



For immediate release:
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Lawsuit solution reached by KABATA & MOA; Knik Arm Crossing Moves Forward
Knik Arm Bridge and Toll Authority (KABATA) & Port worked closely on solution to engineering issues.

Anchorage—Mayor Dan Sullivan announced today that the Anchorage Municipality has agreed to withdraw its lawsuit against the Federal Highway Administration (FHWA) for the Knik Arm Crossing project Record of Decision. Engineers from the Port of Anchorage and KABATA were able to adjust the location of the road within the existing easement to meet the Port’s needs.

“We are pleased that we reached an engineering solution with the Port of Anchorage so that the dry berth area can operate as the Port envisions,” said Michael Foster, Knik Arm Bridge and Toll Authority Chairman. He continued, “I want to thank Mayor Sullivan for his continued support for the project throughout this process—he clearly wants the best possible outcome for both projects.”

“KABATA remains committed to a continuing, strong, cooperative relationship with the Port of Anchorage,” said Andrew Niemiec, Knik Arm Bridge and Toll Authority Executive Director. He added, “both projects are good for Alaska’s economy and have found a way to coexist in a narrow corridor.”

The Knik Arm Crossing has an easement through land owned by the Port adjacent to Joint Base Elmendorf-Richardson. The Port is in the middle of an expansion project and was concerned about the proximity of the road to the new dry dock area. Construction of the bridge is scheduled to begin in 2013.

Benefits of the project include:

- Provides intermodal connectivity to ports, airports, roads, and rail
- Saves cost and time of moving goods, services, and people between Anchorage and areas north (Northern Alaska, Interior Alaska and the Matanuska Susitna Borough)
- Creates a second connection from Anchorage for emergencies and disaster evacuation
- Generates thousands of construction jobs and thousands more permanent jobs
- Connects to affordable land for expected Southcentral Alaska population increases.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

ANCHORAGE, a Municipal Corporation,)
acting through its Department, the Port of)
Anchorage,)

Plaintiff,)

v.)

FEDERAL HIGHWAY ADMINISTRATION,)
RAY LAHOOD, in his capacity as)
SECRETARY OF THE UNITED STATES)
DEPARTMENT OF TRANSPORTATION and)
DAVID C. MILLER in his capacity as)
DIVISION ADMINISTRATOR, FHWA,)

Defendants.)

No. 3:11-cv-00138-JWS

NOTICE OF VOLUNTARY DISMISSAL

Plaintiff, pursuant to Federal Rule of Civil Procedure 41(a)(1)(i), hereby knowingly and voluntarily dismisses the above-captioned action with prejudice. This dismissal is filed before

the opposing party has served any answer or motion for summary judgment. This dismissal shall operate as an adjudication on the merits of all claims asserted by Plaintiff in the Complaint.

SO NOTICED this 19th day of October, 2011.

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Certificate of Service

I certify that on 19th day of October, 2011 the foregoing was served electronically upon:

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