

From: [Annette Kreitzer](#)
To: [DG AssemblyMayor](#)
Cc: [Alekka Fullerton](#)
Subject: MARAD communication
Date: Friday, April 12, 2024 3:02:34 PM

All:

This is the most recent communication with MARAD:

- 1) If all goes well, MARAD is close to finishing the Section 106 consultation, expecting to conclude the process within the next two months, NEPA would follow, and we would be working on the grant agreement. However, if new designs are presented within the next two months or are forthcoming, then this would delay or reopen Section 106 if it is completed by that point.
- 2) MARAD has stated that Alternative 3B should be considered in the EA. Solstice is working to incorporate that now, but it will take some time to gather the information and detail it in the document.
- 3) If the Assembly wants to change the scope of the project to Alternative 3B, MARAD would prefer to know that sooner rather than later. This would require us to engage Turnagain or another company to produce a white paper to formally request this option. In order to keep the project moving along it would be best if MARAD had clarity on the Borough's intentions of either making a formal request to change designs or if we will be moving forward with the current design as was approved. In the same manner, Mr. Duggan reiterated a previous statement regarding the Borough being able to submit reasonable alternatives for consideration of inclusion in the EA, and that as the lead federal agency, MARAD is responsible for NEPA compliance and determines what is ultimately included in the EA.
- 4) To be clear – this is my point, not MARAD's - If the Assembly wants to put the question of Lutak Dock design to a public vote (as the Mayor has contemplated) – it should be a special election, held as soon as practicable, with a defined outcome to inform the choice of dock design. At that point, if the choice is different than the Turnagain encapsulated design, the change of scope white paper would be submitted to MARAD with the preferred design.

Mr. Duggan stated that he cannot guarantee OST will approve another scope/design change for this project, even if submitted following a public vote. We can submit a scope change. MARAD does not have to select the Borough's preferred design. MARAD could decide that the Turnagain encapsulated design is better than any of the alternatives; or it could decide that a smaller alternative is preferred. The decision is MARAD's. MARAD is reviewing and administering your project based on the current approved design.

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