



Alaska Railroad Adopts New Right of Way Use Policy

Alaska Public Media | By **Phillip Manning**

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The Alaska Railroad brings a load of tourists into Whittier in July 2008. (Creative Commons photo by Frank Kovalchek)

The Alaska Railroad Corporation has adopted a new policy regarding residential uses of Railroad rights of way.

Over the last 30 years, some property owners adjacent to the rail line have created lawns, gardens, or structures that extend into the right of way near the tracks. Now, in order to begin or continue using the right of way, property owners will need a permit from the Railroad.

Permit application costs \$250, and the annual fee is based on the square footage of the right of way that is being used, with a minimum fee of \$250.

The Railroad says the new policy was adopted in order to curb the use of the right of ways while still giving some property owners the opportunity to keep gardens or structures that may have been there for decades.

Wendy Lindscoog, Vice President of Corporate Affairs for the Alaska Railroad, says that the enforcement of rights of way has been lax in the past, beginning in the days when the Railroad was federally operated. She says that while the policy applies all along the Railbelt, but that a majority of the property owners using Railroad property are in and near Anchorage.

The Railroad was unable to provide a figure on how many properties in the Upper Valley would be affected.

According to Lindscoog, the current policy is the result of two years of public process. She says that public comment resulted in a number of changes to the policy as it was being drafted and amended.

While the policy does allow for applications for new residential uses of Railroad rights of way, she says that the process will not be “a rubber stamp.”

Property owners who are currently using Railroad rights of way have 180 days to file for a permit to continue using the land. The Alaska Railroad has a page setup on their website with contact info for property owners who have questions.

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Phillip Manning

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