

Communications Received on the Draft SEIS Through December 15, 2016



**Federal Highway Administration
Alaska Division
P.O. Box 21648
Juneau, AK 99802**

and

**Alaska Department of Transportation
and Public Facilities
P.O. Box 196900
Anchorage, AK 99519-6900**

December 2016

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Table of Contents

Index of Commenters1

Communications Received on the Draft SEIS.....11

 Communications Submitted During the Comment Period
 (March 27 to May 26, 2016).....11

 Communications Submitted Following the Comment Period
 (May 27 to December 15, 2016).....189

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INDEX OF COMMENTERS

Commenter Name	Commenter Affiliation	Commenter Location	Communication Number
Adams, Jim	Organization		1027
Allen, Brandon	Public	Cooper Landing, AK	919
Allison, Jeff & Julie	Public		865, 891, 949
Allnut, R. David	Federal	Seattle, WA	1055
Anderson, Coleman	Self	Homer, AK	1007
Anderson, John	Self	Homer, AK	1008
Anderson, Kevin	Self	Pittstown, NJ	1009
Atkinson, Barbara	Public	Cooper Landing, AK	1076
Bailey, Jr., William T.	Organization		1128
Baker, Stephen	Self	Cooper Landing, AK	965
Barker, Randy	Self	Chugiak, AK	911
Bauer, Dominic	Public	Cooper Landing, AK	934
Baxter, Roy	Self	Palmer, AK	1024
Beech, Johna	Local	Kenai	1128
Beltrami, Vince	Public		1083
Bittner, Judith	State	Anchorage, AK	1028
Bixby, Jerry	Self	Soldotna, AK	870
Blake, William	Self	Kasilof, AK	900, 989, 1063
Bliss, Wyatt	Other	Wasilla, AK	995, 1030
Boylan, Mike	Organization		1027
Brodie, Pam	Organization		1027
Brooks, Adele	Self	Lander, WY	916

*Sterling Highway Milepost 45–60 Project Draft SEIS
 Communications Received on the Draft SEIS Through December 15, 2016*

Commenter Name	Commenter Affiliation	Commenter Location	Communication Number
Brummer, Christine	Public	Anchorage, AK	1087
Brune, Jason	Organization	Anchorage, AK	1026, 1032
Buckendorf, Randal	Self	Cooper Landing, AK	970
Button, Karen		Anchorage, AK	1038, 1039 (duplicate)
Button, Dawn	Public		1041
Cadieux, Janette	Local	Cooper Landing, AK	952, 1128
Campbell, Cathy	Self	Kenai, AK	881
Christman, John	Self	Homer, AK	904
Clark, Alicia	Self	Anchor Point, AK	846
Clemson, Bruce		Cooper Landing, AK	977
Clough, Chris	Local	Soldotna, AK	1108
Cochon, Grace	Federal	Anchorage, AK	968
Coltom, Jennifer	Self		907
Cooper, Joel	Public	Homer, AK	1017
Copoulos, Art	Self	Anchorage, AK	869
Courtright, Paul	Self	Chugiak, AK	905
Cox, Donald		Kenai, AK	903
Cravens, Chris	Public		933
Cravens, Chris		Girdwood, AK	1036
Curtis, Lisa	Self	Talkeetna, AK	1014
Dam, Jr., Bill	Self	Anchorage, AK	868
Davidson, Mike	Public	Girdwood, AK	921
Davidson, Christi		Girdwood, AK	1035

*Sterling Highway Milepost 45–60 Project Draft SEIS
Communications Received on the Draft SEIS Through December 15, 2016*

Commenter Name	Commenter Affiliation	Commenter Location	Communication Number
Davidson, Elizabeth	Self		1033
Davidson, Michael	Public	Girdwood, AK	1034
Davis, Timothy	Public	Anchorage, AK	990
Degernes, Chris	Self	Cooper Landing, AK	962
DeGroot, Robert	Self	Soldotna, AK	986
Dennis, Joe	Self	Kenai, AK	858
Derks, Jim	Public		922
Derks, Leanne	Public		922
Derks, Todd	Self	Anchorage, AK	976
Derks, Jim & Leanne	Self	Anchorage, AK	1015
Derks, Larry	Self	Schofield, WI	988
Derks, Jennifer	Public		978
Derks, Travis	Public		1010
Derks-Andersen, Jennifer	Self	Kenai, AK	998
Donahue, Todd & Michelle	Public	Cooper Landing, AK	1040, 1042 (duplicate), 1043 (duplicate)
duVall, Shina	State Agency	Anchorage, AK	1028, 1029 (duplicate)
Ebnet, Marvin	Self	Anchorage, AK	908
Elliott, Charles		Sterling, AK	862
Encelewski, Ivan Z.	Organization		1128
Encelewski, Richard Greg	Organization	Anchorage, AK	1125
Erickson, Andy	Organization	Anchorage, AK	1027, 1104, 1106
Estes, Robert	Self	Sterling, AK	1057

*Sterling Highway Milepost 45–60 Project Draft SEIS
 Communications Received on the Draft SEIS Through December 15, 2016*

Commenter Name	Commenter Affiliation	Commenter Location	Communication Number
Fandrei, Gary	Organization		1128
Farrington, Christine	Public	Cooper Landing, AK	939
Faust, Nina	Self	Homer, AK	999
Fleek, Courtney	Self	Anchorage, AK	1031
Fleetwood, Alvin	Public	Anchorage, AK	1053
Flothe, Glenn & Cheryl	Self	Cooper Landing, AK	1023, 1064, 1112, 1117
Foster, Steven	Private Business	Soldotna, AK	878
Furlong, Sherry	Self	Seward, AK	872
Gease, Rick	Organization		1128
Gerald & Cathy	Public		897, 1013
Gibson, Robert	Public		926
Gieringer, Robert		Anchorage, AK	884
Goforth, Don	Public		1062, 1072
Gould, Michael	Self	Anchorage, AK	913
Graf, Christopher	Self	Denver, CO	852
Graige, Jim	Public	Nikiski , AK	944
Griswold, Carol	Public	Seward, AK	1065
Gwynn, Marshal	Self	Cooper Landing, AK	855
Hall, Andy	Organization		1128
Hall, Rod	Other	Soldotna, AK	863
Hanson, Ann	Public	Cooper Landing, AK	937
Harpring, Jim	Public	Soldotna, AK	941
Hays, Marjorie	Self	Soldotna, AK	867

*Sterling Highway Milepost 45–60 Project Draft SEIS
Communications Received on the Draft SEIS Through December 15, 2016*

Commenter Name	Commenter Affiliation	Commenter Location	Communication Number
Hebner, Mary	Self	Cooper Landing, AK	966
Heim, George		Cooper Landing, AK	959
Heite, Louise	Self	Kenai, AK	859
Highland, Roberta	Organization		1027
Hillstrand, Nancy	Private Business	Homer, AK	992
Holland, Treesa	Self	Soldotna, AK	906
Huebsch, Erik	Organization		1128
Huff-Derks, Jennifer	Public		984
James, Jon	Public		1082
James, Cheryle	Private Business	Cooper Landing, AK	954
Johnson, Philip	Federal	Anchorage, AK	968, 971
Johnston, Elizabeth	Self	Fairbanks, AK	857
Keagle, Michelle	Self	Seward, AK	948
Kevin	Public		1086
Kime, Alex	Public	Cooper Landing, AK	923, 930
Klaich, Steve	Self	Nikolaevsk, AK	860
Knotek, Kevin	Self		1019
Kowal, Blake	Organization	Anchorage, AK	1032
Krawchenko, Tania			1002, 1003 (duplicate), 1004 (duplicate), 1005 (duplicate), 1006 (duplicate)
Kutchera, Bill & Anne	Public		1075
Lamberson, Alec			1066
Lavin, Patrick	Organization	Anchorage, AK	1092, 1101, 1102, 1111

*Sterling Highway Milepost 45–60 Project Draft SEIS
 Communications Received on the Draft SEIS Through December 15, 2016*

Commenter Name	Commenter Affiliation	Commenter Location	Communication Number
Leichliter, Lacie	Organization		873
LeMieux, Nicholas	Public	Cooper Landing, AK	929
Lexmond, Theo	Self	Cooper Landing, AK	956
Lindgren, Alexandra	Organization	Kenai, AK	942, 1037, 1025 (duplicate)
Link, Michael	Self	Anchorage, AK	1018
Litchfield, Ginny	State	Soldotna, AK	975
Loranger, Andy	Federal	Soldotna, AK	1026, 1049
Lovegreen, Cheryl	Self	Anchorage, AK	901
Lovett, Andy	Public		1067
Lundell, Dale	Self	Soldotna, AK	887
Marceron, Terri	Federal	Anchorage, AK	1026, 1048
Martin, Paula	Self	Homer, AK	985
Matz, George	Self	Fritz Creek, AK	1011
Maulding, Michael	Self	Anchorage, AK	850
McCargo, David	Self	Anchorage, AK	1021
McClure, Steve	Organization		1128
McKay, Peter	Self	Kenai, AK	838
Melocik, Bradley	Public		955, 1071
Michels, Dan	Public		925
Mitzel, John	Federal	Kenai, AK	1047
Molenda, Mary Louise	Public		1054, 1056
Monfor, Chris	Organization		1128
Moore, Rick	Public	Soldotna, AK	943

*Sterling Highway Milepost 45–60 Project Draft SEIS
Communications Received on the Draft SEIS Through December 15, 2016*

Commenter Name	Commenter Affiliation	Commenter Location	Communication Number
Murray, Lori	Public	Homer, AK	883
Murray, Tami	Local	Soldotna	1128
Navarre, Mike	Local	Soldotna, AK	1128
Neuendorf , Rachel		Soldotna, AK	1016
Nickas, George	Organization		1027
Nierenberg, Alan	Self	Cooper Landing, AK	1000
Noblin, Rebecca	Organization		1027
Norris, Theresa	Public		935, 1061
Norris, Jason	Public		910
Nyman, Chris	Public		920
O'Meara, Michael	Self	Homer, AK	1020
Osowiecki, Jonathan	Public		938
Osowiecki, Charlotte	Public		940
Owens, Joe	Self	Homer, AK	909
Partridge, Michelle	Self	Soldotna, AK	856
Pearce, Teresa	Self	Anchorage, AK	1022
Pearson, Heather	Self	Cooper Landing, AK	847
Perschbacher, Jeff	Public		1124
Peterson-Nyren, Jaylene	Organization		1026, 1128
Pinckney, Charles	State	Anchorage, AK	1046
Porter, Pat	Local	Kenai, AK	1128
Quinn, Dave	Public	Cooper Landing, AK	936
Rankins, Arden	Public		927

*Sterling Highway Milepost 45–60 Project Draft SEIS
 Communications Received on the Draft SEIS Through December 15, 2016*

Commenter Name	Commenter Affiliation	Commenter Location	Communication Number
Raskin, PhD, David C.	Organization		1027
Raveaux, Linda		Cooper Landing, AK	953
Raveaux, Greg	Self	Cooper Landing, AK	924
Rhodes, Chris		Cooper Landing, AK	1079
Rodgers, Theresa & Greg	Self	Eagle River, AK	889
Rogers, David	Public		1105
Roedl, Rhoda	Self	Homer, AK	961
Rohr, John	Self	Homer, AK	890
Rothwell, Sally	Self	Anchorage, AK	902
Sallee, Diane	Public		885
Schmitz, Greg	Public	Anchorage, AK	1068
Scott, Jennifer	Self	Cooper Landing, AK	967
Seramur, Julie	Public		1070
Shadura, Paul	Public		946
Shavelson, Bob	Organization		1027, 1128
Shuster, William		Hereford, AZ	854
Siebe, Pixie		Anchorage, AK	1001
Silva, Christine	Self	Anchorage, AK	871
Silva, Robert			1069
Sinclair, Jack	Organization		1128
Skolnick, Steven	Self	Cooper Landing, AK	841
Smith, Jim	Public	Anchorage, AK	1050
Smith, Pete	Public	Anchorage, AK	1052

*Sterling Highway Milepost 45–60 Project Draft SEIS
Communications Received on the Draft SEIS Through December 15, 2016*

Commenter Name	Commenter Affiliation	Commenter Location	Communication Number
Snisarenko, Shawn	Self	Anchorage, AK	912
Sprague, Peter	Local	Soldotna	1128
Sorensen, Albert	Self	Homer, AK	914
Steinfort, Eric	Public	Girdwood, AK	1074
Story, David & Martha		Cooper Landing, AK	1044
Story, David	Public		928
Stout, Keri	Self	Soldotna, AK	987
Sture, Mark	Self	Anchorage, AK	917
Tankersley, Mark	Self	Wasilla, AK	861
Tappan, Bill	Self	Soldotna, AK	983
Tepp, Rosalie	Organization	Kenai, AK	1118
Toussaint, James	Public	Anchorage, AK	947
Toussaint, James	Self	Cooper Landing, AK	866
Troyer, Janice	Self	Anchorage	874
Truhlar, Doris	Elected Official	Centennial, CO	915
Turner, PhD, Paul	Self	Kenai, AK	880
Vavrik, Mary	Self	Anchorage, AK	957
Veerman, Louis	Self	Anchorage , AK	991
Wahrenbrock, Wade	Public	Soldotna, AK	945
Wall, Bruce	Local	Soldotna, AK	918, 1109
Weber, Phil	Public	Cooper Landing, AK	931, 994
Wellman, Ted	State	Soldotna, AK	1045, 1128
Westerman, Dave		Cooper Landing, AK	960

*Sterling Highway Milepost 45–60 Project Draft SEIS
 Communications Received on the Draft SEIS Through December 15, 2016*

Commenter Name	Commenter Affiliation	Commenter Location	Communication Number
Williams, Evan	Self	Superior, CO	950
Williams, Sue	Self	Nevada, MO	993
Williams, Calvin	Self	Superior, CO	997, 996 (blank)
Williams, Charles	Self	Superior, CO	1012
Williams, Weston	Public	Superior, CO	848
Williams, Casey	Self	Columbia, MO	898
Williams, Samara	Self	Superior, CO	853
Wills, Robert	Self	Sterling, AK	864
Winter, Teresa	Public		1114 (duplicate), 1115
Zak, Bryan	Local	Homer, AK	1128

COMMUNICATIONS RECEIVED ON THE DRAFT SEIS

Communications Submitted During the Comment Period (March 27 to May 26, 2016)

Communication ID: 838

I support the Cooper Creek Alternative.

I am strongly opposed to Juneau Creek Alternative, Juneau Creek Variant Alternative and G South Alternative. All three options encroach upon the Resurrection Pass Trail system and the Juneau Creek Falls areas. The G South Alternative does have noise and visual impacts on recreational use of the Resurrection Trail and Juneau Creek areas. I believe that the Open House Alternative Summary "This alternative was designed to avoid impacts to the Resurrection Pass Trail and Juneau Creek Falls area" is incorrect and minimized the actual noise and visual effects on current human and wildlife land use.

The northern side of the Kenai River includes high traffic wildlife use and must be protected. Recreational use and wildlife domain trump highway needs where alternatives exist - which in my opinion the Cooper Creek Alternative provides.

I also believe that Juneau Creek variants have not been adequately assessed for winter storm/snow conditions. The additional elevation and exposed nature of the bridges would make these treacherous in winter storms. The certain driving hazard of these road conditions (on what will be the longest span bridges in the State) should be a factor in rejecting these alternatives.

Communication ID: 841

I am for the Juneau Creek Alternative. I think it has the best alignment of them all to keep our highway safe. I feel it will on enhance the community as a whole. Cooper Landing has and will always be a destination spot. This will make it better. It is about time. I have been driving this highway for 25 years and have been affiliated with the Cooper Landing Emergency Services in the past. This road is heavily traveled and dangerous.

Communication ID: 846

I fully support this project, in making the road safer, and better for driving. After reviewing the alternatives, I prefer the Juneau or the Juneau variant route. I think it will provide ultimately the safest route, with the least amount of disturbance for through traffic, and will also benefit Cooper Landing with better safety/community, and safer river use and traveling. I understand it has the greatest amount of wetlands disturbance, but feel that the impact and safety for the river will be of greater benefit, as well as the human advantage of safer route. Thank you. Please don't delay - the current road is in such terrible condition!!

Communication ID: 847

I support the Juneau Creek Alternative. The Cooper Creek Alternative, in my opinion, has the least merit of all alternatives. If this project is actually going to go forward after all these years, why not build an alternative that gets the traffic as far away from the Kenai River as possible? We don't need any more spills of diesel fuel or urea to make us realize the Cooper Creek Alternative wouldn't do nearly enough. If that is the route, what good does it really do? It would be better to build nothing at all than have a last ditch, face saving attempt to build just SOMETHING (as we all know, this is one of the highway projects on the books the longest, most studied, and has many funds used already.) Trust me, it is better to build NOTHING than to throw the Cooper Creek Alt. up to just say you guys have finished the ever-long project. (Word on the street is that this is the alternative that the project managers are leaning towards. please, NO!) Thank you for your time. Best Regards, Heather Pearson

Communication ID: 848

I think the Juneau Creek or the Juneau Creek Variant options are the best options. The worst option would be the Cooper Creek option. This would be no improvement what-so-ever from what presently exists as I see it. Let's do it right and move the highway back from Kenai Lake and the river along that stretch. The topography will support the Juneau Creek options and will get the highway further away from the water. The economy and ecology in that region depend on the lake and river being protected from potential traffic accident/spill disasters. We've already had some close calls through the years.

Weston Williams
773 Eaton Circle
Superior, CO 80027
dubldub@hotmail.com

Affiliation: self

PS The 'submit' button wasn't accessible on the website email form as the form stretches beyond the bottom of my computer screen and there was no option to pull the form further up into the screen area

Communication ID: 850

The residents of the Bean Creek area, where we share recreational property, would be negatively affected by the traffic and noise that would result from all of the Alternatives except the Cooper Creek Alternative, to the south. Additionally, we believe that the southern route would provide recreational access opportunities to new areas and help relieve environmental impacts related to the heavy use of this area.

Communication ID: 852

To Whom it May Concern,

I believe the Juneau Creek alternative is the best option because it is less expensive than some of the other options, and has less impact on the Kenai River, as well as surrounding wildlife.

Conversely, I see the Cooper Creek Alternative as the worst option for the highway because of the impact it would have on the environment and economy of the Kenai Peninsula. The economy of the Kenai peninsula relies heavily on its water quality. Moving the highway further from the lake and river would serve to protect the area both from air pollution and potential truck accidents that could spill into the water.

This is a beautiful area that has provided our extended family with many wonderful memories. We hope to be able to preserve the lake and river so that our family and others can continue to enjoy the wilderness of this land as long as possible. Again, I believe the Cooper Creek Alternative is the worst option for the area. Thank you for your time.

Thanks,

Christopher Graf

Communication ID: 853

I support either of the Juneau Creek Options - both are great options. I strongly object to the Cooper Creek option - it's just not safe.

Communication ID: 854

If you don't have a real alternate, keeping the road on the original row, this EIS, is dead on delivery. so many residents want if there, and you ignore the comments, this EIS has a fatal flaw.

Communication ID: 855

The State of Alaska is considering expanding and possibly relocating the Sterling Highway. From the description of the Cooper Creek Alternative on the website, it says that it "would impact 38 privately owned properties. Sixteen would be completely acquired." I am against this option. I am a descendent of the original owners, Gordon S and Mary F Guffey, of the address listed above and use this property on a regular basis with many other members of our family. This option would directly negatively affect this property.

However, Alaska is considering three other options that would move the highway further from the lake and river. It seems to me that the Juneau Creek Variant Alternative is probably the most viable option to support as it is less expensive and has less impact to the Kenai River as well as avoiding wilderness, etc.

It is my hope that authorities in charge of this project would be sensitive to both the local environmental quality of the lake and river as well as the economy of the Kenai Peninsula. Much of the economy on the Kenai Peninsula depends on the water quality. Given that fact, moving the highway further from the lake and river would protect both the local environment and economy as it would put more distance between a potential tanker truck accident/spill and the water. Through the years I've heard of at least two different truck accidents very close to the water. I was personally present at one of these accidents.

Communication ID: 856

Juneau Creek Alternative seems to have the least impact and be the most wise choice, wish it could happen sooner!

Communication ID: 857

Page 6 - I do not see an analysis of what percentage of the existing road meet roadway lighting requirements. Later on page 32 you note that major intersection lighting will be provided. Is there analysis that proves the incremental benefit of this towards safety or standards compliance?

Page 30 - I believe the pedestrians and bicyclists would benefit more by a separated bike lane and sidewalk. With wide motor homes in the area wider shoulders are probably not going to create that much extra safety. I know there may not be room to make this happen everywhere, but it should be considered.

Page 34 - You note no energy impacts, but wouldn't adding intersection lighting add energy consumption?

The report indicates the goal of the project is to improve the highway to current "rural principal arterial" design standards. The state's publicly available functional classification GIS map classifies this as an "interstate" functional classification from feature Seward Highway to Kenai Spur Highway. What is the correct classification this road should be designed to? Will you be revising the roads publicly available functional classification or the project requirements?

Communication ID: 858

I just wanted to say, this is a GREAT idea. With all of the foot traffic and narrow winding roads in this area, in the summer time, this needs to happen. It is dangerous in the winter time as well as you never know when that next tractor-trailer will be coming around one of the winding roads.

Communication ID: 859

As someone who has to make trips to Anchorage for business on a fairly regular basis, I congratulate the state on even contemplating such an undertaking. Thanks. Now, when will you guys start looking into a bridge over the mouth of Turnagain Arm? That would really cut congestion and speed traffic! Logistics

operators and regular commuters would choose that route without any urging, and leave the scenic - and dangerous - Sterling Highway to the daisy pickers and tourists.

Communication ID: 860

Very needed project!
Either Juneau Creek option look great!
I strongly support this project!
Thank you for your work and effort!

Communication ID: 861

The Juneau Creek or Juneau Creek Variant get my vote.

Communication ID: 862

I support the reroute and path selected. I suggest we stop hydro-seeding the embankments with non-native grasses. Im sure it can be as easily protected from erosion with native wild flowers and vegetation. I truly dislike seeing that pathetic grass breaking up our beautiful colors and foliages. Please consider this with serious thought. Appreciatively yours. Charles Elliott, Life time peninsula resident.

Communication ID: 863

this proposal only goes half way to create a safer highway. However, I support this project, as it would most likely not only save lives, but allow a more quiet and peaceful use of the Kenai River for recreation activities, but should have been done ten years ago. With the current state of the economy in Alaska, namely that of the impending bankruptcy due to the downturn in world oil prices and the unscrupulous squandering away of the state's revenue, this project is inadvisable at this time.

Communication ID: 864

You might be interested to know that the mile post 45-60 you state as the location of Sterling Alaska is incorrect. That is before my town and may confuse tourist looking for Sterling. Sterling starts at about mile post 79 and ends approximately 85.

Communication ID: 865

Good Afternoon;

We, Jeff and Julie Allison, are property owners in an area that appears to be affected by 3 of the 4 routes being purposed. Can you tell me if our property is one that is partially affected or completely affected by the 3 northern routes? Our address and legal description is as follows:

Birch and Grouse Ridge Sub lot 40

18779 Langille Rd

Currently, this property is primarily a summer home until we retire, then we plan to reside there full time. If our property is affected, we will need to start making alternate plans. From the maps I can not tell if there is a partial or total encroachment. Can you please advise us of such? Thank you for your input.

Regards,

Julie Allison

Communication ID: 866

I vote for the Cooper Creek Alternative. This would not effect the resurrection or bean creek trails. Would also make biking around Cooper Landing safer.

Communication ID: 867

I would like to support NOT revamping the Sterling Highway through Cooper Landing. That's a gorgeous, unique Alaskan experience. Tourists rarely forget the view and we Alaskans look forward to the stretch through the town and beside the river. Please leave the road where it is. The expense of moving it is outrageous especially during these times.

Thank you. Marjorie Has

Communication ID: 868

Build The Juneau Alternative For The Absolute Best Reasons, Public Safety & Best Use Of Economic Resources. The Extended Bickering & Selfish Anti-change Argument Has Cost Many Meaningful Human Lives. Do Your Job, Get It Done For Public Safety. Thank You, Respectfully Submitted Bill Dam Jr.

Communication ID: 869

Please do something. The status quo, do nothing option, is not an option because it is unsafe and effectively ruins the town of Cooper Landing. A full bypass on either the Cooper or Juneau Creek sides are recommended, to give the Cooper Landing area some breathing room and to create safe conditions. I don't like disturbing the pristine areas with roads, but something has to give. Don't let the nimbys stop this project again.

Communication ID: 870

I support Juneau Creek route as I feel it gives the drivers who want to go straight to Anchorage or to the other cities on the Kenai Peninsula a route that bypasses Cooper Landing and would make going to Cooper Landing to fish, hike or whatever a much more enjoyable trip. I also feel it would make it a much safer route of travel.

Jerry L Bixby

Communication ID: 871

I have lived in Alaska since 1979, have a home in Anchorage and one in Clam Gulch, I drive the Sterling Hwy year around in all types of weather, is it dangerous-yes, at times; BUT it really is a short stretch AND only heavily impacted by traffic during the height of the summer season. I realize things do change BUT my only hope is the change will leave the Resurrection Trail untouched. I know that cost is always a consideration but some things are priceless and the Resurrection Trail is one of those.

Communication ID: 872

I vote for G South, as I love the views of the river when driving through here. I sure do want the road to be routed around the town though. I understand a lot of the arguments made for the Juneau routes.

Communication ID: 874

I have reviewed all the proposed alternatives and like NONE of them. I especially dislike the 3 northern routes that will impact the Resurrection Trail and the Juneau Falls area. The high price tag of \$250 to \$300 million hardly seems worth the price of environmental degradation to the trail. The traffic is only bad for a few months out of the year and will only impact a few miles. I vote for the No Build Alternative.

Communication ID: 878

Great web site. Very informative.

I would like to state that I am in favor of the Juneau Creek route with the longer new alignment. In my opinion the highway constructed on the sunny side of the valley will be the safest route for the travellers in the years to come. The highway will continue to get more use every year. Build the safest route possible. I have lived here in Alaska since 1957, highways that are built in the mountains have more ice for longer periods of time when they are in the shade of those big mountains. The Juneau creek route will offer the most sunshine and will be a beautiful, scenic route to drive on. We already have more wilderness opportunities in Alaska than people can take advantage of. Think safety first. Thank you, Steve Foster

Communication ID: 880

Spending 1/3 of 1 billion dollars seems an enormous cost for any alternative other than leaving the highway the way it is. In these federal and state economic times, keep the highway the way it is.

The least impact after doing nothing from my perspective to wildlife, historical, ecology is Cooper Creek alternative.

Communication ID: 881

Either of the Juneau Creek routes is acceptable and no others. We MUST get the road away from the river to preserve what fish habitat we have left.

Communication ID: 883

I've been following the different issues with the Sterling Highway proposed fixes between miles 45 and 60 for some years. I really hope this time, we get past the EIS and actually build a new road.

I do understand why the people who live in Cooper Landing and rely on tourism are afraid of the road changes. But I drive between Homer and Anchorage several times a month, year round. And that section of road frequently gets down right scary. I can avoid most of the summer time traffic by driving early in the morning, but in the winter the road is just too narrow and icy.

I very strongly prefer the Juneau Creek Alternative, because I believe it will produce the safest road of the 4 choices. The No Build 'choice' is not even a reasonable option.

Please add me to your emailing list. I'd like to know what's decided and when.

Lori Murray
PO Box 1910
Homer, AK 99603
lorijmurray@yahoo.com

Communication ID: 884

I have a second residence in Cooper Landing. I appreciate the culture and recreational opportunities there. I favor the Cooper Creek alternative. 1) It most follows the 'no change alternative' most closely than the other alternatives. 2) It allows easier access to CL for those who want to stop there rather than pass on by. (and there are many who do want to enter CL) 3) It affects local business the least of any of the other alternatives, and thus is less contrafersial and less threatening to local residents and businesses. Although it is one of the more costly alternatives, I expect it will offer the benefits of less necessary permitting, and less local resistance leading to less legal challenges and delays. Such benefits might well offset any of those expected costs compared to other althernatives. RG

Communication ID: 885

I encourage you to choose the No Build alternative for the proposed Sterling Highway project near Cooper Landing. The park lands in this area are too valuable to build a highway through. The rugged natural beauty of the Kenai Peninsula is reason enough to make an exception to the standards for a rural principal arterial.

Thank you.

Diane Sallee

Communication ID: 887

The Juneau Creek or even the Varient seems to make the most sense. This would get the traffic out of the curves and relieve most of the congestion. Also it looks to minimize the impact to the Cooper Landing public and private properties.

Communication ID: 889

FIRST, LET US SAY, VERY NICE ON LINE PRESENTATION.

WE ARE IN FAVOR OF THE JUNEAU CREEK ALTERNATIVE. THE GOVERNMENT SHOULD NOT BE TAKING CITIZENS' HOMES EXCEPT IN THE MOST DIRE CIRCUMSTANCES AND THEREFORE WE ARE ADAMANTLY OPPOSED TO THE COOPER CREEK ALTERNATIVE. WE ARE ALSO IN FAVOR OF THE THE JUNEAU CREEK ALTERNATIVE DUE TO THE COST. WITH BUDGET CUTS COMING FROM ALL DIRECTIONS IN FEDERAL AND STATE GOVERNMENT, WE SHOULD BE AS FISCALLY RESPONSIBLE AS POSSIBLE WITH THIS PROJECT. AS FREQUENT RECREATIONAL USERS IN THIS AREA, WE APPRECIATE THE EFFECTS THIS ROUTE WILL HAVE ON TRAILS, BUT SOME SACRIFICES NEED TO BE MADE AND AS LONG AS TRAIL HEADS WILL STILL BE AVAILABLE, THE TRAILS WILL STILL BE

ACCESSIBLE. AGAIN, WE SUPPORT THE JUNEAU CREEK ALTERNATIVE. THERESA AND GREG RODGERS

Communication ID: 890

I would like to see the road go up and over along reserection trail.

Communication ID: 891

Good Morning;

Thank you for your response. I have read through the engineers report and each of the Appendix. The maps are helpful but with out seeing it with the existing structures it is difficult to determine if our property will be affected by a full acquisition, a partial acquisition or a full acquisition due to loss of access. Appendix B, #5, does reference an areal photo that the build alternatives map has been overlain to determine which properties were affected and by which definition, full or partial. I can not find that photo with the map overlain in any of the documentation. Is it available somewhere for me to view? Or more simply, there must be a report of the structures including owner names or addresses, that I can review to see exactly how our property will be affected. I need to start making plans so I appreciate your input and direction,

Regards,

Julie Allison

Communication ID: 897

I was on the Dispatch web site and saw the info about the rebuild. I entered your web site thru that portal and tried to submit a comment which I pasted into the comment block. My records show I did this last Friday around 10 am. I tried to send it three times with no success. I finally gave up. .

On Thu, Apr 16, 2015 at 1:50 PM, SterlingHighway SterlingHwy@hdrinc.com wrote:

Dear Gerald and Cathy,

Thank you for contacting us about the comment form. When you click the “Submit Comment” button, if the transmission was successful, you would see a screen that reads “Comment Successfully received: Thank you for submitting a comment.” If you provided an email address, a confirmation would be sent to your email.

It sounds like neither of those things happened, so an error must have occurred. We checked our logs and don’t see any error messages in the system, so if you could, please provide more detail on what you attempted to submit and in what internet browser. Was it a simple comment or was there an attachment? Any more detail you can provide will help us troubleshoot this further so it doesn’t occur again.

We double checked and we do not have a comment associated with your email address in the system. Please re-try the comment form, send a reply email to this account, or send mail to:

Sterling Highway MP 45-60 Project
DOT&PF Central Region
PO Box 196900

Anchorage, AK 99519-6900 Thank you.

Sincerely,

Kelly Petersen, PE
DOT&PF Project Manager
Sterling Highway MP 45-60 Project
sterlinghwy@hdrinc.com

From: Gerald & Cathy [mailto:gcguy@gmail.com]

Sent: Wednesday, April 15, 2015 10:56 AM

To: SterlingHighway

Subject: I sent comment thru your comment page, but the system did not seem to accept them, did you get them?

ATTACHMENT TEXT FOLLOWS:

Sterling Highway MP 45-60 comments:

Thank you for the opportunity to comment.

I have been driving this section of the road system since I came to the state in 1980. With all the driving challenges that exist, it's hard to believe that this is only a 15 mile stretch of road. Whether my concern at the time was poor road condition, traffic volume, little to no shoulders room, excessive speed for the road design, trying to pass large on coming vehicles with trailers or motor homes; I never understood why this section of road was never reconstructed. For me, the worst areas have always been the 2 miles around Kenai Lake, the Gwen Curves where I was hit head-on and the last several miles past the ferry crossing. Each time I say work on the road I was hopeful that these more dangerous sections would be addressed Unfortunately, the work was always cosmetic. I was and still am very pleased with the rework of the road from the Y to Kenai Lake making it a much safer drive.

I understand the local concern and I'm sure I would not want my property taken for a road improvement, but we also need to look at how many people are put at risk using this poorly designed road system during the five month "tourist/local visitor" season. I'm sure the development along the roadway has grown significantly over the past 35 years making some of the challenges now faced by the state, self inflicted. It has always bothered me that no one seemed to really care about all the accidents and deaths that occurred in this section of the road. After my accident, I was talking to the owner at Hamilton's gas station and they stated that lots of people slid off the road/had accident at the Gwen's curves. Right then and there I got a new respect for how bad that road really was. I have had to find space on the non-existent shoulders many times to avoid being hit by someone pulling a trailer and driving poorly or a motor home hugging the centerline.

I appreciate all the effort being put into this process, but am frustrated by the time it is taking. How many accidents have happened since the process was initiated, how many traffic fatalities? How many more will occur? Let's get on with the process of constructing a safe road system now which we all can use. How much is one more life worth?

Communication ID: 898

The Cooper Creek Alternative would route the Sterling Highway right through my great grandparent's cabin on Kenai Lake in Cooper Landing. This cabin was built in the 1950's and has been meticulously cared for and updated by many of my family members right up until this day. My aunt just invested over \$20,000 into the property and built a new outbuilding, which required several contracts. People from all over the US travel there every year and continue to actively use it. Please please please please please do not put a highway through it. The Juneau Creek alternatives or G South would be much better. Thank you.

Communication ID: 900

Something has to be done concerning the Sterling highway going through Cooper Landing. The amount of lives that have been lost, injury's and property damage more than justify the cost. If you truly work for the people of Alaska then I would say it's a no brainer but then again it's been about 10 years since I've heard anything about it so hopefully we do have the right people making the decisions and something will finally be done. One other thing to add would be how much it costs the State every year to neck traffic down going through Cooper Landing. Fuel costs, time spent and just pure frustration with a piece of an otherwise good road system. It is truly unbelievable that between Anchorage and the Kenai Peninsula we have a stretch of road like the Cooper Landing piece.

Communication ID: 901

Thank you for the opportunity to comment on the Sterling Highway MP 45-60 project. I have driven the highway from Anchorage many times over the years. After looking at the environmental and human impacts, I prefer the Cooper Creek and G South alternatives. They have the least harmful effects on the natural and historical elements of the area, and will take care of the most pressing safety problems of the current highway.

Communication ID: 902

I am in support of the Cooper Creek alternative. The existing bridge location can still be utilized and this southern route will provide easier access to existing businesses. It also avoids crossings of Bean and Juneau creeks, and does not border existing lots on Birch/Spruce Ridge, as do all of the other action alternatives.

Communication ID: 903

I really do not care which one, what ever will make the trip to Anchorage quicker really, cut down the travel time all together. However no matter what is done will be better then what is there now, I know driving the road at night is tough at times wiht the sholder being so small.

Communication ID: 904

I like the Juneau Creek Alternative because it puts the hwy down stream of the fishing traffic and parking.

Communication ID: 905

Build the Juneau Creek Variant Alternative. Least expensive, does not require presidential or congressional approval. Most can be built without affecting traffic during construction. This is a must complete project.

Sincerely Paul

Communication ID: 906

Please don't put the highway near Juneau Falls Trail, or, especially, the Reaurrection Trail!! Please preserve the wilderness of the trail, it is so special. There aren't so many trucks as long as the one mentioned. They need to reduce their speed, anyway. Speeding is the major problem. How about a bike and pedestrian pathway along side the problem miles of the road through Cooper Landing? Has no one suggested that?

Thank you for considering alternatives to an expensive and intrusive highway through our majestic trail system.

Communication ID: 907

I am a born and bread peninsula resident. I have probably made the trip back and forth to Anchorage at least a few hundred times in my life. When they fixed the switch backs, it was wonderful! But the cooper landing area is horrible. Even if you try to go the speed limit of 35, you will have some rude person about 2 inches off your bumper. Even the semi's will ride your rear. The corner at Gwenns is beyond treacherous. I personally have seen a dozen different wrecks there. My friend even pulled a driver out of one of them. Blast through the mountains and put in a safe hwy. who cares if cooper landing is bypassed. Unless you have an appointment or buy a ton of stuff, you can't even use a bathroom there. People will

still flock there for the fishing, rafting and b&b's. For those of us that just want to get to anchorage, make a safer road.

Communication ID: 908

I am 100% for the Juneau Creek alternative as my number one preference, It has minimal disruption of traffic, requires no major Kenai bridges, and totally bypasses the dangerous and slow Cooper Landing and has the lowest cost (It's a no brainer to me). Those that want to go to cooper landing will still stop and visit the community. My second choice would be the Juneau Creek variant for the same reasons.

Marvin Ebnet commuted to Sterling for 15 years now living in Anchorage but own property in sterling

Communication ID: 909

juneau creek variant looks good

Communication ID: 910

I am writing as a user of the Sterling Highway. The current routing through Cooper Landing is incredibly inefficient and dangerous for both motorists and pedestrians. The road as currently aligned does not serve the residents of Cooper Landing well and it does not serve users of the Sterling Highway well. Therefore, I do not support the No Action Plan.

After considering the relative benefits, costs, and impacts of each build alternative, I am in support of the Juneau Creek Variant Alternative as it appears to be the "best buy" plan. In relation to other alternatives, it is fairly cost-effective, avoids impacts to the KNWR, and only provides one mile less of bypass than the Juneau Creek alternative, which impacts the KNWR. While the Juneau Creek Variant alternative is not without impacts, it appears to be the best blend of cost effectiveness, route effectiveness, and minimization of impacts to both private lands and wilderness areas.

Thank you for considering my comment.

Jason Norris

Communication ID: 911

Fully support the proposed Juneau Creek routing over all others in the draft. This routing along would bypass the most congested and dangerous areas and still provide excellent access to both Cooper Landing and the Russian River Ferry areas. Frankly, I believe this routing would provide an economic benefit to the Cooper Landing area through enhanced "stop and spend" visitors.

Communication ID: 912

I own a vacation home in Soldotna so I drive the Sterling Highway at least 20 times a year in all weather conditions. This project has been needed for 20 years. It is only a matter of time until a serious spill impacts the Kenai. Copper Landing is not the only area of concern. During the red runs, the Russian River ferry is a zoo. I continue to be amazed that more people aren't hurt or killed based on all of the pedestrians. Since this is our one and only opportunity to upgrade the alignment, the only logical alternative is the one of the Juneau Creek alternatives. I would rather see the full Juneau Creek be adopted, but I understand the issue with the KNWR and the Variant would also be acceptable.

I understand Copper Landing has concerns with business if they are bypassed. They need to understand through traffic is not their client. I never stop except once or twice a year for a coffee at Wildman's. This could be their opportunity to develop a world class tourist destination that is not just a wide space on a busy highway.

Communication ID: 913

I have lived in Anchorage since 1967 and built a second home in Cooper Landing in 2001, where I hope to retire. I have attended stakeholder meetings in Cooper Landing and am in favor of either of the Juneau Creek alternatives. Safety is my first concern, and no-build is not a viable option from a safety perspective.

The highway was put where it is for the same reason the river is where it is, the path of least resistance. If the existing highway was not there and we were designing a new highway today we would not follow the river, for both safety and environmental reasons.

The people most opposed to the Juneau Creek Alternative are the users of the Resurrection Pass Trail, who are afraid a new highway crossing their trail will ruin it. They need to be reminded that the current highway is what provides them access to the trail. Without the highway they would be hiking from Seward to Hope. They claim the new highway will destroy bear habitat, yet we have a problem with bears in Cooper Landing. I have seen the bear population along the Upper Kenai and Russian Rivers increase over the last decade or more, as the Forest Service manages more like the Park Service, to the benefit of bears and detriment of people.

Others argue that a new highway will only cut a minute or two from the transit time. It isn't about time, it's about safety. There have been too many fatalities and injuries on the Sterling Highway in Cooper Landing. The posted speed limit is 35 mph, but very few drive it, and when you do an impatient line will soon form behind you.

When the new highway is built certain businesses will suffer, the grocery store, restaurants, businesses that rely on the traffic. Guides and lodges should do fine, as they are destinations. I look forward to the day that the existing highway is a local road, where people do drive 35 and aren't in a hurry. I'm 60 years old, and hope I live to see it!

Communication ID: 914

I support the Juneau Creek alternative because it provides the best route to avoid the existing, dangerous road through Cooper Landing, moves heavy traffic impacts away from the Kenai River and will be easier to maintain over the long term.

Communication ID: 915

In my view, the Cooper Creek Alternative is the poorest choice. The best option is the Juneau Creek alternative or the "G South" alternative. It seems to me that the Juneau Creek Variant Alternative is probably the most viable option. It is less expensive. It has less impact to the Kenai River. It also avoids wilderness.

Communication ID: 916

My parents, Mary Demaree and Gordon Samuel Guffey built a home at 19277 Sterling Highway, Cooper Landing, Alaska approximately in 1950, when they retired from public education in Anchorage. Through these many years, I have enjoyed spending much time in that home, as have my children grandchildren, and now the great-grandchildren. We have particularly enjoyed the fishing, beautiful scenery, wildlife, and the residents of Cooper Landing.

I am for the Juneau Creek Alternative and against the other alternatives for the following reasons:

1. Moving the traffic away from Kenai Lake and Kenai River reduces the chances of pollution of the water and disturbs fewer wetlands and wildlife. Much of the economy of the Kenai Peninsula is based on the money brought in by the fish and wildlife.
2. Fewer people will be displaced by the Juneau Creek Alternative, which affects the tax base of the entire area and keeps taxes lower for everyone.
3. The Juneau Creek Variant Alternative is less expensive than the other alternatives.

For these reasons, the Juneau Creek Alternative makes more sense than any of the other alternatives.

Thank you for the public input.

Communication ID: 917

I am a homeowner in Cooper Landing and I would prefer to see the Juneau Creek Alternative.

Communication ID: 918

MR. BRUCE WALL: Thank you. Bruce Wall, B-R-U-C-E W-A-L-L. I'm the community planner for the Kenai Peninsula Borough, 144 North Binkley Street, Soldotna, Alaska 99669.

I notice that the impact statement did correctly identify the borough's comprehensive plan and its other adopted plans. However, it didn't necessarily incorporate some of the items in that. Particularly, I want to discuss the Cooper Landing walkable community plan.

MR. DAVE HANSON: Bruce -- and we will give you extra time. Are you representing the borough tonight or yourself?

MR. BRUCE WALL: It's my understanding that -- if I understood you correctly, if I'm representing the borough, that takes away anybody else from the borough to be able to comment?

MR. HANSON: That's true.

MR. BRUCE WALL: I'm representing myself, then, speaking about the borough's comprehensive plan.

MR. HANSON: Great. Thank you for the clarification. And we'll give you credit on the time.

MR. BRUCE WALL: Okay. Thank you. And tonight is the first night that I notice the cross-sections shown in the -- actually for all alternatives. And what I noticed in there is that the cross-sections are intending to use the eight-foot shoulders for the pedestrian/bicycle pathways. I noticed that on figures 2.6-1, 2 and 3. And if the Cooper Creek Alternative is selected going through the commercial area of Cooper Landing, I don't believe that that's acceptable because that's not providing an efficient, safe means of pedestrian traffic through the commercial area of Cooper Landing. The comprehensive plan does not call for that. It calls for a separated bikeway in the Cooper Landing area.

If that is the intent, I think you should update those figures to show children on bicycles next to the semis in those figures because that certainly is not appropriate.

It's my understanding that a couple years ago there was a rehabilitation paving project through the Cooper Landing commercial area that eliminated what little pedestrian pathway there was within the right-of-way. So now for anybody to be able to walk around in Cooper Landing, they either need to walk in the traffic lane or trespass on private property. And that situation needs to be corrected either with this project or with some other project.

If one of the other alternative builds are selected other than the Cooper Creek Alternative, I think that part of the project should be converting the Old Sterling Highway to a local collector road, and that should include pedestrian/bicycle pathways.

And I believe that is all that I wanted to say on that. Thank you.

Communication ID: 919

MR. BRANDON ALLEN: Thank you. My name is Brandon Allen. My family has been property owners in Cooper Landing since 1966. I'm currently a property owner at Mile 49 and a half, Cooper Landing. My concern is for protection of the river. I have floated the Kenai River from Kenai bridge to Skilak Lake for over 50 years. And during this time down there, I have seen a tremendous increase in commercial tanker

traffic, whether it's petroleum or chemicals, going up and down the highway. And my concern is there is going to be an overturn at some point, that it is inevitable, and that that overturn is going to pollute the river, and it's going to damage the salmon and the rainbow trout fishery, crushing any economic value that Cooper Landing has.

I'm opposed to G South, as it builds a new bridge over the river, which increases the inherent risk of a tanker falling into the river. I'm most in favor of the Juneau Creek Variant, as it moves the most traffic farthest away from the river. Again, my biggest concern is protecting the river, protecting the resource, and the fact that the variant minimizes the need to enter into wilderness areas and game refuges, those sorts of things.

Those are my comments. I'm happy to answer any questions anybody may have.

MR. HANSON: Thank you so much. On the questions, either informally you might talk to team leaders or the people in the open house, or they will be answered in writing any questions you have.

MR. BRANDON ALLEN: I have no questions. I thought perhaps somebody else may have a question of me.

MR. HANSON: I think for now we are okay. So thank you very much. Now, I'd like to ask -- on the sign-up sheets I have so far, nobody else has marked that they would like to testify. I'd like to encourage anybody who is here, other than the two that have testified, that if you would like to testify, now is a great opportunity. I'd also like to just add that part of this process is to look at the Section 4(f) Evaluation and try to determine what alternative is least harmful or causes the least harm. And that's another way to look at it that might be an easy way. If anybody wants to testify to what they believe is the least harmful alternative under 4(f) of the law, it's -- if you --

All of the alternatives cross major recreation resources or cultural resources or other types of natural resource resources that are significant. And so part of the federal highway department's criteria will be figuring out which alternative causes the least harm to these types of resources.

So we are very friendly. If anybody else would like to testify, just come on forward.

Communication ID: 920

MR. CHRIS NYMAN: Hi. My name is Chris Nyman, N-Y-M-A-N, first name C-H-R-I-S. And I was born and raised in Anchorage. And about five years ago I bought a piece of property down in Cooper Landing. And I love the area very much. It's very -- it's beautiful and full of wonderful people. And I'm mostly interested in this subject from a community value standpoint, quality of life, such as health, safety, pedestrian safety, safety to the environment, and also economic vitality of Cooper Landing. The Sterling Highway and Cooper Landing are yin and yang. They are completely tied together, and in positive and negative ways.

And I think the bottom line is I think that continuing to run highway-speed traffic through the middle of the community is not in anybody's interest. I think most people would agree we would rather not, you know, have it going right through the middle of town like that. Times have changed. You know, it's not 1965 anymore. There is increasing levels of traffic. As the last speaker pointed out, there is increasing hazard from spills and things like that.

So none of the alternatives -- I mean, all of the alternatives, I should say, have an impact, an environmental impact or community impact, one way or the other. As you have so rightly pointed out, we should be looking for an alternative that does the most good and the least amount of harm. And in that perspective, I think that the No-Build Alternative is the worst of the lot. And I would be happy to accept any of the other alternatives. Personally I'm partial to the Juneau Creek Alternative. I don't like the Juneau Creek Variant because it does not address the significant bottleneck at Russian River. By going around the Russian River Campground area, you are not only improving highway safety, you are also increasing the quality of the experience, of the recreational experience on the Kenai River.

Noise I think is a very important factor. I'd like to see a little bit more attention paid to noise attention issues. My belief -- and I'm sure you guys have models that can figure this out, but with that highway going above the community, your attenuation of your noise is going to be directed away from the community. Right now with the highway in the bottom of the V of the gorge, it's like a megaphone, so whatever traffic noise is generated is going to be affecting most of the property owners.

The negative impact of the No-Build Alternative, another one would be if you continue to run the highway in its current alignment, you could eventually affect 100 properties by needing to acquire additional right-of-way. Thank you.

Communication ID: 921

MR. MIKE DAVIDSON: Yeah. Thank you. My name is Mike Davidson. My mailing address is P.O. Box 396, Girdwood, Alaska. ZIP code is 99587. I'm a 32-year resident of Alaska and also a part-time resident of Cooper Landing.

I'm speaking tonight in regards to the SEIS alternatives that are being considered for road construction in the Cooper Landing area. I'd like to go on public record strongly supporting either the Cooper Creek Alternative or the No-Build Alternative. I believe both these alternatives provide the least overall impact to the recreational resources in the area and in addition to many of the private residences in the area.

Although numerically the Cooper Creek Alternative may require a greater amount of land acquisition during the construction, I believe that any of the three -- Juneau Creek Alternative, Juneau Creek Variant Alternative or the G South Alternative -- provides a significantly greater impact to the overall number of residents that's located above the Bean Creek and Slaughter Ridge subdivisions. In addition, all three of those alternatives provide significant impact to the recreational users of the Bean Creek Trail, the Slaughter Ridge Trail and, most notably, the Resurrection Pass Trail.

The Cooper Creek Alternative, being the superior alternative in terms of the least amount of impact, follows more closely the existing road alignment while avoiding the area in Milepost 49 and a half to 50 that's so difficult to actually stay on the existing alignment of. However, by most closely following the current road pathway, it avoids additional impacts to areas that currently are located nowhere near the highway alignment. In addition, it requires no new construction of bridges over the river, allowing for the existing bridge easements and the lack of introduction of new bridges to the river.

Although I believe that many people may testify that the Cooper Creek Alternative or the No-Build Alternative is not in proximity to the river, I'd like to note that either of the other three alternatives all cross waterways that all ultimately feed into the Kenai River. And a spill of any liquid from any of the

other three alternatives will ultimately result in contamination of the Kenai River watershed and contamination of spawning grounds that feed into or are associated with the Kenai River watershed.

In conclusion, again I'd like to voice my strong support due to the least amount of impacts that it provides for either the Cooper Creek Alternative or the No-Build Alternative. Thank you.

Communication ID: 922

MR. JIM DERKS: Our concern is the portion -- or the plan that would go on the Cooper Landing side or across Cooper Creek, in that we have a parcel of property that would just about be bisected by that route. And in talking with some of the people next door, it appears that everything above the new road would become an unusable parcel of ground. And that concerns us.

MRS. LEANNE DERKS: Basically, yes. It means that -- there is actually four owners of our property. And it means we would lose half, probably, of our section, which we think would be a real tragedy. We are at about Mile 48 and a half. And that's on the hillside. So --

MR. JIM DERKS: That's basically all we had to say.

MRS. LEANNE DERKS: Of course, we have a big family, and then there are two families that are Outside right now and two families here, so everybody is concerned. And rightly so.

MR. JIM DERKS: All rightie. Thank you.

MRS. LEANNE DERKS: Thank you.

Communication ID: 923

Dear DOT,

I am writing to request an "UNDER PASS" for horses and pedestrians near the intersection of Quartz Creek Road and the Sterling Highway. Attached is a photo of an under-pass that may work.

I am Alex Kime and I own Alaska Horsemen Trail Adventures on Quartz Creek Road in Cooper Landing. We guide trail rides on trails where we cross the Sterling Highway on a regular basis.

Crossing the highway with horses on the new proposed highway is a big safety concern. I would assume the speed limit will be at least 55 if not 65 mph. I would ask for an under pass to cross the highway. This would provide a safe passage for hikers as well as bike riders and horses.

We are permitted to use established trail systems which are on the north side of the highway. It is necessary to cross the highway on a regular basis to assess them. We have been doing this crossing for nearly 20 years. There is a horse crossing sign on the highway at this time and also a 45 mph speed limit.

Please call me if you have any questions or you need more input regarding what would work for an underpass.

Alex Kime
Alaska Horsemen Ranch
Cooper Landing, Alaska
Cell phone, 907-598-1806

Attachment, photo of under-pass

Communication ID: 924

After 40+ years of studies, lost development funds, and hearing rumors of a proposed Cooper Landing highway bypass, I am enthusiastic, to say the least that a final action is here!! We are the third and fourth generations that continue to live seasonally since 1957, on the property at 19277 Sterling Hwy, Cooper Landing. Local traffic incidents historically, could fill a book! My major concerns with the existing design is that safety has been sidelined in an effort to continually "improve" traffic congestion and flow, without considering the impact on safety for CL residents and visitors! (The sport fishing & tourism industries can only thrive when no oil/gas/pollutants spill into the Kenai Lake/river. Years ago, a speeding semi "beverage truck" flipped just feet from the Kenai bridge, spilling hundreds of pop cans, to the delight of our children! Another memorable incident occurred at Gwinns corner with a truck flip over into a side pond. The most recent highway resurfacing and culvert enlargements created absolutely no safety shoulder, potentially risking more vehicle accidents/fatalities. In fact, within days of guard rail completion, damage became evident on 3 new set guardrails! I have participated in highway consultant's presentations where they proposed roundabouts on each end of the CL bridge, in order to slow, but increase flow and safety! I have stood along the highway, just a hundred yards from the bridge, and radar gun clocked traffic, including semi trucks at 55mph+, in a 35mph zone. Just recently, ADT changed a 35mph (around 48MP) sign to 45mph, still in a residential and commercial (Kingfisher restaurant) location, where pedestrians cross, evidently not thinking of the safety jeopardized! Cooper Landing needs to be designated a DESTINATION POINT, and not just a slow down, congested, commuter's frustration/stress area, where the fast moving truckers, commuters, visitors have to proceed between the only access from the western Kenai Peninsula communities to Anchorage, at increasing faster speeds!! The impact on businesses of moving the main route up to the Juneau Creek/variant alternatives, would not be any greater than currently exists, as for decades many have remained for sale, or closed, and thru traffic rarely stops, unless provisioning for fishing or backpacking trips. The impact on wildlife corridors & habitat, recreation areas, and cultural sites by widening the existing road, is more costly, prohibitive by displacing homesteads, threatening to the public and wildlife that congregate along the waters, plus increasing auto exhaust pollutants in the environment. If the goal is to truly reduce congestion, improve safety, bring up the highway to state/federal design standards, then the Juneau Creek alternatives are the only reasonable, cost effective, safer, and commute time advantages options to consider. Thank you in advance for your consideration to allow public input/feedback...after all, one needs to live here to experience the need and benefit.

Communication ID: 925

DAN MICHELS: First, I just kind of want to go through what I dislike about some of the alternatives. One, I think the Cooper Creek Alternative just seems a little unrealistic and is going to affect the overall viewshed of Cooper Landing more so than the other ones, and also takes more private land, which is going to be difficult.

The one that I really have issue with the most is the G South Alternative mainly. One, it costs more, and it's adding a new bridge across the river, and with that new bridge and a new area, it's opening up walking traffic to that side of the river, which up to this point has been very difficult to access. So it's going to affect the stream banks, which ultimately affects the health of the Kenai River.

The two Upper Juneau Creek Alternatives both seem the most palatable to me. As much as I like that area for recreation, it also seems the spot that would have the least impact or might have the most positive impact on the town of Cooper Landing. I think that's it.

Communication ID: 926

ROBERT GIBSON: So my name is Robert Gibson. I'm the owner and operator of the Kenai Lake Lodge at Milepost 47.1 on the Sterling Highway, so that's two miles away from the start at Mile 45 on this project.

I would welcome an improvement of the highway. I have through the years experienced several traffic accidents because of the lack of a wide shoulder. Right in front of my lodge on the property is no shoulder at all on either side, and that needs to be addressed.

Furthermore, I have a concern to the Department of Transportation to move the highway traffic signs that indicate the speed zone. Right in front of my place is the straight road, and people who are coming from Anchorage or from Soldotna through the very curvy highway see an opportunity to step up speed, and those signs needs to be moved closer, and nothing has been changed in that regard.

I'd like to have that done finally after addressing the Department of Transportation's both right-of-way responsible people and also the planning department for DOT for that stretch of the road.

The egress from my property right in front of the lodge is extremely dangerous because it goes on the most eastern access to the driveway. It's very sharp, and I had near collision occurs since happening -- almost on a weekly basis. People come at a high speed, and that needs to be addressed. And the sharp turn there needs to be chopped off so there is a clear view for the oncoming traffic. Thank you.

Communication ID: 927

ARDEN RANKINS: So my name is Arden Rankins, and I'm in negotiations talking back and forth with Mary Louise Molenda who owns the Sunrise Inn, and I'm contemplating working on a deal to purchase that.

So if I do purchase it, my huge concern is whether the access to the Sunrise will be visible from the highway; if the speed limit will be slow enough that people will stop in; and if it's visible from the road.

And for me, it really is a million dollar price tag, because if I purchase it, I'm going to be spending that, maybe a little bit more, and if this road makes the Sunrise unable to be seen, then I'm not remotely interested in purchasing the Sunrise. So help me. That's it.

Communication ID: 928

DAVID STORY: Fairly straightforward statement for opposition of the G South Alternative for the bypass project. It seems to be the least effective of the options and congests some of the areas that are high traffic for our business as well as some of the other businesses in the area. That's it. That's on behalf of Alaska Wildland Adventures.

Communication ID: 929

NICHOLAS LeMIEUX: Okay, I'm Nick LeMieux, and I live -- my postal address is Box 834, Cooper Landing.

DAVE HANSON: Sir, could you spell your name for the reporter?

NICHOLAS LeMIEUX: Capital L-e, capital M-i-e-u-x, first name Nicholas.

I've been associated with Cooper Landing for about 20 years. Right off the bat, I'd say that particular route that I would like to see is the Juneau Variant route.

Addressing the route to the south of the road, the Cooper Creek route, both ends of it would be a very high grade, and not only that, on a north facing slope in the shadow -- that's road speak - which would create real problems during the winter for all travel.

The route through the town, of course, impacts almost everybody who lives in Cooper Landing, and we all hear the trucks night and day, and many, many of them. Not only that, we have to follow these trucks through the community, and many of them would like to use their jack brakes and things like that and make a pile of racket. And also they like to push us from the backside and following closely when there is a speed limit of 35 miles an hour through the town.

The possibility of a spill along the river is very real. We've had some near accidents where large amounts of oil were spilled close to the river. Fortunately, they did not get into the river.

The other alternates -- I think the Juneau Alternate has one problem that I see, and that is the impingement on the wildlife refuge, which would mean special action probably of Congress to get it okayed. And with Washington involved, you can never hope anything gets done.

So I'm very much in favor of the Juneau Variant, which would avoid that problem. It also would take all of the traffic away from town. And I don't think that it would really impact the business in town, because most of the business in town is - comes from people who have Cooper Landing as a destination and so they would be here anyway, so I don't think that would impinge on the businesses in town. So I'll close with that, thank you.

Communication ID: 930

ALEX KIME: It's Kime, Alex Kime. And my address is 35090 Quartz Creek Road.

DAVE HANSON: Do you want to spell your name for the reporter?

ALEX KIME: K-i-m-e, Alex Kime, Quartz Creek Road.

I own Alaska Horsemen Trail Adventures, and I've run a horseback riding business here for nearly 20 years, and I've safely crossed the Sterling Highway for nearly 20 years.

I cross the highway right there at the Sunrise Inn right at the intersection of Quartz Creek Road and the Sterling Highway at Mile 45. Currently it's a 45 mile speed limit, we have a horse crossing sign, and I've never had an issue.

I'm real concerned when all of a sudden we have four lanes, we're going from a 45 to a 60 mile an hour speed limit, and so I'm concerned how I'm going to cross the highway with the horses. I have a permitted trail system on the other side of the highway, that's the reason for doing that.

So my solution for that, excuse me, is an underpass. And this is just a simple culvert that would go under the highway, and this would not only help me and the horses, but hikers, folks from the Sunrise Inn that stay there. They are constantly going across the street and hiking the horse trails, you've got bicycles going across the highway.

There is also the Old Sterling Highway right there that is the start of an old bike trail that was made years ago that goes right to downtown Cooper Landing, so maybe that could be combined to interact with that.

So that would be my idea for a solution so I can keep running my horseback riding business and safely cross the highway. So that's my main concern.

As far as which choice the highway makes, I don't necessarily have a preference, but I do know that the one that goes by Juneau Falls, I am concerned about a parking area there and with the Forest Service and the impact it's going to have on Juneau Lake and Trout Lake.

I operate wilderness horseback trips back in there. It's going to affect my business, it's not going to be wilderness anymore, but I understand times are changing. But it is going to impact the wildlife in the area, and so I am a little concerned about that.

Other than that, I am also a truck driver. And I just want to say I've been driving back and forth from Alaska to Canada, and there is some towns that we go flying around 70 miles an hour, and there is other towns, boy, you slow down to 35 going through town or you're going to get a ticket, and that's what everybody does. So I think whichever way we go here, make it work, thank you.

DAVE HANSON: Thank you very much. Phil Weber.

ALEX KIME: Can I leave this with somebody?

DAVE HANSON: We'll make sure it's in the record, too.

ALEX KIME: Thank you.

Note: Alex Kime submitted a letter that is being processed as a separate hardcopy comment.

Communication ID: 931

PHIL WEBER: My name is Phil Weber, that's spelled W-e-b-e-r. I live at Mile 47-and-a-half of the Sterling Highway, specifically 35635 South Place West. The G and both Juneau Variants will go up behind my house.

On paragraph 3.13.1.4 of the Draft EIS, it says there, and I quote, "Some homes and cabins are said to use surface water sources." "Are said," that sounds like it's a rumor. It's not a rumor, it's a fact. I am one of

those people that do use surface water sources. I've got my water out of Slaughter Creek since 1995. I've got the best tasting water in town.

In all the years of discussion, 10, 15 years that I've been down here full time and we've come across public hearings like this or work sessions, no one, not no one from DOT, no one has said they will guarantee the quality of my water after the construction is done. That's my concern.

I just want to have the same tasting water that I have right now after the construction is done. Because I know what salt and sand is put on, and I just want a guarantee from DOT that I'm going to have the same quality of water afterwards. Thank you.

Communication ID: 933

CHRIS CRAVENS: Waiting on me? Sorry, thanks. My name is Chris Cravens, and I want to begin by saying that I'm in full support of the Do-Nothing Alternative with a second cautious support of the Cooper Creek Alternative.

I cannot in good faith support any other alternative due to the public land impact that will result in any efforts. I want to bring up the concept of externalities, or the creation of externalities, which is the manifestations of a whole litany of new problems in the effort of solving maybe an original problem, that we may or may not have a perceived problem.

I understand the three needs that were listed here are all very, you know, clear that they are kind of based on congestion and safety, but what they don't really bring up too much is environmental impacts. I think the three needs could probably be addressed in other forms, such as enforcement, the preservation of the existing speed limits through town, and maybe even a decrease in speed limits for a longer duration on the highway corridor.

As a side note, I just kind of want to talk about the construction of new bridges, and not necessarily including the reconstruction of existing bridges, so the construction of new bridges being potentially one of the most harmful endeavors in destruction of salmon spawning creeks and potentially pollution. So we need to keep that in mind when we're looking at new bridges as opposed to just kind of upgrading or redoing existing bridges.

To sum up -- excuse me real quick. So to sum up, I can only really be a strong advocate of the Do-Nothing Alternative at this point, and again, a very cautious advocate of the Cooper Creek Alternative. The other three are just too much of an infringement on the public lands that are so scarce and so rare in the United States these days, particularly the Kenai Wildlife Refuge and particularly, of course, the National Forest Service.

So I think everyone should consider the fact that we've got a somewhat functioning but not perfect roadway and highway that so far has -- it has its issues, but I think compared to the other alternatives, it's the lesser of many evils. So thanks for your time, I appreciate it.

Communication ID: 934

DOMINIC BAUER: My name is Dominic Bauer, D-o-m-i-n-i-c, last name Bauer, B-a-u-e-r. P.O. Box 538, Cooper Landing.

I've been here for a while now, and I've been studying this bypass for a while, and I've been on both sides of the coin, and at this point lots of thought and witnessing trucks dumping at Gwin's corner and whatnot. I think since '93 I don't know how many tractor/trailers have gone over. Seen cans of Coca-Cola floating down the river at the bridge.

I think it was 7,000 gallons of diesel at Gwin's corner went in there, went through the culverts into the Kenai. How long until a truck with sulfuric acid or something, who knows what, goes in?

The number one thing that's paramount in this issue is the river. The whole Peninsula's economy depends on it, my business, many friends' businesses, tourism, it's what it is. It's one of the few sustainable businesses we have.

I would like to see a variant other than the existing footprint or Cooper Creek. I think Juneau. Truthfully, I don't know, that's your job, but give it some great thought. There are a lot of lives, and I think the long-term sustainability of this town, if you're a civil engineer, anybody with any background about looking to the future 20, 30, 40, 50 years. Our Peninsula's population and one two-lane road going out and evacuating over a river, it's not smart.

That's about all I have to say. I just would hope that we can come to something that will provide for the health of our Kenai River for many generations to come. Thank you.

Communication ID: 935

THERESA NORRIS: Hi. I'm Theresa Norris. I live off of Bean Creek Road. I've been here since '67.

It's kind of sad to see everything destroyed kind of a thing, but I definitely want the Juneau Creek Variant. I'm a hiker and I just want traffic -- less traffic going through Cooper Landing, and I think that would be the best alternative, even though it goes through Juneau Falls and some of my favorite places to hike, but I still think that would be the best one. Thank you.

Communication ID: 936

DAVE QUINN: My name is Dave Quinn, I live in Cooper Landing, been a property owner since the '70s, and I have lived here full time since about 2006. P.O. Box 833, Cooper Landing.

I have a few concerns mostly on protecting the Kenai River. We have a corridor here that's very unique and a lot of the people in Cooper Landing are living here because of the uniqueness of that river.

Last summer we were seeing a large increase with the tanker trucks coming through from Nikiski, and they are serving the state of Alaska. Wherever there is a road, they are hauling their oil.

Last year we averaged -- probably estimated about four trucks an hour, and that is around the clock, so you can imagine how long this road is going to last with that kind of traffic, plus we have the development in Nikiski. It's only going to increase.

And then plus we have all the commerce vehicles that come through here for Carrs and Safeway and Walmarts and all of those, and then plus we have the tourist traffic. So we have an enormous responsibility for the state of Alaska to maintain Cooper Landing in the best way that we can.

And I'm not excited about all the alternatives we have, because I would like to see a route that were away from the river. And I know that's a huge challenge, and I don't know if we're going to see that, but I would play the percentage side.

If we can be away from the Kenai River, that's a better percentage for us. There has always been a safety issue on this main corridor, and if we could be able to have a safer corridor.

35 miles an hour is a bottleneck, plus we have all the entities. As we travel down the corridor, we see Gwin's corner, which there has been numerous accidents down there involving commercial traffic; we have the Russian River turnoff; and then we also have the Sportsman's and at Jim's Landing. So whatever we can do to protect that corridor from a truck going into the Kenai with oil or whatever chemicals they are carrying, I would appreciate that. I think that's a huge concern for everyone here.

And then the other concern, I'll make it brief, is Cooper Landing is -- we don't have a lot of history here, '20s, '30s, '40s -- I'd like to maintain the integrity of Cooper Landing with the historical value. So to leave Cooper Landing away from changes, you've got alternative, is it C? What's the Cooper Creek one? That divides Cooper Landing. Cuts the residencies right in half, and that would be a terrible situation for this community to change. The integrity of it would be gone. It would just be another place on the road. Thank you.

Communication ID: 937

ANN HANSON: My name is Ann Hanson, H-a-n-s-o-n. I live at 35360 Just Bears Court in Cooper Landing. I just have a couple comments about the Juneau Creek -- the two Juneau Creek Variants.

I do a lot of shuttling between Sportsman's and Jim's, and the one variant which does not cross the Kenai federal lands when you are going to be coming out and going west, from Sportsman's there will be an onramp; but when you are coming back east to get to Jim's, you're going to have to cross several lanes of traffic to turn left to get down to Jim's.

On the other side of the coin, the other Juneau Creek Variant, when you are shuttling and you're going west to Jim's, you are going to have to come up and make a left turn lane onto the new highway and cross three lanes of traffic, if what I'm looking at up there is correct, and they are going to be coming at you off of a 55 mile an hour road, and I think that that is going to be a very difficult place to try and go west.

I don't know what the solution is for either one of those. I hope I've explained myself. I don't see a good alternative, but I just think that you need to consider it, because there is a lot of shuttling that goes between Jim's and Sportsman's, and how you are going to have people access that new highway from each direction going west and east on the new highway needs to be very, very strongly considered.

And you have to remember that you're pulling a trailer, so it's not like you're pulling out into traffic with just a car, you are going to have a boat trailer on the back of it. Thank you.

Communication ID: 938

JONATHAN OSOWIECKI: My name is Jonathan Osowiecki, O-s-o-w-i-e-c-k-i. I was born in the area, lived here for eight years, I've been back about six years now.

I'm opposed to all these alternatives. The Kenai Peninsula I believe is 16,000 square miles, which works out to over 10 million square acres. I think they can find a different place to put this highway.

Having worked construction in this town with a local excavator, being on both sides of this valley digging holes, there is no good base for a highway. I don't believe that we should do either one. There must be a better way. If the river is truly to be protected, they need to get away from it.

I'm very worried about the oversight on the construction on this project. From what I've seen in my construction experience, that shortcuts are taken and the oversight is never there. And I would hate to see an Alcan Highway put through this town, that after even beyond 50 years -- I believe the Alcan is getting closer to 60 -- it still wasn't built right in the first place. It's unmaintainable almost to this day. It's still not a manageable highway. Anyone who's driven it can attest to that. It's rutted, frost heaves everywhere, and I'm concerned about the lack of oversight that hasn't been done already with projects through this town.

My major concerns, I think they can find a different place to put this highway. And I do own property that one of the alternatives would go through is another reason I'm opposed to it. Thank you very much.

Communication ID: 939

DAVE HANSON: Thank you, sir, very much appreciate it. Is there someone else who would like to testify at this time?

CHRISTINE FARRINGTON: After listening to Jonathan, I think I may.

My name is Christine, C-h-r-i-s-t-i-n-e, Farrington, F like in Frank, a-r-r-i-n-g-t-o-n, and I'm at P.O. Box - - do you need physical? I'm at 18067. I'm right on the highway, the Sterling Highway.

I've lived here for 11 years, and we have traffic pass our house constantly. And kind of listening to everyone and thinking maybe the do-nothing is the way to go. And get the DOT -- who is with the DOT here -- to step up, get us some slow-down signs. I don't know how we get more troopers passing out tickets. Knock out Gwin's curve, somehow someway just knock that out, that's got to be able to be done and straighten that out a bit. Even though it says 35, slow down, no one really does.

And we need enforcement on our highway. I know last year when they put the new road in it did help a little, they did put some signage on the highway that says 35 miles per hour. No one still drives 35 miles an hour through Cooper Landing. I'll be going 40 myself, and all of a sudden say, hey, I'm going over the speed limit already as soon as I pull out of my driveway, and I slow down.

But I think those flashing signs, if the DOT could get some of those going through Cooper Landing might help, and that would save \$247 million, and maybe we could house and feed some people in our country, not that your money does that, but it just seems like a lot of money.

So yeah -- I mean, but anyway, I'm for the do-nothing. Right now, even though I live right on the highway and I hear the cars go by my house and trucks, you get used to it, right Jonathan? But they need to slow down and we need more enforcement in our town. Thank you.

Communication ID: 940

CHARLOTTE OSOWIECKI: Hi. My name is Charlotte Osowiecki, C-h-a-r-l-o-t-t-e O-s-o-w-i-e-c-k-i, and I've been in this area for 17 years, living in Cooper Landing for about half of it.

I live on the highway. I am pretty much opposed to all these alternatives. The Juneau Creek one is the least of the evils in my opinion.

And the only concern that I really have is that if this doesn't go through now, that we don't spend another 20 years spending money and talking about it, and talking about it, and talking about it, and studying it. Put that money into widening this road and making this highway that we have a federally compliant highway, straighten it out, blast some of the curves out.

That's basically my major concern, is whatever the decision is, that if we don't do it, that we, you know, fix the road that we have and basically put this to bed and stop talking about it. So thank you.

Communication ID: 941

JIM HARPRING: Good evening, my name is Jim Harpring. For the record, the spelling is H-a-r-p-r-i-n-g. The address is 35001 Water Front Way, three words, Soldotna, Alaska 99669.

I'd like to begin my testimony beginning with -- I thought the EIS that was presented was very thorough and complete. I've only read the Executive Summary and I read portions of the EIS that concerned me.

The one area that I would really like to speak to tonight -- there are really five -- but the major one is the safety-related issues in Appendix A, especially to two particular tables, Table 3 and 4 and figures associated therein.

It's obvious just by doing a quick analysis of that -- and, again, I apologize for not being more prepared because I couldn't find it in the real EIS, I didn't go to the appendices -- it's obvious that that particular corridor from 45 to 60, although designed in the '40s and '50s, has never been changed.

We've lived here for 40-some years, and we used to live in Anchorage and we would commute every weekend to our home here on the Kenai River, and that particular area was just terrifying. I can't tell you how terrifying it was, but it was just -- you just wanted to avoid it if you could. You'd just get through it as quickly as possible because of the number of fatalities, rollovers, and head-ons and collisions, as depicted in the appendices. So any alternative is better than the current one as is.

The next area that I want to address is avoiding the Kenai River and all of the associated haz-mat issues. We've had them over the past, we will continue to have them in the future, so to continue with no alternative is unacceptable. Again, remembering that this thing started in '82, and then we had the next one in '94, testifying in both of those, and we've seen no successful resolution to this after 33 years. So avoiding the Kenai because of the related issues of not only oil, but of the haz-mat and the other petrochemical issues that it may impact because of the growth of the Kenai Peninsula and related issues there.

The third item is the taking of private property with the means that are available to take that property and compensate. Just the mere fact of taking the property, which I'm totally opposed to, if there is any alternative available to the owners. I've been impacted throughout my life on three other properties where

it was taken with no recourse except a monetary one, and I find it very unnecessary in many means just because that was the most convenient approach to resolve a particular issue.

The next one is the issues associated with the 19 acres that would be impacted if you did the Juneau Alternative, not the variant. So I hope that we don't go to an Izembek-related issue where it's too hard to handle, after 14 years of studying that particular issue and being defeated to set up a road.

And so the testimonial finals here, I want to support the Juneau Creek Alternative if given the opportunity to support that. The other two have too many related issues that can't be addressed in their entirety to support this particular project. Thank you.

Communication ID: 943

RICK MOORE: Mine is a very brief thing on what I have.

DAVE HANSON: Sit down and introduce yourself and address.

RICK MOORE: My name is Rick Moore, M-o-o-r-e. My address is 36663 Marsha Lane in Soldotna here. Mine is a very brief deal. I run trucks that run from Anchorage down to the Kenai Peninsula on a daily basis, and I know how dangerous it is to drive our trucks pulling doubles going through Cooper Landing. It's almost impossible to keep the trucks in your own lane.

And what I wanted to emphasize to you guys as you guys are trying to design this thing is there is a couple things to really keep in mind from our aspect of it with the trucking industry.

And number one is to make sure you guys put passing lanes in both directions. In other words, don't put strictly passing lanes on a hill. Going uphill for trucks, we can't get around vehicles, which are all passing us, which is fine, except when you get to the other end. If we haven't been able to pass people, we get to the end of a road there, you get some people that are scared to drive, you know, a reasonable speed. We get behind them, we get hung up, traffic can't see around us. They start getting irritated because they are behind us for a long distance, and they start doing stupid passes. Give us passing lanes going uphill and downhill. From one of your propositions I saw over there there was only passing lanes going uphill in both directions. That's terrible on trucks.

The other thing is the grades. You've got to keep the grades to where we don't spin out. It's showing a 5.8 percent. If you can, it needs to be less than that. In our snow and ice conditions that we get out here, when we spin out, we shut the highway down. You know, people can't get around us, and there is times we're waiting for two and three hours to get sand to come out there. Even when we have our chains on all tires that we can put chains on, we're waiting for two or three hours for DOT to come out there and get us going again by dumping a bunch of sand underneath us. They need to keep the grades at a very small -- very low percentage.

And that's really all I had, two aspects that I wanted to bring to your attention in designing the roads. Okay, thank you.

Communication ID: 944

JIM GRAIGE: My name is Jim Graige, Box 8328, Nikiski 99635.

This project has been a long time coming. We're not there yet. I've been here almost 50 years, and they have made a lot of improvements on the road. This particular section of road hasn't had much more than pavement in all those years. It's a very dangerous road.

Anybody that wants to really know what it's like, come here in July when fishing season is really going. It doesn't matter how many no parking signs you put up, they will still park out on the highway, and there is not really room for two cars or trucks to meet. And then it gets even narrower when somebody has parked on the roadway, in the road, it gets really dangerous.

I'm very much in favor of the alternative routes that take us as far away from the river as possible. I don't have anything against fishing. Let the fishermen go ahead and use the old road and the other people that have other things to do and don't have any particular business or businesses in the affected area where you can make a special trip or go after July. But the further we stay from the river, the better off I believe all of us are.

And I'm very impressed with what's online. All the things I didn't know that was occurring over all of these decades, I thought everybody was dragging their feet. And somebody has been doing their homework, and I'm pretty impressed with that.

But I'd like to see us stay as far away from the river as possible. And I would really like to see this project happen, thank you.

Communication ID: 945

WADE WAHRENBROCK: Hi. My name is Wade Wahrenbrock, I'm at 36720 True Fir Circle, and that's F-i-r, not F-u-r, in Soldotna, Alaska.

And I guess pretty much my only comment is, looking at the various alternatives -- let me digress.

There is a strong need to do something as compared to the current situation, so any alternatives that other people have said is a step forward, which would be beneficial.

Of those alternatives, you have a plan at this point, I would favor the Juneau Creek Alternative as the best bang for the buck, so to speak, the best use of funds and alleviating the most problems.

The only question I have or comment about that alternative is at this point I see a number of pullouts and so forth for recreational areas like Bean Creek and around Juneau Creek and so forth, but I don't see any alternatives for the public that live up there to be able to access that road directly as compared to have to go many miles around the road to get on the highway. So to me it makes sense to have at least one access from the subdivisions there.

Since you're going to have vehicles egressing and getting on their way from the recreational areas, it would make sense to have one for the public that live around that area. And that's the end of my comments, thank you.

Communication ID: 946

PAUL SHADURA: My name is Paul A. Shadura, II. It's spelled S-h-a-d-u-r-a. I've been a resident of the Peninsula for, I think, 40-some years. My family dates back into the pre-1900s.

And currently I'm involved in several different organizations. I will be speaking for the South K-Beach Independent Fishermen's Association today. Our mission and goal is to preserve and protect the aquarian areas of the Kasilof River. It's kind of a little bit off our path, but something that's just as important.

I'm also a commercial fisheries representative for the Cook Inlet Regional Citizens Advisory Council, although I'm not speaking for them today, but just to show my concern, and I've been a 30-year participant to the Kenai/Soldotna Fish & Game Advisory Committee, and past involved with Cook Inlet Aquaculture Association and so forth, so fish is my life. I am a commercial fisherman, for a while anyway.

And so my concern here, my meaning to come here tonight was to see how far along you are on your project. And since the last go-around and discussions and open meetings, and I think at that time many of the organizations that I mentioned and myself as an individual have viewed the different alternatives.

I see that the Juneau Creek Variant alternative seems to be something most favorable in my personal view, in sockeye's view. The cost at \$257 million sounds like it's 47 million less than the most responsive project, I would say, and it has a favorably low risk as it relates to incidence of contamination relative to spills.

It has the -- to me anyway, it has relatively the least risk as it involves different waterways, which affect, of course, the fish and different species.

I do have one comment on -- excuse me, a comment on the no name creeks -- I'm trying to read my notes here -- unnamed creeks. In one of the posters it said there would only be one culvert and one bridge, yet there is three unnamed creeks in and around Sportsman's Lodge there. All those are extremely important for coho. Coho are a very regional animal in the sense that they may have water one year and the next not. It doesn't mean that they won't survive, they do.

So coho are a cumulative aggregate of habitat, it's necessary to raise them. Other than sockeye where you see them visably where they are spawning, coho and trout and the other Native species, our resident species are important, all those little systems are.

So I would hope that if any of these projects, if we're looking at a small system or a small stream or a drainage area, that you would look at it with a little more delicacy and concern and putting in the proper culvert system, if that's necessary.

We've learned a lot of things, and this project could be very helpful to creating some of the -- or I should say improving some of the situations in the past that have been deleterious to the fisheries, for instance Cooper Creek, as we've talked about. That's probably a large example, but the small ones are just as important.

The short-term and the long-term effects I think -- you know, in many ways for transporting goods and services, we understand the LNG may or may not happen, the facility out on the North Road, so there would be quite a bit of population, and that raises the risk level.

But currently -- individuals probably don't understand that all the seafood that comes out of the Homer or Kenai area, they go by highway, everything comes out by highway. It's really important for those trucks to be able to transfer to Anchorage.

And currently in the summer when we have a lot of other traffic, it makes it very difficult for those loads to come through on a timely manner. So again, that raises the risk in more than one way.

So these are all positive things. I think the project should go forward. And other than the efficiency and safety and the transportation, that works.

DAVE HANSON: Well, thank you very much.

PAUL SHADURA: Off the top of my head.

DAVE HANSON: And I don't think -- I will ask if there is anyone else that wants to testify. And we'll be recessing. And you may want to stay around and talk to our board members if you wish.

PAUL SHADURA: Good. Thank you for giving me the opportunity and the public to have this.

You know, it was very difficult for me to find where this meeting was. It was on Channel 2 news, and it was in the paper a couple weeks ago and the Clarion, but it was pretty difficult for me to find where it was tonight. And maybe that was just my own sources, but usually I'm pretty good about seeing things. It didn't come over the wire in fisheries-related stuff like I'm used to.

So maybe if you have another one, you can make sure that you get us, the Cook Inlet Aquaculture or the Kenai Peninsula Fishermen's Association or Sockeye or UCIDA so we would know, okay.

DAVE HANSON: Thank you. Thank you for sharing that with us.

PAUL SHADURA: Yeah.

Communication ID: 947

I have a cabin on Cast Quartz Creek Rd and am an avid biker, hiker, hunter and fisherman. The Cooper Creek Alternative is the only choice that makes sense to me.

I would love to be able to safely bike into Cooper Landing from my cabin, but right now I do not dare. The shoulder from Quartz Creek to town is non-existent. The Cooper Creek Alternative is the only route that would give a safe shoulder all the way.

I hike, bike and ski the Bean Creek and Resurrection Trails the other routes go through these and would disrupt that whole area - NO need.

Someone is killed biking on that dangerous stretch of road. With the Cooper Creek Alternative the WHOLE length would be improved.

Communication ID: 948

I vote for the no-build alternative. It seems like any of the other alternatives would have too great of an impact on the community & the ecosystem and little overall benefit other than to funnel traffic faster past Cooper Landing. It seems like the money could be better spent to improve what is there & not deprive a small community of it's life line or further impact the surrounding habitat & wildlife.

Communication ID: 949

Good Afternoon;

We are still waiting your reply to the question below. Thank you in advance for working with us to better understand how or if our property will be affected. We have spent many years carefully planning and building our retirement home there in Cooper Landing. Please let us know.

Thank you, Julie Allison

On Tuesday, April 14, 2015 9:07 AM, Julie Allison allison-texas@sbcglobal.net wrote:

Good Morning;

Thank you for your response. I have read through the engineers report and each of the Appendix. The maps are helpful but with out seeing it with the existing structures it is difficult to determine if our property will be affected by a full acquisition, a partial acquisition or a full acquisition due to loss of access. Appendix B, #5, does reference an areal photo that the build alternatives map has been overlain to determine which properties were affected and by which definition, full or partial. I can not find that photo with the map overlain in any of the documentation. Is it available somewhere for me to view? Or more simply, there must be a report of the structures including owner names or addresses, that I can review to see exactly how our property will be affected. I need to start making plans so I appreciate your input and direction, Regards,

Julie Allison

On Monday, April 13, 2015 4:05 PM, SterlingHighway SterlingHwy@hdrinc.com wrote:

Ms. Allison,

Thank you for your question regarding the Sterling Highway 45-60 project. The best place for you to find an answer to your question is in the Preliminary Engineering Report. Appendix A of that report contains details of the potential alignments. The report and appendix can be viewed or downloaded from the following page: http://www.sterlinghighway.net/technical_reports.html#PER Under the header “PER Appendix A - Build Alternative Plan Sets” there is a link to each alternative’s alignment.

Sincerely,

Kelly Petersen, PE
DOT&PF Project Manager
Sterling Highway MP 45-60 Project
sterlinghwy@hdrinc.com

From: Julie Allison [mailto:allison-texas@sbcglobal.net]
Sent: Friday, April 03, 2015 1:54 PM
To: SterlingHighway
Subject: mp 45-60

Good Afternoon;

We, Jeff and Julie Allison, are property owners in an area that appears to be affected by 3 of the 4 routes being purposed. Can you tell me if our property is one that is partially affected or completely affected by the 3 northern routes? Our address and legal description is as follows: Birch and Grouse Ridge Sub lot 40 18779 Langille Rd Currently, this property is primarily a summer home until we retire, then we plan to reside there full time. If our property is affected, we will need to start making alternate plans. From the maps I can not tell if there is a partial or total encroachment. Can you please advise us of such? Thank you for your input.

Regards,

Julie Allison

Communication ID: 950

I am AGAINST the Cooper Creek Alternative. The highway right now is way too close to the lake and river. The further we can move it away from the water the better! All it will take is one tanker truck crash spilling it's contents into the river and it will shut down almost the entire Kenai Peninsula economy. I think that the Juneau Creek Variant Alternative is the best of all of the options. Please move this highway to that alternative and get it away from the water. When that highway was put in so many years ago, it wasn't carrying near the capacity that it is now and they weren't considering the volume that the highway carries today. A few years ago, a truck carrying soda pop overturned at the bridge. It was a great day for the local kids that enjoyed all the soda pop they could drink for a few days, but I shudder to think if that truck had been carrying gasoline or some other substance that would have destroyed the Kenai River ecosystem. The King Salmon are already suffering enough. MOVE THIS HIGHWAY AWAY FROM THE WATER!!!!!!!!!!!!!!!!!!!!!!!!!!!!

Communication ID: 952

To Whom It May Concern:

I am attaching my comments on the draft SEIS for the Sterling Hwy MP 45-60. I will unfortunately be working out of town when the public hearings will be held in Cooper Landing and neighboring communities.

Thank you for accepting this comment,

Janette Cadieux

Cooper Landing, AK

ATTACHMENT TEXT FOLLOWS:

General:

I am writing to express my support for the so-called "no build" alternative for the Sterling Highway MP 45-60 project. The Alaska Department of Transportation (DOT) has not demonstrated the need for the extreme measure of placing another highway in the narrow, upper Kenai River valley. This is a major

failure of the Section 4(f) requirement. DOT has not taken measures to improve the existing Sterling Highway and thereby address some of the stated concerns in the Supplemental Environmental Impact Statement (SEIS). Without data from working on the problem, DOT cannot plausibly argue that they need to build a bypass in the MP 45-60 section of the Sterling Highway.

Congestion:

Research shows that slower traffic moves more cars through a given area than faster speeds do. The key is to keep them moving. DOT has done nothing in the existing roadway to address this other than a turning lane at Sportsman's Landing.

* Building a separated walking/biking pathway from Skilak Loop Rd and the parking lot in that area to the Russian River /Kenai River confluence would remove walkers and bikers as impediments to traffic flow.

* Development of concentrated parking areas for those visiting the Russian River /Kenai River confluence area would allow the elimination of on-road parking in the Russian River /Kenai River confluence area. This would also allow for a concession van/bus to transport people providing predictable stops for through traffic.

* Building more acceleration/deceleration and turning lanes where needed including in Cooper Landing proper would keep through traffic moving instead of stopping for local traffic.

* Traffic circles such as at the State Park boat launch/Snug Harbor interchange with the Sterling Highway could be instrumental in keeping the flow of traffic moving.

Combined, these measures and others would help keep traffic flowing, decrease frustration, and calm traffic as it moves through this area during those weeks of the year when congestion exists. The SEIS does not address any means of reducing congestion other than using the extreme measure of a bypass highway.

Design Standard:

The SEIS does not address what measures DOT took (or did not take) to address design standard on the existing highway. The specific concern raised in the SEIS for MP 49-50.5 doesn't answer the obvious question of how an engineered solution could be any worse than the current sloughing, unstable bluff, especially if a lower design speed is considered. Slowing traffic and calming traffic could allow a lower design speed and allow the existing highway to continue to serve if it is given the long overdue maintenance and improvements it needs. Federal Highways representatives have indicated that waivers can be obtained that would allow lower design speed as an option on the existing Sterling Highway corridor. DOT /the SEIS has not made the case that the extreme measure of building a second highway in this highly sensitive area is warranted. The SEIS also does not address the design concerns represented by alternatives north of the existing highway through avalanche zones, across the Juneau Creek canyon with its unstable rock, and the steep grades required. The entire Kenai River valley is glacial. Chances are there will be other clay and poor soil areas that the bypass alternatives will have to address once the building begins making the cost estimates too low and concerns similar to those raised regarding MP 49-50.5.

Safety:

Given the proposed locations of the bypass alternatives on the north side of the highway at elevation and through avalanche zones, the safety concerns of those alternatives were not adequately addressed by the Supplemental Environmental Impact Statement (SEIS). The statement that the 8' shoulder would be a "safe" place for walkers and bikers would be laughable if it weren't so serious. A statement like that is a

big indicator that the safety concerns of walkers and bikers were not seriously addressed in the SEIS. There are many measures that might be taken to calm the traffic as it traverses the existing highway thereby improving the safety for all. Other than signage recently placed, no measures have been taken to ensure either walker /biker or vehicle safety in this area. A separated walking/biking pathway should be built in the entire project area, MP 45-60.

There just isn't any data proving that the extreme measure of building a bypass is warranted or that it would reduce accidents. If conditions on the existing highway are as bad as the SEIS states, the state has been negligent in not addressing them by now through improvements to the existing roadway. Since the existing roadway will continue to be used, measures need to be taken anyway. Measures should be taken now, before a bypass is even considered. If this does not occur, there isn't enough information to demonstrate the need for the extreme step of building a bypass.

Habitat and Wildlife:

The SEIS did not adequately consider and weight the implications of building a second highway in the highly sensitive upper Kenai River area, headwaters for the Kenai watershed. Calming the traffic and moving it more efficiently through the existing corridor would help sustain habitat and wildlife linkages far better than placing an entirely new roadway through the same area. Moving the highway away from the river would not eliminate the dangers to the watershed. The SEIS inadequately addresses this and makes misleading statements about the risks of both the existing and proposed highway corridors. DOT and wildlife/river managers have done little to curb the habitat destruction underway by all the foot traffic through sensitive areas along the river and yet the SEIS claims that river safety is a goal. Improved visitor infrastructure would go a long way to protecting the watershed and the complex habitats in this area. The crass statement that wetlands lost would be addressed by paying fines reveals that river health is not really a concern nor reason for building this bypass. Research shows the upland wetlands protect the river during times of heavy run-off. The wetlands both filter and feed nutrients to streams of the watershed and the river directly. The Section 4(f) requirement has not been met since DOT has not demonstrated through measures taken on the existing highway that "no prudent and feasible" alternative has even been tried. It cannot be proved if there are no comparison measures to point to.

Recreation:

The impacts to world-class trails from any alternatives north of the highway would be negative. Highway noise would extend far into the Resurrection Pass. The trailhead for Art Anderson Slaughter Gulch and Juneau Ridge (improperly named Slaughter Ridge in SEIS) is not addressed adequately and is grossly under rated in its usage as it has changed since the original EIS. This trail is now a regionally known trail with associated greater utilization. USFS has maintained it. The suggestions that DOT would post no parking signs is another sign that the SEIS does not take pedestrian safety seriously enough. The SEIS discussed increased traffic for the highway but ignores increased traffic on trails. If trailheads and therefore starting/stopping traffic will occur, what is the point of building a bypass at all? Once again, the Section 4(f) requirement has not been met since the SEIS has not demonstrated through measures taken on the existing highway that "no prudent and feasible" alternative has even been tried. It cannot be proved if there are no comparison measures to point to.

Aside: The "mitigation" of a pedestrian bridge over Snow River bridges for losses in this project area is hard to understand. There will be many concerns that need mitigating in the project area, on the bypass or on the existing highway, if this project is forced through.

Economics:

The economic losses in Cooper Landing village would be great. The SEIS does not adequately address what a second highway would do to the scenic, wild nature of our valley. That wild and scenic nature is what draws people to Cooper Landing and is upon which the economy of Cooper Landing rests. The SEIS lacks a cost column for repair and overdue maintenance of the existing highway. The existing highway will not be abandoned and therefore must remain a part of the MP 45-60 cost equation. The SEIS, takes pains to identify the problems that exist for the current highway corridor but does not address the necessary cost of fixing them.

If a bypass is forced through, mitigation for the losses created by the bypass should include creating visitor infrastructure in the village. A walking/biking path system along the entire MP 45-60 length of the existing highway should be just one of these mitigation measures including an underpass at the intersection with Quartz Creek Rd so that visitors and local businesses can safely access trails north of the highway on foot, bike, or horseback from the campgrounds and neighborhoods down Quartz Creek Rd.

Summary:

The SEIS has inadequately made the case for a bypass in any form from MP 45-60 of the Sterling Highway. No measures have been tried to make the existing highway corridor meet the needs of local or through traffic, whether vehicle or pedestrian. There is no data to prove the extreme measure of putting a second highway through this highly sensitive river valley is warranted. Section 4(f) concerns have not been adequately addressed for the harm that a bypass alternative would assuredly cause.

Thank you for allowing me to review this SEIS and point out what is lacking in the case for a bypass between MP 45-60 of the Sterling Highway.

Sincerely,

Janette Cadieux

Cooper Landing, AK

Communication ID: 953

I would support the plan which removes the highway away from the water for the longest distance. My fears for the current configuration is the very distinct possibility of a large truck spilling a load into these pristine waters.

Also the highway should be moved out of Cooper Landing to allow its development as a destination village. The current traffic makes any hiking or walking through the area to be dangerous and scary since speed limits are not observed and sight lines are tough for crossings.

Linda Raveaux

Communication ID: 954

It is my opinion at this time to select the no build route. With the decrease in federal and state revenues, the funds spent on roads should be directed to the area that has the most impact from year round traffic which is the Anchorage bowl and Mat Su Valley. I would rather see the Knik Arm Bridge built. Also if

the Chulitna coal mine is finalized the Tyonek natives will be wanting a bridge over the Big Su to tie their roads into the Knik Goose Bay road. We have wasted enough of our tax dollars on environmental studies and the route that was looked at 30 years ago is still the best but now we have greater concerns regarding wildlife and the cost for construction is escalated. I also don't feel enough consideration has been given into adding the burden of emergency response requirements on Cooper Landing Emergency Services who is totally a volunteer service and self supporting financially. We also have a small road maintenance crew and I feel this would direct maintenance away from the current highway onto the high speed area and our access will become more difficult. I also depend on road traffic year round for my business and I am open year round. The bypass will effect my winter operation. I had 6 full time jobs and 2 part time this winter and I am sure if the bypass happens, several year round jobs will disappear. So put me down for no build. We will live with what we got.

Communication ID: 955

I submitted a comment previously with no response. Can you make the alternatives available in KMZ files? I would like to put them into Google Earth to see the affected properties. The Cooper Creek Alternative does not solve the problem. I think that the road should north side of the river. Juneau Creek Variant is the best one from my perspective. Also what is going to be done with the existing road? Bike lanes and one way? Need to make it more livable for folks staying in Cooper Landing. That would make biking and non-motorized transportation much safer in town. Thank you! Brad

Communication ID: 956

To Whom It May Concern:

I am writing to express my comments regarding the Sterling Highway Mile Post 45-60 Project Draft Supplemental Environmental Impact Statement (Draft SEIS) and Draft Section 4(f) Evaluation. I am a resident of Cooper Landing.

I have read the full Draft SEIS and Draft Section 4(f) Evaluation Executive Summary and have studied pertinent parts of the comprehensive documents as they relate to the parts of this project upon which I will comment. The Executive Summary was well produced and helpful to understanding the impacts that the four new build alternatives are considered to have on the wilderness and human communities through which they will pass. My general opinion of the situation is that the Draft SEIS and Draft Section 4(f) Evaluation have failed to make the case that any of the four new highway alternatives are environmentally suitable or defensible. As described on page 18 of the Executive Summary, "Section 4(f) of the Federal Department of Transportation Act prohibits use of certain parks, recreation areas, wildlife refuges, or historic properties for transportation projects unless there is "no prudent and feasible alternative" or the impacts are "de minimis." The Executive Summary goes on to state that, "If there is no prudent and feasible avoidance alternative, FHWA must select the alternative with the least overall harm." In my view, the restrictions expressed in Section 4(f) exist to prevent the unnecessary destruction of wild, scenic, fauna-critical habitat. This describes exactly the nature of the habitat and value that would be lost should a second highway be built through the Cooper Landing/ Upper Kenai River Valley. The Draft SEIS/ Draft Section 4(f) document mislabels the only potentially acceptable alternative as "No Build."

Instead this alternative should be labeled the “Improve Existing Road” alternative, and the nature of these improvements should spelled out in the Draft SEIS/ Draft Section 4(f) document every bit as clearly as the four new highway alternatives are described. In the comments that follow, I will specify exactly how I identify aspects of the new highway proposals that violate Section 4(f) of the Federal Department of Transportation Act.

Wildlife Corridors. The Alaska Department of Fish and Game has carefully studied, and presented to Cooper Landing residents, on various occasions, detailed information about how Upper Kenai River Valley resident and transient populations of brown bears, black bears, Dall sheep, mountain goats and moose move across mountain valley corridors, between streams and rivers in the valley, and up and down the valley during various seasons of the year. Some of these animal populations are already in decline in their native habitat in the Upper Kenai River Valley. It is inconceivable that one could argue that any of the new-build alternatives would not have a massive effect on the movement of these animal populations through their native habitat. The effect on these animals will not be “de minimis.” The “prudent and feasible alternative” to destroying habitat that these animals require to continue to exist in this mountain valley is to improve the existing roadway, not build a second high-speed highway through the valley. A second highway in the Upper Kenai River Valley slices up the existing critical habitat that these species rely upon into ever narrower strips and introduces an entirely new obstacle that must be safely negotiated to reach required river and stream habitat where animals feed and rear their young. The improperly named “No Build” alternative is the only alternative that one can possibly defend in the face of Section 4(f) restrictions to construction through this highly sensitive animal habitat.

Noise and Visual Pollution. The animal inhabitants are not the only ones to experience negative impacts from the construction of a new high-speed highway in the Upper Kenai River Valley. The residents of Cooper Landing will experience a dramatically increased level of noise pollution, especially with placement of the roadway on a mountainside bench in alternatives JC and JCV. Steep inclines rising toward and from Juneau Falls will cause trucks to use their brakes. Raising the level of the highway above the valley floor provides a much broader area for traffic noise disbursement. All of the inhabitants living along the valley floor and the hillside, just below the designated path of the new highway, will have traffic noise rained down upon them, from above, continuously. The cut that this new highway will make into the view shed of the Upper Kenai River Valley has not been properly addressed. Since no effort appears to have been made to properly evaluate how improvements to the existing roadway would impact noise and visual pollution levels in the Copper Landing/ Upper Kenai River Valley, relative to the various bypass alternatives, it is hard to see how the Section 4(f) standard that any alternative highway route chosen have “de minimis” environmental impact relative to improving the existing roadway, can be met. The community of Cooper Landing has a “Walkable Community Project” that has spent a great deal of time studying how the existing roadway could be improved, both from a traffic and a pedestrian standpoint. The ideas contained in “Walkable Community” planning documents should be evaluated for possible incorporation into an analysis of how the existing roadway could be improved. This analysis of the existing roadway must be part of the Draft Supplemental Environmental Impact Statement and Draft Section 4(f) Evaluation. Without a detailed analysis of a viable proposal to improve the existing roadway there can be no valid comparison that meets the “de minimis” standard. Presenting the existing roadway as a “No Build” comparison to the proposed bypass alternatives is a glaring omission from the Draft SEIS/ Section 4(f) evaluation.

Wetlands Displacement. The Draft SEIS/ Section 4(f) evaluation indicates that wetlands lost in the process of building the various alternatives described in the document will be mitigated-for by the

improvement or creation of wetlands elsewhere. This approach does not hold water (pun intended). The Kenai River supports a world class fishery and is the lifeblood of the entire central Kenai Peninsula. The wetlands that support this river are irreplaceable. Creating a wetland elsewhere in the area, even if it is ten times the acreage of the Kenai River wetlands lost to this construction project, cannot replace a wetlands that supports the Kenai River. These wetlands and the Kenai River that they feed are integral to each other. You cannot trade them out, acre for acre, with wetlands somewhere else. The destruction of wetlands that nurture the Upper Kenai River violate Section 4(f) requirements so long as no attempt has been made to determine how improvement of the existing roadway would impact Kenai River wetlands, by comparison.

Drafters of the SEIS/ Section 4 (f) document asked for examples where the SEIS failed to account for an impact that should have been addressed. An example is the large seasonal wetland that exists on the bench above Cooper Landing School through which alternatives GS, JC and JCV will pass. This wetland generates a unique micro-habitat on the mountainside that would be lost forever should these bypass alternatives be built. The existence of this seasonal wetland is not even acknowledged in the Draft SEIS/ Section 4(f) evaluation. The heart of this wetland can be reached from a trailhead at the west end of Slaughter Ridge Road that connects, by a spur trail, to the Slaughter Gulch Trail.

Trail Impacts. One of the most destructive impacts of constructing alternatives JC or JCV is the impact they will have on trails in the Cooper Landing area. The most prominent of these is the impact a bypass will have on the world renowned Resurrection Pass Trail when it bisects the trail four miles north of it's current trailhead, just south of Juneau Falls. Placing a high-speed, two, three or four lane highway, just south of Juneau Falls will dramatically impact the wilderness experience of anyone hiking the lower third of this 30 plus mile trail. The noise generated by this bypass bisection of the Resurrection Pass Trail clearly violates Section 4(f) of the Federal Department of Transportation Act. Since no serious effort was made to evaluate how best to improve the existing roadway, it is impossible for the SEIS to claim that "no prudent and feasible alternative" exists to placing a bypass just below Juneau Falls. Every spring, summer and fall people come from all over the world to hike the Resurrection Pass Trail. It is a treasure of the central Kenai Peninsula. There must truly be "no prudent and feasible alternative" to building a road through the heart of it's lower 10 miles before such an alternative should ever be allowed under Section 4(f). Providing an underpass to connect hikers who have traversed the lower four miles heading toward the bypass, to the trail that travels below the highway and past Juneau Falls and beyond the bypass, does nothing to mitigate the destruction of the wilderness character of a hiking or biking experience on this end of the Resurrection Pass Trail. For all practical purposes, the peace and quiet of a wilderness experience on this end of the Resurrection Pass Trail will be lost forever. The burden of this loss will be most acutely felt by local residents who regularly use this end of the trail for day hikes, hiking over and over again that portion of the trail to be bisected by the bypass. No amount of "mitigation" in the form of an underpass or new trailhead at Juneau Falls can make up for what will be chopped off and lost forever of the character of this trail.

Likewise, several other lesser known but vital trails and roads of the area, such as the Slaughter Gulch Trail and the West Juneau Creek Road, enjoyed by many Cooper Landing residents and knowledgeable passers-by year-round, would be bisected by one or more of bypass alternatives GS, JC or JCV. The Slaughter Gulch Trail leading to Juneau Ridge and the high country beyond receives especially dismissive, short-shrift in the Draft SEIS/ Section 4(f) evaluation. Described in the evaluation as a little-used trail, Slaughter Gulch Trail is perhaps the best loved, most used trail, by Cooper Landing residents, of any trail in the area. It is also well known to many from outside the local community. My wife and I

climbed it yesterday, Mother’s Day, May 10, 2015. We encountered six different groups ranging from individuals, to couples, to families with children and dogs. The tiny parking lot at the trailhead we used on this day, just above Wildman’s one-stop, had six vehicles in it while we were there- probably more than would be found at the Resurrection Pass trailhead on this particular day. And yet this trail, vital to local residents most impacted by the negative affects of any bypass alternative selected, does not even rate an underpass in the Draft SEIS/ Section 4(f) evaluation. And, as I mentioned above, this trail passes directly through a seasonal wetland of unique character and importance within the broader scheme of wetlands that support the health of the Upper Kenai River. The Draft SEIS/ Section 4(f) document is seriously deficient for failing to address bypass impacts on this gem of a trail in the heart of our community.

Conclusions. The Draft Supplemental Environmental Impact Statement and Draft 4(f) Evaluation Executive Summary is a clear and helpful document. The actual SEIS/ Section 4(f) evaluation that it attempts to characterize is, however, dramatically deficient. At the heart of this deficiency is the fact that those pushing to build a bypass through the Upper Kenai River Valley have refused to properly evaluate how best to improve the existing roadway. Without such an evaluation, it is impossible to compare the various bypass options with a real alternative. Comparing the various bypass options only to each other offers a series of false choices that are, therefore, illogical. The only sensible way in which the mandate required of the Federal Department of Transportation and Alaska Department of Transportation to ensure that any new highway built in the Upper Kenai River Valley generates impacts that are “de minimis” and offers an alternative where “no prudent and feasible alternative” otherwise exists, is to offer a real evaluation and plan for deep improvement of the existing roadway as part of the SEIS/ Section 4(f) document. Until such an evaluation is done, the Draft SEIS/ Section 4(f) Evaluation is incomplete and essentially unusable. No decision regarding the selection of a bypass alternative should be made on the basis of this Draft SEIS/ Section 4(f) document.

Thank you for the opportunity to comment on this Draft SEIS/ Section 4(f) document. I look forward to ongoing participation in the document’s development process.

Communication ID: 957

I am in support of the Cooper Creek alternative, as I would not like to see the Resurrection Pass Trail compromised in any way. I also think this would have the least effect on traffic delay during construction and seems that it would be a less expensive alternative due to the fact that there is less roadway to be reconstructed.

Communication ID: 959

I remain a believer that the Juneau Creek alternative is the best choice with the Juneau Creek Variant second. Since the ‘Variant’ returns to the highway just in time to take the Gwin’s corner, it is much less desirable. A look at accident statistics will show that spot to be a constant site for incidents.

To me, the overriding concern is that a vehicle carrying hazardous materials will be involved in an accident in a spot adjacent to the river and that the entire economy of the Kenai Peninsula will crash along with that vehicle.

I am sure that you have access to the data about hazmat transportation along the Sterling... just think about dumping a load into the river. Even the most benign of the materials that are trucked along the highway – gasoline – could devastate the river environment. Not only would the river be polluted but the almost certain resulting fire would cause erosion and runoff for years to come. If it were to happen at an upriver location, damage to private property would likely be substantial.

Then think about some of the other loads that transit the highway, summer and winter.... ammonia, chlorine, poisons of various sorts and other industrial waste products...

Communication ID: 960

May 12, 2015

Mi 45-60, Sterling Highway

INTRO

I favor the one route not listed as a viable route, and that is to fix the existing highway. My second choice is the do nothing alternative. I do not believe that the existing highway cannot be made into a better road, that many of the problems with the existing road can and should be fixed.

THE MISSING CHOICE

I agree with those who are concerned about spilling contaminants into the river. The most likely stretch of road where that will happen is from Cooper Creek (mile 51) to mile 60 where the highway is closest to the river and the speed limit is 55 mph. That stretch of road has no shoulders wider than a foot or two and includes the most notorious curve in the entire project area...Gwins curve at mile 52.5, a risky s-curve in the highway that is only a few feet from the river. It is this stretch that rollovers are most likely to occur, very few if any rollovers have occurred where the speed limit is 35 (MP47-49) through town. The alignment of most stretches of road on the existing highway, including Gwins curve, can be re-designed and fixed, the curve can be straightened and moved away from the river because of buildable public land in that stretch. It would cost much less than building a new highway. There are only 2 or 3 other places where the highway is less than 50 ft from the river and all those sensitive spots can be altered enough to widen that gap. And yet a representative of DOT says that that option was off the table. WHY? Federal money? I attended several highway meetings in Cooper Landing in the 90s and we were told at one meeting that federal dollars can be made available to rebuild the existing stretch of highway. So why is the existing route “off the table”?

Engineers state that soil conditions are not conducive to widening the existing road. That is not entirely true, only for a very short stretch of road is that true. Between mile 49 and 60, soil conditions are no different than they would be where a bypass would be built north or south of the river. The entire valley contains numerous bogs and seeps that will require much altering in order to build a road. Unstable conditions are also likely where deep cuts are made into steep banks, like that at Cooper Creek or Juneau Creek. DOT implies that an area between mile 49 and 50.5 can't be straightened and that a hillside, that abuts the highway for about 100-150 yards, can't be stabilized. Why build an entirely new road because

of such a short distance? Nothing wrong with doing nothing other than maintaining that little bit of highway. But some of the curves can be straightened and the highway moved away from the river, there is plenty of ground within this stretch to do so even though some of it is wet. Wet ground will be found wherever they build. If the ground is incompatible for a road, then why has the present highway been so functional all these years?

SAFETY

Passing lanes will be an improvement to the existing road. There are good points and bad ones to be said about passing lanes. A passing lane can be added to the Sterling highway, but the best place would be between mile 56 and 60 and farther west toward Sterling. I think a passing lane between mile 45 and 60 of the existing highway would be foolish though, because of summertime fishing activities and tourists. Slower speeds would be better than faster ones in this stretch. Passing lanes would be practical on some of the alternatives but the SEIS does not provide any data projecting accidents and severity of accidents because of the nature (increased speed) of any of the alternatives.

Safety is one of the reasons listed for building a new route around Cooper Landing. People who live along the highway make that claim and with some justification. NO highway is completely safe and that is the misperception about a new route being safer. I looked at accident statistics for the Seward and Sterling highways that DOT provided me from a 5 year period in the 1990s. I am sorry to say I did not keep those records, so will comment about what I remember and would suggest the DOPS do their own research using the latest accident records. The data I compiled indicated that the stretch of road, mile 45-60, is no safer or no more dangerous than any other 10-15 mile stretch of road on the peninsula. I think that is because of the slower speed limit and the nature of the road forcing people to go slow. We do have fender benders and have had the occasional rollover, but injury accidents and fatalities were less than the overall average for either the Seward or Sterling highways. I would like to know, using current data, what an accident rate might be projected on any new stretch of highway, accidents that cause injuries and fatalities that can be compared to the existing road. I think the risk of fender benders would be a little higher on the existing road but injury and fatal accidents would be greater on the proposed highway... that conclusion is based on faster speeds and what I tabulated from similar stretches of the Sterling and Seward highways. Is that cost justifiable?! Take the accidents stats from a similar portion of the Sterling /Seward highways, determine accident/injury/fatality rates per 1,000,000 vehicle passage, average the portions and use that figure to estimate potential hazards of any new route. Of course, the data would have to be extrapolated from similar stretches of highway, with steep grades and similar speed limits. Too many people ignore posted speed limits and will exceed posted speed limits, these types of people make straight stretches of road most dangerous. My guess is that the average speed would be 60 on any new stretch of road, and that may be conservative. Contributing to the safety risk, is the change in elevation of the new routes, from Kenai lake to near Juneau Falls elevation gains about 600ft in 5 miles. There is a temperature difference between the low and high points, where rain at the lower elevations in the winter will often be ice or snow higher up. The existing road does not have that elevation factor and in a sense, makes it a much better route to use in the long winter months. Would a trucker take a higher route in the 7 months of winter time driving conditions?

DEVELOPMENT

Development along the new bypass is not a matter of IF it will happen but a matter of when. The statement on page 3-414 is not necessarily true, the highway will indirectly if not directly affect development of the community. The borough will classify it's land on both the east and west bench and

there will be plenty of residential and commercial use designations. Eventually, much land will be developed with the land planning/classification being influenced by access to the highway. Although the SEIS states that no access roads will be built off of any new highway, its only a matter of time before access roads will become a topic of discussion and a reality. Will a law prevent the construction of access roads? Probably not and public opinion, political pressure will eventually lead to access. And besides, access roads would further reduce traffic through town. Local businesses will suffer. Consider the Tesoro gas station at Girdwood. If the station were in Girdwood proper, the number of people WOULD NOT STOP for gas or a hot dog. If coming from Anchorage, going to Kenai, I would not bother to stop for an ice cream cone or soda in Cooper Landing if I were traveling around the community. I could stop in Sterling or elsewhere without getting off the highway. Development and population growth is only a question of when.

FISH AND WILDLIFE

The draft SEIS seems to adequately cover impacts on brown bears. Fragmenting habitat with any one of the alternatives may reduce the range of any number of bears, particularly sows with cubs. If bears are reluctant to cross highways, they may instead be funneled into the community in search of food. Though speculative, sows with cubs have smaller ranges than single bears so it seems logical that any of the alternatives might increase human/bears interactions and hence more DLPs or injuries to people. The question looms, will there be fewer bears utilizing Juneau Creek where spawning salmon are susceptible to predation, and that portion of the Kenai River. Bears may go elsewhere and that could put them in places like the Russian River or Quartz Creek, where human conflicts are probable.

In my opinion, based on observations while exploring the backcountry, moose numbers may be down slightly in game management unit (GMU) 7. I have seen more sign of moose in the west Juneau bench area than anywhere else within a 20 mile radius of Cooper Landing. Only 1 other area within that 20 miles might have more and that is slightly outside the affected area. According to ADF&G, the Juneau west bench contains one of the densest populations of moose within the GMU thanks in part to a logging operation a few years ago. On the opposite side of Juneau Creek, the east bench held fair numbers of moose about 20 years ago but since browse has outgrown the reach of moose, no longer supports many animals. That may change with the recent completion of logging activities near the higher end of Bean Creek trail near Juneau Falls where one of the alternatives will be routed. Moose fatalities/injuries will be one thing; such collisions will add to the safety risks of the northern alternatives and will further reduce the moose population. What would the projected moose collision rate be on the new route? We may assume that the number of moose killed on mile 45-60 will decrease, but the risks are still real and moose will continue to be lost. So, additional highway miles will lead to more collisions than what currently occurs and more moose fatalities (not to mention impact on humans and property). Wildlife crossings are a nice idea but these are wild creatures that will take whatever route they choose. Unless a fence is installed to direct wildlife to these crossings, designated crossings may not serve their purpose very well. That expense would have to be added into the cost of applicable alternatives.

Much is said in the SEIS about moose and bears but not much about goats and sheep. Hikers, albeit infrequently, have reported seeing sheep on Bean Creek trail or Juneau Creek valley, most likely traversing the valley from one mountain to another. How will this migratory behavior be affected by a new highway? Goats were able to cross from Rhode mountain to Langille mountain and now constitute about half of the sheep/goat population on Langille (my estimate), so this movement from mountain to mountain is very plausible especially if goats are displacing sheep. According to the SEIS, only 8 goats

were known on Langille in 2007 but that number has increased substantially and is not mentioned in the SEIS. Just 20–25 years ago, there were no goats on Langille, now I estimate about 50 to 75 on the mountain, same as sheep which suggests successful recruitment is occurring by some means, either reproductive, migratory or both. Through direct observations, I generally see more goats on the lower half of the mountain while sheep are observed higher up.

Missing from the bird list table is golden eagle. In the 1980s, I found a pair of golden eagles nesting on a ledge at about 2500 ft elevation on Juneau Mountain. I can't say with certainty that the nest is still in use, probably not, but golden eagles are present on or near the south face of Langille Mountain. The last sighting I made was on May 6, 2015 on Langille and a sighting a day earlier along Juneau Mountain. So there is at least 1 nesting pair of golden eagles inside or near the project area. I think the number of active bald eagle nests is underestimated. I know of 5 active nests; one is outside the study area, the others are at Jims Landing, river miles 80 and 80.5 and on Juneau Creek. I am sure there are more. I don't know where all the active nests are but am confident that 4, as stated in the SEIS, is low. Owls are another concern. Prior to logging operations, great horned, boreal and saw whet owls were often heard at night in the spring. With the loss of older trees, I think the owls, especially the smaller ones, have suffered. What effect might additional development on the Juneau bench have on these species? Belted kingfishers are common along the river but are not mentioned.

Wood frogs are common in this area and are mating now. I suspect they can be found within the project area.

The fisheries of the upper Kenai River are very important to the community, to the borough and to south central Alaska as a whole. Much is discussed about preventing spills into the river, a legitimate concern for all who use the river. I have already addressed this; that the worse stretch of highway for spills has been between miles 49 to 60. As stated, this stretch can be fixed. If an alternate route is built, the old highway is still in use and truckers, if given a choice, may not take the "high road" because of 1) difference in weather 2) difference in road conditions, and 3) wear on equipment when climbing and descending the steeper grades of the new road. Riverine habitat can be reestablished if the existing highway route is moved away from the river, rock rip rap replaced because it would be unnecessary to stabilize the banks that threatened the road. Rock rip rap makes poor fish habitat but in times of high water and location of the highway, was the means used to stop erosion and save the road. If the road is not moved and improved, more habitat degradation can be expected because of river encroachment on the present right of way and the threat of spills remains.

WATER

The new routes pass through several water sensitive areas (bogs, small streams and springs). What affect will the new routes have on wells and surface water? Will the new road divert water from its natural underground course and adversely affect wells in the Knaack subdivision and other nearby subdivisions? It may sound farfetched but I know what, with time, earthen structures can do to a natural water course, just not sure what happens underground. Potential risk to water quality is also understated. Anywhere there is a bridge built, water quality will be affected. Currently, there is no highway runoff into Juneau Creek, Cooper Creek (except at the confluence) and several small streams. Salt, gas and small amounts of oil will accumulate on the road surface over time and will run-off into the river and creeks to some degree. I point at these contaminants just to draw attention to it. Pristine waters will now be receiving these wastes as well as the Kenai River.

We assume the probability of a major contaminant spill into the Kenai River will be less, but the risk is still there if the existing road remains as is. A spill into Juneau Creek will be disastrous as well and that all hazardous material spills into creeks, wherever they occur in this valley, flows downhill and into the Kenai River.

TRAFFIC

Daily heavy traffic usage begins the week of Memorial Day in May and subsides after Labor Day weekend in September, and not for 5 months as stated in the SEIS. That covers the period when school is out for the summer, when tourists arrive and entails most of the fishing season for salmon on the peninsula. (Fishing season for King and Sockeye salmon begins in early June and ends in August).

COST

The cost of constructing and the cost of maintaining any new highway is ridiculous. The cost estimates are skewed to favor one of the alternative routes. Bridge replacement specifically, is included only in the cost estimate for the do-nothing route or the G south route. Fact is, these bridges must be replaced soon. Anyone who has seen the base of the bridge abutment at the outlet of Kenai Lake might agree, the north abutment has some serious holes at the base. Regardless of which route is selected, costs for the bridges remain so the do nothing alternative will, in reality, be less expensive in the long run, than building a new route. That doesn't include cost of maintenance and snow removal for 2 highways. I refer to this rerouting business as nothing more than a highway of convenience for those who live along the existing highway and those who are in a hurry to get to their fishing hole during the months of our tourist and fishing season. A new road to accommodate heavy traffic for only 3-4 months of the year! Why should taxpayers from Nebraska and Michigan, from Maine and Florida, Washington, Iowa and New Jersey, and from all the other States see their tax money spent on this highway of convenience? Let's not forget, the old stretch of road through town is not going to disappear, it will still require maintenance, plowing and repaving whenever needed. I think it would be prudent for our legislators to use this money toward improvements on the existing road and spend the savings on existing highway systems, to repair bridges that are in need of repair (such as the ones at Kenai lake and schooner bend), for snow plowing and public safety improvements (such as shoulders, painting lines, and signage).

The table that shows the costs of each alternative is very general so it is hard to determine what is included in those costs. Why isn't the do nothing alternative (maintenance) cost included? Maintenance/snow removal costs/year need to be shown in addition to the alternatives maintenance costs. I expect twice the amount of government funding will have to be spent to keep 2 highway routes. Why would taxpayers outside this State be happy with that?

NOISE

Effects of noise are understated in the SEIS. I live at the end of Bean Creek road; about 300 ft above the Kenai River and opposite the Sterling highway, and can occasionally hear the distant traffic on calm days and nights. Any alternative that is built will route traffic nearer my neighborhood increasing traffic noise in my subdivision. I can hear truckers apply their jake brakes when going through the community and can expect to hear much more of that on any of the alternates, especially on the steep grades. Although it is hard to justify, I and many people in my neighborhood bought our lots where we did because of the quiet. That is all I have to comment on at this time. If I discover other discrepancies within the SEIS I will comment further prior to the deadline.

Respectfully

Dave Westerman
Cooper Landing AK

Communication ID: 961

I would like to express my support for the Juneau Creek Alternative in particular, and especially my objections to the Cooper Creek Alternative.

Some of the main project objectives are a quicker route down the peninsula, a safer area along the road in Cooper Landing and a reduction in the risk of spills in Kenai Lake and Kenai River. All of these would be accomplished better by completely bypassing the town, rather than using the same route for the first few miles. There are quite a few driveways off of the highway and a walking path that would be quieter, more pleasant, and certainly safer with less traffic.

The signage proposed to let motorists know about the local businesses would bring in people that need those services. Also the many people that come to Cooper Landing to fish and hike will continue to support these local businesses.

The homes between the highway and the Lake would lose sound barriers and privacy with the Cooper Creek Alternative. Our family cabin at mile 47.5 would lose much in ascetics if the present road is widened for the Cooper Creek Alternative.

Completely bypassing Cooper Landing with the Juneau Creek Alternative would make traveling to the central and lower Kenai Peninsula much safer and quicker for commuters, freight movers, tourists who have no need to stop in Cooper Landing.

Thank you for your consideration in this matter.

Sincerely,
Rhoda Roedl

Communication ID: 962

Chris Degernes
PO Box 683
Cooper Landing, AK 99572

May 16, 2015
Brian Elliott, Environmental Manager
DOT&PF Central Region
Sterling Highway MP 45-60 Project
PO Box 196900
Anchorage, AK 99519-6900

Dear Mr. Elliott:

I have reviewed the Draft Supplemental Environmental Impact Statement and Draft Sec. 4(f) Evaluation for the Sterling Highway MP 45-60 project and offer the following comments.

I have been thinking about this issue since I first heard about an early proposal to relocate the current highway through Cooper Landing by constructing 5 bridges to run the highway essentially down the middle of the Kenai River valley. Since that time in the early 1980's, I have dealt with this issue primarily from a professional role with the Alaska Division of Parks and Outdoor Recreation, with my focus on how the project might affect public recreation or fish and wildlife resources and habitat of the upper Kenai River area. Although I am now retired, I am no less interested in what decisions will be made regarding highway traffic through the Cooper Landing/upper Kenai River area. I now live in Cooper Landing and have the additional firsthand knowledge of how congested and often dangerous travel can be through this section of highway during certain times of the year.

While some people would argue that a strict enforcement of the 35 and 45 mph speed limits will solve all the problems, I am not convinced. With the ever-growing tourism in the central and southern Kenai Peninsula, Alaskans and visitors will continue to crowd the Sterling Highway in their efforts to reach favorite fishing or dipnetting spots. That, coupled with the closure of the gasoline refinery in North Pole has forced increased petroleum tanker truck traffic to use the Sterling Highway. It is not uncommon daily to see dozens of double tanker trucks hauling hazardous liquids just yards from the Kenai River. The combination of sharp curves, a narrow roadway, non-existent shoulders, and heavy commercial and recreational traffic creates too great a risk for a highway that is so close to the Kenai River waters. A double tractor trailer carrying cargo went off the road and rolled near Gwin's Lodge in March 2015. The accident occurred on a straight stretch of road and not even on the treacherous "Gwin's corner." Had the cargo been gasoline or diesel, the spill of this magnitude in the upper Kenai River during low flow times would have been catastrophic to the aquatic ecosystem and native fish. For a region so dependent upon a healthy Kenai River for a large portion of its economy for commercial and sport fisheries and the associated tourism industries, the resultant damage could have been disastrous. It is essential that the highway be moved away from the Kenai River.

I prefer either the Juneau Creek Alternative or the Juneau Creek Variant Alternative over either the G South or the Cooper Creek Alternatives. The No Build option is not acceptable in any case. My preference would be to relocate a new highway as far from the Kenai River as possible for as long as possible, so the Juneau Creek Alternative best provides this separation protection. However, due to the political difficulties associated with the land reclassification needed for this alternative, I can accept the Juneau Creek Variant Alternative as a suitable alternative.

I am a frequent user of the Resurrection Pass trail system, both in summer and winter seasons. The section that I generally avoid, however, is the stretch between the Sterling Highway and Juneau Falls. For much of this section the noise of the highway below is a huge distraction for me, so I generally use the Bean Creek Trail to access the southern end of the Res Pass Trail. As such, I am not opposed to bisecting the trail with either of the Juneau Creek Alternatives. The planned parking area for accessing the Juneau Falls is a great idea, and I know many people would enjoy being able to enjoy this area who are not otherwise physically able to get there now (like my 88 year old father.)

The Sterling Highway must be relocated to bypass as much of the upper Kenai River as possible. Protection of the Kenai River should be a paramount goal, along with the other stated goals of improving traffic safety, reducing congestion and meeting design standards. Please choose either of the Juneau Creek

Alternatives as the Preferred Alternative in the Final SEIS. And please, please, let's see this project proceed to a Record of Decision and subsequent construction.

Sincerely,

/s/ Chris Degernes

Communication ID: 965

THE COOPER CREEK ALTERNATIVE MAKES THE MOST SENSE FOR THE FOLLOWING REASONS:

1. IT IS BOUND TO BE CHEAPER, FASTER AND LESS DISRUPTIVE DURING CONSTRUCTION.
2. THE PEOPLE AND BUSINESSES WHO LIVE ALONG THE EXISTING ROUTE CHOSE TO LOCATE THERE. THEY HAVE NO EXPECTATION OF WILDERNESS PRIVACY. THEY ARE ACCUSTOMED TO TRAFFIC NOISE AND LIGHTS. THE COOPER CREEK ALTERNATIVE WILL HARDLY AFFECT THE LIFESTYLE THEY HAVE CHOSEN BECAUSE THEY ARE USED TO A ROAD AND CHOSE TO LOCATE ON OR NEAR IT.
3. RESIDENTS ON THE NORTH SIDE OF THE RIVER CHOSE TO LOCATE AWAY FROM THE ROAD AND CHERISH THEIR SENSE OF WILDERNESS. ANY ALTERNATIVE OTHER THAN COOPER CREEK WILL DESTROY THE VERY REASON THEY CAME TO COOPER LANDING WITH HEADLIGHTS AND TRAFFIC NOISE AND PROXIMITY OF MASSES OF PEOPLE.
4. THE PEOPLE ALONG THE COOPER CREEK ALTERNATIVE ARE USED TO THOSE FACTORS. THEIR WILDERNESS EXPERIENCE IS ALREADY COMPROMISED. KEEP THE COMPROMISED WILDERNESS WHERE IT IS. DO NOT RUIN THE WHOLE PIE WHEN ONE PIECE IS ALREADY RUINED. THE TRAFFIC, NOISE, PEOPLE POLLUTION ON THE SOUTH SIDE ALREADY SUCKS. WHY MAKE THE NORTH SIDE SUCK TOO? PROPERTY OWNERS (LIKE ME) ON THE NORTH SIDE HAVE SOMETHING BEAUTIFUL AND WONDERFUL. A ROAD WILL DESTROY IT! HOWEVER, THE COOPER CREEK ALTERNATIVE WILL RESULT IN LITTLE CHANGE TO PEOPLE ON THE SOUTH SIDE AND SHOULD ACTUALLY IMPROVE THEIR CONDITION WITH LESS TRAFFIC AND SAFER TRAFFIC THAN THEY CURRENTLY HAVE OUTSIDE THEIR DOORS. THE COOPER CREEK ALTERNATIVE WILL IMPROVE CURRENT CONDITIONS ON THE SOUTH WITHOUT HARMING CONDITIONS ON THE NORTH.
5. THE JUNEAU CREEK/JUNEAU FALLS/RESURRECTION TRAIL AREA IS A FIRST CLASS WILDERNESS DESTINATION WHICH IS READILY ACCESSIBLE BY THE GENERAL PUBLIC WHO WISH TO GET AWAY FROM ROADS AND EXPERIENCE THE REAL ALASKA--BUT WITHOUT REALLY BEING VERY FAR FROM ROADS AND CIVILIZATION. IT PUTS WILDERNESS WITHIN THE REACH OF FAMILIES AND TOURISTS. PUTTING A ROAD RIGHT THROUGH THE MIDDLE OF THIS AREA WILL DESTROY AN INEXPENSIVE, ACCESSIBLE WILDERNESS EXPERIENCE FOR THE ENTIRE PUBLIC, INCLUDING TOURISTS.
5. THE COOPER CREEK ALTERNATIVE DOES THE LEAST HARM TO THE GREATEST NUMBER OF PEOPLE AND IS CHEAPER, FASTER WITH MINIMAL DISRUPTION DURING CONSTRUCTION.

Communication ID: 966

TO WHOM IT MAY CONCERN,

I'M COMMENTING ON BEHALF OF MYSELF AND MY HUSBAND WHO CURRENTLY HAVE A HOME LOCATED AT 35671 SOUTH FACE PLACE IN COOPER LANDING.

SADLY, ALL OPTIONS, ASIDE FROM THE COOPER CREEK OPTION AND THE NO BUILD OPTION DIRECTLY AFFECT OUR PROPERTY AS IT IS CURRENTLY DESIGNED PROPOSED.

OF COURSE, WE LOOK AT THESE OPTIONS AND HOW IT WILL AFFECT US PERSONALLY, FIRST AND FOREMOST, BUT ALSO HOW IT WILL AFFECT ALL SMALL BUSINESSES ALONG THE CURRENT ROAD GOING THROUGH COOPER LANDING.

IF ANY OF THE 'OTHER' OPTIONS GO THROUGH, I'M CURIOUS AS TO WHY THE PROPOSED HIGHWAY CAN'T GO FURTHER UP THE MOUNTAIN AS TO NOT AFFECT ALL THE PERSONAL PROPERTIES THAT IT CURRENTLY WILL?! THE AREA I AM REFERRING TO WOULD BE APPROXIMATELY FROM MILEPOST 46 THROUGH 50. WITHIN THAT STRETCH, THERE ARE NUMEROUS HOMES AND CABINS THAT WILL BE AFFECTED BY CURRENT ALTERNATIVES, OTHER THAN THE COOPER CREEK AND NO BUILD OPTIONS. TAKING THE HIGHWAY FURTHER UP THE MOUNTAIN WOULD POTENTIALLY SAVE THESE PROPERTIES FROM BEING AFFECTED SO DRASTICALLY!!

IN SUMMARY, WE WOULD LIKE TO SEE EITHER THE COOPER CREEK OR NO BUILD OPTIONS GO THROUGH. BUT, IF ANY OF THE OTHER OPTIONS END UP HAPPENING, WE ARE HOPEFUL THAT THE HIGHWAY CAN BE MOVED UP THE MOUNTAIN FURTHER AS TO NOT AFFECT SO MANY PERSONAL HOMES AND CABINS FOR SO MANY COOPER LANDING RESIDENTS, SUCH AS OURSELVES!

THANK YOU FOR YOUR CONSIDERATION IN THIS MATTER!

MARY AND JASON HEBNER

35671 SOUTH FACE PLACE

COOPER LANDING, AK 99572

Communication ID: 967

As a homeowner and small business owner in the Cooper Landing area, I feel the Juneau Creek Alternative is the most realistic option for long term traffic control, protection of the delicate ecosystem of the upper Kenai River, and for small businesses located along the river. The other options proposed only temporarily "fix" the traffic flow and dangerous corners of Cooper Landing that see many vehicle accidents. If the existing road is modified only slightly (via the Cooper Creek and G South options) then the large 18 wheelers carrying double trailers, motorhomes, trucks hauling trailers and RVs, etc. will only speed up on those sections of the highway - thus contributing to the already dangerous conditions and NOT alleviating them. Therefore, the best and most long-lasting alternative to the chronic dangerous road

conditions - would be the Juneau Creek Alternative. Thank you for your time and attention to this important decision.

Communication ID: 968

Hello Mr. Haugh and Ms. Petersen,

Attached is a comment letter from the U.S. Department of the Interior for the Draft SEIS and Section 4(f) Evaluation for the Sterling Highway MP 45-60 Project. Our office would very much appreciate it if you could please confirm when you have received this message.

Thank you very much,

Grace

Grace Cochon

Regional Environmental Protection Assistant

U.S. Department of the Interior

Office of Environmental Policy and Compliance

1689 C Street, Room 119

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<http://www.doi.gov/pmb/oepec/anchorage.cfm>

ATTACHMENT TEXT FOLLOWS:

9043.1

ER 15/0194

PEP/ANC

May 21, 2015

Mr. Tim Haugh

Environment Program Manager

Federal Highway Administration, Alaska Division

709 West 9th Street, Room 851

Juneau, AK 99802

Subject: Draft Supplemental Environmental Impact Statement (SEIS) and Draft Section 4(f) Evaluation for the Sterling Highway Mile Post 45-60 Project, Kenai Peninsula Borough, Alaska

Dear Mr. Haugh:

The U.S. Department of the Interior has no comments to offer on the subject document at this time. Thank you for the opportunity to review this Draft SEIS and Section 4(f) Evaluation.

Sincerely,

Philip Johnson

Regional Environmental Officer – Alaska

cc: Kelly Petersen, Alaska Department of Transportation and Public Facilities, Project Manager

Communication ID: 970

Randal Buckendorf

18689 Langille Road

Cooper Landing, Alaska 99572

6450 SouthPoint Ridge Drive

Anchorage Alaska 99516

Comments Regarding Sterling Highway Milepost 45-60 Project, Federal Project # STP-F-021-2(15), State project # 53014.

To: Federal Highway Administration and Alaska Department of Transportation and Public Facilities

Please consider these comments as part of the Record in support of the final agency action in the Sterling Highway MP 45-60 Project. As FHWA and DOTPF know, the draft Supplemental EIS (SEIS) presents four alternatives and analyzes each of the so-called “build” alternatives. The analysis is detailed and complex, and unfortunately, is a supplemental analysis to a now 21-year-old draft EIS from 1982 and 1994, that is considered “stale” by law. Although the document says it considers an all new analysis of the four build alternatives this Supplemental EIS analysis violates federal law and precedent of each federal agency involved in this analysis by supplementing a 21-year-old document. When asked why, many agency staff were frank and said that was done so the agencies did not have to reconsider the option in detail of improving the current road and right of way. An entirely new EIS must be done. The agency cannot take a shortcut of supplementing a 21 year old document that itself never reached a record of decision. It isn’t like the agency has not had the time to do it. Four decades of study have gone into the process. The agency must do a full and complete EIS and cannot supplement a state EIS and circumvent the process.

Besides not analyzing improving the current road at all, the DEIS also purports to analyze the No Action Alternative but fails miserably in that regard as well. The agencies have made it abundantly clear to the public and each other that doing nothing is not an option. The existing road has not been touched in decades and the current bridges fail to meet current standards. As a result, even if the No Action Alternative were chosen, which must remain a viable alternative that is analyzed under federal law; the current roads and bridges must receive a significant amount of work and spend. In fact, work to the bridges on this section of the highway was required by federal law to be completed several years ago. Instead of that work being done, In August of 2011, FHWA and DOTPF met to discuss a waiver of the requirements for the project. The result was an illegal pre-decisional agreement reached between FHWA and DOTPF whereby FHWA would waive the requirement to upgrade the roads and bridges on the condition that the “bypass project” proceeded forward and resulted in a change of standards for the current road alignment. In essence, the FHWA and DOTPF agreed over 4 years ago that the No Action

Alternative was not going to occur and that one of the bypass alternatives would be chosen. As part of the final analysis the agencies must include an analysis of improving the current road as a potentially feasible alternative. A two decades olds analysis of Princess Corner and a wringing of the hands over a difficult 1.1 mile section of road simply cannot be the basis for spending a third of a billion dollars, killing the community of Cooper Landing, and causing irreparable harm to numerous parks, recreation areas, wildlife refuges which are set out in great detail for the four options in the Section 4(f) analysis in Chapter 4.

Should the agencies ignore the legal requirements of NEPA and complete this Supplemental EIS the Chapter 4 analysis makes it clear that the 4(f) analysis under the Federal Department of Transportation Act makes it clear that either No Action and reconstruction of the existing road should be taken or the Cooper Creek Alternative should be pursued as a resort. Although not optimal itself, it would cause the least economic harm to the community of Cooper Landing (the analysis of which is woefully inadequate in the SEIS) and would cause the least overall harm under Section 4(f). Juneau Creek and even the so called G south alternatives would cause complete economic devastation to the community and cause the most harm to the Bean Creek and Juneau Creek areas.

I also find it curious, odd and possible a violation of NEPA that the Draft does not recommend a proposed alternative except that No Action is not an option. The Public cannot adequately comment on that which is unknown.

Thank you for your consideration. I will continue to read the many thousands and thousands of pages of documents and will continue to provide comments in the future.

Respectfully,

Randal Buckendorf

Communication ID: 971

United States Department of the Interior
OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
1689 C Street, Room 119
Anchorage, Alaska 99501-5126

9043.1

May 21, 2015

ER 15/0194 PEP/ANC
Mr. Tim Haugh
Environment Program Manager
Federal Highway Administration, Alaska Division
709 West 9th Street, Room 851
Juneau, AK 99802

Subject: Draft Supplemental Environmental Impact Statement (SEIS) and Draft Section 4(f) Evaluation for the Sterling Highway Mile Post 45-60 Project, Kenai Peninsula Borough, Alaska

Dear Mr. Haugh:

The U.S. Department of the Interior has no comments to offer on the subject document at this time. Thank you for the opportunity to review this Draft SEIS and Section 4(f) Evaluation.

Sincerely,

Philip Johnson

Regional Environmental Officer - Alaska

cc: Kelly Petersen, Alaska Department of Transportation and Public Facilities, Project Manager

Communication ID: 975

From: Litchfield, Ginny VLitchfield@kpb.us

Sent: Wednesday, May 20, 2015 10:13 AM

To: Petersen, Kelly L (DOT)

Cc: Litchfield, Virginia P (DFG)

Subject: RE: Sterling Highway MP 45-60 DSEIS Public Release

Kelly,

ADFG submitted comments regarding the Sterling Highway MP 45-60 Draft Supplemental Environmental Impact Statement (DSEIS) on October 16, 2014. A summary of ADFG comments with FHWA responses were received on March 27, 2015 with the revised DEIS. The summary and revised DEIS was circulated through our Department and no additional comments were received.

Thank you for addressing ADFG concerns regarding document accuracy, current data, and clarification in relation to fish and wildlife resources. We look forward to working with your agency on this important project.

Ginny Litchfield

(907) 714-2477 or (907) 252-1444

Kenai Peninsula Area Manager

ADF&G – Division of Habitat

(State agency housed in Kenai Peninsula Borough Building)

Communication ID: 976

To whom it may concern,

My Family built a cabin in Cooper Landing in the early 1970's. My first trip to the cabin was when I was 2 weeks old and it has been a part of me ever since. The Cooper Creek alternative plan would destroy half

of our existing property and the subsequent highway would rumble just feet from the back the cabin which has stood for more than 40 years (See attaches picture). The highway would also create a barrier between us and the majestic Cecil Rhode mountain towering behind the cabin.

Growing up my family also owned a mining claim about a mile up Cooper Creek from the Sterling Highway. We spent countless hours panning for gold and enjoying the solitude of the deep canyon that effectively blocked out the rest of the world. The waters of Cooper Creek are cold, clear, fast moving and provided us with the most amazing fresh drinking water I have ever tasted. The creek also provides prime spawning habitat for massive Kenai River Dolly Varden. I worry that a huge bridge over this beautiful stream will destroy not only its tranquility but its purity. I envision discarded plastic bottles and other trash bobbing in deep pools where Dolly Varden spawn. With eroded sediment and toxic highway runoff destroying the water quality.

I am luckily not one of the many people that will be loosing his/her permanent home if the this alternative is chosen, however, I will be losing a place that is more dear to me than any other on this planet. I urge you to please choose one of the other three alternatives.

Sincerely,

Todd Derks

NOTE: PHOTOGRAPH ATTACHED

Communication ID: 977

To Whom it may concern,

I was born in Seward, AK and have been a resident of Cooper Landing since I was a year old in 1954. There have been many changes to the community over the years and I am well aware of the need for adequate traffic flow through the area.

The problem with any and all of this plan, as I see it, is that we are planning to permanently destroy the beauty and essence of Cooper Landing all because of four miles and one poor turn on the highway. The damage caused by any new roadway will not be offset by the increase in miles per hour gained. Why is there no alternative? Has no one seen the irony in the fact that the straight and narrow highway through Sterling has a 45 mile per hour limit? From the Seward cut off almost all the way to Homer, the speed limit is 55 mph and yet the plan is to create a massive, EXPENSIVE road project to increase the speed through this beautiful tiny hamlet to 60 mph. In our attempt to fit the Federal Model and obtain Federal funds it appears our only choices will destroy this valley. My vote would be for keeping the road where it is with an effort to widen the lanes and shoulders as much as possible. Continue the 35 mph limit through the core area and enforce it.

All of the North options would have negative impacts on the Resurrection Bean Creek trail system. The construction of a roadway in this area would permanently eliminate the long distance experience of the Resurrection Trail. The Forest Service compensation suggestion is a Very poor alternative. Additionally, the road's close alignment to the mountains would impact wildlife movements of bear, sheep, goats and other animal species in the area. A road in this area will cause fragmentation of all of the habitat, which will greatly alter the animal behavior. The mitigation measures would be of very little use as most animals

would tend to move farther from the area over time. Increased road access, turnouts and trailheads will bring additional pressure to animal populations.

The visual quality of the Kenai River Valley through Cooper Landing would be permanently scarred if the roadway were to cut a 100 foot wide plus swath along the Northern mountains. Any areas used for extraction of materials will deface the landscape further. I frequently hike these mountains and would find that highly objectionable.

It is my sincere hope that as Alaskans we will do all we can to preserve the beauty and quality of our wilderness.

Bruce Clemson

Communication ID: 978

To Whom it May Concern at the FHWA,

The Cooper Creek Alternative plan would put a highway through our property in Cooper Landing. It's a vacation cabin, but shared by a few different families and cherished by those families and their friends. It's of incredible significance to me. My husband I got engaged there, as did his brother, and his older sister. There are journals in the small cabin that date back to the time it was built in the late 70's with memories abound - many from visitors who have commented that they have fond memories of Alaska as a whole due to their time spent at our cabin.

I see that the Cooper Creek Alternative effects the most people, and relocates some residents. I know we aren't as equipped to fight this alternative as a company like Ciri would be, but I hope you will consider peoples livelihoods and the emotional value of some of these part-time use properties when weighing the pros and cons.

Thank you sincerely for your time,

Jennifer Derks

Communication ID: 983

I urge the state DOT to adopt the Juneau Creek Alternative and move forward with project which is years overdue.

Thank you,

Bill Tappan

Communication ID: 984

To Whom it May Concern at the FHWA, I would like to comment against the The Cooper Creek Alternative plan. It would put a highway through our property in Cooper Landing. While the cabin is not our primary residence, it has been in my husband's family for 40 years. The cabin holds the cherished memories of three generations, it is priceless. I would also like to voice my concern over the

environmental impact the bridge over Cooper Creek would create. I fear the bridge will add toxins and litter to a currently pristine watershed, effecting countless animal habitats. The Cooper Creek Alternative effects the most people, even relocating some residents. Please consider peoples livelihoods and the emotional value of some of these part-time use properties when weighing the pros and cons. Sincerely,
Jennifer Huff-Derks

Communication ID: 985

It is crucial for something to be done to protect both life and river habitat. The Juneau Creek options provides the best outcomes to protect the Kenai River

Communication ID: 986

Please build either the Juneau Creek (#1) or the Juneau Creek Alternative for this long-needed highway improvement. We drive this highway year-round and this stretch in Cooper Landing is very unforgiving and very highly-used. And it is very dangerous at times.

One of the two Juneau Creek solutions is the the answer. Please pick one and let's move forward on a project that will help the Kenai's economic development.

Thank you,
Robert DeGroot

Communication ID: 987

I prefer that the least invasive procedures are used. Wilderness and environment preservation should be the utmost concern, both for the waterways and wildlife.

I choose the No Build option over all others. We can improve the existing rd to make it safer and more durable.

NO BUILD !

Sincerely,
Keri Stout

Communication ID: 988

After review of the 4 alternatives shown in your research it would appear that the G south and Cooper Creek alternatives would be the most economical. It appears that the Cooper Creek alternative would require purchase of private property more so than G south, my vote would be G south.

Communication ID: 989

The Juneau creek road is the way to go. Why not? The people of Alaska are part of the KNWR, we support it. The Sterling Highway going through Cooper Landing is a terrible road. The last time work was done to it they made it worse. The gaurd rails are so close to the road you have no escape if an oncoming car goes out of control and like many roads being built in Alaska right now it's way to narrow. There is a lot of talk about summer congestion which I totally agree with but lets not forget winter conditions. If you've ever met a tractor trailer pulling doubles in a snow storm on that stretch of road you know what I'm talking about. Even a tractor pulling one trailer on that icy stretch of road is like Russian roulette. How many Alaskans have died on that piece of road? How many permanently crippled? What is the dollar cost on vehicle and equipment damage? I would doubt accurate data has been kept to answer these questions but if you have lived on the Kenai and driven this road more than a couple of times you will undoubtedly have some frightening stories to tell or personal experience involving one of the above mentioned statistics. It's time to fix this road and do it right the first time.

Communication ID: 990

Dear Sirs:

While I appreciate the inconvenience of the current route of the Sterling Hwy through Cooper Landing, it is largely a matter of time inconvenience. In my opinion you have failed to demonstrate necessary safety and economic concerns commensurate with the cost of the project. The costs of constructing the largest span bridges in the state, loss of habitat and private property, and the long-term inconvenience of building the new routes you propose (except upgrades to the current highway) sets this up to be a DOT debacle. If life/safety were the main concern and you used your criteria to evaluate the New Seward Hwy between Anchorage and Girdwood, you would have put in a four lane divided hwy long ago. It is the most dangerous stretch of hwy used by more people in our state bar none!! Our money is better spent on this major section of roadway first. Make it the priority for our tax dollars.

Sincerely,

Timothy J. Davis

14730 Turnagain Bluff Way

Anchorage, Alaska 99515

Communication ID: 991

I am an avid flyfisherman and frequently drive the Seward and Sterling Highways between Anchorage and the Kenai Peninsula. I would prefer to see the existing route improved or the Cooper Creek Alternative implemented. I do not favor the Juneau Creek Alternatives. I think they would be too costly, and would be detrimental to the people who live and work in Cooper Landing. I also think the Juneau Creek Alternatives, or any route that would run north of Cooper Landing (and necessarily significantly

upslope, above Cooper Landing) would be more susceptible to avalanche risk. The existing route requires us all to slow down through Cooper Landing, but I have no problem with that, and, in fact, I think it is a good thing. I nearly always stop at one or more of the business establishments in Cooper Landing, either coming or going. I would like to see a lot of emphasis placed upon preserving the community of Cooper Landing in the evaluation of the project alternatives.

Communication ID: 992

I have traveled this road multiple times a year for over 45 years and enjoy it every time. It is very relaxing to stop in to get something to eat or get gas or stop to look at the views or wildlife. I love this part of the road. . Just upgrade this present road in the trouble spots (which there are very few) and be done with it and save some money.

The road in Cooper landing functions just fine if the speed limit is kept down and strictly enforced until people get the message. The alternatives proposed are not acceptable as each one of them degrades the ecological services provided by natural systems in one way or another. This section of road can be enhanced by proper signage, speed bumps, flashing lights etc in areas of concern. This would be the most cost effective for our state.

When roads get the most dangerous is when they are straightened and speeds are allowed to accelerate without breaks. Cooper Landing is one such break which we all expect and can slow her down to enjoy the magnificent view of this extraordinary area.

Please don't try to fix something that does not need fixing.

Remember the K.I.S.S. strategy: Keep It Simple Stupid! and if it ain't broke don't fix it!

Repair, tweek, slow folks down, and adjust but keep the road where it is so you don't disrupt the many businesses who are invested and make their livings in that town, you keep the trails wildlife and fish bearing streams in tact and the wetlands can provide their function to provide filtration to the world class salmon and wildlife for us all to enjoy.

Thank-you for considering the alternative to leave the Cooper Landing Road where it is!

With Kind Regards

Nancy Hillstrand

Pioneer Alaskan Fisheries Inc.

51 year Alaskan Fisheries Corporation

Communication ID: 993

I am opposed to the Cooper Creek Alternative since it's the most disruptive to local property owners. It also has the most adverse environmental, hazardous waste, and recreational fishing impact to the area. Plus it's not the most economical alternative.

Communication ID: 994

I live at 35635 South Face Place in Cooper Landing. The Draft SEIS paragraph 3.13.1.4 states “Private water sources are thought to exist throughout Cooper Landing but have not been documented. Most developed private lots presumably have a well, and some homes and cabins and cabins are said to use surface water sources.” This statement makes it sound like the use of surface water is only a rumor. In fact the use of surface water for home and cabin use is true. The Draft SEIS does not mention Slaughter Creek as a water body that would be affected by the Juneau Creek and G alternatives. I know of two families that obtain surface water from Slaughter Creek. I am one of those families. I have used surface water from Slaughter Creek since 1996. I have made this fact known to AKDOT staff and consulting personnel at the many informational meetings that have been held in Cooper Landing. I consider the water from Slaughter Creek as the best tasting water in town. I have repeatedly asked AKDOT to guarantee that Slaughter Creek water will not be adversely affected by the bypass alternatives or that the quality of my water will not be affected. Only one AKDOT individual has expressed any interest in my concerns, but even then will not provide any assurance as to maintaining the water quality of Slaughter Creek. The bypass road will be about 550 feet from my house and my Slaughter Creek water intake. Road oils, miscellaneous debris, winter road sand and salts will undoubtedly find their way into Slaughter Creek thus affecting the water quality. All I ask is that AKDOT take appropriate action to guarantee the quality of the water that I extract from Slaughter Creek will not change. My main concern is that the water for my home will taste as good after bypass construction as it does today.

Communication ID: 995

Greetings,

To whom it may concern:

My family has owned a cabin at MP-47 since the early 1950's. I'm opposed to the Cooper Creek alternative because I fear the Sterling highway will be widened to it's full right of way thereby eliminating the green space between our cabin and said.

So in summary, anything but the cooper creek alternative.

Thank you for your time.

Sincerely, Wyatt Bliss.

Communication ID: 997

Please select the Juneau Creek Alternative for this project as it gets the highway the furthest from the river and lake. I am concerned that something will happen with the highway being as close to the water as it is now. The King Salmon population is already hurting and the environment and the economy of the peninsula really rely on those salmon. All it would take is one bad traffic accident involving a gas, oil, or other chemical and it would totally shut down the entire area, both ecologically and economically. I know

it may cost a little more, but it seems that some of these environmental coalitions ought to be willing to help out with fundraising to help protect such a valuable resource like the Kenai River. Get the highway away from the water!!!! Thanks for the opportunity to express our opinion.

Communication ID: 998

My family and a group of friends have owned 19 acres of land below Cecil Rhodes Mt. If the Cooper Creek bypass was selected our property would be reduced to half it's size. Because this land has been in our family for four decades and continues to bring us, as well as the other owners, great joy, I'm very much opposed to this road option.

Thanks for your time and consideration in this matter.

Jennifer Derks-Andersen

Communication ID: 999

P.O. Box 2994

Homer AK 99603

COMMENTS RE: The Sterling Highway Milepost 45 to 60 Project

I have commented in the past regarding this project. My biggest concern is that rerouting the highway seriously disturbs important wilderness areas, trails and wildlife corridors, with two alternatives, Juneau Creek Alternative and Juneau Creek Variant Alternative, affecting over 2500 acres of valuable wildlife habitat each. What I am really surprised at is the lack of an alternative analyzing and comparing costs of an alternative built along the current route. This is important missing information and makes it difficult to really know whether that is a better alternative to disturbing adjacent wilderness areas.

The Cooper Creek Alternative appears to be the least intrusive on wilderness and wildlife corridors. However, it is important to have the analysis of an alternative following the current route so that a full cost analysis and detailed comparison of habitat trade offs can be made.

I don't think the public can make a good choice without an analysis of the build in place alternative. I remember there was a reasonable alternative described in one of the original EIS documents. I think this alternative should be put into the current document with a full analysis. The old option to build along the existing road was to be widened with turning and passing lanes, a separated pedestrian/bike pathway, better signs, rumble strips to keep people from falling asleep, flashing lights in hazard zones, and hopefully other changes to keep traffic from speeding through this area.

I recommend revising the current document to include this alternative and extending the comment period once the new document is available. Deciding on a route based on the current document is not good public policy because it ignores the most obvious option--to improve and rework the current road.

Sincerely,

Nina Faust

Communication ID: 1000

Attached please find comment letter with recommended alternative and justification.

TEXT FROM ATTACHMENT FOLLOWS:

Jean Ann & Alan Nierenberg
PO Box 743
Cooper Landing, Alaska 99572

25 May 2015

Alaska Department of Transportation and Public Facilities
DOT&PF Central Region
PO Box 196900
Anchorage, Alaska 99519-6900

Subject: Comments to SEIS for Sterling Highway MP45-60

We are property owners and residents of Cooper Landing for more than ten (10) years and we travel Sterling Highway MP 45-60 on a daily basis. The project for improvement of the Sterling Highway MP 45-60 is of great importance to our community, as is the decision of which alternative is to be pursued. The final decision for the selected highway alternative and the multi-year construction program will greatly alter Cooper Landing for the foreseeable future. It is essential that the most suitable alternative with least harm and impacts is selected.

The SEIS for Sterling Highway Milepost 45-60 is an extremely comprehensive document addressing the no-build alternative plus four (4) alternatives. We have carefully reviewed its content and discussed with many other residents of our community. We are very concerned with Sterling Highway congestion and safety in Cooper Landing and are equally concerned with preserving the environment which has made Cooper Landing the Gem of Kenai. As stated in the Least Overall Harm Analysis at Section 4.8 of the SEIS, it is indeed a balancing act amongst many different considerations to select the most suitable highway alternative.

After thorough consideration, it is our strong recommendation that the Juneau Creek Alternative become the selected alternative, subject to comprehensive mitigation measures for the substantial wildlife habitats in the impacted areas of highway construction. Our supporting rationale is presented in the following discussion.

Prior to discussing considerations for each of the alternatives, there are two (2) general comments to be considered.

1. It is important that the final Overall Least Harm Analysis and the selection process stay true to the clearly stated goals, purpose and need for the highway project, i.e.
 - i) reduce congestion,

- ii) improve the highway to current design standards, and
- iii) improve highway safety,

A revisit of the goals, purpose and need is offered at Section 4.8.5 of the SEIS. This is mostly an analytical assessment and but does demonstrate that the Juneau Creek Alternative affords the highest mathematical grading for reducing congestion, meeting highway standards, and improving safety.

2. The SEIS states many of the short term construction impacts from highway construction and states a number of generalized mitigation actions. Notwithstanding this rather simplistic discussion in the SEIS, the undisputed fact is that a four (4) to five (5) year highway construction project will have extra-ordinary construction impacts to the Cooper Landing community. The simple statement that 200 added truck loads per day of construction vehicles will occur and that construction impacts will be mitigated by temporary gravel roads and pilot cars, are all gross understatements as to the impacts to the Cooper Landing community. The multi-year construction program will have far greater impacts of congestion, delays, noise, road closures, river closures, and numerous safety risks, than is acknowledged in the SEIS. The extensive impacts of the construction period are given insufficient attention and are totally absent from the Table of Impacts and Benefits in the Executive Summary of the SEIS.

The Cooper Landing community and most Kenai Peninsula residents have endured years of highway construction, resurfacing and repairs to the Seward and Sterling Highways. We fully know the extra-ordinary impacts inherent in such highway projects and how these impacts are magnified during the peak summer season. It is our view that the extent of construction impacts and delays over a four (4) to five (5) year period is a major differentiating factor amongst the proposed alternatives and must be afforded far greater weight than assigned by the SEIS. In this regard, construction of the Juneau Creek Alternative is the most remote alternative to Cooper Landing and eliminates years of construction impacts in the central commercial area of Cooper Landing and at Sportsman's Landing.

For the sole consideration of impacts during the multi-year construction period, the Juneau Creek Alternative is by far the most compelling alternative. Construction period impacts should be a dominant factor in the final Least Overall Harm Analysis.

As to the individual alternatives, the following specific comments are provided:

1. The No-Build Alternative satisfies none of the stated goals for the project and leaves Cooper Landing with unacceptable congestion and an unsafe highway with increased risks to residents, visitors and highway travelers. The No-Build Alternative is not an acceptable decision.
2. The Cooper Creek Alternative follows the existing alignment of the highway for most of its length. Traffic volumes are therefore not relieved in the majority of Cooper Landing and access on and off the highway "would remain difficult", as acknowledged in the SEIS. The added congestion and increased hazards within Cooper Landing during the multi-year construction period would be massive and such short term construction impacts are inadequately considered in the SEIS. The portion of this alternative which follows a new alignment will necessarily impact undeveloped and sensitive areas of Cooper Landing. This is the second most costly alternative, will not relieve traffic volumes, will not improve safety throughout a majority of Cooper Landing, and will impact previously undeveloped areas. The short term construction impacts would be enormous for minimal long term benefit. The Cooper Creek Alternative is not an acceptable decision.
3. The G South Alternative provides a new alignment of the highway for a portion of Cooper Landing and therefore partially accomplishes the primary goals to relieve congestion and improve safety through part

of the MP45-60 extent. Although the new alignment avoids construction within central Cooper Landing, there remains significant highway construction on the existing alignment MP 51.5 to 60, which includes some of the most valuable resources in the region at the confluence of the Russian River and Kenai River. Although this alternative was devised to minimize impacts to Resurrection Pass Trail and Juneau Creek Falls areas, this alternative nonetheless requires a new crossing of Juneau Creek and also requires another major bridge crossing of the Kenai River. By using the existing alignment from MP 51.5 to 60, this alternative still negatively impacts this very sensitive existing alignment during the extended construction period. This alternative is the most costly alternative considered in the SEIS and results in extensive construction impacts for more than 50% of the highway length. The G South Alternative is not an acceptable decision.

4. The Juneau Creek Alternative follows a new alignment for 10 of the 14 miles between MP 45- 60 and the SEIS demonstrates this alternative is superior in meeting the goals for reduced congestion and increased safety. This alternative also has the least impact to Cooper Landing during the extended construction period. Further, the new alignment for th is alternative does not require river closures associated with a new bridge across the Kenai River and rejoins the existing alignment beyond the confluence of the Russian River and Kenai Rivers, which is one of the most prized areas of Cooper Landing. This is the least costly alternative presented in the SEIS and will have the least impacts during construction. The Juneau Creek Alternative is the most suitable alternative for the Sterling Highway MP45-60 project.

5. The Juneau Creek Variant Alternative follows a similar route as the Juneau Creek Alternative with variances to avoid land within two (2) wildernesses. However, these variances result in the new alignment joining the existing alignment at MP55, thereby creating added construction impacts at the confluence of the Russian River and Kenai River near Sportsman's Landing. This variant yields increased congestion, increased costs, and greater impacts during construction. The goals, purpose and need of the project are not enhanced by this variant and it is not an acceptable decision.

Sincerely yours,

Ann & Alan Nierenberg

Communication ID: 1001

Comments on Sterling Highway MP 45-60:

This project negatively impacts more than it fixes.

1. Highway safety: The study area Crash and Personal Injury Summary shows that in the first four sections, MP 45-51.3, the rates are significantly below state averages. Moving this traffic to high speed roadways will increase the severity of crashes, and also increase the number of wildlife related accidents.

2. Impacts to residents: I was surprised to learn at the Anchorage Open House, than the study didn't consider noise to be a significant factor unless it reached a level that required a sound barrier. My guess is that the majority of Cooper Landing residents moved there to escape the sound of traffic, and live in a setting away from man-made intrusions. The Juneau Creek Alternative, the Juneau Creek Variant Alternative, and especially the G South Alternative will significantly impact all of the Bean Creek residents, and maybe even those across the highway on the facing hillside. The Cooper Creek Alternative will impact the residents of Caribou Heights and Blakely Court, plus sites across the canyon. The study

indicates that there would be enough noise to warrant a barrier, but it would be impossible to provide one. So “Oh Well.” If you can’t mitigate the conditions you are creating, don’t do it.

3. Impacts to Trails and other recreation facilities: The Resurrection Pass Trail enjoys heavy year around use. If the Juneau Creek Alternative or the Juneau Creek Variant Alternative are chosen, this trail will lose much of its appeal. 24 hour sound from the highway will be evident in much of Juneau Valley. What was formally a backcountry experience will be exchanged for front country use: more impact from people, trash, etc. Traffic noise will impact all other recreational uses as well: camping, hiking, rafting, fishing, swimming, bird watching, etc.

I would like to see road improvements on both sides of Cooper Landing:

From MP 45-48, including a new bridge at the corner of the Bean Creek Road access. Straighten and widen where possible, but minimizing impacts to private property.

From mile 51-60, straighten and widen with a new bridge at MP 53. This appears to be the worst section for accidents so is possibly the first (only) section to complete.

That leaves 3 miles, MP 48-51, that is the heart of Cooper Landing. If areas can be straightened or widened, great!, otherwise leave them alone.

The destruction of natural habitat, impact on wildlife, residents, recreationists and rural lifestyle does not justify any of the four alternatives. If only MP 51-58 were improved, the third NEED to improve highway safety would be met.

In conclusion, I would vote for the No Build Alternative if the only other option is to chose one of the four proposals. I do think upgrading MP 51-60 is definitely worthwhile, and even the bridge and access before MP 48. If forced to make a choice of the four proposals, the Cooper Creek option seems the least destructive to residents, wildlife habitat, and the qualities for which Cooper Landing is prized.

Communication ID: 1002

We drive this route. Constantly from eagle River to Soldotna... Cabin on the kenai.....all alternatives past the Russian River to the end of the project boundary always seemed to be the most impacting on the river..it is common sense.....yet all the re routing is through coopers landing which I feel of this entire stretch of road that is being looked at is not what has to be addressed if the well being of the Kenai River is what has driven this project. I have done numerous highway designs through Canada and this just doesn't sit well with my husband and I.....the role of a landscape architect is that we are the lead / prime consultant in most highway projects or at least partnered with the engineer...and other expertise brought on...I can tell that this project is predominantly explored and decided upon by an engineering company..... We need to listen to the expertise of others vs this state continually having engineers as the lead..... I know the industry but let's explore this with more common sense and further stages of public involvement..... Thank you for your time Tania Krawchenko B.La 907-561-2343

Communication ID: 1007

As the owners of property on Kenai lake in Coppers Landing we support either of the upper routes that by-pass Copper up the hill. The old Hwy. should be well marked as a business route.

Thank you,
Coleman Anderson

Communication ID: 1008

Thank you for allowing me to share my opinion on the proposed alternatives regarding the Sterling Highway improvements in Cooper Landing.

My choice would be to select the Juneau Creek Alternative. I think it would definitely provide the safest choice to improve this stretch of road. A "bypass" type alternative, such as Juneau Creek would improve traveling through CL, and the town would still be able to provide services and convenient access to recreation via the "old" road for those who need it. The reduction in traffic would improve safety in the town.

Juneau Creek Alternative would also be the most protective of the critical lakeside/river head environment, keeping the majority of traffic and its associated dangers and pollutants away from the lake. Finally, It would have the least negative impact on private property owners in Cooper Landing.

I am a frequent and avid user of the Resurrection Pass Trail, and I do have concerns about the new highway sullyng this beautiful trail, but I believe the trail could easily be altered to pass below the Juneau Creek bridge, and the trail would be minimally affected.

I am staunchly opposed to the Cooper Creek Alternative, as it would have deleterious effects on town safety, environmental impacts, and encroachment (noise and otherwise) on private homeowners.

Thank you again for considering my comments.

John Anderson

Communication ID: 1009

The Juneau Creek alternative seems to make the most sense for multiple reasons. Safety, cost, environmental protection, and convenience are a few of the reasons I support this option.

Cooper creek would be the worst option. It would be very costly, impinge on local property owners, and would have environmental concerns because of the close proximity to the lake and river.

Kevin Anderson

Communication ID: 1010

To whom it may concern:

I am writing to *comment against the Cooper Creek Alternative. *

My family, along with 3 other families have owned the 19 acre property at mile 48.5 of the sterling highway for over 40 years. It is by far my favorite place on earth. Our family has had three marriage proposals here and family member named Cooper. It's easy to see how much this place means to us.

My parents attended the open forum for the project in Anchorage and learned the project planners were not aware we have a cabin on our property that is directly in the path of the Cooper Creek Alt. Please adjust your statistics on how many buildings will be destroyed if this alternative is chosen.

I also must take issue with the information you provided about "Wildlife Areas of Predicted Use". We have witnessed many Moose, Black bear and Brown bear on our family property over the years as well as abundant sign of their presence. It seems as though the south side of the highway has been over looked as important wildlife habitat. (My family also had a mining claim on Cooper creek for many years. We witnessed many moose and bears over the years in this area. While spending time in Cooper Creek valley we also came to realize *Cooper Creek is an important spawning tributary for resident Dolly Varden*. We'd regularly see Cooper Creeks deep pools full of mature Dollies each fall on our way to the claim. A bridge over Cooper Creek would have a detrimental effect on the Kenai River Dolly Varden population.

The Cooper Creek Alternative has an important safety issue that may have been over looked. This proposed section of highway is in the shadow of Cecil Rhode mountain from November through January. The sun plays an important role in clearing snow and ice from Alaska highways in the winter. With no direct sunlight for 3 months a year this section of highway will surely be more slick and hazardous than the sections of highway proposed on the north side of the valley.

I urge you to re-examine how important this land is to the area wildlife, to the people who live here full time and those of use who rely on it as a weekend escape.

Sincerely,

Travis Derks

travisderks@gmail.com

Communication ID: 1011

To: Alaska Department of Transportation and Public Facilities (DOT&PF)

Federal Highway Administration (FHWA)

From: George Matz

Re: Sterling Highway Milepost 45 to 60 Project.

I have briefly reviewed Draft Supplemental Environmental Impact Statement (SEIS) for the Sterling Highway Project and find it unacceptably flawed and biased. I think this is a high-risk project in terms of not just highway safety, but affordability. It also will have unacceptably high impact on valuable fish, wildlife, and outdoor recreation with no apparent compensation. We can't afford any of this, particularly in these times of fiscal uncertainty, especially when the safety of the status quo can be improved with modest expenditure and little impact on other resources.

I have followed this project for years and have been amazed at how persistent DOT&PF has been in trying to justify this expensive megaproject while ignoring alternatives that are more practical, less costly, and less destructive to fish, wildlife, and the quality of outdoor recreation. Although DOT&PF seems more than willing to spend a considerable amount of money on a Cooper Landing Bypass, they seem reluctant to address area problems that really do need a bypass; examples on the Kenai Peninsula include the eroding bluff just north of Anchor Point and a bridge over the Kenai River at the Fred Meyer's

stoplight with a connection to the Funny River Road that would avoid Soldotna's stop-and-go traffic (which is a lot worse than Cooper Landing traffic).

The root of the problem seems to be in DOT&PF's biased decision-making process. It consistently caters to drivers who want faster highway speeds. DOT&PF claims that a Cooper Landing Bypass will result in faster and safer travel times. But what they don't clearly point out is that their alternatives actually result in longer travel distances (losing the benefit of more speed) and greater exposure to inclement, unsafe weather. A Cooper Landing Bypass will climb to an elevation that is higher than Turnagain Pass. I personally think the driving conditions on Turnagain Pass are a lot riskier than driving through Cooper landing. In the winter Turnagain Pass has more snow and ice because of elevation and long, steep, slippery slopes. In the summer it has an abundance of reckless drivers who travel at high speeds and often with dangerous passing. Although the driving conditions for a Cooper Landing Bypass would be more like Turnagain Pass, the SEIS doesn't make this comparison. Unless the highway safety of MP 45-60 of the Sterling Highway is compared to roads that are essentially comparable to what a bypass would amount to when built (e.g. Turnagain Pass), DOT&PF can't legitimately state that highway safety will be improved by this project. This is a critical flaw in the SEIS.

Although the SEIS provides detailed analysis of fish and wildlife populations, habitat, and threats related to the highway as well as the noise, visual impact, and other factors related to outdoor recreation, none of this is given any importance when it comes to increasing highway speeds. While there might be effort to reduce impacts, it obviously won't be at the expense of the projects purpose. All this information certainly helps in terms of having a SEIS that is "adequate and complete" and therefore not as subject to legal challenge, but it does little to ensure that these resources and their opportunities won't be subject to significant loss. Furthermore, while the SEIS makes clear that there will be substantial impact to these resources, there doesn't appear to be any suggestion as to how these impacts that will be mitigated, an example being the purchase of other undeveloped land that is threatened with development. Given the high value of the fish, wildlife, and outdoor recreation in the Cooper Landing area, I would suspect that the bill for this mitigation could be substantial and perhaps be a threat to project funding.

The SEIS has considerable deficiencies in objectively describing what Cooper Landing will look like before and after any of the alternatives presented. But it's biggest failing is that it doesn't even consider a 4R approach that would not only improve the existing road, but eliminate some of the hazards that do exist, like the curve past Gwin's. That curve accounts for a lot of the accidents that happen in the MP 45-60 stretch of the Sterling Highway. If DOT&PF weren't so fixated on trying to get a megaproject, they could have fixed this problem area for probably less than what has been spent on useless, misguided studies.

In conclusion, the SEIS should not be approved until it has;

1. A legitimate 4R alternative.
2. An apple-to-apples comparison for highway safety that compares the status quo to each alternative based on legitimate examples (e.g. Turnagain Pass).
3. An accounting as to how losses to fish, wildlife, and outdoor recreation will be mitigated and/or compensated for.

Thank you for this opportunity to express my views.

Communication ID: 1012

Please select the Juneau Creek option that gets the highway the furthest from the water. The highway right now is too close to the water and in the future this highway will continue to handle a growing amount of traffic and the likelihood that something bad will happen to the water just increases with every passing year. The current highway route puts too many trucks carrying who-knows-what too close to the lake and river. I've seen some trucks doing 50-70 mph heading right for the sharp turn at the bridge and barely make the turn. A few years ago, one didn't - fortunately he was carrying soda pop and not gasoline or some other hazardous chemical. We need to get that highway further from the water. The economy of most of the peninsula is dependent on the Kenai River and we need to protect it as much as we can. Other states seem to be taking these steps to protect their natural treasures and so should Alaska. Move the highway away from the water! Thanks

Communication ID: 1013

I like the passing lanes with shoulders. How about a divided highway? Sent from Samsung tablet

Communication ID: 1014

Thank you for the opportunity to gather information on the Sterling Highway project and comment here. After reviewing all of the options I would like to most strongly object to the Cooper Creek option - it seems to impact the most private property as well as be one of the most expensive options.

Communication ID: 1015

attached file

ATTACHMENT TEXT FOLLOWS:

RE: Sterling Highway Road Project

COMMENTS AGAINST – Specifically the Cooper Creek Alternative

Our family, along with 3 other families, co-own the 19 acres at milepost 48.5 of the Sterling Highway in Cooper Landing. We have owned the property since the mid 1970's and our family and one other owner carried all the materials up the ¼ plus mile trail uphill to build the cabin without the aid of any power except hand power! It was and continues to be a very special place for family gatherings for over 40 years. Additionally, it is the ONLY “getaway” any of our families have in Alaska. The Cooper Creek Alternative would impact approximately 80 people in the four families that own the property. As the plan calls for cutting through the middle of the property it would render well more than half of the land as inaccessible and unusable.

Cecil Rhode Mountain, which sits directly behind our property, has been a real success story for the protection and growth of the mountain goats that were placed there in the 1980's/1990's. We believe that the activity of clearing, construction and use of the Cooper Creek Alternative that near the mountain would have a very negative impact on the wildlife that have flourished in that environment, up to this point – and all the other wildlife that we feel so fortunate to view from our cabin.

It is our sincere hope that one of the other alternatives be chosen (such as G South).

Thank you for the opportunity to respond.

Jim and Leanne Derks

Anchorage, AK 99502

Email: akderks@gci.net

Communication ID: 1016

I am strongly against this project. I have three points to make, and I hope my comments will be considered.

First, the Cooper Landing area is one of the most beautiful places in Alaska, and it does not need another road running through it. This project will take a gorgeous, pristine area and create an interstate system only to accomidate tourists for three months a year. The current road is a scenic highway and should be enjoyed at a slow rate of speed. Part of coming to the Kenai Peninsula is having to navigate Cooper Landing and this takes time, plan accordingly. Adding more roads and disrupting the beautiful environment and fragile ecosystem is unnecessary and a bad idea.

Second, I understand there are safety concerns about the existing road. You can fix the majority of the safety concerns if you have people SLOW DOWN when they are driving. Additionally, enforce the slower speed limit! This would limit vehicle accidents and help to prevent vehicle-animal collisions. I am so tired of seeing dead moose on the side of the road from people driving to fast to stop. SLOW DOWN! The bypass will only create more roads for animals to navigate and allow people to travel though the area faster. A bear could have to cross 4 lanes of traffics so it can feed on salmon. Does this make any sense?

Third, consider the cost of this project. This is not an essential bypass. Let's not continue to spend money unwisely. It would be a fraction of the cost to have law enforcement enforcing the lowered speed limit. Spend money installing lights on the sides of the roads to help visibility. These are reasonable solutions to increase safety.

Don't ruin the Kenai Peninsula for future generations. We live here to enjoy the peace and beauty of this great state and a bypass is the last thing we need. If you can't slow down and enjoy Cooper Landing then maybe you shouldn't be coming to the Peninsula.

Communication ID: 1017

Dear DOT&PF:

Please find attached my comments on the Draft Supplemental Environmental Impact Statement for the Sterling Highway Mile Post 45 to 60 Project.

Thank you.
Joel Cooper

ATTACHMENT TEXT FOLLOWS:

Joel Cooper

PO Box 3585

Homer, AK 99603

May 26, 2015

Sterling Highway MP 45-60 Project

DOT&PF Central Region

PO Box 196900

Anchorage, Alaska 99519-6900

RE: Comments on the Draft Supplemental Environmental Impact Statement for the Sterling Highway Mile Post 45 to 60 Project

Dear DOT&PF:

I would like to comment on the Draft Supplemental Environmental Impact Statement (ADEIS) for the Sterling Highway Mile Post 45 to 60 Project.

I think the present DSEIS is incomplete and inadequate and should be scrapped for the following reasons:

- It fails to provide a reasonable range of alternatives.
- It lacks adequate analysis of impacts to wildlife, wetlands, recreation and scenic values.
- The least harmful alternative is not identified.
- No preferred Alternative is named.

I think ADOT&PF and the Federal Highway Administration should conduct a new project review to:

- Add an alternative that improves the present road alignment.
- Complete a comprehensive analysis of all potential impacts from build alternatives.
- Identify the least harmful alternative and a preferred alternative.
- Draft a new SEIS and provide a new 90 day public review period.

Thank you.

Sincerely,

Joel Cooper

Communication ID: 1018

My preference is the road is not built around Cooper Landing (i.e., no build alternative). The impacts to the environment and local landowners are great, and unnecessary. The cost of the project is massive relative to the modest or almost insignificant time savings for those driving from the Anchorage area to

the Kenai Peninsula. The positive impacts of fixing and widening additional sections along Turnagain Arm are so much greater.

Should it be built, the Cooper Creek alternative is superior to the one that goes along Slaughter Ridge and over Juneau Creek. The impact of the latter is substantial, and all for trivial savings in time traveling. Going via Juneau Creek also has a much greater impact on those who live in Cooper Landing. Why harm a nice little community for so little benefit?

These comments probably don't make much of a difference – it seems the decision and the desire to build a mega road around Cooper Landing. I have to think that we as Alaskans have much more productive things to do and spend money on.

Communication ID: 1019

As a local I support either Juneau Crk. alternative.

Communication ID: 1020

Introduction

Unfortunately it was not possible for me to attend any of the open house sessions you held last month, so I'll provide comments on the project below.

I've lived in Southcentral Alaska and regularly driven the Sterling Highway since 1969. Over most of those years I've hiked and skied extensively throughout the area around Cooper Landing, on and off trail. Since the early 1980's I've followed various iterations of the proposed project. Consequently I have a great deal of first hand experience regarding just about everything covered in the present DSEIS.

Bottom line

Whenever I write comments to one of these things I like to move my bottom line to the top. After reading carefully through most of the document my sense is that the DSEIS is incomplete and insufficient to meet the requirements of the National Environmental Policy Act. One could spend a lot of time listing every flaw but these six inadequacies seem most relevant to me.

Inappropriate "new alignments" design standard goal.

Failure to include a reasonable range of Alternatives.

Incomplete analysis of potential impacts to wildlife, wetlands, recreation, and scenic values.

Missing or inadequate proposed mitigation measures.

Failure to identify the least harmful Alternative.

Failure to identify a preferred Alternative.

Given these omissions, the present DSEIS cannot provide members of the public or resource managers with the information needed to make informed decisions about how best to improve congestion and highway safety through Cooper Landing.

What to Do

The way forward should be clear -- DOT&PF needs to conduct a new project review, correcting the above flaws, and publish a new DSEIS followed by a ninety day public comment period.

A Missing Reasonable Alternative

There is nothing wrong with driving at reduced speed through a very scenic area for 13.7 miles.

It is my understanding that the Alaska Preconstruction Manual for highway design standards provides two standards for highway upgrades: 1) new alignments and 2) rehabilitation within existing alignments. The engineering requirements and standards for rehabilitation within existing alignments are less rigorous than for new alignments. By adopting a goal to “Improve the highway to ‘rural principal arterial’ design standards” DOT&PF seems to have committed to applying the “new alignment standards” to the project. However, the Alaska design standards for “road rehabilitation projects within existing alignments” can be met between mileposts 45 and 60 and, I believe, would provide for safe, “current” highway upgrades. The DSEIS does not explain why DOT&PF considers those standards to be insufficient for this project.

I must assume that adopting this narrow goal is the reason for elimination of the 1994 3R Alternative. The 3R Alternative called for improvements to the roadway along the present alignment including a separated pedestrian/bike pathway, passing lanes, improved signage, rumble strips, flashing lights, and other common highway safety modifications. It seems to me that selecting any of the present build alternatives without considering some such reasonable alternative would be invalid under the legal requirements of NEPA. DOT&PF needs to add “road rehabilitation” Alternative with upgrades to the present alignment such as those included in the 1994 3R Alternative.

Juneau Creek and Juneau Creek Variant Alternatives

The Juneau Creek and Juneau Creek Variant Alternatives are unacceptable. They will result in the greatest, cumulative, negative impacts and provide the least possibilities for mitigation among the various Alternatives. Both would truncate the southern end of the Resurrection Pass Nation Recreation Trail by 3.4 miles. The road and bridge over Juneau Creek Canyon would badly degrade the Juneau Falls Recreation Area and introduce unacceptable noise levels to both Resurrection Pass Trail and Bean Creek Trail. Far from mitigating this, addition of a falls overlook, parking lot, and pedestrian walkway would exacerbate the disruption. The Forest Service suggestion for compensating for these harms by building more infrastructure at the Iditarod National Historic Trail near the Snow River is unsatisfactory because it provides no remediation at Juneau Falls.

Both Alternatives transect important wildlife habitat (Map 3.22-1). There will be extensive destruction of wetlands. While at least 26 mammal species are expected to be affected by the project, moose, black & brown bear, wolverine, and Dall sheep are among the most significant. For the most part the present road alignment lies well south of these important habitats, except for a 2.5 mile stretch along the southern edge between MP 53 and 56. Construction of either the Juneau Creek or Juneau Creek Variant Alternative will destroy or degrade 2,600 to 2,800 acres of habitat. The road will serve as a barrier to established movement patterns and can be expected to significantly increase animal/vehicle collisions due to its location and higher traffic speed. There is nebulous mention of some type of wildlife crossing as a possible mitigation measure but no detail is provided. In addition, highway noise and activity may drive animals away, in some cases increasing interaction with humans in more populated areas. Brown bear/human interaction is already a source of consternation for some Cooper Landing residents.

Finally, the Juneau Creek Alternative would cross the Kenai National Wildlife Refuge Mystery Creek Wilderness Area just north of MP 55. This is completely unnecessary given the small amount of the present alignment it would abandon.

G South Alternative

The G South Alternative shares, to a lesser extent, many of the problems of two Juneau Creek Alternatives. While the route drops well south of Juneau Falls Recreation Area and rejoins the present alignment well shy of the Mystery Creek Wilderness Area, it would still intersect both Resurrection Pass and Bean Creek Trails and be high enough in elevation to introduce added noise and visual clutter well north and south of those intersections. (It would still cut across much of the same critical wildlife habitat affecting 1,468 acres, much of it important movement corridors, in similar fashion. This alternative would have the greatest potential impact for the Kenai River because of construction of new bridge over it and two tributary creeks and extensive culvert replacement.

Cooper Creek Alternative

While the Cooper Creek Alternative has problems too it is by far the least destructive of the four “build” Alternatives. For one thing it is short. For another it stays away from the sensitive north side of the river. It would eliminate the least amount of vegetation and have the least affect on wildlife and its habitat. There would, however, be some negative impact, primarily for bear & moose. This alternative would also affect some recreation resources, among them the Cooper Landing Boat Launch & Day use Area, the Stetson Creek Trail, Cooper Lake Dam Road/Powerline Trail. It calls for construction of three bridges, extensive culvert replacement, and a fair amount of reworking of utility infrastructure. More historic properties would be adversely affected than with any of the other alternatives. Amendment of the Kenai Peninsula Borough Comprehensive Plan might be required to construct it. While the Cooper Creek Alternative could be a marginally acceptable build option, selecting it without having a viable “road rehabilitation” Alternative with upgrades to the present alignment would likely violate NEPA as well as the public trust.

Alternatives Fail to Solve Problems and Challenges

The four “build alternatives” follow present alignment between MP 45 and about 46.7. Unfortunately, this segment of the road appears to have most of the “problems and challenges” the project aims to eliminate - steep mountain walls, narrow & curvy, driveways, etc. This is a short distance but, as the old saying goes, “A chain is only as strong as the weakest link.” In reality, between where the alternatives would rejoin the present alignment near MP 55, right on through to MP 58, there seem to be some of the same limitations to achieving project objectives as well, not the least being proximity to the Kenai River.

Inadequate Noise Studies and Predictions

Efforts to monitor and predict impacts to the Resurrection Pass much beyond Juneau Falls is lacking. If a highway crosses Juneau Creek at the elevations proposed in three “build alternatives” people on the Resurrection Pass trail can expect to hear traffic noise all the way to the top of the Swan Lake Grade. From near the Bean Creek/Resurrection Pass Trail junction topography is perfect for funneling noise right up the trail.

No Measures to Mitigate Noise and Visual Impacts

The project area occupies a beautiful travel corridor, one that enjoys a relatively low level of noise considering the amount of development along the present roadbed. All build alternatives will result in impairment of the viewshed and significant increase in noise levels. There are, however, no practical mitigation measures available.

Preventing Development Along New Alignments Unlikely

Assurances by DOT&PF that, “Access to developable land adjacent to the bypass segments would need to be from the existing Sterling Highway only...” are unsupportable. DOT committed to preventing development along the Sterling Highway Homer Bypass when it was built (about 1978). Today the whole route is heavily developed. This is consistent with roadside development throughout the nation. Historical record will show that in all but a small percentage of very unusual cases roadside development is virtually unpreventable.

Unclear Presentation of Project Cost Sharing

It is difficult to determine how much these projects are likely to cost the state. Planning and administration are lumped in with construction, implying that they are included in the 90% federal match. Isn't the federal match 50% for planning and administration? Operation and maintenance costs are listed separately as they should be but there is no mention that the state is responsible for 100% of these costs. These are especially important considerations at present, with the Federal Highway Fund diminishing and the State of Alaska facing unprecedented deficits for the foreseeable future.

I appreciate the opportunity to weigh in on this project again and look forward to seeing a complete and adequate version of the DSEIS some time in the future.

Communication ID: 1021

The Juneau Creek, Juneau Creek Alternatives, G North Alternatives, and Russian River Alternatives are unacceptable because they would cross national forest and national wildlife refuge lands of significant national importance. The impacts would be devastating for the existing natural environment wrecking some of the most beautiful and heavily used areas in Southcentral Alaska such as the Resurrection Trail.

The requirement for a major new road is the product not just uncontrolled growth but growth that is encouraged by the state and borough. A bypass road will not necessarily relieve the pressure on the existing road because people will still use it for local access mostly having to do with Kenai River tourist-related activities. All the of problems that the SEIS described are ones that could have been avoided with some elementary foresight.

The few deaths and injuries, that may not necessarily be alleviated by the scenarios presented, and are not worth the huge capital cost of building what is essentially a bypass. My experience driving Alaska roads generally and that stretch of road particularly is that it is the drivers themselves who are the problem. More enforcement is a better option to building another road. \$300 million could buy a lot of enforcement and improvements of the existing corridor. We do not need to lose more wilderness to keep tourists from stewing in their own juices. The answer to everything is not to pave everything over not to mention the pervasive influence of the construction industry that would build roads to nowhere if it makes it money.

I support the No Build Alternative restricting infrastructure improvement to the existing Sterling Highway corridor.

Communication ID: 1022

Please see attached letter

Thanks

ATTACHED TEXT FOLLOWS:

To Whom it may concern:

This letter is AGAINST the Cooper Creek Alternative.

Our family has had property in Cooper Landing for over forty years. Your proposed Alternative plan would go right through our families 19 acres. This property has been jointly owned by the same 4 families for over forty years.

I remember in the early 70's as a young teen helping haul all the wood and supplies up to the "perfect spot" on which we built our cabin. It was a lot of hard work, but I wouldn't trade that experience or the countless memories over the years for anything! If the walls of the cabin could talk the stories would go on and on with nothing but good to tell!

My five siblings and I grew up spending time there and our children now enjoy it as well. So multiply that by the other 3 families and their children and friends and you've got lots of people over the years who've enjoyed this cabin!

The cabin still stands solid today and continues to be a place of peace, fond memories, beautiful scenery and home to countless wildlife that we have seen over the years.

Thank you for taking the time to read this letter opposing the Cooper Creek Alternative.

Sincerely,

Teresa (Derks) Pearce

vic.teresa@gci.net

Communication ID: 1023

Sterling Highway Milepost 45-60 Project

DOT&PF Central Region

P.O.Box 196900

Anchorage, Ak 99519-6900

May 26, 2015

Stakeholder Comments:

First, I would like to congratulate the Federal Highway Administration and the Alaska Department of Transportation for the great job they did on developing the Sterling Highway Milepost 45-60 Project Draft SEIS. The road rebuild alternatives are well thought out, researched, and defined. It's clear the best alternative for all concerned is the Juneau Creek Alternative. It is the least costly and will skirt the ever fragile Kenai River Valley, home to one of the world's most easily accessible wild and scenic river systems. The highway rebuild is not only needed to improve highway safety for those traveling through this narrow, winding, dangerous, and shoulderless stretch of highway to other destinations; but also to allow for safe, unfettered access to the Kenai River with its fishing opportunities, parks, and many trails for generations to come.

I first traveled the Sterling Highway in 1954, driving from our home in Anchorage with my parents to visit my cousin whose grandparents had a homestead and operated a gas station and café in Naptown (now called Sterling). In 1957 my dad built a mahogany hulled lake boat in our garage and drove the 100 miles to Cooper Landing to christen it on the beautiful, aqua blue, glacial waters of Kenai Lake. I've been coming to the Kenai Peninsula now for more than 60 years to either mine for gold as a boy with my father, work as an Alaska State Trooper, or build and enjoy my retirement home; where I now live on Kenai Lake at Milepost 46.5.

My family, wife, and I have seen a lot of changes over the past 60 years while traveling to and living on the Kenai Peninsula, both in Sterling and Cooper Landing. The one change, however, that we have not seen is a rebuild of the old section of highway between Sunrise Inn at Milepost 45 and Skilak Lake Road at Milepost 58. The Sterling Highway in the 50's was more than adequate for the number and type of vehicles using it. The population on the Kenai Peninsula has grown from 5,000 in the early 50's to over 55,000 in 2010. And Anchorage's population has grown from 11,254 in the 50's to almost 301,000 in 2013. With the steady increase in population, the Sterling Highway has become increasingly dangerous and congested, particularly during the busy summer season when Alaskans and tourists in the hundreds of thousands venture here to enjoy the incredible scenery and outdoor activities.

Through the years the easily accessible Kenai Peninsula, now labeled "Alaska's Playground," has become Alaska's and now the world's outdoor playground. The area includes the Kenai River, with its magnificent natural run of four species of wild salmon, giant rainbows, and dolly varden; and the surrounding Chugach National Forest, National Wildlife Refuge, and Alaska State Parks; all open to hikers, adventurers, and sportsmen, alike. These awesome attractions are what make this such a special place, unlike any other in the world.

This narrow, winding, shoulderless, dangerous stretch of roadway can no longer safely handle the thousands of vehicles and increasing number of bicyclists that now pass through here during the busy and chaotic summer months. Not only do people travel to Cooper Landing to hunt, fish, boat, and hike; they also travel through Cooper Landing to Kenai, Soldotna, Ninilchik, and Homer for many of the same reasons. All that traffic is funneled through the same narrow, winding, dangerous, and shoulderless stretch of roadway on the Sterling Highway that passes through Cooper Landing.

Mixing semi-trucks hauling wide loads, double trailers carrying thousands of gallons of fuel and heating oil; and thousands of cars, trucks, camp trailers, and motorhomes traveling to varying destinations with those that come here solely to recreate is like turning California's I-75 into a narrow, winding, dangerous, shoulderless stretch of highway and running it right through the center of Yosemite or Yellowstone National Park!

Sixty-four years have passed with no substantial rebuild to one of the last remaining sections of the old highway between Homer and Fairbanks. So that future generations of residents and travelers can safely enjoy the Kenai River and surrounding parks; and those passing on to other destinations on the Kenai Peninsula can do so as safely as possible---it's time to get it done!

Glenn and Cheryl Flothe

20317, Milepost 46.5, Sterling Highway

P.O. Box 850

Cooper Landing, AK 99572

Communication ID: 1024

I am against the cooper creek alternative. My property on caribou heights is directly adjacent to the cooper creek road alignment. It would destroy the beauty of the property and its value. the cabin that currently sits on the property now has a view of mountains and alpine forest would only see traffic and road construction. The noise level would completely ruin the serenity of the property making its worth drop considerably.

Communication ID: 1026

Previous e-mail did not include signatures on page two. One of those days. Chiqinik,

ATTACHMENT TEXT FOLLOWS:

May 26, 2015

John Lohrey

Statewide Programs Team Leader

DOT&PF Central Region

Sterling MP 45-60 Project

PO Box 196900

Anchorage, AK 99519-6900

RE: Sterling Highway Mile Post 45-60 Project Draft SEIS

Dear Mr. Lohrey:

Thank you for the opportunity to submit comments on the Sterling Highway Mile Post 45-60 Project Draft SEIS on behalf of the Russian River Land group. The Russian River Land Act (PL 107-362) requires Cook Inlet Region, Inc. (CIRI), Kenaitze Indian Tribe (KIT), US Fish and Wildlife Service (USFWS), and the US Forest Service (USFS) to cooperate on efforts to "protect and preserve the outstanding historic, cultural, and natural resources" in the vicinity of the confluence of the Russian and Kenai Rivers. It is in the spirit of that charge that these comments are submitted.

The group met on May 6th to focus on the impacts of the Draft SEIS's four build alternatives on cultural resources. KIT and CIRI's position is that the Juneau Creek Variant is unacceptable and should be removed from future alternative consideration and analysis due to the proposed highway bisecting and being located in Tract A. The USFS and USFWS acknowledges and supports KIT and CIRI's determination based on our joint effort to fulfill the Russian River Section 14(h)(1) Selection which included Tract A and is in alignment with our Sqilantnu Archaeological District Memorandum of Understanding.

Tract A was conveyed on May 31, 2012 pursuant to the Russian River Land Act of December 19, 2002, Pub. I, 107-362, 116 State. 3021, and the Russian River Section 14(h)(1) Selection Agreement executed

July 26, 2001. As stated in the Agreement, "Upon conveyance to CIRC of lands and interests ... and without acknowledging whether they currently exist as separate applications, CIRC shall relinquish its ANCSA 14(h)(1) selections ...". As part of the Agreement, CIRC agreed not to seek legislation or other avenues to acquire additional lands within the Squalantnu Archeological District. Based on the 2012 conveyance to CIRC, the group believes that use of CIRC Tract A under the Juneau Creek variant alternative is counter to the intent of Congress in resolving ANCSA 14(h)(1) land claims. This proposed alternative cuts right through the heart of CIRC's 42-acre selection (Tract A). Building through this area will have irreversible direct and indirect impacts (as well as unanticipated effects) to sites defined by the Kenaitze Indian Tribe as sacred and spiritual. These include, but are not limited to, traditional burial sites. Incorrectly, the Draft SEIS indicates "the burial area within this 1.6-acre area would not be affected..." (p. 4-62) as well as "the graves area, however, would not be affected" (p. 4-61). Impacts of this alternative could not be mitigated.

Beyond Tract A, the group notes that for all build alternatives that the significance of cultural and sacred sites varies. We believe that the Draft SEIS analysis of impacts to cultural resources must include factors not evident in your analysis to date. While a quantitative acreage approach appears to have been the foundation for this Draft SEIS's cultural resource impact analysis, we believe that qualitative analysis must be completed and disclosed in the Final EIS. While each build alternative impacts numerous sites, the significance of them is not fully established/understood. Upon selection of a preferred alternative, we reiterate the need for your agency to conduct additional studies and consultations to garner a better understanding of the cultural resources present and develop and concur on mitigation measures.

We seek ongoing consultation efforts with DOT&PF and FHWA on this project. To ensure timely communication and consultation, please address any comments regarding this letter to the undersigned individuals collectively as a group. We would urge future efforts conducted in this manner include the Russian River Land Group and specifically request formal consultation with KIT prior to the Record of Decision being issued.

In closing, please know the above comments are not intended to represent the individual positions of the USFWS, USFS, KIT, or CIRC as to matters that may relate to the broader missions of those organizations. Accordingly, individual comments may be submitted by USFWS, USFS, KIT, or CIRC to address additional concerns.

Sincerely,

Jaylene Peterson-Nyren, Kenaitze Indian Tribe, Executive Director

Andy Loranger, KNWR, Refuge Manager

Terri Maceron, CNF, Forest Supervisor

Jason Brune, CIRC, Director, Land/Resources

Communication ID: 1027

Federal Highway Administration and Alaska Department of Transportation and Public Facilities, c/o HDR Inc.

Please accept the attached comment letter regarding the Sterling Highway Milepost 45 to 60 Project Draft Supplemental Environmental Impact Statement. If you have any questions, feel free to contact me at 907-276-9410.

Thanks,

Andy

Andy Erickson

Alaska Representative

Defenders of Wildlife

441 West 5th Ave. Suite 302 Anchorage, AK 99501

Tel: 907-276-9410 | Mobile: 907-687-4628

aerickson@defenders.org

| <mailto:aerickson@defenders.org>

| www.defenders.org

<http://www.defenders.org/>

ATTACHMENT TEXT FOLLOWS

May 26, 2015

Via Electronic Mail

Sterling Highway MP 45-60 Project

Alaska Department of Transportation and Public Facilities

P.O. Box 196900

Anchorage, AK 99519-6900

sterlinghwy@hdrinc.com

RE: Comments on the Sterling Highway Milepost 45 to 60 Project Draft Supplemental Environmental Impact Statement

To Whom It May Concern:

Defenders of Wildlife, joined by Audubon Alaska, Center for Biological Diversity, Cook Inletkeeper, Friends of Alaska National Wildlife Refuges, Kachemak Bay Conservation Society, National Wildlife Refuge Association, Sierra Club Alaska Chapter, and Wilderness Watch, on behalf of our committed members within the state of Alaska and millions of supporters nationwide, submit the following comments on the Sterling Highway Milepost 45 to 60 Project 1 Draft Supplemental Environmental Impact Statement (“DSEIS”).

1 Hereinafter referred to as the “Project,” “project,” or “Cooper Landing Bypass.”

I. INTRODUCTION

The Sterling Highway transects the Kenai Peninsula in south-central Alaska, connecting Anchorage with the ports of Homer, Soldotna, and Kenai. The highway traverses some of the most scenic and wild land in the country. From its junction with the Seward Highway near Turnagain Pass, the Sterling Highway bisects a portion of the Chugach National Forest, with inventoried roadless areas on both sides of the highway. At about mile 60, the highway enters the Kenai National Wildlife Refuge, passing just a few hundred feet from congressionally designated wilderness.

Over its entire length, the Sterling Highway crosses important wildlife habitat and recreation areas. Brown bears, wolves, moose, lynx, and other wildlife move from their northern ranges near Turnagain Arm, to the main southern portions of the Kenai Peninsula through drainages and tributaries to the Kenai River, which the Sterling Highway crisscrosses from Kenai Lake to Skilak Lake. Wildlife movement through these corridors is important for genetic diversity on the Kenai.²

² See Sean Farley, Federal Aid Final Research Report: Ecological Studies of the Kenai Peninsula Brown Bear, Alaska Department of Fish & Game, Project 4.29 (2005) (available at www.adfg.alaska.gov/static/home/library/pdfs/wildlife/research_pdfs/brb-kenai05.pdf).

Outdoor recreation is also common on the highway's route through the national forest and national wildlife refuge. Each summer tens of thousands of fishermen congregate on the banks of the Kenai and Russian Rivers to fish for salmon. Hiking, mountain biking, skiing, and snowmachining trails depart from numerous trailheads located along the highway. Widely recognized as one of the nation's best hikes, and considered the "crown jewel" of the Chugach National Forest, the Resurrection Pass Trail departs from the highway, following Juneau Creek near the scenic Juneau Falls. The Sterling Highway is a remarkable road precisely because of its spectacular scenery and opportunities for remote recreation and wildlife viewing.

A. The Project

The Federal Highway Administration ("FHWA") and the Alaska Department of Transportation and Public Facilities ("DOT&PF") have proposed a highway improvement project for the Sterling Highway between mileposts 45 and 60. The original highway was constructed in 1950 as a gravel road from Cooper Landing to Homer. Over the past 65 years, new communities developed along the road and the highway was eventually paved to become a thoroughfare, connecting Anchorage with western Kenai Peninsula towns. Consequently, traffic increased beyond what the original designers of the gravel road could have imagined.

In the 1980s, the DOT&PF decided to make safety and engineering improvements to the highway. Most highway sections were soon reconstructed to widen and straighten shoulders and lanes, accommodating increased traffic and increased vehicle speeds. But the most challenging section from an environmental and engineering standpoint, from mileposts 37 to 60, remained unimproved. This section posed problems ranging from winding curves, sharp turns, narrow roadways, canyons, steep river banks, wildlife crossings, driveway entrances, multiple river crossings, and the community of Cooper Landing.

DOT&PF considered a number of new routes for the highway for mileposts 37 to 60, and produced a draft environmental impact statement ("EIS") in 1982 and another draft EIS in 1994. The alternatives contained in those draft EISs were rejected "for engineering, environmental, financial, and traffic constraint reasons."³

³ DOT&PF, Project History, www.sterlinghighway.net/history.html (last visited May 12, 2015).

Because the primary difficulty in improving the section between mileposts 37 and 60 came from the Cooper Landing area (mileposts 45 to 60), DOT&PF split the project into two components: the lower Kenai section from mileposts 37 to 45 and the Cooper Landing section from mileposts 45 to 60.4 In 2001 DOT&PF completed an improvement project for the highway from mileposts 37 to 45, widening and straightening the roadway and shoulder, and adding passing lanes and pullouts.

4 Id.

In 2000 DOT&PF initiated a supplemental EIS for highway improvements to the section between mileposts 45 to 60.5 Planners identified multiple alternatives that would re-route the road away from the existing highway alignment. Each alternative was screened for engineering feasibility, and many of the alternatives required construction of multiple new bridges, including the proposed Juneau Creek Bridge, which would be “the longest span in Alaska.”6 DOT&PF estimated the costs for this megaproject range from \$250 to \$304 million.7

5 “The current Supplemental EIS (SEIS) process for the highway between MP 45 and 60 was initiated in 2000, with the purpose of supplementing the 1994 Draft EIS for MP 37 to 60.” Id.

6 DOT&PF, *STERLING HIGHWAY MP 45-60 DRAFT SEIS AND DRAFT SECTION 4(F) EVALUATION 2-30* (2015) [hereinafter DSEIS].

7 DOT&PF, *Frequently Asked Questions*, www.sterlinghighway.net/faqs.html (last visited May 12, 2015).

The current DSEIS identifies four alternatives that re-route the highway onto a new alignment (“build alternatives”) and one no build alternative.8 The no build alternative leaves the highway between mileposts 45 and 60 on its existing alignment and makes no safety upgrades other than regularly scheduled road maintenance.9 The highway from mileposts 45 to 60 would remain two lanes, with 11-foot driving lanes and 0–2-foot shoulders.10 A separate, existing project would be undertaken to improve safety on a curve at milepost 45.11 For much of the fifteen mile section, the highway bisects the community of Cooper Landing – driveways and road intersections are common; pedestrians, bicycles, and horseback tours use and cross the road; and the section has 35 to 45 mph speed limits.

8 See DSEIS, 2-1 to 2-54.

9 Id. at 2-16.

10 Id.

11 Id.

The first build alternative, the Cooper Creek Alternative, proposes a new highway alignment for approximately four road miles on the south side of the existing highway.12 The Cooper Creek Alternative bypasses Cooper Landing to the south, requiring a new bridge over Cooper Creek.13 The four miles of new alignment would consist of up to four 12-foot driving lanes and 8-foot shoulders, at a grade of between 3 and 6 percent.14

12 Id. at 2-20.

13 Id.

14 DSEIS at 2-20.

The second build alternative, the G South Alternative, proposes a new alignment for approximately 5.5 road miles on the north side of the existing highway.15 The G South Alternative would construct a new bridge over the Kenai River and a new bridge over Juneau Creek. The new alignment would consist of

two 12-foot driving lanes plus a passing lane and 8-foot shoulders.¹⁶ A new trailhead would be built for the Bean Creek Trail, and the existing Bean Creek Trail would be rerouted through an underpass under the new highway.¹⁷

15 Id. at 2-25.

16 See id. at 2-17; 2-25.

17 Id. at 2-25.

The third build alternative, the Juneau Creek Alternative, proposes a new alignment for 9.5 road miles on the north side of the existing highway.¹⁸ The Juneau Creek Alternative would construct a new bridge, the Juneau Creek Bridge – which would be the longest span bridge in Alaska – and consist of 12-foot driving lanes plus passing and turning lanes and 8-foot shoulders.¹⁹ The Juneau Creek Alternative cuts through the congressionally designated Kenai Wilderness within the Kenai National Wildlife Refuge.²⁰ The DSEIS acknowledges that DOT&PF is “unlikely to select the Juneau Creek Alternative as the preferred alternative” because building a highway through designated wilderness requires congressional authorization.²¹

18 Id. at 2-28.

19 Id. at 2-30; see id. at 2-17; 2-28.

20 DSEIS at 2-28.

21 Id.

The fourth build alternative, the Juneau Creek Variant Alternative, modifies the Juneau Creek Alternative to avoid the Kenai Wilderness.²² The Juneau Creek Variant Alternative proposes a new alignment for 8.8 road miles on the north side of the existing highway.²³ A new bridge would be built and the new highway would consist of 12-foot driving lanes plus passing lanes and 8-foot shoulders.²⁴ The Juneau Creek Alternative would pass over existing Forest Service roads, requiring an overpass or underpass near Juneau Creek. A new pullout would be constructed north of the highway near Juneau Creek and a “large trailhead parking area would be constructed for the Resurrection Pass Trail.”²⁵

22 Id. at 2-32.

23 Id.

24 Id.; see id. at 2-17.

25 See id. at 2-29.

B. Summary of Our Comments

After a thorough review of the history of this project, the DSEIS, and supporting documents, we have serious concerns about the adequacy of the analysis and the proposed build alternatives’ effects on the environment. Although we think the goal of improving safety on the Sterling Highway, especially between mileposts 45 and 60 is laudable – and even necessary – the four build alternatives’ effects on wildlife, recreation, and scenic views are likely to be significant and any potential mitigation will be insufficient to justify a massive new highway megaproject immediately adjacent to congressionally designated wilderness and inventoried roadless areas.

In this letter, we have identified an alternative that satisfies the safety needs for the community and highway travelers within the existing alignment. Thus, there is no need to construct a new highway that will erect a deadly barrier to wildlife crossings, increase use and degrade quality of remote recreation, and obstruct scenic vistas of the beautiful mountains, valleys, and rivers of the Kenai Peninsula.

Our comments on the project can be summarized as follows:

- 1) The DSEIS and Section 4(f) evaluation fail to provide sufficient information for meaningful public comment because the FHWA and DOT&PF did not identify their preferred alternative, environmentally preferred alternative, and least harmful alternative.
- 2) The DSEIS establishes an unreasonably narrow purpose and need for the project, and fails to analyze a reasonable range of alternatives, including an alternative that makes safety upgrades to the existing highway alignment.
- 3) The DSEIS provides an inadequate analysis of the effects on inventoried roadless areas within the Chugach National Forest. The DSEIS unreasonably minimizes effects on roadless areas by attempting to equate size of roadless areas with ecological importance; ignores fragmentation of habitat unique to roadless areas; fails to acknowledge likely preclusion of wilderness designation if any of the build alternatives are selected; and undermines the Chugach National Forests' legally required wilderness review process.
- 4) The DSEIS provides an inadequate analysis of the effects on wildlife, particularly moose and brown bears, which use the project area as a corridor connecting the northern and southern portions of the Kenai Peninsula. The DSEIS also refers to, but fails to disclose any detailed mitigation plans or measures that will be applied to each of the alternatives.
- 5) The DSEIS provides an inadequate analysis of the cumulative impacts of the proposed project, including a failure to consider imminent subdivision expansion, and previous highway improvements on the Kenai National Wildlife Refuge.
- 6) The Section 4(f) evaluation provides an inadequate analysis of the harms to each of the park, recreation area, and wildlife refuge land affected by the alternatives. Specifically, the evaluation fails to disclose the magnitude of impacts on wildlife and remote recreation for each alternative, fails to disclose what mitigation measures will be in place for each alternative, and fails to consider a reasonable alternative that makes safety upgrades within the existing alignment.

Given the inadequacies in the DSEIS and Section 4(f) evaluation, the FHWA and DOT&PF should reexamine the project and consider a new alternative that improves safety within the existing alignment. The DSEIS released by the FHWA and DOT&PF falls well short of the legal standards for analysis mandated by statute, federal regulations,²⁶ and Ninth Circuit case law.²⁷ The agencies should conduct a new review and provide a new opportunity for meaningful public comment in the form of a revised DSEIS that considers an alternative that makes improvements to the existing alignment.

²⁶ See 40 C.F.R. Part 1500.; 23 C.F.R. Part 771.

²⁷ See, e.g., *Idaho Conservation League v. Mumma*, 956 F.2d 1508, 1519 (9th Cir. 1982) (“This circuit employs a ‘rule of reason’ that asks whether an EIS contains a reasonably thorough discussion of the significant aspects of the probable environmental consequences.” (quoting *Oregon Environmental Council v. Kunzman*, 817 F.2d 484, 492 (9th Cir. 1987) (internal quotation marks omitted))).

If FHWA and DOT&PF decide to move forward with consideration of only the proposed alternatives, based on the information provided, it is our view that the environmentally preferable and least harmful alternative is the Cooper Creek Alternative. Under 49 U.S.C. § 1653(f)²⁸ and 36 C.F.R. § 294.12(b)(6),²⁹ the Cooper Creek Alternative must be selected in the record of decision for this project.

²⁸ See *infra* Part VII.

²⁹ See *infra* Part IV.

II. THE DSEIS AND SECTION 4(F) EVALUATION UNDERMINE MEANINGFUL PUBLIC COMMENT BY FAILING TO DISCLOSE THE PREFERRED AND LEAST HARMFUL ALTERNATIVE

A. The National Environmental Policy Act

The National Environmental Policy Act (“NEPA”) requires the FHWA to complete a rigorous review of the environmental effects of this federally-funded highway project.³⁰ The environmental review must demonstrate that the FHWA considered and provided a full explanation of potential environmental effects, including a comprehensive analysis of all reasonable alternatives, a fair and objective accounting of cumulative impacts, and a thorough description of measures to mitigate harm.³¹

³⁰ See NEPA, 42 U.S.C. §§ 4321–4370h (2012).

³¹ See *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 348 (1989); *Flint Ridge Development Co. v. Scenic Rivers Ass’n*, 426 U.S. 776, 778 (1976).

Federal regulations also require the FHWA to identify a preferred alternative, if it has one,³² and to include a discussion of “appropriate mitigation measures not already included in the proposed action or alternatives.”³³ The purpose of those disclosures is to provide the public with a “clear basis for choice among options.”³⁴ Moreover, in any record of decision (ROD), FHWA is required to identify an “environmentally preferable” alternative.³⁵

³² 40 C.F.R. § 1502.14(e).

³³ 40 C.F.R. § 1502.14(f).

³⁴ 40 C.F.R. § 1502.13.

³⁵ 40 C.F.R. § 1505.2(b).

Unfortunately, FHWA and DOT&PF failed to identify either preferred or environmentally preferred alternatives in the DSEIS.³⁶ The failure to include the agency’s thoughts on which alternative is most likely to be selected and which alternative is least environmentally harmful has deprived the public of meaningful opportunity to comment on the proposed project. Because the alternatives involve drastically different types and degrees of environmental effects, the DSEIS has made it difficult to compare alternatives, essentially shifting the burden on the public to make the case for which alternative is the environmentally preferable alternative. Without a clear indication of which alternative the FHWA is most likely to select or which alternative FHWA believes is the environmentally preferred alternative, the effects of the project cannot be fairly assessed by the public.

³⁶ DSEIS at 2-35 (“At this time, neither DOT&PF nor FHWA has identified a preferred alternative.”).

B. Section 4(f) Evaluation

In addition to NEPA requirements, FHWA must prepare a Section 4(f) evaluation under the Department of Transportation Act of 1966.³⁷ The Section 4(f) evaluation is required to determine whether a federal highway project that uses “a public park, recreation area, or wildlife and waterfowl refuge” includes “all possible planning to minimize harm” and that “there is no prudent and feasible alternative to using the land.”³⁸ In order for the project to be approved, FHWA must conclude “that as a matter of sound engineering it would not be feasible to build the highway along any other route.”³⁹ Thus, the FHWA must select the “least harmful” alternative.

³⁷ See 49 U.S.C. § 1653(f).

³⁸ *Id.* at § 1653(f)(1)–(2).

39 *Citizens to Preserve Overton Park, Inc. v. Volpe*, 401 U.S. 402, 411-12 (1971).

But like the DSEIS’s demur on a preferred alternative, FHWA has not disclosed which alternative it believes will cause the least overall harm.⁴⁰ Once again, the agency has shifted the burden on the public to discern, compare, and weigh each alternative’s harmful effects.

⁴⁰ DSEIS at 4-126 (“Neither DOT&PF nor FHWA has identified a preferred alternative, and FHWA has drawn no conclusion regarding least overall harm at this time.”).

Federal law requires that Section 4(f) evaluations begin as early in the planning process as possible.⁴¹ “The potential use of land from a Section 4(f) property shall be evaluated as early as practicable . . . when alternatives to the proposed action are under study.”⁴² Because this project, with similar alternatives, has been under study since at least 1982, it is perplexing that the FHWA has not had time to decide what it considers to be the least harmful alternative. The Section 4(f) evaluation purports that the FHWA “is hopeful that input from the public and appropriate agencies with jurisdiction . . . will prove helpful and assist decision makers in making a formal finding of least overall harm in the Final Section 4(f) Evaluation and SEIS.”⁴³ But the FHWA should have all of the information it requires, since at least the 1982 and 1994 EISs, when the public and agencies commented on similar proposed alternatives. By waiting to make its Section 4(f) determination in the final SEIS, the FHWA has given the appearance that its decision will be based on discretionary factors, such as which alternative the public favors. And that kind of determination would be improper under Section 4(f), which permits of no discretion and requires FHWA to select the least harmful alternative.⁴⁴

⁴¹ See *Defenders of Wildlife v. North Carolina Department of Transportation*, 762 F.3d 374, 400 (4th Cir. 2014); *Corridor H Alternatives, Inc. v. Slater*, 166 F.3d 368, 373 (D.C. Cir. 1999).

⁴² 23 C.F.R. § 774.9(a).

⁴³ DSEIS at 4-126, 4-127.

⁴⁴ *Overton Park*, 401 U.S. at 411–13.

As a draft evaluation put out for public comment, the FHWA should have issued its draft decision or at least provided some indication of which alternative it considered was least harmful. Despite providing an analysis of some environmental effects and describing the factors it will use in making the determination, the ultimate decision and how the FHWA ends up weighing each of the factors are both important to the public, and the public should be given a meaningful opportunity to comment on both.⁴⁵ Unlike NEPA’s procedural requirements, Section 4(f) provides a substantive mandate: select the least harmful alternative. In order to provide meaningful comment, the public ought to know where the agency stands on the substantive determination. Thus, by not disclosing its determination of least harmful alternative (even in draft form), the FHWA has undermined the public’s ability to provide meaningful comments on the Section 4(f) evaluation.

⁴⁵ *New Mexico ex rel. Richardson v. Bureau of Land Management*, 565 F.3d 683, 708 (10th Cir. 2009) (“A public comment period is beneficial only to the extent the public has meaningful information on which to comment.”).

III. THE DSEIS DEFINED AN UNREASONABLY NARROW PURPOSE AND NEED AND FAILED TO ANALYZE A REASONABLE RANGE OF ALTERNATIVES

NEPA requires all agencies to analyze and consider all reasonable alternatives to a proposed action.⁴⁶ In the DSEIS, FHWA was required to “[r]igorously explore and objectively evaluate all reasonable alternatives.”⁴⁷ In defining reasonable alternatives, FHWA’s regulations recognize that “[a]lternative

courses of action” should be evaluated by balancing “the need for safe and efficient transportation . . . the social, economic, and environmental impacts of the proposed transportation improvement . . . and . . . national, State, and local environmental protection goals.”⁴⁸

46 42 U.S.C. § 4331(2) (2012).

47 40 C.F.R. § 1504.12.

48 23 C.F.R. § 771.105(b).

Unfortunately, the DSEIS does not fairly comply with those statutory and regulatory requirements. The DSEIS adopts a narrow purpose and need: to upgrade the Sterling Highway to “new” highway alignment standards. That purpose eliminates all consideration of safety upgrades within the existing alignment. The DSEIS fails to consider alternatives that satisfy safety and efficiency goals by improving the existing highway alignment and preserving wildlife, recreation, and scenery in the Kenai.

A. The Purpose and Need Was Unreasonably Narrow

The DSEIS purpose and need statement identifies three criteria for the project: 1) reduce highway congestion, 2) meet current highway design standards, and 3) improve highway safety.⁴⁹ The DSEIS further defines “current highway design standards” as “current design standards for a rural principal arterial road,”⁵⁰ and elaborates that the FHWA considers the need for the project as upgrading the highway to comply with engineering standards for a “full reconstruction or construction on a new alignment.”⁵¹ But that purpose is unreasonably narrow because the highway can be improved within its existing alignment using different standards for “rehabilitation” projects. By narrowly and arbitrarily defining the purpose of the project, FHWA eliminated consideration of upgrades within the existing alignment.

49 DSEIS at 1-5.

50 *Id.*

51 *Id.* at 2-10.

Although agencies have significant discretion in defining the purpose and need of a project, they are not permitted to narrowly define purpose and need statements to avoid consideration of reasonable alternatives. “A purpose and need statement will fail if it unreasonably narrows the agency’s consideration of alternatives so the outcome is preordained.”⁵² An agency that has the power to consider other alternatives must do so.⁵³

52 *Alaska Survival v. Surface Transportation Board*, 705 F.3d 1073, 1084 (9th Cir. 2013) (citing *National Parks Conservation Association v. Bureau of Land Management*, 606 F.3d 1058, 1070 (9th Cir. 2010)).

53 See *Carmel-By-the-Sea v. U.S. Department of Transportation*, 123 F.3d 1142, 1155 (9th Cir. 1997) (“[A]n agency cannot define its objectives in unreasonably narrow terms.”); *City of New York v. U.S. Department of Transportation*, 715 F.2d 732, 743 (2d Cir. 1983) (“[A]n agency will not be permitted to narrow the objective of its action artificially and thereby circumvent the requirement that relevant alternatives be considered.”).

“An agency may not define the objectives of its actions in terms so unreasonably narrow that only one alternative from among the environmentally benign ones in the agency’s power would accomplish the goals of the agency’s action, and the EIS would become a foreordained formality.”⁵⁴

54 *Friends of Southeast’s Future v. Morrison*, 153 F.3d 1059, 1066 (9th Cir. 1998) (quoting *Citizens Against Burlington, Inc. v. Busey*, 938 F.2d 190, 196 (D.C. Cir. 1991)).

In the DSEIS, the FHWA defined the purpose and need in unreasonably narrow terms, excluding any alternatives that make improvements to the existing highway alignment. Although it is probably true that improvements meeting “full reconstruction or construction on a new alignment” standards cannot be accomplished within the existing alignment, this does not preclude any improvements from being made.

The DSEIS acknowledges there are two standards for highway upgrades: 1) new alignments and 2) rehabilitation within existing alignments.⁵⁵ “[T]he standards for the two types of improvement [are] not equal; the standards for a [rehabilitation] project were (and still are) different than those for full reconstruction or construction on a new alignment.”⁵⁶ The engineering requirements and standards for rehabilitation (within existing alignment) are less rigorous than for new alignments.⁵⁷

⁵⁵ DSEIS at 2-10. See DOT&PF, ALASKA PRECONSTRUCTION MANUAL (2005); AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO), A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS, 4TH ED. (2004).

⁵⁶ DSEIS at 2-10.

⁵⁷ See DOT&PF, *supra* note 55; AASHTO, *supra* note 55.

The DSEIS does not explain why it chose a purpose and need that requires use of the more rigorous new highway alignment standards.⁵⁸ The failure to explain a reason for selecting new highway alignment standards when other standards were available and compatible within the existing alignment makes the purpose and need arbitrary. It also gives the appearance that the FHWA narrowly tailored the purpose and need to exclude alternatives that upgrade the highway within the existing alignment.

⁵⁸ See DSEIS at 1-5, 2-10.

A reasonable reading of the purpose and need statement, “meet current highway design standards” leads to the conclusion that the purpose can be accomplished using the rehabilitation standards on the existing alignment. Chapter 1060 in the Alaska Preconstruction Manual for highway design provides engineering standards for road rehabilitation projects within existing alignments.⁵⁹ Those standards can be met for the Sterling Highway section between mileposts 45 and 60 within the existing alignment,⁶⁰ and provide for safe, “current” highway upgrades. The DSEIS does not explain why the Chapter 1060 highway rehabilitation standards are insufficient for this project. The Alaska Preconstruction Manual recognizes that highways like the Sterling Highway that were built in the 1950s as a gravel road can be upgraded to modern standards but should not be expected to be engineered to the same standards as a new highway alignment.

⁵⁹ See DOT&PF, *supra* note 55, at Chapter 1060.

⁶⁰ See DSEIS at 2-11; DOT&PF & FHWA, STERLING HIGHWAY MP 37-60 DRAFT ENVIRONMENTAL IMPACT STATEMENT AND SECTION 4(F) EVALUATION (1994) [hereinafter 1994 EIS].

The DSEIS should have considered upgrades to the existing alignment as an alternative along with alternatives that use new alignments. The DSEIS should have recognized that those alternatives require different engineering standards, but both standards provide for safe, “current” highway improvement. By requiring alternatives to meet only the new highway alignment standard, the DSEIS unreasonably excluded alternatives that make upgrades to the existing alignment

B. The DSEIS Failed to Analyze a Reasonable Range of Alternatives

As a result of the unreasonably narrow purpose and need, the DSEIS failed to analyze a reasonable range of alternatives.⁶¹ Specifically, the DSEIS failed to consider an alternative that would make improvements

within the existing alignment. The purpose and need for the project can be met by using a modified alternative that makes improvements to the existing alignment.

61 See DSEIS at 2-10 to 2-35.

NEPA requires agencies to analyze a reasonable range of alternatives.⁶² “The touchstone for our inquiry is whether the EIS’s selection and discussion of alternatives fosters informed decision-making and informed public participation.”⁶³ Although agencies have discretion in selecting the alternatives for analysis, the range of alternatives cannot merely ignore a reasonable middle-ground option.⁶⁴ “The existence of a viable but unexamined alternative renders an environmental impact statement inadequate.”⁶⁵

62 *Methow Valley Citizens Council v. Regional Forester*, 833 F.2d 810 815 (9th Cir. 1987), rev’d in part, 490 U.S. 332 (1989) (reversed in parts not affecting the Ninth Circuit’s alternatives analysis).

63 *California v. Block*, 690 F.2d 753, 767 (9th Cir. 1982).

64 *Id.* at 768 (“While nothing in NEPA prohibits the Forest Service from ultimately implementing a proposal that allocates more acreage to Nonwilderness than to Wilderness, it is troubling that the Forest Service saw fit to consider from the outset only those alternatives leading to that end result.”).

65 *Morongo Band of Mission Indians v. Federal Aviation Administration*, 161 F.3d 569, 575 (9th Cir. 1998).

For this project, a reasonable middle ground exists between the two types of alternatives considered (no build and new alignment). The DSEIS should have considered making upgrades to the existing alignment.

1. Improving the existing alignment is a reasonable alternative

The middle ground alternative that FHWA should have considered is described best in terms of the 3R Alternative that was analyzed in the 1994 EIS.⁶⁶ The 3R Alternative would have made road and safety improvements to the Sterling Highway section from mileposts 45 to 60 within the existing alignment. The 3R Alternative “would have a total 36-foot width: two 12-foot lanes and two 6-foot shoulders” and a 12-foot passing lane with a 4-foot shoulder where needed.⁶⁷ Additionally, a “separated pedestrian pathway would be provided between MP 55 and MP 45.”⁶⁸ “Vehicle pull offs would be provided as appropriate.”⁶⁹

66 See DSEIS at 2-11; 1994 EIS at II.D and IV.F.

67 1994 EIS at II.D.

68 *Id.*

69 *Id.*

The 1994 EIS described the 3R Alternative as a “viable build alternative.”⁷⁰ Obviously, the widened roadways and shoulders contribute to safety improvements, which the 1994 EIS acknowledged: “The extended safety pathway would provide additional access and safety along the highway for residents and visitors and connect the community with heavily used recreation areas.”⁷¹

70 *Id.*

71 1994 EIS at IV.F.

A modified version of the 3R Alternative is a reasonable alternative for this project.⁷² The 3R Alternative’s improvements to the roadway, separated pathway, and passing lanes all contribute to safety, easing congestion, and improving highway design standards. Additional features that the DSEIS should

have considered to improve safety within the existing alignment include signage, rumble strips, flashing lights, speed signs and notifications, and other common highway safety modifications.

72 See 1994 EIS at II.D.

Importantly, a modified 3R Alternative (or some other middle ground that uses the existing alignment) would be 60% identical to the Cooper Creek and G South build alternatives.⁷³ The Cooper Creek and G South Alternatives' new alignments rejoin the existing alignment at or near mile 51.3 and 51.9, respectively; the only new alignments that will be created are from milepost 45 to 51.3.⁷⁴ From milepost 51.3 to 60, the existing alignment is used for both alternatives. If the Cooper Creek and G South Alternatives satisfy the purpose and need to improve “current highway design standards,” than an alternative that uses the existing alignment for the remaining 40% of the section is also reasonable and should have been analyzed.

73 See DSEIS at 2-21; 2-26; 2-39.

74 *Id.*

2. Improving the existing alignment should have been analyzed

The DSEIS provides only one logical reason for rejecting the 3R Alternative or any other middle ground alternative that uses the existing alignment: failure to meet the highway design standards for principal rural highways on new alignments.⁷⁵ But that purpose and need for the project is unreasonably narrow.⁷⁶ The DSEIS should have analyzed a middle ground alternative's ability to meet the reasonable purposes and needs of this project, which it likely does.

75 DSEIS at 2-11 (“[B]y definition, [the 3R Alternative] did not meet the SEIS purpose and need.”).

76 See *supra* Part III.A.

First, the 3R Alternative or other alternative that uses the existing alignment can make improvements to traffic congestion. As the 1994 EIS for the 3R Alternative recognized, “Highway improvements would enhance safety conditions and alleviate traffic congestion. . . . Traffic congestion would be reduced by the addition of passing and left-turn lanes.”⁷⁷

77 1994 EIS at II.D.

Although the DSEIS claims that the 3R Alternative would not alleviate traffic congestion today, given increases in traffic volume since 1994, the DSEIS did not actually evaluate how much the 3R Alternative would still address congestion.⁷⁸ The DSEIS admitted it did not fully evaluate the 3R Alternative: “A Traffic Analysis Assessment (HDR 2001a) for the current SEIS and the Evaluation Criteria and Alternatives Analysis (HDR 2003a) addressed the 3R Alternative but did not pass it through the alternatives screening process because, by definition, it did not meet the SEIS purpose and need.”⁷⁹ And, “passage of time and increases in traffic have led DOT&PF to determine that fully meeting rural principal arterial standards for roadway geometry is important.”⁸⁰ Those statements imply that FHWA does not know how much the 3R Alternative could alleviate traffic congestion. But we can infer from the 1994 EIS that at least some significant improvements to traffic congestion would be made.⁸¹

78 See DSEIS at 2-11.

79 *Id.*

80 *Id.*

81 See 1994 EIS at 11.D (“Highway improvements would . . . alleviate traffic congestion.”).

Second, the 3R Alternative or other alternative that uses the existing alignment can make improvements to highway safety. The 1994 EIS for the 3R Alternative recognized that “widened shoulders would provide for vehicular emergency pull-off. Widened slopes would provide a greater vehicle recovery zone. Rumble strips for alerting drivers would be added to the shoulders.”⁸² Those safety improvements could all be made using the existing alignment.

⁸² 1994 EIS at II.D.

The DSEIS claims that the 3R Alternative would still be unsafe because it “would have realigned only one particularly unsafe curve without meeting full geometric standards.”⁸³ But once again, the DSEIS is confusing new alignment standards with rehabilitation standards. The existing alignment can be improved to meet the Alaska Preconstruction Manual’s engineering standards for existing highway alignments.⁸⁴ Moreover, 60% of the existing alignment is capable of being improved to meet new alignment standards. Only 40% of the section between mileposts 45 and 60 would meet the reduced rehabilitation highway standards.⁸⁵

⁸³ DSEIS at 2-11.

⁸⁴ See DOT&PF, *supra* note 55, at Chapter 1060.

⁸⁵ See DSEIS at 2-21; 2-26; 2-39.

Importantly, according to the DSEIS traffic analysis, the most dangerous sections of the highway are after milepost 51.3.⁸⁶ The Cooper Creek Alternative rejoins the existing alignment at or about milepost 51.3, and that alternative is considered to meet the purpose and need.⁸⁷ Thus, using the existing alignment for the entire project would address the most significant safety concerns in an identical way as the build alternatives.

⁸⁶ DSEIS at Appendix A, 1-12.

⁸⁷ See DSEIS at 2-21; 2-26; 2-39.

The DSEIS should have analyzed an alternative that uses the existing alignment for the entire section between mileposts 45 and 60. The 3R Alternative or another middle ground between the no build and build alternatives is a reasonable alternative given the purpose and need for the project. Using the existing alignment also has the advantage of minimizing effects on recreation, wildlife, and scenery. An alternative using the existing alignment would likely be the environmentally preferable alternative, and be the least harmful alternative for Section 4(f) properties and inventoried roadless areas.

C. Irretrievable Commitment of Resources

It appears that the FHWA and DOT&PF have adopted a preordained conclusion that the project will use a new alignment to avoid the community of Cooper Landing. In the past 20 years, improvements were made to the roadway in Cooper Landing. But contrary to some federal requirements, safety and accessibility improvements were not made to the Sterling Highway. One of the justifications given at the time was that meeting federal requirements for the road was unnecessary because a new alignment would be built imminently. This demonstrates an impermissible and undisclosed irretrievable commitment of resources.

IV. Roadless rule

All four build alternatives cross inventoried roadless areas within the Chugach National Forest.⁸⁸ The Cooper Creek Alternative requires building 0.1 mile of road on 3.8 acres within the Kenai Lake Inventoried Roadless Area (IRA).⁸⁹ The G South, Juneau Creek, and Juneau Creek Variant Alternatives

require building between 1.1 and 3.3 miles of road on up to 127.5 acres of the Resurrection IRA.⁹⁰ NEPA requires the FHWA to disclose the effects of this project on those IRAs, and the Roadless Area Conservation Rule requires the approval of the Secretary of Agriculture.⁹¹ Unfortunately, the current DSEIS fails to adequately analyze the effects on roadless areas and is an insufficient basis for secretarial approval.

88 Id. at 3-29 to 3-55.

89 Id. at 3-52.

90 Id. at 3-53 to 3-55.

91 36 C.F.R. § 294.12(b)(6).

In 2001 the Forest Service adopted the Roadless Area Conservation Rule, generally referred to as the roadless rule.⁹² The rule was designed to protect large, intact landscapes remaining on national forests throughout the country.⁹³ Over 58 million acres of national forests within inventoried roadless areas received permanent protections from development.⁹⁴ The rule prohibited “road construction, reconstruction, and timber harvest” in roadless areas because those activities “have the greatest likelihood of altering and fragmenting landscapes, resulting in immediate, long-term loss of roadless area values and characteristics.”⁹⁵

92 See Special Areas; Roadless Area Conservation, 66 Fed. Reg. 3244, 3244 (Jan. 12, 2001) (codified at 36 C.F.R. pt. 294).

93 Id.

94 Id. at 3245.

95 Id. at 3244.

The rule included seven narrow exceptions for road building within roadless areas.⁹⁶

96 36 C.F.R. § 294.12(b).

Exception 12(b)(6) provides that

“a road may be constructed in an inventoried roadless area if . . . [t]he Secretary of Agriculture determines that a Federal Aid Highway project, authorized pursuant to Title 23 of the U.S. Code, is in the public interest or is consistent with the purposes for which the land was reserved or acquired and no other reasonable and prudent alternative exists.”⁹⁷

97 36 C.F.R. § 294.12(b)(6) (emphasis added).

Exception 12(b)(6) was intended to be narrow and used only where absolutely necessary. The rule’s record of decision explained that the Forest Service,

“decided to adopt the Federal Aid Highway exception to allow road construction based on social considerations and Federal state relationships. The Department believes that this exception will have a very limited application, and the Secretary of Agriculture retains the discretion to approve or deny authorization when warranted (23 U.S.C. 317).”⁹⁸

98 66 Fed. Reg. 3244, 3264.

The Forest Service specifically considered the Chugach National Forest and the Cooper Landing Bypass project when adopting 12(b)(6):⁹⁹

99 Id.

“The analysis in the FEIS identified only one application of this exception in the next five years for a proposed 5.5-mile State highway relocation project on the Chugach National Forest in Alaska.”¹⁰⁰
100 Id.

“Estimates indicate that few miles of road construction would be expected for Federal Aid Highway projects over the next 5 years in inventoried roadless areas. There is no reason to anticipate a substantial increase in the future. Only one 6-mile project is currently planned on the Chugach National Forest.”¹⁰¹

101 U.S. FOREST SERVICE, FINAL ENVIRONMENTAL IMPACT STATEMENT, ROADLESS AREA CONSERVATION RULE, 3-68 (2001).

But just because the Forest Service contemplated the Cooper Landing Bypass in the record of decision for the roadless rule does not mean that secretarial approval is a foregone conclusion. In its roadless rule analysis, the Forest Service acknowledged that the Cooper Landing Bypass project “may have local effects on the characteristics and values associated with the affected inventoried roadless area.”¹⁰² A full and fair analysis of those “local effects” is required before the Secretary of Agriculture can authorize the 12(b)(6) exception for this project. Additionally, NEPA requires a full disclosure of the alternatives’ effects on the roadless areas. The DSEIS’s terse and incomplete analysis of the effects on roadless areas falls short of the requirements of both the 12(b)(6) exception and NEPA.

102 Id.

First, the DSEIS failed to consider a reasonable and prudent alternative that makes improvements to the highway within the existing alignment.¹⁰³ An alternative that makes safety upgrades within the existing alignment can satisfy the purpose and need of the project without requiring road construction within either IRA. The availability of a reasonable and prudent alternative, such as the 3R Alternative, precludes the application of the 12(b)(6) exception.

103 DSEIS, at 3-29 to 3-55.

Second, the DSEIS unreasonably minimized effects on IRAs by consistently referring to the affected areas as “very small.”¹⁰⁴ For each of the affected IRAs, the DSEIS provides the acreage impacted in terms of a percentage of the overall IRA acreage.¹⁰⁵ For example, the description of the Cooper Creek Alternative’s effects on the Kenai Lake IRA state that “3.8 acres of 213,200 total acres (0.002%)” will be incorporated into the right-of-way. The DSEIS then says that “[t]he portion of the IRA impacted under this alternative is a small, isolated part that is effectively a ‘donut hole’ . . . It already is an isolated parcel that would no longer qualify as ‘roadless’ by size.”¹⁰⁶ Thus, the description of the effects on IRAs consistently minimizes impacts by saying the IRAs are too small to matter. Such statements are misleading because even small IRAs serve important ecological and social functions. Instead of minimizing the size of the impacted area, DSEIS should focus on the ecological and social effects of road building in IRAs.

104 Id. at 3-52.

105 Id. at 3-52 to 3-55.

106 Id. at 3-52.

Third, the DSEIS failed to analyze the effects of fragmentation of IRAs on the Kenai Peninsula.¹⁰⁷ There is simply no discussion of fragmentation of IRAs or the importance of connectivity between IRAs to maintain ecological and social functions. Because preventing “fragmenting landscapes” was one of the main purposes of the roadless rule,¹⁰⁸ the DSEIS should have acknowledged the effects of cutting off a portion of an IRA with a highway.

107 Id. at 3-53 to 3-55.

108 66 Fed. Reg. 3244, 3244.

Fourth, the DSEIS did not discuss the effects of increased recreational use of roadless areas that will likely result from the project.¹⁰⁹ The build alternatives intend to reconstruct trailheads and increase parking, making accessibility to the Kenai Lake and Resurrection IRAs easier.¹¹⁰ Increased access and recreational use has the potential to degrade the quality and character of the IRAs. Remote recreation was a key reason behind the roadless area, but the DSEIS only evaluated “primitive” and other classes of “dispersed recreation.”¹¹¹ It is not clear that “remote recreation” is the same, and in any event, the DSEIS did not discuss likely impacts caused by increased use of remote portions of the IRAs.¹¹²

109 DSEIS, at 3-53 to 3-52.

110 Id.

111 Id.

112 Id.

Fifth, the DSEIS ignored the Chugach National Forest’s wilderness evaluation and roadless area inventory from the 2002 forest plan final EIS.¹¹³ The roadless inventory offers a detailed analysis of the Kenai and Resurrection IRAs.¹¹⁴ According to the Forest Service, the Kenai Lake IRA has a “very high degree of natural integrity.”¹¹⁵ The Chugach forest plan specifically rejected alternatives that would allow road construction in the Kenai Lake IRA because “as new roads are constructed, the roadless character and primitive recreation opportunities on these lands would be lost.”¹¹⁶ For the Resurrection IRA, the Forest Service concluded that “[m]ost of the area appears unmodified,” despite “[m]inor inclusions [sic] such as the recreation cabins and trails are evident when one is close to them.”¹¹⁷ The DSEIS for this project failed to address the Forest Service’s roadless inventory and address how the project would affect important qualities of IRAs identified in 2002.

113 Id.

114 U.S. FOREST SERVICE, FINAL ENVIRONMENTAL IMPACT STATEMENT, CHUGACH NATIONAL FOREST PLAN REVISION, APPENDIX C (2002).

115 Id.

116 Id.

117 Id.

Sixth, the DSEIS incorrectly asserted that no public drinking water would be affected.¹¹⁸ Preserving drinking water in remote watersheds was an important reason for implementing the roadless rule. Public testimony indicated that rural residents near Cooper Landing use Juneau Creek for drinking water. The potential effects on that drinking water use were not analyzed anywhere in the DSEIS.

118 DSEIS, at 3-53 to 3-52.

Seventh, the DSEIS concluded that the alternatives would have no anticipated impact to wildlife “diversity.”¹¹⁹ But there are no wildlife mitigation measures, such as underpasses or wildlife bridges, discussed anywhere in the DSEIS.¹²⁰ Wildlife frequently move between the Kenai Lake and Resurrection IRAs, forcing animals to cross the Sterling Highway. The DSEIS did not analyze the effects of any measures to mitigate impacts of a new highway with increased speeds on those wildlife crossings.

119 Id.

120 Id.

V. THE DSEIS INADEQUATELY ANALYZED THE EFFECTS ON WILDLIFE AND WETLANDS

A. Wildlife

Highway crossings in the Kenai are one of the most serious and significant sources of wildlife fatalities. Combined with loss of habitat and increased presence of human recreation, this project has the potential to seriously threaten wildlife populations in the Kenai. At least 26 mammal species are expected to be affected by the project, including moose, wolverine, Dall sheep, black and brown bears, and lynx. Unfortunately, the DSEIS provided a terse and inadequate analysis of those potential effects, and failed to identify concrete and specific mitigation measures for each of the alternatives.

Although the DSEIS acknowledged that vehicle collisions are a major source of mortality for Kenai, the analysis did not disclose the possibility that increased vehicle speeds on the new highway alignment will lead to increased mortality. The DSEIS should have considered likely new speed limits on the new alignments and disclosed likely increases in mortality.

And despite acknowledging that the new highway alignment will cause habitat fragmentation by creating a new barrier to wildlife movement, the DSEIS fails to provide a meaningful discussion of how the fragmentation will affect moose and brown bear populations. Possible effects include changed movement behavior, increased vehicle collisions, noise disturbances, and increased human-wildlife interactions.

Finally, the DSEIS failed to provide an adequate discussion of potential mitigation to the effects on wildlife. There is nebulous mention of some type of wildlife crossings, but no detail is provided. Other wildlife mitigation measures that should have been discussed include wildlife over/under passes, wildlife crossing signs, and fencing. The DSEIS should have disclosed what mitigation measures are guaranteed to happen with each alternative, and how those mitigation measures will reduce the project's effects on wildlife.

B. Wetlands and Water

The project is likely to have significant effects on wetlands in the Kenai River watershed. Destruction of wetlands for each of the proposed new road alignments will likely effect the Kenai River, decreasing the ecological filtration capabilities. No mitigation measures for wetland functions within the project area have been proposed. Any mitigation efforts in the final EIS should be within the project area, if possible, in order to replace lost ecological functions within the area.

Other long-term problems for wetlands and aquatic environments posed by the project include increased siltation and runoff. Additional impervious surfaces from any new alignment will lead to increased road runoff. A new road alignment will also require new culverts and new bridges, all of which pose significant threats to ecological integrity within the project area.

The DSEIS claims that one of the environmental advantages of the build alternatives is that the highway is moved away from the Kenai River, decreasing the likelihood and severity of a potential spill. Ironically, the DSEIS admits that building a new highway alignment through the build alternatives will create similar problems. The DSEIS claims that “[e]ach build alternative would move the majority of vehicle traffic away from the Kenai River . . . This would reduce the risk of spills and general runoff pollution reaching the river.” That statement is almost immediately contradicted by the evidence and conclusion that more paved surfaces will only increase runoff: “All build alternatives would result in an increase in storm water runoff because the project area would have more paved surfaces.”

The contradictory conclusions and failure to include any wetland or runoff mitigation measures demonstrates that the DSEIS did not adequately consider and disclose the project’s effects on wetlands and water resources.

VI. THE DSEIS INADEQUATELY ANALYZED THE PROJECT’S CUMULATIVE IMPACTS

NEPA requires the DSEIS to discuss and analyze the project’s cumulative impacts. The cumulative impacts analysis should be searching, including all reasonably foreseeable projects that could have impacts on the project area. Unfortunately, the DSEIS for this project did not rise to the standards required by NEPA and expected by the public. The cumulative impacts chapter of the DSEIS failed to adequately analyze likely future impacts by additional road construction projects, subdivisions, and increased use of forest roads for access.

The DSEIS failed to disclose and analyze potential effects of other road construction and maintenance projects in the Kenai. Possible plans for paving existing roads could lead to increased traffic and increased vehicle collisions for wildlife. Any other road paving projects planned within the project area should have been analyzed.

The DSEIS also fails to discuss plans for subdivision development within the project area. The state and local governments have plans to allow development of residential lots to occur within the project area, possibly using the new highway alignments as a primary access route. Despite assurances from DOT&PF that access to those new developments would be to the existing highway alignment, there is no binding commitment to make that happen. DOT&PF committed to preventing development along the Sterling Highway Homer Bypass when it was built in the 1970s. Today that route is heavily developed. This is consistent with roadside development throughout the nation. Historical record will show that in most cases, roadside development is virtually inevitable. The DSEIS should have acknowledged that possible outcome and analyzed the cumulative effects of the likely residential subdivisions within the project area.

VII. THE SECTION 4(F) ANALYSIS FAILED TO ANALYZE EFFECTS ON RECREATION, WILDLIFE, AND SCENERY

Because the project proposes to use recreation areas, historical sites, and a national wildlife refuge, the FHWA must comply with Section 4(f) of the Department of Transportation (“DOT”) Act of 1966.¹²¹ Under the DOT Act, FHWA may approve a highway project “requiring the use of publically owned land of a public park, recreation area, or wildlife refuge . . . or land of an historic site,” only if two conditions are met:

121 49 U.S.C. § 1653(f) (2012).

“(1) there is no prudent and feasible alternative to using the land; and (2) the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.”¹²²

122 *Id.*

Federal regulations make it clear that the FHWA may only approve the alternative that “[c]auses the least overall harm in light of the statute’s preservation purpose.”¹²³ FHWA policy specifies that the preservation purpose “is to avoid, and where avoidance is not feasible and prudent, minimize the use of significant public parks, recreation areas, wildlife and waterfowl refuges and historic sites.”¹²⁴ Ultimately, the “goal is to identify alternatives that would not use any section 4(f) property.”¹²⁵

123 23 C.F.R. § 774.3(c).

124 FHWA, SECTION 4(F) POLICY PAPER, 11 (2012).

125 Id. at 13.

The U.S. Supreme Court has made it clear that the Department of Transportation Act presents a general bar to projects that use public parks, recreation areas, and wildlife refuges.¹²⁶ Only in most extreme and unusual cases will the Section 4(f) exemption be found appropriate.¹²⁷ “For this exemption to apply the Secretary [of Transportation] must find that as a matter of sound engineering it would not be feasible to build the highway along any other route.”¹²⁸

¹²⁶ *Citizens to Preserve Overton Park, Inc. v. Volpe*, 401 U.S. 402 (1971).

¹²⁷ Id. at 410 (“This language is a plain and explicit bar to the use of federal funds for construction of highways through parks – only the most unusual situations are exempted.”).

¹²⁸ Id. at 411.

In *Overton Park*, the Court also made it clear that the Section 4(f) determination of “least harmful” alternative is substantive and not subject to discretionary factors beyond harm to the land.¹²⁹ The Court rejected arguments from the Department of Transportation that Section 4(f) required the agency to engage in a “wide-ranging balance of competing interests.”¹³⁰ Thus, the substantive decision of which alternative is least harmful should be made by the FHWA after considering only the effects on the Section 4(f) properties themselves.

¹²⁹ Id.

¹³⁰ Id.

For this project, the Section 4(f) evaluation is flawed because the FHWA failed to analyze a reasonable alternative that minimizes use of Section 4(f) properties by upgrading the highway within the existing alignment. The DSEIS failed to consider an alternative that minimizes use of Section 4(f) properties by using the existing alignment. Safety and engineering upgrades can be made using the existing alignment. An alternative that uses the existing alignment would be the least harmful to Section 4(f) lands.

Furthermore, the Section 4(f) evaluation failed to consider likely effects on remote recreation within the project area. Both the Juneau Creek and Juneau Creek Variant Alternatives require a new bridge that will truncate the southern end of the Resurrection Pass National Recreational Trail by 3.4 miles. The road and bridge over Juneau Creek Canyon would badly degrade the Juneau Falls Recreation Area and introduce unacceptable noise levels to both Resurrection Pass Trail and Bean Creek Trail. Far from mitigating this, the project build alternatives propose to add a falls overlook and pedestrian walkway, exacerbating the disruption. The Forest Service’s suggestion to build more infrastructure at the Iditarod National Historic Trail near the Snow River is unsatisfactory because it fails to address the problems at Resurrection Creek and the proposal changes the nature of recreation from remote backcountry to front-country.¹³¹

¹³¹ See DSEIS, at 4-115 to 116.

The DSEIS acknowledges that the three northern build alternatives will have significant effects on remote recreation. “The recreation area would function differently than it does today, but would serve an important recreation function within the Chugach National Forest as a highway-related recreation area instead of a backcountry recreation area.”¹³² But remote recreation areas and highway-related recreation areas serve very different users and types of recreation. Remote recreation opportunities are fewer in number and less likely to be accessible from highways. Eliminating or changing an accessible backcountry recreation area is a significant effect on the Section 4(f) land.

¹³² Id. at 4-108.

The effects of noise on remote recreation and wildlife also received only cursory attention in the Section 4(f) evaluation. The analysis contained inadequate noise studies and predictions to anticipate effects on remote recreation areas and wildlife habitat. The evaluation put no effort to monitor and predict impacts to the Resurrection Pass area beyond Juneau Falls. And the evaluation did not indicate any measures to mitigate noise and visual impacts from the build alternatives. The project area occupies a beautiful travel corridor that enjoys a relatively low level of noise considering the amount of development along the existing highway alignment. All build alternatives will result in impairment of the viewshed and significant increase in noise levels.

Constructive uses of surrounding park and recreation lands were also not considered in the Section 4(f) evaluation. Potential constructive uses of the Kenai National Wildlife Refuge outside of the project area include increased visitation, decreased wildlife habitat, and increased noise disturbances. The constructive use to the neighboring designated wilderness areas are particularly concerning because these areas were specifically designed to offer remote recreation in primitive settings. Increasing highway speeds nearby will impact the wilderness character of these lands. The final Section 4(f) evaluation should consider constructive uses to neighboring wilderness and national park lands.

Most importantly, the Section 4(f) analysis failed to include mitigation measures for effects on wildlife and recreation. The inclusion of mitigation measures is a legally required aspect of the Section 4(f) analysis and should have been included in the draft to allow for public comment. Mitigation measures should be considered to minimize impacts on recreation in the Juneau Creek and Resurrection Trail areas.

Because the effects to wildlife and recreation are less significant on the south side of the highway, we conclude that of the four build alternatives analyzed, the Cooper Creek Alternative is the least harmful. For one thing, the Cooper Creek Alternative is shorter and avoids the highly popular Resurrection Pass Trail. The Cooper Creek Alternative also stays away from important wildlife habitat on the north side of the Kenai River. But there would still be harmful impacts to Section 4(f) lands on the south side of the river. Bear and moose habitat would be affected, and recreational resources like the Cooper Landing Boat Launch and Day Use Area, Stetson Creek Trail, and Cooper Lake Dam Road and Powerline Trail would be negatively impacted by the Cooper Creek Alternative. The final Section 4(f) evaluation should consider every possible way to mitigate damage to those resources if the Cooper Creek Alternative is selected.

VIII. CONCLUSION

The FHWA should reconsider the Cooper Landing Bypass project as it is currently designed. A new alternative that improves safety, congestion, and highway standards within the existing alignment should be considered and a new draft EIS released for public comment.

Given the information in the DSEIS and Section 4(f) evaluation, the least harmful alternative is the Cooper Creek Alternative. However, based on the foregoing analysis, selecting any of the build alternatives without considering a reasonable alternative that makes improvements to the existing alignment would be invalid under the legal requirements of Section 4(f) and the roadless rule.

Sincerely,

Andy Erickson
Alaska Representative
Defenders of Wildlife
aerickson@defenders.org
907-276-9410

AND ON BEHALF OF

Jim Adams
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Communication ID: 1028

Please see the attached. Thank you for the opportunity to comment.

ATTACHMENT TEXT FOLLOWS:

May 26, 2015

Department of Natural Resources
DIVISION OF PARKS AND OUTDOOR RECREATION
OFFICE OF HISTORY AND ARCHAEOLOGY
550 West 7111 Avenue, Suite 1310
Anchorage, AK 99501-3565
Main: 907.269.8721
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File No.: 3130-IR FHWA Sterling Hwy MP 45-60 I 2015-00571

Subject: Sterling Highway Milepost (MP) 45 to 60 Project, Comments on the Draft Supplemental Environmental Impact Statement (DSEIS)

To Whom It May Concern:

The Alaska State Historic Preservation Office (AK SHPO) offers the following comments on the DSEIS:
Chapter 3, Section 3.9 (Historic and Archaeological Preservation)

* Section 3.9.12. I Overview: Prehistory and History relies heavily on one source, but numerous surveys have been conducted and reports produced regarding the cultural resources along the Sterling Highway in the APE. A comprehensive bibliography of past cultural resource research in the APE would be enormously helpful. Consider addressing this in Section 3.9.1.3 as well.

* The document does not include any Alaska Heritage Resource Survey (AHRs) site numbers or explain where these data are maintained.

* Section 3.9.2.1 I No Build Alternative Direct and Indirect Impacts: this represents an insufficient analysis of the potential impacts under the No Build Alternative. The narrative says nothing about how even routine scheduled maintenance can impact cultural resources or the process that would be followed in order to consider and address these impacts.

* Chapter 4 (Section 4(f) analysis) is significantly more effective at introducing, explaining, and analyzing potential direct and indirect impacts to cultural resources than Chapter 3 (Historic and Archaeological Preservation). While that is understandable for some readers, some may not refer to the 4f analysis for information on how cultural resources and historic properties will be affected. Consider bringing in some of the more tangible and meaningful analysis into Section 3.9 so that readers can really understand and evaluate the varying impacts of each alternative.

* Page 3-204, Section 3.9.2.2., last paragraph on page cites HDR 2010d. Rather than simply cite this document, some actual data should be brought from it into this section. This will allow a reader to comprehend the potential for visual impacts by reading this document - the DSEIS - rather than having to search out another technical report that may or may not be readily accessible.

* Global: NAGPRA is the Native American Graves Protection and Repatriation Act. It is incorrect in several areas. Recommend a global find and replace.

* Page 3-205, last paragraph notes that any construction contract would contain a provision to halt work in the event of discovery. This should be adjusted to reflect that any construction contract would require compliance with a formal Discoveries Plan, which would be developed and appended to the Section 106 Programmatic Agreement.

* Section 3.9 does not adequately address potential indirect impacts (other than visual) for any alternative. What about changes in use, character, setting, feeling, association for all known historic properties and TCPs? How about the potential impact of increased access in areas?

* For each alternative discussion in Section 3.9, there is a section called "Construction Impacts." This implies that any direct impacts are related to construction impacts. However, direct (or indirect) impacts may occur further removed in distance or time (i.e., increased access, resulting in intentional/inadvertent vandalism/destruction of sites). Section 3.9 fails to address this at all.

* Section 3.9.2.4, G South Alternative, under Direct and Indirect Impacts, when discussing potential visual impacts, the document states that "no visual effects to historic properties (buildings and structures) have been identified." This may be repeated under other alternatives analyses as well. This implies that buildings and structures are the only historic properties vulnerable to visual impacts. While we acknowledge that not all archaeological resources are vulnerable to visual impacts, some may be. More importantly, it should be clarified that Traditional Cultural Properties (TCPs) are often susceptible to adverse visual impacts.

* Under each alternative, when discussing visual impacts, the document states that "most views of the XXX alternative would be obscured by dense forest vegetation ... " This is a vague statement. More specific information regarding the minimization or mitigation of adverse visual impacts to historic properties would be helpful here.

Chapter 4 (Section 4f Analysis)

* Sections 4.2.10 and 4.5 say more detail can be found in Section 3.9 of the DSEIS, but Section 3.9 of the DSEIS says more detail can be found in the 4(f) evaluation in Chapter 4. While acknowledging the effects assessment is difficult to assess and explain, I disagree that they are better explained in Section 3.9 (in comparison to Chapter 4). Chapter 4 does a much better job and more detail from Chapter 4 should be brought into Section 3.9.

* It appears that some of acreage numbers are misaligned in Table 4.5-1.

* The 4f analysis at least addresses the indirect impact to the setting, feeling, and association of the Confluence TCP and other historic properties in the APE. Chapter 3 (Section 3.9) does not adequately address indirect impacts other than visual; such as setting, feeling, association, access, etc.

* Section 4.6.1.3, third paragraph: "the agreement will address all build alternatives." Is this accurate? Won't the PA address just the preferred?

* Page 4-88, fourth full paragraph, end: Good statement (that the whole district is important, not just individual sites/features)

* Page 4-89, First full paragraph states that the PA would address phased identification for the preferred alternative. However, see above (section 4.6.1.3 says the agreement will address all build alternatives). Which is it?

* NAGPRA is Native American Graves Protection and Repatriation Act - global find and replace. It is wrong in some places

* Table 4.8-6- Section 106 does not weigh the 'significance' of one historic property over another. If eligible/listed, they are considered equally during the consultation and mitigation process. However, it is true that properties of religious I cultural significance to Tribes may receive special consideration I recognition by agencies and consulting parties during the consultation process.

* The general rating of significance based on public use is not necessarily relevant for historic properties. A historic property is not necessarily 'more significant' if it is used more or less by the public.

* Although the 4f analysis does weigh the different impacts to cultural resources differently, all of the build alternatives will result in adverse effects to historic properties. Therefore, it is difficult to say which alternative offers a lessened adverse effect (Unlike 4f, Section 106 does not really have a mechanism for doing this).

* Nowhere in the document is it noted that there are many areas within the APE that have yet to be inventoried. Typically, when breaking new ground, the potential to impact as-yet unidentified resources can be higher. This is an especially important point when examining the numbers of sites impacted by each alternative. They may accurately reflect the known potential impacts, but definitely do not accurately reflect the potential impact on as yet unknown resources. These numbers could change considerably with additional inventory.

We look forward to continued consultation on the subject project and to the development of an agreement document, which evidences the agency official's compliance with Section 106 (36 CFR 800.6).

Thank you for the opportunity to comment. Please contact Shina du Vall at 269-8720 or shina.duvall@alaska.gov if you have any questions or if we can be of further assistance.

Sincerely,

Judith E. Bittner

State Historic Preservation Officer

JEB:sad

Communication ID: 1030

Greetings,

To whom it may concern:

Upon reading the draft, I discovered a mistake. In 3.4.2.3 it says the cooper creek alternatives new construction is at mp 46 to 48.5. This should read mp 48 to 51.

Sincerely, Wyatt Bliss

Communication ID: 1031

I prefer the no build option for highway improvements near Cooper Landing. The Cooper Creek alternative is the next best choice but very expensive for improvements made. The other options would lead to habitat fragmentation for wildlife that uses upland area and only has to cross Bean Creek Road to

access food in the Kenai River. To change this would lead to wildlife crossing busy roads and encountering vehicles traveling at high speed. I don't support alternatives re-routing the main highway at all.

Thank you,
Courtney Fleek

Communication ID: 1032

Attached is CIRI's comments for the Sterling Highway Mile Post 45-60 Project Draft SEIS.

Blake Kowal
GIS Specialist
Cook Inlet Region, Inc. (CIRI) <http://www.ciri.com/>
PO Box 93330, Anchorage, AK 99509-3330
907-263-5115

Please note: Effective June 15, CIRI's physical address will change to 725 E. Fireweed Lane, Suite 800, Anchorage, AK 99503

The information contained in this CIRI email message may be privileged, confidential and protected from disclosure. If you are not an intended recipient, please notify the sender by reply email and delete the message and any attachments immediately. The use, disclosure, dissemination, distribution or reproduction of this CIRI message or the information in it or attached to it by any unintended recipient is unauthorized, strictly prohibited by the sender, and may be unlawful. Thank you.

ATTACHMENT TEXT FOLLOWS:

May 26, 2015

DOT&PF Central Region
Sterling MP 45-60 Project
PO Box 196900
Anchorage, AK 99519-6900

RE: Sterling Highway Mile Post 45-60 Project Draft SEIS

To whom it may concern:

Thank you for the opportunity to submit comments on the Sterling Highway Mile Post 45-60 Project Draft SEIS. The purpose of this letter is to address the likely impact of the Juneau Creek Variant Alternative to the 42-acre parcel (Tract A) conveyed to Cook Inlet Region, Inc. (CIRI) under the Russian River 14(h)(1) Selection Agreement, dated July 26, 2001, among Cook Inlet Region, Inc. (CIRI), the Department of Agriculture, through its agency the United States Forest Services (USFS), and the Department of Interior, through its agency the United States Fish and Wildlife Service (USFWS) and the Russian River Land Act, PL 107-362, collectively referred to as the "Settlement" in the Sqilantnu Archeological District Memorandum of Understanding (MOU). The MOU between CIRI, USFS, USFWS and the Kenaitze Tribe was a key requirement of the Settlement. The research center and visitor facilities ("the Facilities") provided for in the Settlement are critical components of a long-term cultural resource protection and preservation strategy for the Sqilantnu Archeological District. Under the terms of the

Settlement, if possible, the Facilities “...will have a view of the confluence of the Kenai and Russian Rivers from the bluff...” The Settlement also provides for CIRI developing its facilities on “one or more of the tracts to be conveyed to CIRI,” or if on any lands other than those tracts, such must be “as agreed to by the parties.” There is no language in the Settlement that provides for split or divided tracts. Tract A meets CIRI’s needs and CIRI chose it for development of its facilities. The precise location and shape of Tract A was specifically configured to best serve CIRI’s development and cultural resource protection needs for this area.

The Juneau Creek Variant Alternative cuts through the middle of Tract A. Splitting Tract A into two smaller parcels would likely make the development of facilities infeasible, and is not agreed to by CIRI. As discussed above, CIRI chose this specific Tract A based primarily upon its indivisibility, and any alternative that negates its indivisibility would frustrate CIRI’s basis for selection, and is unenforceable absent CIRI’s consent.

If the Juneau Creek Variant Alternative is constructed, CIRI’s rights under the Settlement as to Tract A will be impacted without its consent, which it does not give. Such a result would contravene the Congressional intent when it enacted the Russian River Land Act in December 2002. Therefore, CIRI strongly opposes the construction of the Juneau Creek Variant Alternative.

CIRI understands and agrees with the purpose and need for action for the Sterling Highway MP 45-60 Project as outlined in the draft SEIS. A transportation solution is inevitable in order to deal with the increasing population base and the increase in summer tourism along the Sterling Highway. CIRI recognizes the project benefits of any of the build alternatives as essential and important attributes. Of the realignment scenarios being considered for the area, the Juneau Creek Alternative appears to be the best fit with CIRI’s development and cultural resource protection goals.

Sincerely,

Jason Brune

Senior Director, Land and Resources

Cook Inlet Region, Inc.

P.O. Box 93330

Anchorage, AK 99509-3330

Telephone: 907-263-5104

jbrune@ciri.com

Communication ID: 1033

I support the Cooper Creek Alternative as the alternative that provides for the least new impacts and most closely follows the existing road alignment. As a frequent user of the Resurrection Pass and Bean Creek Trails all other alternatives will cause significant impacts to my back country recreation activities. The Section 4F impacts are avoidable by using an the alternate route of the Cooper Creek Alternative or choosing the do nothing alternative.

Communication ID: 1034

As a property owner and part time resident of Cooper Landing the only alternative I can support is the Cooper Creek Alternative. All of the other alternatives other than the No Build Alternative offer significant 4F implications to popular and frequently used backcountry recreation and historical use trails in the Chugach National Forest and Bean Creek areas.

The 4F evaluation contained in Chapter 4 of the Draft EIS is deceptively poor in its descriptions of the impacts to the Bean Creek Trail and Resurrection Pass Trail area's. Although the footprint of the impact can be minimized due to the width of the trails in question the impacts to recreational opportunities are tremendous. These are currently "backcountry" area's which will instead become highway-side area's with little to no semblance to their former backcountry beauty should the project proceed in any of the Juneau Creek or G South alternatives. The group making this decision has a mandate to adhere to 4F requirements, including considering a No Build Alternative, if there are significant identified impacts to 4F properties. Aside from the No Build Alternative the Cooper Creek Alternative most closely follows the current road alignment and will create the least new noise pollution to areas not yet impacted by highway noise.

Resurrection Pass Trail is a national treasure used by thousands of hikers and bikers a year. Simply building a new parking area and installing an underpass will never replace the lost opportunity of viewing Juneau Falls in a pristine setting without the presence of a large, highway bridge and the associated new noise pollution to this area. The deceptive description of the impacts characterized in Chapter 4 of the Draft EIS identify poor remedies to the impacts and fails to fully account for the impacts to 4F properties of either of the Juneau Creek alternatives or the G South Alternative. In light of the magnitude of these impacts I feel that the committee has not viable alternative aside from the Cooper Creek Alternative or the No Build Alternative.

Communication ID: 1035

As a property owner and part time resident of Cooper Landing the only alternative I can support is the Cooper Creek Alternative. All of the other alternatives other than the No Build Alternative greatly impact popular and frequently used backcountry recreation and historical use trails in the Chugach National Forest and Bean Creek areas.

These are currently "backcountry" areas which will instead become highway-side areas. They will not retain their wilderness backcountry beauty should the project proceed in any of the Juneau Creek or G South alternatives. The group making this decision has a mandate to adhere to 4F requirements, including considering a No Build Alternative, if there are significant identified impacts to 4F properties. Aside from the No Build Alternative the Cooper Creek Alternative most closely follows the current road alignment and will create the least new noise pollution to areas not yet impacted by highway noise.

Resurrection Pass Trail is a national treasure and historic trail used by thousands of hikers and bikers a year. Simply building a new parking area and installing an underpass will never replace the lost opportunity of viewing Juneau Falls in a pristine setting without the presence of a large highway bridge

and the associated new noise pollution to this area. Wildlife will move further away and the area will lose its character. The deceptive description of the impacts characterized in Chapter 4 of the Draft EIS identify poor remedies to the impacts and fails to fully account for the impacts to 4F properties of either of the Juneau Creek alternatives or the G South Alternative. In light of the magnitude of these impacts I feel that the committee has no viable alternative aside from the Cooper Creek Alternative or the No Build Alternative.

Communication ID: 1036

After attending informational meetings and thoroughly reviewing online information and maps I am even more concerned with ANY pursuit of a bypass due to massive environmental impacts. All alternatives compromise an unacceptable amount of risk including historical degradation and environmental modification

I get the impression that a "do nothing" alternative is not truly being considered so my position of the "least impacting" and most pragmatic alternative is clearly the Cooper Creek alternative because It utilizes the existing highway path the closest

It is important to note that none of the elements discussed in section 4f would be compromised with the Cooper Creek alternative

It appears that all other alternatives will have significant impact on the main stem of the Upper Kenai River AND both the Bean Creek trail/ressurrection trail system(s)

Communication ID: 1037

Attached please find the Kenaitze Indian Tribe's comments on the draft SEIS. Chiqinik, thank you for the opportunity to comment.

ATTACHMENT TEXT FOLLOWS:

May 26, 2015

John Lohrey

Statewide Programs Team Leader

DOT&PF Central Region

Sterling MP 45-60 Project

PO Box 196900

Anchorage, AK 99519-6900

Re: Sterling Highway Mile Post 45-60 Project Draft SEIS

Dear Mr. Lohrey:

The Kenaitze Indian Tribe appreciates the opportunity to comment on the Sterling Highway Mile Post 45-60 Project Draft SEIS. We met with the Russian River MOU Group to formulate a group response. The

purpose of this letter is to add support and clarification to the points made in that response and to identify the Tribe's preferred alternative.

The Juneau Creek Variant is unacceptable and we respectfully request that it be removed from further consideration. Tract A contains repatriated human remains, is the site of a Dena'ina crematorium, in addition to house and cache pits; concrete and identifiable cultural resources. Tract A also stands as a symbol of not so easily identified or understood aspects of Kenaitze Dena'ina history and tradition. The complex negotiations to fulfill 14Hh)(l) selections in this culturally important area, the spirit of cooperation and understanding between two federal agencies, an ANCSA corporation, and a federally recognized tribe cannot be placed on a map to be avoided or mitigated but are an integral part of Tract A and its importance to the Kenaitze Indian Tribe. The Kenaitze Dena'ina are still here and this is as much a part of our culture and history as the 500 year and older cache pits. In addition, lands where people are buried are considered sacred to the Tribe.

Our youth and members have been actively engaged in archaeological excavations and surveys conducted by a variety of federal, state, and educational entities for over 20 years. The methods, questions addressed, and tools used are constantly changing and improving as are the terms "no impact" or "no affect". We request an opportunity to define these terms in relation to locating a highway near or adjacent to lands identified as sacred. In addition, we request the opportunity to discuss the use of non-disturbing tools in an effort to determine if depressions now labelled as cache pits are indeed cache pits and not human burials; as well as further analysis of fire cracked rock piles to ensure that they do not contain crematory remains as found in other locations.

In addition to requesting further analysis and study of the cultural resources in or near the other alternates the Kenaitze Indian Tribe states that the no build alternate is not acceptable as it does not adequately address issues of safety and increased future use of both the highway and natural resources.

In closing the Tribe collaborated with CIRI, the USFWS, and USFS in the selection of tracts A and B under the premise that the Juneau Creek alternate would most likely be the preferred route and this premise is reflected in the Russian River Land Act authorizing a land exchange between CIRI and the USFWS. The Juneau Creek alternate is the Kenaitze Indian Tribe's preferred route.

Again, chiqinik, thank you for the opportunity to comment and we look to forward to further consultation. Sincerely,

Jaylene Peterson-Nyrene

Communication ID: 1038

26 May 2015

Sterling Highway MP 45-60 Project
DOT&PF Central Region
PO Box 196900
Anchorage, AK 99519-6900

Please add the following comments to the public record.

My family has owned a property in Cooper Landing since 1962. Although it is used primarily for recreation at this time, it has also been a residence. I consider it my home though I am not here fulltime.

We have witnessed a lot of change over the years in Cooper Landing. I hope my comments will contribute positively to the mitigation of safety and traffic issues in Cooper Landing and along the portion of Kenai River as addressed in the draft SEIS.

Most would agree there is no perfect solution to the issues identified in this SEIS. I commend the DOT for listening to the public and to agencies over the decades, refining their proposal in the process to best address traffic, congestion, and pedestrian/bike safety issues in the Cooper Landing area. Continuing to work together will create the best plan in the end.

That said, I have some overall concerns regarding the SEIS and will then address each of the alternatives.

The SEIS is lacking two significant foundations for analysis.

1. A foremost concern is that even though wildlife and their movement corridors should be at the heart of environmental analysis, the SEIS is woefully lacking. For over a decade brown bears on the Kenai Peninsula have been the topic of special attention. Once they were found to be an “island” population due to their limited travel on and off the peninsula, their status has hovered around the “threatened” designation under the Endangered Species Act. For this reason the multi-agency Brown Bear Task Force was created toward the end of the 1990s and a low-end population number of 350 individuals identified as healthy for a genetically diverse gene pool. Brown bear hunts are regularly shut down on the peninsula for reasons of maintaining this tipping-point number. Should they drop lower, petitions for a higher designation under the ESA would likely ensue and would have a major impact on residents, businesses, and public land management. Yet, there is little information or analysis in the SEIS with regard to brown bears specifically and wildlife in general. Though all of the Action Alternatives in the SEIS would affect large mammal travel corridors, this significant issue has not been addressed adequately in the SEIS.

2. One of the three expressed goals for this proposed project is to bring the current roadway up to current highway standards for a “rural principal arterial” and yet this goes undefined in the SEIS. The DOT should define this in the SEIS and provide factual data to back up their finding that the highway speed should be 60 mph. For example, we have no idea how the base speed limit determines (or doesn’t) width of shoulder regulations, angle of curves, number of curves, placement of driveways, and so forth. In the SEIS Existing Highway Curve Diagrams the current 35 mph corridor is evaluated for its curve safety at 60 mph. That’s like evaluating a bike trail for its safety effectiveness for motorized vehicles.

No reason is given in the SEIS as to how DOT determined this speed and why it was applied to Cooper Landing. Cooper Landing is approximately the same size as Moose Pass where the highway was both upgraded and the speed maintained at 35 mph. And there is Sterling, where the highway was upgraded to four lanes, yet the speed limit is 45 mph. Why the inconsistency?

Because the entirety of the SEIS is analyzed with the speed designation of 60 mph, this means the foundation for project alternatives is problematic at best. At worst, it is faulty. The first level of determination should be how and why the DOT chose a 60 mph zone through this area.

There is also no analysis in the SEIS of traffic safety at higher speeds. For comparison, the SEIS should consider traffic incidents along the Seward/Sterling Highway with similar existing conditions for each of the alternatives, such as elevation, speed and number of lanes. Turnagain Pass may present similar conditions for the Juneau Creek alternatives and for G South. Without this information, we do not know if a new road would actually alleviate traffic incidents. Congestion does not equal accidents.

Additionally, all three of the northern alternatives are within an avalanche area. At around milepost 46 two avalanche chutes have closed the highway at somewhat regular intervals through the years. Selecting

an alternative that has the further potential of avalanche closures (and the risks associated with such) is an unnecessary risk and adds maintenance costs, both of which I did not see evaluated in the SEIS.

Further, all of the action alternatives would adversely affect Traditional Cultural Property on the Sqilantnu Archaeological District. Keeping the roadbed in its current location has the least impact to these historic cultural sites.

And, to be clear, for reasons of safety to the Kenai River, I do not support any new crossings to the river.

Cooper Creek Alternative

Though at first this alternative appears to have the least impact to wildlands and recreation areas, and bypasses the majority of town (cited as one reason for the proposed project to mitigate congestion), it has several problems.

- It has the greatest negative impacts to private property.
- Soils on this bench are unstable.
- It doesn't address/mitigate issues where traffic incidents are noted to be the highest, which is an identified reason for the project proposal.
- It negatively impacts wildlife travel corridors; of special concern is brown bear movement.

Juneau Creek and Variant Alternative

Both of these alternatives create secondary problems to the existing road. With an additional road corridor comes increased access; now there are two roads to maintain, to patrol for safety and traffic violations, and to mitigate negative effects to wildlife and the environment. Where roads go, people go. These alternatives have the highest negative impact to wildlife and to designated special areas.

- Negatively affects wildlife travel corridors, especially brown bear movement. Impacts to wildlife are greatest with these two alternatives.
- Adverse impacts to inventoried Roadless Areas and recreation values are greatest with these alternatives.
- Road grades are much steeper with these alternatives than with the existing road. This is of particular concern in the winter months where snow load is higher at higher elevations and the proposed alternatives go through an avalanche area, neither of which are evaluated.
- These will be the costliest alternatives to maintain for the aforementioned, as well as for winter road maintenance. The environmental implications for road runoff, with its associated oil, salt, and gravel into a watershed that empties into the Kenai River Special Management Area are not evaluated.
- Lighting of the highway is an issue, contributing to light pollution.
- Noise travels a great distance in valleys, and especially uphill where the roadway would be located. Negative impacts from noise pollution are a concern.
- As cited above, the SEIS is lacking in analysis for traffic safety given higher speeds and higher elevation (for wintertime travel especially).

G South Alternative

- This alternative increases rather than decreases potential threats to the Kenai River with an additional bridge crossing. No additional crossings of the river should be considered as an alternative.
- Because G South enters the existing highway at approximately mile 51.5, it does not mitigate the highest incidents of traffic safety issues, which occur further west.

- As with the Juneau Creek Alternatives, the G South impacts large mammal travel corridors through the Juneau Creek valley.
- It bisects an inventoried Roadless Area.
- It bisects a proposed Kenai River Special Management Area.

All these alternatives would require the use of public lands, some in designated special use or protected areas. Section 4(f) of the Department of Transportation Act of 1966 protects these areas unless there is no “feasible or prudent” alternative. The feasible and prudent alternative in this proposed project is the No Action Alternative. Several of the issues raised by DOT can be solved without building a new roadbed. Enhancement of the current corridor can be accomplished through a creative combination of pullouts, passing lane/s, straightening of a few corners, addition of pedestrian walkway/s and enforced speed limit as is addressed below.

I’ve had the opportunity to travel the Highway 101 corridor through the Pacific Northwest and California. This is a highway that bisects entire states, so state DOT’s have used a combination of highway types appropriate to the terrain and local communities. I spent time in Northern California in the redwoods and wine country and was impressed how they dealt with the Highway 101 corridor. Four lanes are used where feasible. In other areas, there are two lanes with a third passing lane, similar to Turnagain Pass and to the east of Cooper Landing. Several small- and medium-sized towns, such as Crescent City, Eureka, Laytonville, Willits and Hopland, are bisected by Highway 101. There, the speed limit is slowed to 30/35 mph, with wide shoulders that give the motorist more ease in pulling off. In one area, old-growth redwood trees are so close to the highway one has to slow to 25-30 mph in order to navigate the narrow and winding road. This area reminded me of issues facing Cooper Landing; it’s gorgeous and slowing down means one is able to take in the scenery. It’s not unlike traveling next to the Kenai River.

We should place the highest priority on the resources we have and for which people visit and live in the uniqueness of the Cooper Landing area. Those resources include healthy wildlife populations and salmon, pristine Kenai Lake and Kenai River, wilderness and Roadless Areas that provide recreation, quiet, and access to the night sky (during winter months) with a minimum of light pollution.

For all the reasons stated above, I believe the No Action Alternative is the best alternative for this SEIS.

Proposal of New Alternative

A new alternative should be considered using and enhancing the existing roadbed. The current roadbed can be widened in several areas and the most troublesome corners straightened. By taking these steps and enforcing the posted speed limit, there are several positive outcomes. Wildlife corridors (especially for the sensitive brown bear populations) and the viewshed are left undisturbed. No trail systems, Roadless Areas or Traditional Cultural Areas are impeded upon. And the town is able to continue to benefit from economic growth. Additionally, safety and congestion are mitigated through a creative approach that includes upgrading the road which would likely meet current design standards once they are defined.

The new alternative should foremost identify a speed limit through the area that is analyzed within the alternative and appropriate for the area. A reasonable and safe speed limit seems to be 35 mph from about Milepost 46 to Milepost 49. Existing speed limits of 45 mph need not change, especially with road upgrades. Slower speeds mean less traffic incidents, except in areas where conflict arises. This alternative would seek to identify and alleviate conflict areas. It should evaluate each milepost for its potential to meet the three criteria identified by DOT as the stated purpose for this project: reduction of highway congestion; meet current highway design standards; improvement of highway safety.

A supplemental map should be added to the SEIS, which evaluates possible passing lanes in addition to the pullouts already identified.

All Mileposts below are approximate. Suggestions are as follows:

Mile 46 – 49: Several pullouts are identified in 3.6-2 of the SEIS. These pullouts could be upgraded. Work with private land owners to identify potential expansion of shoulders, especially for pedestrians and bike users.

Mile 49 – 49.5: Several pullouts are identified in 3.6-2 of the SEIS. These pullouts could be upgraded. The highway through this section could be widened. Work with private land owners to identify potential expansion of shoulders, especially for pedestrians and bike users. The gravel pit just east of Caribou Heights Circle is one potential parcel.

Mile 49.5 – 50.5: Two pullouts are identified in 3.6-2 of the SEIS. At the rapids across from Princess Lodge the roadbed could cut through the hill to the south, bisecting the Cooper Dam Road and rejoining the existing road at Cooper Creek. This would eliminate two dangerous curves, plus provide a potential passing zone and a scenic overlook.

Mile 50.5 – 52.5: This section of road could easily be expanded to accommodate wider shoulders and a pullout, especially on the south side of the highway between Stetson Creek Trail and just east of Gwin's Lodge.

Mile 52.5: Though this curve (often referred to as the Gwin's Lodge corner) is identified as one of the least safe, with the highest number of traffic incidents, it is one of the least complicated to mitigate. The road could easily be straightened through a very small hill that sits to the south of the road. Doing this would widen the road, which also allows for a west-bound turn only lane to the entrance to Russian River Campground.

Mile 52.5 – 53.5: Add pedestrian / bike crossings to the bridge at Schooner Bend. Just east of the bridge crossing, the pullout for Resurrection Trailhead is large enough for the Sterling Highway to begin a gentle realignment to the north of current roadbed to about mile 53.5. This would effectively move the current roadbed away from the river enough to allow for three things: removing spill risk associated with vehicles traveling directly adjacent the river, straightening a curve, and allow for a wide shoulder for pedestrians and a pullout on the river side.

Mile 54 – 55.5: bring highway to the north just to the southern edge of CIRI lands, possibly with the KNWR Visitor Center also to the south, reconnecting to current highway at Milepost 55.5. This would curtail much of the severe congestion of vehicles and pedestrians along the river. Brings the highway off the river in two key locations, which mitigates issues of spill risk from vehicles as well as bank erosion where the river is moving to the north. By moving the road several hundred yards north, dangerous congestion around the Russian River Ferry would be mitigated. Safety issues can be further mitigated by building pullouts and possibly a parking lot on the north side of the highway with a pedestrian bridge to safely cross over.

Mile 55.5 – 58: This section of road can be widened to accommodate shoulders deemed safe. A turn-only lane for west-bound traffic can be added to alleviate some congestion with rafters and those hauling trailers onto Skilak Lake Road.

Thank you for the opportunity to comment.

Sincerely,

Karen Button
Mile 1, Snug Harbor Road
Cooper Landing, 99572
Mailing: 2706 W 30th
Anchorage, 99517

Communication ID: 1040

To whom it may concern. I'm writing this hoping that you will take into consideration the people that this bypass proposal that this will directly affect. Setting aside the fact that your proposal will go directly thru my backyard, therefore squeezing us between the 2 highways and affecting our water rights that come from the mountain side, we know this area inside and out. First of all there are 2 main avalanche shoots that come down every year. they will cross the highway and cause closures. We also have "protected" sheep and goats on Langel (the mountain that follows the sterling hwy} These animals come down low in the winter months for a more plentiful food source. As one of many small business owners that makes our money in the summer months it makes us question what our business future holds if people can just take the bypass and skip our town that thrives on the money that tourists bring in each year for our business to survive. These are 3 of many circumstances that WILL be directly impact on where you are proposing this highway to be built. It seems to us and many others that there has to be a better solution then spending billions of dollars on a bypass that is really only wanted for 2-3 months out of the year to help lighten the traffic load on June and July. Have you driven thru Cooper Landing September thru May?

I live directly on the highway at milepost 47... I know the traffic flow! You should research that further. The talk about wanting to divert semi's away from the river is another issue. If our troopers continue to hold cars and trucks to current speed limits there wouldn't be an issue. The bypass will be inviting traffic to speed and therefore we will have another deadly highway to contend with. There has to be a better way to spend our federal/state dollars then what is being proposed here. Lastly, Reading this web-site and the talk about the noise...you obviously haven't canvassed the people that this will directly effect. We all move Alaska and more importantly right now, to us of Cooper Landing for serenity, wilderness and the love of the land and wildlife. Yes this will change the whole dynamic of where I live...It will change our plans of building a new house...I am just hoping and praying that you will take into consideration the people of Cooper Landing that do care!

Thank you for your time,
Todd and Michelle Donahue
Alaska Streamers
19906 Sterling Hwy.
Cooper Landing, AK
99572

Communication ID: 1041

I am in concurrence with the comments below and would like them added to the record on my behalf. Thank you, Dawn Button 26 May 2015 Sterling Highway MP 45-60 Project DOT&PF Central Region PO Box 196900 Anchorage, AK 99519-6900 Please add the following comments to the public record. My family has owned a property in Cooper Landing since 1962. Although it is used primarily for recreation at this time, it has also been a residence. I consider it my home though I am not here fulltime. We have witnessed a lot of change over the years in Cooper Landing. I hope my comments will contribute positively to the mitigation of safety and traffic issues in Cooper Landing and along the portion of Kenai River as addressed in the draft SEIS. Most would agree there is no perfect solution to the issues identified in this SEIS. I commend the DOT for listening to the public and to agencies over the decades, refining their proposal in the process to best address traffic, congestion, and pedestrian/bike safety issues in the Cooper Landing area. Continuing to work together will create the best plan in the end. That said, I have some overall concerns regarding the SEIS and will then address each of the alternatives. The SEIS is lacking two significant foundations for analysis. 1. A foremost concern is that even though wildlife and their movement corridors should be at the heart of environmental analysis, the SEIS is woefully lacking. For over a decade brown bears on the Kenai Peninsula have been the topic of special attention. Once they were found to be an “island” population due to their limited travel on and off the peninsula, their status has hovered around the “threatened” designation under the Endangered Species Act. For this reason the multi-agency Brown Bear Task Force was created toward the end of the 1990s and a low-end population number of 350 individuals identified as healthy for a genetically diverse gene pool. Brown bear hunts are regularly shut down on the peninsula for reasons of maintaining this tipping-point number. Should they drop lower, petitions for a higher designation under the ESA would likely ensue and would have a major impact on residents, businesses, and public land management. Yet, there is little information or analysis in the SEIS with regard to brown bears specifically and wildlife in general. Though all of the Action Alternatives in the SEIS would affect large mammal travel corridors, this significant issue has not been addressed adequately in the SEIS. 2. One of the three expressed goals for this proposed project is to bring the current roadway up to current highway standards for a “rural principal arterial” and yet this goes undefined in the SEIS. The DOT should define this in the SEIS and provide factual data to back up their finding that the highway speed should be 60 mph. For example, we have no idea how the base speed limit determines (or doesn’t) width of shoulder regulations, angle of curves, number of curves, placement of driveways, and so forth. In the SEIS Existing Highway Curve Diagrams the current 35 mph corridor is evaluated for its curve safety at 60 mph. That’s like evaluating a bike trail for its safety effectiveness for motorized vehicles. No reason is given in the SEIS as to how DOT determined this speed and why it was applied to Cooper Landing. Cooper Landing is approximately the same size as Moose Pass where the highway was both upgraded and the speed maintained at 35 mph. And there is Sterling, where the highway was upgraded to four lanes, yet the speed limit is 45 mph. Why the inconsistency? Because the entirety of the SEIS is analyzed with the speed designation of 60 mph, this means the foundation for project alternatives is problematic at best. At worst, it is faulty. The first level of determination should be how and why the DOT chose a 60 mph zone through this area. There is also no analysis in the SEIS of traffic safety at higher speeds. For comparison, the SEIS should consider traffic incidents along the Seward/Sterling Highway with similar existing conditions for each of the alternatives, such as elevation,

speed and number of lanes. Turnagain Pass may present similar conditions for the Juneau Creek alternatives and for G South. Without this information, we do not know if a new road would actually alleviate traffic incidents. Congestion does not equal accidents. Additionally, all three of the northern alternatives are within an avalanche area. At around milepost 46 two avalanche chutes have closed the highway at somewhat regular intervals through the years. Selecting an alternative that has the further potential of avalanche closures (and the risks associated with such) is an unnecessary risk and adds maintenance costs, both of which I did not see evaluated in the SEIS. Further, all of the action alternatives would adversely affect Traditional Cultural Property on the Sgillantnu Archaeological District. Keeping the roadbed in its current location has the least impact to these historic cultural sites. And, to be clear, for reasons of safety to the Kenai River, I do not support any new crossings to the river. Cooper Creek Alternative Though at first this alternative appears to have the least impact to wildlands and recreation areas, and bypasses the majority of town (cited as one reason for the proposed project to mitigate congestion), it has several problems. • It has the greatest negative impacts to private property. • Soils on this bench are unstable. • It doesn't address/mitigate issues where traffic incidents are noted to be the highest, which is an identified reason for the project proposal. • It negatively impacts wildlife travel corridors; of special concern is brown bear movement. Juneau Creek and Variant Alternative Both of these alternatives create secondary problems to the existing road. With an additional road corridor comes increased access; now there are two roads to maintain, to patrol for safety and traffic violations, and to mitigate negative effects to wildlife and the environment. Where roads go, people go. These alternatives have the highest negative impact to wildlife and to designated special areas. • Negatively affects wildlife travel corridors, especially brown bear movement. Impacts to wildlife are greatest with these two alternatives. • Adverse impacts to inventoried Roadless Areas and recreation values are greatest with these alternatives. • Road grades are much steeper with these alternatives than with the existing road. This is of particular concern in the winter months where snow load is higher at higher elevations and the proposed alternatives go through an avalanche area, neither of which are evaluated. • These will be the costliest alternatives to maintain for the aforementioned, as well as for winter road maintenance. The environmental implications for road runoff, with its associated oil, salt, and gravel into a watershed that empties into the Kenai River Special Management Area are not evaluated. • Lighting of the highway is an issue, contributing to light pollution. • Noise travels a great distance in valleys, and especially uphill where the roadway would be located. Negative impacts from noise pollution are a concern. • As cited above, the SEIS is lacking in analysis for traffic safety given higher speeds and higher elevation (for wintertime travel especially). G South Alternative • This alternative increases rather than decreases potential threats to the Kenai River with an additional bridge crossing. No additional crossings of the river should be considered as an alternative. • Because G South enters the existing highway at approximately mile 51.5, it does not mitigate the highest incidents of traffic safety issues, which occur further west. • As with the Juneau Creek Alternatives, the G South impacts large mammal travel corridors through the Juneau Creek valley. • It bisects an inventoried Roadless Area. • It bisects a proposed Kenai River Special Management Area. All these alternatives would require the use of public lands, some in designated special use or protected areas. Section 4(f) of the Department of Transportation Act of 1966 protects these areas unless there is no "feasible or prudent" alternative. The feasible and prudent alternative in this proposed project is the No Action Alternative. Several of the issues raised by DOT can be solved without building a new roadbed. Enhancement of the current corridor can be accomplished through a creative combination of pullouts, passing lane/s, straightening of a few corners, addition of pedestrian walkway/s and enforced speed limit as is addressed below. I've had the opportunity to travel the Highway 101

corridor through the Pacific Northwest and California. This is a highway that bisects entire states, so state DOT's have used a combination of highway types appropriate to the terrain and local communities. I spent time in Northern California in the redwoods and wine country and was impressed how they dealt with the Highway 101 corridor. Four lanes are used where feasible. In other areas, there are two lanes with a third passing lane, similar to Turnagain Pass and to the east of Cooper Landing. Several small- and medium-sized towns, such as Crescent City, Eureka, Laytonville, Willits and Hopland, are bisected by Highway 101. There, the speed limit is slowed to 30/35 mph, with wide shoulders that give the motorist more ease in pulling off. In one area, old-growth redwood trees are so close to the highway one has to slow to 25-30 mph in order to navigate the narrow and winding road. This area reminded me of issues facing Cooper Landing; it's gorgeous and slowing down means one is able to take in the scenery. It's not unlike traveling next to the Kenai River. We should place the highest priority on the resources we have and for which people visit and live in the uniqueness of the Cooper Landing area. Those resources include healthy wildlife populations and salmon, pristine Kenai Lake and Kenai River, wilderness and Roadless Areas that provide recreation, quiet, and access to the night sky (during winter months) with a minimum of light pollution. For all the reasons stated above, I believe the No Action Alternative is the best alternative for this SEIS. Proposal of New Alternative A new alternative should be considered using and enhancing the existing roadbed. The current roadbed can be widened in several areas and the most troublesome corners straightened. By taking these steps and enforcing the posted speed limit, there are several positive outcomes. Wildlife corridors (especially for the sensitive brown bear populations) and the viewshed are left undisturbed. No trail systems, Roadless Areas or Traditional Cultural Areas are impeded upon. And the town is able to continue to benefit from economic growth. Additionally, safety and congestion are mitigated through a creative approach that includes upgrading the road which would likely meet current design standards once they are defined. The new alternative should foremost identify a speed limit through the area that is analyzed within the alternative and appropriate for the area. A reasonable and safe speed limit seems to be 35 mph from about Milepost 46 to Milepost 49. Existing speed limits of 45 mph need not change, especially with road upgrades. Slower speeds mean less traffic incidents, except in areas where conflict arises. This alternative would seek to identify and alleviate conflict areas. It should evaluate each milepost for its potential to meet the three criteria identified by DOT as the stated purpose for this project: reduction of highway congestion; meet current highway design standards; improvement of highway safety. A supplemental map should be added to the SEIS, which evaluates possible passing lanes in addition to the pullouts already identified. All Mileposts below are approximate. Suggestions are as follows: Mile 46 – 49: Several pullouts are identified in 3.6-2 of the SEIS. These pullouts could be upgraded. Work with private land owners to identify potential expansion of shoulders, especially for pedestrians and bike users. Mile 49 – 49.5: Several pullouts are identified in 3.6-2 of the SEIS. These pullouts could be upgraded. The highway through this section could be widened. Work with private land owners to identify potential expansion of shoulders, especially for pedestrians and bike users. The gravel pit just east of Caribou Heights Circle is one potential parcel. Mile 49.5 – 50.5: Two pullouts are identified in 3.6-2 of the SEIS. At the rapids across from Princess Lodge the roadbed could cut through the hill to the south, bisecting the Cooper Dam Road and rejoining the existing road at Cooper Creek. This would eliminate two dangerous curves, plus provide a potential passing zone and a scenic overlook. Mile 50.5 – 52.5: This section of road could easily be expanded to accommodate wider shoulders and a pullout, especially on the south side of the highway between Stetson Creek Trail and just east of Gwin's Lodge. Mile 52.5: Though this curve (often referred to as the Gwin's Lodge corner) is identified as one of the least safe, with the highest number of traffic incidents, it is one of the least complicated to mitigate.

The road could easily be straightened through a very small hill that sits to the south of the road. Doing this would widen the road, which also allows for a west-bound turn only lane to the entrance to Russian River Campground. Mile 52.5 – 53.5: Add pedestrian / bike crossings to the bridge at Schooner Bend. Just east of the bridge crossing, the pullout for Resurrection Trailhead is large enough for the Sterling Highway to begin a gentle realignment to the north of current roadbed to about mile 53.5. This would effectively move the current roadbed away from the river enough to allow for three things: removing spill risk associated with vehicles traveling directly adjacent the river, straightening a curve, and allow for a wide shoulder for pedestrians and a pullout on the river side. Mile 54 – 55.5: bring highway to the north just to the southern edge of CIRI lands, possibly with the KNWR Visitor Center also to the south, reconnecting to current highway at Milepost 55.5. This would curtail much of the severe congestion of vehicles and pedestrians along the river. Brings the highway off the river in two key locations, which mitigates issues of spill risk from vehicles as well as bank erosion where the river is moving to the north. By moving the road several hundred yards north, dangerous congestion around the Russian River Ferry would be mitigated. Safety issues can be further mitigated by building pullouts and possibly a parking lot on the north side of the highway with a pedestrian bridge to safely cross over. Mile 55.5 – 58: This section of road can be widened to accommodate shoulders deemed safe. A turn-only lane for west-bound traffic can be added to alleviate some congestion with rafters and those hauling trailers onto Skilak Lake Road. Thank you for the opportunity to comment. Sincerely, Karen Button Mile 1, Snug Harbor Road Cooper Landing, 99572 Mailing: 2706 W 30th Anchorage, 99517 Sent from my iPad

Communication ID: 1044

David and Martha Story
PO Box 863
Cooper Landing, AK 99572
May 26, 2015

Brian Elliott, Environmental Manager
DOT&PF Central Region
Sterling Highway MP 45-60 Project
PO Box 196900
Anchorage, AK 99519-6900

Dear Mr. Elliott:

We live and work in Cooper Landing year-round and depend on the tourism to the area for our livelihoods. The Upper Kenai River is a unique and special area. Protecting the river, the resources it provides and the visitors drawn to it are the most important considerations in determining our recommendations regarding the Sterling Highway MP 45-60 Project.

Travel along this stretch of highway is congested and often dangerous. Enforcement of the existing 35 and 45 MPH speed limits does improve driver behavior for periods of time. Enforcement, however, is NOT a viable solution to the problems that plague this roadway.

There are steadily increasing numbers of visitors to the area. Heavy commercial use continues to increase. Tanker truck traffic has risen since the close of the North Pole refinery. Double tanker trucks hauling hazardous materials are on the road at all times of the day and night. All of this traffic is within meters of

the river whose health we all value and so many, like us, depend on. THE HIGHWAY MUST BE MOVED AWAY FROM THE KENAI RIVER.

We feel the No Build option is unacceptable. We prefer either the Juneau Creek Alternative or the Juneau Creek Variant Alternative over the Cooper Creek Alternative and we strongly object to the G South Alternative.

We feel the the Juneau Creek Alternative best provides a route that keeps the highway as far from the Kenai River as possible for as long as possible. We also understand that the political likelihood the Juneau Creek Alternative is low and accept the Juneau Creek Variant Alternative as a next best choice.

The Sterling Highway must be relocated to bypass as much of the upper Kenai River as possible. Protection of the Kenai River should be a paramount goal, along with the other stated goals of improving traffic safety, reducing congestion and meeting design standards. Please choose either of the Juneau Creek Alternatives as the Preferred Alternative in the Final SEIS.

We would also like to draw attention to the need for safe passage for non-motorized traffic along the existing highway and the surrounding roads. It is important to include these uses into the design considerations of the bypass project, regardless of the alternative chosen. One example is the need for inclusion of an underpass or equivalent safe passage at the intersection of Quartz Creek Road and the Sterling Highway to prevent a pedestrian, cyclist, equestrian or other slow vehicle traffic from needing to cross four lanes of rapidly accelerating or decelerating traffic.

A safe, walkable community has been Cooper Landing's goal for even longer than the bypass project has been on the books. We would like to see both completed and are committed to helping protect the Kenai River and improve community health and safety in any way we can.

Thank you for your consideration.

David and Martha Story

Communication ID: 1045

Kelly Peterson, Project Manager
Sterling Highway MP 45-60 Project
DOT&PF Central Region
P.O. Box 196900
Anchorage, AK 99519-6900

Re: Comments on the Cooper Landing Bypass

Dear Kelly Peterson:

The Kenai River Special Management Area Advisory Board submits this letter as its recommendations on the various alternatives posed for the Cooper Landing Bypass. The Kenai River Special Management Area Advisory Board was created under the authority of A.S. 41 .21 .510 in 1985 to advise local, state and federal agencies and legislative bodies on matters affecting the Kenai River and its habitat. The Board is comprised of public members, Soldotna, Kenai and the Kenai Peninsula Borough and non-voting state and federal agency representatives.

This letter reflects consideration and discussion by the Board of the various alternatives at its regularly scheduled monthly meetings for April and May 2015. The matter has been before the Board many times

over the past years and members are well versed in the various alternative routings. On May 14, 2015, the Board unanimously passed a resolution recommending the Juneau Creek Alternative for safety and habitat protection reasons.

Ted Wellman

Passed this 14th day of May, 2015

Ted Wellman, President

Copies of this resolution shall be sent to the Commissioner of Natural Resources, The Governor of Alaska, the Kenai Peninsula Borough Mayor's Office and the Director of the Alaska Division of Parks.US Forest Service Regional Office and the Kenai National Wildlife Refuge.

Communication ID: 1046

From: Pinckney, Charles A (DNR)
Sent: Tuesday, May 26, 2015 9:37 AM
To: Petersen, Kelly L (DOT)
Subject: Sterling Highway MP 45-60 SEIS- Public Review Draft

Kelly,

DNR does not have any further comment at this time, thank you for the opportunity to review. I have attached comments that I received from the DNR Kenai River Special Management Area Advisory Board. I think you may have received them already, however just in case I am passing them along.

Chuck

Charles Pinckney
Natural Resource Specialist III
Alaska Department of Natural Resources
Division of Mining, Land & Water
Resource Assessment & Development
550 W. 7th Ave. Suite 1050
Anchorage, AK 99501-3579
907-334-2551
907-269-8915 (Fax)
charles.pinckney@alaska.gov

(NOTE: THE ATTACHED DOCUMENT IS FROM KENAI RIVER SPECIAL MANAGEMENT AREA ADVISORY BOARD. SEE COMMUNICATION 1045)

Communication ID: 1047

From: Mitzel, John A (Andy) POA [mailto:Andy.Mitzel@usace.army.mil]
Sent: Tuesday, May 26, 2015 4:09 PM

To: John.Lohrey@dot.gov
Cc: Petersen, Kelly L (DOT); Tim.Haugh@dot.gov; Speerstra, Linda POA
Subject: Comments regarding Draft SEIS, Sterling Highway MP 45-60 (UNCLASSIFIED)
Classification: UNCLASSIFIED
Caveats: NONE

Mr. Lohrey,

Please see attached letter with the comments regarding the DSEIS for Sterling Highway MP 45-60. If you have any questions, please feel free to contact me.

Andy Mitzel
Regulatory Project Manager
Kenai Field Office
Alaska District, USACE
44669B Sterling Hwy
Soldotna, AK 99669
phone: (907) 753-2673

ATTACHMENT TEXT FOLLOWS:

May 26, 2015

Federal Highway Administration
P.O. Box 21648
Juneau, AK 99802-1648

Dear Mr. Lohrey:

This letter provides the U.S. Army Corps of Engineers (Corps) comments on the Draft Supplemental Environmental Impact Statement (DSEIS) dated March 2015, for the proposed Sterling Highway Milepost 45-60, near Cooper Landing, Alaska.

Project Purpose and Need: The Alaska Department of Transportation and Public Facilities' (ADOT&PF) stated purpose and need in the DSEIS is to improve the Sterling Highway from its intersection with Quartz Creek Road to its intersection with Skilak Lake Road which would:

- * Reduce highway congestion.
- * Meet current highway design standards.
- * Improve highway safety.

The definition of overall project purpose is used in the determination of practicable alternatives since the Environmental Protection Agency's (EPA) 404(b)(1) Guidelines (Guidelines) define practicable to mean: "available and capable of being done after taking into consideration cost, existing technology, and logistics in light of the overall project purposes."¹ While the definition of overall project purpose is solely the Corps' responsibility, it must take into consideration the applicant's stated purpose for the project.² It

cannot be so restrictive that the applicant's proposal is the only possible alternative or so broad that it makes the search for alternatives meaningless.

¹ 40 CFR 230.1 O(a)(2)

² October 15, 1999, Army Corps of Engineers Standard Operating Procedures for the Regulatory Program.

Alternatives: Clean Water Act (CWA), Section 404 permits are only issued for projects that clearly demonstrate compliance with the Guidelines. The Guidelines state that no discharge of dredged or fill material can be permitted if there is a practicable alternative to the proposed discharge that would have less adverse impact on the aquatic ecosystem, as long as the alternative does not have other significant adverse environmental consequences. In those cases where non-water dependant work is proposed in a "special aquatic site", (such as wetlands, eelgrass beds, or mudflats), practicable alternatives are presumed to exist unless clearly demonstrated otherwise by the applicant. Also, where a discharge is proposed for a special aquatic site, all practicable alternatives to the proposed discharge which do not involve a discharge into a special aquatic site are presumed to have less adverse impact on the aquatic ecosystem, unless clearly demonstrated otherwise. Based on the information provided in the DSEIS and available to us, we have determined that special aquatic sites occur within the proposed project area.

An alternative is considered practicable if it is available and capable of being accomplished after taking into consideration costs, existing technology, and logistics in light of the overall project purpose. The least environmentally damaging practicable alternative may include construction in uplands, reducing the size of the proposal to the minimum discharge necessary for the project, or the inclusion of logistic and operational controls.

Based on our review of the information provided in the DSEIS, all four of the build alternatives appear to be practicable. The information in the DSEIS indicates that the Juneau Creek, Juneau Creek Variant, and G South Alternatives would directly impact between 26.6 acres and 38.5 acres of waters of the United States, including wetlands. The indirect impacts for these alternatives vary between 67 acres and 130 acres of waters of the United States, including wetlands.

The direct impacts of the Cooper Creek Alternative are projected to be 11 acres and the indirect impacts are proposed to be 14 acres of waters of the United States, including wetlands. In this respect, it is clear that the Cooper Creek Alternative is significantly less damaging to the aquatic ecosystem than the other proposed build alternatives.

Avoidance and Minimization: Prior to considering compensatory mitigation for impacts to waters of the U.S., including wetlands, it is the responsibility of the project proponent to demonstrate that the proposed project avoids and minimizes impacts to waters of the U.S. to the maximum extent possible. A clear discussion of the avoidance and minimization to waters of the U.S. will be required for the preferred alternative, once identified, in the Supplemental Environmental Impact Statement (SEIS). Examples of the avoidance and minimization could include, but are not limited to: alternate road designs, alignment decisions for the chosen alternative, construction methods to reduce impacts, etc.

Avoidance measures are the planning strategies that entirely eliminate the discharge of fill material into the aquatic ecosystem to achieve the project purpose. A key requirement of compliance with the avoidance sequence of the Guidelines is to show whether or not an aquatic resource can be completely avoided. Minimization entails measures to reduce or diminish the impacts to aquatic resources. The fundamental objective of compensatory mitigation is to offset environmental losses resulting from unavoidable impacts to waters of the United States authorized by DA permits.

Compensatory Mitigation: Under the Corps' substantive evaluation criteria for all Section 404 CWA permits, the Guidelines, mitigation is a sequential process of avoidance, minimization, and compensation. Compensatory mitigation is not considered until after all appropriate and practicable steps have been taken to first avoid and then minimize adverse impacts to the aquatic ecosystem.

The Corps and the EPA issued regulations that govern national compensatory mitigation policy for activities in waters of the United States, including wetlands, authorized by Corps permits. The final mitigation regulations were published in the federal register on April 10, 2008, and became effective on June 9, 2008. The final regulations at 33 CFR Part 332 establishes standards and criteria for the use of appropriate and practicable compensatory mitigation for unavoidable functional losses of aquatic resources authorized by Corps permits.

There are two overarching themes that affect how the mitigation sequencing is conducted. One is that although the burden of proof for satisfying these steps rests with the permit applicant, the Corps must rely upon its own analysis in making a finding of compliance or non-compliance with the Guidelines. The applicant must provide information that is sufficient to determine compliance, so the Corps can make a timely permit decision. The information provided in the mitigation section of the SEIS is not substantive or specific to the proposed work for the Corps' Guidelines analysis.

The information provided in the DSEIS and accompanying documents state that the ADOT&PF proposed compensatory mitigation for unavoidable impacts to waters of the U. S. would consist of an in-lieu-fee payment. The forthcoming SEIS should clearly explain the unavoidable impacts to waters of the U.S. proposed in the project area, so that an appropriate in-lieu-fee proposal can be developed prior to the completion of the DA Permit review. In the DSEIS you have identified your desire to purchase in-lieu-fee credits from a "qualified land trust" to compensate for unavoidable losses of waters of the U.S. including wetlands. Currently the only in-lieu-fee provider, with a service area that includes the Kenai Peninsula is The Conservation Fund (TCF). At this time TCF has indicated that they are not providing mitigation credits.

All build alternatives identified in the DSEIS would result in the loss of waters of the United States, including special aquatic sites. A compensatory mitigation plan will be a necessary component of the SEIS. In developing the proposed compensatory mitigation plan, the guidelines and requirements outlined in the regulations at 33 CFR 332 should be followed. It should include sufficient information about how the proposed compensatory mitigation relates to the individual and cumulative impacts to aquatic resources within the proposed project area, including an assessment to quantify debits and credits for aquatic resource impacts and compensation.

Thank you for the opportunity to comment. You may contact me via email at Andy.Mitzel@usace.army.mil, by mail at the address above, or by phone at (907) 753- 2689, if you have questions.

Sincerely,

Jon A. Mitzel
Project Manager

CF:

ADOT&PF: kelly.petersen@alaska.gov

USFHWA: tim.haugh@dot.gov

Communication ID: 1048

Forest Service
Alaska Region
Chugach National Forest
161 East 1st Ave, Door 8
Anchorage, AK 99501
Phone: (907) 743-9500
Fax: (907) 743-9488

File Code: 1900, 7710
Route To: (1900,7710)

Date: May 26, 2015

Subject: Sterling Highway Milepost 45-60 Draft Supplemental Environmental Impact Statement Public Review (STP-F-021-2(15)/53014)

To: John Lohrey, Statewide Programs Team Leader
Alaska Division, Federal Highway Administration
P.O. Box 21648
Juneau, AK 99802-1648

This memo responds to your request for public comment on the Sterling Highway Milepost 45-60 Draft Supplemental Environmental Impact Statement (DSEIS). We appreciate the opportunity to provide comment on behalf of the Forest Service, U.S. Department of Agriculture.

In providing our specific comments below, we identified topic areas where we wish to discuss further with you (and as appropriate in coordination with USFWS, CIRI and Kenaitze Indian Tribe) opportunities to address, further resolve, and/or mitigate prior to the completion of the Final EIS and ROD. These include:

- * Cultural resources (overall, we feel that the 4(f) analysis is inadequate; there is a need for qualitative analysis/effects disclosure to provide an adequate effects analysis under 4(f); the development of mitigation based on the effects analysis would align with Section 4.6.1.3);
- * Discussion on CIRI Tracts A & B and how the effects to those Tracts integrate overall with the Sqilantnu Archaeological District and their effects disclosure throughout the 4(f) chapter; whether the Cooper Creek and G South alternatives can be designed to avoid these Tracts;
- * Post-construction vegetation along the highway corridor/disturbed areas (acknowledging varying effects to wildlife, erosion/soils, waters quality, visuals, cultural resources and discussing mitigation options that combine/consider these various resources);

- * Wildlife corridor and associated landscape effects (need to better describe the process and mitigation needs/outcomes once the wildlife study is complete and before preliminary highway design is completed);
- * Resurrection Trail (CSU) (need to identify and consider additional adaptive mitigation depending upon the timing of Snow River bridges pedestrian facilities implementation);
- * Roadless to better describe, connect and disclose roadless area characteristics between Section 3.2.1.3 and other resource sections in the DSEIS (there are conclusions and incomplete descriptions in some of the bullets.
- * Refine and/or add clarity to a few sections of the final summary table to accurately reflect National Forest System lands (we did not capture all our comments on the summary table knowing that it will be updated from the final environmental analysis).

In addition, Our SEIS-document specific comments are:

Executive Summary

Affected Environment and Environmental Consequences

(P. 3) The Map shows the Juneau Creek road as a local road. It is gated and closed for public summer motorized use (similar to the Cooper Lake Dam road). It should be identified as such on this map or removed from the map.

(P. 18) Map still shows a Juneau Bench Trail. This trail does not exist.

Second bullet on left column: language indicates that the old highway through the 4 mile core area (Cooper Creek to Russian River) will be left as a quieter, winding, lower speed, local road suited to providing access to that area's multiple amenities. In Chapter 27 (P.3-493) a section states that the existing highway would retain today's posted speed limit which in this 4 mile core is 55 MPH. While there would be less traffic, the speed limit would not be less than today so this section is a bit misleading to the reader.

(P. 20) Mitigation measure for scenery is to seed bare soils for quick greening of the landscape. Use of appropriate seed mix to avoid invasive plant introduction is critical.

During the Forest Service interdisciplinary review of the document, one comment that arose in multiple locations and from multiple technical specialists was the issue of appropriate seeding and re-vegetation measures. The re-vegetation plan for this project will have varying impacts to different resources and the appropriate mitigation for such impacts varies depending upon the resource. The Forest Service recommends a meeting with ADOT&PF to discuss potential options for seeding and re-vegetation in order to draft the most appropriate mitigation measures with respect to this complex issue.

(p. 28): Table 3.2 needs to disclose that the Chugach NF Land & Resource Management Plan (Forest Plan) may need an amendment to existing management direction under the 4 build alternatives associated with the new portions of the TUS.

(P. 30) Table 3.6 states that pedestrians and bicyclists would benefit from decreased traffic on existing highway. If annual traffic count is 1.2 million through KNWR (P. 1-3), and 30% is expected to still use the existing highway, then there would still be roughly 360,000 vehicles on old section of highway – comprised of large recreation vehicles, trailers hauling boats, vans carrying tourists, etc. Page 1-6 has summer average annual daily traffic at 8198. 30% of this number is around 2500 vehicles a day. The speed limit through quite a bit of this old highway would still be posted at today's speed limit of 55 MPH (see comment under P. 18 of Executive summary). No shoulders or walkways are planned for the existing

highway segment. This scenario does not improve the situation for pedestrians or bicyclists. While the new highway segments might be marginally better for pedestrians and bicyclists due to the wider shoulders, the existing highway should be shown as “no improvement”.

(P. 31) Table 3.8 – Under the “Recreation Resources Affected” row, there are entries that show Juneau Bench Trail references under Juneau Creek Alternatives. If the Juneau Bench trail is referring to the logging skid trails, these were built or are maintained as recreation trails. These references should be omitted, as the Juneau Bench Trail does not exist.

Chapter 1

1.2.2.3 Highway Safety

(P. 1-17) Need 3 (p. 1-5) states that this segment of highway has higher-than-average number and greater severity of crashes than the statewide average. Table 1.2-7, however, shows that Segments 1, 2, 3 and 4 actually have crash rates substantially lower than the statewide average (between 17 and 44% lower) and only Segments 5 and 6 have crash rates higher than the statewide average. This is not acknowledged or explained in the text.

Chapter 2

2.1 Terminology Applicable to the Alternatives

“Old” highway or “Old Sterling Highway” are used in quotation marks in certain circumstances to call out the segment of the existing highway that would not be altered. Although portions of the proposed action alternatives designate areas of “old” highway and indicate these are not subject to modification, this should not be an appropriate disclaimer throughout. There may be sections within the existing road ROW i.e. along the old highway, which should be available for needed upgrades for safety and wildlife passage.

2.4.1 General Summary

(P. 2-6) For consistency throughout the DSEIS, FSEIS and ROD – we suggest you consistently refer to the Forest Service per our Regional Office policy as: “Forest Service, U.S. Department of Agriculture” the first time and “Forest Service” thereafter. This eliminates the terminology you have now which is “USFS” and “FS.”

2.4.2.2 Consideration of Juneau Creek Alternative

(PP. 2-7 through 2-9) This section is largely the rationale for why this alternative will not be selected and should be in the Record of Decision (see 40 CFR 1505.2). It seems more appropriate to let the alternative’s facts speak for themselves and not worry about labeling the alternative’s probability of success. The information could also be put in the planning record, but including it in the body of the DSEIS is pre-decisional.

Summary of Juneau Creek Alternative Process (page 2-9): The ROD requires identifying an environmentally preferred alternative but this section seems to be incorrectly mixing “preferred” alternative with “selected” alternative.

2.6.2 Design Criteria Applicable to the Build Alternatives

(P. 2-19) The paragraph regarding proposed roadway access rights does not address how existing pullouts will be handled in the segments of highway that are constructed on the existing alignment. Reference Chapter 3.6, P-3-121-122 where this discussion does occur.

Clear zones along highway ROW: It was not specified if these will be vegetated or graveled. Vegetated roadsides can provide foraging opportunities for a diversity of wildlife species. Ungulates and other herbivores are attracted to the available forage and good sight distances, raptors and other small mammal predators are attracted to those areas for easy access to their prey. There is an increased probability of roadkill (wildlife-vehicle collision) for any and all of these species as a result. Therefore, roadside/shoulder clear zones need to not only provide for improved visibility, but also be designed in such a way (gravel, large cobble, boulders, etc.) so as to deter wildlife use along those areas.

2.6.3.2 Construction Sites

(P. 2-22) Per document of DOT’s response to our concerns, need more conversation with DOT regarding 5.1 acre disposal site near mile post 51. The Forest Service requests that this disposal site is moved to existing borrow site where current Stetson Creek Alternate Trail access is. This site is already disturbed and putting disposal material here will not further impact this site. The Forest Service can work with DOT on timing of use of this site and Stetson Creek Access until new highway alignment and new trailhead pullout is built and operational.

2.6.3.2/2.6.4 Cooper Creek/G South Alternative descriptions

(P. 2-21, 2-26) The current design in the reconstruction of Russian River CG recreation site entrance area will switch the entrance and exit roads but will use both roads. If either the Cooper Creek or G South alternative is chosen, the design for the entrance to Russian River will need to be incorporated.

Maps 2.6-2 (P. 2-43) and 2.6-3 (P. 2-45) show Russian River with only one road with both entrance and exit occurring at that location. The current design in the reconstruction of this recreation site entrance area will switch the entrance and exit roads but will use both roads. If either the Cooper Creek alternative or the G-South Alternative is chosen, the design for the entrance to Russian River will need to be incorporated.

Chapter 3

3.1 Land Ownership and Use

3.1.1.1 Overview

(P. 3-2) References to “USFS owned” lands should be changed to “Forest Service managed” or “National Forest System” lands.

3.1.1.3 State Ownership and Land Uses

(P. 3-3) Table 3.1-1 refers to 2 acres of residential under USFS. This most likely refers to the Betty Fuller/Mary Dreifurst residential permit. This is in process of being transferred to the State. (Would change Map 3.1-2 as well)

(P. 3-4) The DSEIS indicates that submerged lands beneath Kenai River and Kenai Lake “are State-owned except within the KNWR boundary, where the United States owns submerged lands.” While a Federal court has adjudicated title with respect to portions of these water bodies located within KNWR, title has not been adjudicated by a Federal court with respect to those portions located within CNF.

The DSEIS should acknowledge that a Federal court has not adjudicated title to the bed of Kenai River and Kenai Lake within the CNF boundary. Unless a Federal court has adjudicated title to the bed of a body of water within the boundaries of the National Forest System and determined the bed to be in non-Federal ownership, FS policy is to depict title to beds of water bodies in land status records as National Forest System submerged riparian land.

3.1.1.5 ...Native Corporation Lands

Please clarify with CIRI and Kenaitze Indian Tribe on whether or not Tract A has any specific plans to develop a research center, visitor center and lodge.

3.1.2.3 Cooper Creek Alternative

(P. 3-10) The paragraph entitled “Federal Lands” and discussing the nationwide agreement between FHWA and USFS should note that highway right-of-way appropriations are subject to conditions the Forest Service may deem necessary for adequate protection and utilization of National Forest System lands and protection of the public interest. This comment applies to all build alternatives.

The paragraph entitled “Borough Lands” indicates that vegetation and soils that cannot be used for construction may be disposed of on certain borough lands. The analysis should recognize that under any build alternative, timber, mineral materials, or other resource removed from National Forest System lands must be disposed of in accordance with the terms of applicable construction permits or right-of-way authorizations issued by the Forest Service.

The paragraph entitled “Private and Native Corporation Lands” indicates that 0.15 acres of CIRI’s Tract B would be acquired under this alternative. Tract B is an ANCSA 14(h)(1) site and subject to a covenant, pursuant to 43 CFR § 2653.11(b), preventing any use which is incompatible with or in derogation of its values as a cemetery site or historical place (see Patent No. 50-2012-0174, issued May 31, 2012). Please disclose whether this alternative could be designed to avoid impacting Tract B.

The United States reserved certain interests in the May 31, 2012 patent to Tract B, including a fifty (50)-foot-wide easement, administered by the USFS, along the south bank of the Kenai River for public uses including foot travel, recreation, fishing, picnicking, boat landing, parking and servicing of watercraft, and the building, maintenance and use of structures and facilities necessary for such uses. The analysis should disclose any potential effects to this easement and the public uses that it supports.

3.1.2.4 G South Alternative

(P. 3-12) Forest Service comments regarding potential effects to CIRI’s Tract B and the reserved public use easement apply equally to this alternative. Please disclose whether this alternative could be designed to avoid impacting Tract B.

3.1.2.5 Juneau Creek Alternative and 3.1.2.6 Juneau Creek Variant Alternative

(PP. 3-12 – 3-16) The DSEIS states that neither the Juneau Creek Alternative nor Juneau Creek Variant would provide direct access to State Management Unit 395. I continue to request additional analysis regarding the implications of a decision to restrict access from the highway to this parcel. Please disclose that ANILCA reasonable access provisions process could result in the most feasible access being off the highway rather than the West Juneau Road.

The DSEIS on page 3-14 characterizes West Juneau Road as a public easement. This description is potentially misleading. West Juneau Road is a Forest Service maintenance road, and it is neither designed nor maintained for purposes of public access. As noted on page 3-479, West Juneau Road is closed to public access by motorized vehicles except for snowmachine users. Under a no-build alternative or either the Cooper Creek or G-South alternatives, West Juneau Road may or may not be determined by the Forest Service to be the most appropriate route to provide future residential access across National Forest System lands to Unit 395. Under either of the Juneau Creek alternatives, direct access from the highway may provide the best outcome in terms of safety, community interest, and resource protection.

Providing limited, public access directly to Unit 395 from the Juneau Creek alternative(s) is consistent with the Kenai Area Plan and your definition of controlled access which “means limiting driveways and side streets accessing directly on the highway.” One access point from the highway to the Juneau Creek road would provide adequate subdivision access and would still eliminate driveway proliferation. This would be similar to the Bean Creek road providing access to the Birch Ridge Subdivision area, the Russian Gap road providing access to that new subdivision, and the new road leading off from highway just west of Snug Harbor road intersection that provides access to the lots south of Cooper Landing.

The analysis of both Juneau Creek alternatives should provide for the possibility of direct, limited access to Management Unit 395.

Discussion of this controlled access is also found on pages 2-16, 2-19, 2-29, 3-8, 3-13, 3-15, 3-34, 3-37, 3-62, 3-66, 3-122, 3-478-480, and 3-497.

3.1.2.5 Juneau Creek Alternative

(P. 3-13) “Federal Land” section should clarify that both KNWR Wilderness and Resurrection Pass National Recreation Trail would require issuance of a transportation easement under ANILCA Title XI. Currently, it states that only KNWR Wilderness requires a Title XI easement.

3.1.2.6 Juneau Creek Variant Alternative

(P. 3-14) “Federal Land” section should clarify that the Resurrection Pass National Recreation Trail would require issuance of a transportation easement under ANILCA Title XI.

3.1.2.2 Resolution of Land Use Issues

(P. 3-9) This section states that a beneficial impact of the project under any alternative would be to resolve the uncertainty regarding land use. This benefit does not apply to CNF lands as the Forest Service continues to manage NFS lands as directed by our 2002 Revised Land and Resource Management Plan (Forest Plan). When a decision is made on this project, the Forest Service will assess what land management direction will need to change and make an amendment (or incorporate into our revision proposal) where necessary.

3.1.2.3 State Lands

(P. 3-10) The section under State Lands refers to future management of Unit 394B. This unit is still National Forest System lands and under Forest Service management until transferred to the State. This discussion should occur under the Federal Lands section just above the State Lands section on this page.

(P. 3-11) This section inaccurately describes the unit 394B as a State Management Unit. As discussed in a previous comment this parcel is still part of the CNF and should be referred to as a State selected parcel of CNF.

Chapter 3.1.2.5 Juneau Creek Alternative

(P. 3-12) This section indicates that the new highway would run immediately adjacent to the northern boundary of CIRI Tract A but would not provide access to the parcel (pg 3-31). A memorandum of agreement between the Forest Service and CIRI dated May 2, 2012, provides that the Forest Service will grant CIRI an easement from the realigned highway to Tract A. I suggest that this MOU and the associated limitations of a decision to control access be acknowledged in the document.

Map 3.1-2 (P. 3-19) Broadview Guard station is shown as small yellow block south of highway at approx. MP 45.8. Yellow indicates residential use but Broadview is administrative facility and should be marked

as institutional (Blue color). In addition, Cooper Creek Campground is shown with blue highlighting but K'BEQ interpretive site and Russian River Campground are not shown with blue highlighting.

3.2 Land Use Plans and Policies

3.2.1.2 Federal Plans and Management Direction- Chugach National Forest

Juneau Creek alternatives all have some component of the alignment within an area designated as a “Fish and Wildlife Conservation Management Area” in the Chugach Forest Plan. Lands with this designation are to be managed to emphasize the conservation of specific fish and wildlife habitats, maintaining naturally appearing landscapes and limiting activities to only those that benefit wildlife. The proposed Juneau Creek alternatives are inconsistent with this land use designation as well as the intent. Selection of any of these alternatives would require a forest plan amendment and significant mitigations/wildlife friendly design criteria.

(P. 3-28) I recommend removing the one sentence in this section regarding IRAs. It is not entirely accurate and the roadless discussion on the next page does a better job of explaining management of inventoried roadless areas.

3.2.1.3 Federal management – USFS Roadless Areas

(P. 3-29) All references to 36 CFR 294 on this page and page 3-51 should state that they refer to the 2001 version of the CFR (under which we are operating). The current version of the CFR has not been updated to reflect that the Roadless Area Conservation Rule was reinstated.

(P. 3-31) In the section titled “Reference landscapes” near the end of the paragraph there is a statement that is incorrect and needs to be deleted:

“There is no indication that the affected portions of these IRAs are being used as reference landscapes today or that there is a need for them as reference landscapes in the foreseeable future.”

(P. 3-29) I recommend replacing the last sentence in the first paragraph (“The Chief of the Forest Service...”) with: “While the Roadless Rule generally prohibits construction or reconstruction of roads in inventoried roadless areas, the rule includes certain exceptions to the prohibition.” This introduction should also include a statement that the purpose of the Roadless Rule is to protect the roadless area values and characteristics that you listed in this section.

3.2.1.4 Federal Management – ANILCA Title XI

(P. 3-32) In the fourth paragraph, change “The USFS (sic) considers the Resurrection Trail to be a CSU within the CNF to “The Resurrection Trail is a CSU within the CNF.

(P.3-33) In the second complete paragraph, change the third sentence to:

Therefore, USACE, FHWA, and the Forest Service must make decisions about the Resurrection Trail that are appealable to the President. USACE, FHWA, and USFWS must make tentative decisions about use of KNWR Wilderness and forward them to the President for a final decision.

3.2.3 Environmental Consequences (Forest Plan)

(P. 3-51, other sections of roadless) The EIS states that the “[Forest} plan could require amendment because of IRA land use”. The Roadless Rule is a Federal regulation separate from the Forest Plan. The process for applying an exception to the Roadless Rule involves approval from the Secretary of Agriculture (or delegate) but does not require a Forest Plan amendment. The IRA boundaries would not change.

3.2.3.2 Issues Applicable to the Build Alternatives

(M) Brown Bear Habitat Management Standard 1: “Within the 750-foot brown bear management zone (areas of localized feeding areas) new road construction is not allowed.” Three of the build alternatives for new road construction fall within the 750-foot brown bear management zone (p. 3-45). There are inconsistencies between the designed alignments of new road construction under these alternatives not only with the completed road and bridges, but also with the associated construction disturbances which could be significantly more disruptive to bears and bear foraging opportunities. These impacts should be fully addressed and mitigated during agency consultations as well as within any required forest plan amendments that might permit these actions.

(P) Raptor Nest Protection Management Standard 1: “Follow bald eagle nest protection standards outlined in the Memorandum of Understanding (MOU) with USFWS.”

The Bald Eagle MOU with USFWS has expired. The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c) provides for specific protections as well as consultation requirements and other USFWS compliance expectations that will be required to be met prior to project initiation.

3.2.4.3 Cooper Creek Alternative

(P. 3-51) The last sentence of this paragraph states that “the CNF plan could require an amendment because of IRA land use.” See comment above—IRA boundaries would not change if the highway was permitted under the exception described in the Roadless Rule. “IRA land use” would not require a Forest Plan amendment. This comment applies to the other alternatives in this section as well.

(P. 3-52) The footnote “b” on Table 3.2-1 is not entirely accurate: “The State and Borough Land surrounding this Federal land is principally intact and without roads”. The Cooper Lake Dam road travels through the Borough land nearly adjacent to the isolated federal parcel of the Kenai Lake IRA.

General comment – the exception in the RACR allows a Federal Aid Highway project in an IRA if the Secretary determines that it is in the interest of the public and that “no reasonable and prudent alternative exists.” In order for the “Secretary” (delegated – in this case, the Chief must approve) to make this determination, the record must support that “no reasonable and prudent alternative exists.” The FS will need to rely on the FHWA’s rationale for their selected alternative to support this.

3.2.4.5 Juneau Creek and JC Variant Alternatives – Construction Impacts

(P. 3-54) The sentence under the “Construction Impacts” heading indicates that the project will have impacts to the roadless policy. This project does not affect Roadless policy.

3.2.5.5 ANILCA Factors

(P. 3-57) In the first paragraph under factor (B), the DSEIS does not address this factor directly but points to the Section 4(f) analysis. The Section 4(f) analysis isn’t relative to this ANILCA factor. There are two alternatives that do not affect CSUs - Cooper Creek Alternative and G-South Alternative.

The second paragraph under (B) provides rationale as to why agencies should consider Juneau Creek and Juneau Creek Variant (economic feasibility) and Section 4(f) properties to consider. If the alternatives are more expensive but are still included in the DSEIS for analysis, then they are still considered feasible alternatives. Page 4-133 in the Section 4(f) analysis indicates that there is not a substantial cost difference between the alternatives.

3.2.7.2 Issues Applicable to the Build Alternative (KMTA Heritage Area)

(P. 3-63) DOT will need to work with USFS and MOU group for thematic design elements, media for production, and appropriate placement for any interpretive signing.

3.4 Housing and Relocation

Chapter 3.4.2.5 Housing/Relocation – Juneau Creek Variant Alternative

(P. 3-97) The DSEIS does not disclose the full effect on the CIRI land parcel. The construction of the highway would require acquiring 12.3 acres of the 42 acres of CIRI land but the alternative goes through the main part of the parcel and would cut off all access to the northwest corner of the parcel making it unusable for any development requiring motorized access.

3.5 Economic Environment

Chapter 3.5.2.2 Issues applicable to the Build Alternatives

(P. 3-107) In the third paragraph on this page, there is a statement that proposed mitigation for recreation impacts could attract more visitors, and provide for better directional and interpretive signing. Most of the new facilities would be replacement facilities with the same capacity, signing, and interpretive opportunities thereby not improving what is currently available. The new trailhead for the Resurrection Pass Trail would be the only facility which would have an increase in size and improved functionality due to the closer proximity to the Juneau Creek Falls and different recreation user groups anticipated to use the trail (tour groups on buses, older and younger visitors, guided visitors, etc) from this new trailhead. Overall increase in recreation visitation across the peninsula due to the project is not anticipated per other sections in the DSEIS (P. 3-120, second paragraph). The Forest Service will need to work with the DOT on appropriate location and thematic messages of any new interpretive signing.

3.5.2.2 Issues Applicable to All Build Alternatives

(3-120 vs. 3-106 vs. 3-266) The DSEIS is inconsistent in its representation of the effects of a new alignment on overall traffic volume through Cooper Landing. On page 3-120 (Transportation), the DSEIS states that “the build alternatives are not expected to change traffic volumes traveling east and west, the overall traffic volume, traffic growth rate, or the mix of vehicle types”. Page 3-266 (Air Quality), states that “the build alternatives would not induce growth.” But on 3-106 (Economic Environment), the DSEIS claims that “visitation at popular vacation and fishing destinations may increase on the peninsula...development of second homes and retirement homes may also increase”, presumably due to the “decreased travel time and improve[d] ease of travel” along a new highway around Cooper Landing. The document should be consistent in its representation of whether or not a more seamless route around Cooper Landing will encourage more visitation to the area and communities further down the highway. The “Economic Environment” effects section, in particular, appears to contain unsupported conjecture.

3.6 Transportation

3.6.1.1 Transportation – Roadway System

(P. 3-113) At the bottom of the page under Quartz Creek Road, Crescent Creek Campground should be added to the list of places that the Quartz Creek Road provides access to.

(P. 3-114) USFS Logging Roads – Reference to Juneau Bench Trails is not correct. The Forest Service does not refer to these logging skid roads as trails.

3.6.2.2 Transportation – Pullouts

(P. 3-120) In the 4th paragraph, the DSEIS states that all pullouts along the existing alignment where reconstructed would be eliminated with exception of two on the KNWR. Currently snow machine enthusiasts and other recreation users park along the edge of the highway at MP 53 (pullout #14 on Map 3.6-2) due to the inadequate size and design of the current Resurrection Pass Trailhead for vehicles and snow machine trailers. For the Cooper Creek Alternative, winter recreation parking along the reconstructed highway in this section without some type of pullout may cause some safety concerns.

3.6.2.3 Transportation – Construction Impacts of Cooper Creek Alternative

(P. 3-129) In paragraph 3 on this page, the DSEIS states the construction of the Cooper Creek alternative will require temporary closure of the Cooper Lake Dam road. It would be important to disclose what is meant by temporary (one day, 2 weeks, all summer).

3.6.2.3 Transportation – Mitigation of Cooper Creek Alternative

(P. 3-129) The mitigation measures do not include other roads that may require access during construction periods (the Schooner Bend Administrative site road, the Juneau Creek Road, and Broadview Guard Station). Please include language in the DSEIS that for access to other Forest Service administrative roads, the construction contractor will work with Forest Service to minimize conflicts for these roads. This would also apply to G-South, and with JC and JCV alternatives for the Broadview Guard Station site.

3.6.2.3 Transportation – Construction Impacts of Juneau Creek/Variant Alternatives

(P. 3-134) The construction impacts section does not mention if the construction contractor will be requesting permission from the Forest Service to utilize the Juneau Creek Road for construction access for Juneau Creek alternatives. If the Forest Service would grant access and if this road is plowed in the winter (Dec 1 – May 1) for construction access, it could affect winter snow machine access every other year until alternate winter access is constructed off the new alignment.

Chapter 3.7 River Navigation

(P. 3-152) Russian River Ferry does not operate with a motor, it uses a set of cables and a rudder with the Kenai River current moving the boat one way or the other across the river pending which way the rudder is turned.

3.8 Park & Recreation Resources

3.8.1.1 Parks and Recreation Resources – Overall Recreation Character

(P. 3-163-164) The list of public and private sites throughout the project area does not include the sites accessed by Bean Creek Road (although these are shown on the Map 3.8-1) or the Stetson Creek Trail Alternative route entrance at highway pullout.

(P. 3-166) The foot note (b) in Table 3.8-1 does not recognize that there are National Forest System lands at Sportsman’s Landing (See map 4-9 on page 4-161). These lands are part of the Kenai River Recreation Area.

(P. 3-168) The last sentence in the third paragraph may be misleading in the way it is written:

The recreation analysis indicates that it is difficult to estimate the actual use of the river since the number of anglers who park on the road and hike in probably exceeds the number of “countable” users of the area. It is saying that the number of people who park along the road in total is more than the number of people who use developed parking areas such as Russian River CG, Sportsmans Landing, Jim’s Landing. There

are a lot of people who do park along the highway but the Forest Service estimates it is still less than those who use developed recreation locations.

3.8.1.3 Water Based Recreation Resources

(P. 3-169) Table 3.8-3 does not represent those boaters who put in at the Kenai River bridge and take out at Sportsman’s Landing boat launch. These boaters are both guided and non-guided. The Forest Service does not have any estimate of users on this section of river but the DSEIS could establish that more boaters use the river than the number represented in this table.

3.8.1.4 Land-Based Recreation Resources

(P. 3-170) The last paragraph lists the approximate number of users on the four area trails at 9,000 - 11,000 (hiking). The Forest Service estimates Lower Russian Lakes Trail at around 26,500 users annually, Resurrection Pass Trail system (South, North, Devils Creek, and Summit) at around 10,000 users, and no estimate is known for use on Stetson Creek Trail and Bean Creek Trail.

3.8.2.3 Cooper Creek Alternative

(P. 3-180) Statements seem inconsistent in first paragraph. First it describes how the feel of the campground will change due to the new highway noise: “Campground users would be aware of its presence...leaving the impression that the campground was backed by a highway and a bridge rather than quiet woodland”, then it says that “no substantial noise increase” is expected.

3.8.2.3 Overall Recreational Character

(P. 3-177) In the second paragraph, there is discussion about the informal pullouts that would no longer exist along the Mile 53-55 section. Comment under Chapter 3.6.2.2 (P. 3-120) applies here for effects of the Cooper Creek alternative.

3.8.2.4 G-South – Direct Impacts

(P. 3-184) In paragraph one, there is discussion about winter recreationists using the new highway shoulder to access Bean Creek Trail when the new Bean Creek Trailhead is not available and the hazards associated with this activity. This section may be in error as Map 4-7 in Chapter 4 indicates there will be a pullout to accommodate winter parking. Creating this winter parking is critical because the current winter parking for Resurrection Pass trail (for snow machine users particularly) will be eliminated by removing the widened shoulder parking near Resurrection Pass Trail along existing Highway alignment at Mile 53.

In the second paragraph on this page, there are statements that indicate by putting the new bridge in across the Kenai River, it would change the setting from natural to roadside. The existing highway already is within sight and hearing of boaters who use this section of the Kenai River so adding a new bridge may change the setting incrementally to a more evident road setting but not from a natural setting as is described in the DSEIS.

3.8.2.4 G-south – Mitigation

(P. 3-188) Bean Creek Trail should be deleted from the description under the Slaughter Gulch Trail of potential areas to be concerned with people parking along the highway. G-South alternative will have a new Bean Creek Trailhead as mitigation.

Chapter 3.8.2.5 JC and JCV direct and indirect impacts

(P. 3-189-190) In the third paragraph the first sentence which describes the benefit of removing 70% of the traffic from the existing highway corridor applies to G-South and Cooper Creek Alternatives (at varying levels of length of road) and should be shown for these alternatives also.

Bottom paragraph describes a potential situation of anglers parking along shoulders of the new alignment that might arise with the JCV alignment joining the existing highway at Sportsman’s Landing rec site. The existing highway will still be available and informal parking will not change in this section with either JC alternative. FS is uncertain on how much more informal parking would occur being farther away from the river and with the existing informal parking capacity unchanged.

3.8.2.5 JC and JCV construction impacts

(P. 3-194) There is no mention under the construction section if the Juneau Creek road would be used to access construction sites for either JC or JCV alignments on top of the bench. If the road would be used in the winter months for construction access, the winter snow machine users (allowed on the trail every other year) would not be able to use this road as it would be plowed.

3.10 Subsistence

3.10.1 Affected Environment

(P 3-216) You should note that Russian River Federal Subsistence Dipnet Fishery harvest units are not found in State regulations. Household limits under Federal Regulations for this fishery are 25 for head of household and 5 for each additional household member. Under Federal Regulations sockeye salmon is the only salmon permitted to be harvested on the Russian River dip net fishery.

Federal Subsistence caribou harvest is now allowed for the rural communities of Cooper Landing and Hope

3.10.2.1 No Build Alternative; Direct and Indirect Impacts; Changes in Resources, Resource Habitat, or Competition

(P 3.221) The second sentence in the second paragraph is not completely correct.

“However, for resources such as fish and moose, subsistence harvests are restricted on federal lands to residents of local rural communities.”

This sentence would more accurately read:

However, resources such as fish and moose harvested on a Federal subsistence permit are restricted to only residents of the local rural communities on Federal lands. These resources can be harvested by all hunter/fishers on Federal lands under State fish and game regulations.

3.10.2.2 Subsistence – direct effects for build alternatives

(P. 3-224) Paragraph four has wording that indicates that some of the build alternatives would add new trails and trailheads thus improving access to areas for subsistence activities. The build alternatives are adding replacement trailheads because existing trailheads will no longer be functional with the new alignments. Some of the replacement trailheads may be closer to backcountry areas; the Forest Service does not anticipate the overall subsistence use to increase based on these replacement facilities. Page 3-226 has this same wording in paragraph two and page 3-227 in paragraph two.

3.12: Geology and Topography

3.12.1 Affected Environment

(P. 3-239) Please provide basic geology, rock types across the project area. Discuss rock and soil mechanics and project implications.

3.12.2.3; 3.12.2.4; 3.12.2.5 Various Build Alternatives

(P. 3-241 thru 3-244) Each build alternative will require a substantial amount of materials and that fact, type of materials, and order of magnitude amounts should be discussed and treated as a cumulative impact associated with this project. One reference to construction materials (3.24 Permits, 3-465) states that this would be the contractor's responsibility; a project of this size will require substantive amounts of materials and adjacent land managers would likely need advanced notice of intent to request large quantities of materials, and the opportunity to prepare any necessary required environmental reviews to make material sites fully available. Mineral Material disposal from the Forest Service is not under Special Use regulation as stated in (3.24.2.2, p. 3-465) but permitted under Minerals Regulations at 36 CFR 228C.

3.12.2.4 G South Alternative

(P. 3-242) The R&M Consultants geotechnical report (2005) addressing potential bridge crossings has come to the conclusion that conditions "...would make a crossing of the lower [Juneau Creek] canyon impracticable". If this bridge crossing is impracticable, discuss site facts leading to that conclusion. An impracticable bridge crossing location associated with the G South Alternative is likely to be extremely significant when selection of the preferred alternative is made and needs to be prominently included in the EIS and made readily available to the Deciding Official.

3.12.2.5 Juneau Creek and Juneau Creek Variant Alternatives

(P. 3-243) The R&M Consultants geotechnical report (2005) spent considerable focus on a middle Juneau Creek bridge crossing location; considerable question on the suitability of a middle bridge location remains and inadequacies of geotechnical studies are apparent within the report as indicated by statements such as the following:

"...This is not to say that a fatal flaw will not be encountered in the middle canyon...."

"Subsurface investigation has not been performed along this canyon and the depth of lateral extent of these unstable zones is unknown."

"There still may be considerable geotechnical risk at this location, significantly more than a crossing above the falls."

"...may require seismic refraction surveys and angled rock core borings."

Develop a more detailed discussion on "Juneau Creek and Juneau Creek Variant Alternatives" with regards to bridge location(s), the unknowns, potential fatal flaws, practicability, backup plan if a fatal flaw is identified and that alternative was selected.

3.13: Water Bodies and Water Quality

(P. 3-248) I recommend adding in some language mentioning the Cooper Lake Hydroelectric Dam in the headwaters of Cooper Creek.

(P. 3-248) Additionally, the Kenai Watershed Forum, in conjunction with multiple state and federal partners, has been collecting water quality data on the Kenai River and several of its tributary's since 2000. The Kenai Watershed Forum compiles the data into available reports.

(P. 3-255) Is DOT aware of the Forest Service plans to complete stream, riparian and floodplain restoration along the lower 1.5 miles of Cooper Creek below the proposed bridge crossing location over the canyon? If not, it is recommended that they work with the FS to ensure that the restoration work and bridge designs will be compatible.

3.15 Noise

(P. 3-280) The last paragraph under Mitigation section indicates that pile driving for bridge replacements is the primary noise impact. The mitigation is that pile driving would be limited to daytime hours. Please be more specific on what “daytime” constitutes (max daytime hours could include 4 am – 12 midnight; 8am – 5 pm? 7am - 7 pm?).

(P. 3-281) There is no discussion of current noise levels on the Resurrection Pass Trail although Map 3.15-1 on page 3-283 indicates that there are two receptors on this trail. Given the sensitivity of the trail and level of anticipated change, some discussion on existing noise and level of change for this trail should be displayed in this section.

(P. 3-282) Under the mitigation section, there is no discussion of the potential of prohibiting use of air compression brakes on larger trucks on steeper slopes. This type of mitigation is applied in other locations across the United States.

3.16 Visuals

Chapter 3.16.2.2 Visuals – Issues applicable to build alternatives (P. 3-293)

The VQE rating for Key View 12A and 12B for the JC and JCV alternatives is listed as M/L. When looking at the simulated photos provided on page 3-303-304 and comparing these to the three criteria on page 3-291 (vividness, intactness, unity), and the existing rating of “High” for all of these criteria for the two views, the Forest Service believes that the bridge would have more visual impact than is displayed (a “Low” rating for each of these views). The vividness criterion needs to be applied to the natural experience and visual sight this area currently provides. A large highway bridge does not contribute to the naturalness of the area in anyway. The visual intactness of this view is much less and the unity is not a completely natural scene anymore.

Under Construction Impacts, there is no mention of the laydown area for bridge construction.

This will be a sizeable area that could have impact on the visual quality of the area. As the trail will be going through this area, it makes it all the more critical that there are mitigation measures in place that will help reduce the visual impact of both the bridge and the area needed to construct the bridge.

Mitigation in all cases should include the planting of seedling trees on cut/fill slopes to help mitigate the negative visual effects. The text only talks of seeding the areas. Mitigation should also include varying the slopes in both steepness and contour so they do not appear engineered, but have a more natural appearance.

(P. 3-294) Table 3.16-4 VPP score by alternative is helpful to compare alternatives but the existing conditions VPP score is not listed. The existing conditions score would be helpful to know the impact of each alternative from today’s highway alignment.

3.16.2.5 Visuals - JC and JCV direct impacts

(P. 3-301) The last sentence in the fifth paragraph is not appropriate for this analysis. The recreating public who hike Resurrection Pass Trail are unlikely to perceive the proposed Juneau Creek bridge in the JC and JCV Alternatives as a “striking, contrasting visual element that would add vividness to the view”. The addition of the bridge to the existing natural view would be considered a negative impact for the majority of recreationists. The last paragraph also has inappropriate wording to describe the visual effects (“...passage under a bridge....could be a “gateway” to the more remote portions of the trail.”). The trailhead really serves as the “gateway”. The bridge would be a visual obstruction of what people come to Resurrection Pass Trail to experience.

This section addresses the impact to trail users, but only lowers the visual from high to moderate/low. This impact will probably lower the trail experience from high to low, especially for trail users and campers. The noise and visual intrusion of the bridge to the experience are substantial. This impact drastically lowers the wilderness experience for trail users and campers.

3.17 – Hazardous waste sites and spills

(P. 317-2) It would be helpful to the reader to display Tier II stream locations on Map 3.17-2 to better understand the spatial location of these streams and how each alternative would affect them regarding potential spills.

3.19 Floodplains

3.19.1.1 Regulatory Setting

(P. 3-329) Recommend inclusion of the Revised (January 2015) Executive Order Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input (Amendments to Executive Order 11988) and its incorporation of climate change. Ensure that the Executive Order description includes the most up to date language.

3.19.1.2 Effective and Preliminary (100-Year) Floodplain Mapping

(P. 3-330) Similar comment to above: has the DOT incorporated Revised Executive Order 11988 into the Floodplain mapping and stream crossing and culvert designs to accommodate climate change predictions? If not this will need to be addressed or revised.

In order to provide additional resiliency in light of climate change, under the Obama Executive Order Federal agencies are no longer required to look only at the 100-year floodplain as defined by FEMA. Executive Order 11988 requires each federal agency relevant authority to issue or amend regulations governing its activities in the floodplain that were consistent with the risk management principles set forth in the Order, and included a specific requirement that agencies with responsibilities for federal real property and facilities in the floodplain ensure that their regulations are “consistent with the intent of those promulgated under the National Flood Insurance Program.” E.O. 13960 adds an additional requirement that these regulations also be consistent with the Federal Flood Risk Management Standard. The Federal Flood Risk Management Standard was “developed to create a national minimum flood risk management standard to ensure that federal actions that are located in or near the floodplain when there are no other practical alternatives last as long as intended by considering risks, changes in climate, and vulnerability.” Adopting the Federal Flood Risk Management Standard, E.O. 13960 implements its new definition of the floodplain. Previously, the floodplain was defined as the area in which there was a 1% chance of flooding in any given year (the 100-year floodplain or “base flood”). Under the approach of the Federal Flood Risk Management Standard, flood elevation can be determined by (1) use of best available data, including expected future changes in flooding based on climate science; (2) freeboard (base flood elevation plus 2 feet in most areas or 3 feet in critical areas); or (3) the 500 year flood elevation. The Flood Risk Management Standard states that the “climate-informed science approach is preferred.”

3.19.1.3 Kenai River Flood Levels at Cooper Landing

(P. 3-330) I recommend including mention of the influence of the Snow River glacial outburst floods on the Kenai River flooding.

3.20 Wetlands and Vegetation

Table 3.20-1. Mapped wetland types (P. 3-340) Total mapped acres = 4,414.4, however, Table 3.20-2 (P. 3-343) total mapped acres = 4,972. The reason for the difference should be explained.

Table 3.20-2. Mapped vegetation types (P. 3-343) Total mapped acres = 4,972, however, Table 3.20-1 (P. 3-340) total mapped acres = 4,414.4. The reason for the difference should be explained.

3.20.1.2 Vegetation

(P. 3-344) Under Broad-Leaved Forest species I suggest renaming “paper birch” as “Kenai birch”. The Flora of North America does not recognize paper birch (*Betula papyrifera*) as being present on the Kenai Peninsula (http://www.efloras.org/florataxon.aspx?flora_id=1&taxon_id=103887) instead the taxon recognized there is Kenai birch (*B. kenaica*).

I suggest renaming “Dry Meadows” as “Moist Meadows”. Viereck et al. (1992) is generally regarded as the vegetation classification standard for Alaska. Under Viereck et al. (1992) communities dominated by bluejoint reedgrass or fireweed are in mesic herbaceous classes (not dry herbaceous).

Citation: Viereck, L.A., C.T. Dyrness, A.R. Batten, and K.J. Wenzlick. 1992. The Alaska vegetation classification. USDA Forest Service General Technical Report PNW-286, Pacific Northwest Forest and Range Experiment Station, Portland, Oregon. 278 p.

3.20.1.4 Sensitive Plant Species

(P. 3-344) Based on Table 3 of Goldstein et al. (2009), the text “The list, updated from 2002 to add seven new species, designated 18 plants found in Alaska as sensitive species” should be revised to read “The list, updated from 2002, retained seven species as sensitive, removed 12, and added 11 for a total of 18”. Without this revision the text implies that the only change in the list was adding species (and incorrectly indicating seven rather than 11 additions).

Also, the text “Thirteen of these species were known or suspected to occur within the CNF and nine species were known or suspected to occur specifically in the Seward Ranger District (Table 3.20-3)” should be revised to read “Based on a matrix of sensitive plant occurrence by general habitat and ranger district (Stensvold 2013) twelve of these species were known or suspected to occur within the CNF and nine species were known or suspected to occur on the Seward Ranger District (Table 3.20-3)”. Stensvold (2013) is the most current listing of occurrence by general habitat and ranger district.

(P. 3-34) Based on Stensvold (2013) replace Table 3.20-3 with the following:

Known Suspected

Eschscholtz's little nightmare (*Aphragmus eschscholtzianus*)a

Sessileleaf scurvygrass (*Cochlearia sessifolia*)a

Spotted lady's slipper (*Cypripedium guttatum*)a

Pale poppy (*Papaver alboroseum*)a

Unalaska mist-maid (*Romanzoffia unalascensis*)a Spatulate moonwort (*Botrychium spathulatum*)

Moosewort fern (*Botrychium tunux*)a

Moonwort fern, no common name (*Botrychium yaaxudakeit*)a

large yellow lady's slipper (*Cypripedium parviflorum* var. *pubescens*)

lichen, no common name (*Lobaria amplissima*)

Alaska rein orchid (*Piperia unalascensis*)a

Dune tansy (*Tanacetum binnatum* ssp. *huronense*)a

The reasons for these changes are: Mountain lady's slipper (*Cypripedium montanum*) and Calder's lovage (*Ligusticum calderi*) are not currently known or suspected on the CNF. Sessileleaf scurvygrass

(*Cochlearia sessifolia*) and spotted lady’s slipper (*Cypripedium guttatum*) are known on the CNF and *Lobaria*

(P. 3-345) The text “Two of the added species (sessileleaf scurvygrass and dune tansy) were excluded from evaluation due to their association with habitats not identified within the project area (marine estuaries and sand dunes, respectively)” should be revised to read “Three of the added species (sessileleaf scurvygrass, *Lobaria*, and dune tansy) were excluded from evaluation due to their association with habitats not identified within the project area (marine estuaries, the beach/forest ecotone, and sand dunes, respectively)”. This edit is desired since the lichen *Lobaria amplissima* is suspected on the CNF but not on the Seward Ranger District and the species habitat (beach/forest ecotone) is not present in the project area.

(P. 3-345) The text “Based on the associated habitat types, the remaining five species (spatulate moonwort, spotted lady’s slipper, mountain lady’s slipper, large yellow lady’s slipper, and Alaska rein orchid) may potentially occur in the project area since the area contains appropriate habitat and is within the known or suspected range of the plants. Of these species, the two most likely to occur in the project area are the spotted lady’s slipper and the Alaska rein orchid, as they are the only two of the five that are suspected to occur in the Seward Ranger District. The remaining three are not suspected to occur in the Seward Ranger District, but are suspected to occur within the larger CNF” should be revised to read:

“Based on the associated habitat types, the remaining four species (spatulate moonwort, spotted lady’s slipper, large yellow lady’s slipper, and Alaska rein orchid) may potentially occur in the project area since the area contains appropriate habitat. Of these species, the two most likely to occur in the project area are the spotted lady’s slipper and the Alaska rein orchid, as they are suspected to occur in the Seward Ranger District whereas spatulate moonwort and large yellow lady’s slipper are not”

This revision is necessary since mountain lady’s slipper is not known or suspected on the CNF and of the four remaining species only spotted lady’s slipper and Alaska rein orchid are known or suspected on the Seward Ranger District.

(P. 3-345) The text “Review of daily plant lists from 2003 and 2006 field surveys did not identify presence of the five sensitive species in question. While the field surveys were not specifically designed to search for the five species, both efforts covered all appropriate habitats in which the five species have the potential to occur. Field surveys also documented all plant species found in all habitat types and would have documented the presence of the five species in question if they had been located. Additionally, the four orchid species are visually dramatic, and would be unlikely to be overlooked by the botanists conducting the surveys. This review suggests that it is unlikely that any of the five sensitive species in question occur in the project area” should be revised to read:

“Review of daily plant lists from 2003 and 2006 field surveys did not identify presence of the four sensitive species in question. While the field surveys were not specifically designed to search for the four species, both efforts covered all appropriate habitats in which the four species have the potential to occur. Field surveys also documented all plant species found in all habitat types and would have documented the presence of the four species in question if they had been located. Additionally, the three orchid species are visually dramatic, and would be unlikely to be overlooked by the botanists conducting the surveys. This review suggests that it is unlikely that any of the four sensitive species in question occur in the project area”

This revision is necessary since there are four (not five) species in question and three (not four) of the species in question are orchids.

3.20.1.5 Invasive Plant Species

(P. 3-346) DeVelice (2003) is a more appropriate citation to use than DeVelice et al. (1999) in reference to locations occupied by invasive plants.

Citation: DeVelice, R.L. 2003. Non-native plant inventory: Kenai trails. USDA Forest Service, Chugach National Forest, Alaska Region Technical Publication R10-TP-124. Anchorage, Alaska.

Replace Table 3.20-4 with the following:

Table 3.20-4. Extremely invasive plants, highly invasive plants, and Alaska prohibited noxious weeds documented in the project area

Scientific Name Common Name Invasiveness Rank/State Regulation

Phalaris arundinacea Reed canary grass 83 Extremely invasive

Melilotus alba White sweet clover 81 Extremely invasive

Cirsium arvense Canada thistle 76 Highly invasive / prohibited noxious weed

Vicia cracca ssp. *cracca* Bird vetch 73 Highly invasive

Galeopsis tetrahit Hempnettle 50 Modestly invasive / prohibited noxious weed

Elymus repens Quackgrass 59 Modestly invasive / prohibited noxious weed

aInvasiveness ranks are as defined by Carlson et al. (2008).

The reasons for these changes are: 1) the table does not include the third highest category of invasiveness as stated (i.e., “moderately invasive” with a rank range of 60 to 69) and 2) Carlson et al. (2008) was a multi-agency effort (not just the work of the Alaska Natural Heritage Program as inferred). In addition, I think it of value to include the actual numeric rank in the table.

3.20.2.3 Issues Applicable to the Build Alternatives

(P. 3-351 and P. 3-352) The influx and spread of invasive plants may likely be the most pernicious alteration to vegetation composition that could result from this project. The “Invasive Species” text on page 3-351 only speaks to areas adjacent to the existing highway not the build alternatives. The “Invasive Species” text on page 3-352 speaks to the build alternatives but should mention dirty construction equipment as a source of invasive plants.

(P. 3-355 and P. 3-356) Incorporating and following invasive plant prevention measures in road construction and maintenance as listed on pages 3-355 and 3-356 is important. As part of maintenance activities it would be good to explicitly include early detection and rapid response to invasions.

3.22 Wildlife

The Forest Service continues to express concern over the implementation of the findings from the ongoing Wildlife Study into the project design post signing of the ROD. The issue of wildlife in the project corridor is larger than simply keeping animals from collisions with vehicles and successfully moving them across the new roadway corridor. Without the results of the study, it is impossible to provide full disclosure as to the effects with regards to wildlife corridors, population growth, and landscape connectivity.

Considering that much of the habitat use and travel corridor reference information is from 2004 and earlier (Map 3.22.1), it is unfortunate that development of structures supporting safe wildlife movement have not been part of the initial project design and available for comment now. Wildlife crossings in Alaska should be considered a fundamental part of project design and not evaluated as optional

mitigations, subject to program discretion. Major wildlife travel corridors, like those identified along Juneau and Cooper Creek should be designed for maximum permeability and protection for wildlife (moose, bears, otter, wolves, etc.), whichever alternative is selected. New information should help refine placement and structure design, but findings should be incorporated sooner than later.

The Juneau Creek, Juneau Creek variant and G South alternatives contribute to significantly more disturbance and disruption to wildlife and their habitats. These impacts will be both short term during construction and associated activities as well as long term post construction when the magnitude of traffic, recreational users and residents will be dramatically more than what exist currently. Although there is public and private occupancy of those areas north of the Kenai River, the associated impacts are limited in scope and duration due to topography and access. Multiplying the associated habitat fragmentation to both sides of the Kenai River from MP 46.5 to 55, will contribute to lasting impacts to wildlife population distributions affecting not only the animals themselves, but the residents that rely upon them for subsistence and other uses. The Cooper Creek Alternative affects fewer new acres overall as well as maintaining primary travel routes and associated disturbance south of the Kenai River similar to existing.

I disagree with the statement that “None of the build alternatives is likely to change bear mortality due to hunting” from page 3-414. This statement appears to be limited to lawful harvest of bears, which is highly monitored and regulated. Unfortunately, with the increased disturbance and loss of habitat under all alternatives, opportunities for unlawful harvest are increased. This expectation is supported within footnote at the bottom of the page which acknowledges an expected increase in human-bear encounters and DLPs and I suggest an increase in unlawful harvest is a likely probability as well. The increased magnitude of impact of the Juneau Creek alternatives as well as the more remote (away from subdivisions and other regularly occupied areas) placement of the alignment offer an even greater potential for unlawful take of bears and other game species.

Artificial lighting is planned for multiple intersections of the Juneau Creek Alternative and maybe others. Artificial lighting can negatively affect many wildlife species, including migratory birds and bears. Project design standards should ensure light fixtures and associated bulbs meet wildlife friendly design criteria, to include the use of long wavelength lights with a red or yellow tint to minimize impacts.

3.24 Permits

(p. 3-463) The second paragraph should include Federal: “Additional Kenai Peninsula Borough (Borough), Federal, and State permits may be required to address conditional land use, material extraction, temporary water use, and air quality permits associated with construction activities.”

3.25 Short-Term Uses vs. Long-Term Productivity

General: This section appears to draw conclusions regarding specific resources that are not necessarily supported in the resource sections themselves. Statements such as “the short-term use of the land as a recreation resource is minor in comparison to the land available for this use” neglects to consider the context in which this recreation area exists, or any cumulative effects from this conversion of use.

3.27: Cumulative Effects

As a general note, there doesn’t appear to be any cumulative effects discussion for roadless areas.

3.27.4.3 Reasonably Foreseeable Future Actions

State Land Management Unit 395 Rural Residential Development

(Pp. 3-478 – 3-480) The DSEIS suggests, on page 3-480, no difference in impacts to National Forest System lands associated with a decision not to provide access directly from the realigned highway to Unit 395 under either of the Juneau Creek alternatives—based on the reasonably foreseeable future action of residential development of State Management Unit 395. However, realignment of the highway through surrounding National Forest System lands under either of the Juneau Creek alternatives would affect lands and resources managed by the USFS and a decision not to provide access directly from the highway to Unit 395 has the potential to result in cumulative effects to surrounding National Forest System lands and resources. A connected action related to access is a reasonable and appropriate consideration that should be included in this analysis.

3.27.2 Resources assessed for Cumulative Impacts

(P. 3-473) There is no cumulative effects analysis for Hazardous Waste and Spills. This is an oversight in this document because the existing highway sections for all build alternatives will still have large truck traffic including fuel trucks and other large vehicles travelling at the same speeds as they do today on this section. Most of the commercial traffic will be on the re-routed location but some will remain on the current highway alignment to service local businesses. How this level of risk adds cumulatively to the other build alternatives.

3.27.3.2 Timeframe Scope of Analysis

It's not clear why the future timeframe is 20 years. The DSEIS mentions a “project design year” but it's not clear what that is.

3.27.4.3 Reasonable Foreseeable Future Actions

(P. 3-477) Under the Russian River Campground Entrance improvements section on this page, the wording needs to be corrected to indicate that the Russian River Campground Reconstruction Project has already been evaluated in the NEPA process with a decision signed on August 25, 2014..

(P. 3-479) Discussion in last paragraph is concerning a future Borough request to utilize the Juneau Creek Road for subdivision development and use. See comments under Chapter 2.6.5.2

3.27.5.7 Park and Recreation Resources

(P. 3-483) This section (alternately, or in addition to, Section 3.27.7.7) should explicitly acknowledge the effects of various alternatives on USFS Recreation Area withdrawals.

3.27.5.15 Wildlife

The wildlife resources section and wildlife cumulative effects section appear to be inconsistent in their discussions of brown bear populations and connectivity/isolation (3-393 vs. 3-486). It appears that the direct/indirect effects section incorporated the most recent brown bear population data (Morton, Bray, et al. 2014) but the cumulative effects section only referenced the 2013 version of Morton, Bray, et al. which was revised in 2014. This is further confused with the inconsistency of citation as the 2014 publication was cited as “USFWS and USFS 2014”.

3.27.7.7 Cumulative Effects for Parks and Recreation

(P. 3-497) Paragraph two indicates that a new winter recreation/snowmachine enhancement area will be built in future by Chugach Electric Association. This facility is already built on Snug Harbor Road.

In paragraph three, there are statements that indicate it is likely that the Forest Service or Borough would provide winter trailhead parking within the new subdivision if the new subdivision develop changes the

Juneau Creek road. These statements are speculative in nature and need to be removed from the document.

3.27.7.11 Floodplains

(P. 3-505) Revise the Floodplain Cumulative Effects Analysis to take into account the effects on the new definition of floodplain from the revised Executive Order 11988 adopting the Federal Risk Management Standard, E.O. 13960

Adopting the Federal Flood Risk Management Standard, E.O. 13960 implements its new definition of the floodplain. Previously, the floodplain was defined as the area in which there was a 1% chance of flooding in any given year (the 100-year floodplain or “base flood”). Under the approach of the Federal Flood Risk Management Standard, flood elevation can be determined by (1) use of best available data, including expected future changes in flooding based on climate science; (2) freeboard (base flood elevation plus 2 feet in most areas or 3 feet in critical areas); or (3) the 500 year flood elevation. The Flood Risk Management Standard states that the “climate informed science approach is preferred.”

3.27.7.14 Wetlands and Vegetation

(P. 3-507) Under the Cumulative Effects – No Build Alternative it states that “only a small amount of wetlands will be impacted by the RFFAs” and that “There are no anticipated changes or additional impacts to wetland resources or vegetation from the No Build Alternative. Therefore, the No Build Alternative, in combination with past, present and RFFAs, would not have a cumulative effect on wetlands and vegetation.” These sentences are understated and there is a cumulative effect on the wetlands for the following reasons: 1) The RFFA’s include more than 160 acres of directly impacted wetland. This impact is nearly 4% of the total wetlands in the project area. Though this amount may not be substantial, it is still a cumulative effect. 2) The No Build Alternative will continue to indirectly affect 60 acres of wetlands and ponds located within 300 feet of the current highway. The Water Quality Section (P. 3-500) illustrates how the No Build Alternative still affects Water Quality: “Due to the ongoing potential for nonpoint source water pollution associated with the No Build Alternative, combined with the potential for encroachment on water bodies by RFFAs, a cumulative effect on water bodies and water quality would occur.” If water quality is cumulatively affected as stated on P. 3-500, it is likely that it would have an effect on the adjacent 60 acres of wetlands as well.

Overall, I would suggest rewording this sentence to state “would not have a substantial cumulative adverse effect on wetlands or vegetation” or “would have a minimal cumulative effect on wetlands and vegetation.”

3.27.7.15 Wildlife

The CNF has invested in the Bean North Vegetation Management Project, which was designed in part to increase foraging opportunity for moose. The Juneau Creek, JCV and G South alternatives would overlap with these attractive moose habitat enhancement zones resulting in a loss of that habitat investment as well as increased conflicts (collisions/DLPs, etc.) with moose in those areas. The Cooper Creek alternative does not impact these areas.

Bridges on the Sterling Highway in the project area are expected to be replaced by 2043 (pg. 3-476). These replacements need to be constructed with wildlife/aquatic friendly design standards. Contrary to Table 3.27-3, wildlife could be impacted by the Sterling Highway Maintenance and Bridge Replacement. The opportunity exists for improvement in wildlife access and reduction in vehicle-wildlife collisions as a result of these efforts.

Chapter 4

4.2.4.1 Functions, Available Activities, Existing and Planned Facilities Change “The trail has been designated a National Recreation Trail and is considered a “conservation system unit” under ANILCA, affording it certain protections.” to “The trail is a National Recreation Trail and is a Conservation System Unit under ANILCA, affording it certain protections.”

4.2.4.3 Resurrection Pass Trail – Access and Use Levels

(P. 4-14-15) The bottom paragraph on the page should include the Forest Service estimate of 10,000 visitors using Resurrection Pass Trail system (north and south trailhead, Devil’s Creek Trail and Summit Creek Trail).

4.2.6.2 Stetson Creek Trail

(P. 4-17) Paragraph three has the wording “for miners with valid claims” several times. This language is technically not accurate. Most mining claims have not had a validity exam performed to determine if the claim is valid or not. The proper terminology is “properly located and staked mining claims”.

(P. 4-18) The informal parking for the Stetson Creek trail actually occurs on a pullout, most likely within the highway right-of-way on National Forest System lands, and not on borough lands as is described.

In response to your request for clarification in the cooperating agency draft with regard to the 5.1 acre disposal site south of the new highway alignment west of Cooper Creek CG, our proposal was to utilize a previously disturbed area at the existing Stetson Creek Trail parking. This area was utilized as a borrow pit source in the past and might work to use for disposal of material. Both the proposed construction disposal site and this existing site are within the Kenai River Recreation Area but this existing site is already disturbed. The current Stetson Creek Trail would be eliminated from the highway to the proposed loop trail because access to Stetson will be provided along the new highway section. Though this site is closer to Cooper Creek than the proposed location is to the Kenai River, it is a previously disturbed area, and material can be placed in a way and revegetated so that it is will be less susceptible to erosion. Please consider incorporating language in the DSEIS that DOT will coordinate with the Forest Service on site location, placement of materials, and revegetation practices for all construction staging and disposal sites that are proposed on National Forest System lands.

4.2.7.1 Kenai River Recreation Area – Size and ownership

(P. 4-18) The second paragraph under this section indicates that the recreation area is generally the Kenai and Russian Rivers confluence area. This is not accurate. While most visitors concentrate in the confluence area, the Kenai River Recreation Area spans the length of the Kenai River from Mile 49.7 near Cooper Creek Campground to Mile 55 near Sportsman’s Landing.

4.2.8.2 Juneau Falls – Functions, Available Activities, Existing Planned Facilities

(P. 4-20) This section has language concerning the Forest Plan and management area prescription that is applicable. This same section should be repeated in the other Forest Service Section 4(f) properties (P. 4.2.4.2, 4.2.5.2, 4.2.6.2, 4.2.7.2, etc).

(P. 4-20) Wording under this section needs to indicate that Juneau Falls is a day hike destination for many visitors. Wording such as “It is likely...” indicates uncertainty.

4.4.2 Ability to Avoid all Section 4(f) resources

(P. 4-37-38) Table 4.5-1 may be misleading in showing acres for the Charles Hubbard Mining Claims Historic District and the Kenai Mining and Milling Company Historic District as Section 4(f) use. On

page 4-99 in Table 4.8-2 the subscript (a) defines that only the contributing properties in the mining districts are protected by Section 4(f). Showing acreage in Table 4.5-1 leads the reader to believe that the whole mining district is covered under Section 4(f).

4.5.2 – Cooper Creek Alternative

(P.4-38) When the Forest Service worked with DOT and FWHA to determine which Section 4(f) properties were affected by each alternative, it was not clearly understood by the Forest Service that the pullouts along the highway near Mile 53 would be closed under this alternative. If the highway pullout is closed at Mile 53, this alternative will affect how winter recreationists have access to the Resurrection Pass Trail. The current trailhead is not designed for parking vehicles with snow machine trailers and is not plowed. The highway pullout is currently the only winter parking for the trail.

4.5.2.6 Confluence Traditional Cultural Property

(P. 4-44) The second bullet item on this page references the Beginnings Heritage Site. This paragraph states that the small parking area at the Beginning site would remain but in other sections in the document, it is stated that this site is closed to cultural interpretation (now provided at the K'BEQ site) and recreation use and eliminates this pullout in the Cooper Creek and G-South alternatives. The DOT will need to discuss future access to this site with the Forest Service and the Sovereign Nation of the Kenaitze as it pertains to the different alternatives and represent future access or lack future access consistently within the FEIS.

4.5.4.5 – Juneau Falls Recreation Area - JC and JCV alternatives

(P. 4-60) In the last paragraph there is a statement about closing Resurrection Pass Trail to foot traffic. This does not show up in the Resurrection Pass Trail description of effects of the JC and JCV alternative (P. 4-53-4-57) and was not discussed with the Forest Service. An alternate route would need to be identified by the Forest Service and built by the contractor to be open for those people using Resurrection Pass Trail. Access via Bean Creek trail is not an acceptable substitute.

4.6.4 Resurrection Pass Trail – measures to minimize harm

(P.4-73) The first paragraph indicates that snow machine users will still continue to use the Juneau Creek road for access if the JC or JCV is built. The pullout on the east side of the Juneau Creek road would only be used by skiers. It is unlikely that snow machine users coming from Seward, Moose Pass, or Anchorage would bypass the pullout near the bridge to drive all the way to Sportsman's Landing, then back track on the old section of highway to park at the highway pullout near the current Resurrection Pass Trailhead. In addition, if the Borough develops Unit 395 as a subdivision, this snow machine access would no longer be available and snow machiners would use the highway pullout near the new bridge as their only parking option.

The second to last bullet on this page and wording on page 4-74 where it states that access for users of Bean Creek and Resurrection Pass trails would be maintained across the construction area conflicts with the statements on page 4-60-61.

(P. 4-75) The USFS requests to develop adaptive mitigation measures for the CSU recognizing that if the Snow River bridges are not replaced within 10 years of onset of reconstruction of the Sterling Highway (if the Juneau Creek or Juneau Creek Variant alternative is selected/implemented), the USFS could request renegotiating with DOT&PF/FHWA the terms of the 4(f) mitigation. Alternate mitigation may include, but would not be not be limited to, fabrication and installation of trail bridges along the Iditarod National Historic Trail between Snow River and Turnagain Pass to provide connectivity on another long-

distance trail in the National Trails System. This ensures that the mitigation would be implemented at approximately the same time as road construction impacts the Resurrection Pass Trail.

4.8.2.3 JC and JCV alternatives – Resurrection Pass Trail - Ability to mitigate impact

(P. 4-107) This section describes four different measures to mitigate impact with a finding that these indicate substantial ability to mitigate impacts:

- 1) Passage of Resurrection Pass Trail under the new highway bridge
- 2) New trailhead parking to eliminate safety hazards of people wanting to park along the highway
- 3) Address Bridge aesthetics (the DSEIS does not exactly say how this will be done (Page 3-308))
- 4) Add pedestrian walkways to INHT to compensate for some of the loss of the long distance hiking experience on Resurrection Pass Trail.

Section 1508.20 Mitigation of the CEQ regulations describes the following as definitions of mitigation:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments.

Item 1, 2, and 4 fall under (e) above and item 3 may fall under (b). The Forest Service acknowledges the effort the DOT and FHWA has described to compensate for the impacts to the Resurrection Pass trail but compensating for the impacts does not reduce the effects of building a highway in a currently natural area. The Forest Service does not agree with the statement that “These measures indicate substantial ability to mitigate impacts”. The mitigation measures make the trail functional (passing under highway alignment) and reduce the highway safety concerns that could arise if a new trailhead was not provided for but again these measures do not reduce the impact.

(P. 4-108) The same discussion as the comment above for the Resurrection Pass Trail concerning ability to mitigate impacts applies to the Juneau Creek Falls area. The mitigation measures include an accessible trail to a new waterfall overlook developed site and safe passage across the new highway bridge for a loop trail experience. While these mitigation measures make the recreation situation safer for how a different set of visitors will use the area, they do not reduce the effect of taking a natural backcountry area and turning into it into a front country highway rest stop type of experience. The Forest Service does not agree with the statement “These measures would substantially mitigate impacts”.

(P. 4-109) The last sentence in the Magnitude of Remaining Impact for the Juneau Creek Falls Recreation Area should be deleted. Showing preference for the value of the Juneau Creek Fall Area as a front country recreation setting with a new highway alignment through the corner versus a natural backcountry setting as it is currently is not appropriate in a NEPA document.

4.8.3 Factor iii Relative Significance of each 4(f) property

(P. 4-110) The correct level of annual use should be displayed for Resurrection Pass Trail in Table 4.8-6. This is estimated at 10,000 visitors for the trail system.

4.8.4 Factor iv: Views of Officials

(P. 4-116) The wording in the Juneau Falls Recreation Area section is not quite accurate. The Forest Service worked with DOT on the location of the proposed trailhead and agreed that rather than have the proposed staging area and the trailhead be in different locations, it would be possible to utilize the staging area as the location of the trailhead and having the trailhead in the Juneau Falls Recreation Area would be an appropriate use of this area. The Forest Service did not use the term “enhancement” nor did the Forest Service “seek to achieve” a front-country experience for the recreation area. Having the trailhead within the Recreation Area would reduce the wetlands impact.

4.8.6.3 Juneau Creek and JCV alternatives

(P. 4-122) This section discloses that these alternatives would result in lower visual and traffic noise impacts than the Cooper Creek alternative but this statement does not take into account the higher impact of noise and visuals to the Bean Creek Trail, Resurrection Pass Trail, and Juneau Falls Recreation Area. As written, this summary is not complete and is misleading.

4.8.8.1 – Cooper Creek

Alternative (P. 4-124) Paragraph four indicates that Cooper Creek will have more traffic that is audible and visible to the Kenai River users. All alternatives will still have the existing highway along the Kenai River and the remaining 30% of the existing traffic will be still be audible and visible to the Kenai River users.

4.8.8.2 G-South Alternative

(P. 4-124) The paragraph under this section makes a statement that “the KRSMA is one of the most important Section 4(f) resources in the project area” but on page 4-113 there is a statement in paragraph two that says “it is not appropriate to rank all the properties in order of significance”. The Forest Service suggests changing this statement to read “The KRSMA is listed as one of five of the most significant resources in the project areas.” This paragraph also has wording about the traffic along the Kenai River being more audible and visible with this alternative than JC or JCV. See comment under Chapter 4.8.8.1 above (second paragraph).

Map 4-8 (P. 4-159) The Stetson Creek Trail Alternative Access section shown on the map needs to be displayed as a section of trail that would be closed due to it being truncated by the Cooper Creek highway alignment.

Map 4-14 (P. 4-171) This map shows the USFS logging roads to serve in part as wildlife crossings for the JC and JVC alternatives. If unit 395 is developed as a subdivision, these may not function as such and the wildlife crossing studies have not been completed to date. It may be premature to show these underpasses as wildlife crossings.

Table 4.8-12 on page 4-131 shows an “Ability to mitigate is good” for the Juneau Falls Recreation Area under the JC and JCV alternatives. The Forest Service does not agree with this rating. All of these measures are compensatory. Language on page 4-61 in paragraph 2 indicates that “The opportunity to experience the area as an almost entirely natural area would be lost.” The summary on this table for the JC alternative makes it difficult to use this factor as a comparison for least overall harm. The summary states that mitigation of KNWR land converted to transportation purposes have not been addressed at this time.

This letter highlights a number of my concerns regarding the DSEIS and indicates several items that need further discussion and coordination between ADOT&PF and the Forest Service. The comments contained herein should not be interpreted as acceptance of the document.

We recognize the significance and need of this project and look forward to further coordination with ADOT&PF. If you have any questions, please contact me by phone at (907) 743-9525 or via email tmarceron@fs.fed.us. Griffith Berg continues to be the forest point of contact on this project and can be reached at (907) 743-9442 or via email gqberg@fs.fed.us.

TERRI MARCERON
Forest Supervisor

cc: Sam Carlson, Marie Messing, Ken Post - Alaska RO
Peter Keller, Tom Malecek, Griffith Berg, Deyna Kuntzsch, Kori Marchowsky- CNF
Andy Loranger, Lynnda Kahn, Doug Campbell - USFWS

Communication ID: 1049

From: Loranger, Andy andy_loranger@fws.gov
Date: Tue, May 26, 2015 at 6:04 PM
Subject: USFWS Comments, MP 45-60 DSEIS
To: John.Lohrey@dot.gov
Cc: Douglas Campbell douglas_campbell@fws.gov

Good afternoon John - Attached to this email please find two documents - a Cover Letter and Comments - from the US Fish and Wildlife Service on the Draft SEIS for the Sterling HW MP 45-60 Project. We appreciate the opportunity to provide comments. Thank you.

Andy Loranger
Refuge Manager
Kenai National Wildlife Refuge
907-260-2804

ATTACHMENT TEXT FOLLOWS:

United States Department of the Interior
KENAI NATIONAL WILDLIFE REFUGE
P.O. Box 2139
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15036ajl

May 26, 2015

Mr. John Lohrey
Statewide Programs Team Leader
FHWA, Alaska Division
P.O. Box 21648
Juneau, AK 99802

Dear Mr. Lohrey:

Enclosed please find the U.S. Fish and Wildlife Service's (Service) comments on the Sterling Highway Milepost 45-60 Draft Environmental Supplemental Impact Statement and Draft Section 4(/) Evaluation (DSEIS). These comments are supplemental to those provided by the Service in October 2014 on an internal Cooperating Agency review draft of the DSEIS.

Below is a partial summary of Service comments, provided only to highlight issues the Service considers most substantive:

1 - Project Impacts to Wildlife and Wilderness on Kenai NWR

The Service believes that completion of the Wildlife Study is both necessary and critical for adequately evaluating the direct, indirect and cumulative and long-term impacts of all of the Project Alternatives and other reasonably foreseeable development activities on wildlife resources in the Project Area. Without the benefit of the information in the Wildlife Study, the DSEIS fails to adequately address these impacts.

Similarly, the DSEIS does not adequately address impacts of the Project Alternatives to the Congressionally-designated Kenai Wilderness, a unit of the National Wilderness Preservation System. Specifically the DSEIS fails to adequately address impacts to wilderness character from increased traffic noise and reduced visual quality.

Without the benefit of these analyses, a comprehensive and adequate evaluation and comparison of the Build Alternatives, as well as between any of the Build Alternatives and the No Build alternative is not possible. These analyses should be included in the Final SEIS, and be based on the best information available from the completed Wildlife Study, as they are critically important to the process of selecting a preferred alternative. The Service also considers these analyses necessary to fulfill our responsibilities as a Cooperating Agency under CEQ regulations and to inform our decisions required under ANILCA Section 1104(g)(2).

2 - Mitigation

The treatment of measures to avoid or minimize impacts through mitigation, discussed in Section 3.27.7.15 and 3.22.3.2, are lacking in the DSEIS given the potential magnitude of this project's direct, indirect, cumulative and long-term impacts to wildlife resources. Section 3 .27. 7 .15 discusses broad mitigation options not specific to any one of the alternatives, and recognizes that the yet-to-be completed Wildlife Study only will contribute to development of a mitigation plan for the preferred alternative.

The Service believes that completion of the wildlife study is both necessary and critical for developing and adequately evaluating potential mitigation options for all of the Project Alternatives. A comprehensive and detailed mitigation plan, which includes identification of mitigation necessary to avoid and/or minimize impacts to wildlife resources for all Project Alternatives, should be included in the

FSEIS. This is also critical to the process of selecting a preferred alternative. The Service also considers this treatment of mitigation in the Final SEIS to be necessary to fulfill our responsibilities as a Cooperating Agency under CEQ regulations and to inform our decisions required under ANILCA Section 1104(g)(2).

Reasonable estimates of mitigation costs for each of the alternatives should also be included in the Final SEIS. Mitigation costs may be substantive, are likely to vary greatly for the different alternatives, and may ultimately influence the selection of a preferred alternative. It is therefore critical that wildlife mitigation for each alternative not be constrained initially by expense, as prematurely capping the costs could give the impression that wildlife impacts and their mitigation are similar for each alternative.

The DSEIS indicates that contingency funds are 20% of project costs for each alternative; and ultimately, the selection of wildlife mitigation measures will be based, in part, on the "cost and prudent expenditure of public funds". It is unclear what other costs will be covered by the contingency funds, nor the impact of such on funds available for mitigation. The FSEIS should clearly articulate that sufficient funds from the Surface Transportation Fund, or similar funding source, will be set aside up front for the necessary and agreed upon mitigation measures to minimize impacts to wildlife resources and to offset unavoidable impacts resulting from the construction of the preferred alternative. Wildlife crossing structures should be designed, constructed, and maintained as primary components of the new highway, and not as highway enhancements.

3 - Improvements of existing Sterling Highway within the Kenai National Wildlife Refuge

The Project proposes addition of passing lanes between MP 55-58 of the existing Sterling HW, which falls within the Kenai National Wildlife Refuge, under all Build Alternatives. The Service supports narrowing the Project footprint in or adjacent to sensitive resource areas, e.g. wetlands and the Kenai River, to alleviate and/or minimize unavoidable impacts, and believe this to be an important goal of design flexibility. As such, while it may be appropriate to widen the shoulders between Jim's and Sportsman's Landings (MP 55-58), and accommodate intersections unique to the Juneau Creek alternatives if necessary, the Service is opposed to construction of the passing lanes in this highway section. Minor decreases in travel time and any other traffic improvements realized from installing passing lanes in this section do not warrant the filling of wetlands, the increased proximity of the expanded roadbed to the Kenai River, and the increased likelihood of wildlife-vehicle collisions due to higher traffic speeds on a roadway that travels through the Kenai National Wildlife Refuge. In addition, a new 4-lane passing section is proposed for construction approximately 0.5 miles west of Jim's Landing as part of the adjacent MP 58-79 project. The Service believes that this section of passing lanes, scheduled for construction in 2016/17, precludes the need for the passing lanes proposed for the MP 55-58 section under this Project.

The Service looks forward to continued coordination as a Cooperating Agency on the Sterling Highway MP 45-60 Project.

Sincerely,

Andy Loranger
Refuge Manager
Kenai National Wildlife Refuge

Enclosure(s)

U.S. Fish and Wildlife Service Comments

ENCLOSURE TEXT FOLLOWS:

Sterling Highway Milepost 45-60 (March 2015) Draft Supplemental EIS & Draft Section 4(f) Evaluation (FHWA/DOT&PF)

Executive Summary

* Pg. 6 of Response Doc. – No decision has been made, and any of the alternatives evaluated in the SEIS could be selected in the ROD. FHWA & DOT&PF do not have a preferred alternative at this time. Information explaining the selection of an alternative will be included in the Record of Decision.

The Service remains concerned that the results of the Wildlife Study aren't expected to be available until a later date, possibly after release of the Final SEIS, the ROD and a selection of the "Preferred Alternative." The Service considers the Wildlife Study to be a necessary and critical prerequisite for adequate analyses and evaluation of project impacts to wildlife resources, and to development and evaluation of potential mitigation options. These analyses and a detailed mitigation plan should be included in the Final SEIS. The Service considers these necessary to fulfill our responsibilities as a Cooperating Agency under CEQ regulations and to inform our decisions required under ANILCA Section 1104(g)(2).

* Pg. 23 of the Executive Summary - Results of the wildlife study are expected to aid in the placement of one or more wildlife crossings and other measures to accommodate wildlife movement across the highway for brown bears, moose, and other species. In the Final EIS, DOT&PF hopes to have more detail on how many, what kind, and locations of potential wildlife crossings and other recommended measures.

The Service considers the Wildlife Study to be a necessary and critical prerequisite for adequate analyses and evaluation of project impacts to wildlife resources, and to development and evaluation of potential mitigation options. These analyses and a comprehensive and detailed mitigation plan should be included in the Final SEIS.

Wildlife crossing structures are but one of several potential mitigation measures determined necessary to avoid or minimize impacts to wildlife resources. A key component of the yet-to-be completed Wildlife Study will be identification of landscape-scale wildlife movement corridors within the Project area. Impacts of the Project and other reasonably foreseeable development activities to wildlife corridors and wildlife movement are expected, and the Service views this information critical to final decisions on appropriate and necessary mitigation.

Chapter 2: Project Alternatives

Sec. 2.5 Alternatives Considered & Not Advanced for Full Analysis

* Pg. 11 of Response Doc. – With each build alternative, the construction of a highway segment on a new alignment would leave varying lengths of the "old" Sterling Highway" unimproved.

Throughout the DSEIS reference is made to portions of the "old" highway whereby varying lengths of such would be left unimproved. Yet, between MP 52-55 for example, on a stretch of the "old" highway, planned roadway improvements are referenced on page 3-176. Clarification is necessary to accurately depict what exactly is to be done in terms of roadway improvements on the "old" highway. Further, depending on which alternative is ultimately selected, the need may arise to construct wildlife crossing structures or perform safety upgrades to address mitigation on the "old" highway. This should be incorporated into the Final EIS.

* Pg. 11 of Response Doc. – A 3R Alternative would not meet the purpose and need and would not meet rural principal arterial standards and was therefore not evaluated in detail in the EIS. An upgrade of the entire highway in its current alignment was given a hard look but was rejected because it was not feasible from an engineering perspective.

In the Existing Alignment Report it states the long/high cuts in the unstable soils were not recommended based upon past geotechnical evaluation and the geotechnical evaluation done for the current project. Further, analysis of the Kenai River Walls (KR-W) Alternative made clear that considerable technical obstacles existed between MP 49-50.5, associated with the large cuts proposed. Issues of cutting into the bluff were the same for the 3R and KR-W Alternatives as the walls would be similarly high in the same questionable soils.

No field explorations were specifically done for development of the SEIS, particularly for the KR-W Alternative. However 4 test holes were drilled on top of the bluff between MP 49 and 50.5, which provided a preliminary assessment of geo-tech conditions along the project corridor. The report further indicated that boring locations were not necessarily indicative of geo-tech conditions at the walls being considered.

It is unclear as to how it can be deduced that soil stability is one of the main driving factors in disregarding further review of the 3R Alternative. Throughout the process and in many of our interagency meetings over the years, DOT&PF has continued to stress that steep, soft slopes limit highway modifications in certain areas along the existing alignment. We realize there are many factors other than soil stability to consider, as referenced on Pg. 2 of the “Soil Nail Walls Assessment” (June 2003). However, since appropriate geo-tech exploration, sampling and testing has not yet been performed, we again suggest that this Alternative be reevaluated and carried forward.

To that end, a modified tunnel-type structure, to alleviate issues at Gwin’s Curve for example, appears to be a conceivable option in certain areas along the existing Sterling Highway alignment without having to encroach on the Kenai River. While it may be more costly, this option should be considered more fully as it is still less expensive than other alternatives. By so doing, DOT&PF could realign the existing highway away from the Kenai River and straighten out some of the curves making the highway safer in the long run and allowing for the highway modifications to better meet the purpose and need. Further, seismicity is an issue across the landscape and throughout the project area, so this should not be weighed any differently for the 3R or KR-W Alternatives.

As stated in a letter on April 24, 2008, from our Regional Director to DOT&PF and FHWA, “we feel the solution that best meets the interests of the communities of the Kenai Peninsula and the State of Alaska is to up-grade the existing highway – whereby turning and passing lanes can be constructed at strategic locations to ease the flow of traffic, selected curves can be removed where practical, and the speed limit can be maintained at 35 mph through the core Cooper Landing area in order to minimize the chances of wildlife-vehicle collisions.”

* Pg. 26 of Response Doc. – Based on the request, DOT&PF did reconsider alternatives that would have remained entirely on the existing Sterling Highway route and found that staying 100 percent on the existing alignment is not reasonable. We have consistently requested that a variation of previously dismissed alternatives be examined. For example, during a September 9, 2010 meeting with DOT&PF & HDR, we requested a modified “No Build” alternative be considered to reduce significant, unnecessary impacts to fish and wildlife and their habitats. We indicated at the time, that all alternatives, except the “No Build” alternative or a modified version of such, appear to pose unacceptable risks of adverse

impacts and will lead to unacceptable levels of habitat loss and fragmentation; excessive incursion into pristine wildlife habitat (Juneau Creek); and additional incursion into the Kenai NWR (Juneau Creek).

* Pg. 12 of Response Doc. – From a ‘pure’ traffic perspective, some alternatives function better than others because they bypass more driveways and side streets—i.e., they bypass more conflict points and avoid congestion caused by those driveways and side streets—but they all meet the purpose and need. This should be rephrased to state that the “improved” sections of the highway meet the purpose and need.

Chapter 3: Affected Environment & Environmental Consequences

* Pg. 14 of Response Doc. – In the Impacts & Benefits Summary Table under the heading “Impacts to Wilderness & Naturalness in Mystery Creek Wilderness”— We disagree with the Juneau Creek Variant Alternative column, referencing same traffic impacts as No Build, plus small incremental change in visual impact & wildlife movement associated with wider pavement & cleared areas. The visual impacts will be much greater than portrayed, especially in winter, when foliage is absent from deciduous trees and shrubs. This alternative will visually impact Wilderness users on the south side of the Kenai River; e.g., Surprise Mountain in the Andrew Simons Wilderness Unit. The most detrimental, in terms of visual impacts, would be either of the Juneau Creek Alternatives.

Sec. 3.2.5.5 Environmental Consequences - Juneau Creek & Juneau Creek Variant Alternatives

* Pg. 3-58 - The Section 4(f) Evaluation (Chapter 4) describes the purposes for which the KNWR and Resurrection Pass Trail were established, and the effects to the activities, features, and attributes of these properties. Refer specifically to Sections 4.2.3 and 4.2.5. Upon review of the referenced Sections, “effects” to activities, features and attributes are not addressed as indicated. Please examine the Sections stated to accurately depict where “effects” to the activities, features and attributes are located in the SEIS as it appears no changes were made to the document as requested.

Chapter 3.6: Transportation

Sec. 3.6.1.1 Roadway System

* Pg. 31 of Response Doc. – DOT&PF does have some flexibility in design standards. USFWS mentions the clear zone as one area where they would like to see consideration of a reduced footprint. One way to reduce the footprint and meet the clear zone requirements is to add guardrails. The use of guardrails is not something the Service has either requested or recommended in terms of looking at flexibility in design standards to minimize impacts to wildlife. On the contrary, these act as barriers and can further exacerbate wildlife impacts.

The Service supports narrowing the Project footprint in or adjacent to sensitive resource areas, e.g. wetlands and the Kenai River, to alleviate and/or minimize unavoidable impacts, and believe this to be an important goal of design flexibility. As such, while it may be appropriate to widen the shoulders between Jim’s and Sportsman’s Landings (MP 55-58), as well as accommodate intersections unique to the Juneau Creek alternatives, the Service is opposed to construction of the passing lanes in this highway section proposed under all Build Alternatives. Minor decreases in travel time and any other traffic improvements realized from installing passing lanes in this section do not warrant the filling of wetlands, the increased proximity of the expanded roadbed to the Kenai River, and the increased likelihood of wildlife-vehicle collisions due to higher traffic speeds on a roadway that travels through the Kenai National Wildlife Refuge. In addition, a new 4-lane passing section is proposed for construction approximately 0.5 miles west of Jim’s Landing as part of the adjacent MP 58-79 project. The Service believes that this section of

passing lanes, scheduled for construction in 2016/17, precludes the need for the passing lanes proposed for the MP 55-58 section under this Project.

Based on the Service’s preliminary assessment of sensitive resources in the MP 51-58 highway section of the Project, we recommend the following aspects of design flexibility be incorporated into the Project:

1. MP 57-58.2: Eastbound passing lane proposed & entire alignment to be brought up to current standards. Shifting the road alignment northward to accommodate adequate shoulders and elimination of passing lane are necessary to avoid wetlands and waters (Kenai River).
2. MP 56.1-57.1: A westbound passing lane would transition to an eastbound passing lane. Both westbound and eastbound passing lanes would occur near MP 56.5, resulting in a fourlane highway in this area. A major wetland complex exists on both sides of the existing highway, between approximately MP 56.6-56.7. It appears no culverts are currently in place. Elimination of the passing lane is necessary to avoid wetlands.
3. MP 55.8: In this location, the alignment is to be brought up to current standards and it’s also in proximity to the proposed west connection to the existing highway should the Juneau Creek Wilderness Alternative be selected. A slough exists on the south side of the highway. Impacts to wetlands and waters should be avoided and/or minimized to greatest extent practicable. Shoulders and clear zones in this section should be designed to avoid fill impacts by either shifting the road alignment slightly northward or minimizing shoulder width on the south side of the highway.
4. MP 54-55: Eastbound passing lane proposed along with upgrading existing alignment to current standards under the Cooper Creek Alternative. There is a residence on the north side of highway just west of MP 54, with the bank of the Kenai River only 50–100 feet from edge of pavement on the south side in this location. Eastbound passing lane should be removed from this segment and only shoulders constructed to avoid potential direct/indirect impacts to waters of the U.S.
5. MP 53.1-54.3: Passing lanes planned. Pg. 3-120 of Sec. 3.6 states that, while this project would not alter existing pullouts on the “old” highway segments, removing 70 percent of traffic on the “old” highway would make these pullouts easier and safer to use. However, with passing lanes being planned immediately adjacent to some pullouts on the existing alignment, in our opinion, it will pose an avoidable safety risk. Passing lanes adjacent to existing pullouts in this highway segment should therefore be removed for public safety reasons.
6. MP 51-54: Eastbound passing lane near MP 51 and westbound passing lane between MP 53-54 proposed, as well as entire alignment being brought up to current standards. Along this stretch, there are segments of the existing alignment that are in close proximity to the Kenai River, in some instances within 30 – 50 feet from edge of pavement. We recommend passing lanes not be constructed in those areas where direct and/or indirect impacts would occur to waters of the U.S. and that shoulders and clear zones be limited as well.

Sec. 3.6.2.2 Environmental Consequences - Issues Applicable to the Build Alternatives

* Pg. 3-120 - While this project would not alter existing pullouts on the “old” highway segments, removing 70 percent of traffic on the “old” highway would make these pullouts easier and safer to use. Each of the build alternatives would result in a reduced number of pullouts in the project corridor. None of the informal pullouts along the segment of “old” highway would be affected.

ADOT&PF indicates there are 24 existing pullouts. However, there is an existing pullout on the west end of the project, on the south side of the Sterling Highway at MP 56.4 that is not shown on Map 3.6-2. It

appears this location is targeted to be eliminated in conjunction with the west connection to the existing highway under the Juneau Creek Alternative; however, it should be maintained in all other alternatives.

* Pg. 33 of Response Doc. – We previously raised the issue of an eastbound passing lane affecting access to the Fuller Lakes Trailhead parking lot from a safety hazard standpoint. However, DOT&PF has overlooked our concerns. Any increase in speed at this location, poses an unacceptable safety risk to those entering and exiting the trailhead parking lot. As such, passing lanes should be eliminated from this segment of the Sterling Highway.

* Pg. 34 of Response Doc. – DOT&PF has coordinated designs between this project and the MP 58-79 project. Engineers have determined that both passing lanes are needed. Because of the congestion experienced in the project area, coupled with the safety concerns of passing that occurs in the corridor, the need for more frequent passing opportunities (as proposed in the two projects) is warranted.

** MP 53.1 to 53.9 westbound / MP 53.9 to 54.3 eastbound

** MP 56.1 to 57.1 westbound transitioning to eastbound / 4-lanes to be constructed near MP 56.5

The Service disagrees with this conclusion. The difference in time between traveling this entire 4.5-mile section at 55 mph versus 65 mph is only 45 seconds.

While it may be appropriate to widen the shoulders between Sportsman’s and Jim’s Landings (MP 55-58), as well as accommodate intersections unique to the Juneau Creek and Juneau Creek Variant alternatives, the Service is opposed to construction of the passing lanes in this highway section within the Kenai National Wildlife Refuge proposed under all of the Build Alternatives. A minor decrease in travel time and any other traffic improvements realized from installation of passing lanes in this section do not warrant the filling of wetlands, the increased proximity of the expanded roadbed to the Kenai River, and the increased likelihood of wildlife-vehicle collisions due to higher traffic speeds. In addition, a new 4-lane passing section is proposed for construction approximately 0.5 miles west of Jim’s Landing as part of the adjacent MP 58-79 project. The distance between the nearest passing lane section being proposed for the adjacent Sterling Highway MP 58-79 Project (MP 58.8 - 59.8 eastbound and MP 58.7 - 60 westbound) to the most westerly passing lanes proposed for the MP 45-60 Project (MP 56.1 – 57.1) is only 1.7 miles. The Service believes that this section of passing lanes for the former project, scheduled for construction in 2016/17, precludes the need for the passing lanes proposed for the MP 55-58 section under this Project.

A quick literature search provided ample examples of posted speed limits generally being 55 mph or less on highways through National Parks. Even throughout the Canadian Prairie provinces where the speed limit varies from 62 mph to 68 mph, when the highway passes through National Parks, the speed limit is 55 mph.

Further, there are numerous references in literature, concluding that reducing posted speed limits on highways through National Parks and Refuges will have a direct effect on the extent of wildlife-vehicle collisions. In the case of this Project, it is unrealistic to assume that if the speed limit is raised that this will automatically be adhered to by all those vehicles that already abuse such. Constructing passing lanes as planned between MP 56.1-57.1, which will allow for significantly higher speeds to occur in this segment, is simply not warranted.

Chapter 3.8: Park & Recreation Resources

Sec. 3.8.1.3 Land-Based Recreation Resources

Pg. 16-17 of Response Doc. – The Service had previously indicated that the following statement was inaccurate: “The KNWR Wilderness is the closest Federally-designated Wilderness to the majority of the Alaska population, but similar wilderness qualities exist on non-designated lands nearby, as indicated by vast tracts of inventoried Roadless areas in the CNF.” DOT&PF’s response - Similar recreation experiences exist on other lands nearby, although these areas are not protected under the Wilderness Act and could be altered more easily in the future. This statement does not capture nor explain the difference adequately. The purposes and intent of designated wilderness areas in Alaska as established by the Wilderness Act and amended by ANILCA are unique and specific. Although there are large areas of National Forest roadless areas within the project area they cannot now and over time fulfill the functions and purposes of designated Wilderness.

Sec. 3.8.2.2 Issues Applicable to the Build Alternatives

* Pg. 3-175 – In general, all build alternatives would alter the existing recreational character of the project area. Each of the build alternatives would create a segment built on a new alignment....The segment of each alternative built on a new alignment would leave a portion of the “old” highway that would not be rebuilt. In all cases, it is anticipated that approximately 70 percent of traffic would use the segment built on a new alignment and 30 percent would use the unimproved “old” segment.

* Pg. 3-175 – Higher average traffic speeds on new or rebuilt sections would make established roadside recreational activities less pleasant, and long-established roadside parking patterns would be altered. Pg. 3-176 – While the highway in all build alternatives would improve access for recreation in this valley, popular for fishing, camping, and trail use, it also would incrementally add to visual and noise effects that would diminish the sense of naturalness, wildness, and solitude.

Regarding the referenced excerpts above, Project impacts to wilderness character within the Kenai Wilderness, a unit of the National Wilderness Preservation System, are not adequately recognized (see comments below). Aspects of the project, as a result of increased traffic noise and impacts to view sheds, will degrade the natural quality of, as well as opportunities for primitive recreation and solitude within the Kenai Wilderness.

Chapter 3.13: Water Bodies & Water Quality

Sec. 3.13.2.2 Issues Applicable to the Build Alternatives

* Pg. 3-254 - Alterations to surface drainage and hydrology that could adversely affect nearby water bodies would be avoided or minimized through incorporation of appropriately designed, sized, and constructed culverts under the roadway to maintain stream flows. Culverts are absent in many sections along the current highway alignment where wetland hydrology has been altered, in some cases quite drastically. Adequate culverts are needed in all wetland sections throughout the project alignment, not just in new highway sections to reestablish as well as maintain hydrologic connectivity.

Chapter 3.14: Air Quality

* Pg. 18 of Response Doc. – Traffic levels are anticipated to be the same with or without the project. In other words, under any build alternative, the project is not anticipated to induce new traffic within the project area. Therefore vehicle related increases in pollutants are anticipated to be similar with or without the project. Future traffic will not be at levels near what would be needed to approach or exceed any of the National Ambient Air Quality Standards.

We disagree with the statement that the project is not anticipated to induce new traffic within the project area and the references made afterward. With the “old” highway remaining in place, it will result in vehicles utilizing both highways if one of the Juneau Creek alternatives is selected. While the “old” section may in fact be associated with more local traffic and anglers wanting to access the Kenai River, there will be additional traffic coming in from the north that will conceivably want to access the same area.

With the increased amount of tractor trailer traffic on the Kenai Peninsula related to expanded oil/gas development, and other large 18-wheelers delivering goods to the area, it appears that, under either of the Juneau Creek alternatives, air quality is likely to diminish near Wilderness and on the Refuge since there would be two highways in proximity to these two areas. The Service therefore requests that additional information be provided; additional modeling may be needed to determine whether Project impacts to air quality under predicted traffic increases would result in approaching or exceeding any of the National Ambient Air Quality Standards.

Chapter 3.15: Noise

* Pg. 18-20 of Response Doc. – FHWA disagrees that traffic noise would substantially increase. Traffic noise is anticipated to increase by about 10 dBA in direct proximity to the existing Wilderness that is traversed by the Juneau Creek Alternative. Designated Wilderness already is affected by traffic noise, and Congress set the Wilderness boundary parallel to the existing highway. The predicted noise levels within Wilderness would not approach or exceed the Noise Abatement Criteria for Activity Category C.

As previously indicated, Pg. 20 of your Executive Summary clearly states... All build alternatives would create noise that would substantially increase noise levels and/or exceed noise abatement criteria. Forecast increases in traffic would result in increased noise levels even under the No Build Alternative, which would impact three more sensitive receptors than are impacted today.

The Service has a legal mandate to protect Wilderness character in the Kenai Wilderness and any increase in traffic noise resulting from the Project must be fully disclosed in the SEIS and the impacts of such avoided or minimized. The DSEIS continues to downplay, and therefore inadequately address, the impacts to wilderness character due to increased traffic noise within the Kenai Wilderness, and in particular those of either of the Juneau Creek alternatives. Downplaying these effects because traffic noise from the existing Sterling Highway already affects wilderness character in the Kenai Wilderness is not appropriate. All Build alternatives add a new road bed (in effect create two highways) and elevate the road bed such that traffic noise will be more widely dispersed. While traffic volumes are expected to continue to increase on the Sterling Highway with or without the Project, more traffic traveling at higher speeds and the extensive increase in uphill and downhill grades associated with the Build Alternatives as compared to existing highway will increase traffic noise impacts to the Kenai Wilderness. The Juneau Creek alternatives would result in two highways converging in proximity to Wilderness, in one case with the newer highway traversing Wilderness. Impacts of increased traffic noise to wilderness character within the Kenai Wilderness would be greatest from the Juneau Creek alternatives.

The effects of noise on wildlife and humans is commonly measured as sound pressure (dBA). Decibel levels alone, however, are inadequate for describing impacts of increased traffic noise to wilderness character within Congressionally-designated Wilderness. The source of traffic noise is anthropogenic, and as such it negatively impacts both the natural quality of wilderness and the ability of wilderness to provide for opportunities for primitive and unconfined recreation and solitude. Wildlife responds differentially to both the loudness and the sources (anthropogenic vs. natural) of sound. Hearing human-

generated traffic noise in Wilderness (even if the highway does not pass through Wilderness) detracts from one's ability to experience solitude and unconfined recreational opportunities.

* Pg. 20 of Response Doc. – Large recreational areas with few designated receptor sites do not meet the FHWA and DOT&PF reasonable criterion. The Congressionally-designated Kenai Wilderness should not be characterized as simply as a “large recreational area” in recognition of the unique wilderness qualities the Service is mandated to preserve in this unit of the National Wilderness Preservation System. In addition, the fact that wildlife are not classified as a valid noise receptor is a shortcoming of the process used to reach the conclusion stated above.

* Pg. 21 of Response Doc. – None of these KNWR noise levels would approach or exceed FHWA's Noise Abatement Criteria, although localized increases in noise levels under the Juneau Creek Alternative is acknowledged as an important change to Wilderness in this area. The Service questions the statement that none of the KNWR noise levels would approach or exceed noise abatement criteria. All Build alternatives add a new road bed (in effect create two highways) and elevate the road bed such that traffic noise will be more widely dispersed. While traffic volumes are expected to continue to increase on the Sterling Highway with or without the Project, more traffic traveling at higher speeds and the extensive increase in uphill and downhill grades associated with the Build Alternatives as compared to existing highway will substantially increase traffic noise impacts to the Kenai Wilderness. The Juneau Creek alternatives would result in two highways converging in proximity to Wilderness, in one case with the newer highway traversing Wilderness. Impacts of increased traffic noise to wilderness character within the Kenai Wilderness would be greatest from the Juneau Creek alternatives. Further, since FHWA's Noise Abatement Criteria do not account for noise-related impacts to wildlife, other appropriate measures to address this deficiency should be employed. The NEPA analysis appears to be flawed in this regard and this issue must be addressed accordingly.

Sec. 3.15.1.3 Existing Noise Levels

* Pg. 3-271 - The traffic noise model for the project was validated using existing noise level data collected at 11 noise monitoring (NM) locations in the project area on July 13, 15, and 20, 2001. See comment above. The Service questions whether this model validation is sufficient to predict the actual increases in traffic noise and impacts of such to wilderness character in the Kenai Wilderness and to wildlife in the Project Area.

Sec. 3.15.2 Environmental Consequences

* Pg. 3-273 – Traffic volumes (numbers of vehicles) are projected to increase as both local and regional populations grow. As a result of increased traffic, future traffic noise is expected to increase with or without the project. Traffic noise analysis uses frequencies weighted for human ear sensitivities. It predicts noise levels based on hourly averages. This method is designed for assessing impacts to the human environment, not necessarily impacts to wildlife.

Stating that traffic noise is expected to increase with or without the Project inappropriately downplays the effects of increased traffic noise on wilderness character in the Kenai Wilderness and on wildlife resources due to the Project. All Build Alternatives add a new road bed (in effect create two highways) and elevate the road bed such that traffic noise will be more widely dispersed. While traffic volumes are expected to continue to increase on the Sterling Highway with or without the Project, more vehicles traveling at higher speeds and the extensive increase in uphill and downhill grades associated with the Build Alternatives as compared to existing highway will substantially increase traffic noise impacts. In addition, use of the Noise Abatement Criteria for Activity Category C does not allow for evaluation of the

impacts of traffic noise to wildlife, as effects of traffic noise is modeled only on residential, campground, recreation areas, trail and commercial receptors (Table 3.15-2). The Service considers the NEPA analysis deficient in this regard; the effects of increased traffic noise on Wilderness and wildlife moving through and inhabiting the Project area must be adequately evaluated in the SEIS. Finally, the Service believes that impacts of increased traffic noise to the Kenai Wilderness and wildlife resources would be greatest from the Juneau Creek alternatives.

Sec. 3.15.2.1 No Build Alternative

* Pg. 3-274 - Under the No Build Alternative, the existing highway corridor would be affected by modest increases in traffic noise between 2012 and 2043 due to annual increases in traffic volumes. Retrofitting an existing State highway with noise abatement measures would be classified as a Type II Federal project. For a Type II project to be eligible for Federal-aid funding, the State highway agency must develop and implement a Type II program in accordance with 23 CFR 772.7(e). DOT&PF has elected not to participate in the voluntary Type II program at this time. As a result, no mitigation is proposed for receptors impacted under the No Build Alternative. Adequate and appropriate mitigation should not be restricted because of DOT&PF's decision to opt out of the Type II Program.

Currently, states, counties, and municipalities regulate noise from an anthropocentric perspective with little or no consideration for impacts on wildlife. However, CEQ guidance requires that mitigation measures be considered even for impacts that are not themselves "significant" once the proposal as a whole is considered to have significant effects. Thus, in the case of potential noise-related impacts to wildlife, appropriate mitigation measures must be considered.

Mitigation measures that have been suggested to reduce traffic noise include using road surfaces that absorb more sound (Slabbekoorn and Ripmeester 2008, Blickley and Patricelli 2010). While sound barriers for roads would reduce noise pollution they would hinder wildlife movements. However, sound barriers do not necessarily have to extend to the ground and, coupled with wildlife overpasses, could be a potential solution, at least in some areas.

Sec. 3.15.2.5 Juneau Creek and Juneau Creek Variant Alternatives

* Pg. 3-282 - Noise abatement barriers cannot typically provide adequate noise reductions over large recreational areas representing dispersed use in a cost-effective manner. Therefore, mitigation is not recommended for this receptor. In 2011, FHWA updated their Noise Abatement Rules for federal-aid highways, which require that "all feasible and reasonable" noise abatement measures must be incorporated into the project design. The Rule specified a reduction in noise levels by 7 A-weighted decibels or more, which represented the largest noise reduction ever required by the agency. Does this project comply with the updated Rules? If so, please explain how compliance is being met without any noise mitigation being proposed. If not, please explain why.

CEQ guidance requires that mitigation measures be considered even for impacts that are not themselves "significant" once the proposal as a whole is considered to have significant effects. Thus, appropriate mitigation measures should be developed to avoid or minimize traffic noise-related impacts to wildlife and wilderness character in the Kenai Wilderness. Mitigation measures that have been suggested to reduce traffic noise include using road surfaces that absorb more sound (Slabbekoorn and Ripmeester 2008, Blickley and Patricelli 2010). While sound barriers for roads would reduce noise pollution they would hinder wildlife movements. However, sound barriers do not necessarily have to extend to the ground and, coupled with wildlife overpasses, could be a potential solution, at least in some areas. At a

minimum, quiet pavement alternatives, such as “Next-Generation” (diamond grinding process) should be considered.

Chapter 3.16: Visual

* Pg. 22 of Response Doc. – Because key viewpoints tend to be at lower elevations along the existing highway and river, and because these alternatives are up above on a bench area north of the river and thus shielded by terrain and forest from the key viewpoints, the alignments are not expected to be highly visible.

Sec. 3.16.2.2 Issues Applicable to the Build Alternatives

* Pg. 3-292 - The amount of permanent vegetation loss associated with each alternative would affect the visibility of the alignment for the viewer groups at the Key Views.

* Pg. 3-294 - In addition to changes in visual qualities at Key Views, visual impacts would occur under all build alternatives as a result of project lighting at major intersections. Intersection lighting could change the nighttime ambient light and views, particularly for areas farther from the alignment where additional light intrusion may be visible and could affect rural recreational nighttime views. For designated Wilderness areas, where managers strive to maintain a setting untrammelled by human development, the illumination would decrease the naturally dark night sky and likely would diminish the wilderness experience. Similarly, views from elevations above tree line in the Mystery Creek and Andrew Simons Wilderness units would be altered, as the highway under any alternative would create a wider engineered cut through the forest and larger cuts into hillsides, and the paved surface would be wider....the construction of any build alternative would incrementally diminish the sense of wilderness and isolation and would be permanent.

* DOT&PF’s comment on Pg. 22 of Response Doc. in terms of the alignments not being expected to be “highly” visible, appear to contradict the excerpts from the DSEIS above. In addition, during winter months when foliage is absent from deciduous trees and shrubs, visual impact will be much greater than FHWA/DOT&PF has portrayed.

According to the DSEIS, the Cooper Creek Alternative would have visual quality impacts to 2 associated Key Views & 1 Landscape Unit, while the G-South Alternative would result in changes to visual resources at 3 Key Views & 4 Landscape Units. However, the Juneau Creek Alternatives would result in visual impacts to 6 Key Views and 5 Landscape Units: “The view from the Russian River Ferry to the mountain slopes north of the parking area would change....The Juneau Creek Alternative would create a new cleared swath of land through forest, mostly on CNF land, but also for some distance on KNWR land. This swath would appear as an engineered line in a largely natural landscape, and it likely would be visible from portions of the Andrew Simons Wilderness south of the Kenai River. In fact, all Build Alternatives will have negative impacts on visual quality and affect users of the Kenai Wilderness in both the Mystery Hills and the Andrew Simons units, particularly from higher elevations. Impacts on visual quality will negatively impact wilderness character in these Units. The Service believes that either of the Juneau Creek alternatives will have the greatest visual quality impacts. Impacts to wilderness character in the Kenai Wilderness due any increase in visual impacts from the Build Alternatives must be clearly articulated in the SEIS.

Artificial lighting should be used only where necessary to provide for nighttime safety, utility, and or security. Light fixtures must use the lowest wattage of lamp possible to assure safety, utility, and security and shall only function when required to achieve their intended purpose. All lighting installations shall be designed and installed to be fully shielded (full cutoff: emitting no light above the horizontal plane), and

shall have maximum lamp wattage of 250 watts high intensity discharge light (or lumen equivalent). Lighting design should eliminate to the extent possible spill lighting that projects beyond the project boundary.

Chapter 3.20: Wetlands & Vegetation

Sec. 3.20.1.5 Invasive Plant Species

* Pg. 23-24 of Response Doc. – DOT&PF has made recent efforts to monitor and manage the spread of invasive plant species along its ROW's. Information related to indirect effects of the alternatives and these maintenance and operations best practices have been added to the SEIS.

This project will open up substantial amounts of previously intact ground surface to harmful disturbance, and in addition to the BMP's listed, a Survey and Monitoring Plan should be developed, in consultation with the resource agencies, for continued monitoring of the potential spread and eradication of invasives.

The Section on terrestrial invasive plants avoids the issue of how DOT&PF will address the continuing spread of exotic invasive plants down the highway system and into adjacent waterbodies, and streams/rivers (e.g., Kenai River) it crosses long after highway construction is completed. Highways are a primary vector for the spread of exotic and invasive plant species in Alaska. The scope of this cumulative and long-term effect of the Project is such that adequate mitigation measures must be developed. The recommended mitigation stated on page 3-355 of DSEIS, i.e., that DOT&PF will continue "coordinating with local groups that are managing invasive species" is not adequate. DOT&PF should mitigate these effects as long as they are present. If DOT&PF itself cannot directly manage invasive plants, funding of both continued monitoring and treatment of exotic and invasive species by other parties will be necessary. The Service recommends establishing formal agreements with and providing funding for invasive plant management by the Kenai Peninsula Cooperative Weed Management Area partners as a viable mitigation option.

Pg. 3-355 states: Use certified invasive-free mulches, top-soils, or seeds purchased from a local provider but does not explicitly state certified weed-free gravel. There are local growers and commercial gravel pit operators who are willing to seek certification if DOT&PF takes responsibility for notifying them in advance of their needs (Janice Chumley, UAF Cooperative Extension Service, Soldotna, pers. comm).

Sec. 3.20.2.3 Issues Applicable to the Build Alternatives

* Pg. 3-353 - DOT&PF is committed to paying a fee to a qualified land trust to fund appropriate wetland conservation or enhancement activity...A compensatory mitigation plan will be provided in the Final SEIS. At this time, there is no mechanism for in-lieu fees to be accepted by The Conservation Fund in Alaska. As such, DOT&PF should evaluate the need for permittee-responsible mitigation instead, for wetlands/waters impacts.

Chapter 3.22: Wildlife

* Pg. 27 of Response Doc. – The traffic noise model is designed to model impacts on the human environment, and the data cannot directly be used to assess noise impacts on wildlife. Noise effects on wildlife are discussed under the Wildlife Chapter 3.22.

We appreciate our general comments being added to the DSEIS. However, upon further review of Chapter 3.22 it is still apparent that noise impacts to wildlife and necessary mitigation to offset those impacts are not adequately addressed.

As previously referenced, states, counties, and municipalities regulate noise from an anthropocentric perspective with little or no consideration for wildlife species. However, CEQ guidance requires that

mitigation measures be considered even for impacts that are not themselves “significant” once the proposal as a whole is considered to have significant effects. Thus, in the case of potential noise-related impacts to wildlife species, appropriate mitigation measures must be considered.

Mitigation measures that have been suggested to reduce traffic noise include using road surfaces that absorb more sound (Slabbekoorn and Ripmeester 2008, Blickley and Patricelli 2010). While sound barriers for roads would reduce noise pollution they would hinder wildlife movements. However, sound barriers do not necessarily have to extend to the ground and, coupled with wildlife overpasses, could be a potential solution, at least in some areas. At a minimum, quiet pavement alternatives, such as “Next-Generation” (diamond grinding process) should be considered.

* Pg. 28 of Response Doc. – As a point of clarification regarding the existing Cooper Creek Bridge (i.e., “old bridges over Cooper Creek”): the existing Cooper Creek Bridge would not be replaced as part of this project under any alternative. While there is no reference to the current state of the integrity of the Cooper Creek Bridge, if the Cooper Creek Alternative is chosen as the “preferred” alternative, and the existing Bridge is in need of repair or replacement, public safety should be considered and the bridge structure addressed accordingly.

Sec. 3.22.1.3 Amphibians

* This section on wood frogs omits any information on Chytrid fungus, documented by Reeves and Green (2006) for the first time in Alaska on the Kenai National Wildlife Refuge; evidence suggests that chytrid fungus is spread in contaminated gravel. Further, Reeves et al. (2008) showed increased risk of skeletal abnormalities with proximity to roads.

Sec. 3.22.3 Environmental Consequences (Brown Bear)

* Pg. 3-411 - Habitat fragmentation also could create impediments to movement between important seasonal habitats. Although studies have documented brown bear avoidance of roads and roaded areas at least some Kenai Peninsula brown bears would move to seasonally attractive habitats (e.g., salmon streams) despite roads and traffic. Increased mortality is likely for bears attempting to cross the highway from the north to access the Kenai River, with impending increase in traffic speeds.

Sec. 3.22.3.2 Issues Applicable to the Build Alternatives

Pg. 3-417 –The SEIS states that: Mitigation measures specific to noise are addressed under Section 3.15. Yet upon review of that Section, the common theme for all Build Alternatives is that noise mitigation was considered following the DOT&PF Noise Policy (DOT&PF 2011c), but is not being proposed.

* Pg. 3-417 Confirmation data from the wildlife study (e.g., field verification data) will be incorporated into the Record of Decision to the extent possible so that mitigation is identified as specifically as possible in the ROD. A commitment to further refinement during project design also will be included. While there is not yet any specific cost associated with wildlife mitigation, project construction cost estimates in Sections 3.5.2.2 and 3.27.7.5 include contingency amounts, in part to cover anticipated costs such as those for wildlife mitigation.

Page 3-415 of the DSEIS describes the expected overall process for final selection of mitigation measures:

“The process to be used to make final wildlife mitigation decisions is anticipated to be a continuing cooperative effort and negotiation among ADF&G, USFWS, USFS, DOT&PF, and FHWA. The initial study results will be incorporated into the Final EIS along with refined mitigation measures based on these results and pertinent comments from the public and agencies. Because the costs may be substantial

and because this kind of mitigation is relatively new for Federally-funded projects in Alaska, it is expected that senior agency decision makers are likely to be involved. The Final EIS will include as much detail as possible. Confirmation data from the wildlife study (e.g., field verification data) will be incorporated into the Record of Decision to the extent possible so that mitigation is identified as specifically as possible in the ROD. A commitment to further refinement during project design also will be included.”

The Service remains concerned that the results of the Wildlife Study aren’t expected to be available until a later date, possibly after release of the Final SEIS, the ROD and a selection of the “Preferred Alternative.” The Service considers the Wildlife Study to be a necessary and critical prerequisite for adequate analyses and evaluation of project impacts to wildlife resources, and to development and evaluation of potential mitigation options. These analyses and a detailed mitigation plan should be included in the Final SEIS. The Service considers these necessary to fulfill our responsibilities as a Cooperating Agency under CEQ regulations and to inform our decisions required under ANILCA Section 1104(g)(2).

Wildlife crossing structures are but one of several potential mitigation measures which may be necessary to avoid or minimize impacts to wildlife resources. A key component of the yet-to-be completed Wildlife Study will be identification of landscape-scale wildlife movement corridors within the Project area. Impacts of the Project and other reasonably foreseeable development activities to wildlife corridors and wildlife movement are expected, and the Service views this information critical to final decisions on appropriate and necessary mitigation.

Reasonable estimates of mitigation costs for each of the alternatives should also be included in the Final SEIS. Mitigation costs may be substantive, are likely to vary greatly for the different alternatives, and may ultimately influence the selection of a preferred alternative. It is therefore critical that wildlife mitigation for each alternative should not be constrained initially by expense, as prematurely capping the costs could give the impression that wildlife impacts and their mitigation are similar for each alternative.

The DSEIS indicates that contingency funds are 20% of project costs for each alternative; and ultimately, the selection of wildlife mitigation measures will be based, in part, on the “cost and prudent expenditure of public funds”. It is unclear what other costs will be covered by the contingency funds, nor the impact of such on funds available for mitigation. The FSEIS should clearly articulate that sufficient funds will be set aside up front for the necessary and agreed upon mitigation measures to minimize impacts to wildlife resources and to offset unavoidable impacts resulting from the preferred alternative. Wildlife crossing structures should be designed, constructed, and maintained as primary components of the new highway, and as such, and not as highway enhancements, and all final mitigation measures should be adequately be adequately funded from the Surface Transportation Program, or similar.

* Pg. 27 of Response Doc. – “Regarding traffic speeds and wildlife collisions, Sec. 3.22.3.2 of the DSEIS states: Under all build alternatives, the segments built on the existing alignment would have wider shoulders and clear zones resulting in better visibility that could reduce bear-vehicle collisions. However, travel speeds would be greater throughout the entire project area, which could offset any decrease or possibly increase collision rates.

FHWA/DOT&PF cannot reasonably segregate out the favorable safety factors to justify higher speeds resulting in improved safety. Average traffic speeds will increase with wider shoulders and clear zones, resulting in a real increase in the time it takes to make a sudden stop to either avoid wildlife-vehicle collisions, recreational enthusiasts, fishermen walking along or crossing the roadway, or even other

vehicles that are either trying to find a place to park or avoid wildlife or people that may be trying to cross the highway.

A reduction in the operating speed of a vehicle can provide a driver with additional time and distance to react to observed conflicts. The benefits provided by additional reaction time/distance (due to vehicle speed reductions) are relatively clear for a driver approaching a stationary object in the roadway. There is more time and distance to see the object and stop or adjust the speed of the vehicle. Additional time to observe and judge the speed of a conflicting object traveling at a relatively uniform speed (e.g., other vehicles) is also beneficial. However, the advantages produced by a general decrease in posted speed limits on the number of wildlife- vehicle crashes, and/or the ability of a driver to avoid a less predictable moving object (e.g., a bear or moose), are much less clear.

In 1997, researchers in Yellowstone National Park (YNP) studied a number of factors that they believed had an impact on the number of wildlife-vehicle collisions (WVC's). Two of the factors studied were posted speed limit and average operating vehicle speed. The roadkills observed included 14 species of animals including elk, mule deer, bison, moose and coyote.

Overall, the YNP researchers concluded that vehicle speed was “significantly” related to collisions between vehicles and wildlife. Analysis indicated that there were statistically more than the expected number of vehicle-animal collisions within the roadway segments posted with a 55 mph speed limit, and a statistically less than expected number within those segments at 45 mph or less. The average operating speed measured along the roadway segments with a 55 mph posted speed limit were about 9 to 16 mph higher than that posted.

The researchers involved with this project also concluded that pavement condition had a great impact on vehicle speed choice. They supported this and their roadway design conclusions by measuring the apparent speed impacts of one reconstruction project, and comparing the wildlife-vehicle crashes before and after two other reconstruction projects. An increase in the average operating speed of about 5 mph was found when one roadway segment cross-section in YNP was improved from 22 to 24 feet wide (with abrupt edges, no shoulders, and very poor pavement) to 30 feet wide with shoulders and new pavement.

Based on their data collection and analysis, the YNP researchers recommended that roadway designs be used that encourage lower vehicle speeds. They believed these designs would reduce operating speeds and ultimately the number of wildlife-vehicle collisions. They also felt this approach was consistent with the mission and mandate within YNP.

There are numerous conclusions in literature, suggesting that reducing posted speed limits on highways through National Parks and Wildlife Refuges will have a direct effect on the extent of wildlife-vehicle collisions. In recognition of the values the Kenai National Wildlife Refuge is mandated to conserve and protect, consistent with our mission, we object to passing lanes being located between MP 56.1-57.1.

* We reviewed several websites that provided useful guidelines, developed by highway traffic and safety engineers over the years, on how far a vehicle would conceivably travel while braking under good conditions on dry concrete or pavement. The following table was found at www.csgnetwork.com.

Braking/Stopping Distances

MPH / Ft. / Sec. / Braking Deceleration Distance / Total Stopping Distance

10 / 14.7 / 5 / 22 / 27

15 / 22 / 11 / 33 / 44

20 / 29.3 / 19 / 44 / 63

25 / 36 / 30 / 55 / 85

30 / 44 / 43 / 66 / 109

35 / 51.3 / 59 / 77 / 136

40 / 58.7 / 76 / 88 / 164

45 / 66 / 97 / 99 / 196

50 / 73.3 / 119 / 110 / 229

55 / 80.7 / 144 / 121 / 265

60 / 88 / 172 / 132 / 304

65 / 95.3 / 202 / 143 / 345

70 / 102.7 / 234 / 154 / 388

75 / 110 / 268 / 165 / 433

80 / 117.3 / 305 / 176 / 481

85 / 124.7 / 345 / 187 / 532

90 / 132 / 386 / 198 / 584

The referenced website indicates that.... “Virtually all current production vehicles' published road braking performance tests indicate stopping distances from 60 mph that are typically 120 to 140 feet, or slightly less than half of the projected safety distances. While the figures are probably achievable, they are not realistic and certainly not average; they tend to be misleading and to those that actually read them, they create a false sense of security.”

These figures are considered only typical because in reality the actual stopping distances will be affected by different circumstances. For example the thinking distance will vary depending on the driver and what state he/she is in at the time, e.g. whether they are old, young, tired, careless, or affected by alcohol and/or drugs is definitely a consideration. Braking distance also depends on how good the vehicles brakes are; how well the tires grip the road, which in turn can depend on the weather; road surface conditions; the weight of the car and its contents; etc.

To determine how far a vehicle would travel while braking, the formula of $\frac{1}{2}$ the initial velocity multiplied by the time required to stop, is recommended. Traveling at 60 mph, this equates to $.5 \times 88$ ft./sec. $\times 4.4$ sec. = 193.6 ft., plus a driver reaction time of either 88 ft. for a 1 second delay in reaction time, or 176 ft. for a 2 second reaction time. A vehicle would travel 281.6 ft. or 369.6 ft. respectively, when added to the base stopping distance of 193.6 ft. while braking to a stop.

Other websites had varying values assigned to the approximate distance for an average passenger car with good brakes and good road conditions to come to a safe stop. At 60 mph, reaction distances ranged from 132 ft. to 187 ft. with braking distances of 172 ft. to 293 ft., for total stopping distance ranging from 304 ft. to 480 ft. Ultimately, with increased speed, it is inevitable that collisions, whether with wildlife or other vehicles, will be much more devastating and possibly more frequent.

* Wildlife in general, regardless of whether on Refuge or CNF lands, will be significantly impacted, in terms of the new road infrastructure being placed in previously undisturbed habitat. Since much of the habitat use and travel corridor reference information is from 2004 and earlier, development of appropriate crossing structures supporting safe wildlife movement have not been included in the initial project design. We had envisioned this important information being made available to assist us in our review, and we

find it very unfortunate that the necessary studies have yet to be performed going into the public review process.

Sec. 3.22.3.3 Cooper Creek Alternative

* Pg. 3-418 - The existing highway noise effect zone extends across about 9,500 acres. The Cooper Creek Alternative would add traffic noise effects to an additional 640 acres of wildlife habitat.

Sec. 3.22.3.4 G South

* Pg. 3-420 - The existing highway noise effect zone extends across about 9,500 acres. The G South Alternative would add traffic noise effects to an additional 1,600 acres of wildlife habitat. This is an additional 250% or 960 acres over the Cooper Creek Alternative.

Sec. 3.22.3.5 Juneau Creek and Juneau Creek Variant Alternatives

* Pg. 3-422 - The existing highway noise effect zone extends across about 9,500 acres. The Juneau Creek Alternative would add traffic noise effects to an additional 3,700 acres of wildlife habitat (an additional 1,730% or 3,060 acres over the Cooper Creek Alternative), and the Juneau Creek Variant would add traffic noise effects to an additional 3,500 acres (an additional 1,829% or 2,860 acres over the Cooper Creek Alternative).

Wildlife know no boundaries and movement across the landscape from one federal estate to another will be hampered with new highway alignments should one of the Juneau Creek alternatives be chosen. Further exacerbating the issue is the fact that the current highway will remain, resulting in two barriers to maneuver. Development of Unit 395 will create additional impacts including habitat alteration, fragmentation of wildlife movement corridors, and the increased potential for DLP mortality for brown bears.

Sec. 3.22.6 Environmental Consequences (Birds)

* Pg. 3-435 – Disturbance from traffic volume and noise can create avoidance zones that extend as far as 3,280 feet (1,000 meters) or more from the road itself for certain bird species. There is little mention of how traffic noise may affect bird species. The only general reference is as referenced above. While there is reference to likely habituation to routine traffic noise by eagles, some construction-related affects, and inclusion of a Service comment indicating that a multitude of wildlife species would likely be affected by increased noise levels from new highway infrastructure, not much else is presented in terms of potential noise-related impacts to migratory birds.

In terms of noise, decibels are a measure of how loud a sound source is. The frequency of the sound source is based on pitch. High frequencies, like those from song birds, have a higher pitch than low frequencies like that of road noise or even loons and ravens. Wildlife disturbance can come from masking created by how loud a noise is and the frequency of that noise. Studies have determined that loud, low frequency sounds can disrupt and mask the sound of song birds either resulting in changing how loud the bird calls or complete relocation of the species from the area. In some cases, sound frequencies can mask sounds made by other animals.

Noise pollution affects birds in myriad ways, including physical damage to ears; stress, fright-flight, and avoidance responses; changes in other behavioral responses, such as foraging; changes in reproductive success; changes in vocal communication; interference with the ability to hear predators and other important sounds; and potential changes in populations. Reactions to noise depend on the type of noise produced, including frequency, loudness, consistency, and duration. Even though studies of road traffic noise are notably confounded by other variables, the effects of road-associated variables, including noise,

measured by occupancy and densities, are consistently negative for most birds. Brotons and Herrando (2001), Forman and Deblinger (2000), and Fernández-Juricic (2001) found lower occupancy of birds near roads and attributed the lower numbers, in part, to traffic noise.

* Pg. 22 of Response Doc. – One of our previous comments was that light intrusion may affect wildlife and their movement. Upon our review of Sec. 3.22.6, while there is mention that intersection illumination may affect bears and their movement, there is no mention of how artificial lighting will affect bird species.

As previously indicated artificial lighting should be used only where necessary to provide for nighttime safety, utility, and or security. Light fixtures must use the lowest wattage of lamp possible to assure safety, utility, and security and shall only function when required to achieve their intended purpose. All lighting installations shall be designed and installed to be fully shielded (full cutoff: emitting no light above the horizontal plane), and shall have maximum lamp wattage of 250 watts high intensity discharge light (or lumen equivalent). Lighting design should eliminate to the extent possible spill lighting that projects beyond the project boundary.

Chapter 3.27: Cumulative Impacts

Sec. 3.27.7.14 Wetlands & Vegetation

* Pg. 3-507 – The build alternatives would directly impact between 11 and 38.5 acres of wetlands (see Table 3.27-6). An additional 14 to 130 acres of wetlands would be indirectly impacted due to a reduction in wetland function in areas adjacent to direct wetland impacts. The totality of these impacts represents less than 0.04 percent of the wetlands within the geographic area of analysis. On a smaller scale, the impacted wetlands account for approximately 0.08 percent of the 1,787 acres of wetlands within the project area.

Vegetation impacts of the build alternatives range from approximately 188 to 269 acres (see Table 3.27-6). Within the geographic area of analysis, a rough estimate of upland areas is 356,700 acres (total watershed areas minus wetlands and lakes). The impacted area is a fraction of the available vegetative areas. On a smaller scale, approximately 85 percent of the project area is uplands (approximately 4,500 acres). The build alternative impacts represent a loss of approximately 0.06 percent of the total vegetative areas.

* Based on our review of the DSEIS, impacts to wetlands and upland vegetation are not adequately evaluated. The consequences of both direct and indirect impacts to wetlands and vegetation, as well as the loss of productivity from such and how this impacts the fish and wildlife that depend on these attributes should be addressed. The implication that totality of the impacts overall is diminished due to the extent of wetlands and vegetation within the geographic area is at best not relevant to this analysis of impacts.

* Based on the wetland and vegetation impacts by alternative, the Cooper Creek Alternative poses the least direct and indirect impacts to wetlands and vegetation in comparison to the three other build alternatives. By far, the most detrimental, in terms of wetland and vegetation effects, would be either of the Juneau Creek Alternatives with 3.4 - 3.5 times as many direct wetland fill-related impacts; 8.5 - 9.3 times as many indirect impacts, and about 1.4 times as many vegetation impacts.

Sec. 3.27.7.15 Wildlife - Brown Bears

* The brown bear analysis in the cumulative impacts section is not consistent with the more recent information provided in Chapter 3.22. For example, the correct population estimate from Morton et al. (2014) is provided in the former as 582 bears. In the latter, however, the estimate is reported as 624 (from

a 2013 report) and incorrectly states “while a formal survey of brown bear population number or density has never been conducted for the Kenai Peninsula, a recent genetic analysis conducted by an ADF&G, USFWS, and National Park Service interagency team estimated the Kenai brown bear population to be approximately 624 (Morton, Bray, et al. 2013).”

The population estimate cited is a “formal survey” (i.e., statistically-rigorous study) using a DNA-based mark-recapture technique. This section then also incorrectly states “this same study concluded that genetic diversity is lower in Kenai brown bears than in mainland Alaska brown bears, thereby implying a lack of connectivity between mainland and Kenai brown bear populations and a consequent increased risk to the Kenai brown bear population (Morton, Bray, et al. 2013)”. The information on genetic diversity is not from the Morton et al. study; it is based on data from Jackson et al. (2008).

While the DSEIS addresses cumulative effects of the Alternatives and other reasonably foreseeable development activities on brown bears, it should be noted that details of the decision to convey Unit 395 appear contingent on the outcome of this Project. This at least poses questions as to the whether this Project, and in particular the Juneau Creek alternatives, will create impacts from induced development. Regardless, all Build alternatives will establish a second highway and in effect create a second barrier to wildlife movement, and improvements to the existing highway will increase these impacts. The Service believes that the combined effects of construction of either of the two Juneau Creek alternatives and residential development in Unit 395, would have the greatest overall impacts on brown bears (and other wide-ranging wildlife species) of any of the Build Alternatives due increased habitat alteration, fragmentation of movement corridors, and the increased mortality from vehicle collisions and DLP takings.

* Pg. 30 of Response Doc. – The SEIS indicates that DOT&PF is prepared to establish an appropriate number of crossings based on the results of the wildlife study and a prudent expenditure of public funds. The cost estimates completed for the preliminary engineering include a contingency factor and other items not detailed in the estimates. These contingencies are anticipated to be sufficient to cover the wildlife crossing mitigation. Page 3-415 of the DSEIS describes the expected overall process for final selection of mitigation measures:

“The process to be used to make final wildlife mitigation decisions is anticipated to be a continuing cooperative effort and negotiation among ADF&G, USFWS, USFS, DOT&PF, and FHWA. The initial study results will be incorporated into the Final EIS along with refined mitigation measures based on these results and pertinent comments from the public and agencies. Because the costs may be substantial and because this kind of mitigation is relatively new for Federally-funded projects in Alaska, it is expected that senior agency decision makers are likely to be involved. The Final EIS will include as much detail as possible. Confirmation data from the wildlife study (e.g., field verification data) will be incorporated into the Record of Decision to the extent possible so that mitigation is identified as specifically as possible in the ROD. A commitment to further refinement during project design also will be included.”

The Service remains concerned that the results of the Wildlife Study aren’t expected to be available until a later date, possibly after release of the Final SEIS, the ROD and a selection of the “Preferred Alternative.” The Service considers the Wildlife Study to be a necessary and critical prerequisite for adequate analyses and evaluation of the Project’s direct, indirect and cumulative and long-term impacts to wildlife resources, and to development and evaluation of potential mitigation options. These analyses and a detailed mitigation plan should be included in the Final SEIS. The Service considers these necessary to

fulfill our responsibilities as a Cooperating Agency under CEQ regulations and to inform our decisions required under ANILCA Section 1104(g)(2).

Wildlife crossing structures are but one of several potential mitigation measures which may be necessary to avoid or minimize impacts to wildlife resources. A key component of the yet-to-be completed Wildlife Study will be identification of landscape-scale wildlife movement corridors within the Project area. As impacts of the Project and other reasonably foreseeable development activities (including development in Unit 395) to corridors and wildlife movement in the Project Area are expected, and the Service views this information critical to informing final decisions on appropriate and necessary mitigation.

Reasonable estimates of mitigation costs for each of the alternatives should also be included in the Final SEIS. Mitigation costs may be substantive, are likely to vary greatly for the different alternatives, and may ultimately influence the selection of a preferred alternative. It is therefore critical that wildlife mitigation for each alternative should not be constrained initially by expense, as prematurely capping the costs could give the impression that wildlife impacts and their mitigation are similar for each alternative.

The DSEIS indicates that contingency funds are 20% of project costs for each alternative; and ultimately, the selection of wildlife mitigation measures will be based, in part, on the “cost and prudent expenditure of public funds”. It is unclear what other costs will be covered by the contingency funds, nor the impact of such on funds available for mitigation. The FSEIS should clearly articulate that sufficient funds from the Surface Transportation Fund, or similar funding source, will be set aside up front for the necessary and agreed upon mitigation measures to minimize impacts to wildlife resources and to offset unavoidable impacts resulting from the preferred alternative. Wildlife crossing structures should be designed, constructed, and maintained as primary components of the new highway, and not as highway enhancements.

Chapter 4: Draft Section 4(f) Evaluation

* Section 4.1.1. - This section attempts to explain the application of Section 4(f) to the project and in a foot note explains that some of the information in Chapter 4 is based on a report prepared by DOTP&F for FHWA titled Background for FHWA Determination of Section 4(f) Applicability (Background; (HDR 2008c)). The foot note also states that the document is not available for "general distribution". We were informed during a meeting with FHWA in January 2015 that the document explains FHWA rationale for excluding from 4(f) consideration the section of the Sterling Highway within the Refuge boundary. We requested a copy, as it is not available on the Sterling Highway website, and were assured a copy would be provided. We have not received a copy. W

During the January 2015 meeting we questioned why the existing section of the Sterling Highway within the project area is not subject to Section 4(f). We were informed that long standing, but unwritten, FHWA policy is that any transportation use of land within an existing right-of-way located within the boundary of a Section 4(f) property is not a use of a Section 4(f) property. Therefore, 23 U.S.C. 138, 49 U.S.C. 303, and 23 CFR Ch. 1, Part 774 do not apply to the section of the Sterling Highway right-of-way (ROW) within the Refuge.

None of the discussion of the application of Section 4(f) in Chapter 4 discloses this policy nor is the exclusion of the existing highway within the Refuge from Section 4(f) explained or disclosed. We question this policy as it does not appear to be derived from or consistent with Section 4(f) statutes and regulations. The definition of a Section 4(f) property in 23 CFR Ch. 1, Part 774.17 is “publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State or local significance...” The land subject to the ROW is owned by the United States and has been part of the

Refuge since its creation in 1941. We agree that the ROW establishes a corridor on the land within which the Sterling Highway exists and is maintained and upgraded. This in combination with topography and the geographic extent of the Refuge results in a situation in which there is no feasible and prudent avoidance alternative as defined in 23 CFR Ch. 1, Part 774.17. We believe that it is then appropriate to follow the direction provided in 23 CFR Ch. 1, Part 774.3 (c) (1) and (2) which emphasize least overall harm and mitigation.

Sec. 4.2.3.2 Functions, Available Activities, Existing and Planned Facilities

* Pg. 4-11 (Sec. 4.2.3.2) - The trailhead for the Fuller Lakes Trail, the KNWR visitor contact station, and the Russian River Ferry (including Sportsman’s Landing Boat Launch) are given extra consideration because they overlap the highway easement or lie adjacent to the highway easement, and are KNWR-owned recreation facilities.

Sec. 4.2.3.3 Access & Use Levels

* Pg. 10 of Response Doc. – As mitigation, FHWA and DOT&PF have proposed that no parking signs will be included on the stretches of highway where adjacent land managers have expressed concern. Compliance will be a major issue. Increased enforcement would be required to ensure compliance, and this would add responsibility and costs for law enforcement agencies, including the Service. High levels of public use are already affecting resources and visitor experience on the upper Kenai River; providing for higher levels of use within the Refuge by providing additional parking is not acceptable to the Service. Additional mitigation measures to address this issue will be necessary.

Sec. 4.6.3 Kenai National Wildlife Refuge

* Pg. 11 of Response Doc. – While speeds on the highway will be higher than today, by meeting modern standards, safety will be improved.” Given the number of vehicles pulling trailers, people driving large recreational vehicles and the many tourists during the summer months that may be driving this road for the first time, the speed limit should not be increased, especially on the Kenai National Wildlife Refuge. There will be improved road surfaces, better visibility and wider shoulders, but it can be argued that this is what is needed to have a safer highway at the current rate of speed.

As previously referenced, there are ample examples of posted speed limits generally being 55 mph or less on highways through National Parks and Refuges. Further, there are numerous references in literature, concluding that reducing posted speed limits on highways through these areas will have a direct effect on the extent of wildlife-vehicle collisions. In the case of this Project, it is unrealistic to assume that if the speed limit is raised that this will automatically be adhered to by all those vehicles that already abuse such. Constructing passing lanes as planned on the Refuge between MP 56.1-57.1, in such close proximity (1.7-1.8 miles) to those being planned on the adjacent MP 58-79 Project, which would allow for significantly higher speeds to occur in this segment, is unacceptable. In recognition of the values the Kenai National Wildlife Refuge is mandated to conserve and protect, consistent with our mission, we object to passing lanes being located between MP 56.1-57.1.

There is nothing that would prevent the “old” highway from being used just as heavily as any new roadway to the north, e.g. Juneau Creek alternatives. Even with turn lanes, having a substantial amount of traffic converge at the busiest section of the Sterling Highway on the Kenai NWR (Sportsman’s Landing), will result in a major bottle-neck and has the potential to create even more congestion.

Draft 4(f) Analysis:

* We do not concur with FHWA’s 4(f) findings regarding noise and visual impacts from the Juneau Creek and Juneau Creek Variant Alternatives. Please see previous comments.

General Access-related Issues:

* There are numerous statements throughout the DSEIS indicating that roadway access rights will be reserved. Yet, other statements reflect the likelihood that “limited access” is a possibility.

Pg. 15-16 of Response Doc. – DOT&PF has confirmed its commitment to reserve roadway access rights, with all ingress/egress regulated, for all new segments of all build alternatives. No driveways or side roads would be allowed direct access to either of the two Juneau Creek Alternatives from Unit 395 or CIRI Tract A.

Sec. 2.6.2 (Pg. 2-19) - Any new access (e.g., a driveway or approach road) would require a “driveway or approach road permit” that would comply with DOT&PF and FHWA design requirements and environmental evaluation procedures, including a requirement that access be provided via a bridge, and access to the alternative would be accomplished with on- and off-ramps rather than intersections.

Sec. 3.2.1.5 (Pg. 3-33) - The Kenai Area Plan indicates that the alternative selection for this project may affect the intent of some management units. The two management units that are listed in the Kenai Area Plan as partially dependent on the proposed Sterling Highway MP 45–60 Project are Units 394B and 395.

Sec. 3.2.1.5 (Pg. 3-34) - The Kenai Area Plan lists several provisions in order for conveyance to the Borough and settlement to occur. These provisions include the following: the State must retain a 100-foot scenic buffer, provide access to the Resurrection Pass Trail, and provide “limited access” from any new highway to prevent strip development and proliferation of driveways along the new route.

Based on the language in the Kenai Area Plan “limited access” from any new highway remains as one of the provisions for conveyance. It thus appears that access to one of the Juneau Creek Alternatives is likely. Further, according to FHWA during the Cooperating Agency Meeting on September 24, 2014, there is a process in place to change access rights, e.g. to make a change to any access agreement with the State, if a landowner should choose to do so. While it was stated it is a tough and lengthy process, the fact remains, it can be done. So, for DOT&PF/FHWA to claim no driveways or side roads would be allowed direct access to the new highway is unrealistic and this should be noted in all pertinent sections of the Final SEIS.

* Pg. 16 of Response Doc. – The West Juneau Road area is just east of a westbound passing lane but is not in a passing lane section. If such an intersection were built, it would require a specific traffic analysis to design that intersection, which might necessitate adding new turn lanes or other design features in consultation with DOT&PF. The responsibility for that detailed refinement would be the responsibility of the subdivision developer (KPB or their contractor).

Placing the burden on the Borough or their contractor to provide safe ingress/egress at this intersection is problematic from the Service’s perspective. As previously stated in our October 17, 2014 comments, Unit 395 is located roughly between MP 51.5 to MP 54. If access were to occur from the current alignment, passing lanes being proposed between MP 53.1 to 54.3 could prove problematic for such access and could result in major public safety issues. Project design should ensure that proposed passing lanes do not create a public safety hazard in this location.

Communication ID: 1050

I have property in Cooper Landing and also looking through the Summary of this project, going on Cooper Creek Alternative is one of the most costly and has most impact on public and native land. The most likely route seems to be the Juneau Creek Alternative.

Communication ID: 1052

By looking through the 'impacts and benefits table', the differences in impacts to humans and animals and the costs of proposals; the Juneau Creek Alternative seems to be the best route.

Communication ID: 1053

The River... the River... the Kenai River!

The Kenai River is the main consideration to have as we address its health and its life. The present route of the Sterling Highway, particularly between mp 44 and mp 55, is dangerously narrow as it closely follows the River's bank on the South side and unstable hills on the North side. Its location precludes widening.

Living at mp 49.8, we have witnessed the ever-increasing traffic and recent truck-trailer traffic with petroleum products. Traffic is fast! This project has been well studied over years. Action is critical. It is an accident ready to happen that will kill the Kenai River for years.

Communication ID: 1054

I have been told that: "At the present time, ADOT shows the road going up the hill to the north some 1/2 mile East of the Sunrise. Once completed the traffic to and from the Kenai Peninsula will be going 55+ mph and will be less likely to stop." Is this true? Thank you. Mary Louise Molenda, 907-598-1222.

Communication ID: 1055

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
OFFICE OF ECOSYSTEMS, TRIBAL AND PUBLIC AFFAIRS
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

Mr. John Lohrey
ADOT&PF Central Region
Sterling Highway MP 45-60 Project
PO Box 196900
Anchorage, Alaska 99519-6900

May 26, 2015

Dear Mr. Lohrey:

Thank you for the opportunity to review the Draft Supplemental Environmental Impact Statement for the Sterling Highway Mile Post 45-60 Project in and near Cooper Landing, Alaska (EPA Project# 15-0028-FHW). We have reviewed the Draft SEIS in accordance with our responsibilities under the National Environmental Policy Act, as well as Section 309 of the Clean Air Act. Section 309, independent of NEPA, specifically directs EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Under our policies and procedures we also evaluate the document's adequacy in meeting NEPA requirements. A copy of our rating system is enclosed (Enclosure 2).

According to the SEIS, this project is intended to address a travel area that ranks high for safety and congestion concerns along the only road route between Anchorage and the communities of the western Kenai Peninsula, including Homer, Kenai and Soldotna. The current highway has limited shoulders, steep inclines, low speed limits, numerous pedestrian crossings and driveway connections, as well as non-existent or limited line of sight around curves. The design has not been substantially upgraded since original construction in the mid-twentieth century. The Federal Highway Administration and the Alaska Department of Transportation and Public Facilities previously completed draft EISs for a larger project (Milepost 37-60) in 1982 and 1994. The project was then redefined and the MP 37-45 Project was separately evaluated and constructed.

In agency discussions and in our formal comments on the previous EISs, we expressed our concerns and objections to various alternatives and alternative components. These concerns primarily stemmed from potential impacts to water quality, aquatic resources, brown bear habitat and habitat connectivity, recreation and designated wilderness. We also identified the need for clear mitigation and monitoring goals as well as a robust cumulative effects analysis in our June 27, 1994, letter from Joan Cabreza to Hank Wilson, State of Alaska DOT. We previously indicated that we preferred Alternative 3R, an alternative that essentially upgraded the existing alignment. We recognize that more recent engineering studies concluded that this is not feasible given the instability of rocks and soils throughout the alignment. Therefore, an existing alignment alternative was not fully analyzed in this analysis.

This most recent Draft SEIS identifies a No Build alternative and four build alternatives (Cooper Creek, G South, Juneau Creek and Juneau Creek Variant) that meet the project's purposes of improving safety, meeting design standards and reducing congestion to varying degrees. A preferred alternative is not identified. The Draft SEIS indicates that the Juneau Creek alternative will not be selected.

Overall we appreciate the inclusion of additional build alternatives in the Draft SEIS, as well as the additional analysis regarding bear habitat. We commend the document authors for a very reader-friendly document that incorporates useful maps, tables, photos and text boxes. We also believe the document

considers a reasonable range of alternatives given the topographic and numerous other limitations presented by the project area. We believe the analysis of direct, indirect and cumulative impacts is quite thorough and addresses many issues that we have raised in our comments on previous EISs for this project.

However, we continue to have concerns and objections regarding the potential impacts associated with all build alternatives. Since a preferred alternative has not been identified, we have rated each alternative in the table below.

Alternative / Impact Rating / Justification

Cooper Creek EO Utilizes existing alignment heavily; requires 2 replacement bridges (Kenai River) and 1 new bridge (Cooper Creek); highest impacts to private property; high impacts to recreation; high impacts to cultural/archeological resources; highest number of noise recipients; highest risk of impacts due to spills; may require comprehensive plan amendment; highest impacts to essential fish habitat and flooded wetlands

G South EO Utilizes existing alignment heavily; requires 1 replacement bridge (Kenai River Schooner Bend) and 2 new bridges (Kenai River and Juneau Creek); high impacts to private property; high impacts to recreation; high impacts to cultural/archeological resources; highest number of drainage crossings; highest impacts to mapped floodplain; high impacts to essential fish habitat and flooded wetlands; highest impacts to brown bear habitat

Juneau Creek EC Requires construction of 1 new bridge (Juneau Creek); high impacts to recreation resources; highest impacts to inventoried roadless area; highest impacts to brown bear and moose habitat; highest impacts to wetlands and vegetation; highest habitat avoidance area; highest impacts to public lands, including Mystery Creek Wilderness

Juneau Creek Variant EC Requires construction of 1 new bridge (Juneau Creek); highest impacts to recreation resources; highest impacts to brown bear and moose habitat; high impacts to wetlands and vegetation

No Build EC Most existing impacts increase with time and increased traffic

EO = Environmental Objections

EC = Environmental Concerns

For the Cooper Creek and G South alternatives, we believe the potential impacts to the Kenai River and associated floodplain are likely serious and should be avoided, either through design changes, if possible, or mitigation, should either of these alternatives be selected. We have assigned an overall adequacy rating of "1" (Adequate) but request that additional information regarding the issues we have identified within this letter be considered for the Final SEIS.

While we support FHWA and ADOT in their goal to address serious public safety and traffic issues on this stretch of road, our primary environmental concern is with potential impacts to water quality and aquatic resources in the Kenai River and its floodplain. Given that the Juneau Creek and Juneau Creek Variant move impacts away from the Kenai River and its associated floodplain, we have identified these alternatives as environmentally preferable to the other build alternatives. These alternatives also align with the goal of the Kenai River Comprehensive Management Plan to move the road corridor away from the river.

In addition, although the detailed analysis for the determination of the Least Environmentally Damaging Practicable Alternative (LEDPA) has yet to be undertaken, based on the information presented in the

Draft SEIS, it appears that one of the Juneau Creek alternatives, or a variation of the two, may be the LEDP A. This conclusion is based not only on the total wetland acreage and functions in the alternative impact areas, but also impacts to the Kenai River and its floodplain. We note that although NEPA does not require lead agencies to select the environmentally preferable alternative, only the LEDPA can be permitted by the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act. We encourage the applicant to work closely with the Corps and the EPA Region 10 Aquatic Resources Unit on the development of the draft 404(b)(1) analysis. We also request that FHWA and ADOT consider including the draft analysis in the Final SEIS.

Please refer to Enclosure I for additional comments regarding climate change and greenhouse gases; the disposition of Unit 395; and wildlife crossings.

We appreciate the opportunity to review the Draft SEIS. Should you have any questions regarding our comments please contact Jennifer Curtis of my staff in Anchorage at (907) 271-6324 or by electronic mail at curtis.jennifer@epa.gov.

Sincerely,

R. David Allnutt, Director

Office of Ecosystems, Tribal and Public Affairs

Enclosures

1. EPA Region I 0 Additional Comments on the Draft Supplemental Environmental Impact Statement for the Sterling Highway Mile Post 45-60 Project Statement
2. U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements Definitions and Follow-Up Action

ENCLOSURE 1

EPA Region 10 Additional Comments on the Draft Supplemental Environmental Impact Statement for the Sterling Highway Mile Post 45-60 Project Statement

Disposition of Unit 395

We request that the document authors confirm the disposition of Unit 395. In particular, if management could remain with the State of Alaska instead of being transferred to the Kenai Peninsula Borough, conclusions regarding long-term development of the area may need to be revised (3.27.4.2 Present Actions).

Climate Change and Greenhouse Gas Emissions

While we recognize this document is a (second) SEIS, we recommend that climate change issues be analyzed consistent with the Council on Environmental Quality's (CEQ) December 2014 revised draft guidance for Federal agencies' consideration of GHG emissions and climate change impacts. Accordingly, we recommend the Final SEIS include an estimate of the GHG emissions associated with the project, qualitatively describe relevant climate change impacts, and analyze reasonable alternatives and/or practicable mitigation measures to reduce project-related GHG emissions. More specifics on those elements are provided below. In addition, we recommend that the analysis address the appropriateness of considering changes to the design of the proposal to incorporate GHG reduction measures and resilience to foreseeable climate change. The Final SEIS should make clear whether commitments have been made

to ensure implementation of design or other measures to reduce GHG emissions or to adapt to climate change impacts.

More specifically, we suggest the following:

"Affected Environment" Section

* Include in the "Affected Environment" section of the Final SEIS a summary discussion of climate change and ongoing and reasonably foreseeable climate change impacts relevant to the project, based on U.S. Global Change Research Program¹ assessments, to assist with identification of potential project impacts that may be exacerbated by climate change and to inform consideration of measures to adapt to climate change impacts. (Among other things, this will assist in identifying resilience-related changes to the proposal that should be considered).

1 <http://www.globalchange.gov/>

"Environmental Consequences" Section

* Estimate the GHG emissions associated with the proposal and its alternatives. Example tools for estimating and quantifying GHG emissions can be found on CEQ's NEPA.gov website². For actions which are likely to have less than 25,000 metric tons of CO₂-e emissions/year, provide a qualitative estimate unless quantification is easily accomplished.

2 https://ceq.doe.gov/current_developments/GHG_accounting_methods_7Jan2015.html

* The estimated GHG emissions can serve as a reasonable proxy for climate change impacts when comparing the proposal and alternatives. In disclosing the potential impacts of the proposal and reasonable alternatives, consideration should be given to whether and to what extent the impacts may be exacerbated by expected climate change in the action area, as discussed in the "affected environment" section.

* Describe measures to reduce GHG emissions associated with the project, including practicable mitigation opportunities, and disclose the estimated GHG reductions associated with such measures. For example, consider if modifications to the inclines and speeds of each alternative. Alternatives could appreciably reduce the amount of GHG emissions while maintaining comparable level of service. The Final SEIS alternatives analysis should, as appropriate, consider practicable changes to the proposal to make it more resilient to anticipated climate change. We further recommend that the Record of Decision commit to implementation of reasonable mitigation measures that would reduce or eliminate project-related GHG emissions.

Wildlife Crossings

We previously identified impacts to brown bear habitat and habitat connectivity as a serious concern in past comments. We are particularly concerned with the potential impacts to the estimated eleven individuals that are known to utilize the "linkage zone" associated with the Juneau Creek alternatives. We appreciate the additional analysis that has been completed regarding this topic in the Draft SEIS. We believe, however, that this information should be utilized in detailed design to determine appropriate and adequate wildlife crossings for brown bear, especially in the "linkage zone" should FHW A and ADOT select one of the Juneau Creek alternatives. We encourage FWHA and ADOT to work closely with the Alaska Department of Fish and Game and the US Fish and Wildlife Service, Kenai National Wildlife Refuge to develop and incorporate these crossings into the design of the Juneau Creek alternatives. We also recommend that appropriate monitoring efforts to determine the adequacy of the crossings, and the agency responsible for those monitoring efforts, be identified in the Final SEIS.

ENCLOSURE 2

U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements Definitions and Follow-Up Action*

*From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

Environmental Impact of the Action

LO - Lack of Objections

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - Environmental Concerns

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - Environmental Objections

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - Environmentally Unsatisfactory

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category I – Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 – Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

Communication ID: 1056

I sent an email yesterday, and I need to know if traffic is going to be 55mpr in front of Sunrise Inn. I have an offer of sale and the buyer is attempting to reduce the price by 400,000 because of this factor. Is it true? Thank you for any response.

Communication ID: 1057

About 25-30 years ago The government started studies on rebuilding this very dangerous stretch of highway and here they are still studying it. My representative told me about 10 yrs ago that the eis was finally completed and that it set a record for taking the longest time on record. Now it seems that we have to have more EIS studies. Meanwhile we can expect more fatalities occurring like last summer.

Yet we are spending the big bucks to rebuild stretches of highway that are in good shape and safe! i.e MPH 58 to 79. If any other than the Cooper Landing highway could use widening it would be between Sterling and Soldotna. Who picks these projects anyway? The tourist businesses in Cooper Landing? I for one don't like meeting semis on a dark night with no shoulders or fog lines, it really puckers me up.

**Communications Submitted
Following the Comment Period (May 27 to December 15, 2016)**

Communication ID: 1061

Not a good choice...it's the worst alternative... Most expensive... Doesn't do the job... Too many bridges... What's wrong with showing Juneau falls to people who can't hike there...the river suffers...the people of Cooper Landing suffer...and it's the most expensive!

Sent from my iPhone

Communication ID: 1062

The only question I have at this time is which Alternative is the Cheepest in COST and the SAFEST one to build to build?

Thank you

Don Goforth

Communication ID: 1063

Thank you. I think the reroute is an excellent idea.

Communication ID: 1064

Thanks for the update on the G South Alternative, wasn't my first choice, however will provide the needed by-pass for Cooper Landing, and a widening of the existing highway to improve safety with shoulders, turning lanes while minimizing impact on wilderness areas.

Good job, now let's get it built!

Glenn & Cheryl Flothe

Cooper Landing Resident

907-595-1305

Communication ID: 1065

I just read the good news in today's ADN.com about the selection of the "G" South route around Cooper Landing.

I hope this new route will be built before any more people are injured or killed on the existing dangerous road, and before the priceless Kenai River is impacted by spilled fuel from accidents on the narrow, curving road just meters away.

Go for it and get 'er done!

Sincerely,
Carol Griswold
Seward, Alaska

Communication ID: 1066

As an 18 year resident of Cooper Landing and a fishing guide on the upper river for the last 15 years I have spent a lot of time on this section of the highway. It has needed a solution for the congestion for a very long time.

I have not been for the project since I first heard about it from local community members in 1998. The real solution to the big problem is a bridge over the Turnagain Arm, creating an alternate route to and from the peninsula. Which would land on the peninsula some where north of where Mystery Creek rd intersects with the Sterling hwy. perhaps. I'm sure that is not on the radar.

As far as the bypass is concerned, I can somewhat get on board with the most northern route which runs from Sunrise Inn to roughly mile 58. Without going all the way to mile 58 you are not getting around the Russian River ferry area which as I am sure you are aware is one of the most dangerous parts of the Sterling Hwy. in my opinion. The frequent bear viewing at the Guardrail corner is a disaster waiting to happen.

Another major oversight is not including a separated path in the project. If Johnson pass area has one with virtually no one living in the area to use it, then Cooper Landing deserves one.

I appreciate your time reading my comments. If someone would acknowledge reading this, I would appreciate it.

Thanks,
Alec Lamberson

Communication ID: 1067

I'm all for it! I've lived in Soldotna for 50 years. Since Alaska invited the world to our wonderful state, tourists have plugged the highways, and with that, the rubber-neckers have caused many accidents. Bypassing Cooper Landing with this new route provides a level of increased road safety as a result of less traffic in an already dangerous stretch of highway. And those who want to visit this quiet little place have the opportunity to do so without any trouble or worry that someone gawking at an eagle sitting in a tree will rear-end the vehicle in front of them or hit an on coming vehicle. Not to say that couldn't still happen. But it's less likely with fewer vehicles on that stretch of road.

I also noticed while driving through there, the recent resurfacing job actually narrowed the road. I can't remember a time when traveling through that area that I haven't had to almost get in the ditch because of a semi truck. The recent road "improvement" was not even close to improving the road. It made it even

more unsafe due to the narrowing of the highway. That's incompetence on some engineer's part, and the rest of the review team. It illustrates the fact that not one of them actually was at the location to determine if narrowing the highway was safe. I hope you do a better job of determining the value of building a road that's wide enough for semi trucks to travel safely through the bypass than was done for the resurfacing of that short stretch just south of Cooper Landing.

Regards,
Andy Lovett

Communication ID: 1068

While there are some issues with Juneau Creek F plan, it makes far more sense to take that length of work, swing it up to continue on and link on into Sterling Highway further South.

That gets past ALL the fishing, campground etc.

If the Forrest Service and make roads to cut trees in the Chugach, we can build a road that works right.

Its not like we are lacking wilderness up here for crying out loud. That's as stupid as people complaining about cutting a bit of rock out of the Chugach along the Seward highway. Intruding, really? Everything is blown out of proportion, they try to blow it up as if we are going to do Pebble Mine in the middle of it.

After how many yeas this is the best we can do?

Greg Schmitz
1503 Turpin St.
Anchorage AK

Communication ID: 1069

Hopefully, the G route will be finalized, it restores my faith that "government" really does listen! To save the Trail and minimize the impact on wilderness is a big step forward! Again, thank you.

Chris Siva
Sent from my iPhone

Communication ID: 1070

Remember the original purpose of this project was to keep commercial traffic away from the river.
Thank you.

Communication ID: 1071

As this summer comes to a close, more accidents have occurred in this section of the road. Currently, there are two cars (rollovers) in the ditch along this section of the road... one at MP 48.5 (pickup with

topper) just past Alaska Troutfitters and another between 57 and 58 (Dodge Durango). A death this summer occurred at MP 45.

The Cooper Creek Alternative does not solve the issues from MP 51 to MP 53 of folks accessing the river (lots of pedestrians use the bridge at Schooner Bend), keeps the double tractor trailers of fuel along the river corridor, impacts more public properties, and is higher cost (\$290M vs. \$250 to \$257M) than the Juneau Creek Alternatives.

I'd be interested in how the final alternative will be chosen, and if additional meetings are planned. I am fairly active in Cooper Landing and I have heard that many of the residents will "believe it when they see it." Therefore they have not attended the meetings. Land in Cooper Landing is difficult to come by, and I believe that there will be a substantial public outcry if the route that impacts the most private properties is chosen.

Looking forward to making Cooper Landing a better place for drivers and residents.

Brad Melocik

Communication ID: 1072

I am still a lot disappointed on the Rout that has been chosen the only rout that should be used is the Juneau Creek Alternative I am going to look onto a way to STOP the G South Alternative or any other rout even if it takes a LAWSUIT!

Don Goforth

Communication ID: 1074

Hello, Thank you for all your hard work on this important project. Although I don't live in the cooper landing area, I spent some days alongside a resident who lives in this area while we helped fight the recent Stetson creek fire. I learned from him that the priority concern when considering the options needs to be the health of the Kenai river. Without this incredibly important fishery, the entire area would be extremely different. It is the cornerstone for all the communities in the area. Put a highway next to it that carries necessary hazardous chemicals for these communities and it just a matter of time before the health of this resource is negatively impacted or even destroyed. Although all of the improvements seem to reduce this risk from the current alignment and standards, I am in favor of the alternative that reduces the risk of the health Kenai river the most. I know there are wilderness and recreation areas that are to be considered, but they need to take second priority to the health of the Kenai river. Thank you, Eric Steinfort PO Box 762 Girdwood, AK 99587 Goombay78@aol.com Sent from my iPhone

Communication ID: 1075

Our driveway is at mile 46.2. Between the widening of the road and the planned bypass of the road at mile 46.3 this will greatly impact our property which is currently for sale. We expect that this will affect

our sale price. We would like to know what is the planned compensation to landowners who will be affected by this proposal. Thank you, Bill & Anne Kutchera

Communication ID: 1076

The whole problem would be solved by putting a bridge from Anchorage to Fire Island, then from fire island to Chickaloon flats. It would eliminate so much traffic from the dangerous Seward highway as well. At the same time give North Kenai a shot in the arm with tourists and Anchorage travelers that are just wanting to go to Kenai, Soldotna or Homer. Cooper Landing is to narrow a valley for a bypass. This would completely destroy the most beautiful place in our great state. Sincerely, Barbara Atkinson Cooper Landing resident since 1978 Sent from my iPad

Communication ID: 1079

Kelly Peterson

I have a question. Does Princess Lodge in Cooper Landing intend to place an access road off the new main highway (route G) to their lodge and if so, what mile post would be their turn-off?

Chris Rhodes---Cooper Landing Resident

Communication ID: 1082

Kelly Peterson & John McPherson. Thank you for attending the Cooper Landing Community Club meeting last night. I appreciate the effort by DOT to involve the community and move this project forward. There are lots of supporters (myself included) of the project, but are quiet because of the divisiveness of the issue. Most believe a bypass has to be built to elevate the traffic danger the current road has. The G South alternative may not be perfect, but it will accomplish the goals of updating this section of road and creating a safer community for Cooper Landing. I am a 25 year resident and have served on the Cooper Landing Advisory Planning Commission. Sincerely, Jon James

Communication ID: 1083

Hi John,

Thank you very much for taking the time to meet with me Thursday. It was greatly appreciated. Of course I didn't think I would absorb all your knowledge in one brief meeting, so would beg your indulgence for some clarifying questions.

You mentioned a proposal that was considered at one time and then abandoned that would have improved some problem areas but would have kept the current path of the highway. I think you referred to it as R3. Is that also the one that included the Kenai Walls option? Can you tell me when this project was

considered, if a budget estimate was created, what information is available for it, and when/how/who nixed that project?

You also mentioned SHIPO. Not sure if I got the acronym right. And that they are led by Judy Bittner and are working on a preservation plan for the entire area that would include possible construction of an education facility. Could you provide me contact information for that agency and perhaps a reminder of what the acronym stands for?

I appreciate any guidance you can offer.

Sincerely,

Vince Beltrami

Communication ID: 1086

WHERE MAY I VIEW THE DOT PROJECT BID DATES AND RESULTS? (WITHOUT PAYING FOR INFO ie. PLANS ROOM)

Communication ID: 1087

Hello Mrs. Petersen--

My name is Christine and I am a student and employee at the University of Alaska Anchorage. I am working on some GIS for EPSCoR, we are trying to put some scenario maps together to project what the Kenai Peninsula may look like in the future. I was hoping that you maybe able to share the "G Rote" road file that you may have with me. I would like to have the updated road in my maps since they are future focused.

I found this map on the project website and was basing the GIS file of the road that I was looking for based off of the map:

[MAP ATTACHED TO EMAIL]

Any assistance you could provide would be very appreciated!

Christine Brummer

Christine Brummer

Research Technician

EPSCoR

University of Alaska Anchorage

3211 Providence Drive, BMH#113

Anchorage, Alaska 99508

cebrummer@alaska.edu

(907) 786-6388 (No Voice Mail, Sorry)

(907) 677-6349 (Voicemail)- It is my home landline but please feel free to call the number

Communication ID: 1092

Hello,

Is there a current project status that you could share? Do you have an estimated release date for the FEIS and ROD? Are there any alternatives under consideration that were not analyzed in the DEIS, or for any reason any further field work occurring this summer? Thank you for any updates you can provide, and feel free to give me a call if it's easier to respond that way.

Patrick Lavin

Alaska Representative
Defenders of Wildlife
441 West 5th Avenue, Suite 302, Anchorage, Alaska
Tel: 907-276-9410 | **Fax:** 907-276-9454
plavin@defenders.org www.defenders.org

Communication ID: 1101

Thanks Kelly. Would you be able to refine the estimated release date for the FEIS/ROD a bit? Even a ballpark estimate and/or “not before” date would help.

Thanks,

Pat

Communication ID: 1102

Hello,

The link to the Stakeholder Interview Summary on p.5-10 of the Section 4(f) evaluation appears to be no longer active – could you either send a working link or send the Summary?

Thanks,

Pat

Communication ID: 1104

HDR,

Can you give me an estimated timeline on when the FSEIS will be issued for the Sterling highway project?

Also, can you please send a link, or attach as documents the agency comments submitted by FWS and USFS - I can't find those on your website.

Thanks,

Andy

Communication ID: 1105

Hello. When do you expect to release the final EIS and ROD?

Communication ID: 1106

Thanks Kelly,

I appreciate being added to the mailing list. Would you mind sending me the agency comments, which have already been submitted in final form, or at least connecting me with the federal agency contact for the project, so I don't have to FOIA the comments from each agency individually?

Thanks,

Andy

Communication ID: 1108

Would it be possible to get an updated shapefile of alternative G south centerline?

Thanks,

Chris

Chris Clough

GIS Manager

Kenai Peninsula Borough

907 714-2223

cclough@kpb.us

Communication ID: 1109

I was able to find, in the FAQ section of the Sterling Highway MP 45-60 website, information that supported the selection of the preferred alternate on this project. That information was very useful. However, I was wondering if there is an official written document that supports the preferred alternate. If so, can you email that to me?

Bruce Wall, AICP

Planner

Kenai Peninsula Borough

907-714-2206

Communication ID: 1111

Hello,

Are the comments on the draft EIS available online? If not, then I request copies of them. Electronic or hard copies would be fine, whatever is easier for you.

Also, is there a hard copy of the DEIS available? If so, please send to me at the address below.

Thank you –

Patrick Lavin

Alaska Representative

Defenders of Wildlife

441 West 5th Avenue, Suite 302

Anchorage, Alaska

Tel: 907-276-9410 / Fax: 907-276-9454

playin@defenders.org / www.defenders.org

Communication ID: 1112

Attn: Mr. Kelly Peterson, PE. Project Manager, Ak DOT Mr. John Lohrey, Draft SEIS Ak Team Leader, Federal Highway Administration I live at mile 46.5, near the epicenter of the proposed mile 46.3 connection from the new bypass to the old Sterling Highway noted in the public Sterling Highway rebuild documents. A close up schematic of the proposed turnoff is not provided in your online overview documents and drawings. I have owned property at mile 46.5 for over 30 years and have lived here the past 16 years as my primary residence. I contacted Mr. Kelly Peterson awhile back by letter but did not get a response concerning being able to see the proposed turnoff drawings for mile 46.3. If you can assist me in obtaining a copy (similar to the one shown in the public documents for the Russian River boat launch turnoff) it would be greatly appreciated. Thank you, Glenn Flothe Mile 46.5 Sterling Highway Cooper Landing Ak. 1-907-595-1305 Gflothe@gmail.com Sent from my iPad

Communication ID: 1115

I'm sorry the house is at mile 46-47 I typed the last email incorrectly.

Teresa

Sent from my iPhone

Begin forwarded message:

From: Teresa Winter <winter_teresa@yahoo.com>

Date: August 12, 2016 at 8:30:51 AM AKDT

To: sterlinghwy@hdrinc.com
Subject: Question on cooper landing bypass

I am considering purchasing a house at 20518 sterling hwy. I am wondering if I might talk to someone about where exactly the highway might cut up the hill in the area around mile 63? I don't want to purchase this place if I end up with a highway in my backyard.

Thank you in advance for your time

Teresa

Sent from my iPhone

Communication ID: 1117

Kelly,

Thank you for responding to my inquiry. I found the proposed drawings very informative. As proposed we will have access to our property on Kenai Lake off what will become the Old Sterling Hwy rather than the new proposed by-pass. This will make it much safer for those property owners living on the lake as the existing winding shoulderless highway has become increasingly dangerous with each passing year. A semi went off the road just above our home two years ago, the crash was so loud it shook our house. A year ago a young girl was sadly killed just down the road when the vehicle she was in veered off the shoulderless highway above Kenai Lake and hit a tree. Your highway design will greatly improve safety for those traveling on the highway through the Cooper Landing and allow those recreating in the area safe access to Kenai Lake and the Kenai River. Thank you and your team for all your hard work. Without your years of dedicated effort this project would have never gotten off the ground.

If we can be of any help with regards to lending support to your project please let us know.

With best regards,

Glenn & Cheryl Flothe
Mile 46.5 Sterling Hwy
PO Box 850
Cooper Landing, AK 99572
1-907-595-1305 home
1-907-240-4086 cell

Communication ID: 1118

July 22, 2016

John Lohrey
Statewide Programs Team Leader Federal Highway Administration
P.O. Box 21648
Juneau, AK 99802-1648

Dear Mr. Lohrey;

Re: Sterling Highway M. P. 45-60, Cooper Landing, Alaska

This letter is to follow up on the June 1, 2016, meeting with you and Karen Pinell, Assistant Division Administrator, and the Kenaitze Indian Tribe's Executive Council for the purpose of government to government consultation. The Council asked for justification for the selection of the G South Route as the preferred route. The Council listened to you and after further discussion and deliberation remains in support of the Juneau Creek Route as the preferred route. Your willingness to consult with the Tribe is appreciated.

According to the project website, there are three major needs the project addresses: to reduce highway congestion, to meet current highway design standards and to improve highway safety. Factors considered in selecting a preferred route include the ability to mitigate adverse impacts to 4F properties, the severity of remaining harm, the significance of affected properties, the view of the official with jurisdiction over the resource, the degree to which the preferred route meets project needs, the adverse impact to other resources not considered 4F resources, and the substantial difference in cost.

This letter addresses our comments and concerns within the context of the project needs and selection criteria. There are two safety issues. The first is the safety of the travelers and the second is the safety of the Kenai River. The G South Route incorporates one of the most dangerous sections of the highway, the curve near Gwin's Lodge at Milepost 52. The Juneau Creek Route has four less curves that meet the minimum standard of 60 mph speed and nine less intersections and driveways than the G South Route.

The safety of the Kenai River is equally important. The G South Route provides the most potential for a multitude of events that could be catastrophic to the river and the life it supports both during and after construction. The Juneau Creek Route moves through traffic away from the Kenai River, also lessening congestion when the bypass is open, as at least 70 percent of those traveling the highway are forecasted to use the bypass.

Many members of the Council travel throughout the Lower 48. During our travels we have noted that the highway system is designed to make scenic and recreational opportunities accessible to travelers. The Juneau Creek Route does this by providing access to Juneau Creek Falls to those who may not be physically able to use the current Resurrection Pass Trail or have the time to do so. Those who want to experience the Resurrection Trail while hiking or backpacking may still do so, as the Juneau Creek Route affects only the first 10 percent of the trail. We acknowledge the history and use of the Resurrection Trail as a premier backcountry experience but ask that consideration be paid to the numbers of those who hike the trail as opposed to the number who depend on the health of the Kenai River for subsistence and recreational use. The Kenai River offers premier recreational opportunities and the number people who utilize this as compared to the Resurrection Trail is significantly higher.

We acknowledge that the Juneau Creek Route will impact wetlands and possibly wildlife movement. However, we also acknowledge that the health of the land and waters, specifically the health of the Kenai River, supports and nurtures wildlife of the region that are highly dependent on the river. A route that is a known risk to the Kenai River is not a viable choice.

Kenaitze-Dena'ina values, traditions and culture are based on a world view that does not acknowledge a difference between cultural and natural resources. The term "4F properties" is incompatible with our

holistic approach to serving as stewards of our ancestral lands and the voice of the fish, animals, and our past and future generations.

Should you have questions or concerns or need additional information or clarification, please do not hesitate to contact Alexandra "Sasha" Lindgren. Her phone number is 907-398-3181 and her e-mail address is chudashla@outlook.com or alindgren@kenaitze.org.

In closing, the Kenaitze Indian Tribe opposes the G South Route as the preferred route and encourages Federal Highways to reconsider the selection. The Kenaitze Indian Tribe is committed to protecting the Kenai River and all life that it supports, which is the primary reason we favor the Juneau Creek Route.

Sincerely,

Rosalie A. Tepp
Chairperson
Kenaitze Indian Tribe

Communication ID: 1124

To whom it may concern. The biggest problem with G-south route through Cooper Landing is the additional bridge over the Kenai River will result in a negative impact to land AND river. The g-south route does not reduce the presence of the road next to the river between Gwins Lodge and Russian River Campground where we've already had a truck spill. The Juneau Creek Alternative route is the less expensive option, and dangers to the river would be avoided. There would be more land lost to habitat but wildlife corridors will mitigate this issue as much as the G-route. Please reconsider your options. The wait for the reroute has been 40 years. It doesn't need to be done incorrectly in the next 5 years if the preferred way may take a little longer with the extra red tape. Jeff Perschbacher

Communication ID: 1125

Southcentral Alaska Subsistence Regional Advisory Council
U.S. Fish & Wildlife Service
c/o Office of Subsistence Management
1011 East Tudor Road M/S 121
Anchorage, Alaska 99503

RAC SC15086.DM

Kelly Peterson, PE
Project Manager
Alaska Department of Transportation and Public Facilities
P.O Box 196900
Anchorage, Alaska 99519-6900

RE: SCRAC comments on the Sterling Highway Milepost 45-60 Project

Dear Ms. Peterson:

The Southcentral Alaska Subsistence Regional Advisory Council (Council) is authorized by the Alaska National Interest Lands Conservation Act and chartered under the Federal Advisory Committee Act. ANILCA Title VIII Section 805 and the Council's charter establish the Council's authority to initiate, review, and evaluate proposals for regulations, policies, management plans, and other matters related to subsistence uses of fish and wildlife on public lands within the region and to provide a forum for the expression of opinions and recommendations on any matter related to the subsistence uses of fish and wildlife on public lands within the region.

The Council held its annual fall meeting in Anchorage, October 17-18, 2016, to review fishery proposals, identify priority information needs for the Fishery Resource Monitoring Project, and other subsistence related issues. The Regional Advisory Councils has permissive authority under ANILCA Title VIII Sec. 805 (a)(3)(A) to review and evaluate proposals for regulations, policies, management plans, and other matters relating to subsistence uses of fish and wildlife within the region.

The Council had the opportunity to review and comment on Alaska Department of Transportation and Public Facilities (DOT & PF) and the Federal Highway Administration (FHWA) on the issue of the Cooper Landing / Kenai River Bypass on the Sterling Highway MP 45-60 Project.

The ecological health and well being of the Kenai River has a direct impact on the access and opportunity for Federally qualified subsistence users to fish and hunt in their customary and traditional use rural areas on Federal public lands of the Kenai Peninsula. Additionally, the Kenai River supports many uses by other key user groups that also depend on healthy populations of fish and wildlife.

The Council voted unanimously to request a reconsideration of the selection of G South Alternative as the preferred alternative on the Sterling Highway MP45-60 project. The Council requests that this selection be reevaluated in consideration of the following comments in opposition to the preferred alternative of G South, which fails to provide necessary long-term protections for a healthy Kenai River. We support the more Kenai River friendly Juneau Creek Alternative.

The Council has grave concerns that the assessment of alternatives did not fully consider the impacts and environmental threats to the Kenai River, and the relative lack of weight given to these impacts in the selection of a preferred alternative. While we recognize the complexity of this process, and are aware of the impacts each alternative will have on important habitat and recreational opportunities, the Council is concerned that the sustained and potential catastrophic impacts to the Kenai River were shown less emphasis in the selection process than impacts to the Mystery Creek Wilderness Area, the Resurrection Pass Trail, and the Juneau Falls Recreation Area. Our particular area of concern is the failure to remove potential for a hazardous spill into the Kenai River, which would seriously harm the subsistence and other important fisheries.

Forty-five percent of the G South Alternative remains within 500 feet of the Kenai River or other Tier 1 Waterbodies, compared to 25% of the Juneau Creek Alternative. The separation provided by the Juneau Creek Alternative, which moves 75% of the route more than 500 feet away from a Tier 1 waterbody, provides responders with extra time to protect the Kenai River in the event of a hazardous spill. This difference is acknowledged within the DSEIS; however, these risks are minimized citing that "the highway would be reconstructed throughout to meet current standards and improve safety."

Improved safety along a Kenai River corridor – while decreasing the likelihood of an accident – does not eliminate the risk nor does it mitigate the impact a spill will have if it occurs. In order to mitigate the impact a hazardous spill will have, the road must be moved away from the Kenai River corridor to the maximum degree reasonably possible. The Sterling Highway is the sole highway transportation corridor between the western Kenai Peninsula and the rest of the state, including Anchorage which serves as the primary trucking destination for the region. Double trailer trucks are becoming much more common on the Sterling Highway, raising the level of concern of a major spill. It is infinitely wiser to move the highway itself away from the river corridor, thereby removing the immediate risk of a major spill into the Kenai River.

We maintain that by selecting G South as the preferred alternative, DOT&PF and FHWA have highlighted the Juneau Creek Alternatives' impact on wetlands and human recreation, while showing much less emphasis for substantial encroachments and major environmental spill hazards to the Kenai River.

Limited regional capability to respond to significant spills in this area, due to both the capacity of local volunteer agencies and the geographic limitations of the area, considerably increase the risk posed by failing to move the majority of traffic off of the Kenai River Corridor. Due to the constraints of the area, and the likelihood of a delayed response to a spill, the improved response time that the Juneau Creek Alternative gives local responding agencies is a crucial consideration and should be given high priority in the analysis.

Protecting the Kenai – a resource crucial to the environmental, cultural, recreational, and economic health of this region – should receive as much, if not more, weight in the decision making process than an administrative boundary such as the Mystery Creek Wilderness Area. The Mystery Creek Wilderness Area is an extremely small portion of this project, yet seems to carry an outsized weight due to the administratively complex process needed to build in the area.

Conversely, moving the road away from the Kenai River – an invaluable resource heavily impacted by a large portion of the project area – is not being given the highest priority consideration in this project. Should a major accident due to an unwise choice of highway routing, such as the G South Alternative negatively impact the health of the Kenai River, the environmental damage could be extensive, the impacts to subsistence fisheries could be devastating, and the news about this avoidable catastrophe would be far-reaching and harsh.

Although the impacts of the Juneau Creek Alternative route are worth mentioning, they in no way outweigh the opportunity to prevent a major spill, along with the chance to dramatically decrease in general highway traffic adjacent to one of Alaska's crown jewels, the Kenai River. As the economic and corresponding transportation activity along the Sterling Highway grows in future years, the threat posed by increasing general traffic through the river corridor route of the G South Alternative, especially by double trailer trucks, is unacceptable.

The Council recognizes there are numerous impacts of all alternatives that need to be addressed. We request awareness of those issues and that mitigating steps be taken to minimize impacts on wildlife and recreation for all of the alternatives. The mitigation steps that could be utilized on the Juneau Creek Alternative have been implemented successfully over the past twenty plus years to minimize impacts on wildlife and recreation along the nearby Seward Scenic Highway (much of which falls within or in close proximity to the Chugach National Forest), where principal sections of the route have been and are continuing to be scheduled for upgrades to modern highway safety and design standards.

The Council therefore strongly opposes the selection of any alternative that fails to protect the Kenai River and believes the protection of such a crucial resource should receive the highest priority in the decision making process. After forty years of deliberation, the ability to reroute the largest existing section of highway traffic directly adjacent to the Kenai River will never occur again in anyone's lifetime.

In light of this, we support the only other existing alternative, the Juneau Creek Alternative, as the best route to bypass both Cooper Landing and the Kenai River. We strongly encourage DOT & PF and FHWA to consider our heartfelt concern in your reconsideration of the alternatives. Thank you for your time and consideration in this matter of utmost importance.

If you have any questions, please contact me or our regional council coordinator, Donald Mike, at (907) 786-3629.

Thank you for your time and consideration.

Sincerely,

Richard Greg Encelewski, Chair

cc: Interagency Staff Committee

Eugene R. Peltola, Jr., Assistant Regional Director, Office of Subsistence Management

Southcentral Alaska Subsistence RAC members

Communication ID: 1128

KENAI PENINSULA BOROUGH

144 North Binkley Street

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www.mayor.kenai.ak.us

Mike Navarre

Borough Mayor

October 11, 2016

Kelly Peterson, PE

Project Manager

Alaska Department of Transportation and Public Facilities

P.O Box 196900

Anchorage, AK 99519-6900

RE: Sterling Highway Milepost 45-60 Project

Dear Ms. Peterson:

We are writing this letter to request a delay of Record of Decision (ROD) on the Sterling Highway MP45-60 project until a determination is made on the prospective land exchange between the Cook Inlet Region Inc. and the Kenai Wildlife Refuge. This exchange, authorized in the Russian River Land Act (1), is currently under consideration and would result in a change in land status of the potentially impacted portion of the Mystery Creek Wilderness Area.

1 Russian River Land Act, Pub. L. No. 107-362, 116 Stat. 3021

Upon this determination, we request a reconsideration of the selection of G South Alternative as the preferred alternative. We ask that this selection is reevaluated in consideration of both the land exchange and the following comments in opposition to the selection of G South.

We have significant concerns regarding the analysis that led to the selection of the G South alternative. There are three areas of concern this letter discusses.

1. Purpose and need: The DSEIS fails to recognize the long term protection of the Kenai River as a key element of the purpose and need for this project.
2. Impacts of the G South alternative to the Kenai River: We have concerns that the assessment does not fully consider the impacts to the Kenai River, and have concerns with the relative lack of weight that these impacts were given in the selection of a preferred alternative.
3. Lack of input on G South Alternative: A number of historical factors, including the previous selection of different preferred alternatives and the length of time this project has been ongoing, create a unique situation where stakeholders and the public were unlikely to provide input specific to G South. As such, ADOT&PF and the FHWA should formally solicit, consider, and respond to, comments on their selection prior to the ROD.

If the Kenai River were given the proper weight in the analysis and if the protection of the Kenai River were recognized as part of the purpose and need for this project, we believe a different preferred alternative would have been selected.

1. Purpose and need

Draft SEIS 1.2.1 Project Purpose

"The purpose of the project is to bring the highway up to current standards for a rural principal arterial to efficiently and safely serve through-traffic, local community traffic, and traffic bound for recreational destinations in the area, both now and in the future. In achieving this transportation purpose, DOT&PF and FHWA recognize the importance of protecting the Kenai River Corridor"

Although DOT&PF and the FHWA recognize the importance of protecting the Kenai River Corridor in the overview of project purpose, this importance is not carried through to any of the three listed needs. We believe that - although not explicitly stated as a need in this DSEIS - protection of the Kenai River Corridor has historically been understood by the public and stakeholders as an important reason for this project. Failing to move a substantial amount of traffic away from the river and accepting the risk of a catastrophic hazardous spill in the Kenai fails to realize a fundamental benefit of this project. We believe that an alternative that does not move the highway off of the Kenai River Corridor does not meet the purpose and need of this project. As such, regardless of the 4(f) analysis, G South should not be selected.

In addition to inadequately protecting the Kenai River Corridor, G South Alternative does not meet the stated purpose and need as well as the Juneau Creek Alternatives. While G South does bypass Cooper Landing proper, it fails to bypass Segment 5 (MP 51.3 - 55.09), the section of the project with the highest

crash rate cited in the DSEIS. This area, particularly the segment between the Russian River Ferry Entrance and Russian River Campground, is a frequently congested area with multiple parked vehicles and pedestrians along the road during peak summer fishing season.

Bringing the highway up to current design standards but failing to bypass this segment does not improve safety for recreational users and pedestrians as well as moving the majority of traffic away from the area. Many fishermen will continue to travel along and cross this section of the road, and the higher traffic speeds may increase the potential severity of an accident if it does occur.

II. Impacts to the Kenai River

We believe that, in the analysis that lead to the selection of G South as the preferred alternative, impacts to the Kenai River were not given adequate weight. While we recognize the complexity of this process, and are aware of the impacts each alternative will have on important habitat and recreational opportunities, sustained impacts to the Kenai River were shown less concern in the selection process than impacts to the Mystery Creek Wilderness Area, Resurrection Pass Trail, and the Juneau Falls Recreation Area.

Failure to Avoid Impacts of Potential Spills

Draft SEIS 3.17.2.4 G South Alternative P 2 Spill Risk

“Approximately 6.4 miles of the alignments (45 percent) would be within 500 feet of the Kenai River and other Tier 1 streams, of which about 4.7 miles (33 percent of the total) would be within 300 feet. The G South Alternative has moderate exposure to Tier II streams and wetlands that are hydrologically connected to the Kenai River. A substantial portion of this alternative would be built on the existing alignment near the Kenai River”

Draft SEIS 3.17.2.5 Juneau Creek and Juneau Creek Variant Alternatives

“Both of these alternatives have moderate exposure to steep side slopes and high exposure to wetlands. However, these alternatives provide separation from the Kenai River and other streams over the longest distance, likely providing responders more time to protect the Kenai River in the event of a spill.”

Forty-five percent of the G South Alternative remains within 500ft of the Kenai River or other Tier 1 Waterbodies, compared to 25% of the Juneau Creek Alternative. 33% of G South is within 300 feet of a Tier 1 stream, compared to 15% of Juneau Creek. The separation provided by the Juneau Creek Alternative, which moves 75% of the route more than 500ft away from a Tier 1 waterbody, provides responders with extra time to protect the Kenai River in the event of a hazardous spill. This difference is acknowledged within the DSEIS; however, these risks are minimized citing that “the highway would be reconstructed throughout to meet current standards and improve safety”. Improved safety along the corridor - while marginally decreasing the likelihood of an accident - does not eliminate the risk nor does it mitigate the impact a spill will have when it occurs. In order to mitigate the impact a hazardous spill will have, the road must be moved away from the river to the maximum degree reasonably possible.

Limitations of Emergency Response and Cleanup Capabilities

Emergency Response Assessment Hazardous Materials Spills (HDR 2003b)

3.4 Constraints to Emergency Response and Cleanup

“The distance over which some emergency response teams would have to travel to reach a hazardous materials spill along the Sterling Highway between MP 45 and MP 60 can increase the risk of release to resources within the spill migration pathways. In addition, the ability of regional responders to respond to

and clean up an accidental spill can be impaired by weather conditions and the accessibility of the spill. Temperatures along this section of the Sterling Highway are often near freezing, which frequently causes “black ice” on the roadway surface, which creates hazardous driving conditions. Snow on the roads can slow travel to the spill site, as well as hinder spill control activities. Steep slopes can make access to the spill difficult and impair the ability to set up spill control equipment.”

Limited regional capability to respond to significant spills in this area, due to both the capacity of local volunteer agencies and the geographic imitations of the area, considerably increase the risk posed by failing to move the majority of traffic off of the Kenai River Corridor. The 2003 risk evaluation, Emergency Response Assessment and Hazardous Material Spill Control lays out these limitations in detail. Due to the constraints of the area, and the likelihood of a delayed response to a spill, the additional response time that the Juneau Creek Alternative gives local responding agencies is a crucial consideration and should be given high priority in the analysis.

Sustained impacts on the Kenai River and other Tier I Waterbodies

In addition to the potential impact of hazardous spills, G South also sustains or increases a number of existing impacts to the Kenai River and riparian habitat. G South not only fails to move the majority of traffic away from the corridor – maintaining current general runoff impacts due to heavy traffic immediately adjacent to a Tier 1 waterbody – but also requires additional river crossings. The Juneau Creek alternatives bypass all crossings of the Kenai River, whereas the G South route will require an additional crossing and the replacement of the existing bridge at Schooner Bend. Additionally, several more small stream and drainage crossings are required under the G South alternative. We maintain that, by selecting G South as the preferred alternative, DOT&PF and FHWA have highlighted the Juneau Creek alternatives' impact on wetlands and human recreation, while showing less concern for these substantial encroachments on the Kenai River.

Relative weight of the Kenai River compared to other elements

Protecting the Kenai - a resource crucial to the environmental, cultural, recreational, and economic health of this region - should receive as much, if not more, weight in the decision making process as an administrative boundary such as the Mystery Creek Wilderness Area. The Mystery Creek wilderness area is an extremely small portion of this project, yet carries an outsized weight due to the administratively complex process needed to build in the area. Conversely, moving the road away from the Kenai River - an important resource heavily impacted by a large portion of the project area - is not being given high priority consideration in this project.

Additionally, we recognize that the Juneau Creek Alternative will bisect the south end of the Resurrection Pass Trail and the Juneau Falls Recreation area. We recognize that planning efforts and restraint in development are necessary to mitigate the impacts of the Juneau Creek Alternative to this area. However, we are confident that, were the Kenai River given the appropriate consideration in this analysis, the value of long term protection of the Kenai River would outweigh the impacts of shortening the trail.

Should an accident due to the location of the road negatively impact the health of the Kenai River, the environmental impacts would be extensive and the economic wellbeing and livelihood of borough residents would be significantly impacted. Although the impacts of the Juneau Creek routes are concerning, they do not outweigh the opportunity to prevent a major chemical spill or the opportunity to dramatically decrease general traffic adjacent to the river.

III. Lack of Agency and Public Comments on G South Alternative

This project has been ongoing in some form since the early 1980's. There have been multiple DEISs, scoping periods, and public comment periods. It is not practical to assume continuous extensive public engagement with the process over such a long time period. Upon DOT&PF and FHWA making a noteworthy announcement about the preferred route, numerous stakeholders that were otherwise disengaged voiced significant concerns. Given that it failed to meet a perceived need of the project, many of these stakeholders did not consider G South a likely option and therefore, did not submit comments specifically regarding this alternative. As such, comments focused on the impacts of the other options and the necessity for further study and mitigation of those impacts. Given the unique history and the likelihood of public disengagement over such a lengthy project period, we believe that ADOT&PF and the FHWA should solicit and respond to comments on their preferred alternative before a final decision is made.

We recognize there are numerous concerning impacts of all alternatives that need to be addressed. We request awareness of those issues and that mitigating steps are taken to minimize impacts on wildlife for all of the alternatives. However, we strongly oppose the selection of any alternative that fails to protect the Kenai River and believe that the protection of such a crucial resource should receive the highest priority in the decision making process.

Please see attachments for additional signatories, signature pages, and resolutions from local municipalities opposing the selection of G South.

Please consider these comments in your reconsideration of the alternative.

Sincerely,

Kenai Peninsula Borough;
City of Kenai;
City of Homer;
Cook Inlet Aquaculture;
Cook Inlet Keeper;
Kenai Watershed Forum;
Kenai Peninsula Fishermen's Association (KPFA);
Kenai River Sportfishing Association (KRSA);
United Cook Inlet Drift Association (UCIDA);
Cooper Landing Advisory Planning Commission;
Kenai River Special Management Area (KRSMA) Board;
City of Soldotna;
Kenai River Professional Guide Association (KRPGA);
Soldotna Chamber of Commerce;
Kenai Chamber of Commerce;
Kenai River Keys Property Owners Association;
Kenaitze Indian Tribe;
Salamatof Native Association, Inc.;
Ninilchik Traditional Council

Letter approved and signed by:

Mike Navarre
Mayor, Kenai Peninsula Borough

Pat Porter
Mayor, City of Kenai

Bryan Zak
Mayor, City of Homer

Gary Fandrei
Executive Director, Cook Inlet Aquiculture

Bob Shavelson
Executive Director, Cook Inlet Keeper

Jack Sinclair
Executive Director, Kenai Watershed Forum

Andy Hall
President, Kenai Peninsula Fishermen's Association (KPFA)

Rick Gease
Executive Director, Kenai River Sportfishing Association (KRSA)

Erik Huebsch
Vice President, United Cook Inlet Drift Association (UCIDA)

Janette Cadieux
Chair, Cooper Landing Advisory Planning Commission

Ted Wellman
President, KRSMA Board

Peter Sprague
Mayor, City of Soldotna

Steve McClure
President, Kenai River Professional Guide Association

Tami Murray
Executive Director, Soldotna Chamber of Commerce

Johna Beech
President/COO, Kenai Chamber of Commerce

William T. Bailey, Jr.
President, Kenai River Keys Property Owners Association

Jaylene Peterson-Nyren
Executive Director, Keniätze Indian Tribe

Chris Monfor
President/CEO, Salamatof Native Association, Inc.

Ivan Z. Encelewski
Executive Director, Ninilchik Traditional Council

ATTACHED: KENAI PENINSULA BOROUGH RESOLUTION 2016-049

A RESOLUTION OPPOSING THE SELECTION OF G-SOUTH AS THE PREFERRED ALTERNATIVE FOR THE STERLING HIGHWAY MP 45-60 PROJECT AND SUPPORTING THE JUNEAU CREEK ALTERNATIVE

ATTACHED: CITY OF KENAI RESOLUTION NO. 2016-43

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, OPPOSING THE SELECTION OF G-SOUTH AS THE PREFERRED ALTERNATIVE FOR THE STERLING HIGHWAY MP 45-60 PROJECT AND SUPPORTING THE JUNEAU CREEK ALTERNATIVE

ATTACHED: CITY OF SOLDOTNA RESOLUTION 2016-039

A RESOLUTION OPPOSING THE SELECTION OF G-SOUTH AS THE PREFERRED ALTERNATIVE FOR THE STERLING HIGHWAY MP 45-60 PROJECT AND SUPPORTING THE JUNEAU CREEK ALTERNATIVE

ATTACHED: KENAITZE INDIAN TRIBE

P.O. BOX 988, KENAI, ALASKA 99611-0988

RESOLUTION NO. 2016-38

A RESOLUTION OPPOSING THE SELECTION OF G-SOUTH AS THE PREFERRED ALTERNATIVE FOR THE STERLING HIGHWAY MP 45-60 PROJECT AND SUPPORTING THE JUNEAU CREEK ALTERNATIVE

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