

## **APPENDIX A**

### **Project Correspondence**

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U.S. Department  
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**Federal Transit  
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REGION X  
Alaska, Idaho, Oregon,  
Washington

915 Second Avenue  
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Seattle, WA 98174-1002  
206-220-7954  
206-220-7959 (fax)

NOV 4 2003

Charlie Stevens, Chief  
Toghotthele Corporation  
P.O. Box 249  
Nenana, Alaska 99760

Subject: Proposed Nenana Track Realignment Project  
Alaska Railroad Corporation  
USGS Quadrangle Fairbanks C-5, T4S, R8W, Sections 23, 24, and 26, FM

Dear Mr. Stevens:

The Alaska Railroad Corporation (ARRC), in cooperation with the Federal Transit Administration (FTA), proposes to realign a section of railroad track that passes through the community of Nenana, Alaska (Figure 1). Because FTA is funding the project, it must comply with the National Environmental Policy Act (NEPA), which requires evaluation of environmental impacts associated with project alternatives. ARRC and its consultant, URS Corporation, are now preparing an Environmental Assessment to assess the potential environmental impacts of various alternatives. The purpose of this letter is to invite you to participate in the NEPA process, and to solicit comments about sites of cultural importance and other issues regarding the proposed project.

### **Background Information**

Built about 1920, the existing railroad alignment through Nenana parallels the Tanana River along the City's waterfront. To serve the Nenana waterfront, the tracks were placed in large curved sections in downtown Nenana. The track was then curved again to gain elevation from the port to the high bridge across the Tanana River. This alignment has not changed since original construction, and the following safety, community growth, and railroad operational efficiency issues need to be addressed:

- **Crossings:** Six at-grade crossings cause safety concerns in Nenana. This includes the potential for train-vehicle collisions, as well as trains occasionally blocking crossings, thereby preventing access to key facilities such as the medical clinic.
- **Curvature:** Several curves exceed the modern design standards and in places reach relatively sharp 12 degrees. As a result train must go slower, the risk of derailment is higher, and the force of heavy trains on this curved track requires intensive expensive

maintenance. The existing alignment is maintenance intensive. Heavy trains increase the wear and tear on the track structure and railroad rolling stock.

- Downtown Locations: Trains run through downtown Nenana subject the more populated areas to noise and vibrations as well as the risk involved with the transportation of hazardous materials.

The purpose of the project is to improve the safety of rail/highway crossings and railroad operations, reduce transportation time, and reduce operating costs. The project also provides opportunities for community based improvements. The straighter railroad alignment would significantly reduce derailment risk and remove the transportation of hazardous material through downtown Nenana. Other potential benefits include a reduced flood risk from the Tanana River in downtown Nenana and reducing the number of trains running through downtown Nenana, thereby reducing the disturbance from train noise and vibration.

### **Project Description**

The proposed project would realign the main track outside the existing right-of-way north of the Nenana Airport and southeast of town, either under or over the Parks Highway. The exact alignment has not yet been identified, but it would be within the Alternative "B" area depicted on the attached figure. Rail service to the Port of Nenana would be maintained from the existing track, and the project would provide the opportunity to serve the Nenana Airport.

We evaluated two other alternative alignments, but as a result of scoping comments and preliminary analysis, these alternatives were not selected to be carried through the detailed analysis in the EA. Alternative "A" extends straight to the Tanana River and crosses near the current Parks Highway bridge. Alternative "C" passes around the south and east side of the airport.

### **Consultation**

On behalf of ARRC and FTA, Natural Land Use Research (NLUR) performed a cultural resource survey within the Alternative "B" area. Personnel from NLUR researched and reviewed the State Office of History and Archaeology records to identify known historical or cultural sites within the project area, and conducted a field investigation. In compliance with federal laws regarding cultural resources and compliance with NEPA, we are contacting your organization to invite your participation in this process. We are interested in determining the project's potential to impact cultural and historic sites and properties in accordance with Section 106 of the National Historic Preservation Act (36 CFR Part 800).

If your organization has concerns, issues, or other information to bring to our attention about the project, we invite you to contact us. Please call or send written comments to me at FTA (915 Second Ave., Federal Building, Suite 3142, Seattle, WA 99174; or e-mail [Jennifer.Bowman@fta.dot.gov](mailto:Jennifer.Bowman@fta.dot.gov)) or Barbara Hotchkin at the Alaska Railroad (327 West Ship Creek Avenue, Anchorage, AK 99501 or e-mail [hotchkinb@akrr.com](mailto:hotchkinb@akrr.com)). If you would like to provide comments, I encourage you to do so by November 17, 2003.

Please contact me at (206) 220-7953 or Barbara Hotchkin at (907) 265-2313 if you have any questions or would like additional information about the proposed project. Thank you for your assistance.

Sincerely,



Jennifer Bowman  
Community Planner

Enclosure:

Nenana Track Realignment Project Alternatives Map

cc: Judith Bittner, State Historic Preservation Officer  
Barbara Hotchkin, ARRC

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915 Second Avenue  
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NOV 4 2003

Harold Brown  
President  
Tanana Chiefs Conference  
122 First Street, Suite 600  
Fairbanks, Alaska 99701

Subject: Proposed Nenana Rail Realignment Project  
Alaska Railroad Corporation  
USGS Quadrangle Fairbanks C-5, T4S, R8W, Sections 23, 24, and 26, FM

Dear Mr. Brown:

The Alaska Railroad Corporation (ARRC), in cooperation with the Federal Transit Administration (FTA), proposes to realign a section of railroad track that passes through the community of Nenana, Alaska (Figure 1). Because FTA is funding the project, it must comply with the National Environmental Policy Act (NEPA), which requires evaluation of environmental impacts associated with project alternatives. ARRC and its consultant, URS Corporation, are now preparing an Environmental Assessment (EA) to assess the potential environmental impacts of various alternatives. The purpose of this letter is to invite you to participate in the NEPA process, and to solicit comments about sites of cultural importance and other issues regarding the proposed project.

### **Background Information**

The existing railroad alignment through Nenana, built about 1920, parallels the Tanana River along the City's waterfront. To serve the Nenana waterfront, the tracks were placed in large curved sections in downtown Nenana. The track was then curved again to gain elevation from the port to the high bridge across the Tanana River. This alignment has not changed since original construction, and the following safety, community growth and railroad operational efficiency issues need to be addressed:

- Crossings: Six at-grade crossings cause safety concerns in Nenana. This includes the potential for train-vehicle collisions, as well as trains occasionally blocking crossings, thereby preventing access to key facilities such as the medical clinic.
- Curvature: Several curves exceed the modern design standards and reach relatively sharp 12 degrees in some places. As a result, trains must go slower, the risk of derailment is higher, and the force of heavy trains on this curved track requires intensive and expensive

maintenance. The existing alignment is maintenance intensive. Heavy trains increase the wear and tear on the track structure and railroad rolling stock.

- Downtown impacts: Trains that run through downtown Nenana subject the more populated areas to noise and vibrations as well as the risk involved with the transportation of hazardous materials.

The purpose of the project is to improve the safety of rail/highway crossings and railroad operations, reduce transportation time, and reduce operating costs. The project also provides other opportunities for community based improvements. A straighter railroad alignment would significantly reduce derailment risk and avoid the transportation of hazardous material through downtown Nenana. Other potential benefits include a reduced flood risk from the Tanana River in downtown Nenana from the new railroad embankment and a decrease in the number of trains running through downtown Nenana, thereby reducing the disturbance from train noise and vibration.

### **Project Description**

The proposed project would realign the main track outside the existing right-of-way north of the Nenana Airport and southeast of town, either under or over the Parks Highway. The exact alignment has not yet been identified, but it would be within the Alternative B area depicted on the attached figure. Rail service to the Port of Nenana would be maintained from the existing track, and the project would provide the opportunity to serve the Nenana Airport.

We evaluated two other alternative alignments, but as a result of scoping comments and preliminary analysis, these alternatives were not selected to be carried through the detailed analysis in the EA. Alternative A extends straight to the Tanana River and crosses near the current Parks Highway bridge. Alternative C passes around the south and east side of the airport.

### **Consultation**

On behalf of ARRC and FTA, Natural Land Use Research (NLUR) performed a cultural resource survey within the Alternative B area. Personnel from NLUR conducted research and reviewed the State Office of History and Archaeology records to identify known historical or cultural sites within the project area, and conducted a field investigation. In compliance with federal laws regarding cultural resources and compliance with NEPA, we are contacting your organization to invite your participation in this process. We are interested in determining the project's potential to impact cultural and historic sites and properties in accordance with Section 106 of the National Historic Preservation Act (36 CFR Part 800).

If your organization has concerns, issues, or other information to bring to our attention about the project, we invite you to contact us. Please call or send written comments to me at FTA (915 Second Ave., Federal Building, Suite 3142, Seattle, WA 99174, or e-mail Jennifer.Bowman@fta.dot.gov) or Barbara Hotchkin at the Alaska Railroad (327 West Ship Creek Avenue, Anchorage, AK 99501 or e-mail hotchkinb@akrr.com). If you would like to provide comments, I encourage you to do so by November 17, 2003.



Please contact me at (206) 220-7953 or Barbara Hotchkin at (907) 265-2313 if you have any questions or would like additional information about the proposed project. Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Bowman".

Jennifer Bowman  
Community Planner

Enclosures:

Nenana Track Realignment Project Alternatives Map

cc:Judith Bittner, State Historic Preservation Officer  
Barbara Hotchkin, ARRC

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NOV 4 2003

Mr. Al Ketzler, Jr.  
Nenana Native Council  
P.O. Box 356  
Nenana, Alaska 99760

Subject: Proposed Nenana Rail Realignment Project  
Alaska Railroad Corporation  
USGS Quadrangle Fairbanks C-5, T4S, R8W, Sections 23, 24, and 26, FM

Dear Mr. Ketzler:

The Alaska Railroad Corporation (ARRC), in cooperation with the Federal Transit Administration (FTA), proposes to realign a section of railroad track that passes through the community of Nenana, Alaska (Figure 1). Because FTA is funding the project, it must comply with the National Environmental Policy Act (NEPA), which requires evaluation of environmental impacts associated with project alternatives. ARRC and its consultant, URS Corporation, are now preparing an Environmental Assessment to assess the potential environmental impacts of various alternatives. The purpose of this letter is to invite you to participate in the NEPA process, solicit comments about sites of cultural importance and other issues regarding the proposed project, and to conduct the necessary government-to-government consultation with federally recognized tribes.

### **Background Information**

The existing railroad alignment through Nenana, built about 1920, parallels the Tanana River along the City's waterfront. To serve the Nenana waterfront, the tracks were placed in large curved sections in downtown Nenana. The track was then curved again to gain elevation from the port to the high bridge across the Tanana River. This alignment has not changed since original construction, and the following safety, community growth and railroad operational efficiency issues need to be addressed:

- Crossings: Six at-grade crossings cause safety concerns in Nenana. This includes the potential for train-vehicle collisions, as well as trains occasionally blocking crossings, thereby preventing access to key facilities such as the medical clinic.
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maintenance. The existing alignment is maintenance intensive. Heavy trains increase the wear and tear on the track structure and railroad rolling stock.

- Downtown impacts: Trains that run through downtown Nenana subject the more populated areas to noise and vibrations as well as the risk involved with the transportation of hazardous materials.

The purpose of the project is to improve the safety of rail/highway crossings and railroad operations, reduce transportation time, and reduce operating costs. The project also provides other opportunities for community based improvements. A straighter railroad alignment would significantly reduce derailment risk and avoid the transportation of hazardous material through downtown Nenana. Other potential benefits include a reduced flood risk from the Tanana River in downtown Nenana from the new railroad embankment and a decrease in the number of trains running through downtown Nenana, thereby reducing the disturbance from train noise and vibration.

### **Project Description**

The proposed project would realign the main track outside the existing right-of-way north of the Nenana Airport and southeast of town, either under or over the Parks Highway. The exact alignment has not yet been identified, but it would be within the Alternative B area depicted on the attached figure. Rail service to the Port of Nenana would be maintained from the existing track, and the project would provide the opportunity to serve the Nenana Airport.

We evaluated two other alternative alignments, but as a result of scoping comments and preliminary analysis, these alternatives were not selected to be carried through the detailed analysis in the EA. Alternative A extends straight to the Tanana River and crosses near the current Parks Highway bridge. Alternative C passes around the south and east side of the airport

### **Consultation**

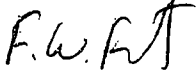
On behalf of ARRC and FTA, Natural Land Use Research (NLUR) performed a cultural resource survey within the Alternative B area. Personnel from NLUR conducted research and reviewed the State Office of History and Archaeology records to identify known historical or cultural sites within the project area, and conducted a field investigation. In compliance with federal laws regarding cultural resources and compliance with NEPA, we are contacting your organization to invite your participation in this process. We are interested in determining the project's potential to impact cultural and historic sites and properties in accordance with Section 106 of the National Historic Preservation Act (36 CFR Part 800).


We appreciate your interest and participation in the public scoping meeting, and the comments provided in your July 1, 2003 letter to ARRC. If your organization has concerns, issues, or other information to bring to our attention about the project, we invite you to contact us. Please call or send written comments to Jennifer Bowman at FTA (915 Second Ave., Federal Building, Suite 3142, Seattle, WA 99174, or e-mail Jennifer.Bowman@fta.dot.gov) or Barbara Hotchkiss at the Alaska Railroad (327 West Ship Creek Avenue, Anchorage, AK 99501 or e-mail

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Please contact Jennifer Bowman at (206) 220-7953 or Barbara Hotchkin at (907) 265-2313 if you have any questions or would like additional information about the proposed project. Thank you for your assistance.

Sincerely,



 R.F. Krochalis  
Regional Administrator

Enclosures:

Nenana Track Realignment Project Alternatives Map

cc: Judith Bittner, State Historic Preservation Officer  
Barbara Hotchkin, ARRC

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NOV 4 2003

Doyon Corporation  
Lands and Natural Resources Department  
1 Doyon Place, Suite 300  
Fairbanks, Alaska 99701

Subject: Proposed Nenana Rail Realignment Project  
Alaska Railroad Corporation  
USGS Quadrangle Fairbanks C-5, T4S, R8W, Sections 23, 24, and 26, FM

Dear Sir or Madame:

The Alaska Railroad Corporation (ARRC), in cooperation with the Federal Transit Administration (FTA), proposes to realign a section of railroad track that passes through the community of Nenana, Alaska (Figure 1). Because FTA is funding the project, it must comply with the National Environmental Policy Act (NEPA), which requires evaluation of environmental impacts associated with project alternatives. ARRC and its consultant, URS Corporation, are now preparing an Environmental Assessment to assess the potential environmental impacts of various alternatives. The purpose of this letter is to invite you to participate in the NEPA process, and to solicit comments about sites of cultural importance and other issues regarding the proposed project.

### **Background Information**

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- **Downtown impacts:** Trains that run through downtown Nenana subject the more populated areas to noise and vibrations as well as the risk involved with the transportation of hazardous materials.

The purpose of the project is to improve the safety of rail/highway crossings and railroad operations, reduce transportation time, and reduce operating costs. The project also provides other opportunities for community based improvements. A straighter railroad alignment would significantly reduce derailment risk and avoid the transportation of hazardous material through downtown Nenana. Other potential benefits include a reduced flood risk from the Tanana River in downtown Nenana from the new railroad embankment and a decrease in the number of trains running through downtown Nenana, thereby reducing the disturbance from train noise and vibration.

### **Project Description**

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We evaluated two other alternative alignments, but as a result of scoping comments and preliminary analysis, these alternatives were not selected to be carried through the detailed analysis in the EA. Alternative A extends straight to the Tanana River and crosses near the current Parks Highway bridge. Alternative C passes around the south and east side of the airport.

### **Consultation**

On behalf of ARRC and FTA, Natural Land Use Research (NLUR) performed a cultural resource survey within the Alternative B area. Personnel from NLUR conducted research and reviewed the State Office of History and Archaeology records to identify known historical or cultural sites within the project area, and conducted a field investigation. In compliance with federal laws regarding cultural resources and compliance with NEPA, we are contacting your organization to invite your participation in this process. We are interested in determining the project's potential to impact cultural and historic sites and properties in accordance with Section 106 of the National Historic Preservation Act (36 CFR Part 800).

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Please contact me at (206) 220-7953 or Barbara Hotchkin at (907) 265-2313 if you have any questions or would like additional information about the proposed project. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Bowman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jennifer Bowman  
Community Planner

Enclosures:

Nenana Track Realignment Project Alternatives Map

cc: Judith Bittner, State Historic Preservation Officer  
Barbara Hotchkin, ARRC

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NOV 4 2003

Ms. Judith Bittner  
State Historic Preservation Officer  
Office of History and Archaeology  
550 West 7<sup>th</sup> Ave, Suite 1310  
Anchorage, Alaska 99501

Subject: **Section 106 Concurrence**  
Proposed Nenana Rail Realignment Project  
USGS Quadrangle Fairbanks C-5, T4S, R8W, Sections 23, 24, and 26, FM

Dear Ms. Bittner:

The Alaska Railroad Corporation (ARRC) proposes to realign the railroad's main track around the downtown area of Nenana, Alaska. ARRC recently received funding from the Federal Transit Administration (FTA) to investigate the project further, and preparation of an Environmental Assessment (EA) is underway to assess the potential environmental impacts associated with the project. As part of the EA, Northern Land Use Research (NLUR) conducted a cultural resource survey in the proposed realignment area. Detailed information is included in the enclosed report by NLUR entitled "*Cultural Resources Survey of a Proposed Railroad Re-Route in Nenana, Alaska.*" Background information, the project description, and the findings of the cultural resource survey are summarized below. This letter requests your concurrence with our finding that no historic properties would be affected.

### **Background Information**

The existing railroad alignment through Nenana, built about 1920, parallels the Tanana River along the City's waterfront. To serve the Nenana waterfront, the tracks were placed in large curved sections in downtown Nenana. The track was then curved again to gain elevation from the port to the high bridge across the Tanana River. This alignment has not changed since original construction, and the following safety, community growth and railroad operational efficiency issues need to be addressed:

- Crossings: Six at-grade crossings cause safety concerns in Nenana. This includes the potential for train-vehicle collisions, as well as trains occasionally blocking crossings, thereby preventing access to key facilities such as the medical clinic.

- **Curvature:** Several curves exceed the modern design standards and reach relatively sharp 12 degrees in some places. As a result, trains must go slower, the risk of derailment is higher, and the force of heavy trains on this curved track requires intensive and expensive maintenance. The existing alignment is maintenance intensive. Heavy trains increase the wear and tear on the track structure and railroad rolling stock.
- **Downtown impacts:** Trains that run through downtown Nenana subject the more populated areas to noise and vibrations as well as the risk involved with the transportation of hazardous materials.

The purpose of the project is to improve the safety of rail/highway crossings and railroad operations, reduce transportation time, and reduce operating costs. The project also provides other opportunities for community based improvements. A straighter railroad alignment would significantly reduce derailment risk and avoid the transportation of hazardous material through downtown Nenana. Other potential benefits include a reduced flood risk from the Tanana River in downtown Nenana from the new railroad embankment and a decrease in the number of trains running through downtown Nenana, thereby reducing the disturbance from train noise and vibration.

### **Project Description**

The proposed project would realign the main track outside the existing right-of-way north of the Nenana Airport and southeast of town, either under or over the Parks Highway. The exact alignment has not yet been identified, but it would be within the area depicted on attached Figure 2. Rail service to the Port of Nenana would be maintained from the existing track, and the project would provide the opportunity to serve the Nenana Airport.

We evaluated two other alternative alignments, but as a result of scoping comments and preliminary analysis, these alternatives were not selected to be carried through the detailed analysis in the EA. Alternative A extends straight to the Tanana River and crosses near the current Parks Highway bridge. Alternative C passes around the south and east side of the airport.

### **Findings of Cultural Resource Report**

NLUR performed a cultural resource survey along the general corridor shown in Figure 2. Please refer to the enclosed report. No cultural resources were identified in the survey area, and Al Ketzler, Jr., Director of the Nenana Native Council, raised no concerns about cultural resources. Based on the results of field observations and a literature review, NLUR found no reason to believe that the proposed Nenana rail realignment warrants additional consideration under Section 106. NLUR recommended that its report be forwarded to your office with a request for concurrence of "no historic properties affected."


### **Request for Concurrence**

Based on the information in this letter and the enclosed report, we have determined that there would be no adverse effect to historic resources in the proposed realignment area associated with the project. We request your concurrence with this determination.

Thank you for taking time to review this finding. We look forward to receiving your input in this matter. Please contact Jennifer Bowman at (206) 220-7953 or Barbara Hotchkin at (907) 265-2313 if you have any questions or would like additional information about the proposed project.

Sincerely,



 R.F. Krochalis  
Regional Administrator

enclosures

Cc:Barbara Hotchkin, ARRC

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FAICS

3130-IR FTA

JB  
MD-ENJ +  
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NOV 4 2003

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NOV 07 2003

Ms. Judith Bittner  
State Historic Preservation Officer  
Office of History and Archaeology  
550 West 7<sup>th</sup> Ave, Suite 1310  
Anchorage, Alaska 99501

**No Historic Properties Affected**  
**Alaska State Historic Preservation Officer**  
Date: 11-24-2003  
File No.: 3130-IR FTA

OHA

Subject: **Section 106 Concurrence**  
Proposed Nenana Rail Realignment Project  
USGS Quadrangle Fairbanks C-5, T4S, R8W, Sections 23, 24, and 26, FM

Dear Ms. Bittner:

The Alaska Railroad Corporation (ARRC) proposes to realign the railroad's main track around the downtown area of Nenana, Alaska. ARRC recently received funding from the Federal Transit Administration (FTA) to investigate the project further, and preparation of an Environmental Assessment (EA) is underway to assess the potential environmental impacts associated with the project. As part of the EA, Northern Land Use Research (NLUR) conducted a cultural resource survey in the proposed realignment area. Detailed information is included in the enclosed report by NLUR entitled "*Cultural Resources Survey of a Proposed Railroad Re-Route in Nenana, Alaska.*" Background information, the project description, and the findings of the cultural resource survey are summarized below. This letter requests your concurrence with our finding that no historic properties would be affected.

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- Crossings: Six at-grade crossings cause safety concerns in Nenana. This includes the potential for train-vehicle collisions, as well as trains occasionally blocking crossings, thereby preventing access to key facilities such as the medical clinic.

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MP-109



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Washington

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September 1, 2004

RECEIVED

Ms. Judith Bittner  
State Historic Preservation Officer  
Office of History and Archaeology  
550 West 7<sup>th</sup> Ave, Suite 1310  
Anchorage, Alaska 99501

SEP 07 2004

OHA

RE: **Section 106 Concurrence**

Proposed Nenana Rail Realignment Project – Material Source, Staging, and Dike Areas  
USGS Quadrangle Fairbanks C-5, T4S, R8W, Sections 23, 24, and 26, FM

Dear Ms. Bittner:

The Alaska Railroad Corporation (ARRC) proposes to realign the railroad's main track around the downtown area of Nenana, Alaska. ARRC received funding from the Federal Transit Administration (FTA) to investigate the project further, and preparation of an Environmental Assessment (EA) is underway to assess potential environmental impacts. In a letter dated November 4, 2003, we requested your concurrence with our finding that no historic properties would be affected, and you concurred on November 24, 2003. Since that time, other areas that would be disturbed as part of the project have been identified, and Northern Land Use Research (NLUR) conducted additional cultural resource investigations. Detailed information is included in the two enclosed reports. This letter requests your concurrence with our finding that no historic properties would be affected.

**ARRC Mile 388 Material Source Area, Clear, Alaska**  
**USGS Quadrangle Fairbanks A-5 and B-5, T8S, R8W, Section 1 and 6, FM**

ARRC has an existing gravel pit south of Clear Air Station that may be expanded to serve as a material source area for the Nenana Rail Realignment project or other federally assisted undertakings. NLUR performed a cultural resource survey, and its report entitled "*Cultural Resource Survey of Alaska Railroad Corporation Mile 388 Gravel Pit, Clear, Alaska*" is enclosed for your review. This report includes a map showing the location of the Mile 388 gravel pit area. Based on the results of field observations and a literature review, NLUR found no reason to believe that the expansion of the gravel pit in the identified area warrants additional consideration under Section 106. NLUR recommended that its report be forwarded to your office with a request for concurrence of "no historic properties affected."

**Staging and Dike Areas, Nenana, Alaska**  
**USGS Quadrangle Fairbanks C-5, T4S, R8W, Sections 23, 24, and 25 FM**

As previously mentioned, since the time of the initial cultural resource investigation in 2003, additional areas that would be disturbed as part of the Nenana Rail Realignment project have been identified. These areas include a staging/stockpile area west of the Parks Highway and

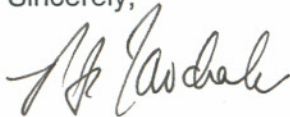
two dike areas near the airport. NLUR performed a cultural resource survey, and its report entitled "*Cultural Resource Survey of Alaska Railroad Corporation Mile 388 Gravel Pit, Clear, Alaska*" is enclosed for your review. This report includes a map showing the location of the staging and dike areas, along with the area of potential affect addressed in its 2003 investigation. Based on the results of field observations and a literature review, NLUR found no reason to believe that the proposed activities in the identified staging and dike areas warrant additional consideration under Section 106. NLUR recommended that its report be forwarded to your office with a request for concurrence of "no historic properties affected."

### **Request for Concurrence**

Based on the information in this letter and the enclosed reports, we have determined that there would be no adverse effect to historic resources in Mile 388 material source area or the staging and dike areas associated with the Nenana Rail Realignment project. We request your concurrence with this determination.

Thank you for taking time to review this finding. We look forward to receiving your input in this matter. Please contact Jennifer Bowman at (206) 220-7953 or Barbara Hotchkin at (907) 265-2313 if you have any questions or would like additional information about the proposed project.

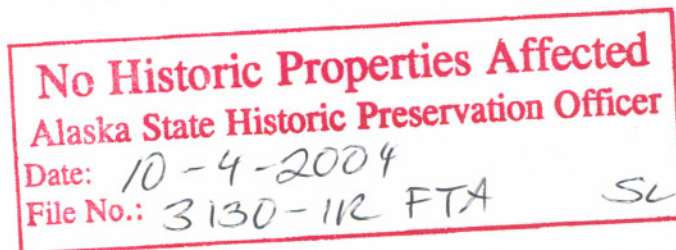
Sincerely,



R.F. Krochalis  
Regional Administrator

enclosures

cc:Barbara Hotchkin, ARRC





March 8, 2004

Mr. Jonathan Priday  
U.S. Fish and Wildlife Service  
101 12<sup>th</sup> Avenue  
Fairbanks, Alaska 99701

Subject: Alaska Railroad Corporation – Nenana Track Realignment Project,  
Milepost 410.1 to 413.3  
Endangered Species Act Consultation

URS Project No. 26219537

Dear Mr. Priday:

The Alaska Railroad Corporation (ARRC), in cooperation with the Federal Transit Administration (FTA), proposes to realign a section of railroad track that passes through the community of Nenana, Alaska. URS Corporation, on behalf of the ARRC and FTA, is preparing an Environmental Assessment to evaluate potential environmental impacts of various alternatives. The purpose of this letter is to confirm our conversation in February that the project will not adversely affect species listed as threatened or endangered under the Endangered Species Act.

The ARRC proposes to realign the main track through Nenana in order to improve the safety, reduce transportation time, and reduce maintenance and operations costs. The straighter railroad realignment would significantly reduce derailment risk, and the new route would travel south of the city center, reducing noise and risks involved with hazardous materials transport. The exact alignment has not yet been finalized, but the project area would be confined to the area between downtown Nenana and the Nenana Airport to the north and south, and the Tanana River and Nenana River to the east and west, as depicted on the attached map.

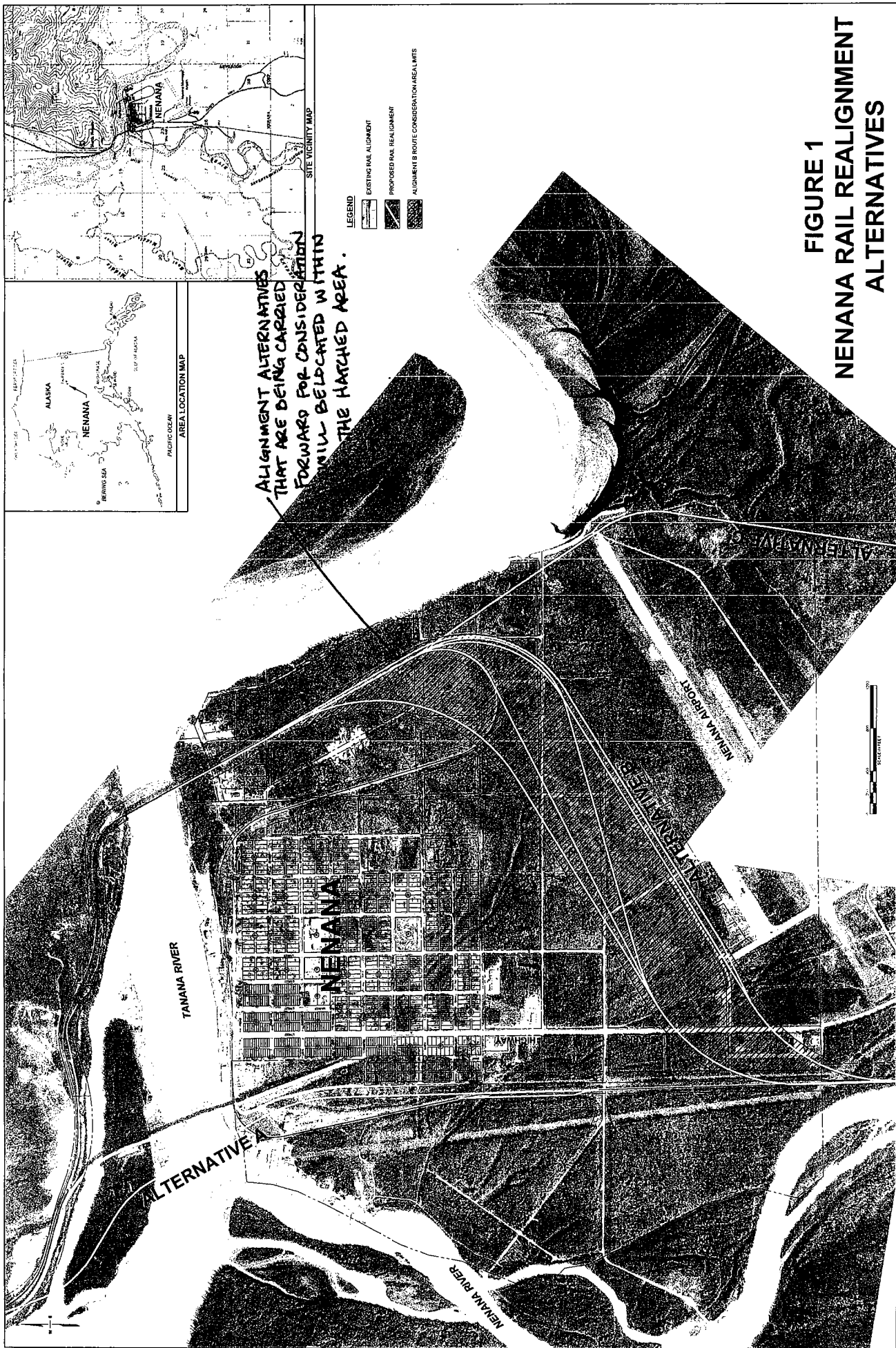
Per our telephone conversation on February 10, 2004, you indicated that there are no threatened or endangered plant or wildlife species located within the project area, and therefore no adverse impacts are anticipated. Please contact me if you would like to provide any additional information regarding potential impacts to threatened or endangered species associated with this project. If you have any questions or require additional information do not hesitate to contact me at (907) 261-6718.

Sincerely,

URS  
  
Tara D. Howell  
Environmental Scientist

Attachment: Project location map

URS Corporation  
2700 Gambell Street, Suite 200  
Anchorage, AK 99503



**FIGURE 1  
NENANA RAIL REALIGNMENT  
ALTERNATIVES**



# United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE  
Fairbanks Fish and Wildlife Field Office  
101 12<sup>th</sup> Avenue, Box 19, Room 110  
Fairbanks, Alaska 99701

March 8, 2004



Tara D. Howell  
URS Corporation  
2700 Gambell Street, Suite 200  
Anchorage, AK 99503

Re: Railroad Track Realignment,  
Nenana, Alaska

Dear Ms. Howell:

This responds to your request for a list of endangered and threatened species and critical habitats pursuant to section 7 of the Endangered Species Act of 1973, as amended (Act). This information is being provided for the proposed realignment of a section of railroad track that passes through the community of Nenana, Alaska.

No listed species occur in these project areas and there is no designated or proposed critical habitat in the vicinity of the proposed projects. Therefore, the Service concludes that this project is not likely to adversely impact listed species. Preparation of a Biological Assessment or further consultation under section 7 of the Act regarding this project is not necessary.

This letter applies only to endangered and threatened species under our jurisdiction. It does not preclude the need to comply with other environmental legislation or regulations such as the Clean Water Act.

Thank you for your cooperation in meeting our joint responsibilities under the Act. If you need further assistance, please contact Jonathan Priday at (907) 456-0499.

Sincerely,

Ted Swem  
Branch Chief  
Endangered Species

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# ALASKA RAILROAD CORPORATION



Corporate Address: P.O. Box 107500, Anchorage, Alaska 99510  
327 Ship Creek Avenue, Anchorage, Alaska 99501

*Engineering Services*  
Telephone: (907) 265-2320  
Facsimile: (907) 265-2595

April 14, 2004

Jason Mayrand  
Nenana City Mayor  
P.O. Box 70  
Nenana, AK 99760

**Subject: Potential Floodplain Impacts from the Nenana Track Realignment**

Dear Mayor Mayrand:

Thank you for taking the time to meet with us on April 8, 2004 to discuss the potential impacts the Alaska Railroad realignment through Nenana may have on the Tanana River and Nenana River floodplains. As part of the environmental process for this project, we need to identify potential environmental impacts of the project and determine if the impacts would be significant. We will also require a floodplain development permit from your office before construction occurs.

Construction of a new railroad embankment will alter the surface water drainage through the project area. One of the major issues for this project is how the new embankment will impact the water surface elevations of the FEMA base flood (100-year flood event). FEMA's Flood Insurance Rate Map (April 1999) depicts the 100-year floodplain across the project area and throughout the City of Nenana.

The existing railroad embankment, Parks Highway, and airport runway are significant barriers to flow in the floodplain. Nevertheless, a Tanana River analysis shows flooding will flow around the north and southwest sides of the runway, and that the Parks Highway will direct this water north back through town to the Tanana River near the Parks Highway bridge.

Based on this preliminary analysis, we have determined that the peak discharge flowing north of the runway from the Tanana River would be less than 900 cubic feet per second (cfs), and between 200 and 1,600 cfs would flow around the southwest side of the runway. The proposed railroad realignment would block this water, causing the water surface elevations on the upstream side of the embankment to increase.

Mr. Jason Mayrand  
April 14, 2004  
Page 2

As discussed in your office last week, the following measures may be employed by the project to mitigate the potential impacts on the floodplain due to a rise in base flood elevations:

- Construction of a dike north and south of the airport to redirect Tanana River flood flows back to the main channel
- Installation of floodgates on culverts through the embankment to manage the floodwaters

According to our preliminary analysis, installation of the dike could raise the base flood levels approximately 0.3 feet between the Parks Highway bridge and the Alaska Railroad bridge. It is our understanding that this small increase in flood levels would be acceptable to the City of Nenana. Specific details of these mitigation measures will be worked out in final design prior to applying for a flood hazard permit from your office.

With these mitigation measures in place, we have determined that the Alaska Railroad realignment would not have a significant impact to the floodplain in the City of Nenana. We request your concurrence on this determination. If you do not concur, please contact me as soon as possible so that we can determine how to alleviate your concerns and meet the requirements for flood hazard mitigation. If you do concur, please sign the certification below so that we can proceed with the environmental documentation.

Thank you for your assistance. If you would like to discuss this project in further detail, please do not hesitate to contact me at 265-2456 or Christie Kearney at 265-2376.

Sincerely,



Thomas E. Brooks, P.E.

cc: Nenana File

Concurrence Certification

I concur that the Nenana Track Realignment will have no significant impacts on the floodplain if impacts are mitigated in accordance with the measures discussed in this letter. I understand that specific details of these measures will be worked out in final design and permitting with the City of Nenana.



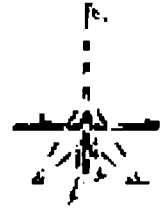
Jason Mayrand, Nenana City Mayor

21 APR 04  
Date





*City of Nenana*  
PO Box 70, Nenana, Alaska 99760  
907-832-5501, 907-832-5503-fax  
<http://www.nenana.org>



Alaska Rail Road  
Tom Brooks, P.E.  
PO Box 107500  
Anchorage, Alaska  
99510

21-Apr-04

Re: Flood Plain Impacts in Nenana

Dear Mr. Brooks,

This letter is in response to correspondence dated 14 April 2004 regarding the potential floodplain impacts that the AKRR track re-alignment may have in Nenana.

It is my understanding that the evaluation and subsequent analysis of the data collated from the Nenana visits indicates that with the addition of the proposed dike structures the waters on the Tanana river are predicted to rise 0.3 feet during a high water condition.

It is also my understanding that mitigation of excessive water retainment on the northern side of the community may be managed by addition of gated flood control culverts penetrating the proposed track embankment.

I am inclined to concur with the determination as presented however object to the ambiguity of the drainage control measures for the proposed track embankment.

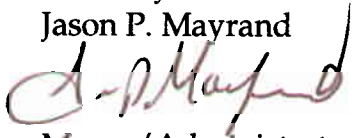
The document states that there could be an estimated 1,600 cfs water flow to the southwest side of the runway, which without proper drainage control could cause flooding south of the airport and west of the Parks highway.

I will concur with the documents content with the addition of language to positively include the insertion of gated culverts placed in the track embankment to adequately flow the maximum estimated 1,600 cfs as calculated unless indicated by engineering data that clearly they are not necessary.

If this clarification language is acceptable to yourself and the Alaska Rail Road, please accept this letter as an attachment to the concurrence document you have sent and proceed with the project.

I look forward to working with the Alaska Rail Road and its employees in the furtherance of this project.

Sincerely,  
Jason P. Mayrand



Mayor/ Administrator  
City of Nenana

Ⓢ ATTACHMENT TO 14 APR 04 LETTER



# Nenana Native Council

P.O. Box 356  
Nenana, AK 99760

907.832.5461  
Fax 907.832.1077

**Charlie Stevens**  
1st Chief

**Gilbert Ketzler**  
2nd Chief

**Victor Lord**  
Treasurer

**Karen Lord**  
Member  
Secretary

**Dennis Argall**  
Member

**Paul Esau**  
Member

**Mary Kleinschmidt**  
Member

**Nita Marks**  
Member

**Donald Charlie**  
Member

Mrs. Barbara Hotchkin  
Alaska Railroad Corp.  
P.O. Box 107500  
Anchorage, AK 99510-7500

July 1, 2003

First of all, Thank you for the opportunity for public input on the proposed  
“ Alaska Railroad Nenana Realignment Project.”

We understand the need and concept of the realignment project for the future and economic liability of our Alaska Railroad company.

Our issues and concerns are all with in reason and will not hamper the proposal development, and we also know that we can assist in the predevelopment stages to garner support on the local, state and Federal level.

Our Issues are:

1. With Federal funds involved we want not only SBA 8 A bidding set aside for minority business's as well as local bidders preference for local contractor and service providers.
2. Since the Nenana Native Council is a Federally recognized tribe we've enacted the Tribal Employment Rights Ordinance commonly called TERO's. This is designed to ensure that tribal member, receive their rightful share of employment, business and other economic opportunity that exists on or near Nenana Village. Once this project is on the book for funding, we'll be glad to update you on the legal framework Tribal Law (TERO), Federal Employment Law (Indian Preference /EE0/Affirmative Action and Contract Law.
3. The land the railroad need's for the realignment project may include some of our tribal land's of which we are negotiable and flexible. We may want to trade land with the railroad to get back some of our ancestral land near our tribal hall. Some our lands may be held in Federal trust by the Dept. of Interior and if we trade land, we would want to maintain the Indian land status.
4. The realignment project from our community perspective is that it should be as close to the Airport property as possible. Being next to the airport there will need to be a industrial block of land for loading and offloading the railcar's as well as on the other side of this development will allow the

*“Great Place To Camp Between Two Rivers”*

possibilities to load and off load large aircraft's and cargo jets on the airport side.


5. The need and the logistic of building a 5000 sq. ft Railroad Terminal combined Airport Terminal with cargo storage space located between the railroad tracks and the airport apron is obvious. This will enhance Nenana's economic viability to add both major modes of transportation to our barging services.
6. The elevation of the track should be kept at the lowest level possible with a highway overpass over the tracks.
7. Again, under TERO's the tribal council could and would assist Alaska Railroad Corp. in employment, training, Contracting and etc.

Our Concerns are:

1. The bridge needs repainting and we believe the old paint is a lead based product. This could do harm if not removed properly. We do not want it to end up in the river below. Our commercial fishing has already paid the price in the Yukon River Drainage system and we don't want the railroad bridge ending up being one of the accused culprits.
2. Bridge maintenance and upgrade is needed. There has been numerous rumor's by people of whom seen the bolts break and fall into the river below. These bolts break when the train passes over. I have not personally seen this happen.

We look forward to work with you, your family of A & E's and contractor's.

Respectfully,



Bear Ketzler  
Nenana Native Council Members

Cc:  
Tribal Council  
City Mayor  
Toghothele Corp.  
Nenana Chamber

# ALASKA RAILROAD CORPORATION



Corporate Address: P.O. Box 107500, Anchorage, Alaska 99510  
327 West Ship Creek Avenue, Anchorage, Alaska 99501  
www.alaskarailroad.com

September 5, 2003

Bear Ketzler  
Nenena Native Council  
P.O. Box 356  
Nenena, AK 99760

Dear Mr. Ketzler:

The Alaska Railroad Corporation (ARRC) appreciates the Nenena Native Council's comments and concerns about the Nenena Rail Realignment Project, as expressed in your letter dated July 1, 2003. The ARRC also appreciates the Council's offer to support such development at the local, state and federal levels.

Members of the project team have since been researching the issues presented in your letter in order to provide an accurate response. Unfortunately, to date we have not received a response from our funding agency, the Federal Transit Administration (FTA), as they are still researching Tribal Employment Rights Ordinance (TERO) requirements. It appears that different agencies within the federal Department of Transportation have had varied experience with implementation. Therefore at this time, we are unable to respond to these items (#2 and #7 in your letter). We will follow-up with you in the future when we receive guidance from FTA. In the meantime, we felt it appropriate to acknowledge your correspondence and to respond to your other issues and concerns.

#### **SBA/LOCAL PREFERENCE (Issue #1 in you letter)**

Our funding from the FTA is governed by 49 CFR (Code of Federal Regulations), Part 26, which addresses requirements for managing the Disadvantaged Business Enterprise (DBE) program, as defined by the regulation (Enclosed is a copy of 49 CFR, Part 26, and Clarification Amendments effective July 2003). Legally, we cannot provide Small Business Administration 8a set-asides or local bidders preference. However, if the Nenana Native Council, or other organizations in Nenana, meet the requirements under 49 CFR Part 26, they can become certified as a DBE. (Handouts outlining the various Small Business Administration and Department of Transportation business programs, including DBE, are enclosed.) The ARRC will be happy to arrange a meeting with our Equal Opportunity Manager, Ouida Morrison, in the near future. Please contact me at (907) 265-2456 if you are interested.

#### **LAND ACQUISITION (Issue #3 in your letter)**

All of the alternative rail realignments under consideration in this conceptual phase of the project would require acquisition of land outside of the Railroad's current right-of-way. This project would need to move forward into the final design and engineering phase in order to precisely determine land needs. In this initial planning phase, the Railroad is working with the Nenana city government to confirm ownership of real estate in and around the township.

Final design and land acquisition cannot occur until a) the Environmental Assessment (EA) is completed; b) the FTA must approve the EA's preferred alternative with a Finding of No Significant Impact (FONSI) (FTA can instead require a more in-depth study called an Environmental Impact Statement); and c) funding becomes available to pursue final design and construction.

We do appreciate the Council's spirit of cooperation and flexibility in this matter. ARRC as a rule does not typically entertain requests for land exchanges, as it is Railroad policy to preserve existing assets. We should advise you that the Alaska Railroad cannot dispose of any land (sell or trade), without the approval of the Alaska State Legislature.

**AIRPORT ALIGNMENT / JOINT TERMINAL (Issues #4 and 5 in your letter)**

You expressed support for an alignment closer to the airport. Alternative B would bring the track closest to the airport, and it appears to be the most feasible option at this stage in our assessment.

The railroad has received several comments with differing views that refer to the airport terminal. Concerns range from viable market demand for passengers and freight, to associated project cost. We will consider all comments and incorporate them into the EA. The feasibility of any Railroad project depends on the economic drivers. The EA will assess the reasonable alternatives and their respective impacts – economically, socially and environmentally.

**TRACK ELEVATION (Issue #6 in your letter)**

The ARRC is working closely with the Alaska Department of Transportation and Public Facilities (ADOT&PF) to determine the preferred option for the railroad to cross the Parks Highway. Safety is the most important criteria for this determination.

**BRIDGE PAINTING (Concern #1 in your letter)**

The Alaska Railroad currently has no plans to repaint this bridge for two reasons: 1) it is not necessary from a corrosion control perspective; and 2) the high cost of abatement and repainting is prohibitive. If that situation changed and we proceeded with a plan to repaint the bridge, existing federal and state regulations would require a lead abatement and/or dust control plan for removing paint in order to protect air, land, water, and wildlife near the project.

**BRIDGE MAINTENANCE (Concern #2 in your letter)**

You expressed concern over the need for bridge maintenance and upgrade. When the bridge was built 80 years ago, getting across the Tanana River presented a significant problem, as it does today. The original builders of the Alaska Railroad solved the problem by constructing one of the largest railroad bridges in the United States (1,200 feet in length). This bridge remains in very good condition and is capable of many more years of service. The railroad inspects the bridge annually and after any significant events that might affect the structure's integrity (like last fall's earthquakes). In addition, the bridge has undergone special inspections twice in the last 10 years. Nationally recognized railroad bridge experts conducted these special inspections. I did listen carefully to you last month, when we discussed this topic at the bridge site. We would be interested in talking directly to individuals who are aware of specific problems or incidents involving the bridge.

Again, thank you for providing an important perspective on the Nenana Rail Realignment Project. We hope to be able to address your comments on TEROs shortly. If you have any questions about this response, or any other aspect of the project, please don't hesitate to contact our Public Involvement Officer, Stephenie Wheeler, at (907) 265-2671.

Sincerely,



Tom Brooks  
Chief Engineer

# Coordinating Meeting between Alaska Railroad and Nenana October 30, 2003 Nenana

## ATTENDANCE:

Alaska Railroad Corporation (ARRC) – Equal Opportunity Manager Ouida Morrison, Chief Engineer Tom Brooks, Project Manager Greg Lotakis & PETS Quality Assurance Manager Deb Allen

Nenana Native Council - Bear Ketzler; Council Member

Tanana Chiefs Conference (TCC) - Jerry Woods, TERO Officer

## PRIMARY PURPOSE OF MEETING

The purpose of the visit was primarily to establish initial responsive contact re: Nenana Native Association's letter and reference to TEROs & other miscellaneous issues.

### 1. Tribal Employment Rights Ordinance

TERO has been defined and utilized as the preferential employment of Indians living on or near a reservation on projects and contracts on/near Indian reservation roads (FHWA & EEOC have utilized).

Jerry Woods led the discussion. He acknowledged that as an Alaska Native tribe, their status is somewhat different than those groups on reservations in the lower 48. However, they are still sovereign nations and believe there should be opportunity for the Nenana Native Council to invoke a TERO.

He stated that the approach they prefer and want to take is to establish a partnership arrangement with the ARRC. At this time there is no clear, definitive, specific means through which this preference could be accomplished. ARRC representatives understood the bottom line to be the desire for the Nenana Native Council members to be employed in some capacity on possibly the engineering, but definitely future construction.

Mr. Woods stated that the goal is for the project to create jobs & infrastructure, while leaving as many \$s in the Nenana community as possible. TCC/Doyon has various established businesses which can perform a variety of functions. Ms. Morrison asked for, and Mr. Woods agreed to provide, specific information. Nenana representatives do not necessarily expect to be the prime contractor, but rather function as sub-contractors. The impression is, that at this time, the council is uncertain as to specifics, but they maintain that obtaining economic benefit for Nenana is most important.

Ms. Morrison clearly reminded and explained Alaska Railroad responsibilities for the Disadvantaged Business Enterprise Program as defined by 49 CFR, Part 26. A request for clarification of ARRC responsibilities with regard to TEROs has been submitted to FTA, R10, who in turn forwarded to the Washington Office. To date ARRC has not received a response, but will once a response is received, ARRC will share with Nenana and TCC.

## Congressional Delegation Comment Regarding Appropriations

Mr. Ketzler and Mr. Woods at one point were talking back and forth, indicating that it may be possible to get the language in the appropriations to reflect that the Nenana Native Council/TCC/ and/or Doyon would be provided a set-aside or some other mechanism for ensuring project money is expended directly with them.

**Gravel**

Mr. Ketzler indicated that Nenana could begin stockpiling gravel to use on the project. They currently have an excavator, but plan to get a dredge for future use. Mr. Brooks made it very clear that currently, there is no money available for construction, nor could ARRC make promises to obtain gravel from the Nenana community. It was noted that ARRC may be able to work on the language in the EA to include gravel sources like the one owned by the Nenana Native Council.

**Construction Surveyors**

Mr. Ketzler noted that there was a local gentleman who could survey and has been used in the past in Nenana. ARRC discussed the possibility of using his services for survey on preliminary engineering, ROW purchase, or construction.

**Overpass vs. Underpass**

Mr. Brooks noted that this is primarily DOTPF's decision.





U.S. Department  
of Transportation  
**Federal Transit  
Administration**

REGION X  
Alaska, Idaho, Oregon,  
Washington

915 Second Avenue  
Federal Bldg. Suite 3142  
Seattle, WA 98174-1002  
206-220-7954  
206-220-7959 (fax)

August 30, 2004

Barbara Hotchkin  
Alaska Railroad Corporation  
P. O. Box 107500  
Anchorage, Alaska 99510-7500

Re: Nenana Realignment Project; Tribal Employment Rights

Dear Ms. Hotchkin:

This responds to your inquiry seeking the Federal Transit Administration's (FTA) position with regards to the imposition of a Tribal Employment Rights Ordinance (TERO) and SBA 8A on contracts issued by the Alaska Railroad Corporation (ARRC) on the Nenana realignment project proposed for partially funding by the FTA as referenced in the letter from the Nenana Native Council's letter to you dated July 1, 2003. Neither TERO nor SBA 8A can be used for this project.

While we do not have a copy of the Nanana Native Council (NNC) Village TERO, if similar to other TEROs, the ordinance would, essentially, provide a preference in the hiring and contracting to NNC members. Further, it is our understanding that the Nenana realignment project will not be on NNC trust land, but on ARRC right of way. SBA 8a provides that certain qualified small disadvantaged businesses are eligible for certain Federal contracts managed by the Small Business Administration. The questions of *must* and *can* ARRC apply TERO and SBA 8A are both addressed under the following analysis.

The Indian Self-Determination and Education Assistance Act, 25 U.S.C. §§ 450 *et seq.*, ("the Act") was signed into law on January 4, 1975. Section 450e(b) of the Act provides:

Any contract, subcontract, grant, or subgrant pursuant to this subchapter, the Act of April 16, 1934 (48 Stat.596), as amended [25 U.S.C.A. § 452 *et seq.*], or any other Act authorizing Federal contracts with or grants to Indian organizations or for the benefit of Indians, shall require that to the greatest extent feasible - -

- (1) preferences and opportunities for training and employment in connection with the administration of such contracts and grants shall be given to Indians; and
- (2) preference in the award of subcontracts and subgrants in connection with the administration of such contracts or grants shall be given to Indian organizations and to Indian-owned economic enterprises . . .

The implementing statute for the SBA 8a program provides at 15 U.S.C. Section 637 as follows:

(a) Procurement contracts; subcontracts to disadvantaged small business concerns; performance bonds; contract negotiations; definitions; eligibility; determinations; publication; recruitment; construction subcontracts; annual estimates; Indian tribes

(1) It shall be the duty of the Administration and it is hereby empowered, whenever it determines such action is necessary or appropriate -

(A) to enter into contracts with the United States Government and any department, agency, or officer thereof having procurement powers obligating the Administration to furnish articles, equipment, supplies, services, or materials to the Government or to perform construction work for the Government.

It is, therefore, clear that the preferences under the Act or the SBA 8a program apply where the tribal or business organization has a direct contract or grant with the U. S. Government. It does not apply to the situation here where the FTA grant is to the ARRC, who in turn issues contracts to third parties. Even if the TERO were to extend third party contracts for work done on tribal or native village trust land, this ARRC project will not occur on such land.

On the question of *may* ARRC use a TERO even if not required to do so, it is FTA's position that TERO conflicts with our Disadvantaged Business Enterprise (DBE) requirements. The DBE program is mandated by Federal statute (see sec. 1101(b) of the Transportation Equity Act for the 21<sup>st</sup> Century). Under Department of Transportation (DOT) regulations, recipients of FTA grants who will let \$250,000 or more in FTA-assisted contracts (exclusive of transit vehicle purchases) must have a DOT-approved DBE program. (49 CFR §26.21 (a)(2) and (b).) Group-specific goals (e.g., for Native Americans or specific tribes) are contrary to the DBE regulations since FTA does not permit local preferences (e.g., to a particular tribe or reservation) in our procurement programs.

If you or the NNC have any questions or additional points for FTA's consideration, please do not hesitate to write us.

Sincerely,



Theodore Y. Uyeno  
Regional Counsel

cc. TCC (Attn. DD)



**UNITED STATES  
DEPARTMENT OF THE INTERIOR**

BUREAU OF INDIAN AFFAIRS  
Alaska Region  
P.O. Box 25520  
Juneau, Alaska 99802  
Ph. (907) 586-7182; FAX (907) 586-7357

September 21, 2004

Ms Christie Kearney  
Alaska Railroad Corporation  
327 W. Ship Creek Avenue  
Anchorage, AK 99510

RE: Comments on draft EA

Dear Ms Kearney:

Thank you for allowing the Bureau of Indian Affairs (BIA) to comment on your draft EA before the official public comment period. We are impressed with the quality of the document. It shows that you have diligent in your efforts to comply with NEPA. Our main comment on the document is that we believe the river erosion threat is a prominent and pressing problem. We think the Railroad should consider including river erosion as part of the purpose and need for the proposed improvements. With that said, we do not wish to delay the process at this point. We saw nothing in the draft EA that would cause us to ask for a halt in the process.

As you know The BIA in cooperation with the Nenana Native Council is preparing plans for a road and erosion control project in Nenana, Alaska. The project as proposed will consist of the improvement and construction of roads on the south and east sides of the village, and erosion control structures on the bank of the Tanana River adjacent to the road project. Our project was initiated largely because portions of an old road along the river have been washed away.

The existing railroad line and all proposed new rail line routes are threatened by the same erosion pattern. The draft EA you prepared estimates the erosion problem will threaten the rails in 20-30 years. BIA believes our road improvements will not last more than 10 years without erosion protection. I have attached a short analysis to illustrate the basis for that claim. Our shared interest with the Railroad is that the erosion threat may destroy our road and cut into the railroad ROW in less than 15 years if not halted.

We incorporated the river erosion component into our project and draft EA because we feel that it is in the public interest to consider the most cost effective erosion control alternative. We believe that stopping the erosion sooner rather than later is worth considering because:

1. The shape of the river at the project area affects the pattern of scour and deposition downstream. The river channel adjacent to the project continues to shift to the west. This change may contribute to the developing pattern of bank scour on the north side of the river downstream of the railroad bridge. The shifting flow along the project area may also increase deposits of sediment along the barge loading docks on the Nenana waterfront.
2. Waiting until the river erosion is damaging our road and your railroad embankment will make the erosion control an emergency project. Emergency erosion control projects usually involve a very limited number of options. We are only a planning cycle away from an emergency so we believe NEPA compliance can best be achieved by addressing the problem now.
3. Rock armor bank protection is usually the only option considered in emergency river erosion control projects. This form of erosion control has a high potential to dramatically change sediment deposition and erosion patterns downstream.
4. The estimated cost of rock armor bank protection is 3 times the cost of the proposed stream barb erosion control system.

In a letter from our regional transportation engineer Bob Martin to Tom Brooks dated May 20, 2004 BIA requested your help in the control of the eroding riverbank. We are still waiting for a response. We would welcome your role as a partner in the Tanana River erosion control project in Nenana. We hope the railroad will participate to some extent in the design and construction of the erosion control system and then assume control of all necessary augmentation and maintenance to assure the success of the system.

Mark Boatwright and I wrote comments on selected pages from your draft EA. They are attached to this letter. You should consider our comments to be suggestions. We look forward to participating in the public process. If you have any questions, please contact me at (970) 586-7412. Thank you again for the opportunity to review the draft EA.

Sincerely,



Glenn Miller  
Civil Engineer

cc: Mark Boatwright, EPS

# ALASKA RAILROAD CORPORATION



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e-mail: kearneyc@akrr.com

October 6, 2004

Glenn Miller  
Bureau of Indian Affairs  
Branch of Roads  
PO Box 25520  
Juneau, AK 99802

Subject: Nenana Railroad Realignment Project  
Response to Comments on Draft EA

Dear Glenn:

Thank you for your review and comments on our Environmental Assessment (EA). We appreciate your feedback in review of our draft EA prior to making the document public, particularly in relation to our coinciding projects in the area. We have made a number of changes to our document in regard to your comments; however, we are in disagreement as to your request for making the river erosion threat part of the purpose and need for our project and more prominent in our document.

The need for our proposed improvements does not relate to the Tanana River. Our project involves improving safety of mainline rail-roadway crossings and railroad operations, reducing rail transportation times, and reducing costs.

River erosion is a future maintenance consideration for ARRC regardless of whether our proposed project is constructed. If the erosion continues to the railroad property, ARRC will eventually need to stabilize the bank of the river to protect its existing embankment and a small section, approximately 15%, of the embankment associated with our proposed project.

In response to your question about the erosion rates we calculated, we have added the following information to our EA to clarify our timeline estimates. I analyzed erosion rates of the riverbank by overlaying aerial photos from 1979, 1989, 1998, and 2002. Table 1 shows the results of my review. Based on these calculated erosion rates with approximately 435 feet remaining in 2002, we estimate the river will be against the railroad embankment anywhere from about 15 to 30 years from now. According to the erosion rates shown in Table 1, the erosion appears to be slowing down. The river would need to be eroding the bank at a rate of greater than 25.5 feet per year for the Tanana River to be against the railroad embankment in less than 15 years as you suggest.

**Table 1. Bank Erosion Along the Tanana River**

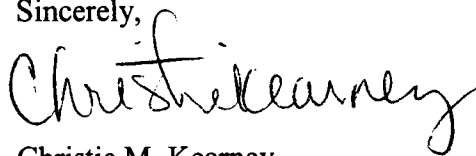
| Aerial Year | Approximate Distance <sup>1</sup> | Amount of Bank Lost | Number of Years | Erosion Rate   |
|-------------|-----------------------------------|---------------------|-----------------|----------------|
| 1979        | 945 feet                          | --                  | --              | --             |
| 1989        | 670 feet                          | 275 feet            | 10              | 27.5 feet/year |
| 1998        | 485 feet                          | 185 feet            | 9               | 20.6 feet/year |
| 2002        | 435 feet                          | 50 feet             | 4               | 12.5 feet/year |

<sup>1</sup>Distance measured from the centerline of the railroad along the centerline of Sixth Street at a 65-degree angle from the railroad.

We agree with some of the points in your September 21, 2004 letter about it being in the best interest of the public to consider the most cost effective erosion control alternative. Planning and coordination can result in a much better project than waiting for a need for an emergency action. Tom Brooks, Chief Engineer of ARRC, will be responding to your request for ARRC's participation in your erosion control project.

We look forward to continued coordination with you between our projects. Our EA will be available for a 30-day public comment period shortly, and we are planning a Public Meeting from 4-7:30 pm in Nenana on Oct. 26, 2004. You should be receiving additional information about the Public Meeting shortly. I will send you a copy of our EA released for public review once it is ready. If you have questions or require additional information, please do not hesitate to contact me at (907) 265-2376 or Barbara Hotchkin at (907) 265-2313.

Sincerely,



Christie M. Kearney  
Environmental Permits Analyst

## Record of Conversation

*Recorded by:* Brian Kovol

*Date:* February, 17, 2004

Outgoing call 1:43 pm

*Talked With:* Jason Mayrand, Mayor City of Nenana

*Phone:* 907-832-5441

*Subject:* **EA Questions**

*Items Discussed:*

1. Zoning: Confirmed that the City has no conventional zoning. The City does issue FEMA floodplain land use permits.
2. The city has no comprehensive plan that has designated parkland or recreation areas. No industrial or residential zoning. However, there was some historical effort to do so and it is not complete. The industrial area was to be designated around the existing port and airport. Pretty much everything inside the fenced area would be considered industrial. The Nenana City Pond was never considered as being designated as a recreational area. It is just an old gravel pit that filled in with groundwater. ADF&G decided to stock it w/fish. It can be filled in as necessary.
3. The City of Nenana owns the railroad depot in Nenana.
4. Existing waits at at-grade crossings are about 15-20 minutes currently.
5. Only upcoming projects that the Mayor knows about are the Airport paving project this summer and the BIA road project NE of project along the Tanana River.
6. Asked how City deals w/ power outages. He said they are currently frequently experienced during the summer and winter. The City has backup generators for the water plant and the school (school not installed yet).
7. Wells. Jason does not know of any wells in the project area. Most are in town. No wells are located at the airport.
8. Seismic activity. There was a lot of shaking during the recent November 2002 earthquake along the Denali fault. No real damage to structures but did get some failure of the sewer and water system (mains broke). The runway surface was also fractured.

## Record of Conversation

*Recorded by:* Brian Kovol

*Date:* April, 26, 2004

Outgoing call

*Talked With:* Larry Peltz of NMFS

*Phone:* 907-271-1332

***Subject:* EFH and Endangered Species Consultation for the Nenana Rail realignment Project**

*Items Discussed:*

1. Discussed the area and scope of the proposed action and alternative B. Explained that much of the impacted area was wetlands.
2. I explained that to the best of my knowledge the project would not impact any fish streams or wetlands important to anadromous or resident fish species.
3. Discussed possible impact to the Nenana City Pond. No concern was raised over possible partial filling of the pond.
4. Larry asked that he receive a copy of the EA and newsletter.
5. Larry said that he was familiar with the project area and that he did not believe there were any issues related to endangered species or EFH as far as NMFS was concerned. Specifically, he said that for purposes of the EA, we could state that there are no threatened, endangered, or candidate species located in the study area under National Marine Fisheries Service jurisdiction.