**  
**Attention: STB Finance Docket No. 35095**

If you have any questions or would like to discuss the project please do not hesitate to contact Dave Navecky at (202) 245-0294 or Alan Summerville at (703) 934-3616.

Sincerely,



Victoria Rutson  
Chief  
Section of Environmental Analysis

Attachments



**UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration**

*National Marine Fisheries Service  
P.O. Box 21668  
Juneau, Alaska 99802-1668*

March 21, 2008

David Navecky  
Surface Transportation Board  
395 E Street, SW  
Washington DC 20423-0001  
ATTN: STB Financial Docket No. 35095

Re: Alaska Railroad Port MacKenzie Rail Line Extension. Request for Scoping Comments.

Dear Mr. Navecky:

The National Marine Fisheries Service offers the following comments on the scoping process for potential impacts of the proposed Port MacKenzie Rail Line Extension on fish populations, habitat, and water quality in the Matanuska-Susitna Valley. Our comments below detail our assessment of (1) areas that need to be studied closely in the analysis of potential impacts and (2) current engineering practices that can be employed to avoid negative impacts on essential fish habitat (EFH).

### **Project Status**

NMFS has reviewed materials distributed by the Alaska Railroad Corporation, the Matanuska-Susitna Borough, and the Surface Transportation Board's Section of Environmental Analysis (SEA). The documentation submitted by the Alaska Railroad Corporation and the Matanuska-Susitna Borough is preliminary in nature and outlines the proposed design, construction, and operation of a rail extension connecting Port MacKenzie to existing rail lines to the north. Several different combinations of routes and connectors are cited, but essentially three potential rail alignments are under review.

Recently, the SEA informed us that the Alaska Railroad Corporation intends to file a petition with the Surface Transportation Board requesting to construct and operate the new rail line in the Matanuska Susitna Borough. The SEA is responsible for preparing the appropriate National Environmental Policy Act (NEPA) documentation for railroad construction and operation. The SEA has thus filed a Notice of Intent to prepare the draft scope of studies and the subsequent Environmental Impact Statement (EIS) that will be used in NEPA proceedings and permitting review under section 404 of the Clean Water Act.

### **Essential Fish Habitat**

Under Section 305(b)(2) of the Magnuson-Stevens Act, federal agencies are required to consult with the Secretary of Commerce on any action that may adversely affect EFH.



ALASKA REGION - [www.fakr.noaa.gov](http://www.fakr.noaa.gov)

EFH has been designated for anadromous salmon and marine species of groundfish and crab under NMFS's jurisdiction. EFH encompasses estuarine, near shore and offshore habitats and substrate to include pelagic, epipelagic, and meso-pelagic waters and the benthos. EFH for salmon fisheries consists of the aquatic habitat, fresh and marine waters, necessary to allow salmon production needed to support a long-term sustainable salmon fishery and salmon contributions to healthy ecosystems.

### **Aquatic Ecosystem Processes**

The Matanuska-Susitna Valley comprises a very diverse and complex series of interconnected aquatic and terrestrial ecosystems. The terrestrial land form and surface and ground waters maintain equilibrium in complex hydro-geomorphic processes. These processes support forest, wetland, riparian zones, and hyporeic functions and interactions that facilitate the filtration and percolation of waters released to streams and rivers. The connectivity of these aquatic and terrestrial ecosystem processes supports the chemical exchange of organic nutrients and detrital material, transport of dissolved oxygen and nitrogen, and regulation of water pH and temperature.

These interactions support microbial, micro and macro fauna and invertebrates consequently supporting larval, juvenile and adult fish populations. The foundation of these complex dynamics is dependent on the connectivity, interaction, and balance of all ecological functions.

### **Study Needs**

Historically, railroad construction and transportation infrastructure has negatively impacted fresh water aquatic ecosystem function and balance, causing habitat and wetland fragmentation and altering surface and ground water regimes. These impacts are well documented to have particularly devastating impacts on anadromous fish populations by eliminating fish passages, limiting accessibility to spawning and rearing habitat, and eventually leading to declines in formerly stable and sustainable salmon populations.

The environmental studies conducted for the EIS's assessment of the impacts of the proposed action need to be adequate in scope, analysis, and detail to support both the NEPA process and the section 404 permitting review. Each study design and execution should define a clear set of objectives that incorporate correlated statistical design, sampling methods, and efforts to achieve the objectives with a predetermined level of precision and accuracy.

Of primary concern to NMFS is the identification and characterization of anadromous fish species and associated habitat in the affected landscape. We are also concerned with the potential impact to all supporting natural ecosystem processes, such as wetland and riparian zones, hydrologic function and in-stream flows, and water quality within the affected tributary reach. Studies conducted to satisfy NEPA and the permitting process should include identification and characterization of each of these processes within the

impact area of the final rail line alignment. Studies conducted to identify and characterize fish species (anadromous and resident) should address seasonal relative abundance at all life stages. The aquatic studies should also identify freshwater invertebrates, vegetation, and associated habitat and substrate composition. Any tributary reach intersected by the rail line should be surveyed both up and down stream of the sited reach. For the purpose of this discussion, a reach is defined as 20 times a channel's average width at the specified site.

The absence of anadromous species in a surveyed stream reach may not represent the true historic range and may be the result of pre-existing fish passage barriers downstream. Therefore, fish passage barriers downstream of the rail line should be identified to ensure that future restoration efforts will not be compromised by new rail line construction.

Each of the potentially affected tributaries should be identified and characterized as primary, secondary, or tertiary tributaries, according to Rosgen stream classification techniques at level I and II. Seasonal hydrology and in-stream flow variability should also be characterized within each defined stream reach of a proposed alignment.

The final rail alignment should be sited to avoid wetlands, streams, and rivers that bear fish populations (especially anadromous fish). Where preliminary surveys have identified potential wetlands, functional assessments and wetland delineations should be conducted to one half mile of either side of the proposed final alignment. In addition, any fresh water tributaries identified as bearing anadromous fish populations should also have functional assessments and wetland delineations conducted to the same distance on either side of the tributary. These surveys should also include riparian characterization and descriptions of cover such as woodland vegetative condition and viability, where wetlands are not present.

### **Avoidance of Negative Impacts**

As part of the EIS, all foreseeable cumulative, direct and indirect impacts need to be presented and discussed. The proposed rail line will necessitate an expansion of the Port MacKenzie facility. Industrial and residential development and expansion will likely follow, as well as connection corridors, associated roads, utilities and secondary development.

With an increased understanding of aquatic ecosystem processes and improvements in engineering technologies used in the development of transportation infrastructure, we suggest that the following design considerations be implemented to avoid disruption of the natural ecosystem functions and associated anadromous fish populations.

Current engineering practices used in the design and construction of stream and river crossings have evolved to avoid negative impacts and maintain natural aquatic biological function and ecosystem connectivity. Elevated bridges, rather than culverts, should be used to span all anadromous tributaries. Bridge design and span must consider the

biological function and hydrology of the entire transected flood plain and account for high-water levels at 50- and 100-year flood events.

Where culverts are the only available option, stream simulation models and methods used in conjunction with open bottom culverts (arched or boxed) allow natural substrate and hyporeic function, thus providing higher levels of interaction between terrestrial and aquatic ecologic process. This design approach supports passage of both juvenile and adult salmonids as well as resident populations of fish and invertebrates. It promotes natural water course, exchange and contribution from woody debris, and naturally occurring detrital and sediment transport and deposition.

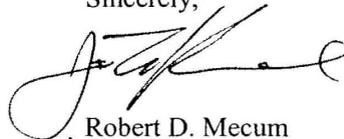
Properly implemented stream simulation methods resist habitat degradation associated with water blockage and restriction, creation of velocity barriers, and scouring during high water events. The use of traditional corrugated pipe culverts should be avoided. These methods irreversibly alter water course, eventually becoming elevated or perched and thus preventing fish passage and degrading natural ecological processes.

Best Management Practices should also be employed on any artificial structure to promote natural hydrology and instream flows. Structures built over naturally occurring waters should conform to the natural stream gradients and alignment of the stream channels, thus reducing scour and eliminating potential velocity barriers.

The Alaska Railroad Corporation has a unique opportunity to set an example by constructing a rail line that considers the sensitive nature, relationship, and connectivity of these ecosystem processes. The incorporation of an ecosystem system approach would support healthy and sustainable salmon populations in the Matanuska-Susitna Valley.

We look forward to working with you to address the issues discussed above to minimize the effects of this project on living marine resources, including EFH. If you have any questions regarding our recommendations for this project, please contact Doug Limpinsel at 907-271-6379 or [Doug.Limpinsel@noaa.gov](mailto:Doug.Limpinsel@noaa.gov).

Sincerely,



Robert D. Mecum  
FR Acting Administrator, Alaska Region

cc:

Dave Navecky (STB) – [naveckyd@stb.dot.gov](mailto:naveckyd@stb.dot.gov)

Mike Nagy (ENTRIX) - [mnagy@entrix.com](mailto:mnagy@entrix.com)

Lynn Noel (ENTRIX) – [lnoel@entrix.com](mailto:lnoel@entrix.com)

Brian Lindamood (ARRC) - [lindamoodb@akrr.com](mailto:lindamoodb@akrr.com)  
Matt LaCroix (EPA) - [LaCroix.Matthew@epa.gov](mailto:LaCroix.Matthew@epa.gov)  
Skip Joy (COE) - [Irvin.T.Joy@poa02.usace.army.mil](mailto:Irvin.T.Joy@poa02.usace.army.mil)  
Serena Sweet (COE) - [serena.e.sweet@usace.army.mil](mailto:serena.e.sweet@usace.army.mil)  
Maureen deZeuw (FWS) - [Maureen\\_deZeeuw@fws.gov](mailto:Maureen_deZeeuw@fws.gov)  
Phil Brna (FWS) - [phil\\_brna@fws.gov](mailto:phil_brna@fws.gov)  
Mark Fink (DFG) - [mark.fink@alaska.gov](mailto:mark.fink@alaska.gov)  
Kim Klein (DFG) - [kim.klein@alaska.gov](mailto:kim.klein@alaska.gov)  
Don Perrin (DNR) - [donald.perrin@alaska.gov](mailto:donald.perrin@alaska.gov)  
Michael L Bethe (DNR) - [mike.bethe@alaska.gov](mailto:mike.bethe@alaska.gov)



**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Economics, Environmental Analysis and Administration*

January 30, 2009

Dr. Kaja Brix  
National Marine Fisheries Service  
709 West 9<sup>th</sup> Street  
P.O. Box 21668  
Juneau, AK 99802-1668

Re: STB Finance Docket No. 35095, The Alaska Railroad Corporation – Petition for Exemption to Construct and Operate a Rail Line Extension to Port MacKenzie, Alaska

Dear Dr. Brix:

We are writing you to initiate Section 7 consultations under the Endangered Species Act associated with a proposed rail line project in the Matanuska-Susitna Borough, Alaska.

**Project Description**

The proposed Port MacKenzie Rail Extension would involve the construction and operation of a new rail line connecting the Matanuska-Susitna Borough's Port MacKenzie in south-central Alaska to a point on the Alaska Railroad Corporation's (ARRC) existing main line between Wasilla and north of Willow, Alaska (see enclosed map). ARRC has stated that the proposed rail line would provide freight services between the Port and Interior Alaska. Major elements of the proposed rail extension would include between 30 and 45 miles of new railroad track; a 200-foot-wide right-of-way; crossings of local roads, streams, trails, and utility corridors; sidings; and ancillary facilities. The anticipated train traffic would be two trains daily on average, with one train of 40 to 80 freight cars per day traveling in each direction.

Construction and operation of the proposed rail line would require authorization from the Surface Transportation Board (STB). A decision by the STB would be a "major Federal action" under the National Environmental Policy Act (NEPA) and the STB has assumed the lead agency role in the preparation of an Environmental Impact Statement (EIS) for the proposed project. The STB's Section of Environmental Analysis (SEA) is the office within the agency responsible for preparing the EIS as well as the agency's compliance with other Federal environmental statutes and regulatory programs.

## Section 7 Consultations

SEA has reviewed the project, and after discussions with Mr. Brad Smith of your office on December 18, 2008, determined that the proposed rail line project would not directly affect the endangered Cook Inlet beluga whale (*Delphinapterous leucas*) or any other marine mammal, but could indirectly affect the beluga whale via two mechanisms: (1) potential degradation of forage species habitats (anadromous fish resources), and (2) noise and disturbance from potential increases in vessel traffic, loading and anchorage near Port MacKenzie. SEA plans to evaluate these potential indirect affects with: (1) an Essential Fish Habitat (EFH) Assessment for forage species habitats at anadromous fish crossings throughout the project area, and (2) a Biological Assessment for indirect noise and disturbance effects on the beluga whale in the immediate vicinity of Port MacKenzie at the mouth of Knik Arm. The impact analyses and effects determinations in these two assessments will be used to support the Threatened and Endangered Species section of the EIS. We also plan to use the results of the Biological Assessment to assist with assessing the applicability of Marine Mammal Protection Act requirements.

No direct marine habitat effects would occur as a result of the Port MacKenzie Rail Extension. No critical habitat has yet been designated for the Cook Inlet beluga whale, however indirect effects, if any, would occur within what has been designated as Type 1 habitat (as designated under the National Marine Fisheries Service [NMFS] 2008 conservation plan); which may be designated as critical habitat for this species.

Expansion of facilities at Port MacKenzie by the Matanuska-Susitna Borough is planned independent of the proposed rail extension. Planned expansion of the facilities is considered to have independent utility and is not being evaluated as a connected action under NEPA, but will be evaluated in the cumulative effects analysis by SEA, as appropriate.

Mr. David Navecky is the SEA Project Manager for the project. ICF International is serving as the independent third-party consultant to SEA to assist with the ESA Section 7 consultation and EIS preparation. Mr. Alan Summerville is ICF's Project Manager for the project. Ms. Lynn Noel with ENTRIX Environmental Consultants in Anchorage, Alaska is assisting Mr. Summerville.

Please confirm the species, action area, and identification of indirect project-related effects for SEA's Section 7 Consultation with NMFS and Biological Assessment and respond to:

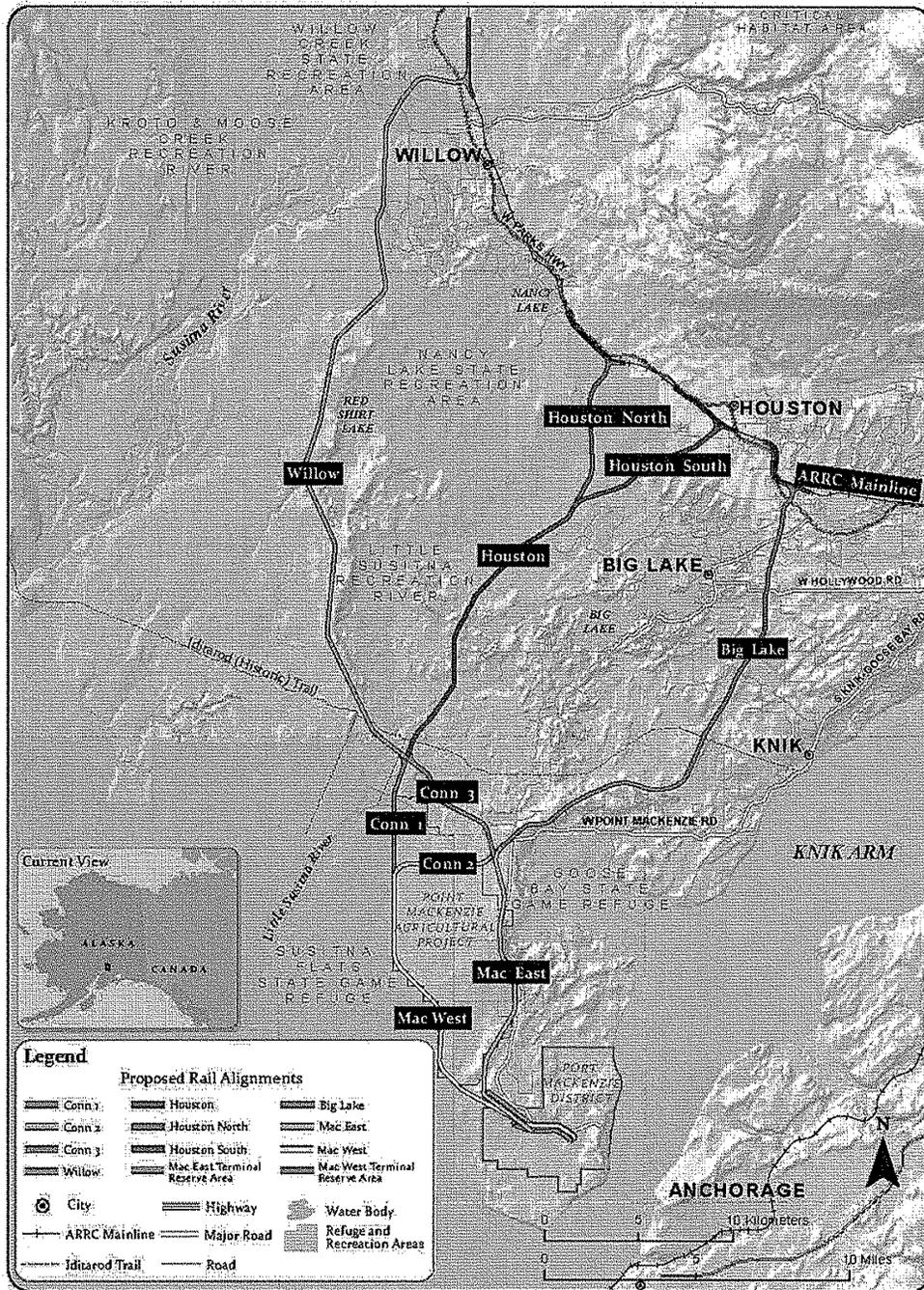
**David Navecky**  
**Surface Transportation Board**  
**395 E Street, SW**  
**Washington, DC 20423-0001**  
**Attention: STB Finance Docket No. 35095**

If you have any questions or would like to discuss the project, please do not hesitate to contact Dave Navecky at 202-245-0294 or Alan Summerville at 703-934-3616.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is written in a cursive style with a large initial "V".

Victoria Rutson  
Chief  
Section of Environmental Analysis





**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
National Marine Fisheries Service  
P.O. Box 21668  
Juneau, Alaska 99802-1668

March 4, 2009

David Navecky  
Surface Transportation Board  
395 E Street, SW  
Washington D.C. 20423-0001

Re: Port Mackenzie Rail Extension  
STB Finance Docket No. 35095

Dear Mr. Navecky:

The National Marine Fisheries Service (NMFS) has received your letter requesting information on threatened or endangered species and Essential Fish Habitat (EFH) associated with the proposed the Port Mackenzie Rail Extension. Although the letter also requested NMFS confirms the project-related indirect effects, as per our discussion, we cannot evaluate such information until receipt of your assessment of the effects. NMFS offers the following information under the ESA and the EFH provisions of the Magnuson-Stevens Fishery Conservation Management Act (Magnuson-Stevens Act).

**Threatened and Endangered Species**

Section 7(a)(2) of the ESA directs Federal interagency cooperation "to insure that any action authorized, funded, or carried out by such agency is not likely to jeopardize the continued existence of any endangered species or threatened species" or result in the destruction or adverse modification of critical habitat. NMFS is responsible for administration of the Endangered Species Act (ESA) for cetaceans, sea turtles, anadromous fish, marine fish, seals, sea lions, marine plants and corals. All other species (including polar bears, walrus and sea otters) are administered by the U. S. Fish and Wildlife Service. Further information on NMFS ESA species can be found at [http://www.nmfs.noaa.gov/pr/species/esa\\_species.htm](http://www.nmfs.noaa.gov/pr/species/esa_species.htm).

Cook Inlet beluga whales are listed as endangered under the ESA and are frequently observed in the waters adjacent to the project and must be considered when evaluating the effects of this project. At this time, critical habitat for Cook Inlet beluga whales has not been designated, however, as stated in your letter, the project is adjacent to Valuable Habitat Type 1, as defined by the 2008 Conservation Plan for the Cook Inlet Beluga Whale. Please be aware that harbor seals have also occasionally been documented in the area. All marine mammals are protected under the Marine Mammal Protection Act.

Several ESA-listed stocks of Pacific salmon occur within Alaskan waters. These include the following Evolutionarily Significant Units (ESU): Snake River fall Chinook, Snake River spring/summer Chinook, Puget Sound Chinook, Upper Columbia River spring Chinook, Lower Columbia River spring Chinook, Upper Columbia River steelhead, Upper Willamette River



ALASKA REGION - [www.fakr.noaa.gov](http://www.fakr.noaa.gov)

steelhead, Middle Columbia River steelhead, Lower Columbia River steelhead, and Snake River basin steelhead. These stocks are mainly found in the North Pacific, south of the Bering Sea. However, the specific occurrence of listed salmonids within the project area is highly unlikely.

**Essential Fish Habitat**

Under Section 305(b)(2) of the Magnuson-Stevens Act, Federal agencies are required to consult with the Secretary of Commerce on any action that may adversely affect Essential Fish Habitat (EFH). EFH has been designated in waters used by anadromous salmon and various life stages of marine fish under NMFS' jurisdiction. Five fishery management plans exist for fisheries in Alaska. They cover groundfish in the Gulf of Alaska, groundfish in the Bering Sea and Aleutian Islands, crab in the Bering Sea and Aleutian Islands, and salmon and scallops statewide. Please visit our web site at <http://www.fakr.noaa.gov/habitat> for additional information on habitat and EFH information.

We hope this information is useful to you in fulfilling any requirements under section 7 of the Endangered Species Act and section 305(b)(2) of the Magnuson-Stevens Act. Please direct any marine mammal questions to Mandy Migura at 907-271-1332, and questions regarding EFH to Doug Limpinsel at 907-271-6379.

Sincerely,



Robert D. Mecum  
Acting Administrator, Alaska Region

cc: Doug Limpinsel



**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Economics, Environmental Analysis and Administration*

November 25, 2009

Regional Administrator  
National Marine Fisheries Service (NMFS)  
709 West 9<sup>th</sup> Street  
P.O. Box 21668  
Juneau, AK 99802-1668  
Attn: Robert D. Mecum

Re: STB Finance Docket No. 35095, The Alaska Railroad Corporation – Petition for Exemption to Construct and Operate a Rail Line Extension to Port MacKenzie, Alaska

Dear Mr. Mecum:

The Surface Transportation Board's Section of Environmental Analysis (SEA), as the lead Federal agency for the Port MacKenzie Rail Line Extension Environmental Impact Statement (EIS), is submitting the Port MacKenzie Rail Line Extension Biological Assessment, as required under Section 7 of the Endangered Species Act.

The proposed Port MacKenzie Rail Extension would involve the construction and operation of a new rail line connecting the Matanuska-Susitna Borough's Port MacKenzie in south-central Alaska to a point on the Alaska Railroad Corporation (ARRC) existing main line between Wasilla and north of Willow, Alaska (see attached map). ARRC has stated that the proposed rail line would provide freight services between the Port and Interior Alaska. Major elements of the proposed rail extension would include between 30 and 45 miles of new railroad track within a 200-foot-wide right-of-way; crossings of local roads, streams, trails, and utility corridors; sidings; and associated facilities. The anticipated train traffic would be two trains daily on average, with one train of 40 to 80 freight cars per day traveling in each direction.

SEA has reviewed the project, and after discussions with Mr. Brad Smith on December 18, 2008 and correspondence with NMFS Alaska Region (letter dated March 4, 2009 from Robert Mecum), has determined that the proposed Port MacKenzie Rail Extension **"may affect"** the endangered Cook Inlet beluga whale (*Delphinapterous leucas*) indirectly via two mechanisms: (1) potential degradation of forage species habitats (anadromous fish resources), and (2) noise and disturbance from potential increases in vessel traffic, loading and anchorage near Port MacKenzie. SEA evaluated these potential indirect affects with the enclosed Biological Assessment. The impact analyses and effects determinations in the Biological

Assessment will be used to support the Threatened and Endangered Species section of the Draft EIS that is currently being prepared for this project.

No direct marine habitat effects would occur as a result of the proposed Port MacKenzie Rail Extension. No critical habitat has yet been designated for the Cook Inlet beluga whale, however indirect effects would occur within what has been designated as Type 1 habitat (as designated under the NFMS 2008 conservation plan), which may be designated as critical habitat for this species. The Biological Assessment has concluded that the Port MacKenzie Rail Extension “**may affect, but is not likely to adversely affect**” the beluga whale.

Mr. David Navecky is the SEA Project Manager for the project. ICF International is serving as the independent third-party consultant to SEA to assist with the ESA Section 7 Consultation. Mr. Alan Summerville is ICF’s Project Manager for the project.

We look forward to receiving your concurrence or recommendations on the Biological Assessment. Please respond to:

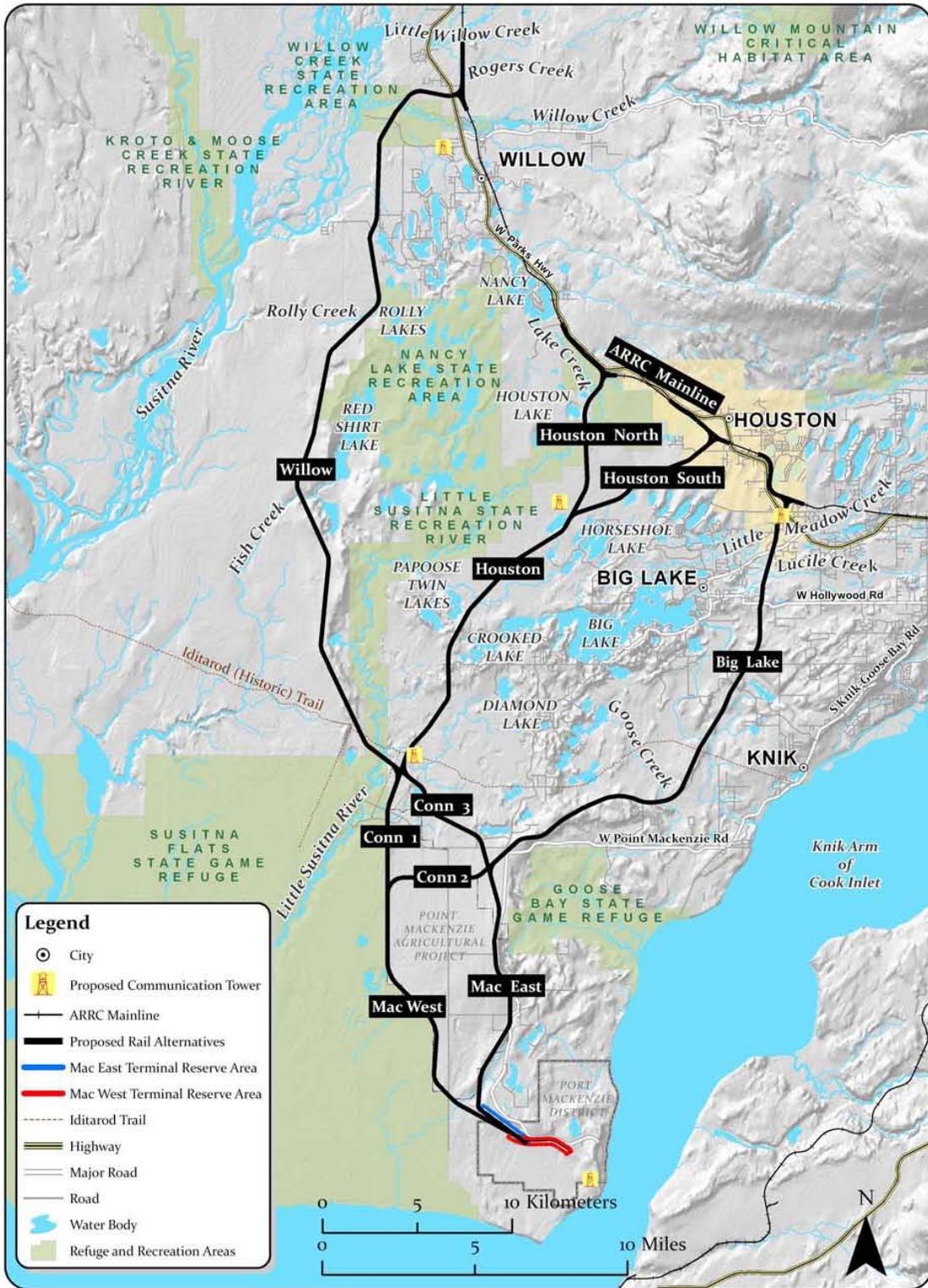
**David Navecky**  
**Surface Transportation Board**  
**395 E Street, SW**  
**Washington, DC 20423-0001**  
**Attention: STB Finance Docket No. 35095**

If you have any questions or would like to discuss the project please do not hesitate to contact Dave Navecky at 202-245-0294 or Alan Summerville at 703-934-3616.

Sincerely,



Victoria Rutson  
Chief  
Section of Environmental Analysis





**UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration**

National Marine Fisheries Service  
P.O. Box 21668  
Juneau, Alaska 99802-1668

March 9, 2010

David Navecky  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

Re: Surface Transportation Board Finance Docket No. 35095. The Alaska Railroad Corporation – Petition for Exemption to Construct and Operate a Rail Line Extension to Port MacKenzie, Alaska.

Dear Mr. Navecky:

The National Marine Fisheries Service (NMFS) has reviewed the Port MacKenzie Rail Extension Biological Assessment (BA) from the Surface Transportation Board's Section of Environmental Analysis (STB). STB, the lead federal agency, has requested consultation with NMFS under Section 7 (a)(2) of the Endangered Species Act of 1973, as amended (ESA), regarding the proposed Port MacKenzie Rail Extension. The Port MacKenzie Rail Extension would involve the construction and operation of a new rail line connecting the Matanuska-Susitna Borough's Port MacKenzie in Knik Arm, Cook Inlet to a point on the Alaska Railroad Corporation existing main line between Wasilla and north of Willow, Alaska.

No direct effects to the beluga whales (*Delphinapterus leucas*) would occur as a result of the proposed Port MacKenzie Rail Extension. The BA evaluated this activity and determined that indirectly, it may affect the endangered Cook Inlet beluga whale and the proposed Critical Habitat via two mechanisms: 1) potential degradation of forage fish species habitats (anadromous fish resources), and 2) potential increased noise and disturbance from vessel loading and unloading, and increases in vessel traffic and anchorage near Port MacKenzie. STB has determined that the Port MacKenzie Rail Extension, if authorized, may affect, but is not likely to adversely affect the beluga whales or proposed Critical Habitat (74 FR 63080, December 2, 2009) in Knik Arm. NMFS concurs with your determination based on the following information and a review of pertinent literature and research.

**Listed Species Affected by the Action**

Cook Inlet beluga whales are the only ESA-listed species occurring within the area that may be affected by the action. NMFS has recently proposed designating Critical Habitat in Cook Inlet for this species.



### **Discussion**

The proposed Port MacKenzie Rail Extension would provide freight services between Port MacKenzie and interior Alaska and would support Port MacKenzie's continued development as an intermodal and bulk material resources export and import facility.

Although no marine habitat would be directly affected by the Port MacKenzie Rail Extension, the BA did evaluate two activities to determine possible effects on the endangered Cook Inlet beluga whales and proposed Critical Habitat, with mitigation and conservation measures:

- 1) The proposed rail line would include 30-45 miles of new railroad track within a 200 foot wide right-of-way; crossing local roads, streams, trails, and utility corridors; sidings; and associated facilities. The proposed rail line project potentially crosses: 1) Susitna drainages (Willow Creek and Fish Creek); 2) Little Susitna River drainage; 3) Knik Arm drainages (Lucille Creek, Fish Creek, and Goose Creek); and 4) several other small Cook Inlet drainages. These rivers and creeks are anadromous fish-bearing water bodies that provide prey to the endangered beluga whales.

To mitigate for crossing the anadromous fish-bearing rivers and creeks, STB has stated that all river and stream crossings (bridges and culverts) would be designed to allow fish passage in accordance with state and federal laws.

- 2) Based on current market opportunities, Alaska Railroad Corporation estimated that ship traffic to export bulk commodities from the Port MacKenzie Rail Terminal would include five Panamax class ships per year at approximately 4-week intervals during an approximately 20 week period. Increased shipping has the potential to displace belugas whales from the Port MacKenzie area due to noise and disturbance. However, Panamax ships move slowly and injuries to beluga whales from strikes by ships calling at Port MacKenzie would be highly unlikely.

To mitigate for increased ship traffic, STB has stated that a) beluga whales shall not be exposed to sound levels in excess of 160 dB re: 1  $\mu$ Pa without a Small Take Authorization; 2) no ships or boats working with Port MacKenzie should anchor or travel north of Cairn Point in Knik Arm; and 3) in consultation with NMFS, an underwater noise reduction plan will be developed through the use of structural design, operational procedures, and encouraging vessel modifications to reduce propeller cavitation noise.

### **Cumulative Effects**

Under ESA, cumulative effects are future state, tribal, local, or private activities, not involving federal activities, that are reasonably certain to occur within the action area of the federal action considered in this assessment (50 CFR 402.02). The Cook Inlet basin is used for many federal and non-federal recreational and commercial uses: oil and gas exploration, development, and production; commercial, sport, subsistence fishing and fish processing; timber harvest and timber restoration; mining and reclamation; agriculture; aquaculture; recreation; tourism; and public works projects. The areas in Knik Arm, where at least 60 percent of the beluga whale population are seasonally found, has

experienced increases in industrial, shipping, and aircraft noise, and disturbance, but also continues to be regularly used by beluga whales.

Given that the proposed Port MacKenzie Rail Extension will not directly affect the beluga whales or their proposed Critical Habitat, its contribution to the cumulative effects in Cook Inlet is negligible.

**Conclusion**

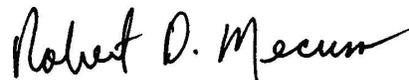
NMFS concurs with your determination that the proposed action, as described in your BA, is not likely to adversely affect the endangered Cook Inlet beluga whale or its proposed Critical Habitat. A complete administrative record of this consultation is on file in this office. While the action may indirectly affect this species, our assessment finds any such effects are insignificant (such effects could not be meaningfully measured or detected) or discountable (such effects would not reasonably be expected to occur).

This concludes our 1) consultation for this action on the endangered Cook Inlet beluga whales and 2) conference for this action on the proposed Critical Habitat. On issuance of Final Regulations for Critical Habitat designation, our conclusion (that the proposed project may affect, but is not likely to adversely affect Critical Habitat) will be considered the official position of our agency relative to Critical Habitat for the Cook Inlet beluga whales.

Reinitiating consultation is required where discretionary federal agency involvement or control over the action has been retained (or is authorized by law) and if: 1) take of a listed species occurs, 2) new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered, 3) the action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not previously considered, or 4) a new species is listed or critical habitat is designated that may be affected by the action.

If there are any questions please contact Barbara Mahoney in our Anchorage office at 907-271-3448.

Sincerely,



James W. Balsiger, Ph.D.  
Administrator, Alaska Region

for

----- Forwarded by Mike Nagy/Entrix on 04/16/2008 01:45 PM -----

Maureen\_deZeeuw@fws.gov  
04/16/2008 12:14 PM  
To MNagy@entrrix.com  
Subject Port MacKenzie Rail scoping comments

Dear Michael,

We have reviewed the NOI concerning the proposed Port MacKenzie Rail Extension, and are responding to the February 12, 2008, request from the Surface Transportation Board for comments. We did submit scoping comments to the Alaska Railroad Corporation (Brian Lindamood) on October 19, 2007. The plans do not appear to have changed substantially yet, and as you and I have previously discussed on the phone, the comments of the FWS also remain little changed at this time and we ask you to refer to them.

In particular, we continue to express three main areas of concern: 1) habitat fragmentation, 2) cumulative impacts, and 3) compensatory mitigation. The first two items also in turn emphasize the need for comprehensive land use planning, including green infrastructure planning, for this large and relatively undisturbed site. We are particularly concerned that the Scope of Study does not yet address either green infrastructure planning or cumulative impacts. The far west alternative also remains in your plans, and as we have previously expressed, presents significant habitat fragmentation and cumulative impact challenges.

You have asked us for any additional information, and at this time we wish to draw your attention to the Bird Conservation Region 4 habitat map which has just been completed by the interagency/NGO organization Boreal Partners in Flight, via the Alaska Bird Observatory (ABO) in Fairbanks. The map and additional information is available from Susan Sharbaugh at ABO (907-451-7159). Also, we are aware of a habitat restoration project (Mat Su Borough sponsored?) between Anna Lake and Stephen Lake. Chuck Kausic may be your contact for more information on that project. I believe you are aware of the wetlands mapping and functional assessment project headed by the Mat Su Borough that overlaps with some of your project area. The FWS is currently involved on the wetlands mapping and functional assessment team, particularly looking at bird habitat use, but the project is in its beginning stages only. It may prove to be efficient and worthwhile to combine forces to work on bird habitat use in the overlapping area. We expect more developments regarding the bird habitat variable of the functional assessment over the coming weeks and months, and would be happy to discuss this issue further with you. Finally, there is a Breeding Bird Survey route for the Nancy Lakes/Willow area.

We look forward to keeping the lines of communication open as your project planning proceeds, and particularly hope to work together on green infrastructure planning. Also, we would also like to provide general support for the scoping comments provided by the National Marine Fisheries Service on March 21, 2008. Please contact me at the address below or this email address if you have any questions concerning these comments.

Sincerely,

Maureen de Zeeuw  
Fish and Wildlife Biologist  
U.S. Fish & Wildlife Service  
605 West 4th Avenue, Suite 60  
Anchorage, Alaska 99501  
PH: (907) 271-2777  
FAX: (907) 271-2786



**SURFACE TRANSPORTATION BOARD**  
Washington, DC 20423

*Office of Economics, Environmental Analysis and Administration*

February 4, 2009

United States Fish and Wildlife Service  
Anchorage Fish and Wildlife Field Office  
Attn: Ann Rappaport  
605 West 4th Avenue, Rm G-61  
Anchorage, AK 99501

Re: STB Finance Docket No. 35095, The Alaska Railroad Corporation – Petition for Exemption to Construct and Operate a Rail Line Extension to Port MacKenzie, Alaska

Dear Ms. Rappaport:

The proposed Port MacKenzie Rail Extension would involve the construction and operation of a new rail from Port MacKenzie in Matanuska-Susitna Borough to the existing Alaska Railroad Corporation (ARRC) main line between Wasilla and north of Willow, Alaska (see enclosed map). ARRC has stated that the proposed rail line would provide freight services between the Port and Interior Alaska. Major elements of the proposed rail extension would include between 30 and 45 miles of new railroad track; a 200-foot-wide right-of-way; crossings of local roads, streams, trails, and utility corridors; track sidings; and ancillary facilities. The anticipated train traffic would be two trains daily on average, with one train of 40 to 80 freight cars per day traveling in each direction.

The Surface Transportation Board's Section of Environmental Analysis (SEA) is requesting information regarding the presence of threatened and endangered species and designated critical habitat in the project area. A review of the ESA Consultation Guide Map for the Anchorage Fish and Wildlife Field Office indicated that no listed species or designated critical habitats are found in the project area. Please confirm our review of the consultation guide map for SEA's Section 7 consultation with USFWS and respond to:

**David Navecky**  
**Surface Transportation Board**  
395 E Street, SW  
Washington, DC 20423-0001  
Attention: STB Finance Docket No. 35095

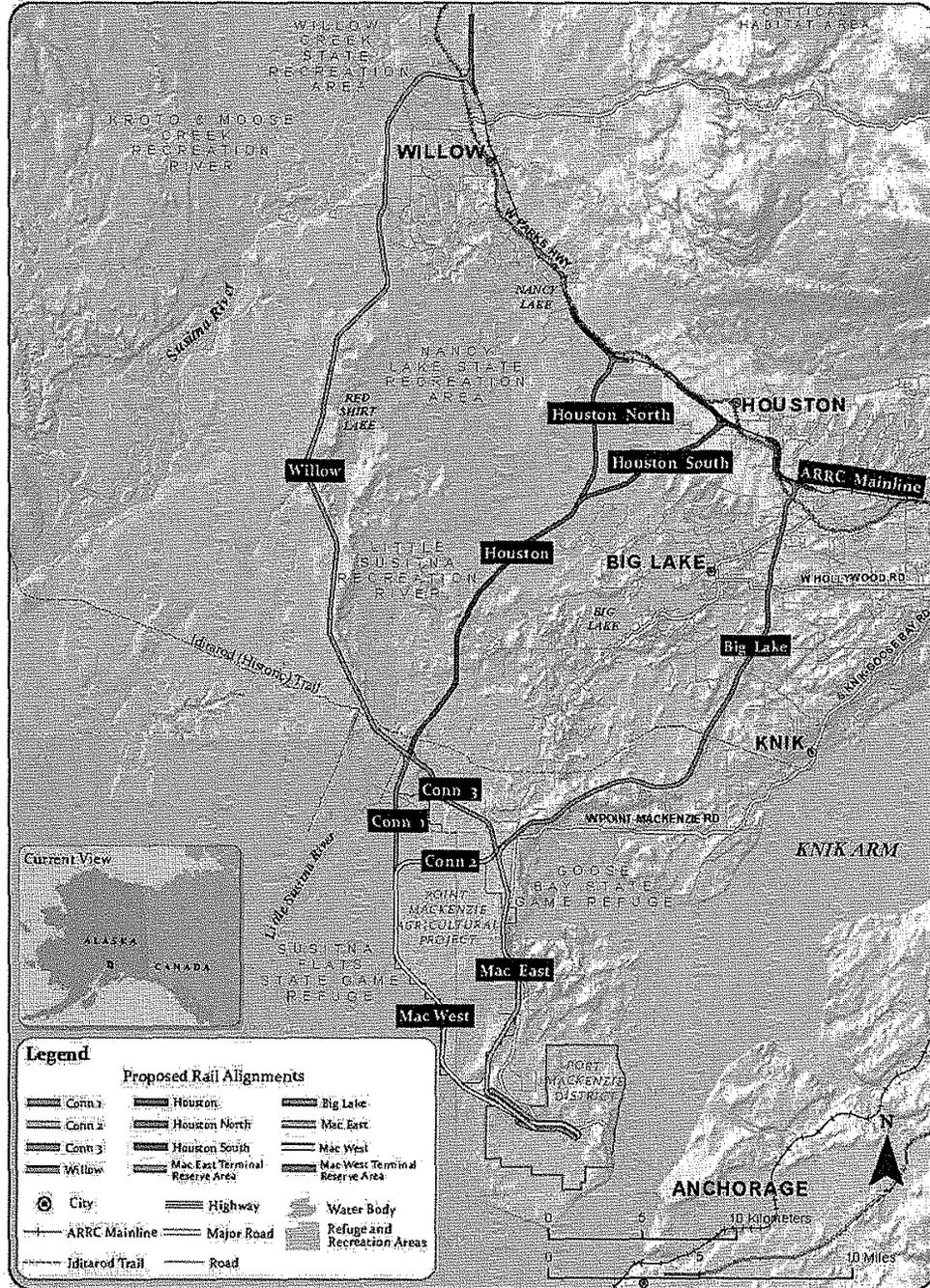
Mr. David Navecky is the SEA Project Manager for the project. ICF International is serving as the independent third-party consultant to SEA to assist with the ESA Section 7 Consultation. Mr. Alan Summerville is ICF's Project Manager for the project.

If you have any questions or would like to discuss the project please do not hesitate to contact Dave Navecky at (202) 245-0294 or Alan Summerville at (703) 934-3616.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name being more prominent.

Victoria Rutson  
Chief  
Section of Environmental Analysis





**SURFACE TRANSPORTATION BOARD**  
Washington, DC 20423

*Office of Economics, Environmental Analysis and Administration*

February 6, 2009

Ms. Ann Rappaport  
U. S. Fish and Wildlife Service  
Anchorage Fish and Wildlife Field Office  
605 West 4th Avenue, Rm G-61  
Anchorage, AK 99501

Re: STB Finance Docket No. 35095, The Alaska Railroad Corporation – Petition for Exemption to Construct and Operate a Rail Line Extension to Port MacKenzie, Alaska

Dear Ms. Rappaport:

We are writing you to initiate Section 7 consultations under the Endangered Species Act associated with a proposed rail line project in the Matanuska-Susitna Borough, Alaska.

**Project Description**

The proposed Port MacKenzie Rail Extension would involve the construction and operation of a new rail line connecting the Matanuska-Susitna Borough's Port MacKenzie in south-central Alaska to a point on the Alaska Railroad Corporation's (ARRC) existing main line between Wasilla and north of Willow, Alaska (see enclosed map). ARRC has stated that the proposed rail line would provide freight services between the Port and Interior Alaska. Major elements of the proposed rail extension would include between 30 and 45 miles of new railroad track; a 200-foot-wide right-of-way; crossings of local roads, streams, trails, and utility corridors; sidings; and ancillary facilities. The anticipated train traffic would be two trains daily on average, with one train of 40 to 80 freight cars per day traveling in each direction.

Construction and operation of the proposed rail line requires authorization from the Surface Transportation Board (STB). A decision by the STB would be a "major Federal action" under the National Environmental Policy Act (NEPA) and the STB has assumed the lead agency role in the preparation of an Environmental Impact Statement (EIS) for the proposed project. The STB's Section of Environmental Analysis (SEA) is the office within the agency responsible for preparing the EIS as well as the agency's compliance with other Federal environmental statutes and regulatory programs.

### Section 7 Consultations

SEA is requesting information regarding the presence of threatened and endangered species and designated critical habitat in the project area. A review of the Endangered Species Act (ESA) Consultation Guide Map for the Anchorage Fish and Wildlife Field Office indicated that no listed species or designated critical habitats are found in the project area. Please confirm the accuracy of our determination in writing to:

**David Navecky**  
**Surface Transportation Board**  
**395 E Street, SW**  
**Washington, DC 20423-0001**  
**Attention: STB Finance Docket No. 35095**

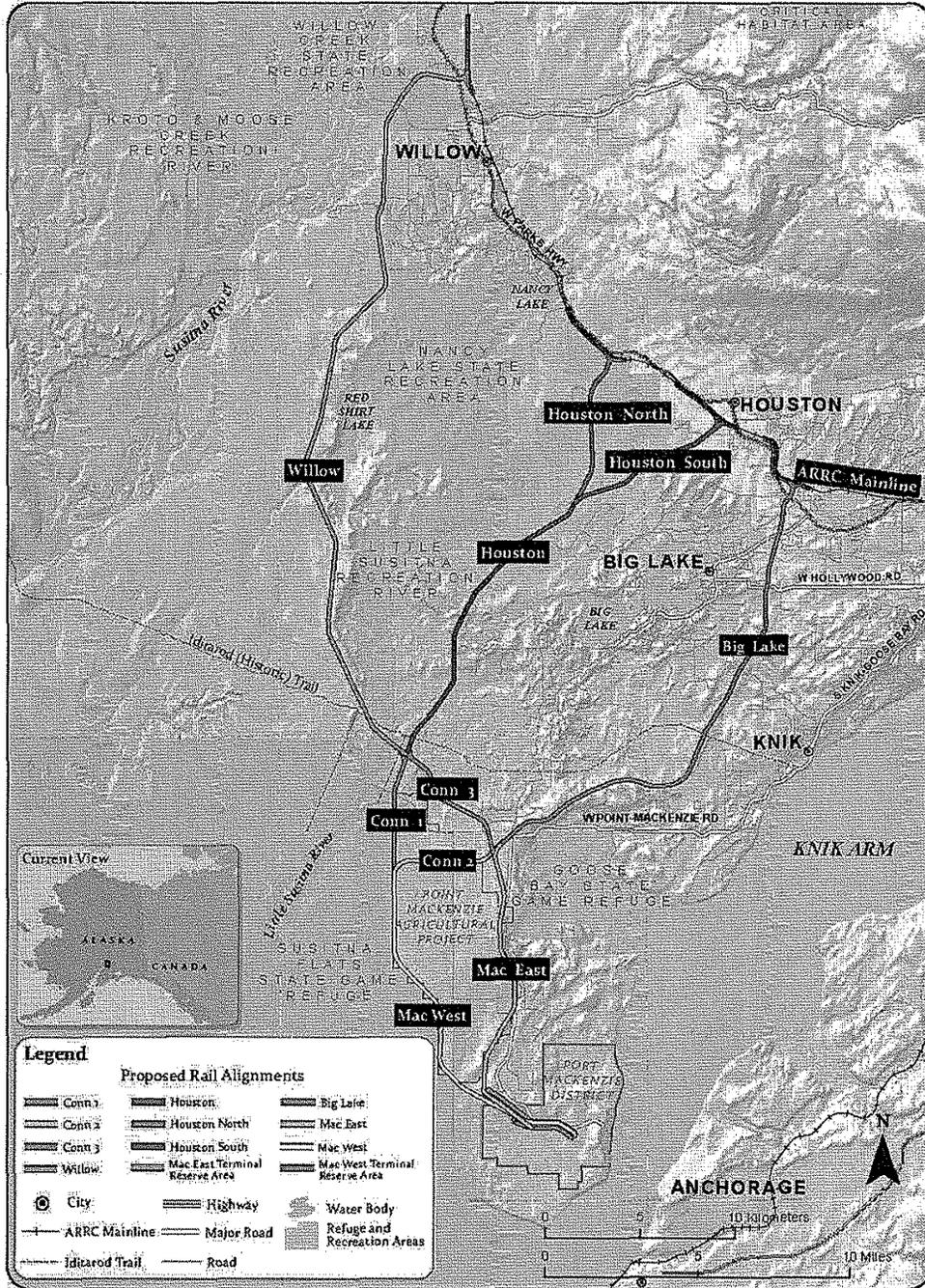
Mr. David Navecky is the SEA Project Manager for the project. ICF International is serving as SEA's independent third-party consultant, assisting with the ESA Section 7 consultation. Mr. Alan Summerville is ICF's Project Manager for the project.

If you have any questions or would like to discuss the project, please do not hesitate to contact Dave Navecky at 202-245-0294 or Alan Summerville at 703-934-3616. Thank you for your assistance.

Sincerely,



Victoria Rutson  
Chief  
Section of Environmental Analysis





## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Anchorage Fish and Wildlife Field Office  
605 West 4<sup>th</sup> Avenue, Room G-61  
Anchorage, Alaska 99501-2249



in reply refer to AFWFO

March 9, 2009

David Navecky  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

Re: Matanuska-Susitna Borough Rail Line Project (*Consultation number 2009-0060*)

Dear Mr. Navecky,

On February 12, 2009, we received a letter from Victoria Rutson, Chief of the Section of Environmental Analysis (SEA). Ms. Rutson identified you as the SEA Project Manager for the proposed Port MacKenzie Rail Extension that would involve the construction and operation of a new rail line connecting the Matanuska-Susitna Borough's Port MacKenzie in south-central Alaska to a point on the Alaska Railroad Corporation's existing main line between Wasilla and north of Willow, Alaska.

Our records indicate that there are no federally listed or proposed species, and/or designated or proposed critical habitat, within the action area of the proposed project. In view of this, requirements of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq., as amended; ESA) have been satisfied. However, obligations under the ESA must be reconsidered if new information reveals project impacts that may affect listed species or critical habitat in a manner not previously considered, if this action is subsequently modified in a manner which was not considered in this assessment, or if a new species is listed or critical habitat is determined that may be affected by the identified action.

This letter relates only to federally listed or proposed species, and/or designated or proposed critical habitat, under our jurisdiction; namely, the Aleutian shield fern (*Polystichum aleuticum*, listed as endangered in 1988), spectacled eider (*Somateria fischeri*, listed as threatened in 1993), North American breeding Steller's eider (*Polysticta stelleri*, listed as threatened in 1997), the southwest distinct population segment of northern sea otter (*Enhydra lutris kenyoni*, listed as threatened in 2005), short-tailed albatross (*Phoebastria albatrus*, listed as endangered in 2000), polar bear (*Ursus maritimus*, listed as threatened in 2008), and Kittlitz's murrelet (*Brachyramphus brevirostris*, listed as a candidate species in 2005). This letter does not address species under the jurisdiction of the National Marine Fisheries Service, or other legislation or responsibilities under the Fish and Wildlife Coordination Act, Clean Water Act, National Environmental Policy Act, Marine Mammal Protection Act, Migratory Bird Treaty Act, or Bald and Golden Eagle Protection Act.

Thank you for your cooperation in meeting our joint responsibilities under section 7 of the ESA. If you have any questions, please contact me at (907) 271-3063 and refer to consultation number 2009-0060.

Sincerely,

A handwritten signature in cursive script that reads "Tim Langer".

Tim Langer, Ph.D.  
Endangered Species Biologist

T:\s7\2009 sec 7\No\_Effect\20090060 s7 letter.pdf



**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Economics, Environmental Analysis and Administration*

August 12, 2009

Margie Goatley  
Project Review Coordinator  
Division of Coastal and Ocean Management  
Alaska Department of Natural Resources  
550 West 7<sup>th</sup> Ave., Ste. 705  
Anchorage, AK 99501

Re: STB Finance Docket No. 35095, The Alaska Railroad Corporation – Petition to Construct and Operate a Rail Line Extension to Port MacKenzie, Alaska

Dear Ms. Goatley,

The Surface Transportation Board (Board) is the lead agency in the preparation of an Environmental Impact Statement (EIS) for the Alaska Railroad Corporation's (ARRC) proposed rail line extension to Port MacKenzie, Alaska. The U.S. Army Corps of Engineers, U.S. Coast Guard and Federal Railroad Administration are cooperating agencies in the preparation of the EIS. The purpose of this letter is to initiate consultation with the Alaska Department of Natural Resources (ADNR) regarding the project's consistency with the State of Alaska's Coastal Zone Management Plan. The Board's Section of Environmental Analysis (SEA) understands that ADNR could request additional project details during permitting, which is a responsibility of the project proponent – ARRC, to complete this consultation. SEA respectfully requests ADNR provide input on the project's consistency with coastal standards as described below.

**Project Background**

ARRC proposes to construct and operate approximately 30 to 45 miles of new rail line between the Matanuska-Susitna Borough's (MSB) Port MacKenzie in south-central Alaska and a point on ARRC's main line between Wasilla and north of Willow, Alaska. ARRC has stated that the proposed rail line would provide an additional mode of transportation for the movement of bulk materials, intermodal containers, and other freight to and from Port MacKenzie; and would support ARRC's statutory goal to foster and promote long-term economic growth and development in the State of Alaska. ARRC also advances that the proposed rail line would be consistent with Port MacKenzie's economic development plans, which include the continued development of Port MacKenzie as a multi-modal and bulk materials export and import facility.

Figure 1, which is enclosed as an attachment to this letter, illustrates the project area and the build alternatives that have been identified for detailed analysis in the Draft EIS.

### **Coastal Zone Standards and Policies**

In preparing the Draft EIS, SEA has reviewed the statewide standards of the Alaska Coastal Management Program (ACMP), as amended June 2, 2005, as well as the policies of the Matanuska-Susitna Borough (MSB) Coastal Management Plan and the Point MacKenzie Areas Meriting Special Attention (AMSA) Final Plan. Through this review, SEA has identified the elements of the proposed project that are pertinent to the primary areas of concern outlined in the ACMP and MSB's enforceable policies. These elements are described below:

#### **1. Coastal Development** – *Compliance with coastal development standards*

The proposed Port MacKenzie Rail Extension would involve construction of a rail line within the Matanuska-Susitna Borough from Port MacKenzie to an area near Wasilla and Willow, and would require development of coastal areas. Construction of the proposed rail line extension would require the placement of fill material into wetlands and other waters of the U.S., and would cross fish-bearing streams. All reasonable terms and conditions of permit requirements would be incorporated into project design and construction to protect coastal resources during construction and operation of the proposed project.

#### **2. Natural Hazard Areas** - *Development in adherence to safety standards to ensure protection of public safety and the environment from potential damage caused by known natural hazards*

Potential natural hazards exist within the vicinity of the project including earthquakes along the Castle Mountain Fault, tsunami, volcanic eruptions from Mount Spurr, high winds, slope instability in the form of avalanches and land/mudslides, and wildfires. Measures to mitigate potential impacts to the public, rail line and environment from damage caused by natural hazards could include: ensuring the design would meet all relevant codes and safety standards; designing the project in accordance with the latest applicable seismic codes; and taking into account the region's potential for earthquake activity in order to mitigate potential damage to bridges and tracks.

#### **3. Coastal Access** – *Ensure projects maintain and, where appropriate, increase public access to coastal areas*

ARRC has proposed at-grade crossings or grade-separated crossings to maintain vehicular access to coastal waters along existing public and private roads. For those roads where access cannot be maintained through grade crossings, ARRC has proposed relocating roads in order to maintain access. To maintain trail access to coastal waters, ARRC has proposed grade-separating all officially recognized recreation trails crossed by the project.

**4. Energy Facilities – Compliance with siting standards**

Not applicable. No energy facilities are part of the proposed project.

**5. Utility Routes and Facilities – Compliance with siting standards**

Not applicable. The project is located inland and no utilities would be placed along shorelines or beaches.

**6. Timber Harvest and Processing – Compliance with the Forest Resources and Practices Act**

Timber resources would likely be removed during project construction. Timber surveys have not been conducted to quantify the volume of commercial timber in the area that would be cleared, and ARRC has not developed specific plans for timber salvage from land that would be cleared for the proposed rail line right-of-way (ROW). SEA understands that for ROW areas on state or MSB land, applicable land management plans, policies, and regulations require that timber with commercial or personal use values be salvaged from land that is to be cleared for other uses such as mining, transportation or utility corridors, and habitat enhancement projects, where feasible and prudent. SEA understands that similar provisions for timber salvage on other non-state land that would be cleared for the proposed rail line ROW would ensure that timber resources affected by the project were properly utilized.

**7. Sand and Gravel Extraction – Avoidance of sand and gravel extraction from coastal areas when practicable**

Fill material would be required for rail line construction. ARRC plans to obtain subballast and fill primarily from materials excavated during railbed construction, from existing commercial sources, and from borrow areas established along the rail line. As part of the final design and permitting process, ARRC would perform geotechnical testing to identify borrow locations with suitable material. Measures to mitigate potential impacts resulting from fill extraction could include locating suitable borrow areas to avoid and minimize impacts to wetlands and other waters as much as practicable, and ensuring that appropriate Federal, state and local permits are secured prior to construction.

**8. Subsistence - Avoidance and minimization of impacts to subsistence uses of coastal resources**

There are no local, state, or Federally recognized subsistence harvests within the project area; the entire project is within a state nonsubsistence area. According to state regulations (5 Alaska Administrative Code [AAC] 99.015), a nonsubsistence area is “an area or community where dependence upon subsistence is not a principal characteristic of the economy, culture, and way of life of the area of community.” No subsistence hunting or fishing regulations manage the harvest of resources in the project area. Because the

entire project would be in a state nonsubsistence area and there are no Federal public lands in the project area, no harvests of wildlife and fish resources in or directly outside the project area qualify as subsistence activities under either state or Federal regulations.

**9. Transportation Routes and Facilities** – *Minimization of impacts to drainage patterns, wildlife transit and existing access*

The proposed rail line would fill wetlands and cross multiple fish-bearing and non-fish bearing streams with culverts or bridges. The rail line could be designed and constructed in such a way as to maintain natural surface and sub-surface water flow and drainage patterns to the extent practicable to prevent impoundment of water or excessive drainage, bank erosion, and to maintain the connectivity of floodplains, wetlands, streams, and other waters along the rail ROW. All Federal permits for work in jurisdictional waters, such as a Section 404 Clean Water Act permit (33 United States Code [U.S.C]. 1251 *et seq.*), would have to be obtained prior to construction. The Applicant would also obtain and comply with reasonable requirements of all necessary state permits and authorizations, such as the Alaska Department of Fish and Game (ADF&G) Fish Habitat Permit for protection of fisheries.

Construction and operation of proposed rail line would remove and alter vegetation and wildlife habitat, and potentially alter wildlife movements and migration, including moose migration. These potential impacts will be analyzed in the forthcoming Draft EIS.

ARRC has proposed at-grade crossings or grade-separated crossings to maintain vehicular access to coastal waters along existing public and private roads. For those roads where access cannot be maintained through grade crossings, ARRC has proposed relocating roads in order to maintain access. To maintain trail access to coastal waters, ARRC has proposed grade-separating all officially recognized recreation trails crossed by the project.

**10. Habitats** – *Avoidance of adverse impacts to coastal habitats*

The proposed project would require the construction of culverts and bridges to cross wetlands, rivers, streams, floodplains, and riparian habitats along the rail line, which are considered important habitats designated under 11 AAC 114.250(h). Wetlands would also be filled during construction. Measures to mitigate potential impacts to these habitats could include: requiring that the rail line be designed and constructed in such a way as to maintain natural surface and sub-surface water flow and drainage patterns to the extent practicable; employing Best Management Practices (BMPs) during construction and operation of the rail line to minimize impacts to habitats; requiring that ARRC obtain all Federal permits for work in jurisdictional waters, such as a Section 404 Clean Water Act permit, prior to construction; and requiring that ARRC obtain and comply with reasonable requirements of all state permits necessary for the protection of water resources and fisheries, such as the ADF&G Fish Habitat Permit.

**11. Air, Land, and Water Quality** – *Compliance with the statutes and regulations of the Department of Environmental Conservation regarding the protection of air, land, and water quality*

Measures to mitigate potential impacts to air, land, and water quality could include requiring that ARRC comply with all Federal regulations concerning air, land, and water quality where impacts are unavoidable, and all reasonable requirements of applicable ADEC regulations identified in Alaska Statute (AS) 46.40.040(b) during construction and operation of the proposed rail line.

**12. Historic, Prehistoric, and Archeological Resources** – *Compliance with applicable state statutes*

Several archaeological and historic sites have been documented in the vicinity of the proposed project. There are 56 known prehistoric sites and 22 historic cultural resources located within 1 mile of the proposed ROW. In addition, dogsledding associated with the Iditarod National Historic Trail and Iditarod Race is potentially a cultural landscape eligible for inclusion on the National Register of Historic Places (16 U.S.C. 470f). As a result, SEA is currently developing a Programmatic Agreement with the Advisory Council on Historic Preservation, the Alaska State Historic Preservation Officer and the cooperating agencies to comply with Section 106 of the National Historic Preservation Act. An additional measure to mitigate potential impacts to cultural resources could include requiring that ARRC comply with the applicable requirements of AS 41.35.010 – 41.35.240 and 11 AAC 16.010 – 11 AAC 16.900.

**13. Recreation** - *Development to ensure continued access and use of recreational resources*

The proposed project could affect the following recreational resources depending on the alternative route chosen (if any): 1) Iditarod National Historic Trail, 2) Willow Creek State Recreation Area, 3) Little Susitna State Recreation Area, 4) Susitna Flats State Game Refuge, 5) Nancy Lake State Recreation Area, and 6) numerous recorded and unrecorded trails. The project area is well suited for both winter and non-winter outdoor recreation activities. For recreation areas and game refuges protected under Section 4(f) of the U.S. Department of Transportation Act (49 U.S.C. 303), impacts to recreation will be assessed through a Section 4(f) Evaluation that will be in the Draft EIS. As stated in #3 Coastal Access above, ARRC has proposed grade-separated crossings of all officially recognized trails to provide continuity of trails within the project area.

**14. Waterbody Setback Requirements** – *Compliance with 75-foot setback from ordinary high water line for development activities within the designated recreational use area*

SEA understands the entire project area is within the existing MSB coastal zone, the Designated Recreational Use Area (with the exception of the Point MacKenzie AMSA). Therefore, the proposed rail line would require development within 75-feet of the

ordinary high water line within the designated recreation use area. The proposed project would include construction of culverts and bridges to cross wetlands, rivers, streams, floodplains, and riparian habitats along the rail line, and some wetlands within the project area would be filled during construction. Measures to mitigate potential impacts could include requiring that the rail line be designed and constructed in such a way as to maintain the connectivity of floodplains, wetlands, streams, and other waters along the rail ROW and employing BMPs during construction and operations to minimize impacts to recreational areas.

Construction and operation of the proposed Port MacKenzie Rail Extension would require development in the coastal zone and impact resources within the coastal zone. Potential impacts will be evaluated in the forthcoming Draft EIS and measures to avoid, minimize and mitigate impacts will be developed. SEA respectfully requests ADNR provide input on the project's consistency with coastal standards and suggest mitigation measures, as necessary, to ensure that the project is consistent with the State of Alaska's Coastal Zone Management Plan.

Thank you for your cooperation. If you have any questions, please do not hesitate to contact Dave Navecky, SEA's Project Manager, at 202-245-0294, or Alan Summerville, Project Manager for ICF, SEA's third-party independent contractor, at 703-934-3616.

Sincerely,



Victoria Rutson  
Chief  
Section of Environmental Analysis

cc: Don Perrin, ADNR, Program Management and Permit Coordinator

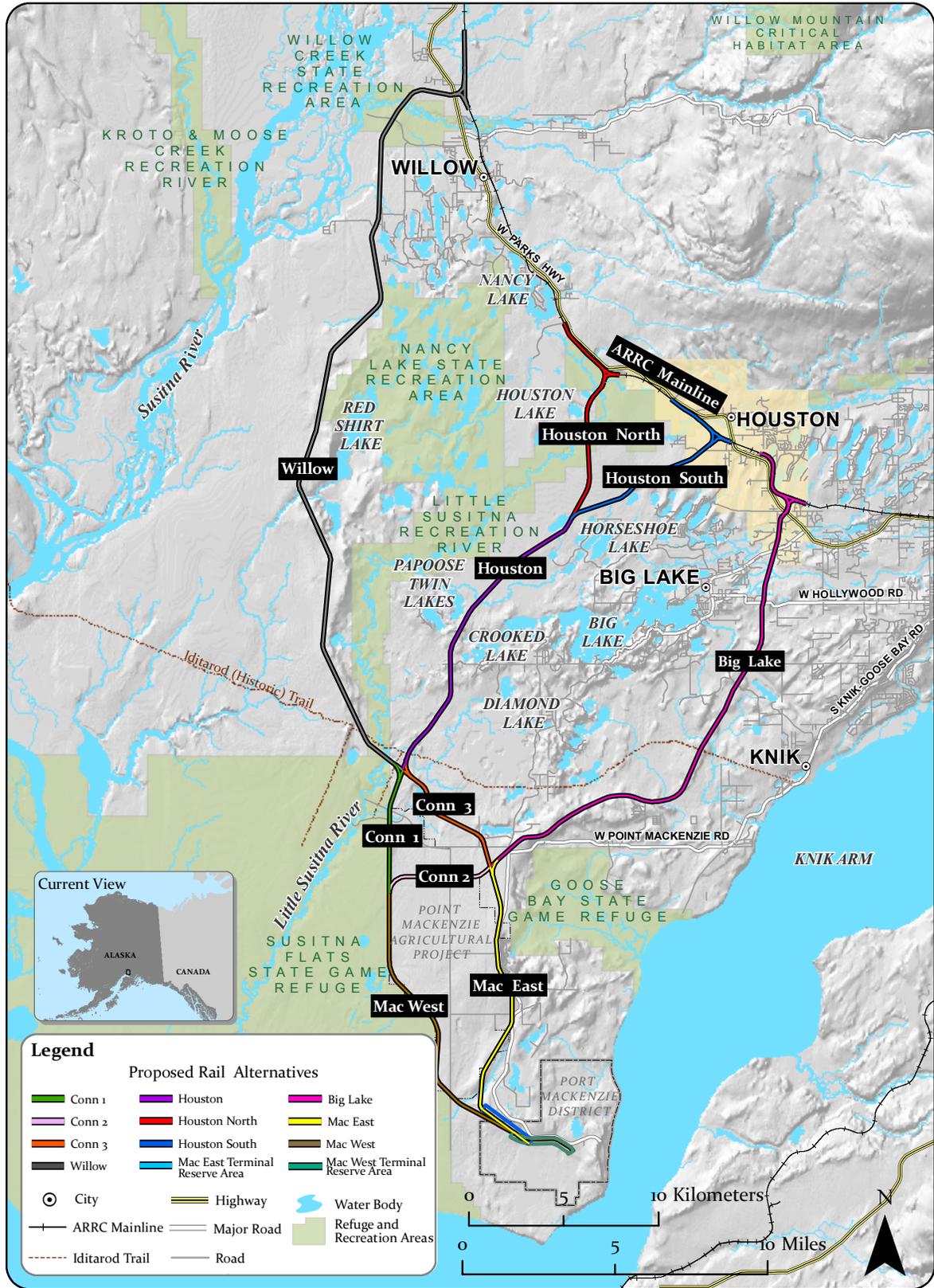


Figure 1

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

DIVISION OF COASTAL AND OCEAN MANAGEMENT

<http://www.alaskacoast.state.ak.us>

**SEAN PARNELL  
GOVERNOR**

SOUTH CENTRAL REGIONAL OFFICE  
550 W. 7<sup>TH</sup> AVENUE, SUITE 705  
ANCHORAGE, ALASKA 99501  
PH: (907) 269-7470 / FAX: (907) 269-3981

CENTRAL OFFICE  
P.O. BOX 111030  
JUNEAU, ALASKA 99811-1030  
PH: (907) 465-3562 / FAX: (907) 465-3075

PIPELINE COORDINATOR'S OFFICE  
411 WEST 4<sup>TH</sup> AVENUE, SUITE 2C  
ANCHORAGE, ALASKA 99501-2343  
PH: (907) 257-1351 / FAX: (907) 272-3829

2/16/2010

Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423  
Attn: Victoria Rutson

**SUBJECT:** Alaska Railroad Petition to Construct & Operate a Rail Line Extension to Port MacKenzie, Alaska, STB Finance Docket No. 35095

Dear Ms. Rutson:

The Division of Coastal and Ocean Management (DCOM) has reviewed the letter submitted by your agency on August 12, 2009. Your letter explained that the Surface Transportation Board is the lead agency in the preparation of an Environmental Impact Statement (EIS) for the Alaska Railroad Corporation's (ARRC) proposed rail line extension to Port MacKenzie. Your letter indicated that your agency wishes to initiate consultation with the DCOM regarding the consistency of the proposed project.

The purpose of this letter is to inform you that it is our determination that ACMP review is not required at this stage of the proposed project. While Federal agency activities affecting any coastal use or resource are subject to consistency review per 15 CFR 930 Subpart C, the Surface Transportation Board is not the applicant for the proposed rail extension. The act of serving as the lead agency for an Environmental Impact Statement does not constitute a "federal agency activity" as that term is applied under Subpart C.

Although the Surface Transportation Board is considering issuing a federal license to the ARRC for the proposed rail extension, that license is not on the list of federal permits in regulation subject to ACMP review under Subpart D of 15 CFR 930. This project would ultimately be reviewed for consistency with the ACMP under Subpart D with the ARRC as the applicant and with other federal permits subject to ACMP review.

For purposes of compliance with NEPA, the STB could generally describe the CZMA, ACMP, and relevant coastal district policies, and reflect that the appropriate time for the proposed railroad extension to undergo an ACMP consistency review is when a route has been selected, design is finalized and permit applications are submitted for review.

The ARRC may profit from consulting your SEA and considering the ACMP standards you addressed in your letter when they submit a Coastal Project Questionnaire to being the ACMP process after a route has been selected and design is finalized. DCOM would expect a greater level of detail in the consistency evaluation when ARRC submits an application. Additional notes we can provide on the consistency evaluation in the interests of a more complete future ARRC application appear below:

1. **Coastal Development:** This standard prioritizes developments in or adjacent to (near but not necessarily touching) coastal (salt) waters. Future submittals would contain descriptions about how the railroad extension is either water-dependent, water-related or neither water-dependent or water-related.
2. **Natural Hazard Areas:** The Matanuska Susitna Borough coastal management plan does not currently contain any designated natural hazard areas, but natural hazards can be designated during the course of an individual consistency review.
3. **Subsistence Designated Areas:** The Matanuska Susitna Borough coastal management plan does not currently contain any designated subsistence use areas, but these areas can be designated during the course of an individual consistency review.
4. **Habitats:** Future submittals would break out each individual habitat type the project occurs in and give a detailed description of how the railroad extension is designed to avoid, minimize and lastly mitigate significant adverse impacts to habitat types managed by the ACMP. The ARRC would describe all efforts/design considerations made to avoid adverse impacts, then describe efforts to minimize impacts.
5. **Matanuska Susitna Borough Coastal District Enforceable Policies:** Future submittals will need to address any Matanuska Susitna Borough district enforceable policies that apply.

DCOM applauds your decision to include the ACMP standards in your NEPA analysis and very much appreciates the spirit of coordination. Thank you for your cooperation with the ACMP. Please contact me if you have any questions at 907-269-7480 or [Melinda.ODonnell@alaska.gov](mailto:Melinda.ODonnell@alaska.gov).

Sincerely,



Melinda O'Donnell  
Project Review Supervisor

cc: ARRC

**From:** Perrin, Don J (DNR) [<mailto:donald.perrin@alaska.gov>]  
**Sent:** Friday, December 03, 2010 04:54 PM  
**To:** [David.Navecky@stb.dot.gov](mailto:David.Navecky@stb.dot.gov) <[David.Navecky@stb.dot.gov](mailto:David.Navecky@stb.dot.gov)>  
**Cc:** Summerville, Alan; Bethe, Michael L (DFG) <[mike.bethe@alaska.gov](mailto:mike.bethe@alaska.gov)>; Schick, Lesli J (DNR) <[lesli.schick@alaska.gov](mailto:lesli.schick@alaska.gov)>  
**Subject:** FW: ARRC Port MacKenzie Mitigation Measures -- CORRECTED

Dave – the comments below from DNR/DMLW supplement the ADF&G comments I sent you earlier this week. ADF&G concurs with DNR’s requested change regarding MM # 41. This concludes the state’s comments on the preliminary mitigation measure. Thanks again for the opportunity to supplement our comments on the draft EIS. Please contact me with questions.

Don Perrin  
269-7476

**From:** Schick, Lesli J (DNR)  
**Sent:** Friday, December 03, 2010 12:19 PM  
**To:** Perrin, Don J (DNR)  
**Cc:** Cox, Clark A (DNR); Singer, Sandra J (DNR)  
**Subject:** RE: ARRC Port MacKenzie Mitigation Measures -- CORRECTED

Hi Don,  
SCRO agrees with Fish & Game for those mitigation edits that involve DNR, with a couple edits.

For #41: please change the third bullet to read “Identify future crossing needs to provide for future use and development of public lands.” SCRO feels that identifying crossing locations for the future might restrict both DNR and the railroad to specific crossings that might not be in the best locations a decade from now when they are needed/implemented.

For all the mitigation measures that require plans and/or consultation. There is no wording requiring the implementation of any of the plans or a way to resolve issues on mitigation compliance or mediation for conflicts that could arise during consultation (i.e. what happens if DNR and the railroad do not agree on the outcome of the consultation or if the mitigation requiring consultation has been satisfied). SCRO would like wording added that clarifies that the railroad is expected to implement the plans outlined in the mitigation and how conflicts will be mediated between DNR/ADFG and the railroad.

If you have any additional questions, please let me know.  
-lesli

---

Lesli Schick  
Iditarod Trail Easements  
Department of Natural Resources  
550 W 7th Ave, Suite 900C  
Anchorage, AK 99501  
Phone: (907) 334-2679  
Email: [lesli.schick@alaska.gov](mailto:lesli.schick@alaska.gov)

**From:** Perrin, Don J (DNR)  
**Sent:** Wednesday, December 01, 2010 9:27 AM  
**To:** Schick, Lesli J (DNR); Singer, Sandra J (DNR); Cox, Clark A (DNR); Steinberger, Wendy S (DNR)  
**Cc:** Bittner, Judith E (DNR); Smodey, Melinda J (DNR); Johnson, Erik M (DNR); Bethe, Michael L (DFG)  
**Subject:** FW: ARRC Port MacKenzie Mitigation Measures -- CORRECTED

Attached are ADF&G comments on the ARRC Port MacKenzie Mitigation Measures. Please provide me any additional comments by this Friday so I can consolidate and send to STB. (also attached for your reference is Chap 19 mitigation from the draft EIS)

Thanks  
Don  
269-7476

**From:** Satterfield, Cynthia R (DFG)  
**Sent:** Wednesday, December 01, 2010 9:00 AM  
**To:** Perrin, Don J (DNR)  
**Cc:** Kavalok, Tony (DFG); Ivey, Samuel S (DFG); Weiss, Edward W (DFG); Giefer, Joe (DFG); Simpson, Ellen M (DFG); Meehan, Joe (DFG); Ott, Alvin G (DFG); Fink, Mark J (DFG); Daigneault, Michael J (DFG)  
**Subject:** FW: ARRC Port MacKenzie Mitigation Measures -- CORRECTED

Attached is a corrected mitigation comment letter. The comments did not change. The only change to the document was the Fish Habitat Case number. It changed to FH-10-IV-0474. Please contact Mike Bethe (907-761-3859 or [mike.bethe@alaska.gov](mailto:mike.bethe@alaska.gov)) if you have any questions.

*Cindy Satterfield*

Cindy Satterfield, Program Technician  
Division of Habitat, Mat-Su Office  
(907) 761-3855 Fax (907) 745-7369

**From:** Satterfield, Cynthia R (DFG)  
**Sent:** Tuesday, November 30, 2010 4:45 PM  
**To:** ([donald.perrin@alaska.gov](mailto:donald.perrin@alaska.gov))  
**Cc:** [tony.kavalok@alaska.gov](mailto:tony.kavalok@alaska.gov); Ivey, Samuel S (DFG) ([samuel.ivey@alaska.gov](mailto:samuel.ivey@alaska.gov)); Weiss, Edward W (DFG) ([ed.weiss@alaska.gov](mailto:ed.weiss@alaska.gov)); [joe.giefer@alaska.gov](mailto:joe.giefer@alaska.gov); [ellen.simpson@alaska.gov](mailto:ellen.simpson@alaska.gov); [joe.meehan@alaska.gov](mailto:joe.meehan@alaska.gov); [al.ott@alaska.gov](mailto:al.ott@alaska.gov); [mark.fink@alaska.gov](mailto:mark.fink@alaska.gov); Daigneault, Michael J (DFG) ([michael.daigneault@alaska.gov](mailto:michael.daigneault@alaska.gov))  
**Subject:** ARRC Port MacKenzie Mitigation Measures

Attached are ADFG Habitat Division's comments on draft EIS mitigation measures for the Alaska Railroad Port MacKenzie Rail Line. Please contact Mike Bethe (907-761-3859 or [mike.bethe@alaska.gov](mailto:mike.bethe@alaska.gov)) if you have any questions.

*Cindy Satterfield*

Cindy Satterfield, Program Technician  
Division of Habitat, Mat-Su Office  
(907) 761-3855 Fax (907) 745-7369

# STATE OF ALASKA

## DEPARTMENT OF FISH AND GAME

### DIVISION OF HABITAT

SEAN PARNELL, GOVERNOR

1800 Glenn Highway, Suite 12  
Palmer, AK 99645-6736  
PHONE: (907) 745-7363  
FAX: (907) 745-7369

#### FISH HABITAT CASE NO. FH-10-IV-0474

November 30, 2010

Mr. Don Perrin  
Alaska Department of Natural Resources  
Office of Project Management and Permitting  
550 W 7th Ave, Suite 1430  
Anchorage, AK 99501-3566

Re: Alaska Railroad Port MacKenzie Rail Line; ADFG Habitat Division's Comments on Draft EIS Mitigation Measures

Dear Mr. Perrin:

As discussed during the November 10th teleconference with the STB, we are providing additional comments on the Draft EIS mitigation measures. We appreciate the opportunity to provide these additional comments.

Attached are our suggested changes to the wording of mitigation measures 23, 29, 33, 38, 41, and 46. In reviewing these mitigation measures, we realized that various impacts were best addressed through the development of mitigation plans prior to final design. This approach replaces the recommendations that the applicant consults with the appropriate agencies to resolve various issues with no solid timeline or expected product.

We also have several comments regarding implementation of the mitigation measures:

1. Please describe how our comments on these mitigation measures, consisting of our May 10, 2010 letter and the attached additional comments will be addressed in the Final EIS.
2. Please describe how the final mitigation measures will be carried through into the STB's final decision and licensing decision document.
3. Provided the mitigation measures set forth in the Final EIS are incorporated into the STB's licensing document, please describe what mechanisms exist for resolving differences between the Alaska Railroad and the various state agencies during implementation and construction.

*"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."*

FH-10-IV-0474

November 30, 2010

We look forward to working closely with the SEA and the applicant as this process continues. Please contact me at (907) 761-3859 or by email at [mike.bethe@alaska.gov](mailto:mike.bethe@alaska.gov) if you have any questions.

Sincerely,



Michael L. Bethe, Habitat Biologist  
Division of Habitat  
(907) 745-7363

Attachment: Mitigation measure comments

cc:	T. Kavalok, WCD	S. Ivey, SFD	E. Weiss, WCD
	J. Geifer, SFD	E. Simpson, SFD	J. Meehan, WCD
	A. Ott, Habitat	M. Fink, Habitat	M. Daigneault, Habitat

**Alaska Department of Fish and Game, Division of Habitat  
Recommended Changes to SEA's Mitigation Measures  
Port MacKenzie Railroad Extension  
November, 30, 2010**

- 23.) Prior to final engineering design, the applicant shall consult with appropriate agencies, including the U.S. Fish and Wildlife Service (USFWS) and the Alaska Department of Fish and Game (ADF&G), to locate project-related facilities to minimize the size and degree of impacts to highly sensitive habitat areas. Where possible, impacted areas shall be restored in accordance with a reclamation plan developed prior to final engineering in cooperation with the USFWS, ADF&G, and/or other appropriate agency staff. The reclamation plan shall clearly designate:
- Areas to be reclaimed;
  - Reclamation materials, methods, and timing;
  - Monitoring schedule and contingency plans.
- 29.) Prior to project-related construction, the applicant shall consult with the Alaska Department of Natural Resources to develop a mitigation plan to address the spread and control of nonnative invasive plants (NIPs). This plan must be completed prior to final engineering and shall designate:
- Potential approved seed mixes;
  - Weed prevention and eradication procedures;
  - Equipment washing protocols;
  - Revegetation methods;
  - Post-construction monitoring protocols.
- 33.) The Applicant, in consultation with the Alaska Department of Fish and Game (ADF&G) and the Alaska Department of Natural Resources, shall evaluate, implement, and monitor various aspects of project-related rail design, maintenance, and operations to minimize mortalities due to collisions and document moose mortality from collisions with trains. The applicant shall develop a plan to minimize moose-collision mortality. The plan will be developed prior to the completion of final engineering plans and shall designate:
- Vegetation management methods;
  - Snow removal methods;
  - Train operation methods (e.g. speed limits, operation timing, pilot cars, etc.);
  - Collision accounting methods;
  - Design and construction methods specific to minimizing collisions.
- 38.) Prior to final design, the Applicant shall develop a plan in consultation with the Alaska Department of Natural Resources (ADNR) and the Alaska Department of Fish and Game to ensure that project-related bridges and culverts placed on navigable or public waters 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.

41.) Prior to final design, the Applicant shall develop a plan in consultation with resource management agencies including the Alaska Department of Natural Resources, the Alaska Department of Fish and Game, and appropriate trail user groups to provide for access across the rail alignment. The plan shall:

- Identify all crossing locations including formal trail easements, informal public trails on state lands, and section lines;
- Identify crossing locations for dispersed uses such as hunting, fishing, and wintertime recreation such and skiing and snowmobiling on long stretches of rail lines without designated public crossings;
- Identify crossing locations to provide for future use and development of public lands.
- Describe appropriate crossing designs.

46.) If the Surface Transportation Board authorizes the Mac West Segment, the applicant shall consult with the Alaska Department of Fish and Game and other appropriate resource agencies prior to final design to develop and implement a mitigation plan to address refuge impacts. The plan will include measures designed to:

- Avoid and minimize impacts to refuge resources via construction siting, methods, timing, and design;
- Avoid and minimize impacts associated with train operation procedures;
- Provide for compensatory mitigation for those impacts that cannot be avoided and minimized to a *de minimis* level.

# STATE OF ALASKA

SARAH PALIN, GOVERNOR

## DEPARTMENT OF NATURAL RESOURCES OFFICE OF PROJECT MANAGEMENT AND PERMITTING

March 21, 2008

Surface Transportation Board  
Case Control Unit  
1925 K Street, NW  
Washington, D.C. 20423-0001  
Attention: David Navecky  
Environmental Filing

Re: STB Finance Docket No. 35095, The Alaska Railroad Corporation – Petition for Exemption to Construct and Operate a Rail Line to Port MacKenzie, Alaska. Notice of Intent to Prepare and Environmental Impact Statement.

The State of Alaska has reviewed the February 12, 2008 Notice of Intent from the U.S. Department of Transportation Surface Transportation Board (STB) to prepare an Environmental Impact Statement (EIS) for the proposed Alaska Railroad Corporation (ARRC) Port MacKenzie Rail Extension. The ARRC seeks authority to construct and operate approximately 30 to 45 miles of new rail connecting the Matanuska-Susitna Borough's Port MacKenzie to a point on the ARRC main line between Wasilla and Willow, Alaska. The following comments represent the consolidated views of the State's resource agencies and supplement the enclosed State of Alaska agency pre-scoping comments previously submitted to ARRC.

The Notice of Intent requests comments on the included Draft Scope of Study for the EIS. In general, the State supports the scope as presented. The project would require authorizations and consultation with State of Alaska agencies, including the Alaska Departments of Natural Resources, Environmental Conservation, Fish and Game, and Transportation & Public Facilities, concerning a wide range issues with regard to fish passage, fragmentation of wildlife habitat, the presence of cultural sites, native allotments, state recreation areas and game refuges, water quality, historic land use patterns, and road/rail crossings. We note that land ownership and the successful acquisition of Rights-of-Way will also significantly affect the final route selection. General comments on the draft scope of study, including route selection and design considerations are provided with the corresponding draft Scope of Study number below:

### **1. Safety**

Please include a discussion of hazardous materials, including petroleum products and spill response.

### **2, 3, 11, & 12. Land Use, Recreation, Socioeconomics, and Transportation Systems**

The EIS should specifically evaluate impacts to regional winter trails from not solely a recreational perspective. It should also include the economics, land use, transportation and lifestyle impacts of all alternative routes on winter trail use. Trails also provide the following:

LIFESTYLE/SOCIOECONOMICS: Trails are used by professional dog mushers and snowmachiners for training and racing. This is highlighted by the fact that Willow has just

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become the new permanent Iditarod Trail Race Restart point due to its typically better snow conditions and trail networks that favor large spectator events. The Iditarod Race annually attracts 30,000 to 40,000 spectators who view the race from a regional perspective; many spectators utilize the entire trail network from Big Lake to beyond Willow to engage in this world-famous trail event. The Annual Iron Dog Race begins in Big Lake and also has a very strong economic and social impact to the region.

**SOCIOECONOMICS/TOURISM:** Trails as a focus for developing a strong winter-based tourism program by having a large inter-connected network of trails that supports overnight lodging, food, equipment rentals, and ancillary marketing. The web-like net of trails currently offer a large menu of north-south and east-west options for tour routes that include groomed and signed trails that cater to both novice and experienced trail users. This includes options of a 1-hour ride to multi-day trips. Once a web is bisected, it is no longer.

**TRANSPORTATION:** The east-west network is multi-faceted to allow residents, lodge owners and recreationists to traverse freely to the west side of the Susitna River drainage. Since there are no bridges or roads to this area, changing river ice openings, differences in freeze-up and varying snow conditions require that many options exist to allow free passage to this area of the state

## **2 & 3. Land Use & Recreation**

Impacts to public access to public resources, i.e., hunting and fishing opportunities, trails, access to stream easements and other easements and public lands must be addressed during route selection and rail design. Infrastructure development and Right of Way grants have potential to increase or focus use in areas that are currently not heavily used and well as having the potential to block or alter access across current trails. Customary and traditional access to fish and game resources shall be maintained.

## **4. Biological Resources**

Any of the potential routes for this project traverse a large geographic area and have the potential to negatively impact a wide range of sensitive habitat areas. All work associated with this project that could potentially impact anadromous streams (AS 41.14.870) or could potentially block the free passage of fish (AS 41.14.840) requires a Fish Habitat Permit from the OHMP prior to commencement of any construction.

A multitude of streams supporting both anadromous and resident fish species are present in the project area. Fragmentation of aquatic habitat is a concern. Many of the anadromous streams in the area have been documented in the ADF&G/OHMP Anadromous Waters Catalog (AWC). However, this catalog is a work-in-progress.

There is no such catalog for resident fish species. Comprehensive stream sampling to determine/confirm anadromy and the presence or absence of resident fish will be required. Fish usage patterns may have changed since the area was initially surveyed, and many smaller streams have yet to be sampled. All resultant data should be submitted to ADF&G for inclusion in the AWC.

All flowing waters that may be crossed by the rail extension should be sampled for fish presence to determine the impact of the particular route on fish passage. These streams should be identified by a combination of aerial and foot surveys because many minor streams are not mapped and may not be

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apparent from the air. Electroshocking in conjunction with foot surveys is the preferred sampling method. All possible fish species would be susceptible to capture and post-spawning salmon carcasses would be apparent.

The presence of many of the potential fish species (e.g. Pacific salmon) is seasonal in nature. Sampling should be conducted between early-August and mid-September to ensure all possible species are present in the stream at some stage of their life history. Sampling in even years is preferable due to the even-year dominance of pink salmon in this region. Hydrological studies will be required to map wetland areas associated with fish bearing drainage systems. This project has the potential to isolate the free flow of water through these wetland areas, thus impacting fishbearing waters. Wetland continuity should be maintained.

### Routing and Design Considerations

The use of bridges to span floodplain areas is the preferred method of providing for the long-term free passage of fish on anadromous systems. Bridge abutments should be located outside the floodplain and above the ordinary high water mark (OHW) to minimize potential impacts to riparian vegetation and streambank integrity.

Culverts should be designed using stream simulation methodology. The culvert design width at the OHW mark should be greater than or equal to 125-percent of the width of the stream at the OHW stage. The culvert grade should approximate the surrounding slope of the stream channel ( $\pm 1\%$ ). Culverts should be buried to approximately 40-percent of their diameter with substrate material that will remain dynamically stable at all expected flood discharge rates. Other design criteria will apply as well.

It shall be the responsibility of the ARRC to ensure the free passage of fish throughout the lifetime of each stream crossing. Beavers are common along the various alternative routes. Culvert designs should account for long-term maintenance for fish passage and be of sufficient size (diameter) to discourage blockages associated with beaver dam construction.

### Route Preferences

The State prefers a route that would minimize potential impacts to wetland areas associated with fish bearing waterways, minimizes the total number of actual stream crossings and avoids crossings of important salmon producing systems such as the Little Susitna River, Willow Creek, and streams in the Nancy Lake and Big Lake watersheds whenever possible. Of the provided routes, these criteria appear to be met best with the following route:

1. Houston South
2. Houston
3. Connector 3
4. Mac East

This conclusion is based on initial examination of existing data and aerial imagery and should be viewed as preliminary. Based on this initial analysis of existing materials, the Willow route would result in more fragmentation of fish and wildlife habitat, particularly in undeveloped areas, than the other alternatives. Crossings over Willow Creek and the Little Susitna River would be necessary.

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Because of the extended length of this route, the potential impacts to wetland areas associated with these drainages could be significant.

### Wildlife

All of the proposed routes will cross areas frequently used by moose, potentially reducing travel between habitat patches, and increasing moose-railcar collisions. A baseline field study should be conducted to identify important seasonal moose concentration areas, movement corridors and habitat resources. ADF&G, Wildlife Conservation Division, generally does not permit private entities to capture and handle large mammal species. In response to increasing conflicts between development and moose in the Matanuska Susitna region, the area management biologist has previously proposed a study to GPS collar and track moose in the area to identify migration corridors, migration timing and habitat use. This information, in addition to the study results provided by the Northern Rail extension moose mitigation study, will be important considerations in planning and mitigating to rail extension and operation impacts to moose populations in the area.

Route selection, effective wildlife crossings, and conventional road crossings should be optimized to reduce habitat fragmentation and to reduce wildlife-railcar collisions. Wildlife overpasses, elevated sections of track, and extended lengths of bridges across rivers should all be considered where appropriate.

## 5. Water Resources

The EIS should include discussion on maintenance of surface water connectivity in streams and wetlands areas, including a description and estimate of the impact of the railroad embankment bisecting wetlands on local water movement to creeks.

Please include the following as a mitigation measure to avoid or minimize potential Project impacts to water quality: "In addition to developing an NPDES Construction General Permit Storm Water Pollution Plan for the Project, DEC adds the requirement that construction contractor and sub-contractor staff shall receive at least 16 hours of erosion and sediment control training."

Of primary concern is the filling and fragmenting of "high value" wetlands in the lowlands wetland complex ecosystem throughout the project area. The ARRC will need to demonstrate how it will maintain the high degree of water quality in these wetlands, rivers and creeks during construction and maintenance of the proposed rail line.

The EIS should also include discussion of the potential impact of various alternatives on water quality within state parks or wildlife refuges. Specifically, reflecting the requirements of 18 AAC 70.015(a)(3) that states, "if a high quality water constitutes an outstanding national resource, such as a water of a national or state park or wildlife refuge or a water of exceptional recreational or ecological significance, the quality of that water must be maintained and protected;"

Finally, the EIS should include discussion of gravel sources needed for the construction of the railroad embankment and the potential impacts on the water environment resulting from new gravel sites.

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Thank you for the opportunity to comment on the draft Scope of Study for this project. We look forward to working with the STB as it develops the EIS for this project and are available to discuss and clarify the state's scoping and pre-scoping comments.

Sincerely,

/s/

Don Perrin

Project Management and Permit Coordinator

Enclosure: Pre-Scoping State agency comments to the ARRC

Cc: Wayne Biessel, ADNR/DP&OR  
Mike Bethe, ADNR/OHMP  
Ken Bouwens, ADNR/OHMP  
Nina Brudie, ANDR/DCOM  
Stefanie Ludwig, ADNR/OHA  
Sam Means, ADNR/MLW  
Clark Cox, ADNR/MLW  
Tammy Massie, ADF&G/SF  
Tony Kavalok, ADF&G/WC  
William Ashton, ADEC  
Jennifer Witt, ADOT&PF  
Brian Lindamood, ARRC



**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Economics, Environmental Analysis and Administration*

November 9, 2009

Donald Perrin  
Alaska Department of Natural Resources  
Office of Project Management and Permitting  
550 W. 7th Ave., Suite 705  
Anchorage, AK 99501

Re: STB Finance Docket No. 35095, The Alaska Railroad Corporation – Petition for Exemption to Construct and Operate of a Rail Line Extension to Port Mackenzie, Alaska; Request for Information Regarding 4(f) Applicability, Measures to Minimize Harm, and *de minimis* Findings

Dear Mr. Perrin:

The purpose of this letter is to request input from official(s) with jurisdiction over the resources identified below regarding (1) the applicability of Section 4(f) of the U.S. Department of Transportation Act of 1966 (also referred to as “Section 4(f)”) to the recreation resources that could be affected by the above-referenced project (also referred to as the “Port MacKenzie Rail Extension”); (2) whether there are any other resources under Alaska Department of Natural Resources (ADNR) or Alaska Department of Fish and Game (ADF&G) jurisdiction that qualify as Section 4(f) resources and would be affected by any of the alternatives for the proposed rail line; and (3) where the proposed project may require the use of a Section 4(f) resource, whether proposed mitigation and measures to minimize harm would support a finding of *de minimis* use.

**Section 4(f) Background**

The Surface Transportation Board’s (the Board) Section of Environmental Analysis (SEA) is in the process of developing a Draft Environmental Impact Statement (EIS) for the proposed Port MacKenzie Rail Extension. SEA anticipates that the Draft EIS will include a determination that some of the alternatives analyzed for the proposed Port MacKenzie Rail Extension could have an effect on one or more recreational resources located within lands managed by ADNR or ADF&G that may be protected under Section 4(f).

Section 4(f) applies to the actions of agencies within the U.S. Department of Transportation (U.S. DOT). In order for the Federal Railroad Administration (FRA), a U.S. DOT agency and a cooperating agency in the development of this EIS, to grant funding for the proposed Port MacKenzie Rail Extension, FRA must determine and evaluate the project’s potential effects to resources protected under Section 4(f). The Secretary of the Department of Transportation cannot approve a transportation project requiring the use of publicly owned parks, recreation areas, or wildlife and waterfowl refuges, or significant public or private historic sites

unless there is no prudent and feasible alternative to using that land and the project includes all possible planning to minimize harm to the Section 4(f) resource.

Resources protected under Section 4(f) include “significant publicly owned public parks and recreational areas that are open to the public and significant publically owned wildlife and waterfowl refuges.” The term “significant” means that in comparing the availability and function of the park, recreational area or wildlife and waterfowl refuge, with the park, recreation or refuge objectives of the community or authority, the resource in question plays an important role in meeting those objectives. Further, one of its major purposes and functions must be for park, recreation, or as a refuge. If any of the resources identified below offer incidental, secondary, occasional or dispersed park, recreational or refuge activities, then this does not constitute a major purpose and the resource would not qualify for protection under Section 4(f).

### **Potential Section 4(f) Properties**

We have identified the following preliminary list of potential Section 4(f) properties that could be affected by one or more of the alternatives for the proposed rail line:

- *Little Susitna State Recreation River.* The recreation area, including the Nancy Lake Creek Public Use Site, offers public recreation opportunities, including boating, camping, fishing, and hiking and all-terrain vehicle use on trails along the banks of the river.
- *Nancy Lake State Recreation Area.* The recreation area provides opportunities for canoeing, picnicking, fishing, hiking, camping, dog sledding, skiing, snowshoeing, and snowmachining.
- *Willow Creek State Recreation Area.* Recreational activities available in the area include fishing, camping, floating/boating, winter trails (including the Lucky Shot Trail), wildlife viewing, and hunting.
- *Mud Lake Trail.* This is a multi-use winter trail located near the northwest corner of the Nancy Lakes State Recreation Area that provides access between Nancy Lakes State Recreation Area and the West Gateway Trail System.
- *Pipeline Trail.* This a multi-use winter trail that follows a gas pipeline corridor and provides access to the Point MacKenzie area, the Susitna River, and the Susitna Flats State Game Refuge.
- *Flathorn Lake Trail.* This is a multi-use winter trail that provides access to the Susitna Flats State Game Reserve and the Little Susitna River.
- *Aurora Dog Musers Trail.* This system is a series of non-motorized winter trails southeast of Big Lake that provides training and racing opportunities for dog sledders.
- *Susitna Flats State Game Refuge.* The refuge provides important public recreation opportunities, including fishing, hunting, boating, wildlife viewing, and multi-use winter trails.

SEA, on behalf of FRA, respectfully requests that ADNR and ADF&G determine whether the availability and function of these resources plays an important role in meeting agency objectives and verify that one of the major purposes and functions of these resources is for park, recreation, or as a refuge. Additionally, if there are any other potential Section 4(f) resources that would be affected by the proposed rail line that we have not identified, please provide information on these resources and their location in your reply.

### **Measures to Minimize Harm and *de minimis* Findings**

SEA is also developing measures to minimize potential impacts to Section 4(f) resources. SEA will include these mitigation measures in the Port MacKenzie Rail Extension Draft EIS. The measures will include voluntary mitigation developed by the Applicant, as well as preliminary mitigation developed by SEA. Below is a list of measures we are considering including in the Draft EIS to mitigate potential impacts of the proposed rail line on the resources managed by ADNR or ADF&G identified above.

*The Applicant shall consult with land managers to develop a plan to ensure project-related construction activities occur during the most appropriate timeframe, designate temporary recreational access points if main access routes must be obstructed during construction, and consult with the agencies with jurisdiction and user groups to limit potential impacts to recreation activities.*

*Depending on the alternative authorized, the Applicant shall coordinate with the U.S. Coast Guard to provide adequate clearances for navigation of recreational boats on navigable rivers (e.g. Willow Creek and the Little Susitna River).*

*The Applicant shall maintain public access to and from legally authorized trails and Matanuska-Susitna Borough (MSB) recognized trail easements. The Applicant shall provide grade-separated crossings where the new rail line would cross these trails, although some trails could require some realignment to consolidate crossings. The Applicant shall work with trail user groups to design and construct grade-separated trail crossings.*

*The Applicant shall consult with ADNR, ADF&G, and MSB to determine where significant public access is occurring to and along public and navigable water bodies. If existing levels of access or significance of adjacent water bodies merit access preservation, the Applicant shall design project-related waterbody crossing structures to accommodate upland access on public land along waterways.*

*If the Surface Transportation Board authorizes the Mac West segment, the Applicant shall consult with the ADF&G to develop and implement measures, including consideration of replacing refuge acreage used for project-related rail right-of-way, to minimize impacts to the Susitna Flats State Game Refuge to the extent practicable.*

*If the Surface Transportation Board authorizes the Willow segment, the Applicant shall consult with ADF&G and ADNR to develop and implement measures, including consideration of replacing acreage used for project-related rail right-of-way, to minimize potential impacts to the Willow Creek State Recreation Area, Nancy Lakes State Recreation Area and Little Susitna River State Recreation River Area. The Applicant shall identify any additional trails, campsites, or other uses within the recreation areas that could be potentially affected by the project and shall coordinate with ADNR Division of Parks and Recreation (DPOR) to craft a site-specific crossing plan to eliminate or decrease potential impacts to the extent practicable.*

*If the Surface Transportation Board authorizes the Houston North segment, the Applicant shall consult with the ADNR to develop and implement measures to minimize potential impacts to the Little Susitna State Recreation River and the Nancy Lake Creek Junction public use site including replacement of any camping or other facilities within the right-of-way.*

*If the Surface Transportation Board authorizes the Connector 1 segment, the Applicant shall consult with ADF&G and ADNR to determine if any trails in addition to official recognized trails within and surrounding the Little Susitna Public Use Facility have high enough levels of use to merit consideration for a grade-separated crossing.*

*If the Surface Transportation Board authorizes the Willow segment, the Applicant shall provide two grade-separated crossings for the Lucky Shot Trail within the Willow Creek State Recreation Area and shall construct a bridge over Willow Creek with adequate clearance to ensure public access along the waterway during winter as well as summer conditions.*

*If the Surface Transportation Board authorizes the Willow segment, the Applicant shall determine whether access would be made available to the parkland in the Nancy Lakes State Recreation Area west of the proposed right-of-way; if such accommodation is warranted but not practicable, the Applicant shall consult with ADNR DPOR to determine appropriate mitigation for the loss of public access to this area.*

*If the Surface Transportation Board authorizes the Willow or Houston North segments, the Applicant shall construct a bridge over the Little Susitna River with adequate clearance to ensure public access along the waterway during winter as well as summer conditions.*

*If the Surface Transportation Board authorizes the Mac West, Connector 1, and/or Willow segments, the Applicant shall consult with ADFG to identify trails, campsites or other uses within the Susitna Flats State Game Refuge that would be affected and develop a site-specific crossing plan to maintain public access for Susitna Flats State Game Refuge.*

Section 6009 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (49 U.S.C. 303), also known as SAFETEA-LU, amended Section 4(f) statutory requirements to include an exception for uses of protected land that would have a “*de minimis*” impact on that land. The U.S. Secretary of Transportation may make a finding of *de minimis* impact if the project “will not adversely affect the activities, features, and attributes of the park, recreation area, or wildlife or waterfowl refuge eligible for protection” under Section 4(f), and if the “Secretary has received concurrence from the officials with jurisdiction over the park, recreation area, or wildlife or waterfowl refuge.” To complete the Section 4(f) evaluation, SEA, on behalf of FRA, is requesting your input on whether a *de minimis* impact finding for any or all of the properties identified above could be reached through the implementation of the measures described above, or with the development and implementation of additional mitigation measures.

In summary, please indicate if you concur that: (1) this letter has identified all the ADNR- and ADF&G-managed Section 4(f) resources potentially affected by the proposed Port MacKenzie Rail Extension; (2) there are no other ADNR- or ADF&G-managed Section 4(f) resources potentially affected by the proposed project; and (3) the potential mitigation measures outlined in this letter would make the potential impacts *de minimis* for any of the Section 4(f) resources listed in this letter, and if so, which resources. If we have failed to identify all the ADNR- or ADF&G-managed Section 4(f) resources, please identify their location and provide a

description of the resource in your reply. If ADNR or ADF&G believes that additional mitigation measures would be required to make the potential impacts on Section 4(f) resources *de minimis*, please outline such measures in your reply. Please address your reply to Dave Navecky of my staff at the letterhead address, or as an email attachment to [David.Navecky@stb.dot.gov](mailto:David.Navecky@stb.dot.gov).

Your hard work and cooperation to date has helped make this environmental review process the “hard look” required by NEPA. I thank you in advance for the expertise and effort needed in responding to the questions posed in this letter. If you have any questions, please do not hesitate to contact Dave Navecky, SEA’s Project Manager, at 202-245-0294, or Alan Summerville of ICF International, Project Manager for SEA’s third-party contracting team, at 703-934-3616. We would appreciate your reply by December 9, 2009.

Sincerely,



Victoria Rutson  
Chief  
Section of Environmental Analysis

**cc:**

Mr. John Winkle  
Federal Railroad Administration  
Office of Railroad Development  
1200 New Jersey Ave SE - Mail Stop 20  
Washington, DC 20590

# STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF PROJECT MANAGEMENT AND PERMITTING

**SEAN PARNELL, Governor**

550 W. 7<sup>TH</sup> AVENUE, SUITE 1400  
ANCHORAGE, ALASKA 99501  
PH: (907) 269-8431 / FAX: (907) 334-8918

Victoria Rutson  
Chief, Section of Environmental Analysis  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423-0001

December 31, 2009

Dear Ms. Rutson:

Re: STB Finance Docket No. 35095, Alaska Railroad Corporation Northern Rail – Petition for Exemption to Construct and Operate a Rail Line Extension to Port Mackenzie Alaska; Request for Information Regarding 4(f) Applicability, Measures to Minimize Harm, and *de minimis* Findings

The State of Alaska has reviewed the November 9<sup>th</sup> letter requesting input on section 4(f) resources that could be affected by the Port Mackenzie Rail Extension project. In response to the listed items 1-3 we offer the following comments.

- (1) We concur that the properties listed on page 2 of the memo meet the 4(f) criteria as explained in the memo.
- (2) Please add the following 4(f) resources not identified your letter.

#### RST 149, Nancy Lake – Susitna Trail

The Nancy Lake - Susitna trailhead is located in southcentral Alaska, at mile 67 of the parks highway. From the south shore of Nancy Lake, the trail heads southwestward to Susitna Landing. The route is located in the USGS 1:63,360 Anchorage C-8 and Tyonek C-1 and C-2 quadrangles and is approximately 26 miles long.

#### RST 118, Knik – Susitna Trail

The Knik-Susitna section of the Iditarod Trail begins in the town of Knik, on the north side of Knik Arm north of Anchorage. The trail heads northwest, joining ADL 200644, a 200 foot right of way which runs through T16N, R3W, Seward Meridian. This easement becomes ADL 222930, a 400 foot right-of-way which heads west to the trail's terminus at the Susitna River within T17N, R7E, SM. Total trail length is approximately 30 miles. The trail is shown on USGS 1:63,360 Anchorage B-8 and Tyonek C-2. These trails are a valid state interest for their historical and recreational values.

*“Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans.”*

(3) “Whether proposed mitigation and measures to minimize harm would support a finding of *de minimis* use”

We have reviewed and considered the proposed mitigation and measures provided in your letter. While these mitigations and measures may be appropriate for initial analysis in mitigating potential impacts to any resource of the state, not just 4(f), we do not concur that implementation of these measures would result in *de minimis* impacts to the identified 4(f) resources. Moreover, there is no reasonably conceivable assemblage of mitigation measures that we could determine would render overall impacts to refuge lands and park lands *de minimis*.

These refuge areas, parks and recreational lands, typically with legislatively designated boundaries, were specifically designated in state law for the purposes of conserving the land and the values associated with that land. The replacement of impacted refuge lands with similar lands in other locations does not mitigate or restore habitat loss or other attributes within these 4(f) areas to a *de minimis* level. The listed mitigation and measures do not address the potential for direct or indirect harm to fish and wildlife, such as moose collisions along these routes. Further, they do not address the potential for damage from activities directly associated with railroad use, such as toxic spills or noise impacts. The existence of and the routine operation of a railroad in areas so closely associated with legislatively protected lands could directly alter the movement, migration and behavior of various fish and wildlife populations that rely on these largely undeveloped habitat areas.

The intent of the formative laws for these lands and current management directives contained in governing management plans and in regulation further demonstrates the impracticality of achieving a *de minimis* finding through mitigation, compensatory or otherwise. The comments below are in response to the proposed segment specific mitigation and measures listed in your letter.

*If the Surface Transportation Board authorizes the Mac West segment, the Applicant shall consult with the ADF&G to develop and implement measures, including consideration of replacing refuge acreage used for project-related rail right-of-way, to minimize impacts to the Susitna Flats State Game Refuge to the extent practicable.*

The Susitna Flats State Game Refuge (SFSGR) was established by the Alaska State Legislature in 1976 to protect (1) fish and wildlife habitat and populations, particularly waterfowl nesting, feeding and migration areas; moose calving areas; spring and fall bear feeding areas; salmon spawning and rearing habitats; and (2) public uses of fish and wildlife particularly waterfowl, moose and bear hunting; viewing; photography; and general recreation in a high quality environment. Mitigating the impact of the Mac West route alignment with replacement land in a different location would not make the impacts *de minimis* because the SFSGR was created specifically to protect the resources located in the Susitna Flats, not wildlife or habitat resources generally, or in another area. Land purchased as mitigation could not be added to the refuge and would not be under ADF&G management authority without legislative approval.

In addition, the ability of ADF&G to manage the SFSGR consistent with the goals, objectives, and policies of the SFSGR Management Plan would be compromised if the Mac West route was selected.

The plan directs ADF&G to manage the refuge (1) for the protection, preservation, and enhancement of fish and wildlife populations; and (2) to protect maintain and enhance public use of fish and wildlife and their habitat and general recreation in a high quality environment. All activities within the refuge must be consistent with these goals and compatible with the purposes for which the refuge was established.

This alignment along the eastern boundary of the SFSGR would act as a barrier to east/west movement of moose between the SFSGR and land outside the refuge including the Goose Bay State Game Refuge, which was established to protect natural habitat and game populations. It would make habitat that was protected specifically to benefit wildlife, including moose, inaccessible to moose. (SFSGR Management Plan Objective I.2. – Maintain natural movement corridors for moose to and from the refuge.)

The Mac West alignment affects all current overland access to the SFSGR from the Mat-Su Borough road system, including the Horseshoe Lake access road at the end of Holstein Ave., the Enstar pipeline trail, Ayrshire Ave/Little-Su River Road, Middle Lake Trail, Guernsey Road, and the South Trail. The only legal constructed road access, Ayrshire Ave/Little-Su River Road, into SFSGR, is in the NE corner of the refuge providing access to the Little Susitna Public Use Facility. The access road to Horseshoe Lake and the boat launch at the lake are located in the same section line easement and parallel the route of the Mac West alignment (at approximately mile 10). Restricting public access into the refuge to only these routes will only minimally maintain public access and most certainly will not enhance public access (SFSGR Objective II.1. – Maintain and where appropriate enhance public access to the refuge.) The impacts of restricting access into the refuge will not be mitigated through acreage replacement because the access is located in those particular locations in the northeast corner and down the east boundary of SFSGR because practical legal access does not exist elsewhere.

*If the Surface Transportation Board authorizes the Willow segment, the Applicant shall consult with ADF&G and ADNR to develop and implement measures, including consideration of replacing acreage used for project-related rail right-of-way, to minimize potential impacts to the Willow Creek State Recreation Area, Nancy Lakes State Recreation Area and Little Susitna River State Recreation River Area. The Applicant shall identify any additional trails, campsites, or other uses within the recreation areas that could be potentially affected by the project and shall coordinate with ADNR Division of Parks and Recreation (DPOR) to craft a site-specific crossing plan to eliminate or decrease potential impacts to the extent practicable.*

The Willow segment crosses both the Little Susitna State Recreational River and the Willow Creek State Recreation Area, and would impact the Nancy Lake State Park.

DNR does not concur that this measure would support a finding of *de minimis* use. The Willow segment would bi-sect the Willow Creek State Recreation Area. Impacts caused by a ~1/2-mile long by 50+ feet tall structure necessary to cross the Willow Creek Valley will alter the landscape significantly, irreparably and could adversely affect the activities, features, and attributes of the park. Such impacts cannot be mitigated through traditional means (such as acreage replacement) since the primary feature of the park is the Willow Creek Valley. Additionally, soundscape impacts cannot be eliminated and will permeate throughout a much greater area than the rail belt footprint, especially when elevated above grade. State Recreation Areas are usually large enough resource parks that noise attenuation is

accomplished by virtue of their size. The same noise premise holds true for all three conservation units in the Willow Corridor.

*If the Surface Transportation Board authorizes the **Houston North** segment, the Applicant shall consult with the ADNR to develop and implement measures to minimize potential impacts to the Little Susitna State Recreation River and the Nancy Lake Creek Junction public use site including replacement of any camping or other facilities within the right-of-way.*

DNR does not concur that the mitigation proposals for this segment would support a *de minimis* finding. The Houston North segment crosses the Little Susitna State Recreational River. The rail corridor could have substantial impact to the Little Susitna State Recreational River designation within the corridor footprint and could materially affect the ability to use the recreation corridor as designated. Though construction of a bridge would continue to allow for access on both sides of the river, the proposed rail corridor would likely cut off and isolate the associated uses. The acreage is linear for the most part and therefore, susceptible to substantial alteration by linear developments (e.g., a rail line) that would materially divide a narrow resource. Additionally, trails within a recreation designation are not individually protected; they are generally protected by virtue of occurring within the designation. A rail line may render portions of the recreational area unusable for recreation by virtue of isolating them from access. By virtue of it being a corridor, the protected area is wider than just the river and free access within the corridor could be compromised by the proposed rail line.

The Recreation Rivers were established by statute primarily for recreation (AS 41.23.400) and the primary purpose for management includes continued recreational and economic use while ensuring the scenic and natural integrity of the recreation river (AS 41.23.400(c)(2)). A railroad crossing the corridor would not be consistent with this management purpose.

*If the Surface Transportation Board authorizes the **Connector 1** segment, the Applicant shall consult with ADF&G and ADNR to determine if any trails in addition to official recognized trails within and surrounding the Little Susitna Public Use Facility have high enough levels of use to merit consideration for a grade-separated crossing.*

The Connector 1 route would impact the Susitna Flats State Game Refuge. See Mac West segment comments above.

*If the Surface Transportation Board authorizes the **Willow** segment, the Applicant shall provide two grade-separated crossings for the Lucky Shot Trail within the Willow Creek State Recreation Area and shall construct a bridge over Willow Creek with adequate clearance to ensure public access along the waterway during winter as well as summer conditions.*

See above discussion regarding Willow segment.

*If the Surface Transportation Board authorizes the **Willow segment**, the Applicant shall determine whether access would be made available to the parkland in the Nancy Lakes State Recreation Area west of the proposed right-of-way; if such accommodation is warranted but not practicable, the Applicant shall consult with ADNR DPOR to determine appropriate mitigation for the loss of public access to this area.*

See above discussion regarding Willow segment.

*If the Surface Transportation Board authorizes the **Willow or Houston North segments**, the Applicant shall construct a bridge over the Little Susitna River with adequate clearance to ensure public access along the waterway during winter as well as summer conditions.*

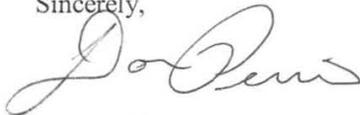
See above discussions regarding Willow and Houston North segments.

*If the Surface Transportation Board authorizes the **Mac West, Connector 1, and/or Willow segments**, the Applicant shall consult with ADFG to identify trails, campsites or other uses within the Susitna Flats State Game Refuge that would be affected and develop a site-specific crossing plan to maintain public access for Susitna Flats State Game Refuge.*

See above discussions regarding Mac West, Connector 1, and Willow segment.

Thank you for the opportunity to review the proposed 4(f) resources and mitigation measures for this project. We remain available to discuss our comments with you at your convenience. Please contact me at (907) 269-7476 or by email at [donald.perrin@alaska.gov](mailto:donald.perrin@alaska.gov) if you have questions regarding these comments or the State's management of these areas.

Sincerely,



Don Perrin  
Project Management and Permit Coordinator  
Alaska Department of Natural Resources

cc: Wayne Biessel, DNR  
Sandra Singer, DNR  
Mike Bethe, ADF&G  
Ellen Simpson, ADF&G  
Brian Lindamood, ARRC, Anchorage  
Dave Navecky, STB  
Alan Summerville, ICF Intl.



**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Economics, Environmental Analysis and Administration*

June 19, 2008

Judith Bittner  
State Historic Preservation Officer  
Alaska Office of History and Archaeology  
550 West 7th Ave., Suite 1310  
Anchorage, AK 99501-3565

Re: STB Finance Docket No. 35095, the Alaska Railroad Corporation – Petition for Exemption to Construct and Operate a Rail Line Extension to Port MacKenzie, Alaska

Dear Ms. Bittner:

With this letter the Surface Transportation Board (Board) would like to formally initiate the Section 106 consultation process with your office, as recommended at 36 CFR 800, for the proposed Port MacKenzie Rail Extension. In addition, we are requesting your review and comment on the enclosed cultural resources work plan to support preparation of the Environmental Impact Statement (EIS) for the project. The work plan establishes guidelines for identifying and evaluating the impacts to cultural resources for each of the proposed project alternatives.

In brief, the Alaska Railroad Corporation has filed a petition with the Board, pursuant to 49 U.S.C. 10502, requesting authority to construct and operate a new rail line from Matanuska-Susitna Borough's Port MacKenzie to connect with the existing Alaska Railroad Corporation rail system between Wasilla and north of Willow, Alaska. The Board is the Federal agency responsible for deciding whether to grant authority for ARRC to construct and operate the proposed new rail line. The Section of Environmental Analysis (SEA) is the office within the Board responsible for preparing the appropriate documentation for compliance with the National Environmental Policy Act (NEPA). SEA is preparing an EIS to evaluate the potential environmental impacts of the proposed Port Mackenzie Rail Extension, including consideration of potential impacts to cultural resources. ICF International is serving as the independent third-party consultant to assist SEA with the EIS. Stephen R. Braund & Associates (SRB&A) is the cultural resources subcontractor to ICF International.

In March, Dave Navecky, SEA's Project Manager for the EIS, and SRB&A staff met with staff your office to discuss a methodology for assessing potential effects to cultural resources caused by the proposed action. SRB&A subsequently developed the enclosed work plan for identifying and evaluating cultural resources along the proposed new rail line. As you will see, the work plan proposes to use a combination of desktop predictive modeling and on-the-

ground testing to evaluate cultural resources within the vicinity of the project. The work plan outlines the process by which the project will satisfy the requirements of Section 106 of the National Historic Preservation Act and also provide adequate information on cultural resources for the EIS process to develop a determination of effects for the proposed project alternatives. We would like to receive any SHPO comments on or suggested revisions to the work plan by July 18, 2008.

We look forward to your comments on the enclosed work plan. If you have any questions about the project please do not hesitate to contact Dave Navecky, SEA Project Manager, at 202-245-0294, or Alan Summerville, ICF International Project Manager, at 703-934-3616.

Sincerely,



Victoria Rutson  
Chief  
Section of Environmental Analysis

Enclosure

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

### DIVISION OF PARKS AND OUTDOOR RECREATION

#### OFFICE OF HISTORY AND ARCHAEOLOGY

**SARAH PALIN, GOVERNOR**

550 W. 7TH AVENUE, SUITE 1310  
ANCHORAGE, ALASKA 99501-3565  
PHONE: (907) 269-8721  
FAX: (907) 269-8908

July 23, 2008

File No.: 3130-1R Surface Transportation Board

SUBJECT: Rail Line Extension to Port MacKenzie, Alaska  
Initiation of Section 106 consultation

Victoria Rutson  
Chief, Section of Environmental Analysis  
Surface Transportation Board  
Office of Economics, Environmental Analysis and Administration  
Washington, DC 20423

Dear Ms. Rutson,

The State Historic Preservation Office received on June 23, 2008, your letter and the attached document titled *Cultural Resources Work Plan: Proposed Port MacKenzie Rail Extension Project, Port MacKenzie to Willow, Alaska STB Finance Docket No. 35095* by Stephen R. Braund & Associates (June 5, 2008). We have reviewed the referenced undertaking under Section 106 of the National Historic Preservation Act and have the following comments:

Definition of area of potential effect:

The *Cultural Resources Work Plan* defines the area of potential effect (APE) for direct effects as the 200 foot right-of-way and the construction footprint of other project components such as staging areas and material sources; the *Plan* also acknowledges that the APE for indirect effects is likely larger (page 5-6). Once we receive a more completely defined APE that includes future cumulative and other indirect effects we will be able to comment on the APE.

Study area and predictive model:

According to *Cultural Resources Work Plan*, the study area is defined as 1 mile on either side of alignment (p. 10). Cultural landscapes, historic districts and traditional cultural properties may be difficult to recognize by looking only at corridors. Instead, we encourage Surface Transportation Board to expand the study area to include the Susitna River-east/Willow/Houston/Knik/Port MacKenzie region when identifying cultural resources and developing the predictive model. The ground truthing surveys may focus on the corridors. Remember also to involve the other consulting parties regarding the predictive model and the types of cultural resources that may be present in the project area.

The variables of the predictive model appear reasonable and we look forward to receiving the resulting GIS map showing the levels of cultural resource probability throughout the project area.

Methodology for completing Section 106 consultation:

We understand that the Section 106 process will be phased and combined with NEPA in accordance with 36 CFR 800.4 (b)(2), 800.5(a)(3) and 800.8 (c). To ensure that the requirements of the Section 106 process will be adequately covered, we developed the following outline based on our understanding of the

*Cultural Resources Work Plan* (pp. 8-12). The only changes we made were the addition of involving consulting parties at each step and developing only one legal agreement.

- Description of affected environment; *36 CFR 800.4* (Identify historic properties):
  - Literature review and back ground research of the project area
  - Describe previously reported cultural resources in project area
  - Develop a predictive model for cultural resources
  - Ground truth the model in summer of 2008
  - Involve consulting parties
- Determination of environmental consequences; *36 CFR 800.5* (Assess adverse effects):
  - Assume National Register eligibility of properties unless previously determined not eligible
  - Describe potential effects (both direct and indirect) to historic properties as a result of each alternative
  - Involve consulting parties
- After selection of final alternative; *36 CFR 800.4 and 800.5*:
  - Pedestrian survey and sub-surface testing of the area of potential effect
  - Archaeological report with evaluations of National Register eligibility and recommendations regarding assessment of effect.
  - Involve consulting parties
  - Concurrence by SHPO of Surface Transportation Board's findings
- *36 CFR 800.6* (Resolution of adverse effects)
  - Will follow a programmatic agreement between STB and SHPO included in the EIS document
  - Involve consulting parties

Legal agreements

The *Cultural Resources Work Plan* states that a memorandum of agreement for mitigating adverse effects to the Iditarod National Historic Trail will be developed in addition to a programmatic agreement (p. 12). Under Section 106, only one legal document is necessary for an undertaking. Mitigation for Iditarod National Historic Trail should be incorporated into the PA.

Please contact Stefanie Ludwig (269-8720) or Doug Gasek (269-8726) if you have any questions or if we can be of further assistance.

Sincerely,



Judith E. Bittner  
State Historic Preservation Officer

JEB:sll

Cc: Fran Seager-Boss, Matanuska-Susitna Borough



***SURFACE TRANSPORTATION BOARD***

***Washington, DC 20423***

*Office of Economics, Environmental Analysis and Administration*

February 5, 2009

Ms. Judith Bittner  
State Historic Preservation Officer  
Department of Natural Resources  
Office of History and Archaeology  
550 West 7<sup>th</sup> Avenue, Suite 1310  
Anchorage, Alaska 99501-3565

Re: STB Finance Docket No. 35095 - Section 106 Process for the Alaska Railroad Corporation's Petition for Exemption to Construct and Operate a Rail Line Extension to Port MacKenzie, Alaska

Dear Ms. Bittner:

In a letter dated June 19, 2008, the Surface Transportation Board (Board) initiated the Section 106 consultation process with your office pursuant to 36 CFR 800, for the proposed Port MacKenzie Rail Extension. The purpose of this letter is to provide additional information about the alternative routes currently under consideration, and planned next steps in the cultural resource assessment process.

**Background / Project Description**

The Section of Environmental Analysis (SEA) is the office within the Board responsible for preparing the appropriate documentation for compliance with the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act. SEA is preparing an Environmental Impact Statement (EIS) to evaluate the potential environmental impacts of the proposed Port Mackenzie Rail Extension, including consideration of potential impacts to cultural resources. ICF International is serving as the independent third-party consultant to assist SEA with the EIS. Stephen R. Braund & Associates (SRB&A) is the cultural resources subcontractor to ICF International.

The proposed Port MacKenzie Rail Extension would connect Port MacKenzie to the existing ARRC rail system at a point between Wasilla and north of Willow, Alaska. The extension would require construction of between approximately 30 and 45 miles of new railroad track within a 200-foot right-of-way (ROW). Ten segments that form eight possible alternative routes are currently being considered. The longest alternative route currently under

consideration would connect to the existing ARRC rail line north of Willow, near Mile 190 of the George Parks Highway, and the shortest would connect to the rail line near Mile 167 of the George Parks Highway. Possible stream and river crossings include the Little Susitna River, Lake Creek, and Willow Creek as well as other small streams, depending on the specific alternative route. The proposed rail extension also would cross local roads, recreational trails, pipelines, and utilities. Additional elements of the proposed project include a siding along the existing rail line, and railroad support facilities including a terminal facility in the port district, access roads and communication towers.

The enclosed project overview map and United States Geological Survey (USGS) 1:63,360 Quadrangles (based on Anchorage B-8, C-8, Tyonek B-1, C-1, and D-1) depict the general area of the project and the alternative routes currently being considered as well as assist in delineating the Area of Potential Effect (APE) of the planned project [36 CFR Part 800.11(d)(1)]. The alternative routes pass through the following township and range sections:

- Township 14 North, Range 4 West, Sections 5, 7, 8, 17, 18, 20, 21, 22, 26, and 27 (Anchorage B-8 and Tyonek B-1)
- Township 14 North, Range 5 West, Sections 1, 12, and 12 (Tyonek B-1)
- Township 15 North, Range 4 West, Sections 4, 5, 6, 7, 8, 17, 20, 29, and 32 (Anchorage B-8 and Tyonek B-1)
- Township 15 North, Range 5 West, Sections 3, 10, 11, 12, 15, 22, 26, 27, 35, and 36 (Tyonek B-1)
- Township 16 North, Range 3 West, Sections 3, 9, 10, 16, 20, 21, 29, and 30 (Anchorage B-8 and C-8)
- Township 16 North, Range 4 West, Sections 25, 26, 27, 31, 32, 33, and 34 (Anchorage B-8 and Tyonek B-1)
- Township 16 North, Range 5 West, Sections 1, 4, 5, 9, 12, 13, 14, 15, 16, 22, 23, 25, 26, 27, 34, and 36 (Tyonek B-1 and C-1)
- Township 17 North, Range 3 West, Sections 1, 2, 6, 11, 12, 14, 23, 26, and 35 (Anchorage C-8)
- Township 17 North, Range 4 West, Sections 1, 2, 10, 11, 15, 16, 20, 21, 29, 30, and 31 (Anchorage C-8 and Tyonek C-1)
- Township 17 North, Range 5 West, Sections 5, 8, 9, 16, 21, 28, 32, and 33 (Tyonek C-1)
- Township 18 North, Range 3 West, Sections 20, 21, 27, 28, 31, 32, 33, and 35 (Anchorage C-8)
- Township 18 North, Range 4 West, Sections 3, 10, 11, 14, 23, 26, and 35 (Anchorage C-8)
- Township 18 North, Range 5 West, Sections 3, 9, 10, 16, 20, 21, 29, and 32 (Tyonek C-1)
- Township 19 North, Range 5 West, Sections 2, 3, 10, 15, 22, 27, and 34 (Tyonek C-1 and D-1)
- Township 20 North, Range 4 West, Sections 19, 30, and 31 (Tyonek D-1)
- Township 20 North, Range 5 West, Sections 35 and 36 (Tyonek D-1)

### **Cultural Resources Review To Date**

Initial examination of the Alaska Heritage Resource Survey (AHRs) records revealed 43 documented cultural resource sites within one mile of the alternative ROW routes, one of which has been found eligible for listing on the National Register of Historic Places (National Register). SRB&A is completing a review of the AHRs files, a review of previous surveys in the vicinity of the APE, and a review of available literature pertaining to the project area. SEA is also initiating consultation with potential Consulting Parties on this project, including Native American tribal organizations, to identify resources in the area.

If you have any questions about the project please do not hesitate to contact Dave Navecky, SEA Project Manager, at 202-245-0294, or Alan Summerville, ICF International Project Manager, at 703-934-3616.

Sincerely,



Victoria Rutson  
Chief  
Section of Environmental Analysis

cc: Alan Summerville, ICF International  
Stephen R. Braund & Associates

Enclosures: Figures 1-6



**SURFACE TRANSPORTATION BOARD**  
Washington, DC 20423

*Office of Economics, Environmental Analysis and Administration*

March 23, 2009

SEE DISTRIBUTION LIST

Re: STB Finance Docket No. 34658, The Alaska Railroad Corporation – Petition for Exemption to Construct and Operate a Rail Line Between North Pole and Delta Junction, Alaska

Dear SEE DISTRIBUTION LIST:

The Alaska Railroad Corporation (ARRC) proposes to build a rail connection to the Matanuska-Susitna Borough's port at Port MacKenzie – referred to as the Port MacKenzie Rail Extension. A license from the Surface Transportation Board (STB) is a prerequisite for the construction and operation of the proposed rail line by ARRC. As part of the process for considering whether to grant such a license, the STB has initiated the Section 106 consultation process for the project with the State Historic Preservation Officer (SHPO), under the National Historic Preservation Act.

The purpose of this letter is to provide you with a summary of the Section 106 Consultation meeting held February 27, 2009 between Stephen R. Braund and Associates (SRB&A), Knik Tribal Council, the Dena'ina Cultural Historian from the Alaska Native Heritage Center, and the Matanuska-Susitna Borough (MSB) Historical Commission.

During the meeting, the Knik Tribal Council indicated their desire to have the discussion of Dena'ina be broadened to a cultural landscape level and focus on not only prehistoric and ethnographic resources, but also the contemporary cultural practices of the Dena'ina and how these practices reflect their past as well as show the Dena'ina as a living part of the landscape today. SEA agrees with the Knik Tribal Council's recommendation to evaluate certain aspects of the Dena'ina landscape within the Area of Potential Effects for the Port Mackenzie Rail Extension. SEA requests concurrence from the SHPO on this approach, and would like to consult further with you on the scope of the identification effort.

If you have any questions, please do not hesitate to contact Dave Navecky, SEA's Project Manager, at 202-245-0294, or Alan Summerville, ICF's Project Manager, at 703-934-3616.

Sincerely,



Victoria Rutson  
Chief  
Section of Environmental Analysis

cc: Stephen R. Braund & Associates  
Alan Summerville, ICF International

Enclosure: Meeting Notes

**Distribution List:**

Ms. Judith Bittner  
State Historic Preservation Officer  
Department of Natural Resources  
Office of History and Archaeology  
550 West 7<sup>th</sup> Avenue, Suite 1310  
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State Historic Preservation Officer  
Alaska Department of Natural Resources  
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Fran Seager-Boss  
Matanuska Susitna Borough Historic Commission  
Matanuska Susitna Borough  
350 East Dahlia Avenue  
Palmer, Alaska 99645  
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Dan Stone  
Matanuska Susitna Borough Historic Commission  
Matanuska Susitna Borough  
350 East Dahlia Avenue  
Palmer, Alaska 99645

**Meeting Notes  
February 27, 2009**

**Meeting Attendees:**

<b>Name</b>	<b>Organization</b>
Stephen R. Braund	Stephen R. Braund and Associates
Paul Lawrence	Stephen R. Braund and Associates
Debra Call	Knik Tribal Council, President
Delia Call	Knik Tribal Council, Secretary Treasurer
Aaron Leggett	Dena'ina Cultural Historian, Alaska Native Heritage Center
Fran Seager-Boss	Matanuska Susitna Borough Historic Commission
Dan Stone	Matanuska Susitna Borough Historic Commission

**Meeting Summary:**

The majority of the meeting focused on Knik Tribal Council's desire to have the discussion of Dena'ina be broadened to a cultural landscape level and focus on not only prehistoric and ethnographic resources, but also the contemporary cultural practices of the Dena'ina and how these practices reflect their past as well as show the Dena'ina as a living part of the landscape today.

The meeting began with overview of the project, discussion of project areas of potential effect (APE) and description of 2008 fieldwork survey efforts and results. Both the Knik Tribe and the MSB representatives had not read the consultation letters sent by the Surface Transportation Board (STB) and were unaware if their organizations had received the letters. During this portion of the meeting both entities made very few comments regarding SRB&A's methodology toward defining the project APEs and summary of 2008 fieldwork survey efforts and generally seemed to agree with SRB&A's approach.

SRB&A then proceeded to discuss the results of the dog sledding, recreation, homesteading, and agricultural cultural landscape research that was recommended by the State Historic Preservation Officer (SHPO) during a March 5, 2008 meeting. The Knik Tribal Council representatives strongly asserted that this approach was slanted toward a discussion of post-contact Euroamerican landscapes, and lacked any analysis or recognition of a Dena'ina cultural landscape in the study area. The Knik Tribal Council indicated that this approach relegated the discussion of Dena'ina to a simple documentation of individual cultural resource sites with no recognition of the broader cultural landscape of the Dena'ina in the study area as well as the ongoing cultural practices of Dena'ina descendants in the study area. They contended that the typical literature review and site documentation of Dena'ina in the study area was not adequate and that their culture was as deserving of a cultural landscape discussion as the other potential landscapes of dog sledding, recreation, homesteading, and agriculture. Several related themes that the Knik Tribe reiterated several times during this discussion included:

- Previous documentation of the Dena'ina culture has not captured the contemporary cultural ties to the study area, and a discussion of a Dena'ina cultural landscape would demonstrate such a connection. The theme of Dena'ina trails was brought up several times as an important component of the Dena'ina landscape within the study area.
- Cultural resource work should attempt to move beyond cultural preservation to cultural revitalization.
- There is a need for cultural resource analyses to bridge the prehistoric with contemporary cultural practices.
- The Tribe is tired of being characterized as “prehistoric.” They want acknowledgement of contemporary Dena'ina culture and how it ties to the past.
- Impact from rail extension was a barrier that the rail would create to access to cultural sites, trails, and areas

The MSB Historical Commission representatives agreed with the Knik Tribal Council's concerns regarding documentation of Dena'ina cultural resources and concurred that this documentation needed to expand to a broader cultural landscape discussion.

The meeting concluded with a brief discussion of the potential impacts to the Dena'ina cultural landscape created by the Port MacKenzie Rail Extension. The Knik Tribal Council discussed that besides the destruction of cultural resources within the rail line right-of-way, the main impact to their culture would be the restrictions in access to cultural sites, trails, and areas created by the rail extension. They claimed that the rail would create a legal barrier that would restrict access to culturally important areas, as well as prevent culturally important activities such as hunting, due to railroad regulations that limit such activities within certain distances of the rail line.



**SURFACE TRANSPORTATION BOARD**  
Washington, DC 20423

*Office of Economics, Environmental Analysis and Administration*

April 13, 2009

Ms. Judith Bittner  
State Historic Preservation Officer  
Alaska Department of Natural Resources  
Office of History and Archaeology  
550 West 7<sup>th</sup> Avenue, Suite 1310  
Anchorage, Alaska 99501-3565

Re: STB Finance Docket No. 35095, The Alaska Railroad Corporation – Petition for Exemption to Construct and Operate a Rail Line to Port MacKenzie, Alaska

Dear Ms. Bittner:

In a letter dated June 19, 2008, the Surface Transportation Board's Section of Environmental Analysis (SEA) initiated the Section 106 consultation process with your office pursuant to 36 CFR 800, for the proposed Port MacKenzie Rail Extension. The purpose of this letter is to (1) provide you with a summary and notes (see Attachment 1) of a Section 106 consultation meeting held February 27, 2009 with the Knik Tribal Council, Dena'ina Cultural Historian from the Alaska Native Heritage Center, and Matanuska-Susitna Borough Historical Commission representatives, and (2) request concurrence with SEA's proposed approach to the Dena'ina landscape.

Steve Braund of Stephen R. Braund and Associates (SRB&A) represented SEA at the February 27 meeting. SRB&A is a member of the third-party contracting team that is assisting SEA in its environmental review and 106 consultations for the proposed project. During the meeting, the Knik Tribal Council indicated its desire to have the discussion of Dena'ina be broadened to a cultural landscape level in addition to prehistoric and ethnographic resources. The Knik Tribal Council also suggested that the Dena'ina discussion address the contemporary cultural practices of the Dena'ina and how these practices reflect their past, as well as to show the Dena'ina as a living component of today's landscape. SEA agrees with the Knik Tribal Council's recommendation to evaluate certain aspects of the Dena'ina landscape within the Area of Potential Effects for the Port Mackenzie Rail Extension. SEA requests concurrence from the SHPO on this approach, and would like to consult further with you on the scope of this identification effort. We will contact you in the near future to discuss this identification effort.

If you have any questions, please contact Dave Navecky, SEA's Project Manager, at 202-245-0294, or Alan Summerville of ICF International, Project Manager for SEA's third-party contracting team, at 703-934-3616.

Sincerely,



Victoria Rutson  
Chief  
Section of Environmental Analysis

Attachment

cc: Doug Gasek  
State Historic Preservation Officer  
Alaska Department of Natural Resources  
550 W. 7th Ave., Suite 1310  
Anchorage, AK 99501-3565  
[doug.gasek@alaska.gov](mailto:doug.gasek@alaska.gov)

Stephanie Ludwig  
State Historic Preservation Officer  
Alaska Department of Natural Resources  
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Anchorage, AK 99501-3565  
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Matanuska Susitna Borough  
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[fseagerboss@matsugov.us](mailto:fseagerboss@matsugov.us)

Dan Stone  
Matanuska Susitna Borough Historic Commission  
Matanuska Susitna Borough  
350 East Dahlia Avenue  
Palmer, Alaska 99645

**ATTACHMENT 1**

**Meeting Notes  
February 27, 2009**

**Meeting Attendees:**

<b>Name</b>	<b>Organization</b>
Stephen R. Braund	Stephen R. Braund and Associates
Paul Lawrence	Stephen R. Braund and Associates
Debra Call	Knik Tribal Council, President
Delia Call	Knik Tribal Council, Secretary Treasurer
Aaron Leggett	Dena'ina Cultural Historian, Alaska Native Heritage Center
Fran Seager-Boss	Matanuska Susitna Borough Historic Commission
Dan Stone	Matanuska Susitna Borough Historic Commission

**Meeting Summary:**

The majority of the meeting focused on Knik Tribal Council's desire to have the discussion of Dena'ina be broadened to a cultural landscape level and focus on not only prehistoric and ethnographic resources, but also the contemporary cultural practices of the Dena'ina and how these practices reflect their past as well as show the Dena'ina as a living part of the landscape today.

The meeting began with overview of the project, discussion of project areas of potential effect (APE) and description of 2008 fieldwork survey efforts and results. Both the Knik Tribe and the MSB representatives had not read the consultation letters sent by the Surface Transportation Board (STB) and were unaware if their organizations had received the letters. During this portion of the meeting both entities made very few comments regarding SRB&A's methodology toward defining the project APEs and summary of 2008 fieldwork survey efforts and generally seemed to agree with SRB&A's approach.

SRB&A then proceeded to discuss the results of the dog sledding, recreation, homesteading, and agricultural cultural landscape research that was recommended by the State Historic Preservation Officer (SHPO) during a March 5, 2008 meeting. The Knik Tribal Council representatives strongly asserted that this approach was slanted toward a discussion of post-contact Euroamerican landscapes, and lacked any analysis or recognition of a Dena'ina cultural landscape in the study area. The Knik Tribal Council indicated that this approach relegated the discussion of Dena'ina to a simple documentation of individual cultural resource sites with no recognition of the broader cultural landscape of the Dena'ina in the study area as well as the ongoing cultural practices of Dena'ina descendants in the study area. They contended that the typical literature review and site documentation of Dena'ina in the study area was not adequate and that their culture was as deserving of a cultural landscape discussion as the other potential

landscapes of dog sledding, recreation, homesteading, and agriculture. Several related themes that the Knik Tribe reiterated several times during this discussion included:

- Previous documentation of the Dena'ina culture has not captured the contemporary cultural ties to the study area, and a discussion of a Dena'ina cultural landscape would demonstrate such a connection. The theme of Dena'ina trails was brought up several times as an important component of the Dena'ina landscape within the study area.
- Cultural resource work should attempt to move beyond cultural preservation to cultural revitalization.
- There is a need for cultural resource analyses to bridge the prehistoric with contemporary cultural practices.
- The Tribe is tired of being characterized as “prehistoric.” They want acknowledgement of contemporary Dena'ina culture and how it ties to the past.
- Impact from rail extension was a barrier that the rail would create to access to cultural sites, trails, and areas

The MSB Historical Commission representatives agreed with the Knik Tribal Council's concerns regarding documentation of Dena'ina cultural resources and concurred that this documentation needed to expand to a broader cultural landscape discussion.

The meeting concluded with a brief discussion of the potential impacts to the Dena'ina cultural landscape created by the Port MacKenzie Rail Extension. The Knik Tribal Council discussed that besides the destruction of cultural resources within the rail line right-of-way, the main impact to their culture would be the restrictions in access to cultural sites, trails, and areas created by the rail extension. They claimed that the rail would create a legal barrier that would restrict access to culturally important areas, as well as prevent culturally important activities such as hunting, due to railroad regulations that limit such activities within certain distances of the rail line.

2025659000

Surface Transportation B



# Surface Transportation Board

Office of Economics, Environmental Analysis, and Administration

395 E St., S. W., Suite 1100, Washington, D. C. 20423-0001

Fax Number: 202-245-0454

## FAX TRANSMISSION

To: Alan Summerville	Fax#: 703-934-3740
From: Dave Navecky	Date: 6-1-09
Tele#: 202-245-0294	Pages: 2
Re: Port Mac SHPO Letter	CC:

Urgent   
 For Review   
 Please Comment   
 Please Reply   
 Please Recycle

Notes:

2025659000

Surface Transportation B

12:52:18 p.m. 06-01-2009

2 / 2

**STATE OF ALASKA**  
**DEPARTMENT OF NATURAL RESOURCES**  
**DIVISION OF PARKS AND OUTDOOR RECREATION**  
**OFFICE OF HISTORY AND ARCHAEOLOGY**

**SARAH PALIN, GOVERNOR**

550 W. 7TH AVENUE, SUITE 1310  
ANCHORAGE, ALASKA 99501-3565  
PHONE: (907) 269-8721  
FAX: (907) 269-8908

May 15, 2009

File No.: 3130-1R FRA/STB/Port Mackenzie Rail Extension

**SUBJECT:** Rail Line Extension to Port MacKenzie, Alaska  
Consultation with Knik Tribal Council, Dena'ina Cultural Historian and  
Matanuska-Susitna Borough Historical Commission

Victoria Rutson  
Chief, Section of Environmental Analysis  
Surface Transportation Board  
Office of Economics, Environmental Analysis and Administration  
Washington, DC 20423

Dear Ms. Rutson,

The State Historic Preservation Office has reviewed your correspondence regarding the referenced project (received on April 16, 2009) under Section 106 of the National Historic Preservation Act. Sharing the Dena'ina perspective with us is helpful. We concur that including analysis of a potential contemporary Dena'ina cultural landscape in your identification of historic properties under 36CFR800.4 will be beneficial.

Please contact Stefanie Ludwig (907-269-8720) if you have any questions or if we can be of further assistance.

Sincerely,



Judith E. Bittner  
State Historic Preservation Officer

JEB:sl



**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Economics, Environmental Analysis and Administration*

June 5, 2009

Ms. Judith Bittner  
State Historic Preservation Officer  
Alaska Department of Natural Resources  
Office of History and Archaeology  
550 West 7<sup>th</sup> Avenue, Suite 1310  
Anchorage, Alaska 99501-3565

Re: STB Finance Docket No. 35095, The Alaska Railroad Corporation – Petition for Exemption to Construct and Operate a Rail Line to Port MacKenzie, Alaska

Dear Ms. Bittner:

In a letter dated June 19, 2008, the Surface Transportation Board's Section of Environmental Analysis (SEA) initiated the Section 106 consultation process with your office pursuant to 36 CFR 800, for the proposed Port MacKenzie Rail Extension. SEA would like to thank the Alaska SHPO for your response letter of May 15, 2009, indicating your concurrence with including an analysis of a potential contemporary Dena'ina cultural landscape in the Section 106 consultation process. The purpose of this letter is to provide you with a summary and notes (see Attachment 1) of a presentation and information gathering effort that occurred at the May 2009 monthly meeting of Matanuska-Susitna Borough Historical Preservation Commission (MSB HPC) that was held at the Knik Tribal Council (KTC) office in Wasilla.

Steve Braund of Stephen R. Braund and Associates (SRB&A) represented SEA at the May 15<sup>th</sup> meeting. SRB&A is a member of the third-party contracting team that is assisting SEA in its environmental review and 106 consultations for the proposed project. SRB&A presented a summary of the cultural resources research conducted for the project to date. In addition, MSB HPC requested to review the SRB&A research on the potential Dena'ina cultural landscape that had been compiled to date, and SEA wanted input from KTC and MSB HPC on how to document the components of this landscape. SEA continues to evaluate certain aspects of the Dena'ina landscape within the Area of Potential Effects for the Port Mackenzie Rail Extension, and will consult further with you on the scope of this identification effort, as it unfolds.

If you have any questions, please contact Dave Navecky, SEA's Project Manager, at 202-245-0294, or Alan Summerville of ICF International, Project Manager for SEA's third-party contracting team, at 703-934-3616.

Sincerely,



Victoria Rutson  
Chief  
Section of Environmental Analysis

Attachment

cc: Doug Gasek  
State Historic Preservation Officer  
Alaska Department of Natural Resources  
550 W. 7th Ave., Suite 1310  
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[doug.gasek@alaska.gov](mailto:doug.gasek@alaska.gov)

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Dena'ina Cultural Historian  
Alaska Native Heritage Center

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Dan Stone  
Matanuska Susitna Borough Historic Commission  
Matanuska Susitna Borough  
350 East Dahlia Avenue  
Palmer, Alaska 99645

## ATTACHMENT 1

### Meeting Notes May 15, 2009

#### Matanuska-Susitna Borough Historical Preservation Commission & Knik Tribal Council Stephen R. Braund & Associates Consultation Meeting Summary

On 5/15/09 Stephen Braund, Erik Hilsinger, and Paul Lawrence of Stephen R. Braund & Associates (SRB&A) attended the May 2009 monthly meeting of Matanuska-Susitna Borough Historical Preservation Commission (MSB HPC) that was held at the Knik Tribal Council (KTC) office in Wasilla. The MSB HPC had invited SRB&A to attend this meeting during the April 2009 monthly meeting and SRB&A attended as part of cultural resources consultation regarding the Port MacKenzie Rail Extension Project. The primary purpose of SRB&A's attending this meeting was to review the cultural resources research performed by SRB&A on the project in general, review the SRB&A research on the potential Dena'ina cultural landscape, and receive input from KTC and MSB HPC on how to document the components of this landscape. The following individuals were present at the meeting:

- LeRoi Heaven – Wasilla Knik Historical Society
- Bethany Buckingham – Dorothy Page Museum
- R. N. Marsh – MSB HPC
- Dan Stone – MSB
- Pat McClenahan – MSB Consultant
- Ron Bissett – MSB HPC
- John Stuart – MSB HPC
- Rob Meinhardt – MSB HPC / BIA Archaeology
- Al Plisousley – (Candle Lite Jazz) Fishhook Community Council
- Faith Plisousley – (Candle Lite Jazz) Fishhook Community Council
- Raymond Theodore - Knik Tribal Council
- Sherry Jackson – Museum of AK Transportation
- Rosie Choquette – Knik Tribal Council
- Richard Porter – Knik Tribal Council
- Jim L. Turner – F.C.C.
- Rosetta Alcantra – MSB HPC
- Fran Seager Boss – Cultural Resources MSB
- Wayne Simeon – Knik Tribal Council
- Vicki Cole – Cultural Resources MSB
- Erik Hilsinger – SRB&A
- Stephen Braund – SRB&A
- Paul Lawrence – SRB&A

Stephen Braund provided a brief overview of the Port MacKenzie Rail Extension cultural resources work completed by SRB&A to date. This included an overview of the project, discussion of project areas of potential effect (APEs) and description of 2008 fieldwork survey efforts and results. Because SRB&A had already presented on the four other cultural landscape themes of dog sledding, recreation, homesteading, and agriculture at the 4/3/09 MSB HPC consultation meeting, these topics were only briefly reviewed. Erik Hilsinger of SRB&A then provided a review of SRB&A research regarding the potential Dena'ina cultural landscape. Braund concluded the presentation with a list of questions to the MSB HPC and KTC addressing data gaps regarding Dena'ina historical and current cultural uses of the study area as well as asking for suggestions for how to proceed with additional documentation of the Dena'ina landscape.

The KTC and MSB HPC members recommended SRB&A conduct interviews with knowledgeable Dena'ina descendants who have information regarding historical and contemporary cultural uses of the study area. These knowledgeable individuals included people from both the Knik Tribe and Native Village of Eklutna. Several individuals mentioned the theme of documenting Dena'ina trails and travel routes within the study area as a possible avenue for discussing a Dena'ina cultural landscape. Rob Meinhardt of the MSB HPC also recommended using a broad period of significance when addressing a cultural landscape within the study area so that the full range of Dena'ina historical uses could be addressed, and for SRB&A to examine the landscape as a discontinuous district with multiple individual components (e.g., trails, archaeological sites, cultural viewsheds) contributing to an overall landscape. Stephen Braund agreed to contact the KTC to develop a plan for documenting the landscape and encouraged interested parties to send in their comments to the Surface Transportation Board if they had any additional concerns regarding cultural resources in the study area.



**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Economics, Environmental Analysis and Administration*

August 2, 2010

Judith Bittner  
State Historic Preservation Officer  
Alaska Department of Natural Resources  
Office of History and Archaeology  
550 West 7th Avenue, Suite 1310  
Anchorage, AK 99501-3565

Re: Docket No. FD 35095, Alaska Railroad Corporation - Construction and  
Operation of a Rail Line Extension to Port MacKenzie, Alaska

Dear Ms. Bittner:

Please find enclosed the *Port MacKenzie Rail Extension Project, Report of 2009 Cultural Resources Fieldwork* (2009 report) for your review. The 2009 report was prepared pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) for the Surface Transportation Board's Section of Environmental Analysis (SEA) by SEA's third-party contracting team, ICF International (ICF) and Stephen R. Braund & Associates (SRB&A). The 2009 report, which meets the stipulations under State of Alaska Archaeology Field Permit 2008-21, summarizes the results of SRB&A's 2009 cultural resource activities regarding a potential Dena'ina cultural landscape and the previously recommended Iditarod Dog Sledding Cultural Landscape within the Port MacKenzie Rail Extension Project (PMREP) study area.

**Background**

The 2009 report builds upon the information set forth in the Draft Environmental Impact Statement (Draft EIS) issued on March 16, 2010, for Alaska Railroad Corporation's proposed construction and operation of a rail line to Port MacKenzie. Specifically, the 2009 report provides additional literature review, fieldwork to document landscape characteristics, and an analysis and evaluation of integrity

The Draft EIS presented results from SRB&A's 2008 report on cultural resources fieldwork recommending a dog sledding cultural landscape based upon the historical significance of dog sledding to the study area but suggested additional fieldwork and analysis of integrity to support the recommendation. The 2008 report also recommended continued consultation with local tribal governments and other interested parties regarding the documentation and evaluation of components of a potential Dena'ina cultural landscape within the study area. SEA endorsed SRB&A's recommendations and

the 2009 report contains additional information on the dog sledding cultural landscape and the results of ongoing consultations.

### **Potential Dena'ina Cultural Landscape**

Research of the potential Dena'ina cultural landscape included literature, archival, and Alaska Heritage Resources Survey (AHRs) reviews regarding known Dena'ina cultural resources in the study area. As part of its research efforts, the SRB&A team also interviewed knowledgeable Dena'ina residents living in the Matanuska-Susitna Valley and Anchorage area about the history of the Dena'ina and their ongoing uses within the study area. Five consultation meetings regarding cultural landscapes within the study area occurred between February and May 2009. The primary purpose of these 2009 efforts was to initiate the process of documenting the historical significance of a potential Dena'ina cultural landscape in the study area, determine whether the landscape was continuing in use, and whether or not the landscape retained integrity.

### **Recommended Iditarod Dog Sledding Cultural Landscape**

SRB&A's research for the recommended Iditarod Dog Sledding Cultural Landscape within the study area included additional archival and literature reviews, interviews with local dog mushers, field trips to document dog sledding, and consultation meetings. The primary purpose of the 2009 efforts was to provide a discussion of the landscape's historic context, statement of significance, and analysis and evaluation of the integrity of the landscape's characteristics.

### **Recommendations and Request for Comments**

The 2009 report contains the following recommendations regarding the recommended eligible Iditarod Dog Sledding Cultural Landscape and the documentation of the potential Dena'ina cultural landscape.

1. Continue consultation with dog mushers and dog sledding organizations within the study area to:
  - Determine ages for contributing resources with unknown ages as necessary;
  - Identify whether currently considered non-contributing resources, including trails and other features which are associated with dog sledding, relate to either period of significance or if they retain integrity; and
  - Determine the possibility of currently unidentified contributing resources and features in study area.
2. Continue consultation with local tribes and SHPO regarding the documentation of the landscape characteristics of a potential Dena'ina cultural landscape, as well as the evaluation of integrity in order to complete the Section 106 process.
3. The consulting parties are developing a Programmatic Agreement (PA) that will address the additional efforts in Items 1 and 2 above.

SEA supports the findings and recommendations of the 2009 report. We seek your concurrence that the Iditarod Dog Sledding Cultural Landscape is eligible to the National Register of Historic Places (pages 11-60) and ask for comments regarding the consultation recommendations for the Iditarod Dog Sledding and Dena'ina cultural landscapes (page 90). We look forward to any comments you may have on this report.

If you have any questions about the project, please do not hesitate to contact Dave Navecky, SEA Project Manager, at 202-245-0294 or Alan Summerville, ICF Project Manager, at 703-934-3616. Specific technical questions may be directed to Stephen Braund of Stephen R. Braund & Associates, at 907-276-8222.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and "R".

Victoria Rutson  
Chief  
Section of Environmental Analysis

Enclosures



**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Economics, Environmental Analysis and Administration*

August 2, 2010

Judith Bittner  
State Historic Preservation Officer  
Department of Natural Resources  
Office of History and Archaeology  
550 West 7th Avenue, Suite 1310  
Anchorage, AK 99501-3565

Re: Finance Docket No. 35095, The Alaska Railroad Corporation – Petition to Construct and Operate a Rail Line to Port MacKenzie, Alaska; Request for Review and Comment on draft Programmatic Agreement

Dear Ms. Bittner:

For your review and comment, please find attached a draft Programmatic Agreement (PA) for the proposed Port MacKenzie Rail Extension Project (PMREP or Undertaking). The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) developed the PA in accordance with Section 800.14(b) of the regulations (36 CFR Part 800) implementing Section 106. Once executed, the PA would govern implementation of the remainder of the Section 106 process for the Undertaking. If the Board authorizes construction and operation of the PMREP, Level 2 cultural resource surveys would be completed on the approved alternative and SEA would issue a formal determination of effects.

This draft of the PA was included in the Draft Environmental Impact Statement (EIS) that SEA and several cooperating agencies issued in March 2010. SEA provided you with a copy of the Draft EIS at that time. SEA anticipates issuing the Final EIS later this year and will provide a copy of that document to you when it becomes available.

We would appreciate any comments that you may have on the draft PA by Friday, **September 10, 2010**. If you have questions, please contact Dave Navecky, SEA Project Manager, at 202-245-0294 or Alan Summerville, Project Manager for ICF International (SEA's 3<sup>rd</sup> party contractor), at 703-934-3616. Please feel free to direct and specific technical questions to our cultural resources subcontractor, Stephen Braund of Stephen R. Braund & Associates, at 907-276-8222.

Thank you for your ongoing assistance and cooperation on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial 'V'.

Victoria Rutson  
Chief  
Section of Environmental Analysis

Enclosure



## MATANUSKA-SUSITNA BOROUGH

### Borough Manager

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 745-9851 • Fax (907) 745-9876

[www.matsugov.us](http://www.matsugov.us)

December 16, 2008

Victoria J. Rutson  
Chief  
Section of Environmental Analysis  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423

Subject: Port MacKenzie Bulk Materials Facility

Dear Ms. Rutson:

I am writing to provide you with information concerning the Matanuska-Susitna Borough's ("Borough") plans to develop a bi-modal bulk materials facility ("BMF") at Port MacKenzie, Alaska. As discussed below, the BMF is being developed by the Borough to accommodate the need for expansion of Port facilities to handle bulk material cargo to be transported to the Port by truck, independent of the planned rail line extension to Port MacKenzie ("Port MacKenzie Rail Extension Project")<sup>1</sup> The factual statements in this letter concerning the BMF are supported by the Verified Statement of Mark Mayo, Director of the Planning and Use Department for the Borough, which is enclosed.

#### A. BMF Development at Port MacKenzie

Port MacKenzie presently consists of a 500-foot bulkhead barge dock and a 1,200-foot deep-draft dock, as well as nearly 9,000 undeveloped upland acres available for commercial lease. All of this property is owned and operated by the Borough.

The Borough has recently received inquiries from potential shippers interested in shipping bulk materials in the near future through Port MacKenzie using heavy-haul trucks. Unfortunately, the current physical facilities at the Port are limited and are not able to handle these shipments under the current configuration. The only place to unload, stage and store bulk materials is occupied by a tenant holding a long-term lease. Moreover, moving bulk materials to the Port would require heavy-haul trucks that current roads at the Port likely cannot handle without some improvement or expansion.

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<sup>1</sup> As you are aware, the Port MacKenzie Rail Extension Project is currently pending before the Surface Transportation Board, Finance Docket No. 35095. In that proceeding, authority to operate and construct that rail construction project is being sought by the Alaska Railroad Corporation ("ARRC") with support by the Borough.

Victoria J. Rutson  
December 16, 2008  
Page 2 of 3

To accommodate the need for bulk materials service, the Borough has been working to develop a plan to upgrade roads, staging and storage areas at the Port. Moreover, the Borough has entered into a separate project management contract with ARRC to support the development of such facilities. ARRC has extensive experience as a rail carrier in dealing with bulk material unloading, staging and storage.

As the Borough continues to plan for the BMF and future Port development, it will consider the location of ARRC's proposed rail terminal (which is planned as part of the proposed Port MacKenzie Rail Extension Project) in its decision-making.<sup>2</sup> As a practical matter, the Borough must now be looking at ways to maximize development of the BMF in a manner that will not inhibit or interfere with possible plans for rail service and rail-related facilities or other future development on Port property. But none of the Borough's plans for the BMF are in any way dependent on the construction of the ARRC rail extension or its rail terminal.

#### **B. Port MacKenzie Rail Extension Project**

Separate and apart from the BMF plans, the Borough is supporting ARRC's plan to extend rail service to Port MacKenzie. That project is currently before the Board pursuant to ARRC's requests to build and operate the proposed rail extension. The Board's review of this Port MacKenzie Rail Extension Project under the National Environmental Policy Act ("NEPA") is ongoing.

ARRC's purpose for the Port MacKenzie Rail Extension Project is to establish a rail link between the Port and ARRC's main line, thereby providing customers and shippers cost effective rail transportation between the Port and Interior Alaska. ARRC, not the Borough, would construct and operate the rail extension.

In connection with the Port MacKenzie Rail Extension Project, ARRC also plans to build a terminal reserve that would accommodate several straight yard tracks, a smaller yard for the sorting, collection, and distribution of car-load traffic, and support facilities to include administration, crew facilities, fueling, light servicing and repair. These operations and facilities would have no connection to the planned truck service into the Port or the planned BMF facility.

#### **C. Independent Utility of the BMF and Rail Extension Projects**

As described above, the proposed BMF and the Rail Line Extension Project are separate projects serving distinct purpose and needs of the Port. They are not "connected actions", nor are the two projects dependent on one another to proceed. Under applicable NEPA regulations, two projects qualify as connected actions in just three situations: (1) when one action automatically triggers another action requiring an environmental impact statement; (2) when one action "cannot or will not proceed unless other actions are taken previously or simultaneously;" or (3) when one action is an "interdependent part[]" of a larger action and depends on that larger action for its justification. 40 C.F.R. § 1508.25(a)(1)(i)-(iii). Viewed another way, two projects are not

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<sup>2</sup> In connection with the BMF, the Borough (through ARRC its project manager) has been exploring with relevant federal, state and local agencies what permits and environmental compliance are needed to allow the project to proceed for service.

Victoria J. Rutson  
December 16, 2008  
Page 3 of 3

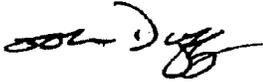
connected actions if each has “**independent utility**”—*i.e.*, “each of the two projects would have taken place with or without the other.” *Wetlands Action Network v. United States Army Corps of Engineers*, 222 F.3d 1105, 1118 (9th Cir. 2000).

Applying these principles, the Port MacKenzie Rail Extension Project and the BMF project plainly have independent utility. Each would be constructed even if the other were not. As explained above, the BMF is intended to upgrade the bulk storage and staging facilities at the Port to accommodate pending requests for truck deliveries of bulk materials. Similarly, the Port MacKenzie Rail Extension Project is valuable to the Borough (and ARRC) wholly apart from the BMF upgrades at the Port because it is being developed with the intent of providing another mode of transportation—rail service—to the Port. If for some reason the BMF project did not move forward in the near term with the BMF, the rail extension would still be pursued. And if the rail extension were not constructed, the BMF project would still move forward. Therefore, the BMF project and the Port MacKenzie Rail Extension Project are not connected actions under NEPA.

We hope this information provides useful background on the independent utility of the Port MacKenzie Rail Extension Project and the BMF project at the Port. Please let us know if you have any questions or need additional information.

Thank you for your time and consideration.

Sincerely,



John Duffy  
Borough Manager

VERIFIED STATEMENT  
OF  
MARK MAYO

1. My name is Mark Mayo. I am Director of the Planning and Land Use Department for the Matanuska-Susitna Borough (the "Borough"). My business address is 350 East Dahlia Avenue, Palmer, Alaska 99645.

2. I am responsible for planning, organizing, and directing through subordinate supervisors the activities of the Planning Department consisting of planning, platting, land use code compliance and cultural resources.

3. I previously worked for the Alaska Department of Transportation and Public Facilities as a Transportation Planning Manager for 26 years.

4. I have an undergraduate degree in Biology as well as a Masters Degree in Public Administration.

5. I am submitting this Verified Statement in connection with the Alaska Railroad Corporation ("ARRC")'s plan to construct a rail extension from its main line near Wasilla, Alaska to Port MacKenzie (the "Port MacKenzie Rail Extension Project"). Port MacKenzie is owned and operated by the Borough.

**A. Port MacKenzie's Bi-Modal Bulk Materials Facility ("BMF")**

6. Port MacKenzie is a deepwater facility situated approximately 30 miles southwest of Wasilla and 5 miles north of Anchorage, across Knik Arm. Presently, the Port is home to a 500-foot bulkhead barge dock and a 1,200-foot deep-draft dock, as well as nearly 9,000 undeveloped upland acres available for commercial lease. The dock and the upland acreage are owned and operated by the Borough. The only overland way for freight to reach the Port today is via truck.

7. Recently, the Borough has been approached by potential shippers who desire the movement of bulk materials through Port MacKenzie to markets in the Far East. These proposed shipments would require the use of heavy-haul trucks, likely tandems, for the movement of the materials from the source area to the Port. Facilitating this movement would require the Borough to overcome two obstacles created by current physical limitations at the Port. First, the only area the port currently capable of unloading, staging and storing bulk materials is unusable due to a long-term lease (and a legal dispute with that tenant). Second, the existing road to the upper end of the ship loading conveyor is not serviceable at all during the winter months, and likely could not handle heavy-haul trucks during any season.

8. In order to address the Port's current physical limitations, the Borough is developing plans to upgrade the Port facilities. This project is known as the Bi-Modal Bulk Materials Facility ("BMF") project. As currently conceived, the BMF project involves a number of improvements to the Port, including construction of new freight and bulk materials storage and staging areas, construction of a new loop road for use by trucks hauling bulk materials into the Port area, and potential expansion of the Port's docking facilities. These planning efforts are proceeding quickly, but remain subject to change or revision as the need arises.

9. The most immediate need at the Port is development of facilities to handle the bulk materials requests the Borough has already received. The Borough has little experience with the requirements of such facilities. Accordingly, it hired ARRC to perform program management work for the BMF. This management contract has no connection whatsoever to the proposed rail extension, and is being handled through an entirely separate accounting process. The Borough chose ARRC to manage the BMF project because of ARRC's prior experience

with bulk materials facilities, and because ARRC could perform the required management functions in a timely manner.

10. As planning for the BMF and future Port development proceeds, the Borough will consider the location of ARRC's proposed rail terminal in its decision-making. The Borough intends to maximize development of the BMF in a way that will not inhibit or interfere with possible plans for rail service and rail-related facilities, or any other future development on Port property. The BMF project, however, will move forward regardless of whether the proposed rail extension and terminal are built. For the reasons I have explained, the Port needs upgraded bulk materials facilities to handle truck shipments now. Those upgrades have nothing to do with ARRC's proposed Port MacKenzie Rail Extension Project.

**B. ARRC's Port MacKenzie Rail Extension**

11. As the Board is aware, ARRC is proposing to build a rail extension from its main line to Port MacKenzie. According to documents filed with the Board, the purpose of the Port MacKenzie Rail Extension project is to establish a rail link between the Port and the ARRC rail system, providing customers and shippers with rail transportation between the Port and Interior Alaska. As part of the Port MacKenzie Rail Extension Project, ARRC would also build a terminal reserve that would accommodate several straight yard tracks capable of staging and/or storing unit trains, a smaller yard for the sorting, collection and distribution of car-load traffic, and support facilities to include administration, crew facilities, fueling, light servicing and repair. The Borough understands that this terminal reserve would be situated so as not to interfere with the development of the BMF (or other future Port development), but also that the reserve will be constructed as part of the rail extension project regardless of whether the BMF proceeds as planned.

12. The Borough is cooperating with ARRC in its plans to construct the Port MacKenzie Rail Extension Project, and views the project as a potential source of new traffic into the Port. ARRC, however, will construct and exclusively operate the line.

13. All of ARRC's plans for the Port MacKenzie Rail Extension Project are independent of the Borough's plans for the BMF project. In other words, ARRC plans to build the rail extension from its main line to the Port regardless of whether the Borough makes any other improvements to the Port, including the BMF.

**VERIFICATION**

I, MARK MAYO, verify under penalty of perjury under the laws of the United States that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed on December 18, 2008.

Mark Mayo  
Mark Mayo



**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Economics, Environmental Analysis and Administration*

November 9, 2009

Linda Brenner  
Director of Community Development  
Matanuska-Susitna Borough  
350 E. Dahlia Avenue  
Palmer, AK 99645

Re: STB Finance Docket No. 35095, The Alaska Railroad Corporation – Petition for Exemption for Construction and Operation of a Rail Line Extension to Port Mackenzie, Alaska; Request for Information Regarding 4(f) Applicability, Measures to Minimize Harm, and *de minimis* Findings

Dear Ms. Brenner:

The purpose of this letter is to request your input as the official with jurisdiction over the resources identified below regarding: (1) the applicability of Section 4(f) of the U.S. Department of Transportation Act of 1966 (also referred to as “Section 4(f)”) to the recreation resources that could be affected by the above-referenced project (also referred to as the “Port MacKenzie Rail Extension”); (2) whether there are any other resources under Matanuska-Susitna Borough (MSB) jurisdiction that qualify as Section 4(f) resources and would be affected by any of the alternatives for the proposed rail line; and (3) where the proposed project may require the use of a Section 4(f) resource, whether proposed mitigation and measures to minimize harm would support a finding of *de minimis* use.

### **Section 4(f) Background**

The Surface Transportation Board’s (the Board) Section of Environmental Analysis (SEA) is in the process of developing a Draft Environmental Impact Statement (EIS) for the proposed Port MacKenzie Rail Extension. SEA anticipates that the Draft EIS will include a determination that some of the alternatives analyzed for the proposed Port MacKenzie Rail Extension could have an effect on one or more recreational resources located within MSB-managed land that may be protected under Section 4(f).

Section 4(f) applies to the actions of agencies within the U.S. Department of Transportation (U.S. DOT). In order for the Federal Railroad Administration (FRA), a U.S. DOT agency and a cooperating agency in the development of this EIS, to grant funding for the proposed Port MacKenzie Rail Extension, FRA must determine and evaluate the project’s potential effects to resources protected under Section 4(f). The Secretary of the Department of Transportation cannot approve a transportation project requiring the use of publicly owned parks, recreation areas, or wildlife and waterfowl refuges, or significant public or private historic sites unless there is no prudent and feasible alternative to using that land and the project includes all possible planning to minimize harm to the Section 4(f) resource.

Resources protected under Section 4(f) include “significant publicly owned public parks and recreational areas that are open to the public and significant publically owned wildlife and waterfowl refuges.” The term “significant” means that in comparing the availability and function of the park, recreational area or wildlife and waterfowl refuge, with the park, recreation or refuge objectives of the community or authority, the resource in question plays an important role in meeting those objectives. Further, one of its major purposes and functions must be for park, recreation, or as a refuge. If any of the resources identified below offer incidental, secondary, occasional or dispersed park, recreational or refuge activities, then this does not constitute a major purpose and the resource would not qualify for protection under Section 4(f).

### **Potential Section 4(f) Properties**

We have identified the following preliminary list of potential Section 4(f) properties that could be affected by one or more of the route alternatives for the proposed rail extension:

- *Point MacKenzie Trailhead Parking Lot.* The area provides public parking and access to the Figure 8 Loop Trail and other trails in the Point MacKenzie area.
- *West Gateway Trail.* The trail provides access from the Parks Highway across Willow Lake to the larger West Gateway Trails System further west.
- *Iron Dog Trail.* This multi-use winter trail provides access between the Big Lake area and the Susitna River.
- *Crooked Lake Trail.* This multi-use winter trail provides access between the Big Lake area and the Susitna River.
- *Iditarod Link Trail.* This multi-use winter trail provides access between the Iditarod and Flathorn Lake Trails.
- *Aurora Dog Mushers Trail System.* This trail system is part of a large recreational trail system that supports a variety of winter sports.
- *Figure 8 Lake Loop Trail.* This is a multi-use winter trail system that provides access to Point MacKenzie to the Susitna Flats State Game Refuge.
- *Herning Trail.* This designated RS 2477 trail would be crossed on MSB-owned land approximately two miles south of West Hollywood Road.

SEA, on behalf of FRA, respectfully requests that MSB determine whether the availability and function of these resources plays an important role in meeting the objectives of MSB and verify that one of the major purposes and functions of these resources is for park, recreation, or as a refuge. Additionally, if there any other potential Section 4(f) resources that would be affected by the proposed rail line that we have not identified, please provide information on these resources and their location in your reply.

### **Measures to Minimize Harm and *de minimis* Findings**

SEA is also developing measures to minimize potential impacts to Section 4(f) resources. SEA will include these mitigation measures in the Port MacKenzie Rail Extension Draft EIS. The measures will include voluntary mitigation developed by the Applicant, as well as

preliminary mitigation developed by SEA. Below is a list of measures we are considering including in the Draft EIS to mitigate potential impacts of the proposed rail line on the MSB-managed resources identified above.

- *The Applicant shall consult with land managers to develop a plan to ensure construction activities occur during the most appropriate timeframe, designate temporary recreational access points if main access routes must be obstructed during construction, and consult with the agencies with jurisdiction and user groups to limit potential impacts to recreation activities.*
- *The Applicant shall maintain public access to and from legally authorized trails and Matanuska-Susitna Borough recognized trail easements. The Applicant shall provide grade-separated crossing locations where the new rail line crosses these trails, although some trails may require some realignment to consolidate crossings. The Applicant shall work with trail user groups to design and construct grade-separated trail crossing.*
- *If the Surface Transportation Board authorizes the Mac West alternative segment, the Applicant shall consult with Alaska Department of Natural Resources and MSB to determine an appropriate location and relocate the Point Mackenzie Trailhead, Parking Lot, and the eastern end of the Figure 8 Loop Trail to another site.*
- *If the Surface Transportation Board authorizes the Mac West alternative segment, the Applicant shall provide grade-separated crossing(s) of the Figure 8 Loop Trail where the trail is located on public land and would be crossing by the Mac West alternative segment, or shall relocate the trail, in consultation with the Matanuska-Susitna Borough and trail user groups, such that the trail would not be crossed by the rail line.*

Section 6009 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (49 U.S.C. 303), also known as SAFETEA-LU, amended Section 4(f) statutory requirements to include an exception for uses of protected land that would have a “*de minimis*” impact on that land. The U.S. Secretary of Transportation may make a finding of *de minimis* impact if the project “will not adversely affect the activities, features, and attributes of the park, recreation area, or wildlife or waterfowl refuge eligible for protection” under Section 4(f), and if the “Secretary has received concurrence from the officials with jurisdiction over the park, recreation area, or wildlife or waterfowl refuge.” To complete the Section 4(f) evaluation, SEA, on behalf of FRA, is requesting your input on whether a *de minimis* impact finding for any or all of the properties identified above could be reached through the implementation of the measures described above, or with the development and implementation of additional mitigation measures.

In summary, please indicate if you concur that: (1) this letter has identified all the MSB-managed Section 4(f) resources potentially affected by the proposed Port MacKenzie Rail Extension; (2) there are no other MSB-managed Section 4(f) resources potentially affected by the proposed project; and (3) the potential mitigation measures outlined in this letter would make the potential impacts *de minimis* for any of the Section 4(f) resources listed in this letter, and if so, which resources. If we have failed to identify all the MSB-managed Section 4(f) resources, please identify their location and provide a description of the resource in your reply. If MSB believes that additional mitigation measures would be required to make the potential impacts on Section 4(f) resources *de minimis*, please outline such measures in your reply. Please address your reply to Dave Navecky of my staff at the letterhead address, or as an email attachment to [David.Navecky@stb.dot.gov](mailto:David.Navecky@stb.dot.gov).

I thank you in advance for the expertise and effort needed in responding to the questions posed in this letter. If you have any questions, please do not hesitate to contact Dave Navecky, SEA's Project Manager, at 202-245-0294, or Alan Summerville of ICF International, Project Manager for SEA's third-party contracting team, at 703-934-3616. We would appreciate your reply by December 9, 2009.

Sincerely,



Victoria Rutson  
Chief  
Section of Environmental Analysis

**cc:**

Mr. John Winkle  
Federal Railroad Administration  
Office of Railroad Development  
1200 New Jersey Ave SE - Mail Stop 20  
Washington, DC 20590



**MATANUSKA-SUSITNA BOROUGH**  
**Community Development Department**

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February 1, 2010

Victoria Rutson, Chief  
Section of Environmental Analysis  
Surface Transportation Board  
Washington, D.C. 20423

Re: STB Finance Docket No. 35095, the Alaska Railroad Corporation-Petition for Exemption for Construction and Operation of a Rail Line Extension to Port Mackenzie, Alaska; Request for Information Regarding 4(f) Applicability, Measures to Minimize Harm, and *de minimis* Findings

Dear Ms. Rutson;

This letter is in response to your request for input from the official with jurisdiction over the resources identified below regarding: (1) the applicability of Section 4(f) of the U.S. Department of Transportation Act of 1966 to the recreation resources that could be affected by the above-referenced project (Port Mackenzie Rail Extension); (2) whether there are any other resources under Matanuska-Susitna Borough (MSB) jurisdiction that qualify as Section 4(f) resources and would be affected by any of the alternatives for the proposed rail line; and (3) where the proposed project may require the use of a Section 4(f) resource, whether proposed mitigation and measures to minimize harm would support a finding of *de minimis* use.

MSB has determined that some of the alternatives analyzed for the proposed Port Mackenzie Rail Extension will definitely have an effect on one or more recreational resources located within MSB-managed lands that may be protected under Section 4(f). MSB has reserved recreational public use easements along significant trail corridors that cross MSB-owned lands. These reserved trail corridors play an important role in meeting the objectives of MSB Community Development and the local communities through which the corridors travel, by preserving important recreational opportunities on public lands and access for private landowners to reach their remote parcels.

To facilitate the Surface Transportation Board's (STB) Section of Environmental Analysis (SEA) in developing a Draft Environmental Impact Statement (DEIS), MSB provides the following summary of impacts to the identified recreational resources.

- *Point Mackenzie Trailhead Parking Lot.* The Point Mackenzie Trailhead was constructed in 2000 using Alaska State Parks Snowmobile Trail Grant funding and is the only recreational trailhead in the Point Mackenzie area. It provides trailhead access to Susitna Flats State Game Refuge, Figure 8 Lake, Lake Lorraine and the Point Mackenzie area. All alternatives of the rail extension will significantly impact the trailhead to the degree of it being unusable as a trailhead. MSB has investigated relocating the Point Mackenzie trailhead approximately one mile to the north. Developing the trailhead east of the rail extension would require a separated-grade tube crossing to allow snowmobile and other recreational access to the west. Mitigation measures outlined in the STB letter dated November 9, 2009 for relocating the Point Mackenzie Trailhead would make the potential impacts *de minimis* for this Section 4(f) resource.

- *Figure 8 Lake Loop Trail.* Figure 8 Lake Loop Trail is identified and documented in the MSB Recreational Trails Plan but does not have legal easements. The trail is planned to be surveyed. The eastern end of the Figure 8 Lake Loop Trail would be impacted in two areas by the Mac West alternative. Mitigation measures outlined in the STB letter dated November 9, 2009 for relocating the eastern end of the Figure 8 Lake Loop Trail would make the potential impacts *de minimis* for this Section 4(f) resource.
- *Iditarod Link Trail.* Iditarod Link Trail has a legal easement and would be impacted by the Willow route alternative. Mitigation measures outlined in the STB letter dated November 9, 2009 for providing a grade-separated crossing would make the potential impacts *de minimis* for this Section 4(f) resource.
- *Crooked Lake Trail.* Crooked Lake Trail has a legal easement and is a heavily used trail providing access between Big Lake area and Susitna River and would be impacted by the Willow route alternative. Mitigation measures outlined in the STB letter dated November 9, 2009 for providing a grade-separated crossing would make the potential impacts *de minimis* for this Section 4(f) resource.
- *Iron Dog Trail.* Iron Dog Trail has a legal easement and is a heavily used trail providing access between Big Lake area and Susitna River, is used for the Iron Dog Snowmobile Race, and would be impacted by the Willow route alternative. Mitigation measures outlined in the STB letter dated November 9, 2009 for providing a grade-separated crossing would make the potential impacts *de minimis* for this Section 4(f) resource.
- *West Gateway Trail.* West Gateway Trail has a legal easement and is the main recreational access corridor out of Willow to the west. Where the proposed Willow route alternative crosses the West Gateway Trail, the alignment appears to be along the boundary between State of Alaska land and Alaska Department of Transportation Right-of-Way ADL 216410. Regardless of land ownership, mitigation measures outlined in the STB letter dated November 9, 2009 for providing a grade-separated crossing would make the potential impacts *de minimis* for this Section 4(f) resource.
- *Aurora Dog Musers Trail System.* The Aurora Dog Musers Trail System is a well-developed multi-use trail network used for recreation, training and races. It is managed under a Cooperative Resource Management Agreement between the State of Alaska, Matanuska-Susitna Borough and the Aurora Dog Musers Club. Mitigation measures outlined in the STB letter dated November 9, 2009 for providing a grade-separated crossing would make the potential impacts *de minimis* for this Section 4(f) resource.
- *Herning Trail.* Herning Trail is a heavily used historic RS2477 trail (RST-1467) providing access from Knik northward to the Alaska Railroad. This trail is multi-use and an important transportation corridor. Mitigation measures outlined in the STB letter dated November 9, 2009 for providing a grade-separated crossing would make the potential impacts *de minimis* for this Section 4(f) resource.

Other potential Section 4(f) resources that would be affected by the proposed rail line include the following trail crossings:

- *Iditarod National Historic Trail.* Iditarod National Historic Trail is a heavily used historic RS2477 trail, known as the Knik-Susitna Trail (RST-118) through this area. The Willow Route will impact this trail in the W1/2, W1/2, Section 15, T16N, R04W, S.M., Alaska, where the trail right-of-way traverses MSB-owned land. The Big Lake Route will impact this trail in the SW1/4, Section 16, T16N, R03W, S.M., Alaska, where the trail right-of-way traverses MSB-owned land. Mitigation measures outlined in the STB letter dated November 9, 2009 for providing a grade-separated crossing would make the potential impacts *de minimis* for this Section 4(f) resource.

- *16 Mile Trail.* 16 Mile Trail is a heavily used multi-purpose trail with platted right-of-way. The Big Lake Route will impact this trail in the NE1/4, Section 29, T16N, R03W, S.M., Alaska, where the trail right-of-way is adjacent to MSB-owned land. Mitigation measures outlined in the STB letter dated November 9, 2009 for providing a grade-separated crossing would make the potential impacts *de minimis* for this Section 4(f) resource.
- *Big Lake Trail #13(Knik Connector Trail).* Big Lake Trail #13 (Knik Connector Trail) is identified and documented in the MSB Recreational Trails Plan as a multiple-use, predominantly winter trail but does not have an easement. The Big Lake Route will impact this trail near the southern edge of the N1/2, Section 30, T16N, R03W, S.M., Alaska, where the trail enters onto MSB-owned land. Mitigation measures outlined in the STB letter dated November 9, 2009 for providing a grade-separated crossing would make the potential impacts *de minimis* for this Section 4(f) resource.

The above-referenced trails/trailhead identifies all the MSB-managed Section 4(f) resources potentially affected by the proposed Port Mackenzie Rail Extension. There are no other MSB-managed Section 4(f) resources potentially affected by the proposed project. The potential mitigation measures outlined in the STB letter dated November 9, 2009 for providing grade-separated crossings and/or relocations of trails and trailheads would make the potential impacts *de minimis* for the Section 4(f) resources referenced above in this letter.

Once the final Port Mackenzie Rail Extension route has been identified, trail crossings can be looked at on a case by case basis to determine the most effective and cost-efficient mitigation measure for the specific Section 4(f) resource being impacted.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda Brenner".

Linda Brenner, Community Development Director



***SURFACE TRANSPORTATION BOARD***  
***Washington, DC 20423***

*Office of Economics, Environmental Analysis and Administration*

February 5, 2009

SEE DISTRIBUTION LIST

Re: STB Finance Docket No. 35095 - Section 106 Process for the Alaska Railroad Corporation's Petition for Exemption to Construct and Operate a Rail Line Extension to Port MacKenzie, Alaska

To whom it may concern:

The Alaska Railroad Corporation (ARRC) proposes to build a rail connection to the Matanuska-Susitna Borough's port at Port MacKenzie – referred to as the Port MacKenzie Rail Extension. A license from the Surface Transportation Board (STB) is a prerequisite for the construction and operation of the proposed rail line by ARRC. As part of the process for considering whether to grant such a license, the STB has initiated the Section 106 consultation process for the project with the State Historic Preservation Officer (SHPO), under the National Historic Preservation Act. The purpose of this letter is to ask the assistance of your organization in identifying cultural resources in the Port MacKenzie project area, and to learn whether your organization is interested in participating as a Consulting Party in the Section 106 process for the project.

**Background**

The Section of Environmental Analysis (SEA) is the office within the STB responsible for preparing the appropriate documentation for compliance with the National Environmental Policy Act as well as Section 106 of the National Historic Preservation Act. SEA is preparing an Environmental Impact Statement (EIS) to evaluate the potential environmental impacts of the proposed Port Mackenzie Rail Extension, including consideration of potential impacts to cultural resources. ICF International is serving as the independent third-party consultant to assist SEA with the EIS. Stephen R. Braund & Associates (SRB&A) is the cultural resources subcontractor to ICF International.

The proposed Port MacKenzie Rail Extension would connect Port MacKenzie to the existing ARRC rail system at a point between Wasilla and north of Willow, Alaska. The extension would require construction of between approximately 30 and 45 miles of new railroad track within a 200-foot right-of-way (ROW). Ten segments that form eight possible alternative routes are currently being considered (see attached figures). The

longest alternative route currently under consideration would connect to the existing ARRC rail line north of Willow, near Mile 190 of the George Parks Highway, and the shortest would connect to the rail line near Mile 167 of the George Parks Highway. Possible stream and river crossings include the Little Susitna River, Lake Creek, and Willow Creek as well as other small streams, depending on the specific alternative route. The proposed rail extension also would cross local roads, recreational trails, pipelines, and utilities. Additional elements of the proposed project include a siding along the existing rail line; and railroad support facilities including a terminal facility in the port district, access roads and communication towers.

### **Cultural Resources Review**

Initial examination of the Alaska Heritage Resource Survey (AHRS) records revealed 43 documented cultural resource sites within one mile of the alternative ROW routes; one of the sites has been found eligible for listing on the National Register of Historic Places (National Register). SRB&A is completing a review of the AHRS files, a review of previous surveys near the Area of Potential Effect (APE), and a review of available literature pertaining to the project area. The STB is initiating consultation with potential Consulting Parties on this project, including Native American tribal organizations. A field survey and additional consultations with local Native groups, the SHPO, and other interested parties will be completed, as warranted. Interested parties will be kept informed of any new field activity.

### **Ways You May Choose to Participate**

The attached form provides you with several options on how you may choose to participate in ongoing consultations. The STB also requests your assistance in identifying cultural resources in the proposed project area. Please refer to the attached figures depicting the project area including the alternative routes. We are requesting information about places that you believe could be affected by the proposed project so that we can consider impact avoidance strategies. If you have information regarding cultural resources that could be affected by the proposed project, please identify and describe the subject properties, and return that information with the enclosed form. We also would be pleased to discuss with you any confidential concerns you may identify, as well as project details.

Your timely response will greatly assist us in incorporating your concerns into the EIS. For that purpose, we respectfully request that you complete the enclosed consultation options form and forward it to SEA within thirty days of your receipt of this correspondence. If we do not receive a response from you by March 16, 2009, we will assume that you have no concerns regarding historic properties that could be affected by the proposed project.

If you have any questions about the project please do not hesitate to contact Dave Navecky, SEA Project Manager, at 202-245-0294, or Alan Summerville, ICF International Project Manager, at 703-934-3616. Thank you for your time and efforts in assisting us.

Sincerely,



Victoria Rutson  
Chief  
Section of Environmental Analysis

cc: Alan Summerville, ICF International  
Stephen R. Braund & Associates

Enclosures:  
Figures 1-6  
Project Consultation Options Form

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## MATANUSKA-SUSITNA BOROUGH

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November 18, 2008

David Navecky  
STB Finance Docket No. 35095  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423

Dear Mr. Navecky,

#### Re: Port MacKenzie Rail Extension Project

In light of the fact that the Point MacKenzie Community Council is currently inactive, I would like to provide a comment on one of the conceptual rail corridors described in the Preliminary Environmental and Alternatives Report. I have been working with the Point MacKenzie community, assisting with their planning efforts.

The Point MacKenzie Community Comprehensive Plan is currently being drafted by a team of community members. While drafting the land use chapter, the team identified a site for a future town center near the intersection of Point MacKenzie Road and Burma Road. Land suitable for a town center near essential infrastructure is scarce in the community. The location identified is near the only grocery store in Point MacKenzie. The town center concept is to create a pedestrian-oriented, mixed-use town center, to include places to meet friends and neighbors, venues for events and community meetings, a farmers market, and commercial services like a bank, Post Office, grocery store, and restaurants.

The Rail Project's Big Lake Alignment (MP B0.0-B2.5) transects the area identified for a future town center. Construction of a rail line through this corridor will impact the functionality and could likely preclude the use of this location as a town center.

Please contact me if you have any questions or require additional information.

  
Emerson Krueger

Planner

907-745-9526

[ekrueger@matsugov.us](mailto:ekrueger@matsugov.us)