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**VIA ELECTRONIC FILING AND POSTAL  
SERVICE**

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

Re: Finance Docket No. 35095, *The Alaska Railroad Corp. – Petition for An Exemption From 49 U.S.C. § 10901 To Construct and Operate a Rail Line Extension to Port MacKenzie, Alaska*

Dear Ms. Rutson:

I am writing this letter to provide the Alaska Railroad Corporation (ARRC)'s initial comments on the Draft Environmental Impact Statement (DEIS) prepared by the Section of Environmental Analysis (SEA) in the above-named proceeding. I anticipate that ARRC will have additional comments as the Section 106 process moves forward, as well as in connection with the comment letters that SEA receives from other parties.

In the attached spreadsheet, ARRC has identified a number of minor changes to the DEIS that do not require extensive discussion. If you or your staff have any questions about the entries on the table, please do not hesitate to contact me directly. I will be happy to elaborate as needed. Below are ARRC's more expository comments on the DEIS, which are organized according to the section they address. Again, just let me know if you have any questions.

**2 Proposed Action**

The DEIS states on page 2-24 that the various proposed alternatives would result in the "clearing" of all vegetation located within the 200-foot right-of-way. The apparent assumption that all vegetation within the right-of-way will be cleared substantially overstates the environmental impacts of the rail line extension. Vegetation such as grasslands, emergent wetlands, low shrubs and agricultural areas would be cleared only insofar as it is necessary to accommodate developed areas (e.g., embankments). ARRC therefore recommends that acreage covered by these vegetation types be removed from the calculation of what would be cleared to accommodate the rail extension.

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For similar reasons, ARRC also recommends a recalculation of the acreage estimated to be lost as wildlife habitat on page 2-25. As described in the previous paragraph, a large amount of vegetation will not be cleared from the right-of-way, but instead will remain as potential wildlife habitat. The entire right-of-way will still be available for wildlife use, including as a movement corridor. Instead of reporting the entire right-of-way as a "loss" of wildlife habitat, a more accurate and precise description of the impact of the right-of-way should be used. Furthermore, because the roadbed is low and relatively narrow, it represents a barrier to only the smallest of wildlife. The DEIS thus overstates the fragmentation of habitat that the project would cause.

#### **4.5 Wetlands**

Throughout chapter 4.5 of the DEIS, wetlands impact calculations are based on the full 200-foot right-of-way, rather than the actual project footprint. See DEIS at 4.5-1 ("the EIS assumes that . . . construction activities would disturb the entire ROW"). While ARRC appreciates the efficiency of measuring potential wetlands impacts in this manner, it is confident that construction of the rail extension will actually impact a small portion of the wetlands within the 200-foot right-of-way. In the analysis contained within the PEAR, the conceptual design was carried forth using existing topographic information. The ARRC was then able to actually model the footprint resulting in permanent impact resulting from embankment construction. This analysis has been updated for the final alignments used in the DEIS, and is summarized in the chart attached to this letter.

The substantial differences are the result in the differences in terrain between the alignment alternatives. For example, the 200-foot right-of-way for the Houston South segment contains a marginally greater amount of wetlands within the initial right-of-way for the Big Lake Segment. However, the most of the Houston South segment's terrain is relatively flat, meaning that the proposed embankment will be relatively consistent and narrow, affecting only the wetlands directly in its path. By contrast, the Big Lake alignment traverses rolling hills, meaning that construction of an embankment will require significant cuts and fills estimated to be 60 feet or more. Because the wetlands along this route are in valleys that would have to be filled, the embankment would actually impact more wetlands than would the Houston South embankment.

Final calculation of such wetlands impacts are properly postponed until ARRC applies for its Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers. For purposes of the Final EIS, however, ARRC recommends using the more precise footprint calculations in the attached chart to more accurately compare the wetlands impacts of various alignment options.

#### **5.2 Vegetation**

On page 5.2-7, the DEIS references a 1997 Auerbach study in support of a brief paragraph discussing the potential impact of dust deposition on vegetation in the project area. It is worth noting that the Auerbach study evaluated dust impacts to arctic tundra along the Dalton Highway. Because arctic tundra has much less canopy structure than forested areas

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associated with the rail extension, and because the Dalton Highway carries a great deal more traffic than the non-public access road in the project area, the dust impacts here would likely be far below those measured in the Auerbach study.

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

## **9 Noise and Vibration**

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

## **19 Mitigation**

### *Measure 17:*

The Alaska Department of Natural Resources has no specific standards for railroad design or construction, nor do they have the jurisdiction to develop such standards. ARRC accordingly recommends removal of this measure.

### *Measure 23 & 25:*

Because these two measures effectively cover the same issue, ARRC suggests combining them. Furthermore, ARRC is concerned that the measures do not adequately define the term "highly sensitive habitat areas." The definitions employed by the federal and state agencies listed in the mitigation measures are overly broad and impracticable for use in developing mitigation measures on a project like this one. ARRC accordingly recommends that SEA either develop a more project-specific definition of "highly sensitive habitat areas" or remove this mitigation measure.

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*Measure 29:*

Generally speaking, invasive plants are common throughout the project setting, and the existing ecosystem in the area tends to be more robust than arctic environment. The operation of the railroad through the project setting will not likely have any significant effect upon the further propagation of invasive plant species. ARRC therefore strongly recommends the removal of the first bullet in mitigation measure #29.

*Measure 33:*

There is presently in place a MOU with ADF&G specifically pertaining to the cataloging of moose strikes, as well as the implementation of maintenance, design, and operational measures to reduce moose mortality resulting from train collisions. This program has been successful in significantly reducing train-moose collisions over the last 20 years. Mitigation measure 33 significantly changes the existing agreement, and would result in significant operating and maintenance changes for this single segment of the railroad. Though it recognizes that they are offered as suggestions, ARRC strongly recommends deleting all but the final bullet.

*Measure 38:*

The subject of Alaska Statute 38.05.127 requires permitting from ADNR, and will be addressed in negotiations with that agency. ARRC thus recommends deletion of the second bullet.

*Measure 51:*

ARRC has been coordinating with the military concerning the possibility of unexploded ordinance (UXO) within the project area. There have been long standing negotiations between ADEC and the military regarding additional sweeping of the Point MacKenzie area. Existing ARRC training and procedures have been developed in conjunction with the military and include procedures prior to construction as well as the discovery of UXO's during construction. These measures, which are presently in use at Port MacKenzie, and have been used on similar projects on Elmendorf Air Force Base, would substantially fulfill the requirements of mitigation measure #51. Requiring ARRC to perform work presently planned by the military will weaken ADEC's negotiations with the military, and will likely result in the ARRC being burdened with the military's UXO responsibilities. Given the success of ARRC's existing program, and the potential for adversely affecting significant, yet unrelated negotiations between ADEC and the military, ARRC strongly recommends this mitigation measure be deleted in its entirety.

Thank you for taking the time to review these comments. ARRC is happy to provide any additional information that SEA needs as it progress toward a Final EIS.

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Sincerely,

*Kathryn Kusske Floyd*  
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cc: Brian Lindamood  
Alan Summerville

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