

COURT REPORTER COMMENTS

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PORT MACKENZIE RAIL EXTENSION PROJECT
PUBLIC COMMENTS

October 1, 2007
Commencing at 6:00 p.m.

Taken at
Lake Lucille Inn
Wasilla, Alaska

Reported by:
Britney Chonka, CSR

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1 PUBLIC COMMENTS
 2 MR. WHEDBEE: Kenneth M. Whedbee, W-H-E-D-B-E-E.
 3 I live at 450 Brazil Circle, Big Lake. It's where
 4 the Houston -- you've got two intersections there,
 5 you've got the Houston extension and then one coming
 6 out of -- right there. I live right there.
 7 Okay. The Houston North and the Houston
 8 intersection is where I live. I live on West Lake
 9 with a 1200-foot runway that extends -- if this map
 10 is correct, it extends 400 foot north of where
 11 the -- of where the railroad is coming through. So
 12 they would take out my runway. And they would come
 13 right through my 15 acres of property.
 14 But West Lake and this runway is used for
 15 emergency evacuation to fly people out of that area;
 16 example, the '96 fires. And it's really the only
 17 runway in that area. And where I offered the VOR,
 18 you know, that -- I closed escrow 30 days ago, there
 19 was never disclosure there that there was a railroad
 20 issue. I just bought it. I gave them \$1 million
 21 for it. And 30 days later they said, oh, they're
 22 going put a railroad through.
 23 I feel that the Willow route is the best route
 24 to take. It would impact the least amount of
 25 recreation, snowmachine trails and everything in

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1 that whole Big Lake area. I guess that's the
 2 conclusion.
 3 MR. SEAVER: Carl Seaver. He said things a lot
 4 I would want to say. I live way over here by Knik.
 5 You want my address and all that?
 6 Carl Seaver, S-E-A-V-E-R, Post Office Box
 7 877171, Wasilla, Alaska 99687. Everything -- what's
 8 your name again? Everything Kenneth said would be
 9 just -- is just about what I would have liked to
 10 say, exception being I don't own any land over there
 11 or nothing.
 12 But my views are the same as his. And I believe
 13 you said you agree with the most rural route, which
 14 is the Westward route, which is the same feeling I
 15 would have. It just seems the most sensible, that's
 16 supposed to have, as I understand it, the most
 17 gravel supply and stuff like that, too, better
 18 bedding for the railroad and all the whole thing.
 19 That's what I wanted -- he took the words right
 20 out of my mouth, except for the airport thing. And
 21 I didn't know about the emergency stuff. He has got
 22 an excellent point there, his area being used for
 23 emergencies.
 24 MR. TURINSKY: Anthony Charles Turinsky,
 25 T-U-R-I-N-S-K-Y. I own a 500-acre parcel of

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1 property. And originally they've drawn lines in
 2 various places. And they drew a line right through
 3 the center of my property. And my big concern is if
 4 it takes 30 years or 50 years, whatever line they
 5 draw on my property, it diminishes the value of my
 6 property today. Because if I go to sell it to
 7 somebody and I have to show them the line that's
 8 been drawn, but not decided upon, but it's a line,
 9 it impacts the value of my property now.
 10 Some day when they decide they may move it,
 11 maybe not anywhere near my property. And if they
 12 take a large enough piece of property, mine is one
 13 of the parcels of 500 acres that is impacted pretty
 14 severely.
 15 And I'm in favor of the railroad, I think the
 16 process of the railroad is important. But I'm --
 17 concerned about the environment, but I would prefer
 18 that they push it as far west away from private
 19 property and trade some land the Borough has that's
 20 wetlands to the refuge. And I understand the cost
 21 of having to go through wetlands is more. And if
 22 they have to go through wetlands, I certainly want
 23 to make sure -- I mean, if they don't go through
 24 wetlands, I certainly want to make sure that they
 25 make me whole and all the other property owners

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1 whole. That's it. Thank you.
 2 MR. CIZEK: Joe Cizek, C-I-Z-E-K. I guess my
 3 big concern is most of this land on the south side
 4 of this development Port Mackenzie, that's all
 5 dedicated as ag land. This ag land, according to
 6 the papers that I -- I own one of the pieces. But
 7 what I'm reading from the papers, ag land doesn't
 8 really allow me to construct a railroad on it. How
 9 can an -- a railroad be constructed across the
 10 property? I mean, is this going to set some sort of
 11 precedent for future development? I mean, housing
 12 projects to hotels to whatever? I mean --
 13 MS. GOJMERAC: Mary, last name is
 14 G-O-J-M-E-R-A-C. The Willow route, is it higher
 15 elevation than the Wasilla route? Number 2, has the
 16 Willow route considered the possibility of flooding,
 17 because of the Susitna River and the Willow Creek?
 18 That thing just really stuck out at me when I seen
 19 that I said, oh, man.
 20 Because you have -- Talkeetna has three rivers
 21 that flow into it. And once in a blue moon they
 22 flood. And when they flood, then it sort of works
 23 its way down the range. You understand? Thank you.
 24 MR. MCCRACKEN: Jon, J-O-N, McCracken,
 25 M-C-C-R-A-C-K-E-N. I just want the railroad, when

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1 they're considering the Willow route, to stay well
2 west of the Red Shirt, Cow Lake, Fish Creek ridge
3 line, I mean, for the most part.

4 And then recognizing that the ridge line is a
5 good sound barrier for any rail traffic going back
6 and forth from Willow to Port Mackenzie. It would
7 block all the property owners along that corridor
8 from obviously inevitable sounds, railroad sounds
9 and so forth.

10 That's it.

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1 REPORTER'S CERTIFICATE

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4 I, Britney E. Chonka, Court Reporter, hereby
5 certify:

6 That I am a Court Reporter for Southcentral Court
7 Reporters and Notary Public in and for the State of
8 Alaska at large. I certify Hereby that the forgoing
9 transcript is a true and correct transcript of said
10 proceedings taken before me at the time and place stated
11 in the caption therein.

12 I further certify that I am not of counsel to
13 either of the parties hereto or otherwise interested in
14 said cause.

15 In witness whereof, I hereunto set my hand and
16 affix my official seal this 15th day of October, 2007.

21 BRITNEY E. CHONKA, REPORTER
22 Notary Public - State of Alaska

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PORT MACKENZIE RAIL EXTENSION PROJECT
PUBLIC COMMENTS

October 2, 2007
Commencing at 6:00 p.m.

Taken at

Big Lake Elementary
Big Lake, AK

Reported by:
Rosie S. Scott, CSR

PUBLIC COMMENTS

1 MR. ORIEN: Oric Orien, O-R-I-E, O-R-I-E-N
 2 resident on Crooked Lake. I'd like to make the following
 3 observations and comments about the Houston route.
 4 The Houston route is an endorsing to the north
 5 Big Lake area, and passes through to the east of the
 6 Pappoose Twin Lakes, and west of Crooked Lake down through
 7 its intersection at Connection 3.
 8 It passes through significant wetland areas.
 9 It also passes and cuts through the heart of the
 10 well-established Big Lake snowmachine trail area that has
 11 intersecting trails, including the Iron Dog Trail that
 12 goes west past Little Susitna River, over to the Susitna
 13 River. The area between Pappoose, Twin Lakes and Crooked
 14 Lake is a very small corridor with significant open
 15 wetlands.
 16 Also, the stream that flows out of Crooked Lake
 17 that flows over to the Little Susitna River is also a
 18 migratory salmon stream designated previously.
 19 Therefore, basically, my comment is that the
 20 Houston route basically disrupts entire recreational
 21 area, and also disrupts a wetland area, and I would not
 22 favor that selection. Thank you.
 23 MS. THOMAS: Good evening. My name is Monica
 24 Thomas. I'm a resident here in Big Lake. And after
 25

1 looking at your maps and figuring where things are, it
 2 seems to me that even though you outline the two ways of
 3 accessing the Parks Highway on through Big Lake, and one
 4 on the other side of Houston the -- none of the plans
 5 shows the fact that the railroad already goes through
 6 like Houston proper. And by hooking on below Houston
 7 between Big Lake and Houston to that railway, whatever
 8 you're bringing down that railway is going to go through
 9 those communities.
 10 I think if you use the one that goes out by Red
 11 Shirt Lake it doesn't impact as many areas that have
 12 already been settled. And I know it may cost more, but
 13 we look at environment, and the things that it's
 14 disturbing.
 15 Besides looking at wetlands and all that, we
 16 have a lot of communities that have children in them, and
 17 industrial waste is something we don't want. And I'm
 18 sure if that -- what they want to do with this port,
 19 eventually, they will want to make some money, so that
 20 means they're going to travel back and forth on that
 21 railroad.
 22 So it would be nice if they could do it in a
 23 way that does not, once they access the railroad, it
 24 doesn't go through these major communities. That's my
 25 thoughts. Thank you.

1 MR. WILSON: My name is Scott Wilson. I'm a
 2 Big Lake resident. I'd like to make sure that they look
 3 at an impact study in regards to the moose population on
 4 the Big Lake, Houston and Willow, as well as the snow
 5 levels in those three different areas because the snow
 6 depth is going to be different in each one of those, and
 7 you don't want to see too much mortality in regards to
 8 the moose on the railroads. That's my primary concern is
 9 the moose habitat. Yeah, my main concern is the moose
 10 habitat in that area.
 11 The trails have been covered already, but I
 12 haven't seen any of them talk about the moose habitat,
 13 and make sure that there were enough studies done on that
 14 MS. WHITFIELD: My name is Janet Whitfield.
 15 I've got several questions. I'd like to know if the
 16 Willow route would open up access to an undeveloped area
 17 promoting expansion? And I'm talking major commercial,
 18 residential, tourism and industrial.
 19 Would there be less impact on more densely
 20 populated residential areas for the Willow route? I'm
 21 looking at the map, and it really looks like a much
 22 better route. Another thing is I want to know if the
 23 Willow route would require less acquisition of private
 24 land.
 25 Looking at the map it shows it going around

1 basically the developed residential areas, and also
 2 basically the developed areas, period. And it just seems
 3 to me like it would be a major benefit to the borough to
 4 have the Alaska Railroad and, you know, the federal
 5 government open up a new area for the borough at -- I
 6 don't really know if it's even going to cost the borough
 7 much of anything to have this route go in. I don't know
 8 if the federal government is picking it up. That would
 9 be nice, too.
 10 And I didn't know if the Willow route would
 11 also have less impact on wetlands. I know it all seems
 12 pretty wet in this whole area. I didn't know if that
 13 would be a better route environmentally as well. But
 14 absolutely I'm in favor of the Willow route. I think
 15 it's a much better route than thinking about Big Lake or
 16 Houston where they have to go through residential
 17 populated areas, and definitely the Wasilla route I think
 18 would be out if that's what someone mentioned tonight.
 19 And that is because the Alaska Railroad is already
 20 talking about re-routing through Wasilla anyway in a
 21 different area, so it would not make sense, plus it would
 22 not -- you would not have the benefit of opening up new
 23 areas. That's it. Thank you.
 24 MS. THOMAS: Good evening. My name is Monica
 25 Thomas and I'm back for a second time after listening and

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1 looking at more things. I spoke to a man by the name of
 2 Tom Brooks who explained to me the rail route, and why
 3 you have Conn 1, 2, and 3.
 4 And one of the things we discussed was that
 5 currently, when you move coal from up at Healy, it's
 6 currently going through all these cities. It goes
 7 through Willow, Houston, Big Lake, Wasilla, right into
 8 Eagle River and Anchorage to get to the port currently.
 9 You're moving industrial things through heavily
 10 populated areas. It doesn't make any sense to look at --
 11 I don't know, I guess hazards we don't need to have,
 12 which makes the Willow extension look better because that
 13 route would, once it hits the Willow extension, would go
 14 around all these populated areas which, you know, seems
 15 safer to me all the way around, which I realize it does
 16 have impact on plant life and animals.
 17 In looking at your map and studying it more,
 18 the Big Lake route within the first five miles of the new
 19 rail line, it will be attempting to integrate within
 20 existing neighborhoods and a community proper in which
 21 the rail line will impact, not only its noise, sound,
 22 dust, impurities in the air, generally changing our
 23 current recreational clean air, natural environment.
 24 And, you know, you're saying well, why should I
 25 have it? Well, if I don't have to, I just assume leave

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1 it the way it is.
 2 There's also new neighborhoods between Knik
 3 Goose Bay Road and Marian and West Susitna Parkway that
 4 your maps do not address. And I think it's mainly
 5 because there's been a big push in the Valley with
 6 contractors and subdivisions, and they're basically the
 7 Knik Goose Bay subdivisions are moving back up over the
 8 little hill towards the backside of Big Lake. And it
 9 would really impact huge neighborhoods.
 10 I think that your Mac West and the Conn 1, and
 11 the Willow route is a -- looks much better to me because
 12 it's streamlined, it's available to the agriculture area,
 13 even though they don't think that's positive for them
 14 now, in the long run it could be very positive.
 15 And the land in that area, at least around --
 16 has the least amount of wetlands. If you look at the
 17 topography of that land, it's much more stable land than
 18 what we have here in Big Lake and the Houston area.
 19 Because in those two areas the railroad would
 20 not only cross the subdivisions, but it's looking at a
 21 tremendous amount of waterway issues that you don't seem
 22 to have when you go over this Willow route.
 23 I think that the other thing that comes to mind
 24 is that the railroad is incoming through Houston and the
 25 Big Lake sites. It won't only cross the subdivisions,

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1 but there's an excellent animal, people, plant habitat
 2 that we've all learned to coexist in, and it's getting
 3 populated.
 4 Your rail line I think would upset the delicate
 5 balance that we're working towards right now. I really
 6 do.
 7 I think it's already -- the growth we've seen
 8 in the last two years is really scorching. And since I
 9 spent some of the day picking berries, I would like to
 10 know that my grand kids are going to pick berries some
 11 day, too.
 12 It seems to me that Willow route will impact
 13 some animals and plant habitat, yet it's sparsely
 14 inhabited by humans. So I think that this project could
 15 help open up that area using the latest and best
 16 practices for expansion, which aren't available or
 17 weren't available, and were not used with expansion of
 18 the borough that has happened in the last three or four
 19 years.
 20 So I would really like to have that site looked
 21 at really closely, due to the fact that it impacts the
 22 least type of human, animal, plant elements, versus --
 23 just has less people living over there, folks. So thank
 24 you.
 25 MS. WOODBURY: Kim Woodbury, W-O-O-D-B-U-R-Y.

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1 And what I'm concerned about are the trails and the trail
 2 crossings. I know that it's only the recognized trails
 3 that you'll be addressing. And your proposed crossings
 4 using a culvert or a below grade -- or grade separated
 5 crossing needs to be addressed because with wetlands,
 6 which is primarily the areas 4 or 3, where many of our
 7 trails are below the grade separated crossing would put
 8 the crossing under water basically.
 9 And I don't see any alternative means of
 10 addressing that, or will there be some type of crossing
 11 to go over the railroad because where a lot of these
 12 trails or unrecognized trails, if the access is
 13 terminated at the point of the railroad that's another
 14 issue we need to look at, too because a lot of people
 15 know their travel from A to B, but if from A to B is not
 16 a direct route anymore, they have to find alternative
 17 means, and there's going to be a lot of lost people out
 18 there trying to find their destination point because
 19 they've now been put with means of trying to find their
 20 way to their destination. And I think I just repeated
 21 myself.
 22 So I think again, we're going to have to look
 23 at addressing posting signs that show what the trail
 24 system is because a lot of pioneer people know the way
 25 around, know the trails, but now with the new rail system

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1 that's out there, that's going to change a lot of things.
 2 And access is one that -- which ones -- I'm not sure
 3 exactly which ones are established trails. And I'm sure
 4 a lot of other people don't either.
 5 I'm very active in the community, and I also do
 6 a lot of riding, so that will be something new that we
 7 will have to contend with. And hopefully we can just
 8 kind of put some foresight into it, and make sure that we
 9 don't have these problems and make it a fight for
 10 survival out there for people who get lost due to new
 11 routes. I think that's it.
 12 Another issue I have would be the noise issue
 13 with Corridor 7, the one that's near Big Lake. I know
 14 right now I'm able to hear ambulances and other fire and
 15 rescue vehicles when they turn the sirens on. I can hear
 16 them all the way across Big Lake, and I'm on the
 17 northwest side of Big Lake. So I'm, you know, a good
 18 couple of miles away, but I do hear them. I hear them
 19 coming from where their station is down towards NAPA.
 20 And knowing that the railroad would be that
 21 close to a community, the noise pollution is going to
 22 highly impact the entire community, not just the people
 23 who are in the immediate vicinity because of the way the
 24 sound travels. So that's an issue whether it's there or
 25 even near Horseshoe Lake, being the medium spot where I'm

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1 at between the two proposed rails, I think noise would
 2 travel definitely throughout the Horseshoe Lake area, the
 3 Big Lake community, and then also the southeast area is
 4 going to be highly impacted, which a lot of us come out
 5 for the recreational time, the quiet time, our weekends.
 6 And we live here year round. We would all highly be
 7 impacted by that and not enjoy our time. And it would
 8 reduce the quality of life, and also the value of what we
 9 own, our homes due to noise degradation.
 10 (Proceedings concluded at 8:15 p.m.)
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1 REPORTER'S CERTIFICATE
 2 I, ROSIE S. SCOTT, CSR, hereby certify:
 3 That I am a Certified Shorthand Reporter
 4 for Southcentral Court Reporting and Notary Public for
 5 the State of Alaska; that the foregoing proceedings were
 6 taken by me in computerized machine shorthand and
 7 thereafter transcribed by me; that the public comments
 8 constitutes a full, true and correct record of said
 9 proceedings taken on the date and time indicated therein.
 10 Further, that I am a disinterested person to
 11 said action.
 12 IN WITNESS WHEREOF, I have hereunto
 13 subscribed my hand and affixed my official seal this
 14 _____ day of _____, 2007.
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 19 _____
 20 ROSIE S. SCOTT
 21 Certified Shorthand Reporter
 22 My Commission Expires
 23 8/16/08
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PORT MACKENZIE RAIL EXTENSION PROJECT
PUBLIC COMMENTS

October 3, 2007
Commencing at 6:00 p.m.

Taken at
Willow Community Center
Willow, AK

Reported by:
Rosie S. Scott, CSR

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1 PUBLIC COMMENTS
 2 SANDRA DELUCIA: My name is Sandra
 3 DeLucia, D-E-L-U-C-I-A. And I live at Nancy Lake. And
 4 I am very much in favor of the railroad corridor going
 5 around and behind Red Shirt Lake, due to the fact that I
 6 don't believe the residents would like the constant
 7 commercial type railroad going in their backyards.
 8 And I think it would be more beneficial to us
 9 to have it outside the actual city. And I guess that's
 10 all. I just want to go on record as being in favor of
 11 the corridor.
 12 JIM NORCROSS: My name is Jim Norcross. I'm
 13 the road supervisor for the community of Willow. I work
 14 for the Mat-Su Borough as a volunteer. And we are in
 15 favor of the rail corridor running from Willow to
 16 MacKenzie Point.
 17 If built from Willow to MacKenzie Point it will
 18 reduce the amount of traffic on on-grade crossings
 19 between Willow and the Glenn Highway. And I feel that it
 20 would be an economic benefit for the community, as well
 21 as everything north of us for the next 100 years.
 22 JOEIN WOOD: I'm a dog musher. And unlike a lot
 23 of verbal opposition to this, I don't oppose it. And
 24 there are several of us that don't. Having said that,
 25 there's no reason given to us to support it either. And

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1 that's where there's a huge deficiency that can be
 2 addressed.
 3 If you were to take the corridor for the
 4 railroad and the maintenance road you have 200 feet to
 5 play with, allow vegetation to grow on either side of
 6 those two structures, and allow a clearing path to be
 7 down one side of the tracks to be used by motorized
 8 recreational vehicles, and the other side of the tracks
 9 have to be used by non motorized, so then you've got a
 10 separation between the mushers, the skiers, et cetera and
 11 the snowmachiners, and the motorized vehicle users.
 12 And you would open up a lot of new country for
 13 recreational use. That is what this community is built
 14 upon. You'd probably open up cottage industries that
 15 would want to service those particular recreational
 16 users. It would give people a reason to get behind the
 17 project rather than just being bystanders watching what
 18 is taking place. And you're only hearing one side, the
 19 opposition because they are motivated. The people that
 20 aren't opposed are not motivated. So give them something
 21 to work with.
 22 MR. STANCULESCU: Vic, Stanculescu,
 23 S-T-A-N-C-U-L-E-S-C-U. My comments involve the trail
 24 corridor with Willow as the selection site. I feel it's
 25 a bad idea because it cuts a large number of trails that

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1 arc part of the west gateway trail system in the Willow
 2 area. This is a recognized trail system that heads from
 3 Willow out west. And it allows mushers, snowmachiners,
 4 skiers, and other recreational and professional trail
 5 users access out into the Susitna drainage, and all the
 6 trail systems that lead out into the Alaska Range. And
 7 these trails are necessary for training sled dogs,
 8 they're necessary for the recreational life blood of this
 9 community.
 10 And there's a lot of kennels in this area that
 11 rely on the local trail systems that are historical
 12 trails that have been used for many, many years,
 13 generations in fact. They rely on those trails to train
 14 their sled dogs and to access areas that are off the road
 15 system.
 16 And by cutting through these areas with the
 17 rail corridor, what I feel is going to happen is the
 18 trails will be forced into a single main line, and that
 19 main line as per the tunnels will prove to be deleterious
 20 to the mushing community, and the recreational community
 21 here in Willow. And I am a trail's advocate in this
 22 area.
 23 Part of the need in mushing kennels is to have
 24 a variety of trails. You don't train a dog team to run a
 25 thousand-mile race by running around the same trail over

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1 and over and over. What mushers need to train their dogs
 2 is to have a choices of trails, so that the dogs are not
 3 getting in a rut, so that the -- they're able to
 4 constantly be looking on new horizons. And what's good
 5 for dogs is good for people.
 6 I oppose Willow as the site for the rail
 7 corridor. I think a site further south would be much
 8 more appropriate and much less costly. The lands to the
 9 west of Willow are predominately swamp. Swamp is very
 10 expensive to build road and rail systems on. And I feel
 11 it's a poor choice. And I don't think Willow has been
 12 adequately represented in the previous selection
 13 procedure. Thank you.
 14 MR. MCCAIN: Edward McCain, M-C-C-A-I-N. What
 15 is -- what's the purpose of shipping coal for 220 miles
 16 from Healy, when the Hunts are going to build a conveyer
 17 at Tyonek on the Shuyak River which is going to be
 18 10 miles long. And when they get that up and running, is
 19 this going to be a white elephant that is going to be a
 20 waste of money? They're going to build this without any
 21 government money. And we're going to get a lot
 22 government money tied up in this. And then it's not
 23 going to economically feasible when they get this Beluga
 24 or Tyonek or Shuyak River operation going because we're
 25 not going to be able to compete with them shipping coal

1 200 miles, when they only have got to ship it 10 or 20.
 2 That's why I'm questioning the whole
 3 feasibility of this project. You know, the government is
 4 all too good at rewarding failure and penalizing success.
 5 I think that will do it for right now.
 6 MR. MYLARENON: My name is Paul McLamon,
 7 M-C-L-A-R-N-O-N. And my comment is I would like to see
 8 above-grade, low gradient wide crossings at all trails,
 9 all of the recognized trails for the westgate system as
 10 mitigation.
 11 I also would like to see parking lots added for
 12 mitigation for snowmachiners and dog mushers. I would
 13 like to see habitat improvements to Willow Creek as part
 14 of mitigation for the project, boardwalks, improvements
 15 for sport fishermen.
 16 I would also like to see as part of mitigation
 17 for the project for Willow some type of crossing of the
 18 Parks Highway so kids don't have to cross the highway on
 19 their snowmachines and risk getting hit.
 20 I would also like to see a crossing put in for
 21 the Emil, Stansik and Espinosa Trail as part of
 22 mitigation and that's it.
 23 MR. HALTMANN. My name is Sid Haltmann,
 24 H-A-L-T-M-A-N-N. And I live at Mile 72.8 where one of
 25 the three routes crosses the highway and goes right

1 to lose any of the trails. There's such a variety out
 2 here and I think that's why a lot of us are here is
 3 recreational uses.
 4 MS. STEIGE: My name is Pat Steige,
 5 S-T-F-I-G-E. I'm on Shirley Lake. I think it's a real
 6 shame that Willow, the designated capital site of Alaska
 7 is becoming the thoroughfare for dirt moving, rather than
 8 the capital. I just think that's a sin.
 9 I think they ought to consider that. It's
 10 still on the books. I know that there's all this other
 11 discussion in our papers anyway, but it is the only site
 12 that is designated as the capital site. And I would like
 13 to see that remain and given that same consideration when
 14 they're doing this railroad.
 15 MR. PALMATIER: Dick Palmatier. I believe that
 16 anywhere this railroad, particularly through Willow here,
 17 that there should be trails alongside for the use of
 18 snowmachines, four wheelers, whatever, dog mushers.
 19 At present the railroad has no specialty signs
 20 along the railroad. If a new railroad is built that will
 21 be more of Alaska's lost use to the public. And I also
 22 think that the existing railroad now should have trails
 23 for the many motorized vehicles and for pedestrians, dog
 24 mushers running alongside of it. And they should put
 25 that in if they want to keep people off the tracks

1 through my dog lot, or in other words, my private
 2 property.
 3 It would destroy our dog kennel, which we built
 4 for the last two or three years, and it would destroy our
 5 plans to maybe build a tourist business.
 6 It would be very much appreciated if you could
 7 move the railroad line about 700 feet south, also across
 8 private property, but undeveloped.
 9 MS. BARCOME: My name is Lynda Barcome,
 10 B-A-R-C-O-M-E. And my biggest concern is trails. That's
 11 why I moved to this community was for trails. And I'm
 12 very concerned about what I see that they're proposing
 13 because I don't believe they have taken into account all
 14 the trails that exist out in this area. And I do not
 15 agree that underground trails crossings is the way to go.
 16 They're all going to flood. There's too much water
 17 around here to think that an underground crossing is
 18 going to be acceptable to either snowmachines, dog teams
 19 or any kind of recreational use. I think it's just going
 20 to make everything impassable.
 21 If they're going to do it, I mean, they've got
 22 to come up with some way that we can go up and over and
 23 above ground safely over those tracks. I just don't see
 24 how they are going to be able to take care of all the
 25 trails that are already in inclusive. And I don't want

1 because the only way to get to certain parts of the
 2 country is to go across the tracks, or go down the tracks
 3 to a particular place you want to be at.
 4 But I'm mainly interested in this new building
 5 of the railroad that will have a place for pedestrians,
 6 snowmachines, four wheelers, and dog mushers to cross
 7 frequently, and to run alongside the tracks so that
 8 amount of Alaska -- and it's a big amount -- with a
 9 proposed railroad going out of Willow. It's a big amount
 10 that would be lost to the use of the Alaskan public.
 11 MR. STANCULESCU: Vic Stanculescu. And
 12 following the presentation another concern came to me.
 13 And I see that the plan addresses certain trails,
 14 including the historic Iditarod Trail. The functional
 15 Iditarod Trail for the past 7 out of 10 years for the
 16 Iditarod Race restart has left from the Willow Community
 17 Center. And it departs to the west and the rail corridor
 18 does not address the fact that the Iditarod Race Trail
 19 will be blocked if special considerations aren't made for
 20 crossing at that location.
 21 I have concerns about this because the Iditarod
 22 is -- dog mushing is the Alaska State sport. The
 23 Iditarod is an important -- well, it's more than
 24 economic -- it's an important aspect to this community.
 25 And I have concerns that the Iditarod Race Trail, the one

1 that has been used for the majority of years is not being
 2 taken into consideration in the new plan. Thank you.
 3 (Proceedings concluded at 8:15 p.m.)
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REPORTER'S CERTIFICATE

1 I, ROSIE S. SCOTT, CSR, hereby certify:
 2 That I am a Certified Shorthand Reporter
 3 for Southcentral Court Reporting and Notary Public for
 4 the State of Alaska; that the foregoing proceedings were
 5 taken by me in computerized machine shorthand and
 6 thereafter transcribed by me; that the public comments
 7 constitutes a full, true and correct record of said
 8 proceedings taken on the date and time indicated therein.
 9

10 Further, that I am a disinterested person to
 11 said action.

12 IN WITNESS WHEREOF, I have hereunto
 13 subscribed my hand and affixed my official seal this
 14 ____ day of _____, 2007.
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19 _____
 ROSIE S. SCOTT
 Certified Shorthand Reporter
 My Commission Expires
 8/16/08
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PORT MACKENZIE RAIL EXTENSION PROJECT
PUBLIC COMMENTS

October 4, 2007
Commencing at 6:00 p.m.

Taken at
Knik Elementary School
Wasilla, Alaska

Reported by:
Britney Chonka, CSR

Page 2

1 PUBLIC COMMENTS
 2 MS. GOJMARAC: My name is Mary Gojmarac,
 3 G-O-J-M-A-R-A-C. And my question is what can be
 4 done to eliminate or drastically reduce critter or
 5 animal kills? One example would be to really widen,
 6 and I mean really widen the level gravel areas
 7 adjacent to both sides of the railroad tracks. This
 8 can allow critters the chance to move off of the
 9 railroad tracks and still be on solid footing and
 10 not forced to jump into deep snow drifts. Anything
 11 that will help the moose.
 12 B&B FARMS: What's interesting is that this
 13 proposed route cuts through our farm from one end to
 14 the other -- B&B Farms, Baskin. B-A-S-K-I-N.
 15 I feel, how do I say it, fairly happy in the
 16 fact that three years ago up in Houston when I put
 17 my comments in about them going through our barn, at
 18 least that route is not happening. So I think maybe
 19 somebody actually read what I wrote. Makes me think
 20 that.
 21 MS. GOJMARAC: Mary Gojmarac. Okay. I have a
 22 concern with the Mac West corridor. It goes between
 23 Point Mackenzie Agriculture area, which has farms on
 24 one side and the Susitna Flats State Game Refuge,
 25 which is on the other.

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1 route which runs west of the agricultural land and
 2 east of the game refuge, the one in yellow.
 3 Okay. First concern is that it runs the entire
 4 length of our farm from north to south. In doing
 5 this route, it runs right through an established
 6 irrigation system, which is a quarter-mile center
 7 pivot, so it cannot be moved.
 8 These are established hayfields and they're very
 9 productive hayfields.
 10 Let's see. This north/south run would separate
 11 our home from the business of the farm operation.
 12 B&B Farms -- they're talking about economics of
 13 the Valley and economics of -- we had talked about
 14 cost of this railroad and development. And B&B
 15 Farms has actually contributed millions of dollars
 16 into the economics of the Borough and the State over
 17 the last 25 years, millions of dollars.
 18 If we had a choice of routes, I'm sure our
 19 preference would be the one that would run down Port
 20 Mackenzie Road, even though we have a farm on that
 21 route, too. And it would be impacted, but
 22 noticeably less of an impact than on the proposed
 23 route to the west, which runs right through the
 24 farm.
 25 And I just want to say that B&B Farms is one of

Page 3

1 Is this area, the refuge, involved in the flight
 2 paths of migratory birds? Also farming can involve
 3 no-till farming, which involves leaving residue in
 4 the fields for migratory critters. This no-till
 5 farming can also result in helping to replace the
 6 loss of topsoil and erosion.
 7 Okay.
 8 MR. RUEBLING: Ed Ruebling, R-U-E-B-L-I-N-G. We
 9 have a place on Red Shirt Lake. And we're concerned
 10 about the noise around Red Shirt Lake. And it's
 11 currently no road access.
 12 And I guess the other concern is maybe
 13 additional four-wheeler traffic coming down the
 14 right-of-way into the lake area, possible vandalism
 15 and stuff. I just prefer that it be kept, you know,
 16 remote and isolated, the way it is right now. So I
 17 guess we're worried about the noise at night from
 18 train traffic. And that's about all I can think of
 19 right now.
 20 Okay.
 21 MS. BASKIN: Lynne D. Baskin, B-A-S-K-I-N,
 22 representing B&B Farms, owner is Merlene Baskin, my
 23 mother-in-law, and her son, Lance Baskin, I'm
 24 married to. He's my husband.
 25 And this concern the proposed -- one proposed

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1 the original farms out there. We cleared the lands
 2 in 1982 and we have been out there working that for
 3 25 years. So, "right to farm." How's that?
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REPORTER'S CERTIFICATE

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I, Britney E. Chonka, Court Reporter, hereby
certify:

That I am a Court Reporter for Southcentral Court
Reporters and Notary Public in and for the State of
Alaska at large. I certify Hereby that the forgoing
transcript is a true and correct transcript of said
proceedings taken before me at the time and place stated
in the caption therein.

I further certify that I am not of counsel to
either of the parties hereto or otherwise interested in
said cause.

In witness whereof, I hereunto set my hand and
affix my official seal this 15th day of October, 2007.

BRITNEY E. CHONKA, REPORTER
Notary Public - State of Alaska

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PORT MACKENZIE RAIL EXTENSION PROJECT
PUBLIC COMMENTS

October 5, 2007
Commencing at 6:00 p.m.

Taken at

Houston Middle School
Houston, AK

Reported by:
Rosie S. Scott, CSR

PUBLIC COMMENTS

1 MR. ROBINSON: David Robinson. Me and my wife
 2 Corinne own the property bordering the McCain Farm
 3 Willow. And I can appreciate the route, but if you're
 4 going to have to make somebody -- you know, if you're
 5 going to put it in, please credence to dividing the
 6 burden rather than shove it all off on one person, maybe
 7 try to come down the line where it impacts us both a
 8 minimal amount, rather than one person the whole amount.
 9 And be fair with the amount that you pay for.

10 This property means a lot to us. It's our
 11 retirement. I've lived here my whole life. My folks
 12 homesteaded up here in 1948. And my aunt, her ashes are
 13 spread on this property. And we plan to when we retire
 14 to move on this property and have your farm. And we've
 15 expanded quit a bit of money out of our pocket to
 16 clearing and planting, and keeping it clean.

17 MEA strong armed us on it. And my wife while I
 18 was out of town in order to gain access to bring power
 19 across there and didn't live up to what they promised.
 20 And I would like to have some sort of -- I'd like to be
 21 treated fairly if we decide to go through this and be
 22 kept in the loop of what the plans are if I'm going to be
 23 impacted by it.

24 I think that's only fair. And I do appreciate

1 resorts, rafting companies, fishing guides, and then
 2 again, of course, it's got across the Parks Highway this
 3 Corridor 3 and then connect with the railroad. And to me
 4 to have this even considered is a travesty as a route it
 5 will bisect and dissect the community of Willow so that
 6 it will eventually turn out like Wasilla, which is just
 7 an unplanned -- the real feeling of Willow to me is it's
 8 a rural recreational wilderness community that values
 9 small family owned businesses.

10 I just attended the Alaska Travel Industry
 11 Association convention in Juneau this week. Of course,
 12 they have thousands of members. 58 percent of the
 13 tourists businesses in ATI, Alaska Travel Industry have
 14 five employees or less. That's the definition of Willow;
 15 our bed and breakfast, or fishing, our guiding, our
 16 rafting. And this rail corridor will mess that up. And
 17 of course the trails, the mushing, the Iditarod re-start,
 18 of course, has made all -- the last 8 of the 10 Iditarod
 19 Races have been here in Willow. And, of course, we'd
 20 like to see that continue. And the whole concept of the
 21 Iditarod Race is wilderness.

22 And to have a commercial rail corridor come
 23 through that section of Willow is just flat wrong. So
 24 I'm opposed to the Corridor 3. I think the railroad can
 25 meet its goals of having a commercial spur that's far

1 growth and progress in my Valley, however I want it done
 2 equitably and fairly. That's all I have to say.

3 My address is 5061 West Hollow Nook Drive,
 4 Wasilla, 99654, 907-373-1112 and then our e-mail address
 5 is KBAB@MTAonline.net.

6 MR. HALTER: I'm Glen Halter. I'm a long-time
 7 Willow resident. I live at Mile 64 and a half of the
 8 Parks Highway. I own and operate a tourist business
 9 there. I've been -- my wife and I have run 26 Iditarod
 10 Races, Yukon Quest Races. We value the community of
 11 Willow. I'm on the Borough Planning Commission. And I
 12 am 100 percent, if not 200 percent opposed to what we
 13 call Corridor 3, which would come up west of Red Shirt
 14 Lake. First of all, you've got to cross Little Su River,
 15 which is a legislative designated river -- park type
 16 river. You would then have to come up through Morain
 17 Ridge, which was a legally designated a residential area
 18 in the Fish Creek Management Plan, and then you would
 19 come west Red Shirt up through the most swamp land along
 20 this route and cross through what I think is disgraceful
 21 of any planner from the borough or the railroad would
 22 plan a commercial rail corridor through Willow straight
 23 state park Willow Creek, which is our pride and joy up
 24 here at Willow.

25 It supports family-owned businesses Willow

1 shorter, connects to the Port as they want without
 2 damaging the environment like would if they came up
 3 through Corridor 3.

4 And to me, not to listen to the community of
 5 Willow -- the original Tryck, Nyman, Hayes' report that
 6 came out and actually said that this Willow corridor was
 7 preferred was a travesty. There was never one meeting
 8 held in Willow. There was never even a notice.

9 The Alaska Railroad wrote a letter to Tryck,
 10 Nyman, Hayes and didn't even bother copying the community
 11 of Willow. And I am just 100 percent opposed to Corridor
 12 3. I think it's going to change the community of Willow
 13 into a -- will change the community of Willow forever.
 14 It's something we can never get back.

15 The renewable resource that is the best
 16 interest for the community of Willow is recreation,
 17 tourism, that's our second leading industry, and that
 18 stacks up against a non renewable resource which is
 19 hauling coal. And I guess it really irks me to death to
 20 have the Alaska Railroad Corporation -- I was just down
 21 in Juneau at the Alaska Travel Industry. They had seven
 22 or eight people down there. Of course, they're all
 23 talking about tourism, how to maintain things in the
 24 green state, how to enhance tourism, and how to keep
 25 things wow, how to keep the atmosphere that visitors and

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1 guests that come to Alaska want to see. And then, of
 2 course, at the same time they're proposing this
 3 commercial rail corridor to haul coal. And I guess that
 4 really bothers me that all of a sudden you can switch
 5 horses in the middle of the stream so quickly.
 6 And so I would hope that somebody in the
 7 railroad comes to their senses and really takes a look at
 8 Corridor 3, and see what it's going to do to this
 9 community.
 10 And I guess it bothers me a lot too, that the
 11 railroad is how they align themselves with Holland,
 12 Princess, Celebrity Cruises, all these big cruises they
 13 never stop in Willow. And all of a sudden they want to
 14 use Willow and destroy the fundamentals that support us
 15 smaller tour operators with this corridor. And that's
 16 exactly what it's going to do. It's going to bisect and
 17 dissect Willow, and it's going to change us forever. And
 18 it's going to affect a renewable resource.
 19 So that's my comments, and I would like to have
 20 a chance to comment further, too.
 21 MR. STRONG: My name is Greg Strong. I live at
 22 3559 South Horseshoe Lake Road. My concern is that the
 23 structure that would support the railroad basically, the
 24 earth and the dam is in the middle of the watershed from
 25 Beaver Lake, Horseshoe Lake and West Horseshoe Lake and

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1 Coal Lake, Pear Lake and Blanket Lake. Those lakes all
 2 flow to the west. They flow from east to west to the
 3 Little Sue for natural drainage.
 4 So the mountains of -- the Talkeetna Mountains
 5 melt and that water flows into Pear Lake and Blanket
 6 Lake. From there they go into Horseshoe Lake, Hourglass
 7 Lake, West Lake, Coal Lake. From there the water runs
 8 out into the Little Su. The earth and dam created by the
 9 railroad for the railroad will, in fact, restrict
 10 virtually entirely the movement of water into the Little
 11 Sue from the Talkeetna Mountains through the lakes that I
 12 just mentioned. And that would cause considerable
 13 flooding to the properties that are to the east of the
 14 earth and dam.
 15 Last year we had between August 1st and
 16 September 1st rain every day. And it caused the water
 17 level at Horseshoe Lake to go up 18.75 inches. That
 18 height was caused in part by merely a beaver dam between
 19 Hourglass Lake and the Little Susina River. And if that
 20 little beaver can cause that kind of consequence, you can
 21 imagine what a structure as long and tall and thick as
 22 the rail line would cause, and the flooding and loss of
 23 the environment that would be the result of that
 24 construction. And that concludes my comment. Thank you.
 25 MR. THISTLE: I'm Richard Thistle. I've lived

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1 in Alaska my whole life. And I use the area west of Big
 2 Lake often for hunting and recreation in the winter. I
 3 think the railroad should stay as far to the west as
 4 possible to minimize impact with existing people and
 5 land, and come into the Willow area where the existing
 6 railroad and the airport already is to minimize impact
 7 for the whole area as a whole. Thank you.
 8 MR. NORTHY: My name is Ben Northy. And I'm a
 9 property in the area. And I would like to voice
 10 opposition to the Houston connector routes, either one of
 11 those. It doesn't seem feasible to me to build it from
 12 an economic standpoint due to the wet ground in the area,
 13 especially the area right near the VOR site. It's an
 14 extremely wet and flooding area year round.
 15 I'm also concerned about what it would do to
 16 the traffic -- heavily used traffic of snowmobiles in the
 17 winter. And it will cause many unsafe conditions.
 18 You're not going to limit the number of riders in that
 19 area from crossing the tracks and it's asking for
 20 trouble.
 21 I think also the railroad has probably learned
 22 from what it's done around the Fort Wainwright area in
 23 Fairbanks that putting a railroad through a populated
 24 area is going to cost a lot of money later to some day
 25 move it, which you're faced with up there now. And it

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1 doesn't rail make any sense at all to put a rail right
 2 through one of the fastest growing areas in the state of
 3 Alaska. So either one of the routes, Big Lake or the
 4 Houston connection doesn't make any sense. The preferred
 5 route to me would be the 2003 recommended route to the
 6 west.
 7 So once again I don't believe it would be smart
 8 to build a railroad through populated areas and cut off
 9 one of the fastest growing, not only population areas,
 10 but winter recreation areas year round. It's the play
 11 ground of Alaska, if you will, and put the rail corridor
 12 through it regardless of the impact on property values
 13 and quiet enjoyment of the same out there. Thanks for
 14 the consideration.
 15 MS. GAMEL: My name is Beth Gamel. One of my
 16 comments is concerning tourism. And I'd like to know how
 17 they would like to use the railroad for tourism? I know
 18 that it's going to be shortest route to Denali. A lot of
 19 tourists would prefer to travel that way other than the
 20 longer route, which they're presently using.
 21 I think that a lot of tourists who have been
 22 here before would like to see that area as an alternative
 23 to things they've seen before. And I think of lot of
 24 Alaskans might like to use it in a recreational way. And
 25 so that's one of my questions.

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1 Also, I'm very concerned about the route that
 2 goes through the wetland, which is south of Nancy Lake
 3 adjacent to the Parks Highway. There's a lot of peat in
 4 there. It's a bog. It's a nesting area for swans,
 5 greater yellow legs and various ducks. And it is the
 6 passage way for salmon to get to their spawning area in
 7 the lake. There's also trout in there.
 8 The water level fluctuates there at different
 9 times during the year. I believe that's due to the
 10 runoff of Hatcher Pass, so when they're studying that
 11 route they might want to go at different times of the
 12 year to see what the bog looks like. It's very wet.
 13 Otherwise, I think it's positive that the railroad will
 14 be going from the Port north.
 15 MR. HALTER: This is Glen Halter again of
 16 Willow, Alaska. I just listened to the presentation here
 17 in Houston, Alaska about the various railroad corridor
 18 routes. And I just wanted to add some more comments.
 19 First of all, the people at Houston, the city
 20 of Houston want the railroad corridor to come in south
 21 I Houston route. And I guess the north Houston route would
 22 be a second choice. The official community of Willow has
 23 written an opposition to Corridor 3.
 24 And it seems to me that the railroad, to meet
 25 all its needs with the Houston corridor. And the cost if

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1 you're going through the wetland is shorter, the cost has
 2 got to be shorter. And, of course, you don't really have
 3 the impact on the community of Willow that no doubt that
 4 the Corridor 3 would have.
 5 Also I wanted to comment too that lately the
 6 Willow Chamber of Commerce -- I'm a member of the Willow
 7 Chamber of Commerce. I have been for several years. The
 8 Willow Chamber of Commerce which is a small group has come
 9 out and said they want Corridor 3. That is just exactly
 10 the opposite of the great majority of the people in the
 11 community of Willow. And I think that should be
 12 minimized because the first time they voted on that there
 13 was never public notice. There was not even a notice
 14 that they were going to take up a railroad corridor.
 15 Three or four people brought it up and did it in a bar
 16 setting without notice to anybody.
 17 And I'm a member of that organization, and I
 18 didn't receive notice. And I just think it's very
 19 discouraging when weight is given to a Chamber of
 20 Commerce when it's not really the real feelings of the
 21 community, and not the feelings of the business
 22 community.
 23 The business community, the true business
 24 community of Willow would be Willow Resort, Pioneer
 25 Lodge, the rafting, the guiding organizations, the people

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1 like me that run the family-owned businesses, the
 2 tourism -- the backbone of tourism alone. We are opposed
 3 to Corridor 3 because of the impact it's going to have.
 4 And I hope people recognize that. And to have the Willow
 5 Chamber Commerce on the radio and interviewing on TV when
 6 it doesn't have community support I think is a travesty.
 7 I wanted to also say something about
 8 mitigation. I was a public defender attorney for many,
 9 many years. When the prosecutor came up to me and told
 10 me, hey, you guys plead guilty and I'll talk to the judge
 11 about mitigation, you knew you were doomed.
 12 And that's exactly what's going on here. The
 13 railroad throws out these words, "Don't worry Willow,
 14 we'll mitigate this." Well that's a trap.
 15 The impact that this railroad corridor would
 16 have on the community of Willow would be devastating.
 17 You're bisecting this community so you've got two
 18 railroads coming together at basically Mile 73, you're
 19 going through our state park, you're crossing our salmon
 20 streams and things like that. So you cannot mitigate
 21 that in the long run. And I think that's just kind of a
 22 superficial statement. And so those are my comments. I
 23 hope they're added on. Thank you.
 24 MR. GAMEL: My name is William Gambel. I go by
 25 Bill. That's G-A-M-E-L. Okay. And I would like to

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1 comment that I think that the Willow junction or the
 2 Willow trail looks the best for the railroad. But I
 3 question the ability to cross -- have right-of-ways
 4 crossing this area for future expansion.
 5 20 years, 30 years from now we will probably be
 6 expanding and have to expand with that area as the
 7 environmental problems of the world seem to be growing,
 8 we will have water, we will have cheap electricity and we
 9 will have oil. And we will be the closest state to the
 10 Orient for world trade. Anchorage and the Valley could
 11 be a huge metropolitan area.
 12 The railroad and their present attitude about
 13 access and crossing their property is going to be done on
 14 their terms, where they want it. And they it should be
 15 well defined in advance where we have crossings. And we
 16 should have lots of crossings across that area that would
 17 be guaranteed to us at a later date.
 18 I'm dealing with the railroad right now. And
 19 they are very possessive. Rightly so, if I was in their
 20 shoes I would be an SOB also. But if we were a citizen
 21 and were a city or community that needs to be developed
 22 in the future, we need to have some really firm
 23 understandings about our access across those areas.
 24 MR. SWAN: My name is Glen Swan. I'm on the
 25 board of Alaska State Association. And we are in the

1 process right now of making a trail that connects Big
 2 Lake to the Petersville riding area. And we're concerned
 3 that this railroad proposal might block access to the
 4 north if it's not incorporated in the plan to give us
 5 proper crossing. That's about it.
 6 As far as my personal comment would be that I
 7 would prefer the MacKenzie west connecting to Conn 1 and
 8 going out to Willow. To me that would make more sense
 9 because it stays on the high dry ground mostly. That's
 10 it. If we had a vote, that's my vote. That's not the
 11 Association's feeling though, that's mine.
 12 MS. OLSON: My name is Dana Olson, O-L-S-O-N.
 13 I live in Knik, Alaska. And I'm here opposing this
 14 process on guides of several grounds. One, an EIS is not
 15 normally required when there's a supreme court decision.
 16 And I claim that there is a supreme court decision.
 17 Alaska Survival versus DNR is a supreme court opinion
 18 that was codified in law in 1987 by Senate bill 196.1987,
 19 which is the environmental impact standard review
 20 ability.
 21 The second grounds for contention is that
 22 former DOT Commissioner Perkins had privileged
 23 information concerning my historical right-of-way when he
 24 worked for the Department of Transportation. And he is
 25 now attempting to reinvent the wheel, so to speak, by

1 recording district. And I got this information out of
 2 the BLM's office here in Anchorage.
 3 The recordings there are during the time frame
 4 that the legislature codified the EIS standard which
 5 includes subsistence. And I am at odds with these
 6 subsistence standards because I've had two children
 7 killed at different times under the jurisdiction of the
 8 Matanuska-Susitna Borough, where the courts have gone in
 9 and interpreted what the legal standard is. And in 1986
 10 the federal judge and the Alaska Supreme Court determined
 11 that the issue was outside of the zone of the roadway
 12 itself.
 13 So I feel compelled not to want to impair
 14 anything, but I also feel necessary to bring this to your
 15 attention, that unless you can provide some reasoning why
 16 a partnership should override legislative law I would ask
 17 that it cease and the normal process begin.
 18 The Alaska Railroad was allowed to leave its
 19 jet fuel spill potentially interfering with my aquifer
 20 and the chase area. And this contradicts with the EIS
 21 standard that was codified by the Alaska Legislature in
 22 1987.
 23 I also raise the issue that the borough is not
 24 a first class borough. And that its partnership is
 25 fraudulently conveyed as being -- as having greater

1 creating a process potentially reinterpreting what his
 2 position was when he was within DOT.
 3 I claim that this is conflict of interest. I
 4 have a portion water rights granted by BMR and they are
 5 for horses, five of them, and another livestock. And
 6 these apportions of water rights ran to other legislative
 7 grants that I got at the time that they were issued
 8 including the Chase III Agriculture Homestead Lottery.
 9 The Amber Lake North subdivision area which is a
 10 contested land issue there. And they tie back to my Knik
 11 area, my Knik property. And that this constitutes a
 12 region and not simply an issue of routes going through
 13 the Mat-Su Borough, that these are protected under the
 14 1866 Mining Act Amendment, and that the borough
 15 officials, the state officials are all aware because of
 16 the correspondence, the documentation, the meetings that
 17 have been ongoing for quite a few years.
 18 And this process is attempting to use a
 19 division of the state to interpret law while under
 20 federal delegation is an unlawful profess.
 21 I also have a pending lawsuit against Alaska
 22 Railroad for fraud and misrepresentation. One of the
 23 things that is recorded on my land title in Knik is a
 24 reservation for a federal railroad. And in that federal
 25 railroad reservation it's recorded in the Talkeetna

1 capacity than it has because a federal judge in 97-219CV,
 2 ruled that the borough was a division of the state. So
 3 if the borough is a division of the state, it cannot
 4 simply reinvent a federal legal process in order to
 5 overturn issues that were prior decided and how they
 6 would be resolved.
 7 That's a violation of the full faith and credit
 8 clause and Article 3, Section 2. Full case and
 9 controversy, the borough is trying to piecemeal and take
 10 away from the controversy and attempt to partner with
 11 other people for the purposes of apparently an economic
 12 goal.
 13 The public process that was embodied was not to
 14 comment on particular routes, but it was to recognize the
 15 uses in the process of vesting and the uses that had
 16 vested under state law. To simply deny this continuance
 17 if a rationalization for government to rationalize the
 18 right to own property which is prohibited by the
 19 Fourteenth Amendment. And there is no capacity for
 20 partnerships to rationalize through partnerships -- to
 21 violate the substantial notice requirement that is
 22 embodied in Moore versus State, incorporated in Alaska
 23 Survival versus DNR1986. And codified law Senate Bill
 24 196.1987.
 25 The requirement that I come and tell you

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1 without being paid for my time as a consultant or someone
 2 who is giving information is that once something is of
 3 continuance and it's vested the right becomes the state
 4 or the borough or whoever to come to me and not me to
 5 come to them.
 6 The public process of not being able to answer
 7 questions is a violation of the first Amendment, right of
 8 debate, by asking the simple question of what authority
 9 they were operating under and debating that would have
 10 been productive because now people have the belief that
 11 this process is lawful process.
 12 One of the questions that I wanted to answer
 13 was what was the readdress ability if I didn't agree with
 14 the assessments, agreements or whatnot in state law
 15 because we don't normally sue federal officials in the
 16 state, nor do we sue state officials in federal law.
 17 So obviously the readdress ability of not
 18 agreeing to some of these historic claims cannot be
 19 obscured. It must be well defined in order for the
 20 process to continue.
 21 The reason I really solely object to the
 22 borough attempting to be the sponsor of this or
 23 participant is that the borough doesn't address
 24 low-income housing, evacuation due to spill or fire or
 25 whatnot. There is no state law specifically authorizing

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1 the right to sue the borough for any of these things. In
 2 fact, for fire, for example, the duty falls upon the
 3 state. And so in an EIS, having the borough acting as
 4 the liaison is unlawful.
 5 While I was in Montana this summer there was
 6 the Sealy Lake fire where Alaska firefighters came down
 7 to fight this horrific fire interspersed with beautiful
 8 houses along this lake front. The newspaper in Great
 9 Falls, Montana articulated the comments concerning how
 10 the fire was being fought. And they said in Montana that
 11 the local firefighters were considered more important
 12 than the range land firefighters because of their
 13 experience in fighting house fires.
 14 This is directly contradictory to the Miller's
 15 Reach fire lawsuit, which I have opted out of. And my
 16 home was damaged by water in the -- how the evacuation
 17 took place. So I'm very, shall I say, insistent that I
 18 know what the process is for evacuation.
 19 Back in 1996 the state even refused to let me
 20 stay at a state campground even though I was evacuated
 21 and had no place to go. There's no housing, rental
 22 housing units, there's no shelter. There's nothing. So
 23 the borough can't control what is carried on the
 24 railroad. And to have them be the facilitator of this is
 25 crazy. A person has the right to know what the potential

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1 impact to them are.
 2 Moore versus State says notice is not
 3 regulatory. They have a right to make informed decisions
 4 and have a political process of how they will be impaired
 5 and where they will go and who will pay for it. As far
 6 as I understand right now, the issue of who would be
 7 responsible has not even been decided. It is not
 8 clarified by state law for any railroad spills,
 9 catastrophes, train derailment, or even taking hazardous
 10 material down to the Port for processing.
 11 In the early '90s an iron ore plant proposed to
 12 go down to point MacKenzie. It's called Medricks. They
 13 wanted to ship all the way from South America and take it
 14 to point MacKenzie for processing and leaving the
 15 tailings in our state. There was opposition to this
 16 project.
 17 And there was a newspaper about my tree farm.
 18 The associated press did a story that a child in the
 19 Mat-Su School district read -- wrote a winning essay on
 20 my apple tree farm and briefed it at the assembly meeting
 21 of which the Medricks people were invited.
 22 I have a long history of opposing things mainly
 23 because they impact my agriculture use and my traditional
 24 way of living. I am adamant that regulatory law does not
 25 consider agriculture, and that this process to

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1 potentially impact me is opposed.
 2 I can't imagine anyone who's lost two children
 3 to the Mat-Su Borough would want to have this sort of
 4 thing ongoing without a clear expectation of what would
 5 be expected.
 6 I am insisting that before any of those routes
 7 are even considered that if I have to walk 8 miles to go
 8 vote in Knik, Alaska in the borough election addressing a
 9 public referendum that didn't even go before the Attorney
 10 General which potentially is affecting me water rights,
 11 which are state rights and not the borough. I would have
 12 to say that I need -- I would to have to raise the issue
 13 unless there are a facilities where people can go in
 14 their own community that this route should be denied.
 15 Thank you.
 16 MR. DILLEY: My name is Rick Dilley,
 17 D-I-L-L-E-Y. And my comment is I like the Houston south
 18 the best. I feel that one would work the best for our
 19 town of Houston anyway. And I would also like them to
 20 put in a trestle that we could dump coal cars on because
 21 I'm the coal man for Valley and Anchorage. And right now
 22 the cost of transpiration is prohibitive for a lot of
 23 customers.
 24 So if we would have coal siting to dump the
 25 railroad cars it would save a whole lot of people a whole

1 lot of money. I can foresee people saving at least 40
 2 percent on their heating bills. And nowadays with fuel we
 3 need to do that. And basically that's my comment, make
 4 me a trestle and I will save them some money.
 5 (Proceedings concluded at 8:00 p.m.)
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1 **REPORTER'S CERTIFICATE**
 2 I, ROSIE S. SCOTT, CSR, hereby certify:
 3 That I am a Certified Shorthand Reporter
 4 for Southcentral Court Reporting and Notary Public for
 5 the State of Alaska; that the foregoing proceedings were
 6 taken by me in computerized machine shorthand and
 7 thereafter transcribed by me; that the public comments
 8 constitutes a full, true and correct record of said
 9 proceedings taken on the date and time indicated therein.
 10 Further, that I am a disinterested person to
 11 said action.
 12 IN WITNESS WHEREOF, I have hereunto
 13 subscribed my hand and affixed my official seal this
 14 ____ day of _____, 2007.
 15
 16
 17
 18
 19 _____
 20 ROSIE S. SCOTT
 21 Certified Shorthand Reporter
 22 My Commission Expires
 23 8/16/08
 24
 25

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MATANUSKA-SUSITNA BOROUGH

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Port MacKenzie Rail project

Public Comments from Nov. 20, 2007 Assembly meeting
Transcribed by Kathy Rocci, Mat-Su Borough

1. Linda Oxley – I am Chair of WACO and I am speaking to the rail spur. It has come to my attention that some of you may erroneously believe that Willow does want the rail spur to come through Willow. We do not. I thought I would share a few more words on that. We believe that this is not just a Mat-Su issue but a regional issue. Ms. Woods was saying that people need a place to recreate; we already have a place to recreate. I was just wondering if you all might think through if you yourselves have not come to Willow to play, fish, hunt, canoe or ski, snowmobile or any of the other hundreds of outdoor activities that Alaska allows. As Mr. Kluberton stated, 60% of the state's population lives close to us within a day's drive and we think it is really important to protect that. We do strongly believe in the economic development of this Borough. There is no question that the Borough can't survive with 80% of its cash coming from outside the Borough, as many of us compute to get most of our money. On the other hand, the same value of recreation coming to a place of peace and quiet and helps from the stress of life must be entertained and supported; and we do believe that those two elements can be side by side. I want to point out that Willow is going to bear a burden no matter what. Where ever the rail line joins the main line, we will get extra traffic, that is a given. I would also like to say that the Houston North route actually ends in Willow at about mile 63.7 on the Parks, which is two miles into the Willow area. A couple of dedicated community members have put together a packet of materials, some of which was previously submitted to Ms. Sullivan and Ms. Wheeler, and there is an addendum. The second page lists all the groups that have provided documents in opposition to Willow being the site for the rail spur. (She lists all the groups) The City of Houston has not come to an official position, but in private conversations with some of their leadership groups, they would like to have it there as long as the siding comes there with it. They will be getting with you folks later. In the attachment, we have documents from the Alaska Travel Industries, etc. (she lists them). **Mayor Menard** asked if there were any groups in Willow in support of the rail spur. Linda answered, "Yes, the Chamber of Commerce and Willow Wildlife and Historical Foundation support the Willow route. **Cindy Bettine** asked about comments from the Nancy Lake Association? Linda answered she had not heard officially from the Nancy Lake home owners so could not answer for them. **Michelle Church** asked if different user groups would be supportive if the right-of-way along the rail would be available for motorized on one side and Non-motorized on the other side for sled dogs, skiing, snowmobiles, etc. Linda answered that if the rail came through Willow we would work with whatever groups to come up with the best solutions. At this time, the corridor cuts through our big swamp, which is the circle loop to major connective trail systems,

and they also connect through Big Lake north and further north and through the whole region. There seems to be serious flaws in the way the engineers would have to design such a creature, like a high speed freight train, that would interrupt the water streams, and the way the animals come and cross over; so we are not only concerned about the trails, but the rest of the story in our community. We can't foresee any possible mitigation which is technologically available, or that would be so cost prohibitive, as you saw in the matrix. The only thing I can tell for sure is the dollar bill; and Willow would cost between a fifty and a hundred million dollars more to build than any of the other routes. Linda was asked which route would be preferred and she answered the south route would be preferred over the north route although the homeowners were surprised to see that their road was the exit road coming off the swamp, but as a community, it would harm us less to have it come in willow south versus willow north.

2. Ed McCain – live in Willow. Would like to address the rail road and I am the farmer that three or four years ago you moved the railroad off my property and I appreciate that. In looking at this there is nothing in this railroad for Willow and anywhere that the railroad goes, it is dividing the area in half in the state right now. There is real access problems across the tracks. One of the things you people want to keep in mind when you are looking at this railroad is, What are you going to do with the section line easement every mile across these tracks? It has been near impossible to get a section line easement vacated without providing equal or better access as your criteria. What do you intend to do about 20, 30, 40 miles of section easement across these railroads? I would like to see that the railroad is going to be the big money maker that it is. The railroad ought to be required to build access roads on both sides and put in their grade separations crossings at ½ million a pop, so the private developer or road service area doesn't have to pay for these services.
3. Greg Strong – I'm here to speak about the railroad. Last night there was a meeting put on by Dr. Haeussler of the USGS. He indicated that the south Houston route was on a fault line called the Castle Mountain fault. That fault is expected to fail in the next 40-50 years at a 7.2 magnitude. I looked at the matrix and the matrix looks at stream issues and soil issues but it doesn't look at subsurface estate and along that route is considered fragile. The issue that I have is that the Assembly is very competent and has dealt with issues such as the prison, methane gas, etc. and there is really no public participation as you had with the prison and other issues. I have a rhetorical question, "Why, if you have been so effective in dealing with these issues in the past, are we now allowing people in Washington DC, six thousand miles away, who are nameless and faceless, to all of us, decide incredibly important issues for this Borough. I think that the public somewhere along the line is expecting to come before you as they have in the past to make their feelings known; and let you wrestle with them and come up with a recommendation to the STB that allows the board to realize that you as the local elected officials are not allowing this to become a Forrest Gump situation. (we don't want this to be a box of chocolates where we never know what we are going to get). We would like to have you folks look at and address this comprehensively and make some recommendations, that all of us might not be happy with, but at least we know there's been community input and participation.

-end-



MATANUSKA-SUSITNA BOROUGH

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Port MacKenzie Rail project

Public Comments from Tuesday, Dec 11, 2007 Assembly meeting
 Transcribed by Kathy Rocci, Mat-Su Borough

1. Greg Strong - Wisdom of bringing a route (south Houston route) that is on an active earthquake fault. Might be acceptable for the Railroad to live within a mile of the fault with a \$330 million improvement, but I suspect the guarantor and issuer of that \$330 million bond won't be comfortable with it.
 Houston North route as it bisects the watershed of key residential and recreational lakes and bisects Castle Mt. fault. On related transportation issue, the Parks Hwy (bet Big Lake and Wasilla) is considered to be the most dangerous highway in the State of AK. What we are looking at is possibly bringing additional traffic down that hwy corridor to go to the port and will add more congestion to an already documented dangerous stretch of roadway. The only way to avoid this is with a transportation corridor from Willow to Pt. MacKenzie. This would include a two-lane blacktop roadway along side the rail line. The corridor would open for the Borough tens of thousands of acres of Borough and State lands for development and enrich the Borough's real property tax base for the next 100 years. The other corridors will do the opposite. As a rail line, in and of its self, it will limit development and growth because of the high cost of railroad crossings. The road next to the other corridors is not likely because it will not expedite truck traffic to the port. Please select Willow route with a recommended road way along rail.
2. Kevin Berg – Like the idea of port and expansion of rail road. Alaska Railroad Corp letter in 2002 from Bruce Carr supporting corridor 3, Willow route because of geography and geology and had added benefit of connecting Knik Arm crossing as a transportation clink to Anchorage and Fairbanks. I support it because of wide corridor and preserving space for railroad with sidings, utilities, bike paths, 4 land hwy. It is thinking into the future
3. Ted Berry– Encourage us to have great vision for design of rail so there will be sighting locations that would have potential for development of properties private and Borough owned, and future highway that would align with rail. Supports Willow mac west.
4. John Himmelright - Support Willow route. Building a retirement home on West Lake and proposed Houston South route would go right thru our driveway and we would lose access and we would have to build a road to get to our house, and noise factor since it is a 1000 ft. from lake.
5. Patrick Sherrock– has recreation property. Appreciative of public forum to speak. Not here to promote one route over another but there only appear to be 3 options under review. Matrix shows 8 routes which are determined by 4 linkage routes (Mac East, Mac

West, Houston North and Houston South), combined, these linkage routes cover more distance than the Willow route, and that distance does not include the more than 10 miles for the leg shown on the map as Con 1, Con 2 and Con 3. If there is an analysis of routes then the linkage routes, including the Con routes, should be reviewed and evaluated on their own merit and shown separately on the Matrix sheet. That would leave the 3 primary routes to be evaluated and also shown separately and that is not the case now. However on the current hand out Matrix sheet there is no definition for a plus, minus or zero for each criteria. The Matrix should be clear, meaningful and reflect as much detail that can be easily understood. Suspect we all agree rail way is a monumental project for Alaska and the valley and it a new rail line that can encourage development of the West, promote construction of the Knik Arm Bridge and promote development in the valley. In the short view, don't want to discourage current public expansion, and in the long view recognizes westerly movement across the Susitna River. There are 5 issues that should be included in our resolution. 1. Any rail line should have the least impact on resident and recreational users of the area and not deter development, 2. The rail line shall not degrade or stifle natural surface or subsurface distribution of water that sustains lakes, ponds and streams and wildlife breeding habitat, 3. Public safety be a primary concern to dangerous or illegal railroad crossings, 4. The STB consider the issues raised in June of 2003 MSB Rail Corridor Study, and 5. the STB maintain its own website for the project to assure accuracy, completeness and timeliness of information, and notices contained therein, and also show there is not an appearance of conflicts of interest. Last item he feels very frustrated on because of inconsistency and accuracy on website. Wants to make sure all the issues raised in the June, 2003 MSB Rail Corridor study are included and sent to STB

6. Keith Dobson – My concerns come down to two points: I have concerns over the use of the evaluation of the Matrix at all because at the end of the Matrix, it is all tabulated where it is +6, -2, a +1. It would lead possibly the STB to review the plus and minuses and taint their perception of which route is superior to another route. If you are not going to actually add a weighting criteria to these pluses and minuses, I wouldn't even tabulate that, I wouldn't total it up, in fact, I might even not suggest that you put a plus or minus there. I would simply put strengths and weaknesses or concerns. If you are not going to wait it, I wouldn't bother totaling it and tabulating it and then persuading one route over the other; and the other one, if you insist on weighting it or not weighting it, but insist on having an evaluation of the criteria of the Matrix, then I would suggest that the Matrix be expanded to include items such as a future road construction along the path way; but most importantly I would think that the one item that is missing is the alignment with a valley economic development plan. I haven't seen it; we've talked about individual plans, but I haven't seen a plan for the valley. And how will any of these routes impact that economic plan. Why go forward with a recommendation if we haven't determined the impact to the valley's economic plan; if there is no plan, then let's make a plan prior to making a selection.
7. Tina Dobson – I believe on the website, at one point, it stated that public comments were going to be listed on the website and I don't think they've been added and I think a lot of people would like to see what's been said at the meetings. I also wanted to know will all the routes considered have an EIS study or one route? I know it's very expensive to do studies on all the routes, is there going to be one proposed route that gets the study because all the routes that have been proposed, the EIS study that has been done on all them would determine whether that route is viable or not. I also read the 2003 study and it pointed out that private property owners will be more affected than the occasional recreational users; and as Greg Strong mentioned, the huge impact of additional truck

traffic from the Houston route or the Big Lake route on the highway, making the Willow route more acceptable. My question is, where are these products being transported from? They are coming from the interior past Willow; does it make sense to put the route as close to those locations as possible? Last, I want to bring up the letter that Kevin Berg brought up from Bruce Carr, that he's already stated that the Willow route was their choice, so I'm confused about why this whole process is being rehashed and why that route isn't just getting the EIS statement and consideration to the STB.

8. Cathi Kramer – I live on Horseshoe Lake and I am the Horseshoe Lake Fire wise coordinator. We have the only fire wise community in the whole Mat-Su Borough and are the first in the State of Alaska. Our community of Horseshoe Lake, the Beaver Lakes area and North shore and Big Lakes were devastated in the 2006 Miller's Reach fire. My family lost their home, as did many of my neighbors. We made the difficult decision to rebuild our home in that area and that looked like a battle zone. It's hard to go back and tell the kids we are going to rebuild here, but we did. We enjoy the quiet, we enjoy the trail access and quality of life that the community has put back together in that area. Areas around us have been less fortunate. They have not been resilient like the Horseshoe Lake area, and that is something I have been trying to work with the fire wise. The Houston route would destroy many of the things that brought us back to this area. After so many years of rebuilding and bringing back our property values, the choice of the railroad route would take away much of what we've worked for. I urge you to look at the maps of where the Miller's Reach fire burnt. The Houston route and the Big Lakes routes entail much of those areas. Those people have already been hit and they are struggling to get back on their feet. The scientific consideration such as the Castle Mt. fault and the water flow concerns should be enough on their own to rule out these routes as options. I urge you to reconsider the Willow route as the best option for this rail line.
9. Bill O'Hara – I am president of the Big Lakes Community Council. The council has always supported the rail line and the port and we always supported the Willow route; and we think that the reasons that have already been stated here and there is no reason to rehash here, but I think that the impact on the future of opening that western route is going to be tremendous to the valley; and when we send a letter to the STB with our recommendations and our support and our concerns, so we will continue to monitor it and do what we have to do.
10. Ed McCain - I see nothing in this rail road spur thru Willow, for Willow, except it divides the area in half. In my experience with the rail road over the last 30 years is that they have not been a good neighbor. They are God and you do things their way or else. Could something put this rail road spur out of business? Are we going to put the Seward coal loading facility out of business? Let's remember what happened with the big studies they did at the Delta barley project some 25 years ago. They always say this is going to be a great thing but then the state found out they couldn't control the world barley price so it was all a bust for nothing. What could put this project out of business? There was an article in the paper 8 to 10 months ago about the Hunts were going to try a conveyor belt at the Tionic Shore River cove ten miles to tide water. Is there going to be any economic competition there? Those people shipping at ten miles compared to us shipping at 220 miles. And I remember what this Borough did 15, 20 years ago with the boat wash at Willow Creek where they spent a lot of money putting in a boat launch and then the other landing in the area decided they didn't want any competition, took the Borough to the cleaners, and the Borough went out there and put some big rocks in front of it so nobody could use it. Could the Hunts decide they want no competition and shut this down? My

other concern is, they said a 200 foot right of way, but I think Mr. Perkins, before the Knik Arm Bridge Toll Authority, said eventually they were going to go for the whole 800 feet, and we need to know what you are talking about. Is it 800 feet or 200 feet, or are you going to eventually go for the 800 feet? And who is going to pay for all these crossings? You know that TNH plan done in 2003, there wasn't any crossings for 16 miles from the Deshka landing road to the South Big Lake Rd., and the rail road is just going to divide these people in half; and the private individuals or the road service areas are going to have to pay for these crossings? And they keep saying "at grade" crossings- my last experience with the rail roads were they weren't going to allow any "at grade" crossings, they were all going to be grade separation @ million and a half a pop. Who is going to pay for this? Or are we just going to divide the area in half?

11. Doug Smole- I support the rail road spur to the port. One of the things I would like you to look at is appendix M to the 2003 study and it is a letter from the strategic planner of the rail road. I had intended to give a longer presentation but most of the things have been covered. Within the letter I have highlighted 9 points where Bruce Carr, strategic planner for the railroad, indicates where the most westerly route is the preferred route in his opinion as of December, 2002. And that is the study that \$300,000 was spent on and I believe it was a study that was very well done for the type of study that it was. I also know we are going to have in depth studies and the environmental impact statement as a result of the \$10 million. So this in one of the things I wanted to say to you, but as the discussion went on today other concerns have been raised; and one of those is that the simplistic plus and minus matrix thing can be very misleading. The comments was made that you want to lead the STB and I believe the simplistic approach can leave them with inaccurate information because it is not waited. Let me give you an example: If all the criteria that you list have been given equal value, then answer for me, how many saved horse power hours equal impacted parcels of property, or why numbers, like parcel properties don't tell the whole picture; not all parcels are the same size or the same value, so how can you use wild numbers to lead the STB? The poor scale of the map that was indicated here concerns me because the public that has been going thru this "show and tell" process didn't really have a precise picture of the routes that related to their immediate areas. So I caution you to be very careful, please, in using this matrix as it now exists, and I ask you to look carefully at the results of that 2003 study. Thank you

12. Jim Huston - I am the Willow Chamber of Commerce President, and I would like it read into the record that I have joint resolutions from the Big Lake Chamber of Commerce and the Willow Chamber of Commerce, for distribution to the right sources that we are backing the Willow West line as the best line for least impact on all of our residents. I would like to read another letter here that we wrote as a chamber of commerce. On behalf of the Willow Chamber of Chambers and the silent majority of the Willow residents, I would like it known that we strongly are in favor of the Willow railroad corridor. The Willow corridor is an opportunity to plan and build for the future. Presently, Willow is right on track to become another Wasilla. Both communities settled around the railroad for convenience sake, only to found out thousands of cars, homes, people later, that though the love affair is not over, it is better to be a little further apart. With the probability of many new freight trains per day running by our homes and across our access roads, we have definite quality of life and safety concerns, the other corridor alignments do nothing to lessen these conflicts. We sincerely hope that the Pt. MacKenzie to Willow railroad route is the start of a responsible development, the teams where the new highway that will lessen the growing pressure on our present transportation system. Recreation trails are important to our locals, so much so that some

Willow-ites have gone so far as to back the Houston rail alignment to steer clear of the recreation trails. The business leaders of Willow, however, have confidence that the underpasses will be built along the best alignment possible, which we feel is the Pt. MacKenzie to Willow route. Willow never became the capital of Alaska, which may or may not be a good thing, but if we had been the capitol, I'm sure that our transportation systems and access roads would have received more attention. We view the possibility of a new rail and new roads through Willow as a favorable addition to our community. Let's plan them and build them.

13. Tony DeLucia -- We're going on assumptions. First of all I'm going to assume that Willow, Meadow Lakes and Houston are going to become good groom communities of Wasilla, there's going to be a tremendous amount of growth in that area. I'm going to assume that we are going to get a Knik Arm crossing. When you look at that, and start looking at this map here, you wonder, "Why do you want to put everything right down the Parks Hwy where all the congestion is?" Eventually, we are going to have to have another road coming through. That road needs to go along the rail corridor, especially the Willow corridor. This gives traffic an opportunity to flow to Fairbanks without going through stop light after stop light after stop light. In conclusion, I don't want to create another Wasilla in our area.
14. Jerry Howard -- passed
15. Larry Jacobson -- Location, location, location. I'm not here to speak about location. As the rail road knows, I've spoken to them before about the environmental concern that I'm concerned about, not the location. Federal regulations and the Alaska railroad rules require the trains to sound their horns when approaching a public crossing and to continue sounding that horn until the crossing is reached. In June of 2005, the FRA (Federal Railroad Admin) began enforcing this new rule for train engineers to sound their horn at least 15-20 seconds before crossing and to continue sounding the horn until crossing is reached. Given significant consequences for not complying, monetary fines and a suspension of train crews, train engineers have no choice but to blow their horn, as required, day or night. That is the environmental issue I look at. The least crossings that you have, the less noise that you have. Trains in motion that go up to a 150 miles an hour, that is the way that the FRA takes the Federal Railway Act, can not exceed 90 decibels. These horns have a 130 decibel rating, and at a 100 feet, exceed the federal standards of 96 decibels. That is the noise at the crossing. There is also stringent rules and regulations when it comes to locomotives, how much sound they can produce, 90 decibels max. Interstate rail roads, the noise control act also required the EPA to establish noise control standards for trains and rail way stations engaged in interstate commerce and is authorized by the FRA to enforce them. The level of noise is limited to 73 dbs, and the stationary operations (idle speed), is limited to 96 dbs at cruising speed. Locomotives built after 1979 are more stringent and limited noise and stationary operations at idle speeds 78 dbs and a cruising speed 90 dbs. Noise from railroad cars may not exceed 88 dbs at speeds of 45 mph or less; and must not surpass 93 dbs at speeds greater than 45 mph. Noise from car coupling activities at any time at railway stations is limited to 92 dbs. It is a lot of figures, a lot of facts and I'm going to give them to the court clerk to disseminate; however, I was an air traffic controller for 36 years with the FAA, and every day it was noise, noise, noise. And that is why I brought up this issue and not the place where the track goes. Thank you for your time.

16. Roger Purcell – with the City of Houston and the Chamber of Commerce. We've held 3 public hearings on these different routes. The Houston Chamber of Commerce resolution supports the south route. The City of Houston has dropped off a resolution this Thursday to also support the south route. We have concerns with the Big Lake route because it's going so close to the high school and junior high crossing both Kenlar and Hawk Lane. It crosses on two different ones. We had a lot of concern and impact on danger to the kids going to school on that route and so we are totally against the Big Lake route. We wanted to make sure the Borough knew that. Our comprehensive plan actually shows that we, ten years ago, put together a plan for an industrial and also the rail route in our plan. That is why it is one of the reasons we looked at the economic development of a train coming through Houston, and the Houston south route is the least amount of impact on any residential areas, including an area that is also an industrial area for our planning to put in place things like a depot and an off and on rail route. We have a truss plan in Houston and its location where we can start loading trusses onto the train and transporting to all the state and enhance our economic growth. I am also here to answer any questions from the council or assembly. QUESTION from Bettine: Are you here representing the City of Houston? ANSWER: And the Chamber of Commerce. CINDY: OK, but the City has not taken a position yet? ANSWER: Thursday, we got the resolution drafted, and will be voting on it on Thursday. We had a work shop last week on it and another work shop. We had 3 public hearings already. CINDY: OK, but you don't know what the resolution says yet. ANSWER: I am pretty sure it is going to pass. CINDY: OK, and what about the Chamber? ANSWER: Chamber voted unanimously to support the Houston south route. CINDY: Do you have a letter? ANSWER: The letter was sent to the Borough. The Borough has a copy of the resolution.
17. Doyle Holmes – One of the things that I had a serious problem with when I was on the assembly was trying to determine the real public support or opposition to a issue when it came before the assembly. The Willow route that has been proposed over the years will probably not affect more than two or three hundred people. Then we have the groups that always have the perceived problems with any of these routes, or nothing at all. That leaves about 98% of the people in the valley that are kind of quiet on this issue; and I think that what they are probably interested in is responsible development that will lower their taxes. One of the comments that I used to make was when that 98% did show up, I'd call them the normal people, and I don't see too many of those people here objecting to a development of a rail corridor, period. The choice, of course, is going to be up to you (the assembly?). The resolution that you have before you today is close to what I call "onerous", and you need to make sure that when you put requirements on people that are trying to develop projects, that it doesn't stop the project totally; especially something of this value, in my opinion, to the people of the valley. I really feel that over the years the assembly has tried to pick that route time after time after time, and money seemed to be the biggest problem. But in any case, I feel that the Willow route has the most potential for the Borough and the state. One thing that I feel we made a bad error on over the years is when the assembly picked the route that they thought was best for a rail or highway corridor, that we never ever platted it. And if nothing else comes out of all of this, I think we need to sit down, take a look at the railroad corridor that exists now. That was simply drawn out by the federal government and it was platted by messy bounds, and I think that is probably what we need to start doing to these routes. They have been identified now, and in the next 10-50 years they will probably be developed as transportation corridors for highways, trails, the whole mess. We need to sit down, and really look at seriously and put some money into it, and time and direction and administration to start

blocking those corridors out so that they will be saved and the land protected from sell and protected for future transportation needs.

18. Ken Ray -- I work on the tab board and we have heard this presentation from the railroad a month ago at the tab board. One of the suggestions we made was the consideration of the transportation corridor concept was first brought to my attention under Mr. Perkins administration from the Dept. of Transportation. It has been explained to me that the 800 ft right-of-way is not, perhaps, a doable thing working with the STB, but it does seem like a great opportunity for the Mat-Su Borough to plan for future corridors in conjunction with this project. The idea of dedicating corridors in the Mat-Su Borough, the fastest growing borough in the state, would indicate future planning. Prices will be sustainable, either through acquisitions or options, or planning and proposed regulations; but the Borough should, as part of this, consider transportation corridors rather than continue expanding the existing ones. The railroad was laid out in 1917 and did a great job with what they had at hand; but with Alaska thinking of the future, we have a great opportunity with this rail corridor for future transportation needs.

-end-

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Testimony of
Patrick L. Sharrock (345-5353)
Matanuska-Susitna Borough Assembly

December 11, 2007 – 3pm
Palmer, Alaska

Good afternoon Madam Chair and assembly members,

My name is Patrick Sharrock. My wife and I have owned recreation property in the rail routes area for almost 38 years. We live in Anchorage.

Thank you for allowing testimony from the public. I also want to publicly thank Patty Sullivan for her very efficient help.

I understand that you will not be determining a route preference recommendation to the Surface Transportation Board.

I am not here to promote one route over another. However, there are clearly only three alternative routes under review, as identified on the map that you viewed at your meeting of November 20. Those routes are Big Lake, Houston, and Willow. In discussions that I have had with people those are the names used. The matrix sheet you reviewed at that meeting shows eight routes. Those routes are determined from what I call four linkage routes – Mac-West, Mac-East, Houston-North and Houston-South. Combined, these linkage routes cover more distance than the Willow route and that distance does not include the more than ten miles for the legs shown on the map as Conn 1, Conn 2 and Conn 3.

If there is an analysis of routes, then the linkage routes, including the Conn routes should be reviewed and evaluated on their own merits and shown separately on the matrix sheet. That would then leave the three primary routes to be evaluated and also shown separately. However, regarding the current matrix sheet, there is no definition for what a "+," "-" or "0" is for each criteria.

I read in a recent document that *"The matrix, as part of a longer project background report, will lay the foundation for the STB's environmental*

1. I attended two open houses, the Planning Commission meeting on November 5 and your assembly meeting on November 20.
2. Poster boards at the open houses showed that the Planning Commission would hold a "public hearing." Additionally, I recall hearing at one open house that the Planning Commission would make a recommendation of a rail route to the assembly.
3. The Planning Commission meeting was a "work session" only and no public comment was allowed. I asked the Committee Chairwoman about both items and she told me that that information was a mistake.
4. The next morning I called Patty Sullivan about the problem. She seemed stunned and embarrassed and apologized for the error. I believe it was the next day when I checked the MacRail website that I saw a revision to the poster and a footnote apology.
5. I received handouts at the Planning Commission and assembly meetings.
6. On October 29, I wrote a letter to Patty Sullivan and Stephanie Wheeler. The letter was my input concerning the alternative rail routes. I know my letter was timely filed because I received a very nice reply from Patty Sullivan dated November 2. On a page from the MacRail website that I printed on November 26 (MacRail Home Page), a notice in a box at the bottom of the page reads *"Comments received through November 2, 2007, were considered in alignments and preparing the project application to the Surface Transportation Board. Comments received after this deadline will be forwarded to the STB."*
7. As of today the website shows the handout distributed at the assembly meeting, held on November 20, but not the handout distributed at the Planning Commission meeting, held on November 5. So I compared the pages in each handout. One page struck my attention. The page in the Planning Commission handout is titled "Public Comment Statistics (As of Oct. 16, 2008)." The page in the assembly handout is titled "Results of Public Involvement Activities, Public Comment Statistics (As of November 2, 2007)." The information on each page is identical. I refer to two rows in the "Written Comments" column. Those rows are "Mailed Comments" and "Letters." Because of my letter mentioned above (dated Oct. 29), I

In my opinion, anyone raising a family, not retired or reporting on this particular issue would have a terrible time keeping informed of this, seemingly, fast-track process.

In closing, I would like to incorporate by reference ^{and} ~~or~~ have submitted for the record the "Matanuska-Susitna Borough Rail Corridor Study" dated June 2003 to assure that the issues contained therein are included in the application to the Surface Transportation Board.

I would be happy to answer any questions.