APPENDIX B
TRIBAL AND GOVERNMENT-TO-GOVERNMENT CONSULTATION

B. TRIBAL AND GOVERNMENT-TO-GOVERNMENT CONSULTATION

This appendix contains the Section of Environmental Analysis's (SEA's) consultation plan (at the end of the appendix) and written correspondence with federally recognized tribes, tribal groups, and Alaska Native Regional Corporations. The consultation plan includes as an attachment to the plan, the tribal consultation letter template. The letter from SEA to the Native Village of Eklutna on February 12, 2008, is representative of eight others sent to tribal entities introducing them to the project and process, and informing them of upcoming public scoping meetings. The second letter is a sample letter sent to Eklutna, Incorporated on August 15, 2008, which is representative of eight others sent to tribal entities initiating formal government-to-government consultation. It includes a sample blank questionnaire that was sent to all 8 recipients of this letter.

Table B-1 lists all of the tribal entities with which SEA has corresponded and their dates of correspondence. Copies of correspondence between SEA and the tribal entities on the dates listed in Table B-1 follow the table.

Table B-1
Dates of Correspondence with Tribal Entities Consulted

Tribal Entity	Dates of Correspondence
Federally Recognized Tribes	
Native Village of Eklutna	2/12/08; 8/15/08; 2/5/09
Native Village of Tyonek	2/12/08; 8/15/08; 2/5/09; 9/03/08
Tribal Groups	
Cook Inlet Tribal Council	2/5/09
Chickaloon Village Traditional Council	2/12/08; 8/15/08; 2/5/09
Knik Tribal Council	2/12/08; 8/15/08; 2/5/09; 3/23/09 (see Appendix A for this letter)
Alaska Native Regional Corporations	
Cook Inlet Region, Incorporated	2/12/08; 8/15/08; 2/5/09
Chickaloon-Moose Creek Native Association, Incorporated	2/12/08; 8/15/08; 2/5/09
Eklutna, Incorporated	2/12/08; 8/15/08; 2/5/09; 3/16/09
Knikatnu, Incorporated	2/12/08; 8/15/08; 2/5/09; 8/20/08
Tyonek Native Corporation	2/12/08; 8/15/08; 2/5/09

SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

February 12, 2008

Don Karabelnikoff
Tribal Administrator
Native Village of Eklutna
26339 Eklutna Village Road
Chugiak, Alaska 99567

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. Karabelnikoff:

I am writing you on behalf of the Surface Transportation Board, a Federal agency based in Washington, DC. The Board is responsible for the economic regulation of freight railroads, and considers requests by freight railroads to construct and operate new rail lines. The Board is interested in your views regarding a new rail line construction proposal (described below). We are particularly interested in the proposed rail line construction's potential effects to tribal lands, rights, resources, religious and cultural sites and subsistence activities. At your request, we can meet with you to hear your views and provide additional information regarding the Board and its environmental review process. In addition, you are cordially invited to attend the scheduled public scoping meetings. If you plan to submit written comments, we appreciate receiving them by the close of the scoping comment period on **March 21, 2008**.

Description of the Proposal

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 to the existing Alaska Railroad Corporation rail system. The Board would be the Federal agency responsible for granting authority for the construction and operation of the proposed new rail line and for conducting government-to-government consultations with Federally-recognized tribes under Executive Order 13175 (65 FR 218), Consultation and Coordination with Indian Tribal Governments. 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.

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 an 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.

The Board's Environmental Review Process

SEA initiated the scoping process for the preparation of an Environmental Impact Statement (EIS) for the Port Mackenzie Rail Extension Project with the publication of the Notice of Intent (NOI) to prepare an EIS in the *Federal Register* on February 12, 2008 and will be traveling to Alaska March 3rd through March 12th for public scoping meetings and meetings with Federal, state and local agencies and interested Federally-recognized tribes.

As I explained above, the Board is interested in your views regarding the project's potential effects to tribal lands, rights, resources, religious and cultural sites and subsistence activities. At your request, we can meet with you to hear your views and provide additional information regarding the EIS process. In addition, you are invited to attend the scheduled public scoping meetings. If you plan to submit written comments, we appreciate receiving them by the close of the scoping comment period on **March 21, 2008**.

The purpose of the NOI (copy attached) is to notify individuals and organizations interested in or affected by the proposed project of the decision to prepare an EIS and provide the draft Scope of Study for review and comment.

The public scoping meetings will be conducted using a workshop format during which interested persons may ask questions about the proposal and the Board's environmental review process, and advise SEA staff about potential environmental effects of the project. In keeping with the workshop format of the scoping meetings, there will be no formal presentations made by agency representatives. Rather, SEA staff will be available to answer questions and receive comments individually. Scoping meeting dates and locations are provided below.

DATES AND LOCATIONS: Public scoping meetings will held from 5 PM to 8 PM as follows:

DAY	DATE	LOCATION	ADDRESS
Monday	March 3, 2008	Knik Elementary School	6350 West Hollywood Wasilla, AK 99654
Tuesday	March 4, 2008	Big Lake Elementary School	3808 South Big Lake Road Big Lake, AK 99652
Wednesday	March 5, 2008	Willow Area Community Center	Mile 70 Parks Highway Willow, AK 99688
Thursday	March 6, 2008	Houston Middle School	12801 W. Hawk Lane Houston, AK 99694
Monday	March 10, 2008	Wasilla Multi-Use Sports Complex	1001 S. Mack Drive Wasilla, AK 99654
Tuesday	March 11, 2008	Anchorage Senior Center	1300 East 19th Avenue Anchorage, AK 99501

Further information on the process for conducting government-to-government consultations for this project with Federally-recognized tribes under NEPA and other Federal laws will be provided in the near future.

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. Alan Summerville is ICF's Project Manager for the project. If you have any questions or would like to arrange a meeting to discuss the project please do not hesitate to contact David Navecky at (202) 245-0294 or Alan Summerville at (703) 934-3616.

Sincerely,

Victoria Rutson
Chief
Section of Environmental Analysis

Attachments

SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

August 15, 2008

Curtis McQueen, CEO
Eklutna, Incorporated
16515 Centerfield Dr., Suite 201
Eagle River, AK 99577

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 Curtis McQueen:

The purpose of this letter is initiate formal government-to-government consultation regarding the referenced project.

The Surface Transportation Board's (Board) previous letter of February 12, 2008 informed you of the proposed project and of our responsibility for preparing the appropriate National Environmental Policy Act (NEPA) documentation for railroad construction and operation cases that come before the Board, and for conducting government-to-government consultations with Federally recognized tribes under NEPA and other Federal laws.

The Board is interested in your views regarding the project's potential effects to Tribal lands, rights, resources, religious and cultural sites and subsistence activities. At your request, we can meet with you to hear your views and provide additional information regarding the Environmental Impact Statement process.

Your timely response will greatly assist us in incorporating your concerns into project development. For that purpose, we respectfully request that you complete the enclosed Project Consultation Options form and return it to us at your earliest convenience.

If you have any questions or would like to discuss the project please do not hesitate to contact Dave Navecky of my staff, at 202-245-0294 or Alan Summerville of ICF International, our independent third-party contractor, at 703-934-3616.

Sincerely,

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures:

ARRC Port MacKenzie Rail Extension Project Description
Environmental Review Process Description
Consultation Questionnaire

CONSULTATION QUESTIONNAIRE

Eklutna, Incorporated

Project Name: Port MacKenzie Rail Extension Project Environmental Impact Statement

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

Please check the appropriate response(s) from the list below and use the back of this form or additional sheets if you wish to make comments:

____ We have no interests associated with this proposed project and further consultation is not required.

____ There are or may be issues of concern associated with this proposed project and we request further consultation. We prefer:

_____ Meeting with the Board and cooperating agencies at a tribal facility.

_____ Communication with the Board and cooperating agencies by scheduled teleconference.

____ We want to continue to receive project information by mail and participate in the public involvement process.

Name of **Eklutna, Incorporated** designated contact for this proposed project:

_____ Phone: _____
Please print email: _____

Signed: _____ Date: _____

Please mail to: David Navecky
STB Finance Docket No. 35095
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001

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 in 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 tribal organization in identifying cultural resources, including traditional cultural properties, 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 this 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 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 also 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 effort 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

Distribution List:

Native Village of Eklutna
26339 Eklutna Village Road
Chugiak, Alaska 99567
Dorothy Cook, President
Phone: 907-688-6020
Fax: 907-688-6021

Eklutna, Incorporated
16515 Centerfield Dr., Suite 201
Eagle River, AK 99577
Curtis McQueen, Chief Executive Officer
Phone: 907-696-2828
Fax: 907-696-2845

Knik Tribal Council
PO Box 871565
Wasilla, Alaska 99687-1565
Jack Alcorn, Executive Director
Phone: 907-373-7991

Fax: 907-373-2161

Knikatnu, Incorporated
P.O. Box 872130
Wasilla, Alaska 99687-2130
Raymond Theodore, President
Phone: 907-376-2845
Fax: 907-376-2847

Native Village of Tyonek
PO Box 82009
Tyonek, Alaska 99682-0009
Angela Sandstol, President
Phone: 907-583-2201
Fax: 907-583-2442

Chickaloon Village Traditional Council
P.O. Box 1105
Chickaloon, AK 99674-1105
Gary Harrison, Chief
Phone: 907-745-0707
Fax: 907-745-0709

Tyonek Native Corporation
1689 C St., Suite 219
Anchorage, AK 99501-5131
Donita Hensley, President
Phone: 907-272-0707
Fax: 907-274-7125

Chickaloon-Moose Creek Native Association, Inc.
P.O. Box 875046
Wasilla, AK 99687
Edith Baller, President
Phone: 907-373-1145
Fax: 907-373-1004

Cook Inlet Tribal Council
3600 San Jeronimo Dr.
Anchorage, AK 99508
Gloria O'Niell, President and Chief Executive Officer
Phone: 907-793-3600
Fax: 907-793-3602

Cook Inlet Region, Inc.
2525 C Street, Suite 500
P.O. Box 93330
Anchorage, Alaska 99509-3330
Margaret L. Brown, President and Chief Executive Officer
Phone: 907-274-8638
Fax: 907-263-5183

5

CONSULTATION QUESTIONNAIRE

Native Village of Tyonek

Project Name: Port MacKenzie Rail Extension Project Environmental Impact Statement

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

Please check the appropriate response(s) from the list below and use the back of this form or additional sheets if you wish to make comments:

____ We have no interests associated with this proposed project and further consultation is not required.

____ There are or may be issues of concern associated with this proposed project and we request further consultation. We prefer:

_____ Meeting with the Board and cooperating agencies at a tribal facility.

_____ Communication with the Board and cooperating agencies by scheduled teleconference.

✓ We want to continue to receive project information by mail and participate in the public involvement process.

Name of **Native Village of Tyonek** designated contact for this proposed project:

Ethan Kaufman
Please print

Phone: 583-2201
email: ethan-k@tyonek.net

Signed: Angela R Sundstrom

Date: 9-3-08

Please mail to:

David Navecky
STB Finance Docket No. 35095
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001

Options for Consultations with the Surface Transportation Board Regarding the Alaska Railroad Corporation's Proposed Port MacKenzie Rail Extension

Eklutna, Incorporated

Requested Consultation Status

Please check the appropriate response(s) from the list below and use the back of this form or additional sheets if you wish to make comments:

____ There are no known traditional religious or cultural places present or within the vicinity of the proposed project and further consultation is not requested.

____ There are or may be traditional religious or cultural resources present or within the vicinity of the proposed project, further consultation is requested, and we would like to be considered a Consulting Party.

____ We will continue consultations for this proposed project directly with the Surface Transportation Board Section of Environmental Analysis (SEA), further consultation is requested, and we would like to be considered a Consulting Party.

X We have no interest associated with this proposed project and further consultation is not required.

Contact Information

If you have chosen to participate in further consultation with SEA, please indicate the manner in which you wish to continue consultation by providing the relevant contact information below:

Mail Address:

Phone:

Fax:

E-mail:

Other (please describe):

_____ Phone: _____

Printed Name of Designated Contact for this Project

Signed: Curtis J McQueen Date: 3/16/09

Curtis McQueen, Chief Executive Officer

Please mail to: Dave Navecky, SEA Project Manager, Surface Transportation Board, 395 E Street, SW Washington, DC 20423. Or, fax to: Dave Navecky at 202-245-0454 Rec'd 3/31/09

EI-15639

CONSULTATION QUESTIONNAIRE

Knikatnu, Incorporated

Project Name: Port MacKenzie Rail Extension Project Environmental Impact Statement

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

Please check the appropriate response(s) from the list below and use the back of this form or additional sheets if you wish to make comments:

____ We have no interests associated with this proposed project and further consultation is not required.

X There are or may be issues of concern associated with this proposed project and we request further consultation. We prefer:

- X Meeting with the Board and cooperating agencies at a tribal facility.
- ____ Communication with the Board and cooperating agencies by scheduled teleconference.

X We want to continue to receive project information by mail and participate in the public involvement process.

Name of **Knikatnu, Incorporated** designated contact for this proposed project:

Raymond Theodore
Please print

Phone: (907) 376-2845
email: knikcorp@gci.net

Signed: Raymond Theodore

Date: August 20, 2008

Please mail to:

David Navecky
STB Finance Docket No. 35095
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001

Surface Transportation Board Environmental Impact Statement on Alaska Railroad Corporation's Proposed Port MacKenzie Rail Extension

Government-to-Government Consultation and Coordination Plan

Introduction

Executive Order (EO) 13175 (65 FR 218), Consultation and Coordination with Indian Tribal Governments (November 6, 2000) directs Federal agencies to establish regular and meaningful consultation and collaboration with officials of Federally recognized Tribal Governments (Tribes) in the development of Federal policies or decisions that have Tribal implications. The Environmental Impact Statement (EIS) for Alaska Railroad Corporation's (ARRC) proposed Port MacKenzie Rail Extension will culminate in a decision by the Surface Transportation Board (Board) and, as appropriate, subsequent permit decisions by other Federal agencies that constitute Federal decisions subject to the provisions of EO 13175. The Federal agencies that are cooperating in the preparation of the EIS for this project are the U.S. Army Corps of Engineers – Alaska District, Federal Railroad Administration, and U.S. Coast Guard – Seventeenth Coast Guard District.

The proposed Port MacKenzie Rail Extension has the potential to directly affect the environment, resources and rights of Tribes located in south-central Alaska in the vicinity of the Knik Arm, Big Lake and the Little Susitna River. Potential effects to Tribal lands, rights, resources, religious or cultural sites and subsistence activities need to be identified, evaluated and discussed with Tribal Governments in order to comply with EO 13175, Section 106 of the National Historic Preservation Act of 1966 (see also 36 CFR Part 800, August 5, 2001) and other Federal regulations and policies.

Federally Recognized Tribal Governments in the Project Area

The U.S. Department of Interior, Bureau of Indian Affairs maintains a list of 561 Federally Recognized Tribes (73 FR 66, April 4, 2008). Alaska Tribes in proximity to the proposed Port MacKenzie Rail Extension have been identified from this list. Proximity is defined as in or near the Little Susitna River and Knik Arm watersheds. The following Tribes, Tribal groups and Native corporations were notified by letter dated February 12, 2008 of the scoping process for the Port Mackenzie Rail Extension EIS, and have been advised that further information regarding government-to-government coordination would be forthcoming.

FEDERALLY RECOGNIZED TRIBES

Chickaloon Village Traditional Council
Knik Tribal Council
Native Village of Eklutna
Native Village of Tyonek

ALASKA NATIVE CORPORATIONS

Chickaloon-Moose Creek Native Association, Inc.
Cook Inlet Region, Inc.
Eklutna, Incorporated
Knikatnu, Incorporated
Tyonek Native Corporation

Objectives of Consultation and Coordination

Consultation and coordination is the process of seeking, discussing, and considering the views of Tribes. Two-way communication that works toward consensus and reflects the concerns of the affected Tribes is the primary objective for the Board's consultation and coordination plan. Tribal sovereignty, culture, traditional values and customs will be respected during the consultation process.

The Board, U.S. Coast Guard and Federal Railroad Administration do not have specific guidance documents for consultation and coordination with Tribal Governments. The U.S. Army Corps of Engineers – Alaska District is the only Federal cooperating agency with established guidance. The Board considered this guidance, as well as guidance documents from the U.S. Department of Defense, U.S. Environmental Protection Agency - Region 10, and the State of Alaska while

developing this consultation and coordination plan for the Port MacKenzie Rail Extension EIS. Specific objectives for consultation include:

1. Engage all potentially affected Tribes early in the EIS process to identify issues that should be researched and analyzed in the EIS.
2. Maintain open and active communications with Tribes throughout the EIS process to identify places of traditional religious or cultural importance and potential effects to Tribal lands, rights, resources or subsistence activities in the vicinity of the proposed project.
3. Report to the Tribes in a credible and understandable manner on issues and concerns raised during the scoping process.
4. Respond to issues raised by the Tribes during scoping and on the Draft EIS.
5. Respond to issues raised by the Tribes on the Final EIS.

Implementation Plan

Providing Tribes with the opportunity to participate in the public scoping process is not the same as government-to-government consultation and coordination. At a minimum, Tribal Governments will be given an opportunity to consult at the start of the project and again prior to decision making. Additional coordination will take place as determined necessary or desirable by the Board, cooperating agencies and Tribal Governments. The following sequence of actions will be completed:

1. Contact each Tribal entity (as listed in Section 2.0) by telephone to confirm the name, title and address of current leadership.
2. Transmit a Tribal Consultation Initiation letter and Consultation Questionnaire to each Tribal entity describing the EIS and government-to-government consultation and coordination process, describing the proposed project and soliciting Tribal input on potential effects of the proposed project on Tribal lands, rights, resources, religious or cultural sites and subsistence activities. The consultation questionnaire offers several options for Tribal consultation.
    - Face-to-face meetings with the Board and cooperating agencies at a Tribal facility,
    - Scheduled teleconferences with the Board and cooperating agencies,
    - No further involvement in government-to-government consultation during the EIS process, or
    - Continued receipt of project information by mail and participation through the public involvement process.
3. Conduct initial meetings or teleconferences with interested Tribes and develop an agreement and process for continued consultation and coordination throughout EIS development.

4. Document the government-to-government coordination with each Tribe for inclusion in the EIS and Administrative Record.

Attachments

Tribal consultation materials include:

Tribal Consultation Initiation letter
Port MacKenzie Rail Extension Project Description
Environmental Review Process Description
Consultation Questionnaire
Preliminary List of Tribal Contacts

SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

August __, 2008

Recipient ***(Tribal Organization)***
Contact Name, Title
Address 1
Address 2
City, State Zip Code

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 ***(Contact Name)***:

The purpose of this letter is initiate formal government-to-government consultation regarding the referenced project.

The Surface Transportation Board's (Board) previous letter of February 12, 2008 informed you of the proposed project and of our responsibility for preparing the appropriate National Environmental Policy Act (NEPA) documentation for railroad construction and operation cases that come before the Board, and for conducting government-to-government consultations with Federally recognized tribes under NEPA and other Federal laws.

The Board is interested in your views regarding the project's potential effects to Tribal lands, rights, resources, religious and cultural sites and subsistence activities. At your request, we can meet with you to hear your views and provide additional information regarding the Environmental Impact Statement process.

Your timely response will greatly assist us in incorporating your concerns into project development. For that purpose, we respectfully request that you complete the enclosed Project Consultation Options form and return it to us at your earliest convenience.

If you have any questions or would like to discuss the project please do not hesitate to contact Dave Navecky of my staff, at 202-245-0294 or Alan Summerville of ICF International, our independent third-party contractor, at 703-934-3616.

Sincerely,

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures:

ARRC Port MacKenzie Rail Extension Project Description
Environmental Review Process Description
Consultation Questionnaire

CONSULTATION QUESTIONNAIRE

_____***(Tribal Organization)***_____

Project Name: Port MacKenzie Rail Extension Project Environmental Impact Statement

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

Please check the appropriate response(s) from the list below and use the back of this form or additional sheets if you wish to make comments:

____ We have no interests associated with this proposed project and further consultation is not required.

____ There are or may be issues of concern associated with this proposed project and we request further consultation. We prefer:

_____ Meeting with the Board and cooperating agencies at a tribal facility.

_____ Communication with the Board and cooperating agencies by scheduled teleconference.

____ We want to continue to receive project information by mail and participate in the public involvement process.

Name of ____***(Tribal Organization)***_____ designated contact for this proposed project:

_____ Phone: _____
Please print email: _____

Signed: _____ Date: _____

Please mail to: David Navecky
STB Finance Docket No. 35095
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001

PRELIMINARY LIST OF TRIBAL CONTACTS

Tribal Governments

Don Karabelnikoff, Tribal Administrator
Native Village of Eklutna
26339 Eklutna Village Road
Chugiak, Alaska 99567

Jack Alcorn, Executive Director
Knik Tribal Council
PO Box 871565
Wasilla, Alaska 99687-1565

Angela Sandstol, President
Native Village of Tyonek
PO Box 82009
Tyonek, Alaska 99682-0009

Gary Harrison, Chief
Chickaloon Village Traditional Council
P.O. Box 1105
Chickaloon, AK 99674-1105

Alaska Native Corporations

Curtis McQueen, CEO
Eklutna, Incorporated
16515 Centerfield Dr., Suite 201
Eagle River, AK 99577

Raymond Theodore, President
Knikatnu, Incorporated
P.O. Box 872130
Wasilla, Alaska 99687-2130

Michaelene Stephan, President
Tyonek Native Corporation
1689 C St., Suite 219
Anchorage, AK 99501-5131

Edith Baller, President
Chickaloon-Moose Creek Native Association, Inc.
P.O. Box 875046
Wasilla, AK 99687

Margaret L. Brown
President and Chief Executive Officer
Cook Inlet Region, Inc.
2525 C Street, Suite 500
P.O. Box 93330
Anchorage, Alaska 99509-3330

References

Additional consultation reference materials include:

EO 13175, Consultation and Coordination with Indian Tribal Governments
U.S. EPA, Region 10, Tribal Consultation Framework
U.S. Department of Defense, American Indian and Alaska Native Policy
U.S. Army Corps of Engineers, Alaska District Tribal Policy
State of Alaska Administrative Order No. 186
List of Federally Recognized Tribes (73 FR 66, April 4, 2008)