

MEMORANDUM

State of Alaska
Department of Transportation & Public Facilities
Northern Region Preconstruction

TO: Steve Titus, P.E.
Regional Director
Northern Region

DATE: August 2, 2007

FILE NO:

THRU: David T. Bloom, P.E. *DTB*
Preconstruction Engineer
Northern Region

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FROM: John F. Bennett, PLS *JFB*
Chief, Right of Way
Northern Region

SUBJECT: Project ER-0076(2)/60661
Nome Storm ER Permanent
Repairs 2004/2005
Conditional Certification

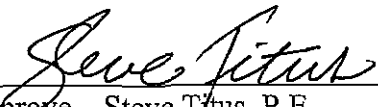
We request your concurrence for conditional certification of the right of way for the Nome Storm ER Permanent Repair project in accordance with 23 CFR 635.309(c)(3).

The situation that requires a conditional certification is the lack of right of way mapping for the Nome-Council road in the Safety Sound area between MP 14 and 32. This area has been subject to many storms over the years potentially resulting in an undocumented relocation of the historic alignment. As we cannot attest to the nature, location or width of the highway right of way in this area, past FHWA/DOT practice has been to certify that the subject project will be reconstructed within the limits of the pre-storm footprint. The status of the existing right of way is not consistent throughout the project and so the certification for the 3 work areas will read as follows:

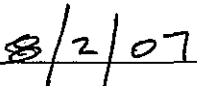
Seppala Drive: "There are 0 parcels on this project and 3 temporary easements and permits. All necessary rights-of-way, including control of access rights when pertinent, have been acquired including legal and physical possession." 23 CFR 635.309 (c)(1) [Temporary Construction Permits were acquired from the City of Nome.]

Nome-Council Road MP 0.4 – 2.1: "Construction will be contained within existing right-of-way." 23 CFR 635.309(g) [This portion of the project has a previously mapped right of way.]

Nome-Council Road MP 16.4-32: "All work will occur within the pre-storm footprint." (7/12/07 CatEx) 23 CFR 635.309(c)(3) [Except for the Safety Sound Bridge and Approach project S-0130(15) at Mile 21, we have not existing right of way mapping between MP 14 and MP 32.]



Approve – Steve Titus, P.E.
Regional Director



Date