

**For Rabbit Creel CC members to consider at April 9, 2020 meeting:**

**SEWARD HIGHWAY UPGRADES AT MILEPOST 105-107, WINDY POINT WITH PROPOSED ROCK QUARRIES AT MILEPOST 109 AND 104**

DOTPF has recommended a large highway re-alignment project to improve traffic safety at Windy Point. The railroad and highway will be moved onto fill placed on current tidelands. A ¾ mile long parking area (55 cars, 13 RVs, and an equal amount of “overflow parking”) and outhouses will be built next to the cliffs to allow viewing of Dall sheep. There will also be a rescue launch jetty (closed to the public).

<http://www.windycorner.info/>

<http://www.windycorner.info/documents.html>

(see especially Figures 9-11)

<https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=197233>

(scroll to the bottom and click on [Windy Corner Proposed Finding Extension.pdf](#) for Commissioner’s Findings)

[Insert two diagrams: the Windy point site, and the quarry diagram.]

DOTPF’s proposal for Windy Point will affect three sites stretching over five miles: (see diagram). Neighboring residents and Chugach State Park Advisory Board have expressed concerns about avoidable adverse public impacts, especially the two rock quarry sites within Chugach State Park and the future policing and maintenance burdens to Chugach State Park and APD. We are still waiting to hear from the Turnagain Arm CC (which includes Rainbow).

There are three government agencies with pending hearings and decisions:

Alaska Department of Transportation and Facilities

Alaska Department of Natural Resources

Municipal Planning and Zoning Commission.

**Proposed comments and concerns, summarized:**

Rabbit Creek Community Council borders the Seward Highway as well as Chugach State Park. Our Council supports safety improvements to the Seward Highway Corridor. Our Council also supports well-designed access to the park that minimizes nuisance behavior and maintenance costs. We are painfully aware of the limited budgets for both transportation improvements and CSP access. Our local projects to improve arterial and collector road safety and park access have long been stymied by lack of funding. Therefore, this proposed project must be closely scrutinized for its costs and benefits. As proposed, the project raises some safety concerns from the turning patterns coupled with the speeds, and lack of a separated multi-use path. The scale of the parking at Windy Point, coupled with the maintenance costs and the loss of value at the quarry sites, raise questions about the costs.

**A. Oppose the quarries.**

Use of other rock sources would reduce permanent impacts and costs to the park, avoid impacts to the neighborhood, and reduce highway disruption.

1. The rock quarries are not a legally allowed use within Chugach State Park. The Commissioner’s findings are inaccurate because AS 41 does not allow giving materials for charitable and public use, and because legislation from 2000 that allows right-of-way adjustments does not apply to quarrying within the Park. Quarrying could set a dangerous precedent for future materials extraction, which is contrary to the statutory purposes of the park.

2. DOTPF has inappropriately ruled out alternative materials sources outside the park, with transport possible by rail and or barge. These sources were under-rated partly because DOTPF assumed that rock from the park is “free”.

Consider using several rock sources to reduce the amount needed from a possible quarry at M 109. Materials cost should not be the deciding factor in the project. DOTPF did not present alternative rock quarries in its submittal for a Significant Impact review by the National Park Service Section 4(f) . This did not allow a full range of alternatives to be considered under the 4(f) process.

3. The rock quarries pose unacceptable impacts to the neighborhood and highway during construction. Construction-related closures would be greatly reduced if other rock sources were used.

4. The rock quarries will create a permanent nuisance and management expense to Alaska State Troopers and Alaska State Parks, both of whom have severely-constrained budgets. The quarry at MP 109 will be a sunless, view-less hole, with walls 100 to 240-feet high, with no recreational or habitat value. There is no design for the possible quarry at MP 104: just a potential 0.9-mile-long scar.

5. DNR is not protecting the public value of Chugach State Park. There is a net loss of 20 acres of land from the park without adequate compensation. DOTPF has grossly-undervalued valued the surface lands (at \$53,000 for 19 acres). DOTPF and DNR have not valued the rock, assuming without rationale that it will be “free”. Quarrying of rock is not allowed under the statues that created the park or the 2000 legislation that allows highway and railroad re-alignment. If quarrying is found by court to be legally allowed, DNR should protect the public interest by receiving fair market value for the extracted rock, fair land exchange, and restoration to some level of habitat and recreation value

6. The quality and quantity of the rock from the proposed quarries is not proven. There is not even a design for the Milepost 104 backup extraction. It would be irresponsible to proceed without known quantities, qualities, and restoration design.

**B. Require a multi-use separated pathway at all locations of highway construction activity.**

The Anchorage to Girdwood multi-use pathway is partly established. It should be extended by segments with each construction project, including this one. Federal standards require multi-modal transportation systems. (need citation)

**C. Require a trail connection to the Turnagain Arm Trail.** There will be increased use of this end of the Turnagain Arm Trail. Build a sustainable trail connection from the viewing area: this is not currently part of the project.

**D. Ensure safe turning patterns.**

Provide additional evidence of safe turning.

The turn pocket for south bound vehicles into the Windy Point parking lot does not appear to accommodate turning safety for those same vehicles as they turn left out of the parking lot to resume their southbound travel. Travel speeds will be substantially higher, and there will be double lanes: how will this affect safe turning?

Alternative designs should be evaluated for how they will affect driving behavior, and ultimately, safety. DOTPF should publicize the data it has collected since designating the Seward Highway a Traffic Safety Corridor in 2006. Please provide data on the effects of the 2006 Traffic Safety Corridor designation: including: causes and numbers of accidents; changes in driving behavior from straighter roads and higher speed; benefits of turning lanes; benefits of safer pull-outs; and the correlation between law enforcement and accidents.

**E. Solicit further information on the impacts to Dall sheep and beluga whales.** The ADF&G biologists report that there could be impacts to both. Have the impacts to Dall sheep from the construction, as well from the future traffic speed and noise noise, and human activity to Dall sheep been evaluated? A facility for viewing the Dall sheep is the intended compensation to the loss of Park acreage in this project: so, it is essential that Dall sheep not be driven off or depleted by this project. Beluga whales are critically endangered. This project diminishes the natural shoreline for feeding and resting. Have the impacts been adequately reviewed by NOAA?

**F. Re-consider the scale of the parking site.** This is scaled for four buses, 55 cars, and 13 RVs, with an equal amount of 'overflow' unpaved parking that will require mowing and invasive species removal. It extends over 1,500 feet: a ¼ mile long parking lot. There is no demonstrated need. It does not maintain the aesthetics or natural character of the park. Some of the Windy Point site should be revegetated.

**G. DNR and DOTPF should provide a cost-estimate of the patrols and maintenance required for the Windy Point site as well as the quarries (if developed). Budget constraints should be part of the consideration of DNR approval.** Who will pay for snowplowing and toilet maintenance, as well as routine patrols and graffiti and trash removal? Budget reductions have caused State Parks to reduce staff and reduce operation of some sites. Can State Parks collect any revenue at a site that is funded with FHWA money?

**H. Reconsider the cost-benefit of various elements, and the entire project.**

The boat launch will not be public. Given that ADF's water rescue team only does one or two attempted rescues per year, is location both strategic and cost-efficient for a rescue boat launch? The estimated cost of \$500K should be used for other CSP needs.