

1 SURFACE TRANSPORTATION BOARD
2
3 TRANSCRIPT OF PUBLIC MEETING
4
5 DRAFT ENVIRONMENTAL IMPACT STATEMENT
6
7 FOR THE ALASKA RAILROAD CORPORATION'S
8
9 PROPOSED NORTHERN RAIL EXTENSION PROJECT
10
11 FINANCE DOCKET 35095
12
13
14
15
16
17

Fairbanks, Alaska
January 12, 2009
5:00 p.m.

18 APPEARANCES:

19 Mr. Dave Navecky, Surface Transportation Board
20 Mr. Don Perrin, Alaska Department of Natural Resources
21 Mr. Alan Summerville, ICF
22 Ms. Melissa Elefante DuMond, ICF
23 Mr. Dave Johnson, ICF
24 Mr. Mike Nagy, ENTRIX
25

P R O C E E D I N G S

MR. NAVECKY: Good evening, ladies and gentlemen. Thank you for attending tonight's public meeting on the Draft Environmental Impact Statement for the Alaska Railroad's Proposed Northern Rail Extension Project. I'd like to officially open this evening's meeting.

My name is Dave Navecky. I'm with the Surface Transportation Board out of Washington D.C. I'm in the agency's Section of Environmental Analysis for SEA, or S-E-A we're sometimes referred to. The board is the federal agency responsible for granting authority for the construction and operation of rail line construction projects.

In July of 2007, the applicant, the Alaska Railroad Corporation, filed a petition with the Surface Transportation Board to construct and operate a rail line extension, which would run from approximately North Pole down to the city of Delta Junction, Alaska.

SEA is the lead agency in preparing this Environmental Impact Statement to identify and evaluate the potential environmental impacts associated with the proposed construction and operation of the rail line. SEA is assisted on this project by eight cooperating agencies.

Those cooperating agencies include the Alaska Department of Natural Resources, and we have a representative here next to me on the table. Also the Alaskan Command, the

1 354th Fighter Wing at Eielson Air Force Base, the U.S. Army
2 Corps of Engineers, the Bureau of Land Management, the United
3 States Coast Guard, and the Federal Railroad Administration and
4 the Federal Transit Administration.

5 If you have not already done so, I request that
6 everyone here in attendance sign our sign-in sheet, and you can
7 do that as you leave if you haven't done so. However, if you
8 would like to speak formally before us this evening, I request
9 that you sign in so we have record of everyone that will be
10 speaking.

11 We'll provide each person approximately five
12 minutes to speak initially. And then after we've gone through
13 the entire roster, if there's any other individual who would
14 like to return to the microphone and provide some additional
15 comments, we will invite you to do so at that time.

16 We will have -- we have a court reporter here
17 that will be transcribing all your comments, and they will all
18 be entered officially into the record. You're also free to
19 submit written comments in addition to any oral comments you
20 may provide to us this evening. You can do that through
21 comment forms we have over here at the table to my left. You
22 can submit those comments this evening, or you can take those
23 home with you and mail those in to us. You can also submit
24 comments to the Surface Transportation Board through our Web
25 site, and there are instructions on the comment form on where

1 to go to submit those comments electronically to us.

2 Comments are due to us on February 2nd, 2009.

3 If you file electronically through our Web site, they'll be due
4 on the 2nd. If you are mailing comments to us, they only need
5 to be postmarked on the 2nd of February.

6 This meeting represents the next step in the
7 environmental review process that my agency and the cooperating
8 agencies are conducting for this project. Prior to preparing
9 the Draft EIS, which we distributed to approximately 1,700
10 parties in December, we conducted public scoping meetings to
11 listen to your questions and concerns about the project.

12 Through, that input that we received from the
13 public, as well as agencies, federal, state, and local agencies
14 in Alaska, assisted us in identifying the issues and analyses
15 that we needed to conduct for the Draft Environmental Impact
16 Statement, that information was reflected in the final scope of
17 study which we issued in April of 2008, and was carried forward
18 in the Draft Environmental Impact Statement, which was, again,
19 issued in December of 2008.

20 The environmental review poster in your handout
21 also provides a summary of where we have gone in the process.
22 The next steps in the process, after this public comment
23 period, is that we will review all the comments, and we'll
24 address those comments in the Final Environmental Impact
25 Statement.

1 The Final Environmental Impact Statement will
2 address those impacts, and it will also include our
3 recommendations to the Surface Transportation Board. Our
4 recommendations referring to the Section of Environmental
5 Analysis. It's a document that we prepare for the board to
6 identify the environmental impacts of the project, and the
7 concerns related to the project. We will also include in that
8 Final EIS recommendations to the board in the area of
9 mitigation to address the issues that we encounter during the
10 environmental review process.

11 After the Final EIS is issued, the board will
12 then make its decision based on the Draft EIS. The Final
13 Environmental Impact Statement and all your public comments
14 that were provided to us either orally or in writing, either
15 during the scoping phase or during the Draft Environmental
16 Impact Statement phase, that will all be in the record, and
17 that will be considered by the board in making our decision.

18 It's not until the board -- the board's
19 decision can occur in one of three areas. They can deny the
20 project, or they can approve the project, or they can approve
21 the project with conditions. The conditions referring back to,
22 for example, the mitigation measures that we will recommend
23 that the board adopt if they were to approve the project.

24 If the board approves the project, then the
25 railroad will then have the authority from the Surface

1 Transportation Board to construct and operate the rail line.
2 However, the railroad will still need a number of other
3 approvals and permits from other various state and federal
4 agencies, including our cooperating agencies on the Draft EIS.

5 That would include, for example, the permit
6 from the Corps of Engineers, approvals and permits from the
7 Alaska Department of Natural Resources, permits from the
8 U.S. Coast Guard for bridge crossings, things like that. So
9 our approval, if it would occur, is just one step in the
10 process before they could begin constructing the rail line.

11 That's all I have to offer at this point in
12 time. I'm going to let Don Perrin with the Alaska Department
13 of Natural Resources explain why he's sitting up here at the
14 table and, for example, not all the other cooperating agencies.
15 DNR has a special role in tonight's public meeting.

16 MR. PERRIN: Thanks, Dave. Again, I'm
17 Don Perrin with the Department of Natural Resources. As Dave
18 said, DNR is a cooperating agency with the Surface
19 Transportation Board on the development of the Environmental
20 Impact Statement. And we've been working with STB and the
21 railroad the past few years to try to identify environmental
22 and public access issues to be incorporated into the EIS.

23 In addition to being a cooperating agency, the
24 railroad -- the Alaska Railroad Corporation and the Department
25 of Natural Resources are also working to implement state law

1 that is entitled AS 42.40.460. The short title is the
2 Extension of the Alaska Railroad. That law was passed a few
3 years ago. And that allows for the railroad to describe a
4 corridor from the existing facilities to the Canadian border,
5 which they have done.

6 So the law specifically allows the railroad to
7 identify a 500-foot wide corridor -- transportation corridor of
8 which 200 feet of that corridor, 100 feet either side of the
9 centerline will be ultimately conveyed to the railroad upon
10 which time they begin construction of the rail line.

11 Once the railroad identifies all or part of the
12 route, and after consulting with the public, local and state
13 agencies, and other potentially affected parties, the
14 Department of Natural Resources needs to make a finding that
15 the location of the proposed new rail line minimizes adverse
16 effects on existing and potential rights of way, and on land
17 uses associated with the location and construction, operation
18 of the gas pipeline that is in a manner -- in the best interest
19 of the state.

20 The railroad has requested that DNR move
21 forward with reserving the corridor, based on two documents
22 that the railroad developed the past two years. One of which
23 is the Alternative Analysis Study completed in 2006, and the
24 Preferred Route Report, which they submitted to the Surface
25 Transportation Board in 2007. The DNR process for the

1 preserving of the corridor would occur as a proposed decision
2 which would be issued to the public with a 30-day comment
3 period, and then DNR will get you a final decision.

4 As Dave said, the project will require numerous
5 other state and federal permits. For these public meetings,
6 DNR is primarily interested in hearing your comments, in
7 particular where you go in the Tanana Flats and how you cross
8 the river and how this project might affect your access.

9 So we've got a map set in the back of the room.
10 If, at some time during these meetings or after you testify,
11 you'd like to go back and look at the maps and draw on there
12 with a marker where you cross and where you go, we'd encourage
13 you to do so. We'll have a DNR representative back there to
14 help you, guide you through the maps, and so you can find the
15 locations of where you want lets us know where you go and where
16 you cross. That's what we're interested in.

17 And if you have any questions about the DNR
18 process and the state law, the extension of the Alaska
19 Railroad, please call the Division of Mining, Land, and Water
20 at 451-2740. That's all I have. Thanks.

21 MR. NAVECKY: Thanks, Don. I just wanted to
22 reiterate that tonight we're taking oral comments on the Draft
23 Environmental Impact Statement, but we also encourage you and
24 you have the option of providing written comments on the EIS.
25 Both are given equal weight there. We don't give any greater

1 weight to whether someone took the effort to speak to us
2 publicly. The comments are all considered equally.

3 And what we'll do now, we'll call the
4 individuals in the order in which people signed up to speak.
5 You will have approximately five minutes, at least initially.
6 And once we've gone through the list, we'll provide folks an
7 opportunity to speak further if they would like to. When you
8 come up to the microphone, if you could state your name and
9 spell your last name so that the court reporter can make sure
10 that she records it accurately. The first person we'd like to
11 call is Jim Hill.

12 MR. HILL: I'm going to hold for now and go on
13 the written comments.

14 MR. NAVECKY: Okay. Thank you.

15 MR. HILL: Or later on in the oral.

16 MR. NAVECKY: Next is Steve Vincent.

17 MR. VINCENT: My name is Steve Vincent. That's
18 V-i-n-c-e-n-t. I've got about 800 pages that I want to read
19 very slowly. Comments that I would like to make on this
20 actually address the five-mile Clear Water River as it's called
21 in the Draft Environmental Impact Statement. We know it as
22 five-mile Clear Creek.

23 The first thing is, is that the alternative 2
24 route, the Tanana Bridge, it shows blocking at the channel of
25 the Tanana with fill. This blocks the channel that is access

1 to the mouth of Clear Creek that's been used historically since
2 properties were sold over there and people have been hunting
3 there by boat since they've been able to get up the creek.

4 To cut it off would dry the area up. Since it
5 runs through a mud flat, it would require dredging in order to
6 be able to get into the mouth of the creek to be able to gain
7 access for the property for summer use. There really isn't,
8 during the summer, any other access.

9 Now, during the wintertime -- let me back up a
10 little bit here. Also, grayling migrate annually in their
11 annual salmon runs up there. It's going to cut down access to
12 a certain degree for the fish getting back up into the
13 Clear Creek area.

14 In the wintertime access is generally done off
15 of the Tanana, and different people have different routes to
16 access their properties. There are approximately 40 properties
17 up there; about 18 or 19 have cabins or structures that are
18 used for tent platforms to put winter tents up on if necessary.

19 There haven't been any provisions -- or there
20 aren't any provisions in the Draft EIS to allow people to cross
21 the railroad, which would sit to the north of the property
22 south of the Tanana River. And it is noted in the Draft EIS
23 that a DNR public access -- I guess regulations behind public
24 access would be at odds with the Alaska Railroad as far as
25 being able to cross it.

1 In other words, there are trails there that
2 aren't defined, you have crossings that are at the very -- the
3 mouth of Clear Creek and up at the headwaters of Clear Creek.
4 There are several other trails in that area that are used to
5 access the cabins back in there.

6 Let me catch -- I didn't follow exactly the way
7 I wanted to here. There are a lot of areas in the flats
8 that -- and kind of dependent upon which alternatives that are
9 chosen that the access would be cut off for historical hunting
10 grounds in there. We feel that that needs to be addressed.

11 We couldn't find on the Draft EIS where a
12 construction camp or construction storage area, which was
13 initially noted, would be located in the area once the bridge
14 crosses over onto the south side of the Tanana. That could
15 have significant environmental impacts, and it's something that
16 we feel should have been contained in the Draft EIS.

17 Clear Creek is used by both jet boats and air
18 boats. The bridges would have to have adequate clearance for
19 the taller air boats. There's no talk about construction
20 closures on the creek or how they would notify people when they
21 went through construction closures.

22 There's a notation in there of no noise or
23 vibration analysis is included for this area as there are no
24 receptors identified near the proposed rail line. Well, I
25 would guess that the people that have cabins over there would

1 beg to differ, their ears act as relatively good receptors. So
2 there should be some analysis on how noise is going to affect
3 the area over there, and how the vibration is going to affect.
4 I guess there could possibly be some problems in the salmon
5 spawning streams.

6 Clear Creek, five-mile Clear Creek was
7 identified as a salmon spawning stream. There are several
8 little connecting streams that come off of a slough that's
9 about three -- or about probably half way up of what's
10 considered to be five-mile Clear Creek on the map. It's
11 actually a slough of the Tanana. Those clear streams also have
12 salmon runs in them, and that isn't identified in the
13 Draft EIS.

14 And I think that about covers it. Did I get
15 everything? Okay. All right. I think that concludes my
16 comments for now. I thank you very much.

17 MR. NAVECKY: Thank you.

18 MR. VINCENT: Here's a...

19 MR. NAVECKY: Is your name on there? Thank
20 you. Next is Ken Severin.

21 MR. SEVERIN: Close enough.

22 MR. NAVECKY: And I apologize if I mispronounce
23 names this evening.

24 MR. SEVERIN: Okay. Yeah, it's Ken Severin,
25 S-e-v-e-r-i-n. And, yeah, I own approximately 87 acres at the

1 confluence of the Salcha and the Tanana, so on the south bank
2 of the Salcha and about as far west as you can drive. In my
3 written statement I'll give you the exact tax lots and so on
4 and so forth. I don't have any structures on the land, and I
5 don't intend to build there, but I do use it for hunting and
6 camping and just goofing off.

7 I'm definitely in favor of the Salcha 1 as
8 opposed to the Salcha, and I don't have any comments on any
9 other parts of the EIS. From a personal level, Salcha 2 would
10 essentially go right through my place and it would destroy it.
11 On a practical level, Salcha 2, in general, is going to go
12 through a lot more private land than Salcha 1. And it's going
13 to cause all kinds of private land ownership problems.

14 Probably the most important thing, and I think
15 it was touched on by the last speaker, is that Salcha 2 is
16 going to impact a lot of the salmon spawning grounds in the
17 Tanana down at the crossing by Flag Hill. And it's certainly
18 easy to say that we got lots of salmon resources and disturbing
19 a bit of habitat isn't going to make a lot of difference, but
20 it's exactly that kind of thinking that's led to the
21 destruction of salmon habitat in Europe, in England,
22 New England, the Pacific Northwest. And we got a chance to do
23 it right, so I think it's something that needs to be
24 considered. Thanks.

25 MR. NAVECKY: Thank you. Next is Miles Tucker.

1 Is that correct?

2 MR. TINKER: Not too close, but I'll straighten
3 you out.

4 MR. NAVECKY: I apologize.

5 MR. TINKER: My name is Mike Tinker, and I
6 came.....

7 MR. NAVECKY: Oh, Mike. I'm sorry.

8 MR. TINKER: That's all right. You're not the
9 first that's ever done that. And I came tonight to represent
10 the Fairbanks Fish & Game Advisory Committee. A unit that's
11 empowered under Alaska Statute 16.05 to comment on plans like
12 this for the community as regard to our goals and objectives
13 for the area that we represent by delegation from the Alaska
14 Board of Game.

15 In this case we're more concerned with the area
16 on the south side of the Tanana River which we know as
17 Game Management Unit 20, Subunit Alpha. And the reason for
18 that is that the Eielson farm country and the Salcha country is
19 where you deal more with private real estate. And when you get
20 on the south side, you're into resources that are more commonly
21 used by literally thousands of our constituents.

22 One of the issues that we'd like to make sure
23 that is in -- and I will apologize for not having read every
24 word in the EIS. I will try to do that and make some more
25 written comments -- is that as you line up for trails, and you

1 have some places where you are crossing areas where there are
2 historic trails -- I don't mean historic in the recognized
3 sense of natural history, I mean historic in that Alaska's
4 trails are kind of special, and they have some special legal
5 ramifications going back to some early 1800s national
6 legislation that allows trails to be there.

7 And they are not trails put in by you and I on
8 hiking day, we're taking our four-wheeler or something like
9 that. They were put in, most of them, with a D8 bulldozer to
10 support mining and resource extraction from south of the river.
11 Those trails, as long as they fit into certain time categories,
12 can be used at the present time by those types of uses and
13 vehicles that they were originally constructed for. So if you
14 put your railroad track out there and I come along with my D8,
15 I'm going to walk across, because I can back that up that I
16 have the right to do that.

17 We would like to see the options for some of
18 your crossings and whatnot stay open through the design phase,
19 because, as Mr. Vincent said, one of the uses over there is by
20 our waterborne cadre that go over there to hunt and for
21 recreational purposes, and they go by boat. Yet we don't
22 really have anything that shows us drainage by drainage,
23 structure by structure, how the clearance will be affected by
24 the craft and vehicles using them. Obviously some ATVs could
25 take advantage of that, too, as long as your alignment is far

1 enough up in the air that you can pass underneath.

2 On a personal note, but I would put it in for
3 the advisory committee, I think it's absolutely foolish for the
4 National Railroad, the Alaska Railroad folks, or the Surface
5 Transportation people to put in a document something that
6 people will not do. And what you have said is here is we're
7 not going to let people cross this track between here and
8 there, and you've gone 30 miles.

9 That is absolutely absurd. There isn't a
10 railroad track in the United States, there's certainly not one
11 in Alaska, that people don't come up to on their snow machine,
12 ATV, that kind of thing, especially a tired vehicle, look
13 across, look up and down the track and go across. You want to
14 find 50 of them between here and Nenana, let's go out tomorrow.
15 You shouldn't be saying things like that in here because you
16 don't have an army to enforce things like that.

17 So hopefully what I'm saying here is that you
18 will keep open the option through design of getting some of
19 these issues that you don't catch that this stays across the
20 track, and that you hold open the option for even some minor
21 alignment adjustments to try to deal with some of these special
22 issues like the Clear Water.

23 And if I'm right, Clear Water down there is an
24 area where the railroad can be a good neighbor by moving a
25 little bit. Now, whether or not you've taken that into

1 consideration at this point as a constraint, in other words, to
2 say hey, there's quite a few people there, can we move a
3 quarter of a mile, a half a mile, stay on the same type of real
4 estate and help them or not? But those are questions that you
5 should deal with. Because if you can be a better neighbor,
6 then you should be a better neighbor.

7 And lastly, I'd like to say that we'd like to
8 make a pitch that not -- or that you encourage in the typical
9 exception something rather than a linear clearing. In other
10 words, that you use some sinuosity, that you push back off the
11 tracks things that were not done on the original
12 Alaska Highway -- or Alaska Railroad that now kill us thousands
13 of moose because of the fact that they are crammed up in the
14 better vegetation that grows in the vegetation control along
15 the railroad.

16 And that could easily be changed by having some
17 sinuosity to the right of way pushing back to the full 200 feet
18 or 100 feet, or whatever it is in some areas, and leaving it
19 closer in others so that this particular use of the railroad
20 over time does not become a serious wildlife problem for them
21 getting across, too.

22 And we will make some written comments to help,
23 but I don't want to say anything here that says we don't build
24 a railroad. I think building a railroad is a wonderful idea,
25 giving us transportation options and that kind of thing. We

1 just don't want to see it be a negative impact on our
2 lifestyle, unless in those few places where you absolutely have
3 to do so. And I thank you for the opportunity. And as I say,
4 we'll put written comments in.

5 MR. NAVECKY: Thank you. I might note that
6 we're getting some comments where it's going to be useful for
7 us to have a specific marking on a map, as Don was referring
8 to, also. And to do that, if you need to tear out pages of
9 your EIS and mark it up and include that with your written
10 comments that you mail in to us, I would encourage you to do
11 that also. Or photocopies, whatever you would like to do. The
12 next individual is Willie Homsly (ph).

13 MR. HAMSLEY: I'm Willie Hamsley. That's who
14 you called, wasn't it?

15 MR. NAVECKY: Yes.

16 MR. HAMSLEY: Okay.

17 MR. NAVECKY: Can you spell your last name,
18 please.

19 MR. HAMSLEY: H-a-m-s-l-e-y.

20 MR. NAVECKY: Thank you.

21 MR. HAMSLEY: I've owned property over there in
22 that area of five-mile Clear Creek for, well, 25 years now.
23 And, of course, I have friends that's had cabins over there for
24 35, 40 years. There's some cabins that was built there by
25 Mr. Cook -- by a Mr. Cook and a Mr. Price back in the forties

1 and was used for trapping.

2 Anyway, I'll make mine short. I'm concerned
3 about the one slough that you're talking about blocking, which
4 Mr. Vincent brought up there. And I am concerned about
5 accessing the property if they stop that flow of that water. I
6 don't think they should plug up any place where the water runs,
7 you know, all summer. And sometimes when the Tanana rises, it
8 brings the dirty water also down that slough, you know, which
9 helps a lot.

10 But then in the fall when it kind of stops
11 running, there's still clear water running through there, and
12 it helps the boaters get in and out after the hunting season is
13 over, you know, because the water really drops down. So that's
14 more or less what I'm concerned about there, is the access to
15 the property. I have 14 acres over there and a cabin, and I
16 would sure like to continue having access to it. So that's
17 really about all I have to say.

18 MR. NAVECKY: Okay. Well, thank you for your
19 comments.

20 MR. HAMSLEY: Okay.

21 MR. NAVECKY: Okay. That's the extent of the
22 individuals that had signed up to speak. Is there anyone that
23 has not spoken that would like to make some oral comments
24 before we give the original commenters another opportunity?
25 Sir? And please give your name and spell your last name for

1 us.

2 MR. BEGET: Sure. My name is Jim Beget. It's
3 spelled B-e-g-e-t. I'm another private property owner, I
4 guess, with land in the area. My land is near the
5 Salcha-Tanana convergence, so again, I -- you know, people have
6 said this, but I prefer the first option that crosses the
7 Tanana River, because there's much less impact, I think, on the
8 areas that are most easily accessed for recreation, people have
9 private ownership in those areas.

10 So that's really all I wanted to say. I think
11 that the first option is preferable. I guess I would add to
12 that that I think for environmental reasons, also, that it's
13 preferable because the Salcha is really a unique river system.
14 It's really the only, you know, relatively unmodified river
15 that comes out of the Interior that's a clear water stream.

16 And I think the idea of crossing that with a
17 Tanana River bridge or with a Salcha River bridge with the
18 railroad is something that could be damaging to the
19 Salcha River watershed, and I'd rather see on the other side of
20 the river, other side of the Tanana.

21 MR. NAVECKY: Okay. Thank you for your
22 comments. Yes, sir.

23 MR. WILBUR: I'm Roy Wilbur (ph). I have
24 property on the Salcha, the lower Salcha. I got 56 acres
25 there. I've been told, I can't tell you as a fact, but they

1 say the Salcha is one of the biggest salmon runs, in the
2 Interior anyway. The majority of your salmon are spawned in
3 the Salcha River. And you should think about doing it across
4 the Salcha where you -- and all the private property owners on
5 the Salcha area you're going to have to contend with, where you
6 don't have it across the Tanana.

7 And I'm sure you've been talking to the Fish &
8 Game about the salmon runs, but there's -- one of the biggest
9 salmon runs is on the Salcha you got to contend with. And I
10 propose that you do it on the other side of the Tanana.

11 MR. NAVECKY: Thank you. Anyone else that
12 hasn't had a chance to speak would like to come up? All right.
13 Any of the original commenters that have been up already, do
14 you wish to come back and provide additional comment for us?

15 MR. VINCENT: What if we have a question?

16 MR. NAVECKY: I can answer questions on the
17 process, I can't answer questions on technical content. If
18 it's a question that we haven't addressed in the EIS, then
19 we'll take that as a comment and we'll ensure that it's
20 addressed in the Final EIS as well.

21 MR. VINCENT: Okay. I guess what I wanted to
22 mention here is that.....

23 MR. NAVECKY: Can I have your name, please.

24 MR. VINCENT: Oh, Steve Vincent again. Only
25 like a little bit of a paragraph, not 800 pages this time,

1 though. What I was talking about earlier that the goals of
2 ARRC, I guess, for vehicular and nonvehicular crossings for the
3 railroad, since they're at odds with the ADNR mandates for
4 access, I'm wondering why the EIS didn't have any tentative
5 plans to resolve this when it was put out.

6 Or I guess what's going on in the back of my
7 mind at this point, if there aren't any tentative plans for
8 resolution for this, does that mean that we're looking at
9 modifications of the ADNR mandates to fit in with the Alaska
10 Railroad structure for access?

11 In other words, are we going to find ourselves
12 in a special situation where there won't be access through the
13 flats because of modification to the current standings of laws
14 or proposed legislation for that?

15 I want to make sure that that doesn't happen.
16 I think it sets a -- I think it would set a baseline that would
17 be pretty difficult for the general public to overcome in the
18 future. So I just want to make sure that there's no underlying
19 reasons for that not being commented on in the Draft EIS.
20 That's all I got, thanks.

21 MR. NAVECKY: Thank you. Anyone else? Okay.
22 Any questions on submitting written comments or where to submit
23 them or how to submit them? Last chance. Okay. Well, thank
24 you very much for coming this evening.

25 (END OF PROCEEDINGS)

C E R T I F I C A T E

1
2 UNITED STATES OF AMERICA)
3 STATE OF ALASKA) ss.

4 I, Crystal D. Scotti, Notary Public in and for the
5 State of Alaska, residing at North Pole, Alaska, and electronic
6 reporter for Liz D'Amour & Associates, Inc., do hereby certify:

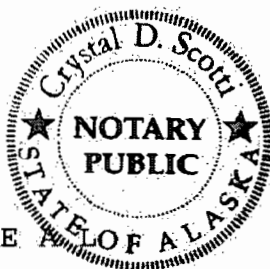
7 That the annexed and foregoing Public Meeting was taken
8 before me on the 12th day of January 2009, beginning at the
9 hour of 5:00 p.m., at Pike's Waterfront Lodge, 1850 Hoselton
10 Road, Fairbanks, Alaska;

11 That this meeting, as heretofore annexed, is a true and
12 correct transcription of the testimony of all parties, taken by
13 me and thereafter transcribed by me;

14 That the transcript has been retained by me for the
15 purpose of filing the same with Ms. Melissa Elefante DuMond,
16 Project Manager, ICF International, 9300 Lee Highway, Fairfax,
17 Virginia 22031;

18 That I am not a relative or employee or attorney or
19 counsel of any of the parties, nor am I financially interested
20 in this action.

21 IN WITNESS WHEREOF, I have hereunto set my hand and
22 affixed my seal this 26th day of January 2009.



23
24
25
Crystal Scotti
Crystal D. Scotti
Notary Public in and for Alaska
My Commission Expires: 9/15/2010