

Mat-Su/Copper Basin State Parks Citizens Advisory Board

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May 10th, 2010

David Navecky
STB Finance Docket N. 35095
Surface Transportation Board
395 E Street S.W.
Washington, DC 20423-0001

RE: Comments on Draft EIS

Dear Mr. Navecky,

The Mat-Su State Park Citizen's Advisory Board wishes to respond to the Draft Environmental Impact Statement regarding the proposed Port MacKenzie Rail Project (Docket N. 35095). Our Board has a special interest in this project since it could impact major State managed recreational lands including the Willow Creek State Recreation Area (SRA), the Nancy Lake SRA, the Little Susitna State Recreational River, the Susitna Flats State Game Refuge and other regionally significant recreational areas.

After reviewing the recent Draft Environmental Impact Statement, the Board concludes that both Willow Corridor Alternatives are fundamentally incompatible with the mission of the State Parks and Outdoor Recreation. Thus, the Board opposes the Willow Corridor as an alternative. The Board further notes that there are two viable options (i.e., Houston South and Big Lake when combined with Mac East) that do not directly impact public park or recreation areas, or refuges, and, accordingly, recommends that one of these alternatives be selected.

It is significant that the Draft EIS notes the status of Section 4(f) of the U.S. Department of Transportation Act of 1966 and 6(f) of the Lands & Water Conservation Fund Act in the evaluation of a preferred alternative. These Statutes mandate the Secretary of Transportation and Secretary of Interior not approve a project that uses either 4(f) or 6(f) lands and restricts the use of funding from USDOT agencies unless the impacts are *de minimis* or there is feasible alternative. The purpose of Section 4(f) is to:

"Preserve publicly owned public parklands, waterfowl and wildlife refuges, and significant historic sites." (USDOT, summary of environmental legislation, 1998).

Four properties that qualify for Section 4(f) within the Willow Alternatives are the Willow Creek and Nancy Lake SRA's, Little Susitna State Recreational River, and

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Susitna Flats State Game Refuge. Another Section 4(f) resource are the trails of the West Gateway Trail System.

Chapter 13.2 of the DEIS discusses 4(f), and compares the various alternatives with respect to impacts on public park or recreation areas, and refuges. The Willow alternative has by far the greatest impact on 4(f) resources (see page 13.2-25). The Mac West Willow alternative would affect the greatest number of trails (9), the longest length of recreational trails (3395 feet), and the ROW would affect the greatest number park, recreation, and refuge acreage (217). Further, train operation would cause “severe noise impacts” to 2765 acres 4(f) properties. This is contrasted with the Mac East - Houston South and the Mac East – Big Lake alternatives which would result in severe noise impacts on zero 4(f) properties.

The Surface Transportation Board and other agencies evaluating the DEIS for the preferred alternative should consider not only the practical aspects of the project without Secretary approval and Federal funding but, also, the purpose and intent behind Sections 4(f) and 6(f).

An example is the tremendous impact the Willow Alternative would have on the Willow Creek SRA. As the DEIS states (see pages 13.2-12 and 13.2-13), the Willow Creek SRA is a popular area that “receives intensive sport fishing activity...fishing, camping, floating/boating, winter trails, wildlife viewing, and hunting.” The Willow Segment would bisect the heart of the Willow Creek SRA, crossing the historic Lucky Shot Trail and Willow Creek, a popular a “blue ribbon” trout and salmon stream. This would essentially destroy its cultural and recreational character and appeal.

Section 6(f) of the LWCFA also restricts Federal funding where public lands have received LWCFA funding. Within the study area, this only applies to the Nancy Lake SRA. The DEIS states that if the Willow Alternatives are chosen, the border of the SRA can be moved east to avoid the Railroad Corridor. This is an impractical solution that is likely to generate strong public resistance. Nancy Lake SRA is very popular with the public, and it is extremely unlikely that the public would not strenuously object to reducing the size of its recreation area. In addition, such a change would require the approval of the Alaska State Legislature, always a long drawn out and uncertain process.

In addition to these direct impacts to 4(f) lands, the Willow alternative would adversely affect the recreational character and enjoyment of surrounding public lands according to the Summary as described below:

S.6.3.1 Vegetation Resources. This section states the Willow Segments will have the greatest amount of vegetative clearing of all the alternatives, resulting in a long term impact for forest communities, even with restoration. In some areas the impact may be permanent. The Mac East Big Lake and Houston South Alternates will have the fewest.

S.6.3.2 Wildlife Resources. Construction of the rail spur along either of the two Willow Alternatives will result in the greatest amount of wildlife habitat loss

compared to the other options. Again, the Mac East Big Lake and Houston South Alternates will have the fewest acres lost for wildlife habitat.

S.6.3.3 Fisheries Resources. According to this summary, both Willow Alternates will have the greatest number of important fish bearing streams to cross. In total number of crossings, Mac West Big Lake will have the fewest. As stated in the Draft, all the crossings within the study area will result in alteration and loss of stream and riparian habitats.

S.6.4 Cultural and Historic Resources. The largest amount of known and potentially significant cultural resources are located within the two Willow Alternatives, whereas the fewest are found in the Mac West Houston South and North routes.

S.6.7 Noise and Vibration. According to the Study, both Willow Alternatives will be impacted by noise, using FRA/FTA methods on Section 4(f) lands. No other alternatives in the study area will be have noise effecting publicly managed lands.

The construction and operations of the rail spur on either of the Willow Alternatives greatly impact 4(f) and 6(f) lands. They would also have greatest impact on environmental resources on public lands of all the alternatives. Therefore, the Mat-Su State Parks Citizens Advisory Board opposes the selection of both the Mac West and Mac East Willow Corridor Alternatives. Further, the Board recommends Mac East-Houston South or Mac East-Big Lake for the preferred alternative.

Sincerely,

Mary P. Anderson

Mary Anderson, chair
Mat-Su State Parks Citizens Advisory Board

cc: John Duffy, Manager, Mat-Su Borough
James King, Director, State of Alaska, Division of Parks and Outdoor Recreation
Dan Elliot, Chair, Mat-Su Borough Parks, Rec, and Trails Advisory Board