

EI - 18834

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March 1, 2012

VIA EMAIL

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

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

Dear Director Rutson:

I am writing on behalf of the Alaska Railroad Corporation (ARRC) to inform your office about a minor modification to the Board's authorized alignment for the Port MacKenzie Rail Extension project. This modification is being included in the U.S. Army Corps of Engineers Clean Water Act Section 404 permitting process.

Background

Near milepost 26, the original alignment of the rail line extension crossed one corner of a 160-acre area west of Muleshoe Lake owned by the Alaska Department of Natural Resources. Because parcel is the location of the Big Lake VORTAC navigational aid tower, it is being managed by the Federal Aviation Administration (FAA) under ADL 18248, a special land use permit issued by ADNR. Approximately 2,200 linear feet of the original rail line alignment would have crossed the ADL 18248 parcel.

When ARRC attempted to secure an easement from ADNR to cross this parcel, it was informed that obtaining such an easement would require the joint approval of FAA and ADNR. Furthermore, ARRC learned that FAA would not issue such approval until ARRC submitted a request to FAA to conduct an obstruction analysis to determine if the rail line would in fact impact the VORTAC tower. A favorable determination from this evaluation was needed before FAA and ADNR would conduct a review of the easement request.

Over the following months, ARRC worked to provide FAA with additional information to support its obstruction evaluation. In September 2011, FAA indicated that they were satisfied with what had been provided. Nevertheless, in a letter dated January 26, 2012, FAA denied ARRC's request for an easement over the 160-acre parcel. (See Attachment 1.) In light of FAA's letter, potential modifications to the alignment were raised in the context of the Corps of Engineers' Section 404 permitting process.

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Description of Minor Modification

The most practicable modification of the rail alignment—a shift of approximately 2 miles of rail line to the west of Muleshoe Lake—is shown on the attached figure (Attachment 2).

The Corps of Engineers is processing this minor modification as part of its Section 404 permit for the rail extension project. As the Board's decision recognized, "minor modifications to any Board-authorized alternative" are an "expected part of the Section 404 permitting process" that "do[] not cast doubt on the adequacy of the Board's NEPA review."

The modification will reduce wetland impacts. The original route located east of Muleshoe Lake would impact 22.1 acres of wetland. The modification shown on Attachment 2 would impact 17.7 acres of wetlands, a reduction of 4.4 acres. Additionally, the realignment would eliminate an anadromous fish stream crossing on the eastern side of Muleshoe Lake.

As shown in Attachment 2, the modification also eliminates the need to relocate of a segment of the Houston Lake Loop Trail; shifts the proposed grade separated crossing of the Houston Lake Loop Trail approximately 420 feet north of the previous location; and moves the rail line approximately 2,500 feet farther away from private property and residences.

The land being crossed by the modified alignment is owned by the Alaska Mental Health Trust. Stephen R. Braund & Associates has previously indicated that this area has a low risk of cultural sites.

If you have any questions, please do not hesitate to contact me.

Sincerely,


Kathryn Kusske Floyd

Encl

cc: David Navecky
Brian Lindamood



Federal Aviation Administration
Alaskan Region
Real Estate & Utilities Group

222 W. 7th Ave.
Anchorage, Alaska 99513

January 26, 2012

Mr. Brian Lindamood, PE
Alaska Railroad Corporation
P.O. Box 107500
Anchorage, AK 99510-7500

Dear Brian:

Reference is made to your letter dated August 14, 2011, regarding the Alaska Railroad's project to develop a rail extension to Port MacKenzie that is designed to run adjacent to FAA's VORTAC at Big Lake.

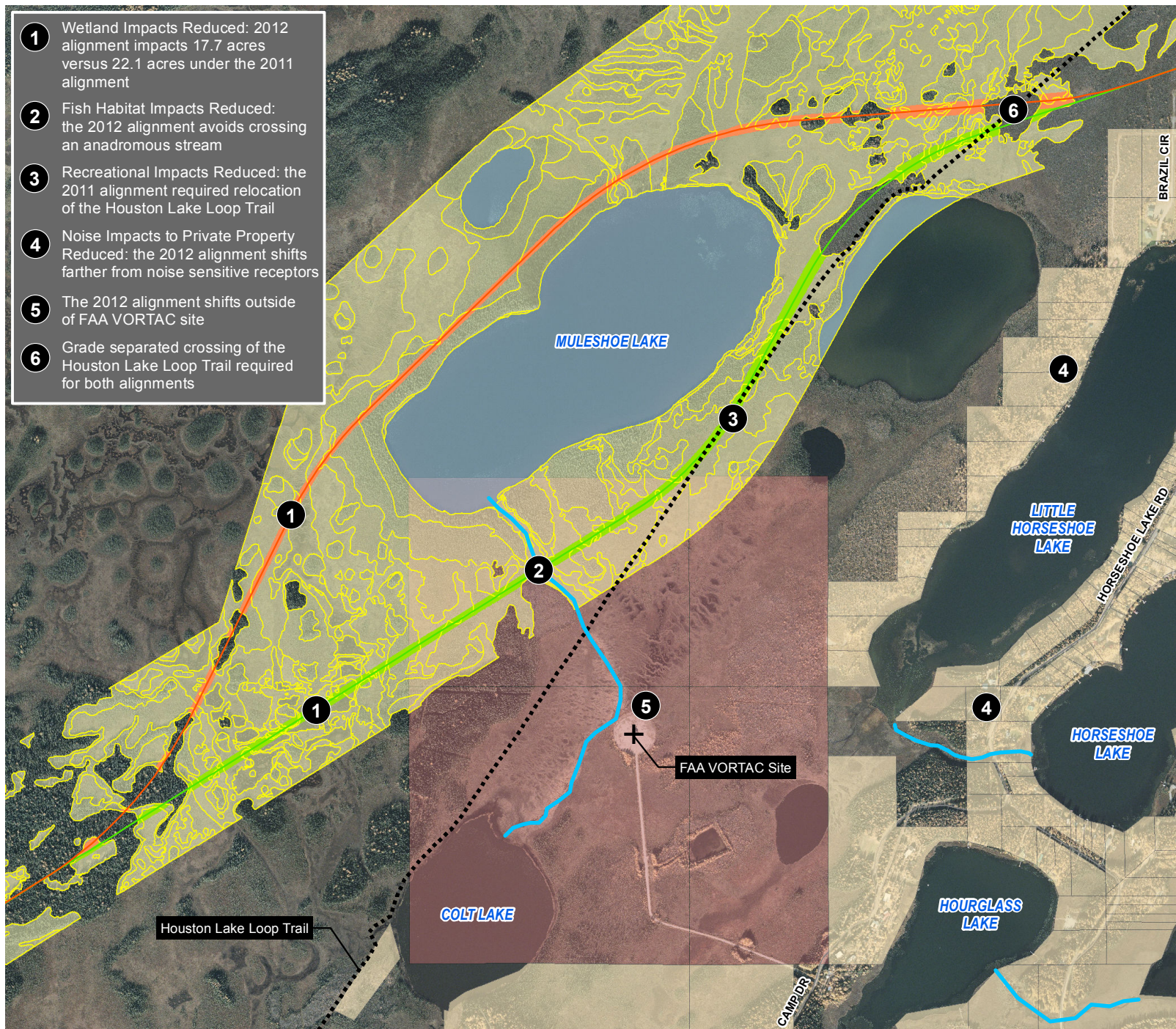
We have reviewed your project and performed several obstruction analyses' to determine the potential impact this rail extension could have on our VORTAC. After much review and discussion we have decided it is in our best interest to deny your request to cross our leased property. This facility is a critical navigational aid for commercial, military and general aviation aircraft flying in and out of Anchorage. Because of this we believe the risk of allowing a railway to run so close to our facility is detrimental to its operation.

Should you have any questions or would like to have further discussion on our decision please contact me at 907-271-5876 or by email at alice.salzman@faa.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alice", is positioned below the word "Sincerely,".

Alice L. Salzman
Real Estate Contracting Officer



- 1** Wetland Impacts Reduced: 2012 alignment impacts 17.7 acres versus 22.1 acres under the 2011 alignment
- 2** Fish Habitat Impacts Reduced: the 2012 alignment avoids crossing an anadromous stream
- 3** Recreational Impacts Reduced: the 2011 alignment required relocation of the Houston Lake Loop Trail
- 4** Noise Impacts to Private Property Reduced: the 2012 alignment shifts farther from noise sensitive receptors
- 5** The 2012 alignment shifts outside of FAA VORTAC site
- 6** Grade separated crossing of the Houston Lake Loop Trail required for both alignments



Muleshoe Lake / FAA VORTAC Site Alignment Shift

LEGEND

- 2012 Preferred Alignment
- 2011 Alignment
- Wetland
- Open Water
- Wetlands Impacts near Muleshoe Lake
- 2011 Alignment
- 2012 Alignment
- VORTAC Site (ADL 18248)
- Private Property
- Anadromous Stream
- Trail

Location Map



0 250 500 1,000
Feet



Date: February 2012
Projection: PortMac TM LDP
Author: HDR Alaska, Inc.
Sources: ARRC, HDR Alaska, Inc., MSB, Hanson