

# Common Misconceptions

Regarding the Seward Highway MP 25.5-36 Rehabilitation Project

**Concern: DOT&PF hasn't been forthcoming to the community about this project.**

**Response:** DOT&PF has held public meetings, three in Moose Pass (evenings of April 6, 2016; October 23, 2019; and August 2, 2022) and one in Seward (afternoon of April 6, 2016). DOT&PF also set up a project "Listening Post" during the 2015, 2016, and 2017 Seward Holiday Arts and Crafts Fairs. The project has been represented in at least 6 annual "Transportation Fairs" occurring in the MSB, MOA, and KPB (virtually). DOT&PF has participated in at least 4 meetings organized by the Moose Pass Advisory Planning Committee on invitation.

**Concern: This project will essentially destroy the community of Moose Pass.**

**Response:** The project has been scaled down significantly since its inception, in large part due to feedback from the community, paired with additional data and analysis indicating lower crash rates and lower traffic projections than were expected during initial planning. Initial concept designs included much larger improvements with greater impacts. The project as proposed is intended to replicate existing conditions as much as possible, while fixing the underlying problems causing degradation of the roadway, as well as add limited safety improvements.

**Concern: DOT&PF plans to force the purchase of property.**

**Response:** DOT&PF goes to great lengths to reach negotiated agreements with impacted property owners and avoid condemnation.

**Concern: DOT&PF is acquiring ROW for the sole purpose of creating huge drainage ditches without widening the road.**

**Response:** DOT&PF is not proposing to widen the roadway surface within the Moose Pass town site or north of the town site. South of Moose Pass, DOT&PF is proposing to maintain the same width and number of travel lanes south of Moose Pass, but provide wider shoulders.

The drainage ditches proposed are only to the depth required to provide adequate drainage, typically 1 foot deeper than was built in 1951, reflecting the deeper typical section needed to support the heavier traffic volumes and loads of today than the roadway was built for 70 years ago. Through the Moose Pass townsite, DOT&PF is proposing steeper side slopes and narrower widths than typical, in order to balance the needs of roadway safety against impact to adjacent properties.

Existing drainage ditches are inconsistent and inadequate in many locations throughout the proposed project limits, and have filled in over time, causing saturation of the embankment and degradation of the roadway surface.

Where ditches are at adequate depth, they are so steep and abrupt that they present a roadside hazard, increasing the likelihood of rollover accidents.

Many Moose Pass residents have commented about lack of maintenance in Moose Pass, including that the ditches are rarely or never cleaned out. Some existing drainage channels parallel and adjacent to the

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roadway, are actually located outside existing ROW. Easements are proposed so that DOT&PF will be able to reshape, access and maintain the existing channels.

**Concern: DOT&PF ignores basic maintenance on drainage ditches and roads.**

**Response:** A ditch that requires annual maintenance is undersized, a road that develops potholes each year is failing structurally. Neither frequent ditch maintenance nor asphalt patching should be needed on a road that is functioning properly. Delivering a roadway project that requires frequent maintenance of ditches or asphalt patch repairs soon after completion would miss the purpose of this project and be fiscally irresponsible.

DOT&PF has a very limited maintenance budget and a larger capital budget. DOT&PF tries to stretch those maintenance dollars as far as possible where it will provide maximum impact. Only maintenance dollars keep traffic lights on, and graders on the road in the winter, whereas capital dollars can address pavement and ditches. Spending maintenance dollars to reshape a ditch that will be included in a capital project in the near future comes at a cost to other critical maintenance functions.

**Concern: DOT&PF claims poor drainage has deteriorated the road surface.**

**Response:** Yes, poor drainage saturates the embankment. This paired with deteriorated subgrade material causes failure of the roadway structure. Lack of snow storage causes meltwater from snow to refreeze on the roadway, requiring DOT&PF to fight ice buildup in the winter.

**Concern: This project will destroy private property.**

**Response:** The project proposes to purchase private property from multiple owners where additional ROW is needed to address the purpose and need of the project. DOT&PF will offer equitable compensation for both the property purchased and the impacts to the remainder.

**Concern: This project will destroy successful businesses.**

**Response:** The project anticipates one business will require relocation. Impacts to businesses will be assessed during appraisals. Mitigations of those impacts will be discussed as part of purchase negotiations.

**Concern: The project's environmental document is inaccurate.**

DOT&PF re-evaluates anticipated impacts at each major project milestone and updates the environmental document accordingly. A re-evaluation of environmental impacts was completed in September 2023, before proceeding to the ROW phase of the project. Environmental impacts will be re-evaluated again at the next major milestone.

**Concern: This project will destroy the historical beauty of Moose Pass.**

**Response:** This project is complying with NEPA and Section 106 environmental processes. Consultation regarding impacts is ongoing.

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**Concern: If property owners refuse to negotiate, DOT&PF will take property through “eminent domain”.**

**Response:** DOT&PF pursues negotiated agreement to great lengths before turning to condemnation, and will make every effort to communicate with impacted property owners using their preferred methods. DOT&PF will invite property owners to participate in the appraisal process, alert appraisers to features of significance or value that might otherwise be missed, and obtain their own independent appraisals. If initial offers aren't acceptable to the owner, DOT&PF will consider reasonable counter-offers, and engage in negotiations to find a solution that is agreeable to the owner to the extent possible.

**Concern: All privacy trees (including old growth trees) and hedges will be removed.**

**Response:** Vegetation along the roadside present hazards in multiple ways, including blocking sight lines (such as between a vehicle trying to enter the roadway and an approaching vehicle on the roadway), and as obstacles that can make a roadway departure lethal if struck. DOT&PF mitigates those hazards by removing vegetation, typically at the base of slopes, within a certain distance from the roadway, and those within sight triangles to approaches.

Not all of the vegetation within proposed acquisitions present the hazards that DOT&PF mitigates through removal, and not all vegetation within existing or proposed ROW is scheduled for removal under this project.

Owners will be able to discuss impacts to mature trees and landscaping as part of appraisals and negotiations.

**Concern: People will lose their homes because septic systems and wells will not be able to be relocated.**

**Response:** Many septic systems and wells are very close to (and even over) the edge of ROW.

Many existing wells and septic systems are old, unrecorded, and do not meet current standards.

Design has been developed with the intent to avoid impacts to known wells and septic systems to the maximum extent practical.

If previously unknown water or septic systems are identified during the appraisal process, DOT&PF will look at options to avoid impacts.

If a legal or “grandfathered” water source or septic system is impacted by the project, the Department will pay to have a new well or septic installed at an alternate location.

If a well or septic cannot be relocated and meet current standards, DOT&PF will pursue alternate options to keep the home in livable condition with safe running water meeting current standards, such as advanced treatment systems or shared community systems.

**Concern: Property values will decrease.**

**Response:** DOT&PF will compensate for the loss of value to the remainder of the property.

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**Concern: This project will take away parking from businesses.**

**Response:** Where proposed acquisitions impact business parking located on private property, the Department will work with the property owner to mitigate those impacts. For example, if a proposed acquisition would impact parking across the front of a lot, the Department could develop parking elsewhere on the lot to mitigate the loss of parking from within the acquisition area.

On-shoulder parking creates multiple hazards for both pedestrians and travelling public, and is incompatible with the function of this roadway. The existing shoulders were not built or intended for on-street parking, and the project is designed to maintain the same narrow roadway surface through the Moose Pass townsite to minimize impacts. The project will restore ditches that have been filled by or for improper on-street parking.

**Concern: The project will cause loss of local tourism and business opportunities.**

**Response:** The project is not proposing modifications to the roadway that will change traffic patterns through Moose Pass (such as a median, restricted turning movements, or a bypass would).

The project will address existing unpermitted encroachments, where public ROW is being used for private benefit.

**Concern: The KPB Platting Commission is being asked to approve or deny the project's design.**

**Response:** Preliminary plat approval is only for confirming conformance of the proposed acquisitions with Borough code. Approval of the preliminary plat by the Platting Commission is not approval for the project.

**Concern: Once the KPB Platting Commission approves the preliminary plat maps, the proposed impacts will be "locked in" and property will be "taken".**

**Response:** Approval of the preliminary plat by the KPB is the first step to opening the door for two-way communications between DOT&PF and individual owners. Proposed Right-Of-Way as shown in the preliminary plat is in no way final at this stage of the project.

**Concern: Residents will be forced into negotiations if/once KPB approves the plat maps.**

**Response:** Once the preliminary plat is approved (and a few other governmental, financial and contracting milestones are met), residents will be **able to negotiate** with DOT&PF. Until this next Phase is opened and DOT&PF is authorized to make agreements with property owners, DOT&PF does not have the authorization to discuss specifics about possible impacts and how they may be compensated for.

**Concern: DOT&PF should talk to individual owners before developing the design.**

**Response:** DOT&PF works to avoid making "empty promises" to individuals by only engaging property owners directly about specific impacts and their mitigation once DOT&PF has authority to make and execute agreements. Until then, DOT&PF engages in public meetings and solicits community input as a whole.

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Property changes hands, and designs change over the life of a project. Brokering agreements early during project development could be counter-productive, resulting in unnecessary or outdated agreements relative to the project and the private individual's needs.