



Strategic Planning
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March 1, 2010

Kaja Brix, Assistant Regional Administrator
Protected Resources Division
Alaska Regional NMFS
ATTN: Ellen Sebastian
PO Box 21668
Juneau AK 99802

Re: RIN 0648-XT72

Dear Ms. Brix:

The Alaska Railroad has followed the on-going debate concerning the designation of critical habitat for Cook Inlet Beluga whales. As an integral component of the surface transportation system serving the majority of Alaska citizens, we are concerned with any actions taken that may impair our ability to efficiently and effectively serve this purpose.

The Alaska Railroad main line tracks follow the shoreline of Turnagain and Knik Arm for many miles. It is imperative we maintain protective barriers between these bodies of water and our main line track. This protection includes ditching, rip-rap, embankment widening and other measures necessary to ensure safe and efficient train operations. We must also be able to react without delay to alleviate or prevent damage to our track as a result of flooding, avalanches and other natural occurrences along Turnagain Arm.

In addition, the Alaska Railroad provides rail service to the Port of Anchorage. We are deeply concerned that designation of critical habitat may impair the ability of the port to operate efficiently and effectively, which will have an adverse affect on our operations. The Port of Anchorage receives the vast majority of consumer goods coming into the state of Alaska and therefore, any actions which impede their ability to operate safely, effectively, and efficiently will impact not only Southcentral Alaska, but also rural communities. These economic effects must be taken into account for critical habitat designations with a detailed economic evaluation that addresses all potential costs, not just additional consultation costs (e.g., operating expenses for compliance, including implementation of potentially unnecessary mitigation measures, and litigation expenses).

Alaska Railroad Corporation
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The Alaska Railroad opposes regulatory actions that materially affect the well-being and livelihood of such a large number of citizens of Alaska, especially those that do not clearly provide a corresponding benefit to the beluga whale population. We do not believe sufficient information is available for NMFS to designate such a wide area as critical habitat that has not been shown to be essential to the conservation of the whales. Areas may be excluded from critical habitat if it is determined that the benefit of such exclusion outweighs the benefit of specifying the critical habitat. We urge NMFS to consider such an exclusion.

Sincerely



Bruce Carr
Director, Strategic Planning