

EI-13278

MAYER
BROWN
ROWE
& MAW

Mayer, Brown, Rowe & Maw LLP
1909 K Street, N.W.
Washington, D.C. 20006-1101

Main Tel (202) 263-3000
Main Fax (202) 263-3300
www.mayerbrownrowe.com

Kathryn Kusske Floyd
Direct Tel (202) 263-3223
Direct Fax (202) 263-5223
kkusskefloyd@mayerbrownrowe.com

May 24, 2007

Ms. Victoria J. Rutson
Chief, Section of Environmental Analysis
Surface Transportation Board
395 E Street, S.W.
Room 1106
Washington, D.C. 20423

Re: Finance Docket No. 34658, The Alaska Railroad Corp. -- Petition For Exemption From 49 U.S.C. §10901 To Construct and Operate a Rail Line Between North Pole, Alaska and Delta Junction

Dear Ms. Rutson:

On behalf of the Alaska Railroad Corporation (ARRC), this is in response to your April 24, 2007 request for your information in connection with the above-captioned proceeding. The enclosed responses relate to the recently prepared *Applicant's Preferred Route Alternative Report* (March 2007) and *Applicant's Proposed Alignments* (March 2007, Rev. 5).

Please let me know if you have any questions.

Sincerely,


Kathryn Kusske Floyd

Enclosure

cc: David C. Navecky, SEA
Alan Summerville, ICF
Eileen Reilly, ARRC (w/o encl.)
Brian Lindamood, ARRC

General. *Would the location(s) of the rip rap and ballast sources and other ancillary facilities (other than barrow pits) vary by alignment? If so, explain the differences.*

No, the locations of the rip rap and ballast sources and other ancillary facilities (other than barrow pits) will not vary by alignment. The only proven crushed hard rock materials source within the project area is an undeveloped occurrence at Flag Hill. It is ARRC's intention to procure ballast and rip-rap material on the open market for this project. ARRC presently receives rip rap and ballast material from existing sources in the greater Fairbanks area. Depending on the volume needed or market price at the time of construction, ARRC could acquire ballast and rip rap material from its existing quarry in Curry, Alaska. With respect to other ancillary facilities (e.g., radio towers, and other fixed structures), ARRC does not anticipate that the location of such facilities will vary by alignment. The topography of the area makes possible tower locations for required radio communication limited through portions of the alignment. ARRC has elected to use existing tower locations where possible (e.g. Flag Hill) in an attempt to reduce impacts.

General. *Please provide preliminary wetland delineation information for the Rev 5 alignment locations as soon as it is available and prior to field verification.*

Updated wetland determinations are being provided by separate submission.

Section 1.2, Project Description, page 5. *States that the project may include a spur line to Blair Lakes Range and/or other facilities to support military operations. Are these facilities part of the Applicant's proposed action or are they actions that the Applicant or the military may undertake at a later time?*

ARRC would like to clarify the project description. Although the original project description contemplated a spur to Blair Lakes as part of ARRC's proposed action, the military has provided ARRC no firm direction relating to its long-term plans for a connection to Blair Lakes. Accordingly, if this spur were to be built, it would likely be pursued by the military at a future date. ARRC has no current plans to pursue the spur as part of the construction of the main line.

Section 3.2, Comparison Criteria, page 8. *States that the comparison of alignment alternatives for wetlands compared surface water wetlands systems to isolated wetlands. However, wetlands functions in the project area are more complex than isolated versus non-isolated and there are comparatively few isolated wetlands in the project area (based on USACE definition of an isolated wetland). Was the Functional Assessment used for this comparison or a different method? Describe how the comparison was done?*

Inasmuch as the functional assessment was not fully complete during ARRC's evaluation of the alignment alternatives, ARRC employed a more broad-brush assessment and comparison of wetlands. ARRC's assessments were used as a means to generally classify wetlands types within the area of the proposed corridor with weight given to those clearly associated with surface water systems.

Section 3.2, Comparison Criteria, page 9. *Includes a brief discussion of aquatic and terrestrial habitat considerations. Based on this description it is*

difficult to determine how habitat was used to rate each of the alignment alternatives. Please describe the approach used.

The use of habitat as comparison criteria was based on the following approach. DNR hosted a series of meetings with ARRC. During those discussions, it became apparent that the terrestrial habitat for moose between the Tanana Flats Training area and the Little Delta River was of the greatest concern. Further, based upon a literature review by DNR, Fish & Game and ARRC, it was felt that there is little conclusive, published information relating to moose habitat, transportation corridors, and effective mitigation measures. Because of these concerns and the absence of information, the ARRC is in negotiations with DNR and the University of Alaska to study the situation. After further study, it is possible that potential mitigation measures could be recommended and implemented in the future. ARRC has made a commitment to address this situation as part of the project.

Section 3.2, Comparison Criteria, Page 9. *States that deep cuts "run the risk of icing and groundwater issues." Do any of the alignments involve such cuts? If so, approximately where on the alignment(s) would the cuts occur?*

The following alignments involve deep cuts:

Salcha East, approx M.P. 5-9, 11-13 are of particular concern, and M.P. 17
Salcha Central, approx M.P. 2-3, 7, and 11
Tanana West, approx M.P. 12-14 is of grave concern
Donnelly West, approx M.P. 11-14

Section 4.0, General. *Clarify whether the descriptions of soil/peat/permafrost conditions are based on geotechnical data collected for the project.*

Geotechnical condition descriptions are based upon general field exploration programs in 2005 & 2006. Where gaps in information exist, the data was extrapolated using older USGS and DNR data, combined with apparent vegetation conditions.

Section 4.1, Eielson, page 11. *Has the Applicant consulted with DoD to determine whether the Eielson North Alternative is feasible?*

The topic has been discussed in the past with several assigned military points of contact. However, due to subsequent re-assignments of those contacts by the military, no definitive discussions have occurred about the feasibility of the Eielson North Alternative.

Section 4.2, Salcha, pages 12-14. *Please clarify the anticipated length of bridges for the Flag Hill crossing of the Tanana River, the Salcha crossing of the Tanana River and the Salcha River crossing, and the basis for these lengths. Are these clear span bridges with abutments placed beyond the ordinary high water mark? If interim bridge supports will be used, where will the supports be located conceptually?*

The anticipated lengths of the bridge over the Tanana River at Salcha and Flag hill are 2400-3500 feet and 1300-2800 feet, respectively. The lower number represents the opening necessary from a hydraulic perspective to pass the 100-year flood with less than 1-foot of rise in the tail-water elevation. The larger number is an estimate of the apparent channel width

(vegetation to vegetation), though the entire length is covered less than 30-50% under normal flow conditions.

Although the lower length will convey the required flow, it is anticipated that a constriction of this width on this river would likely have potentially negative impacts with respect to river morphology, bed load, and require a significant amount of in-water training structures to ensure the long-term serviceability of the proposed structure. Likewise, a structure from apparent vegetation line to vegetation line would likely be prohibitively expensive. Factors determining bridge length include cost, in-water training structures, bed load, fish passage, and morphology.

Bridge spans will be a combination of approximate 127-foot main spans and shorter approach spans with piers or bents located accordingly. The river will not be clear-spanned. The abutments will be placed as appropriate based upon the foregoing design considerations.

Section 4.2, Salcha, page 13. *Please clarify the nature, location and extent of anticipated river training structures associated with the Flag Hill and Salcha crossings of the Tanana River.*

The nature, location and extent of anticipated river training structures associated with the Flag Hill and Salcha crossings of the Tanana River are unknown at this time. We anticipate working with the regulatory agencies as part of the ongoing environmental and permitting processes to develop reasonable, effective, and practicable river training measures.

Section 4.2, Salcha, page 13. *Last paragraph: What method did the Applicant use to reach a conclusion about wetland impacts for Salcha West in light of the fact that the alignment was relocated to an area that had not been surveyed?*

As stated in the report, the comparative analysis of the segments was conducted prior to any alignment shifts being proposed. The wetlands impacts for Salcha West were analyzed with similar information as developed for Salcha East and Salcha Central. During meetings with DNR and the Corps of Engineers, participants discussed water crossing concepts and habitat issues, including those along Salcha West. The initial indication from those meetings (which ARRC understands is not a final determination and is still to be analyzed as part of the EIS process) was that the wetlands through Salcha West were not of any heightened concern. Further, the wetland types through this area seemed relatively consistent. The shift made was to move the Salcha West alignment onto what appears to be higher ground between two lower areas, which were more likely to have wetland habitat.

Section 4.2, Salcha, page 13, third full paragraph. *States that Salcha West would involve relocating the Richardson Highway in two locations, but the Rev 5 map book seems to show one location. Please clarify.*

We are unable to find this reference. Salcha West has no impact on the Richardson Highway. Salcha East would require two grade separations; Salcha Central would require two full relocations.

Section 4.2, Salcha East, page 14. *second paragraph: Provide further explanation for the statement that the "cost associated with a structure of this length is anticipated to be significant and prohibitive."*

ARRC would like to put the above-referenced statement into context. In reality, both Salcha Central and Salcha East in their entirety are very costly and cost-prohibitive from ARRC's perspective. It is anticipated that the delivered cost of the Tanana River Structure will be approximately 10% less at Tanana than Flag Hill due to river hydraulics, access, and topography. At a length of 2500-feet, the estimated cost of the Salcha River bridge (at either location) is nearly \$50 million dollars. Add to that two grade separations for Salcha East at nearly \$10 million each (the highway relocations for Salcha Central would be even more), the frozen ground costs of Salcha East or the river bank stabilization costs of Salcha Central, the unknown potential mitigation costs associated with the Salchaket historical site, and the additional private/commercial property costs, either of these alignments is estimated to add \$100 million in avoidable costs associated with Salcha West. ARRC therefore believes that this increase in cost (an estimated 15-20% more) is significant enough to make the overall economics of the project infeasible.

Section 4.2, Salcha, page 14, fourth paragraph. *States that "No areas of cultural interest were identified along the Salcha West alignment alternative." Please provide substantiation for that statement. A large portion of the Salcha West alignment was moved outside the area covered by the 2005 cultural resource surveys.*

As stated previously, all alignment comparisons were made prior to the refinement of the preferred alternative. The cultural resource information provided to ARRC for the south side of the Tanana River was largely based upon a predictive model that indicated that the likelihood of significant cultural resources located along the Salcha West alignment as being remote. Because the topography of the area for the Salcha West alignment appears to be no different than the previous location surveyed, and is not that far removed from alignments previously considered, ARRC believes that the predictive model would likely reach the same finding as before.

Section 4.3, Tanana, page 14, first paragraph. *States that "A variant to Tanana West (VI) climbs the west ridge defining the river valley to connect to the Donnelly West segment." However, Map 11 does not appear to show a variant. Please clarify.*

This paragraph refers to the variant shown in dashed yellow between the orange line (relocated Donnelly West), and the dark blue line (Tanana West).

Section 4.3, Tanana, page 15, second full paragraph. *States that Tanana East cannot connect to Donnelly West due to grades. However, Map 10 shows the two segments connecting, although the discussion of Maps 10 and 11 on page 19 refers to Donnelly Central connecting to Tanana East (which does occur on Map 12). Please clarify.*

We concur that this narrative is a bit confusing and wish to clarify as follows. The connection between Tanana East and Donnelly West cannot occur in the vicinity of the Little Delta River due to gradient. The preferred option, with the connector on Page 10, is the furthest east connector practicable between the two Tanana Alignment alternatives.

Section 4.4, Donnelly. *Why was the location of the Donnelly West segment between approximately mile 12 to mile 20 (maps 17 & 18) revised from Rev 4 to Rev 5?*

The location of the Donnelly West segment was revised due to topography. The Donnelly West alignment provided in the Revision 4 Map set was proposed without the benefit of mapping information other than commonly available USGS quadrangle data. It was believed at the time, and confirmed later by the new mapping data, that the ability to place the proposed rail line through this area given the project constraints would be difficult. The changes between Revision 4 and Revision 5 relating to Donnelly West are primarily associated with more refined mapping data. The ability to shift or alter the alignment alternative through this area is extremely limited due to grades.

Section 4.4, Donnelly, page 15, second paragraph. *Notes seeps and icing conditions. Clarify which Donnelly segment(s) have these conditions. Do these conditions also exist at the southern end of the Tanana segments before they connect to the Donnelly East and Central segments (on Map 12)?*

Yes. Geotechnical information collected to date notes seeps and a strong possibility of off-ice associated with the north side of the bluff, east of the Little Delta River. Although the color coding shows Tanana East and Tanana West ending in this area, and Donnelly East and Donnelly Central both beginning in this area, Donnelly West is the only option which would avoid this area.

Section 4.4, Donnelly, page 15, third paragraph. *States that Donnelly Central traverses one of the worst geotechnical areas found to date after crossing Delta Creek. Is this area with poor geotechnical conditions so large that it could not be avoided by adjusting the location of the Donnelly Central segment (for example, by turning more southerly after mile 10 and joining Donnelly West in the vicinity of mile 24/25 rather than-mile 28)?*

No. The same icing conditions which are found east of the Little Delta River are found along Donnelly Central all the way to M.P. 10. Although the situation could be avoided at M.P. 11 by turning south at M.P. 10, the gradient of Delta Creek coupled with the defined, steep river valley on the west side prevents this route from being practicable.

Section 4.4, Donnelly, page 16, second full paragraph. *Has DoD indicated that it might want to construct a spur off of Donnelly West and if it has, is it now part of a formal plan? Also, clarify whether the "ideal location" is in the northwest or northeast portion of Donnelly Training Area.*

Prior discussions with military range planners did not indicate a spur was required because the proposed Donnelly West alignment is located in a good location for the receipt of materials, equipment, and troops. The extent of these unloading facilities has not been determined, and discussions with the military on this topic have not been ongoing due to a change in personnel. Both the northwest and the northeast portion of Donnelly were discussed, and either or both are possible.

Section 4.5, Delta, page 16. *Clarify why constructability is better for Delta South than North or Central.*

Both Delta North and Delta Central would bifurcate the town of Delta Junction. During construction, either alignment would create a significant disturbance to the community. The relocation/protection of utilities is expected to be considerable with respect to Delta East or Central, but not Delta South. The maintenance of traffic (including air traffic) is expected to be significant. In contrast, Delta South is a remote location, circumventing the city proper along its southern border and avoiding many of the construction complications presented by Delta East or Central.

Section 4.5, Delta, page 16. *Clarify why habitat and wetlands do not distinguish among the three Delta segments (per the discussion and table on page 6).*

As described above in response to Section 3.2, Comparison Criteria, page 9, the terrestrial species of particular concern identified during meetings with DNR is moose between Tanana Flats and Little Delta River. In these meetings, it was also conveyed that rearing/spawning habitat is either upstream in the case of sport fish, or downstream with respect to Salmon. The only aquatic concern then becomes fish passage which will be accounted for in final bridge design.

Section 5.1, Salcha East, page 17. *Provide further explanation for the statement that "the cost of the two additional bridge structures crossing the Richardson Highway and the Salcha River would increase the construction cost beyond what is reasonably feasible when compared to the Applicant's Preferred Alternative."*

See response to Section 4.2, Salcha East, page 14 above.