

**DRAFT
DECISION NOTICE
PORTAGE CURVE MULTIMODAL CONNECTOR
U.S. FOREST SERVICE
GLACIER RANGER DISTRICT
MUNICIPALITY OF ANCHORAGE AND KENAI PENINSULA BOROUGH,
ALASKA
JANUARY 2019**

DECISION

Based upon my review of the Portage Curve Multimodal Connector Environmental Assessment (EA), I have decided to implement the Proposed Action, which would construct a universally accessible paved trail along the new alignment of the Seward Highway in coordination with the Alaska Department of Transportation & Public Facilities. The primary trail along the Seward Highway would have an 8-foot wide paved surface and 2-foot wide gravel shoulders. It would be approximately 7 miles long, running from the vicinity of Milepost 75 at the Ingram Creek Trailhead to the vicinity of Milepost 82 north of Twentymile River. The project would include crossings of Placer River Overflow, Placer River, Portage Creek 1, Portage Creek 2, and Twentymile River on new bridges to be constructed by the Alaska Department of Transportation & Public Facilities as part the Seward Highway Milepost 75-90 project. In addition to constructing the primary trail parallel to the Seward Highway, the project would include construction of five trailhead parking areas, a small section of the Twentymile Valley trail, and a trail connecting the primary trail to the Moose Flats Day Use Area in the Portage Valley. I have decided that the section of trail in the Twentymile Valley may be used to access private lands, and I have decided that an existing closed road in Portage Valley may also be used to access private lands.

DECISION RATIONALE

In selecting the proposed action I considered how well it responded to the purpose and need for action and how well it responded to public and other agency comments.

Purpose and Need for the project is best met through implementing the proposed action

The purpose and need has the following key elements:

1. Provide a safe, multimodal trail access along the Seward Highway right-of-way between Ingram Creek and the proposed hooligan fishing parking area north of Twentymile River.
2. Provide trail connections to:
 - a. The future segments to the Iditarod National Historic Trail at each end of the project area (Ingram Creek and Twentymile planned trail segments)

- b. The Trail of Blue Ice segment of the Iditarod National Historic Trail via the Moose Flats Day Use Area
 - c. The Alaska Railroad Corporation Portage Station
 - d. The Alaska Wildlife Conservation Center.
3. Provide access to private landowners surrounded by the Chugach National Forest, consistent with the Alaska National Interest Lands Conservation Act (ANILCA), Title XIII, Section 1323(a).

Implementing the proposed action would provide safe multimodal (i.e., multiple modes of transportation, including pedestrian, bicycling, snowmobiling, and others) access along the Seward Highway right-of-way and would provide grade separated crossings of the Seward Highway, as needed. There is a need for safe, multimodal access through the project area, due to its popularity for a variety of recreation activities. Access is currently disconnected, limited, and inefficient. No continuous trail separated from the road shoulder exists, so recreationists are exposed to high speed traffic on the Seward Highway with no safe crossing options within the project corridor. The proposed action would address these needs by providing a safe, multimodal trail and trail spurs linking recreation sites.

Implementing the proposed action would also provide access adequate to secure reasonable use and enjoyment of private lands in the Twentymile area and Portage Valley. I listened to private land owner concerns and believe the proposed action would provide reasonable access to private lands.

Forest Service staff have collaborated with the State of Alaska Department of Transportation and Public Facilities staff in depth to plan and design this trail and to understand our responsibilities related to the actions occurring within the highway right-of-way. I believe the proposed action best demonstrates this key collaboration between federal and state agencies and is in alignment with the intent in the December 15, 2017 Letter of Consent for appropriations and transfer of National Forest System lands for right-of-way for the construction, operation, and maintenance of the Mile 75-90 Highway project. The Forest Service will continue to collaborate with the State regarding their concerns for future expansion of the highway.

The State of Alaska also mentioned concerns regarding Section 4(f) restriction for future highway expansion in their October 23, 2018 letter. The Forest Service does not have jurisdiction to make any decisions regarding Section 4(f); therefore, this portion of the decision is outside scope of the proposed action. I have made my intent clear regarding jointly planning this project with the State of Alaska and the main purpose being to provide a safe transportation route that removes pedestrian and non-motorized traffic from the highway shoulder, and to connect existing recreational facilities and uses located along the highway.

Other Alternatives Considered but Dismissed

The project team considered various configurations of the primary trail adjacent to the Seward Highway, including an alignment entirely on the side of the highway away from Turnagain Arm and alignments that crossed the highway at various locations. All of these alternatives were dismissed due to challenges including land ownership, tidal influence, and economic infeasibility.

The Portage Curve Multimodal Connector EA documents the environmental analysis and conclusions upon which this decision is based.

PUBLIC INVOLVEMENT

This action was originally listed as a proposal on the Chugach National Forest Schedule of Proposed Actions and updated periodically during the analysis. People were invited to review and comment on the proposal through mailings, public notices posted in *The Anchorage Daily News*, press releases, and the project public website. The EA lists agencies and people consulted on pages 28 and 29. The Forest Service collaborated extensively with the State of Alaska Department of Transportation and Public Facilities and the State of Alaska Coordinator for the ANILCA Implementation Program to understand concerns regarding the potential for the proposed trail segments to become part of the Iditarod National Historic Trail and ramifications for ease of future highway expansion needs.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This decision is consistent with the Chugach National Forest Land Management Plan. The project was designed in conformance with the Access Management Plan, Part 2 – Trails and Routes Management. See also the discussion of compliance with other laws at Item 10 of the Finding of No Significant Impact on page 34 of the EA.

ADMINISTRATIVE REVIEW (OBJECTION) OPPORTUNITIES

After this decision and EA are made available to the public, a legal notice announcing the objection period for this project will be published in *The Anchorage Daily News*, the newspaper of record. The publication date in *The Anchorage Daily News* is the exclusive means for calculating the time to file an objection of this project. Those wishing to object to this proposed project should not rely upon dates or timeframes provided by any other source.

Objections will be accepted only from those who have previously submitted specific written comments regarding the proposed project during scoping or other designated opportunity for public comment in accordance with 36 CFR 218.5(a). Issues raised in objections must be based on previously submitted timely, specific written comments regarding the proposed project unless based on new information arising after designated comment opportunities. Individual members of organizations must have submitted their own comments to meet the requirements of eligibility as an individual. Objections received on behalf of an organization are considered as those of the organization only. If an objection is submitted on behalf of a number of individuals or organization, each individual or organization listed must meet the eligibility requirement (36 CFR 218.7). Names and address of objectors will become part of the public record.

The objection must be in writing and meet the content requirements of 36 CFR 218.8(d). Written objections, including any attachments, must be filed (regular mail, fax, email, hand-delivered, or express delivery) with the Reviewing Officer, Sharon LaBrecque, Deputy Forest Supervisor, within 45 days following the publication date of the legal notice in *The Anchorage Daily News*.

Incorporation of documents by reference in any objection is permitted only as provided for at 36 CFR 218.8(b).

Objections may be sent to:

Sharon LaBrecque, Deputy Forest Supervisor
USDA Forest Service
Chugach National Forest Office
161 E. 1st Avenue, Door 8
Anchorage, AK 99501
Fax: (907) 743-9476
Email: objections-alaska-chugach@fs.fed.us

The office business hours for those submitting hand-delivered objections are: 8:00 AM to 4:30 PM Monday through Friday, excluding holidays. Electronic objections must be submitted in a format such as an email message, .pdf, plain text (.txt), rich text format (.rtf), and word (.doc or .docx). It is the responsibility of objectors to ensure their objection is received in a timely manner (36 CFR 218.9).

IMPLEMENTATION DATE

The release of this DRAFT decision coincides with the publication of a legal notice in the *The Anchorage Daily News* initiating a 45 day objection period. If an objection is filed, an objection review process begins.

Pursuant to 36 CFR 218.12, I may not sign the Decision Notice until the Reviewing Officer has responded in writing to all pending objections. Based on the discussions and findings in that review, I will issue a final decision. My decision will be consistent with the final review on the project. The project may be implemented after my final decision. No appeal period will be provided after the final decision is made.

If no objections are received, I may sign the decision notice five (5) business days after the close of the objection period. Implementation may begin immediately after the decision is signed.

CONTACT

For additional information concerning this decision, please contact me: Tim Charnon, District Ranger, Glacier Ranger District, at tcharnon@fs.fed.us or 907-242-8628.

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