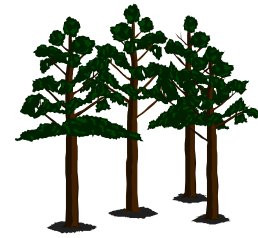


# Rabbit Creek Community Council

P.O. Box 112354, Anchorage, AK 99511-2354

August 10, 2007



Municipality of Anchorage  
Department of Health and Human Services  
Environmental Services Division  
825 L Street, 5<sup>th</sup> Floor  
Anchorage, AK 99501

Dear Environmental Services Division,

The Rabbit Creek Community Council, in response to citizen suggestions, requests the following mutual cooperation from the Alaska Rail Road (ARR), Municipality of Anchorage (MOA) and the Alaska Department of Fish and Game (ADF&G) concerning the rail crossing at the shooting range at Potter Marsh:

- That the ARR, MOA and ADF&G work together to reduce the disruption of the neighborhood caused by the train warning horn at the driveway crossing to the Rabbit Creek Shooting Range.
- That the ARR, MOA and ADF&G report the status of their progress to the Rabbit Creek Community Council.

The Rabbit Creek Community Council is a community organization under the auspices of the Municipality of Anchorage. We represent the people of southeast Anchorage including the Potter Marsh area. At our meeting on August 9, we responded to a public request and agreed as a body to send this request for cooperation on to the ARR, MOA and ADF&G.

We understand the following:

- The ARR sounds their warning horn at all at-grade railroad crossings.
- The loud horn is disruptive to the neighborhood, especially at night.
- There is technology available to the railroad to reduce the disruption to the neighborhood – namely the installation of a horn at the crossing that eliminates the need for the engineer to sound the engine horn. This technology focuses the warning sound directly at the crossing and significantly reduces noise to the surrounding neighborhood.
- There is a locked steel gate across the driveway when the range is not open.
- There is a railroad cross-arm at the driveway.
- The Federal Railroad Administration (FRA) mandates the warning be sounded at all at grade crossings even when the crossing is protected by a substantial gate and cross-arm.
- The ARR claims they must sound the warning even with a locked gate and cross-arm because of liability concerns and fines from FRA.
- The ARR claims that they are not funded to install the noise reduction technology.
- All crossings of the ARR tracks are done by written permit.

- The terms of the crossing permit require the permit holder to maintain the crossing and to bear all cost associated with the crossing.
- In this case the permit holder is the ADF&G.
- The ARR is immune to Municipality of Anchorage noise ordinances by Federal Code.

If you have any further questions or wish to discuss this request for cooperation, please feel free to contact me at the address listed above, by email at [Tremaine@alaska.net](mailto:Tremaine@alaska.net) or by phone at 227-9217.

Thank you for your assistance in this matter,

Dick Tremaine  
Chair, Rabbit Creek Community Council