U.S. Department of Homeland Security
Region X
130 228th Street, SW
Bothell, WA 98021-9796

09-17-10 P03:20 IN

FEMA

September 3, 2010

John W. Madden, Director
Division of Homeland Security and Emergency Management
Alaska Department of Military and Veteran Affairs
P.O. Box 5750
Fort Richardson, Alaska 99505-5750

RE: Hazard Mitigation Grant Program (HMGP) for DR-1796-AK
Approval of Project 1797-8-R – Alaska Railroad Association, MP 59.6 Track Elevation & Embankment Stabilization Project

Dear Mr. Madden:

The U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) Region 10 has approved and obligated funding for the MP 59.6 Track Elevation & Embankment Stabilization Project submitted under the HMGP for Disaster DR-1796-AK. This project entails replacing a flood-uninsurable bridge, improving ditch gradients adjacent to the embankment, raising the track and protecting the embankment with armor rock where needed to prevent high-water event embankment erosion.

1796-8-R – Alaska Railroad Association, MP 59.6 Track Elevation & Embankment Stabilization Project

Total Project Cost:	$1,188,300
Federal share (75%):	$891,225
Non-Federal match (25%):	$297,075

The Obligation paperwork is enclosed. The Period of Performance is 36 months to August 25, 2013. This project has been approved as compliant with the National Environmental Policy Act (NEPA). A copy of the CATEX Record of Environmental Consideration is enclosed.

The project is also approved subject to compliance with the following sets of conditions enclosed with this letter:

- Standard HMGP administrative provisions.
- Environmental conditions pertinent to this project.

For further assistance, please contact Kelly D. Cox at (425) 487-4698.

Sincerely,

Mark Carey, Director
Mitigation Division

Enclosures

KC:bb

Environmental Conditions of Approval: 8/25/2010

Project 1796-8-R – Alaska Railroad Association

MP 59.6 Track Elevation & Embankment Stabilization Project

1. The applicant shall comply with federal, state, and local requirements to control erosion and sediment, reduce spills and pollution, and provide habitat protection and is responsible for selecting, implementing, monitoring and maintaining Best Management Practices (BMPs) for this project in accordance with their current Stormwater Pollution Prevention Plan or other approved plan in place. This may include, but is not limited to, controlling the discharge of runoff and stormwater from the site, containing spills, meeting state water quality standards, using clean and well maintained equipment, removing equipment and machinery from the vicinity of aquatic habitats or other sensitive areas prior to refueling or maintenance, appropriate handling and disposal of solid waste, and conducting periodic inspections.

2. The ARRC is required to meet all permitting requirements with the U.S. Army Corps of Engineers, including whether the project fits within currently existing permits are requirements additional permitting. The ARRC is responsible for complying with all permit conditions outlined and documenting compliance in project records.

3. All fill/borrow material must be obtained from an approved upland borrow source (non-wetland), or a currently authorized location that has undergone review under Alaska Statute 41.35.70 ("Preservation Of Historic, Prehistoric and Archaeological Resources Threatened By Public Construction").

4. Construction and debris containment vehicles and staging areas shall only be located on service right-of-ways or non-sensitive landscapes. No materials or debris from construction shall be staged or disposed of in a wetland, even temporarily.

5. If a Coastal Project Questionnaire (CPQ) and consistency determination is required, the applicant is required to directly coordinate with the Alaska Department of Natural Resources (ADNR) and any Borough or coastal planning departments specified by ADNR regarding the need for permits and authorizations. The applicant shall obtain and comply with all requirements prior to project implementation. If a CPQ and consistency determination is not required, written documentation should be kept regarding how that determination was made.

6. The applicant must obtain and comply with all permitting requirements specified by the Alaska Department of Fish and Game to ensure there will not be an adverse effect to Essential Fish Habitat. If a permit is not required for any in-water work, written documentation should be kept regarding how that determination was made and whether stipulations apply.

7. If during the course of work, items or sites which might be of archaeological or historical significance are discovered, the applicant shall stop construction in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the property. The applicant shall inform the Alaska Division of Homeland Security and Emergency Management, who will in turn inform FEMA and the Alaska Office of History and Archaeology (OHA). The applicant will not proceed with work until FEMA has completed consultation with OHA. If human remains are discovered, the applicant will also follow procedures for the discovery of human skeletal remains set out in Alaska Statues 12.65.5 and as 11.46.482(a)(6) related to the "intentional and unauthorized destruction or removal of any human remains or the intentional disturbance of a grave."

Standard Administrative Provisions for Hazard Mitigation Grant Program
FEMA Region 10 – as of January 1, 2008

- The State will be paid in advance using the HHS SmartLink System. The State may advance portions of the approved Federal share to the Sub-grantee provided procedures are maintained to minimize the time elapsing between the transfer of funds and their disbursement by the Sub-grantee.
- The State must obtain prior approval from Region 10 before implementing changes to the approved project Scope of Work (SOW). A change in the SOW must be approved by FEMA in advance regardless of the budget implications. Cost overrun requests must be fully documented, the project must remain cost-effective, and funds must be available within the HMGP ceiling for said disaster.
- The Grantee must notify FEMA as soon as significant developments become known, such as delays or adverse conditions, that might raise costs or delay completion, or favorable conditions allowing lower cost or earlier completion.
- Within 90 days after the expiration or termination of the project/sub-grant, the State must submit all financial, performance, and other reports and documentation required as a condition of this award.
- For close-out of this project, the Governor's Authorized Representative shall send a letter of request to close the project programmatically and financially. The letter will include the following: the date work on the project was fully completed, the date of the Grantee's final site inspection for the project, the final total project cost and Federal share, any cost under run, a certification that reported costs were incurred in the performance of eligible work, that the approved work was completed, that the required programmatic and environmental conditions were met (including attachment of any required documentation) and that the mitigation measure is in compliance with the provisions of the FEMA/State Agreement and this approval letter.
- A copy of the Grantee's final site inspection report will be enclosed with the close-out request letter. This report will contain, at minimum, all the data fields required for final site inspection reports for FEMA's HMGP program.
- The Grantee will ensure that all documentation necessary to close the project in the Property Site Inventory is also provided in the close-out request letter.
- Quarterly progress reports for HMGP projects are required. Please include this HMGP project in your future quarterly reports.
- By acceptance of this grant the Grantee and Sub-grantee agree to abide by all laws and regulations required under the HMGP as outlined in 44 CFR 206.432 –.440, 44 CFR Part 13, 44 CFR 80.19, and HMGP policy guidance and memos.

FE' AL EMERGENCY MANAGEMENT AGENCY
HAZARD MITIGATION GRANTS PROGRAM
Obligation Report w/ Signatures

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Grantee
1796	8-R	0	8	1	4	AK	Statewide

Subgrantee: ALASKA RAILROAD CORPORATION
Subgrantee FIPS Code: 000-UJ10A

Project Title : MP 59 Area Bridge & Embankment Protection Project

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation
$891,225	$891,225	$0	$0

Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Obligation	IFMIS Date	IFMIS Status	FY
$891,225	$0	$0	$891,225	08/25/2010	Accept	2010

Comments

Date: 08/24/2010 User Id: KCOX

Comment: Concur to award $891,225 for Mp 59.6 Track Elevation and Embankment Stabilization Project.

Date: 08/25/2010 User Id: SRANDOL1

Comment: Concur. DRF Unfunded Project #7994. Alaska Railroad - erosion/flood retrofit project.

Date: 08/25/2010 User Id: CJONIENT

Comment: 1796-8-R: Alaska Railroad. DRF Unfunded Project #7994. $891,225 for an erosion protection project involving replacing/upgrading t bridge and embankments and elevating the roadbed at MT 59.6. This is part of a Combined Allocation Request for 7 DR-1796-AK projects. $1,814,855 Total Fed share. DRF Unfunded Project #s 7983, 7984, 7987, 7990, 7992, 7993, and 7994.

Authorization

Preparer Name: KELLY COX Preparation Date: 08/24/2010

HMO Authorization Name: CHRISTINE JONIENTZ TRISLER HMO Authorization Date: 08/25/2010

Authorizing Official Signature	Authorizing Official Title	Authorization Date
	SR HMA SPC	8/24/10
	HMO/HMO Branch Chief	25 Aug 2010

Project Cost Line Item Report

Disaster Number: 1796 State: AK FEMA Proj Nr: 8 - R Application ID: 8 Project Amendment Nr: 0

Do not include Administrative Cost. These are calculated when funds are obligated for approved projects.

Item Name	Unit Qty	Unit of Measure	Unit Cost	Cost Estimate
Grade Construction	1	EA	$0.00	$0.00
Labor	1	EA	$28,609.00	$28,609.00
Per Diem	1	EA	$5,792.00	$5,792.00
Equipment	1	EA	$57,688.00	$57,688.00
Rip Rap & Ballast	1	EA	$103,111.00	$103,111.00
Bridge Construction	1	NA	$0.00	$0.00
Bridge (2 Spans)	1	EA	$700,000.00	$700,000.00
Labor	1	EA	$8,687.00	$8,687.00
Per Diem	1	EA	$1,816.00	$1,816.00
Equipment	1	EA	$9,632.00	$9,632.00
Rip Rap, Ballast	1	EA	$3,665.00	$3,665.00
MISC Construction	1	EA	$45,900.00	$45,900.00
Design & Support	1	EA	$0.00	$0.00
Engineering, Design & Management	1	EA	$223,400.00	$223,400.00
			Total Project Cost Estimate	**$1,188,300.00**

FEDERAL EMERGENCY MANAGEMENT AGENCY
HAZARD MITIGATION GRANT PROGRAM

Environmental Report

Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Grantee
1796	**8-R**	**0**	**8**	**AK**	**Statewide**

Subgrantee: ALASKA RAILROAD CORPORATION

FIPS Code: 000-UJ10A

Project Title : MP 59 Area Bridge & Embankment Protection Project

FEMA Laws/EOs

Laws/EOs	Status
Coastal Barriers Resources Act (CBRA)	Not Applicable
Clean Water Act (CWA)	Completed

Comment: Applicant to prepare a stormwater pollution prevention plan per general permit requirements of Section 401 of CWA and coordinate with USACE regarding any Section 404 permitting requirements.-SKILNER-08/11/2010 18:06 GMT

Coastal Zone Management Act (CZMA)	Completed

Comment: Project area may be in Alaska designated coastal zone, applicant too coordinate consistency review.-SKILNER-08/11/2010 18:04 GMT

Endangered Species Act (ESA)	Completed

Comment: Applicant consulted with USFWS and NMFS with concurrence on no effect findings provided in application.-SKILNER-08/11/2010 18:02 GMT

Fish and Wildlife Coordination Act (FWCA)	Not Applicable
National Historic Preservation Act (NHPA)	Completed

Comment: Applicant consulted with SHPO, concurrence with no historic properties affected finding 11/18/09.-SKILNER-08/11/2010 18:00 GMT

Clean Air Act (CAA)	Not Applicable
E.O. 11988: Floodplains	Completed

Comment: Project location is not mapped for floodplains. The action would not cause any change to any potential pre-existing floodplain values and would not result in short or long-term adverse impacts associated with the occupancy or modification of floodplains or support additional floodplain development.-SKILNER-08/11/2010 18:07 GMT

E.O. 11990: Wetlands	Completed

Comment: The project area is within the Skookum Creek and Placer River watersheds, which are classified by National Wetland Inventory mapping as riverine and scrub-shrub wetlands. The project will meet all USACE project conditions to minimize impacts to wetlands.-SKILNER-08/11/2010 18:08 GMT

E.O. 12898: Environmental Justice for Low Income and Minority Populations	Completed

FEDERAL EMERGENCY MANAGEMENT AGENCY
HAZARD MITIGATION GRANT PROGRAM

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Subgrantee: ALASKA RAILROAD CORPORATION

FIPS Code: 000-UJ10A

Project Title : MP 59 Area Bridge & Embankment Protection Project

Required Conditions Resulting from Environmental Review

Law	Entered By	Monitoring Required	Monitoring Completed Date	By
CWA	Science A. Kilner	☐	00/00/0000	

Conditions Required (4000) The ARRC is required to meet all permitting requirements with the U.S. Army Corps of Engineers, including whether the project fits within currently existing permits are requirements additional permitting. The ARRC is responsible for complying with all permit conditions outlined and documenting compliance in project records.

CWA	Science A. Kilner	☐	00/00/0000	

Conditions Required (4000) The applicant shall comply with federal, state, and local requirements to control erosion and sediment, reduce spills and pollution, and provide habitat protection and is responsible for selecting, implementing, monitoring and maintaining Best Management Practices (BMPs) for this project in accordance with their current Stormwater Pollution Prevention Plan or other approved plan in place. This may include, but is not limited to, controlling the discharge of runoff and stormwater from the site, containing spills, meeting state water quality standards, using clean and well maintained equipment, removing equipment and machinery from the vicinity of aquatic habitats or other sensitive areas prior to refueling or maintenance, appropriate handling and disposal of solid waste, and conducting periodic inspections.

CZMA	Science A. Kilner	☐	00/00/0000	

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EO11990	Science A. Kilner	☐	00/00/0000	

Conditions Required (4000) Construction and debris containment vehicles and staging areas shall only be located on service right-of-ways or non-sensitive landscapes. No materials or debris from construction shall be staged or disposed of in a wetland, even temporarily.

ESA	Science A. Kilner	☐	00/00/0000	

Conditions Required (4000) The applicant must obtain and comply with all permitting requirements specified by the Alaska Department of Fish and Game to ensure there will not be an adverse effect to Essential Fish Habitat. If a permit is not required for any in-water work, written documentation should be kept regarding how that determination was made and whether stipulations apply.

NHPA	Science A. Kilner	☐	00/00/0000	

Conditions Required (4000) All fill/borrow material must be obtained from an approved upland borrow source (non-wetland), or a currently authorized location that has undergone review under Alaska Statute 41.35.70 ("Preservation Of Historic, Prehistoric and Archaeological Resources Threatened By Public Construction").

FEDERAL EMERGENCY MANAGEMENT AGENCY
HAZARD MITIGATION GRANT PROGRAM

Environmental Report

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Conditions Required (4000) If during the course of work, items or sites which might be of archaeological or historical significance are discovered, the applicant shall stop construction in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the property. The applicant shall inform the Alaska Division of Homeland Security and Emergency Management, who will in turn inform FEMA and the Alaska Office of History and Archaeology (OHA). The applicant will not proceed with work until FEMA has completed consultation with OHA. If human remains are discovered, the applicant will also follow procedures for the discovery of human skeletal remains set out in Alaska Statues 12.65.5 and as 11.46.482(a)(6) related to the "intentional and unauthorized destruction or removal of any human remains or the intentional disturbance of a grave."

FEMA NEPA Process

FEMA Status

Catex - Completed

1 CATEX Type Code

15. Repair, replace, restore, retrofit, upgrade to current codes and standards, or replace a facility (xv)

If an extraordinary circumstance exists and leads to a significant environmental impact (see 44CFR 10.8 (d) (3)), an Environ.Assesment shall be prepared.

☑ No Extraordinary Circumstances Requiring an EA.

Documentation Complete05/05/2010

Standard Conditions

1. Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
2. This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.
3. If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

Comment:

Science Kilner, Regional EHP Reviewer, has approved this project as Catex in REC dated 5/5/10 with no extraordinary circumstances existing.-KCOX-08/10/2010 17:13 GMT