

Adopted: November 14, 2017

Resolution No. 2017-16

Rescinding Board Rule No. 23 –
Residential Right-of-Way Use Policy
(RRUP)

WHEREAS, the Alaska Railroad Corporation (ARRC) Board of Directors is required by Section 180 of the Alaska Railroad Corporation Act (AS 42.40.180) to adopt rules to carry out its functions and the purposes of the Act; and

WHEREAS, the ARRC Board of Directors has the authority under AS 42.40.390 to adopt exclusive rules governing land use by parties having interests in or permits for land owned by the ARRC; and

WHEREAS, on November 12, 2013, the ARRC Board of Directors approved ARRC Board Rule No. 23, the ARRC Residential Right-of-Way Use Policy (RRUP), which has been in effect since that date; and

WHEREAS, a proposal to rescind the RRUP has been made; and

WHEREAS, public notice of the prospective rescission of the ARRC Residential Right-of-Way Use Policy and an opportunity for public comment have been given in accordance with AS 42.40.180(a).

NOW THEREFORE BE IT RESOLVED, that having considered all relevant matters including any public comment presented to it, the ARRC Board of Directors agrees that ARRC Board Rule 23, the ARRC Residential Right-of-Way Use Policy, should be and is hereby rescinded.

NOW THEREFORE BE IT FURTHER RESOLVED, that having hereby rescinded ARRC Board Rule 23, the ARRC Residential Right-of-Way Use Policy, the ARRC Board of Directors directs Management to manage the ARRC Right-of-Way (ROW) consistent with ARRC's legal property rights in the ROW and with safe and economical railroad operations.