

MEMORANDUM

State of Alaska

Department of Transportation and Public Facilities
Central Region Design and Engineering Services
Preliminary Design and Environmental

To: Melissa Goldstein
NEPA Program Manager

From: Brian Elliott ^{BE}
Regional Environmental Manager

Subject: Categorical Exclusion (CE)

Date: 2/2/2018

Project Name: Kenai Spur Highway
Rehabilitation, Sports Lake
Road to Swires Road

Project No: Z545940000/TBD

The Alaska Department of Transportation and Public Facilities (DOT&PF) has assumed the responsibilities of the Federal Highway Administration (FHWA) under 23 U.S.C. 327.

The project is not specifically listed in either the “c” or “d” list but meets the criteria for classification as a categorical exclusion (CE) per 23 CFR 771.117 as the project does not involve significant environmental impacts or unusual circumstances.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by DOT&PF pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated November 3, 2017, and executed by FHWA and DOT&PF.

The CE Documentation Form has been revised per your 1/2/18 comments and is ready for approval. Please return original signature page to this office and keep a copy for your file.

Enclosures: CE Documentation

cc: Sean Holland, P.E., Project Manager, Aviation Design (w/ attachment)
Drew von Lindern, Environmental Impact Analyst, PD&E (w/o attachment)

State of Alaska
Department of Transportation & Public Facilities



CATEGORICAL EXCLUSION DOCUMENTATION FORM
(NEPA Assignment Program Projects)

The environmental review, consultation, and other actions required by the applicable Federal environmental laws for this project are being, or have been carried out by the DOT&PF pursuant to 23 U.S.C 327 and a Memorandum of Understanding dated November 3, 2017, and executed by FHWA and DOT&PF.

I. Project Information:

A. Project Name: Kenai Spur Highway Rehabilitation, Sports Lake Road to Swires Road

B. Federal Project Number: TBD

C. State Project Number: Z545940000

D. Primary/Ancillary Project Connections:

N/A

E. CE Designation: 23 CFR 771.117() () – N/A, the proposed project is not specifically listed in either the “c” or “d” list, but qualifies as a categorical exclusion per 23 CFR 771.117. The proposed project would not involve any significant environmental impacts or unusual circumstances, as described in Section II.

F. List of Attachments:

Figure 1: Location and Vicinity Map

Figure 2: Proposed Improvements

Figure 3: Proposed Typical Section

Appendix A: Section 106 Consultation

Appendix B: Wetland Delineation Report

Appendix C: Hazardous Waste Consultation

Appendix D: Regional Hydrologist Consultation

Appendix E: Noise Analysis

Appendix F: Section 4(f) Consultation

Appendix G: Agency and Public Coordination

G. Project Scope (*Use STIP Project Description*)

Rehabilitate 5.7 miles of the Kenai Spur Highway (KSH) from mile-point 2.4 to mile-point 8.1 between Soldotna and Kenai to increase capacity and improve safety. Project would be constructed in two phases. The first phase, funded with GO bonds, would construct a 5-lane highway from Robin Street to Swires Road (MP 5.2 to 8.09). The second phase would construct a 5-lane highway to increase capacity and improve safety from Sports Lake Road to Robin Street (MP 2.4 to MP 5.2). Federal funds would supplement GO Bonds to complete the improvement (see NIDs 27473 and 30549).

H. Project Purpose and Need:

The purpose of the proposed project is to extend the service life of the facility, enhance transportation capacity, and enhance overall safety of the KSH in Kenai, Alaska (Figure 1). The KSH is a rural principle arterial in the Kenai Peninsula Borough, linking the communities of Kenai and Soldotna. Crash rates for the KSH exceed statewide averages. Current population and traffic projections indicate the level of service will deteriorate below acceptable levels within the next 20 years.

I. Project Description:

The Alaska Department of Transportation and Public Facilities (DOT&PF) is proposing to rehabilitate approximately 5.7 miles of the Kenai Spur Highway (KSH) between Sports Lake Road and Swires Road in Kenai, Alaska. The rehabilitation would widen the existing corridor from two lanes to five with a continuous center two way left-turn lane, connecting the existing five-lane sections at Sports Lake Road and Swires Road (Figures 2-3).

The proposed project would:

- Reconstruct the KSH between Sports Lake Road and Swires Road to facilitate two travel lanes in either direction and a center two-way left turn lane
- Improve drainage, including
 - Installation of a new ditch line
 - Extending or replacing cross and approach culverts and end treatments
 - Replacing or installing new storm drain infrastructure
- Extend or replace in-stream fish culverts and end treatments
- Replace or install new guardrail, guardrail end treatments, and fencing
- Upgrade or install new signage and striping
- Clear and grub vegetation
- Revegetate with grasses that require minimal maintenance and discourages moose
- Upgrade or relocate the existing pedestrian pathway
- Relocate utilities
- Acquire right-of-way
- Replace or install new lighting
- Vertically and horizontally re-align the highway

II. Environmental Consequences

- For each “yes,” summarize the activity evaluated and the magnitude of the impact.
- For any consequence category with an asterisk (*), additional information must be attached such as an alternatives analysis, agency coordination or consultation, avoidance measures, public notices, or mitigation statement.
- Include direct and indirect impacts in each analysis.

A. Right-of-Way Impacts

1. Additional right-of-way required. If no, skip to 2.

a. Permanent easements required.

Estimated number of parcels: N/A

b. Full or partial property acquisition required.

Estimated number of full parcels: 0

Estimated number of partial parcels: 18

c. Property transfer from state or federal agency required. *If yes, list agency in No. 4 below.*

d. Business or residential relocations required. If yes, insert the number of relocations below, summarize the findings of the conceptual stage relocation study in No. 4 below and attach the conceptual stage relocation study. If no, skip to 2.

i. Number of business relocations: N/A

ii. Number of residential relocations: N/A

N/A YES NO

- e. Last-resort housing required.
- 2. Will the project or activity have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations as defined in [E.O. 12898](#) (FHWA Order 6640.23A, June 2012)?
- 3. The project will involve use of ANILCA land that requires an [ANILCA Title XI](#) approval.
- 4. Summarize the right-of-way impacts, if any:

The proposed project would require the partial acquisition of 18 parcels that are necessary to accommodate the wider road surface. No permanent easements, full parcel acquisitions, or business or residential relocations would be required. Parcels for acquisition were identified at various locations and are considered “sliver takes.” The size of each sliver take varies, but the total area of acquisition is approximately 4.9 acres. Review of the U.S. Environmental Protection Agency (EPA) Environmental Justice Screening and Mapping Tool on September 28, 2017 indicated the project corridor is generally uniform in regard to minority, low income, and other disadvantaged populations and none would be affected disproportionately. No ANILCA land use is necessary and no significant right-of-way (ROW) impacts would occur as a result of the proposed project. TCEs and TCPs would be required during construction. These impacts are discussed further in Section II, Part P.

B. Social and Cultural Impacts

YES NO

- 1. The project will affect neighborhoods or community cohesion.
- 2. The project will affect travel patterns and accessibility (e.g. vehicular, commuter, bicycle, or pedestrian).
- 3. The project will affect school boundaries, recreation areas, churches, businesses, police and fire protection, etc.
- 4. The project will affect the elderly, handicapped, nondrivers, transit-dependent, minority and ethnic groups, or the economically disadvantaged.
- 5. There are unresolved project issues or concerns of a federally-recognized Indian Tribe [as defined in [36 CFR 800.16\(m\)](#)].

- 6. Summarize the social and cultural impacts, if any:

The proposed project would have a beneficial impact for motorized and non-motorized users of the area, as it would improve safety, accessibility, and transportation efficiency. It is anticipated that some driveway relocations would be required; however, access to adjacent properties would not be affected and the proposed project would not alter existing vehicular or pedestrian travel patterns. No significant impacts to neighborhoods, community cohesion, or disadvantaged social groups would result as a result of the proposed project.

C. Economic Impacts

YES NO

- 1. The project will have adverse economic impacts on the regional and/or local economy, such as effects on development, tax revenues and public expenditures, employment opportunities, accessibility, and retail sales.
- 2. The project will adversely affect established businesses or business districts.
- 3. Summarize the economic impacts, if any:

No significant or adverse economic impacts would occur as a result of the proposed project. The proposed project area is bordered by a variety of businesses, including: retail shops, automotive shops, clothing and textile shops, restaurants, lodges, firearms dealers, general contractors, and a hair

salon. It is anticipated that some driveway relocations or consolidations would be required; however, no significant impacts to businesses or business districts would occur. Existing travel patterns would be maintained and no business accesses would be completely removed. The proposed improvements are expected to increase safety for motorists entering and exiting the highway and increase the accessibility of adjacent properties. Short-term traffic delays and temporary lane closures may have a minor temporary effect on area businesses. These impacts are discussed further in Section II, Part P.

D. Land Use and Transportation Plans

N/A YES NO

1. Project is consistent with land use plan(s).

Identify the land use plan(s) and date Kenai Comprehensive Plan (Supplement No. 3, November 2011); Soldotna Comprehensive Plan (May 2011); Kenai Peninsula Borough Comprehensive Plan (June 2005)

2. Project is consistent with transportation plan(s).

Identify the transportation plan(s) and date. Let's Get Moving 2030: Alaska Long Range Transportation Plan (LRTP, February 2008); 2016-2019 Alaska Statewide Transportation Improvement Program (STIP)

3. Project would induce adverse indirect and cumulative effects on land use or transportation. *If yes, attach analysis.*

*

4. Summarize how the project is consistent or inconsistent with the land use plan(s) and transportation plan(s):

The proposed project has been divided into two phases for design, permitting, and funding purposes and is identified by the following Need IDs in the 2016-2019 STIP: 27473 for Phase I (covering Eagle Rock Place to Swires Road) and 30549 for Phase II (covering Sports Lake Road to Eagle Rock Place). Although not specifically identified in any of the other abovementioned plans (reviewed September 28, 2017), the proposed project is consistent with their general goals of preserving and modernizing transportation corridors for safety, accessibility, and connectivity for both road users and pedestrians.

Land use in the proposed project area consists primarily of residential and rural/undeveloped parcels with some recreational and commercial properties throughout. The proposed project would remain consistent with existing roadway features and uses, and no significant impacts to future planned land uses would occur.

E. Impacts to Historic Properties

N/A YES NO

Consider the [February 2015 DOT&PF Cultural Resources Confidentiality Guidelines](#) for cultural resource attachments.

1. Does the project involve a road that is included on the "[List of Roads Treated as Eligible](#)" in the Alaska Historic Roads PA? *If yes, follow the [Interim Guidance for Addressing Alaska Historic Roads](#).*

2. Does the project qualify as a Programmatic Allowance under the Section 106 Programmatic Agreement? *If yes, attach the Section 106 PA Streamlined Project Review Screening Record approved by the Regional PQI and skip to 10.*

*

3. Date Consultation/Initiation Letters sent June 2, 2015 *Attach copies to this form.*

- a. List consulting parties SHPO, Cook Inlet Region, Inc. (CIRI), Kenai Native Association, Salamatof Native Association, Inc., Village of Salamatof, Kenaitze Indian Tribe, City of Kenai, City of Soldotna, and the

Kenai Peninsula Borough

- b. If no letters were sent, explain why not. *Attach "Section 106 Proceed Directly to Findings Worksheet", if applicable N/A*
- 4. Date "Finding of Effect" Letters sent May 20, 2016; June 12, 2017; September 14, 2017 *Attach copies to this form*
 - a. State "Finding of Effect" No Historic Properties Affected
 - b. State any changes to consulting parties N/A
- 5. List responding consulting parties, comment date, and summarize:
SHPO responded after each consultation effort, as summarized below.
 - June 8, 2015: Stated no objection to the initiation letter or proposed study area
 - June 14, 2016: Requested additional information regarding indirect effects and a revised finding letter
 - July 6, 2017: Was unable to concur with June 12, 2017 finding of no historical properties affected or the included determinations of eligibility; requested additional information and a revised finding letter
 - September 28, 2017: Concurred with September 14, 2017 finding of no historical properties affected

No other consulting parties provided comment. Refer to Appendix A for full SHPO responses.

- 6. Are there any unresolved issues with consulting parties? *
If yes, the Section 106 process may not be complete, Statewide Cultural Resources Manager consultation is required. Attach consultation.
- 7. Date SHPO concurred with "Finding of Effect" September 28, 2017 *Attach copy to this form.*
- 8. Is a National Register of Historic Places listed or eligible property in the Area of Potential Effect?
- 9. Will there be an adverse effect on a historic property? *If yes, attach correspondence (including response from ACHP) and signed MOA. If yes, Programmatic Categorical Exclusions (PCEs) do not apply.*

- 10. Summarize any effects to historic properties. *List affected sites (by AHRs number only) and any commitments or mitigative measures. Include any commitments or mitigative measures in Section V.*

The APE consists of the footprint of ground disturbing activities, including the existing and expanded Kenai Spur Highway road prism, utility relocations, and the existing and relocated pedestrian pathway between Sports Lake Road and Swires Road. DOT&PF believes there would be no indirect effects (e.g. audible or viewshed) from the project as no additional noise or substantial changes to viewshed would occur. No eligible properties are present within the APE, therefore the proposed project was found to have no effect on historic properties. SHPO concurred with the finding of no effect on September 28, 2017.

Refer to Appendix A for Section 106 consultation documentation, including the September 14, 2017 findings letter which details the project consultation history.

F. Wetland Impacts

- 1. Project affects wetlands as defined by the U.S. Army Corps of Engineers (USACE). *If yes, complete the remainder of this section and document public* YES NO

and agency coordination required per [E.O. 11990](#), Protection of Wetlands.

If no, skip to Part G.

2. Are the wetlands delineated in accordance with the “[Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Alaska Region \(Version 2.0\) Sept. 2007](#)”?

3. Estimated area of wetland involvement (acres): 3.2

4. Estimated fill quantities (cubic yards): 19,400

5. Estimated dredge quantities (cubic yards): 284

6. Is a USACE authorization anticipated?

If yes, identify type:

NWP Individual General Permit Other

7. Wetlands Finding Attach the following supporting documentation as appropriate:

Avoidance and Minimization Checklist, and Mitigation Statement

Wetlands Delineation.

Jurisdictional Determination.

Copies of public and resource agency letters received in response to the request for comments.

- a. Are there practicable alternatives to the proposed construction in wetlands?
If yes, the project cannot be approved as proposed.

- b. Does the project include all practicable measures to minimize harm to wetlands?
If no, the project cannot be approved as proposed.

- c. Only practicable alternative: Based on the evaluation of avoidance and minimization alternatives, there are no practicable alternatives that would avoid the project’s impacts on wetlands. The project includes all practicable measures to minimize harm to the affected wetlands as a result of construction.
If no, the project cannot be approved as proposed.

8. Summarize the wetlands impacts and mitigation, if any. Include any commitments or mitigative measures in [Section V](#).

Reviews of the U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) and Kenai Peninsula Borough (KPB) Wetlands Mappers on July 19, 2016 identified several potential wetland areas adjacent to the proposed project corridor. A wetland delineation and functional analysis of the proposed project area was conducted on August 10-12, 2015 and identified 23.9 acres of jurisdictional wetlands and waterbodies within the project study area. Wetland types identified included forested, scrub-shrub, emergent, and aquatic bed. Refer to Appendix B for the Wetland Delineation and Preliminary Jurisdictional Determination Report.

Impacts to wetlands would include vegetation clearing and the permanent placement of fill material to widen the roadway, replace and extend culverts, improve drainage, and realign the pedestrian pathway. The proposed project is being designed to avoid wetlands to the extent practicable while still meeting the project purpose and need. However, total avoidance of impacts to wetlands is not feasible because the existing alignment of the Kenai Spur Highway bisects several wetland areas. The project proposes to excavate approximately 284 cubic yards (CY) of material and permanently place approximately 19,400 CY of fill over 3.2 acres of wetland.

Relocating or realigning the highway is not reasonable or feasible due to high

construction costs and ROW requirements. Unavoidable impacts have been minimized to the extent practicable by steepening side slopes, keeping the reconstructed pathway close to the road, and maintaining the existing pathway alignment where possible. Only the minimum amount of fill necessary to construct and protect the new road embankment would be placed into wetlands.

A USACE Section 404 permit from the U.S. Army Corps of Engineers (USACE) has been obtained for Phase I, which covers work from Eagle Rock Place to Swires Road. Due to the local abundance of wetlands similar to those being impacted, DOT&PF did not propose compensatory mitigation. DOT&PF also believes the benefits of the culvert upgrades described in Section II, Part G (i.e. facilitating easier access to fish habitat upstream of the proposed project) outweigh the minor loss of wetlands and waters of the U.S. under Phase I.

An additional Section 404 permit for Phase II, covering Sports Lake Road to Eagle Rock Place, will be obtained prior to construction to authorize work within jurisdictional waters.

G. Water Body Involvement

N/A YES NO

- | | | | |
|---|--------------------------|---------------------------------------|-------------------------------------|
| 1. Does the project affect the following: | | | |
| a. A water body. | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. A navigable water body as defined by USCG, (i.e. Section 9)? | <input type="checkbox"/> | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| c. Waters of the U.S. as defined by the USACE, Section 404? | <input type="checkbox"/> | <input checked="" type="checkbox"/> * | <input type="checkbox"/> |
| d. Navigable Waters of the U.S. as defined by the USACE (Section 10)? | <input type="checkbox"/> | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| e. Fish passage across a stream frequented by salmon or other fish (i.e. Title 16.05.841)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. A resident fish stream (Title 16.05.841)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g. A cataloged anadromous fish stream, river or lake (i.e. Title 16.05.871)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> * | <input type="checkbox"/> |
| h. A designated Wild and Scenic River or land adjacent to a Wild and Scenic River? <i>If yes, the Regional Environmental Manager should consult with the NEPA Program Manager to determine applicability of Section 4(f).</i> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Proposed water body involvement: | <input type="checkbox"/> | | |
| Bridge <input type="checkbox"/> Culvert <input checked="" type="checkbox"/> Embankment Fill <input type="checkbox"/> Relocation <input type="checkbox"/> | | | |
| Diversion <input checked="" type="checkbox"/> Temporary <input checked="" type="checkbox"/> Permanent <input checked="" type="checkbox"/> Other <input type="checkbox"/> | | | |
| 3. Type of stream or river habitat impacted: | <input type="checkbox"/> | | |
| Spawning <input checked="" type="checkbox"/> Rearing <input checked="" type="checkbox"/> Pool <input type="checkbox"/> Riffle <input type="checkbox"/> Undercut bank <input type="checkbox"/> | | | |
| Other <input type="checkbox"/> | | | |
| 4. Amount of fill below (cubic yards): | | | |
| OHW <u>2,471</u> MHW <u>N/A</u> HTL <u>N/A</u> | | | |

5. Summarize the water body impacts and mitigation, if any. *Include any commitments or mitigative measures in [Section V](#).*

Review of the Alaska Dept. of Fish and Game (ADF&G) Anadromous Waters Catalog on September 28, 2017 indicated that three anadromous fish streams and one resident fish stream are located in the proposed project area, as discussed in Section II, Part H. Reviews of the U.S. Coast Guard and USACE lists of Navigable Waters of the U.S. on September 28, 2017 indicated none of the identified streams are considered navigable.

The proposed project would require the excavation and placement of fill below ordinary high water (OHW) at Beaver Creek and Unnamed Streams 2-4, as detailed in Table 1. At Beaver Creek, the inlet to the overflow pipe would be

extended and riprap would be added for erosion protection and to fill scour holes. At Unnamed Streams 2-4, the culverts would be upsized to meet either Tier I or Tier II fish passage criteria in accordance with the *DOT&PF/ADF&G Memorandum of Agreement for Designing, Permitting, and Construction of Culverts for Fish Passage*. During culvert upgrades, the streams would either be temporarily diverted or dammed and pumped around the area of construction.

Table 1 – Excavation and Fill below OWH

Location	Excavation (CY)	Fill Placement			Area (Acre)
		Inlet (CY)	Outlet (CY)	Total (CY)	
Beaver Creek Primary Pipe Arch	0	60	0	60	0.015
Beaver Creek Overflow Culvert	0	85	5	90	0.019
Unnamed Stream 2	1141	120	136	256	0.08
Unnamed Stream 3	477	43	77	120	0.17
Unnamed Stream 4	167	1630	315	1945	0.198
TOTAL	1785	1938	533	2471	0.482

ADF&G Title 16 Fish Habitat and USACE Section 404 Permits have already been acquired for Phase I, which includes work at Beaver Creek and Unnamed Stream 4. Permits for Unnamed Stream 2 and 3 will be required prior to construction of Phase II and timing windows for in-water work specified by ADF&G will be adhered to.

Water quality degradation during construction may result from sedimentation of storm water run-off. These impacts will be mitigated by the use of Best Management Practices (BMP) and implementation of a Storm Water Pollution Prevention Plan in accordance with the APDES CGP. Construction-related impacts are discussed further in Section II, Part P.

H. Fish and Wildlife

N/A YES NO

1. Anadromous and resident fish habitat. *Any activity or project that is conducted below the ordinary high water mark of an anadromous stream, river, or lake requires a Fish Habitat Permit.*

a. Database name(s) and date(s) queried: Alaska Dept. of Fish and Game (ADF&G) Catalog of Waters Important for the Spawning, Rearing, or Migration of Anadromous Fishes; September 28, 2017

b. Anadromous fish habitat present in project area.

*

c. Resident fish habitat present in project area

*

d. Adverse effect on spawning habitat.

 *

e. Adverse effect on rearing habitat.

 *

f. Adverse effect on migration corridors.

 *

g. Adverse effect on subsistence species.

 *

2. Essential Fish Habitat (EFH). *EFH includes any anadromous stream used by any of the five species of Pacific salmon for migration, spawning or rearing, as well as other coastal, nearshore and offshore areas as designated by NMFS.*

a. Database name(s) and date(s) queried: Alaska Dept. of Fish and Game

(ADF&G) Catalog of Waters Important for the Spawning, Rearing, or Migration of Anadromous Fishes; National Marine Fisheries Service (NMFS) Essential Fish Habitat (EFH) Mapper; each reviewed September 28, 2017

- b. EFH present in project area
 - c. Project proposes construction in EFH. *If yes, describe EFH impacts in H.6.*
 - d. Project may adversely affect EFH. *If yes, attach EFH Assessment.* *
 - e. Project includes conservation recommendations proposed by NMFS. *If NMFS conservation recommendations are not adopted, formal notification must be made to NMFS. Summarize the final conservation measures in H.6 and list in [Section V](#).*
3. Wildlife Resources:
- a. Project is in area of high wildlife/vehicle accidents.
 - b. Project would bisect migration corridors.
 - c. Project would segment habitat.
4. [Bald and Golden Eagle Protection Act](#). *If yes to any below, consult with USFWS and attach documentation of consultation.*
- a. Eagle data source(s) and date(s) : USFWS Bald Eagle Nest Atlas; September 29, 2017
 - b. Project visible from an eagle nesting tree? *
 - c. Project within 330 feet of an eagle nesting tree? *
 - d. Project within 660 feet of an eagle nesting tree? *
 - e. Will the project require blasting or other activities that produce extreme loud noises within 1/2 a mile from an active nest? *
 - f. Is an [eagle permit](#) required? *
5. Is the project consistent with the [Migratory Bird Treaty Act](#)?
6. Summarize fish and wildlife impacts and mitigation, including timing windows, if any. *Include any commitments or mitigative measures in [Section V](#).*

Anadromous, Resident, and Essential Fish Habitat

Three anadromous fish streams and one resident fish stream are present in the proposed project area, as described in Table 2. The anadromous water bodies are also considered essential fish habitat (EFH) by the National Marine Fisheries Service. As culverts would be upgraded to provide better fish passage, no significant impacts to anadromous, residential, or essential fish habitat would result of the proposed project. Measures to protect fish and water quality during construction are listed in Section II, Part P and Section VI.

Table 2 – Streams in Project Area

Stream Name	AWC Code	Location	Anadromous Species and Use
Unnamed Stream 2	N/A	MP 3.5	N/A; Uncatalogued resident fish stream
Unnamed Stream 3	244-30-10010-2031	MP 4.0	Rearing habitat for coho and chinook
Beaver Creek	244-30-10010-2025	MP 6.2	Rearing habitat for coho, chinook, sockeye, and dolly varden Spawning habitat for coho and chinook

Wildlife Resources

Review of the DOT&PF *Central Region Moose-Vehicle Collisions Priority List (2006-2010)* indicates the proposed project is located in an area of high wildlife/vehicle accidents. The proposed project is expected to result in decreased collisions with wildlife as the ROW would be cleared of existing vegetation and revegetated with grasses that increases visibility and discourages moose. Proposed activities would occur along the existing alignment and the project is not expected to result in further bisection of migration corridors or habitat segmentation. No significant impacts to wildlife or wildlife habitat would occur as a result of the proposed project.

Bald and Golden Eagle Protection Act

Review of the USFWS Bald Eagle Nest Atlas indicates that no known eagle nests are present in the vicinity of the proposed project. However, suitable nesting habitat for eagles exists adjacent to the project corridor. Prior to construction, a survey may be conducted to determine the presence of active nests, and if found, USFWS would be contacted for guidance on how to proceed. No significant impacts to eagles would occur as a result of the proposed project.

Migratory Birds

Migratory birds may pass through the proposed project area and could be affected by the proposed vegetation clearing activities. The work would follow the USFWS *Recommended Time Periods for Avoiding Vegetation Clearing in Alaska in Order to Protect Migratory Birds* advisory.

I. Threatened and Endangered Species (T&E)

YES NO

1. Database name(s) and date(s) queried: ADF&G Special Status Species Website, USFWS Information for Planning and Consultation (IPaC) Database, and USFWS Critical Habitat Portal; each reviewed September 29, 2017
2. Listed threatened or endangered species present in the project area. YES NO
3. Threatened or endangered species migrate through the project area. YES NO
4. Designated critical habitat in the project area. YES NO
5. Proposed or Candidate species present in project area. YES NO
6. What is the effect determination for the project? *Select one.*
 - a. Project has no effect on listed or proposed T&E species or designated critical habitat. YES NO
 - b. Project is not likely to adversely affect a listed or proposed T&E species or designated critical habitat. *Informal Section 7 consultation is required. Attach consultation documentation, including concurrence from the Federal agency, to this form.* * YES NO
 - c. Project is likely to adversely affect a listed or proposed T&E species or designated critical habitat. *If yes, consult the NEPA Program Manager.* * YES NO
7. Summarize the findings of the consultation, conferencing, biological evaluation, or biological assessment and the opinion of the agency with jurisdiction, or state why no coordination was conducted. *Include any commitments or mitigative measures in [Section V](#).*

Reviews of the above referenced databases indicated there are no listed, proposed, or candidate threatened or endangered species or critical habitats within the proposed project area. Therefore, no significant impacts to threatened

and endangered species would occur as a result of the proposed project.

J. Invasive Species

YES NO

1. Database name(s) and date(s) queried: ADF&G Invasive Species Website, Alaska Early Detection & Distribution Mapping System (EDDMapS) Invasive Species Mapper, Alaska Exotic Plants Information Clearinghouse (AKEPIC) Mapper; each reviewed September 25, 2017
2. Does the project include all practicable measures to minimize the introduction or spread invasive species, making the project consistent with E.O. 13112 (Invasive Species)? *If yes, list measures in J.3.*
3. Summarize invasive species impacts and minimization measures, if any. *Include any commitments or mitigative measures in Section V.*

Several invasive plant species were identified in the vicinity of the proposed project. To minimize the risk of introducing invasive species and to comply with Executive Order 13112, ground disturbing activities would be kept to a minimum and erosion and sediment control materials would be made from weed-free materials or locally produced products. Disturbed areas will be re-vegetated with weed-free native Alaskan seed. The proposed project would not have any significant invasive species impacts.

K. Contaminated Sites

YES NO

1. Database name(s) and date(s) queried: Alaska Department of Environmental Conservation (ADEC) Contaminated Sites Mapper; June 13, 2016 and September 29, 2017
2. There are known or potentially contaminated sites within or adjacent to the existing and/or proposed ROW. *If yes, attach ADEC coordination documentation and summarize below in K.4.*
3. There are contaminated sites with 1,500 feet of where excavation dewatering is anticipated? *If yes, attach ADEC coordination correspondence and summarize below in K.4.*
4. Summarize the contaminated site impacts and mitigation, if any. *Include any commitments or mitigative measure in Section V.*

*

Reviews of the ADEC Contaminated Sites Mapper showed that four active contaminated sites are located adjacent to the proposed project, as detailed in Table 3 below.

Table 3 – Contaminated Sites in Project Area

Activity Status	Site Name	Issue	Location	File Number
Active	AT&T Alascom Soldotna Microwave	Diesel contamination from LUST site	44890 Churchhill Avenue	2320.38.005
Active	Drum Site	Leaking drums from former marine repair shop, unknown substance	7871 Kenai Spur Highway	2320.38.019
Active	Duct or Sheetmetal Inc.	Petroleum soil and groundwater contamination	7815 Kenai Spur Highway	2320.38.056

Active	Quonset Hut Apartments	Petroleum and PCB soil contamination	7825 Kenai Spur Highway	2320.38.057
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Consultation with the ADEC Contaminated Sites Program on June 15, 2016 indicated the proposed project would be unlikely to encounter soil or groundwater contamination from any of the identified sites and the proposed project would not result in significant impacts from hazardous waste. Though the AT&T Alascom Soldotna Microwave site is located within 1500 feet of Unnamed Stream 2, where dewatering will occur during culvert replacement, all four sites are set back from the existing ROW and no acquisitions would be taken from parcels containing documented contaminated sites

Refer to Appendix C for hazardous waste consultation documentation.

L. Air Quality (Conformity)

	<u>N/A</u>	<u>YES</u>	<u>NO</u>
1. The project is located in an air quality maintenance area or nonattainment area (CO or PM-10 or PM-2.5). <i>If yes, indicate CO <input type="checkbox"/> or PM-10 <input type="checkbox"/> or PM-2.5 <input type="checkbox"/>, and complete the remainder of this section. If no, skip to Section M.</i>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. The project is exempt from an air quality analysis per 40 CFR 93.126 (Table 2 and Exempt Projects). <i>If no, a project-level air quality conformity determination is required for CO nonattainment and maintenance areas, and a qualitative project-level analysis is required for both PM-2.5 and PM-10 nonattainment and maintenance areas.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. The project is included in a conforming Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP). a. List dates of FHWA/FTA conformity determination: <u>N/A</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Have there been a significant change in the scope or the design concept as described in the most recent conforming TIP and LRTP? <i>If yes, describe changes in L.8. In addition, the project must satisfy the conformity rule's requirements for projects not from a plan and TIP, or the plan and TIP must be modified to incorporate the revised project (including a new conformity analysis).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. A CO project-level analysis was completed meeting the requirements of Section 93.123 of the conformity rule. The results satisfy the requirements of Section 93.116(a) for all areas or 93.116(b) for nonattainment areas. <i>Attach a copy of the analysis.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/> *	<input type="checkbox"/>
6. A PM-2.5 project-level air quality analysis was completed meeting the requirements of Section 93.123 of the conformity rule. The results satisfy the requirements of Section 93.116 . <i>Attach a copy of the analysis.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/> *	<input type="checkbox"/>
7. A PM-10 project-level air quality analysis was completed meeting the requirements of Section 93.123 of the conformity rule. The results satisfy the requirements of Section 93.116 . <i>Attach a copy of the analysis.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/> *	<input type="checkbox"/>
8. Summarize air quality impacts, mitigation, and agency coordination, if any. <i>Include any commitments or mitigative measures in Section V.</i>			

Reviews of the Alaska Department of Environmental Conservation Division of Air Quality's Non-Point Mobile Source Program and the U.S. Environmental Protection Agency's List of Non-Attainment Areas for Criteria Pollutants websites on September 29, 2017 indicated that the proposed project is not located within any air quality non-attainment or maintenance areas. The proposed project would not result in significant air quality impacts, as all disturbed areas would be permanently stabilized after project completion.

Air quality degradation during construction may result from equipment exhaust and disturbed soil particles that become airborne. These impacts are discussed further in Section II, Part P.

M. Floodplain Impacts (23 CFR 650, Subpart A)

YES NO

1. Project encroaches into the base (100 year) flood plain in fresh or marine waters. Identify floodplain map source and date : FEMA FIRM Panel No. 0200122035A, effective May 19, 1981; FEMA FIRM Panel No. 0200122045C, effective December 6, 1999

*

If yes, attach documentation of public involvement conducted per E.O. 11988 and 23 CFR 650.109. Consult with the regional or Statewide Hydraulics/Hydrology expert and attach the required location hydraulic study developed per 23 CFR 650.111. Answer questions M.1.a through d.

If no, skip to M.2.

- a. Is there a longitudinal encroachment into the 100-year floodplain? *
- b. Is there significant encroachment as defined by 23 CFR 650.105(q)? *If yes, attach a copy of FHWA's finding required by 23 CFR 650.115.* *
- c. Project encroaches into a regulatory floodway. *
- d. The proposed action would increase the base flood elevation one-foot or greater. *

2. Project conforms to local flood hazard requirements.

3. Project is consistent with E.O. 11988 (Floodplain Protection). *If no, the project cannot be approved as proposed.*

4. Summarize floodplain impacts and mitigation, if any. *Include any commitments or mitigative measures in Section V.*

Review of the FEMA FIRM mapper on June 29, 2015 indicated the entire project area is contained within National Flood Insurance Program map boundaries, as detailed in the FIRM Panels referenced above. Per the FIRM Panels, the Kenai Spur Highway bisects the mapped Zone A floodplain associated with Beaver Creek (FEMA FIRM Panel No. 0200122035A). Zone A floodplains are areas with a 1% annual chance of flooding but no base flood elevations have been determined. Within the floodplain, the proposed project would widen the road from two lanes to five lanes and the road surface elevation would be slightly lowered. The project would extend the inlet side of the overflow culvert to accommodate the new fill slope. Riprap would also be added to both the inlet and outlet of the overflow culvert to provide erosion protection and fill scour holes. The primary pipe arch was designed and installed with the highway rehabilitation in mind and does not require extending. However, a small amount of riprap would be placed along the toe of the embankment at the inlet to fill a scour hole. The existing guardrail, pedestrian rail, and pathway would be relocated to a similar location within the widened typical section.

The Central Region Hydrologist was consulted on July 2, 2015 to evaluate the project for potential floodplain impacts and comply with the requirements of a Location Hydraulic Study. Based on the consultation, the proposed project would not result in significant encroachment into the floodplain. The proposed project would not result in either a significant potential for interruption or termination of a transportation facility which is needed for emergency vehicles or provides a community's only evacuation route, or a significant risk to life or property.

The proposed project would not include any elements that support probable incompatible floodplain development or increase the likelihood of flooding or flood-related impacts to adjacent structures or properties. Additionally, significant impacts to natural and beneficial floodplain values would not occur, as the proposed project does not propose to alter any of the following: flood storage and conveyance, sediment loads, habitat access, water quality, wetland abundance, or recreational opportunities.

As the scope of work within the floodplain would be minor, the built conditions would resemble the existing conditions and any changes to the floodplain would be negligible. Since any impacts to the floodplain would be negligible, no additional mitigation has been proposed.

Although work would be conducted within a FEMA mapped floodplain, no permit will be required as the floodplain is located within the limits of the City of Kenai, a community which does not participate in the National Flood Insurance Program.

Refer to Appendix D for hydrological consultation documentation.

N. Noise Impacts ([23 CFR 772](#))

YES **NO**

1. Does the project involve any of the following? *If yes, complete N.2.*

If no, a noise analysis is not required. Skip to Part O.

- a. Construction of highway on a new location.
- b. Substantial alteration in vertical or horizontal alignment as defined in [23 CFR 772.5](#).
- c. An increase in the number of through lanes.
- d. Addition of an auxiliary lane (except a turn lane).
- e. Addition or relocation of interchange lanes or ramps added to a quadrant to complete an existing partial interchange.
- f. Restriping existing pavement for the purpose of adding a through-traffic lane or an auxiliary lane.
- g. Addition of a new or substantial alteration of a weigh station, rest stop, ride-share lot or toll plaza.

2. Identify below which category of land uses are adjacent: *A noise analysis is required if any lands in Categories A through E are identified, and the response to N.1 is 'yes'.*

Category A: Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.

Category B: Residential. This includes undeveloped lands permitted for this category.

Category C (exterior): Active sport areas, amphitheaters, auditoriums, campgrounds, cemeteries, daycare centers, hospitals, libraries, medical facilities, parks, picnic areas, places of worship, playgrounds, public meeting rooms, public or nonprofit institutional structures, radio studios, recording studios, recreation areas, Section 4(f) sites, schools, television studios, trails, and trail crossings. This includes undeveloped lands permitted for this category.

Category D (interior): Auditoriums, day care centers, hospitals, libraries, medical facilities, places of worship, public meeting rooms, public or nonprofit institutional structures, radio studios, recording studios, schools, and television studios.

Category E: Hotels, motels, offices, restaurants/bars, and other developed lands, properties or activities not listed above. This includes undeveloped lands permitted for this category.

3. Does the noise analysis identify a noise impact? *If yes, explain in N.4*

4. Summarize the findings of the attached noise analysis and noise abatement worksheet, if applicable:

A traffic noise analysis for the proposed project area was conducted on July 21-23, 2015 to monitor ambient noise levels and model design-year build and no-build alternative traffic noise levels. Under the design-year build alternative, increased noise levels would result in an impact to one residential property. Noise levels were predicted to be 66 dBA L_{eq} , a weighted decibel average over a 1-hour period. Since the predicted noise levels approach the 67 dBA L_{eq} FHWA Noise Abatement Criteria (NAC) for residential properties (Land Use Category B), they are considered an impact per the 2011 DOT&PF Noise Policy.

A noise abatement analysis was also conducted for the impacted residential property to determine the feasibility and reasonableness of a noise barrier. Based on the analysis, noise abatement was found to be infeasible, as the barrier would fail to reduce noise levels by 5 dBA or more as required by the 2011 DOT&PF Noise Policy. Access to the highway directly in front of the property would require a break in the wall, allowing sound to be transmitted through the gap and making required noise reductions unattainable. Since noise abatement for the residential property was found to be infeasible, abatement measures are not recommended.

Temporary noise impacts to residences and businesses may result from the operation of heavy equipment, the presence of construction crews, and other associated construction activities. Noise from construction equipment can be minimized by maintaining noise control devices.

Refer to Appendix E for the Traffic Noise Analysis Report.

O. Water Quality Impacts

N/A YES NO

1. Project would involve a public or private drinking water source. *If yes, explain in O.7*

2. Project would result in a discharge of storm water to a Water of the U.S. (per [40 CFR 230.3\(s\)](#))

3. Project would discharge storm water into or affect an ADEC designated Impaired Waterbody. *If any of the Impaired Waterbodies have an approved or established Total Maximum Daily Load, describe project impacts in O.7*

a. List name(s), location(s), and pollutant(s) causing impairment:

N/A

4. Estimate the acreage of ground-disturbing activities that will result from the project?

165 acres.

5. Is there a Municipal Separate Storm Sewer System (MS4) APDES permit, or will runoff be mixed with discharges from an APDES permitted industrial facility?

a. If yes, list APDES permit number and type: N/A

6. Would the project discharge storm water to a water body within a national park or state park; a national or state wildlife refuge?

7. Summarize the water quality impacts and mitigation, if any. *Include any*

commitments or mitigative measures in [Section V](#).

Review of the ADEC Impaired Water Bodies Mapper on September 25, 2017 indicated that no impaired water bodies are present within or adjacent to the proposed project area. Review of the ADEC Drinking Water Protection Area Mapper on September 25, 2017 indicated that no surface drinking water sources are present, but several groundwater drinking water protection areas are located within the project area. Given the scope of work and relatively shallow depths of excavation, no significant impacts to public or private drinking water sources would occur.

Stormwater in the proposed project area sheet flows off the roadway and into vegetated ditches, where it is directed to adjacent vegetated areas, wetlands, and waterbodies. Potential receiving waters are discussed in Section II, Part G, which ultimately discharge into Cook Inlet, via the Kenai River. The project proposes multiple drainage improvements that are anticipated to result in a beneficial impact to water quality. New ditch lines would be established, several cross and approach culverts would be replaced, storm drain infrastructure would be replaced or upgraded, and the culverts at Unnamed Streams 2-4 would be upsized to provide greater hydraulic capacity. No permanent significant impacts to water quality would occur as a result of the proposed project. Water quality impacts during construction are discussed in Section II, Part P.

P. Construction Impacts

N/A YES NO

- | | | |
|--|--|--|
| <ol style="list-style-type: none"> 1. There will be temporary degradation of water quality. 2. There will be a temporary stream diversion. 3. There will be temporary degradation of air quality. 4. There will be temporary delays and detours of traffic. 5. There will be temporary impacts on businesses. 6. There will be temporary noise impacts. 7. There will be other construction impacts (e.g. TCEs/TCPs, utility relocations, staging areas, etc.). 8. Summarize construction impacts and mitigation for each 'yes' above. <i>Include any commitments or mitigative measures in Section V.</i> | <input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
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<input type="checkbox"/> |
|--|--|--|

Water Quality

The proposed project may cause minor deterioration of water quality due to runoff during construction. An Erosion and Sediment Control Plan (ESCP) and Stormwater Pollution Prevention Plan (SWPPP) would be prepared for the proposed project. Both would include Best Management Practices (BMPs) to be used during construction to stabilize slopes and prevent sedimentation and would comply with the Alaska Pollutant Discharge Elimination System (APDES) Construction General Permit (CGP) required for this project.

Temporary Stream diversions

During construction, temporary water diversions would be necessary to isolate work areas within streams during culvert replacement, and could temporarily impact anadromous, resident, and essential fish habitat and fish populations. Temporary fill would be placed below OHW to act as a water diversion during culvert replacements and installation of culvert end sections. To minimize impacts to fish, ADF&G Fish Habitat and Fish Resource Permits would be acquired prior to construction and all permit stipulations would be followed. All impacts would be of short duration and all temporary fill would be removed after completion of culvert replacements.

Air Quality

The proposed project may cause minor degradation of air quality due to operation of construction equipment and increased airborne dust and emission-related particular matter. However, changes in air quality are expected to be temporary and would be abated through use of BMPs such as watering of disturbed soils and regular maintenance of construction equipment.

Traffic Impacts

Temporary impacts to local businesses and road users may include delays or detours due to project construction and heavy equipment use. Other roads in the vicinity of the project may experience increased traffic volume as travelers try to avoid the construction area. These impacts will be mitigated by providing advance notice to the public and creation of a traffic control plan.

Business Impacts

Impacts to businesses may result from temporary traffic delays, detours, or avoidance of the area by travelers during construction. This may result in reduced business transactions, but the impacts would be temporary and efforts would be made to maintain reasonable access to all adjacent businesses. Advanced public notice of construction activities would be published to reduce construction impacts on local business, residents, and road travelers. A traffic control plan will be developed to reduce traffic delays during construction.

Noise Impacts

Temporary noise impacts to residences and businesses may result from the operation of heavy equipment, the presence of construction crews, and other associated construction activities. Noise from construction equipment can be minimized by maintaining noise control devices.

Other Impacts

During construction it will be necessary to obtain temporary construction easements (TCEs) and temporary construction permits (TCPs). The TCEs and TCPs may affect the property owner during construction through general construction disturbance, but access will be maintained at all times and all property will be returned to original condition.

Q. Section 4(f)/6(f)

1. Section 4(f) ([23 CFR 774](#))

- | | <u>YES</u> | <u>NO</u> |
|---|---------------------------------------|---------------------------------------|
| a. Was detailed Section 4(f) resource identification conducted for this project, other than that required for Section 106 compliance? <i>If no, attach consultation with the NEPA Program Manager stating further Section 4(f) resource identification was not required.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> * |
| b. Does a Section 4(f) resource exist within the project area; or is the project adjacent to a Section 4(f) resource? <i>If yes, attach consultation with the NEPA Program Manager to determine applicability of Section 4(f). If no, skip to Q.2.</i> | <input checked="" type="checkbox"/> * | <input type="checkbox"/> |
| c. Does an exception listed in 23 CFR 774.13 apply to this project? <i>If yes, attach consultation with the NEPA Program Manager, and documentation from the official with jurisdiction, if required.</i> | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| d. Does the project result in the “use” of a Section 4(f) property? “Use” includes a permanent incorporation of land, adverse temporary occupancy, or constructive use. <i>If no, attach consultation with the NEPA Program Manager and skip to Q.2.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> * |
| e. Has a <i>de minimis</i> impact finding been prepared for the project? <i>If yes, attach the finding.</i> | <input type="checkbox"/> * | <input type="checkbox"/> |
| f. Has a Programmatic Section 4(f) Evaluation been prepared for the project? <i>If yes, attach</i> | <input type="checkbox"/> * | <input type="checkbox"/> |

the evaluation.

- g. Has an Individual Section 4(f) Evaluation been prepared for the project? *If yes, attach the evaluation.* *

2. Section 6(f) (36 CFR 59)

- a. Were funds from the Land and Water Conservation Fund Act (LWCFA) used for improvement to a property that will be affected by this project?
- b. Is the use of the property receiving LWCFA funds a “conversion of use” per Section 6(f) of the LWCFA? *Attach the correspondence received from the ADNR 6(f) Grants Administrator.*

3. Summarize Section 4(f)/6(f) involvement, if any:

Reviews of the following resources on September 26, 2017 indicated there are no respectively managed Section 4(f) properties within or adjacent to the proposed project: National Park Service website, Alaska Department of Natural Resources (ADNR) Division of Parks and Outdoor Recreation (DPOR) website; ADF&G online listing of State of Alaska Refuges, Critical Habitat Areas, and Sanctuaries; USFWS National Wildlife Refuge website; Bureau of Land Management website; and the City of Soldotna Parks and Recreation website. A search of the City of Kenai Parks and Recreation website on September 26, 2017 indicated that one Section 4(f)-protected property, Beaver Creek Park, is located in the vicinity of the proposed project near MP 6.2, south of the Kenai Spur Highway.

A review of the National Park Service LWCFA online listing of grants on September 26, 2017 indicated that there are no properties within or adjacent to the proposed project that received LWCFA funds. The proposed project would not affect or result in a use or a conversion of use for resources protected by Section 6(f).

On November 30, 2017, the DOT&PF Statewide NEPA Program Manager determined the proposed project will not use or affect Beaver Creek Park. Access will remain open during construction and no permanent or substantial temporary noise impacts on the resource will occur. The proposed project will not use property from a Section 4(f) resource and that Section 4(f) does not apply.

Refer to Appendix F for Section 4(f) consultation documentation.

III. Permits and Authorizations

<u>N/A</u>	<u>YES</u>	<u>NO</u>
------------	------------	-----------

- | | |
|---|--|
| <ul style="list-style-type: none"> 1. USACE, Section 404/10 Includes Abbreviated Permit Process, Nationwide Permit, and General Permit 2. Coast Guard, Section 9 3. ADF&G Fish Habitat Permit (Title 16.05.871 and Title 16.05.841) 4. Flood Hazard 5. ADEC Non-domestic Wastewater Plan Approval 6. ADEC 401 7. ADEC APDES 8. Noise 9. Eagle Permit 10. Other. If yes, list below. | <input checked="" type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> <input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> <input type="checkbox"/>
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|---|--|

As stated in Section II, Part D, the proposed project has been divided into two phases for design, permitting, and funding purposes. Phase I covers KSH from Eagle Rock Place to Swires Road, and Phase II covers Sports Lake Road to Eagle Rock Place. Phase I permits have already been acquired, including a USACE Individual Permit and ADF&G Title 16 Fish Habitat Permits and KPB

Conditional Use Permits for work at Beaver Creek and Unnamed Stream 4.

Permits for Phase II will be acquired prior to construction. Permits for this phase include ADF&G Fish Habitat Permits for work below OHW of fish-bearing waters, KPB Conditional Use Permits for work within 50 feet of anadromous waters, and a USACE Section 404 Permit for work within wetlands.

Each construction phase will also require an Alaska Pollutant Discharge Elimination System (APDES) Construction General Permits (CGPs) from the ADEC for ground disturbance over one acre.

IV. Comments and Coordination

N/A YES NO

- | | | |
|--|-------------------------------------|-------------------------------------|
| 1. Public/agency involvement for project. <i>Required if protected resources are involved.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Public Meetings. Date(s): <u>See Table 4</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Newspaper ads. <i>Attach certified affidavit of publication as an appendix.</i>
Name of newspaper and date: <u>Anchorage Dispatch News, Peninsula Clarion, Redoubt Reporter; September 10-11, 2015</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Alaska Online Public Notice date: <u>September 17, 2015</u> | | |
| 5. Agency scoping letters. Date sent: <u>January 15, 2015; July 13, 2015</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Agency scoping meeting. Date of meeting: <u>N/A</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Field review. Date: <u>N/A</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8. Summarize comments and coordination efforts for this project. Discuss pertinent issues raised. <i>Attach correspondence that demonstrates coordination and that there are no unresolved issues.</i> | | |

Notices of Intent to Begin Engineering and Environmental Studies (NOIs) for the proposed project were published in the Anchorage Dispatch News and the Peninsula Clarion on January 15, 2015 and September 10-11, 2015. Additionally, NOIs were published in the Redoubt Reporter on September 10-11, 2015 and on the DOT&PF online public notice website on September 17, 2015. DOT&PF contracted HDR to implement public involvement, and Table 4 below details the public involvement activities undertaken to date. Public involvement for the proposed project is an ongoing process and will continue beyond final design through the construction phase.

Several comments were received during the public involvement process and primarily concerned the following subjects, as detailed in Appendix F:

- Project information, construction schedule, and project limits per phase
- Concerns regarding impacts from noise, light, vegetation clearing
- Intersection improvement recommendations
- Access relocations and consolidations
- Design alternatives
- Current safety and sight distance concerns
- Proposed right-of-way acquisition locations
- Drainage concerns
- General support for the project

Comments received during the public involvement process were individually addressed and will be considered through final design and incorporated to the extent practicable given the project scope.

Table 4 – Chronology of Public Participation Activities to Date

Date	Public Involvement Activity	Project phase/purpose
9/15/14	Fact Sheet	Provides project information while surveyors were at the project site.
10/7/14	Comment Database Created	Documents comment-response effort for project.
10/20/14	Public Involvement Plan (PIP)	Provides a public involvement plan for the project to guide public involvement activities.
10/30/14	Constant Contact Email List Created	Provides project updates to stakeholders identified in the PIP.
11/17/14	Revised Fact Sheet	Provides a more general project fact sheet for the website.
11/20/14	Created Website for Project	Provides project information and updates to interested parties.
12/3/14	Added Interactive Map to Project Website	Allows commenters to find their location on the map and leave a comment.
12/3/14	E-Newsletter	Announces updates to project website:127 sent; 5 bounces; 0 spam; 1 opt out; 40 opens; 7 clicks; 0 forwards; 0 shares
5/14/15	E-Newsletter	Announces Public Open House and Online Open House
5/14/15 – 5/28/15	Newspaper Advertisement	Published in Alaska Dispatch News (printed and online) announcing public open house
5/14/15 – 5/28/15	Newspaper Advertisement	Published in Kenai Peninsula Clarion announcing public open house
5/15/15	What's Up Email	Announces Public Open House and Listening Post
5/15/15	Listening Post Email and E-Newsletter Announcement	Announces Additional Listening Post in Kenai May 28, 2015
5/19/15	E-Newsletter	Solicits public feedback for project and announcing public open house
5/21/15	What's Up Email	Announces Public Open House and Listening Post
5/20/15	Revised Fact Sheet	Updated fact sheet
5/22/15 – 5/28/15	PSA Radio Advertisement	Radio announcement advertising public open house; PSAs sent to KKNL 105.3, KSRM 920AM, KWHQ 100.1, KKIS 96.5, KSLD 1140AM, KFSE 106.9
5/25/15 – 5/28/15	Flyers and postcards	Announcing public open house
5/28/15	Open House	Provided information to the public on the status of the project and to receive comments

5/28/15 – 6/30/15	Online Open House	Public open house materials made available online
5/28/15 – 6/30/15	MetroQuest Survey	Opportunity for public feedback on the project
6/2/15	Newspaper Article	Published in Kenai Peninsula Clarion describing scope, purpose, and need of project and results of the open house.
6/4/15	E-Newsletter	Soliciting public feedback for project and announcing the online open house
6/8/15	E-Newsletter	Reports on the results of the Open House and Listening Post
11/25/15 – 12/7/15	Postcards newspaper articles, E-Newsletter	Announcing public open house; published in Anchorage Dispatch News and Kenai Peninsula Clarion
12/10/15	Open House	Provided information to the public on the status of the project and to receive comments
10/12/16	E-Newsletter	Provided current project status and schedule, and described budget constraints and the potential for federal funding
2/15/17	Anchorage Transportation Fair	Provided information to the public on the status of the project and to receive comments

Agency coordination included scoping letters submitted on January 15, 2015 and July 13, 2015. Comments were received from the following parties:

U.S. Army Corps of Engineers

Confirmed that vegetation clearing activities would be allowed under Nationwide Permit 3(a) – Maintenance, if done separately from the remainder of the project.

Alaska Department of Fish and Game

Confirmed that three anadromous and one residential stream are present in the project area and Fish Habitat Permits from the Division of Habitat would be required. Recommended no ground disturbance and minimal vegetation altering within 50 feet of the anadromous and resident streams, and stated a vegetation buffer is important to provide cover and shade for rearing juvenile salmonids and protect riparian areas from erosion.

ADNR Division of Parks and Outdoor Recreation

Requested that if highway direction signs for the Pillars and Eagle Rock State boat launches are replaced, the new signs should follow Alaska State Park standards.

Kenai Peninsula Borough Floodplain Administrator

Confirmed that the floodplain associated with Beaver Creek is located within the limits of the City of Kenai, which does not participate in the National Flood Insurance Program (NFIP) and no permits would be required.

No other agencies provided comments.

Refer to Appendix G for descriptions of public involvement activities, agency scoping materials, and copies of all comments received and associated responses.

V. Environmental Commitments and Mitigation Measures

List all environmental commitments and mitigation measures included in the project.

1. If cultural, archaeological, or historical sites are discovered during construction, then all work that may impact the sites will stop. The SHPO would be consulted to determine the appropriate corrective action.
2. If contamination or hazardous materials are encountered during construction, all work in the vicinity of the contamination will stop and ADEC would be consulted to determine the appropriate corrective action.
3. If active bald or golden eagle nests are found within the project area, a primary zone of a minimum 330 feet will be maintained as an undisturbed habitat buffer around nesting eagles. If topography or vegetation does not provide an adequate screen or separation, the buffer will be extended to 0.25 mile, or a sufficient distance to screen the nest from human activities. Within the secondary zone (between 330 and 660 feet), no obtrusive facilities or major habitat modifications shall occur. If nesting occurs in sparse stands of trees, treeless areas, or where activities would occur within line-of-site of the nest, this buffer shall extend up to 0.5 miles. No blasting, logging, or other noisy, disturbing activities within the primary or secondary zones should occur during the nesting period (Feb 1 – August 31). Prior to construction, a survey may be conducted to determine the presence of active nests, and if found, USFWS would be contacted for guidance on how to proceed.
4. The contractor will be required to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP), a Hazardous Materials Control Plan (HMCP), and a Spill Prevention, Control, and Countermeasure Plan (SPCC) in accordance with DOT&PF's contract specifications and the APDES Construction General Permit (CGP) for storm water discharge from construction activities in Alaska.
5. The contractor will be responsible for obtaining all necessary permits and clearances for material and disposal sites and borrow or equipment storage areas, including compliance with the APDES CGP for storm water discharge, unless DOT&PF has obtained the necessary permits.
6. Air quality BMPs such as watering, sweeping, maintaining construction exits, and equipment emission control devices will be used to maintain air quality.
7. The contractor is responsible for creating a traffic control plan and providing advance notice to the public and businesses of construction activities that could cause delays, detours, or affect access to adjacent properties.
8. The contractor will make every reasonable effort to minimize construction noise through abatement measures such as proper maintenance of construction equipment.
9. Erosion and sediment control materials would be made from weed-free materials or locally produced products to minimize potential importation of new weed propagules from outside Alaska.
10. Clearing and grubbing is not permitted within the migratory bird window of May 1 to July 15, except as permitted by Federal, State, and local law and approved by the Project Engineer.
11. Culverts would be replaced in accordance with the fish passage requirements stated in the 2001 *Memorandum of Agreement between the ADF&G and DOT&PF for the Design, Permitting, and Construction of Culverts for Fish Passage*. All in-water work would be timed to avoid fish-spawning periods and would be scheduled following stipulations specified in the ADF&G Title 16 Fish Habitat Permit. If streams are temporarily re-routed during in-water work activities, they would be

restored to their pre-existing (or improved) conditions following construction.

VI. Environmental Documentation Approval

N/A YES NO

1. Do any unusual circumstances exist, as described in [23 CFR 771.117\(b\)](#)? *If yes, attach consultation with the NEPA Program Manager demonstrating that a CE is appropriate.*

*

2. The project meets the criteria of one of the following [DOT&PF Programmatic Approvals](#) authorized in the Nov. 13, 2017 "[Chief Engineer Directive – Programmatic Categorical Exclusions](#)".

• *If yes, select the appropriate Programmatic Approval below, and the CE documentation form may be approved by the Regional Environmental Manager.*

• *If no, the CE documentation form must be approved by a NEPA Program Manager.*


a. Programmatic Approval 1

b. Programmatic Approval 2

c. Programmatic Approval 3

VII. Environmental Documentation Approval Signatures

Prepared by:


[Signature] Environmental Impact Analyst

Date: 2/1/18

Drew von Lindern

[Print Name] Environmental Impact Analyst

Reviewed by:


[Signature] Engineering Manager

Date: 2/1/18

SEAN HOLLAND

[Print Name] Engineering Manager

Programmatic CE

Approved by:

[Signature] Regional Environmental Manager

Date: _____

[Print Name] Regional Environmental Manager

Non-Programmatic CE

Approval Recommended by: Brian Elliott Date: 2-2-18

[Signature] Regional Environmental Manager

Brian Elliott

[Print Name] Regional Environmental Manager

Approved by: [Signature] Date: 02/05/18

[Signature] NEPA Program Manager

Melissa Goldstein

[Print Name] NEPA Program Manager