

State of Alaska
Department of Transportation & Public Facilities



CATEGORICAL EXCLUSION DOCUMENTATION FORM
FOR FEDERAL HIGHWAY ADMINISTRATION PROJECTS

Project Name: Dalton Highway MP 0-9 Reconstruction

Project Number (state/federal):60911/0652(016)

Date: 6/23/2015

CE Designation: 23 CFR 771.117(d)(13)

23 CFR 771.117() ()

List of Attachments: Figures 1 Location and Vicinity Map, Appendix A - Class of Action Determination, Appendix B - Section 106 Determination, Appendix C - Public Involvement, Appendix D - Agency Scoping, Appendix E - Section 4(f) Consultation, Appendix F - U.S. Coast Guard Coordination, Appendix G - Wetland Mapping

I. Project Purpose and Need

The Alaska Department of Transportation and Public Facilities (DOT&PF), in cooperation with the Alaska Division of the Federal Highway Administration (FHWA) is proposing to reconstruct the Dalton Highway between MP 0 and 9.

The purpose of this project is to improve the safety and performance of the Dalton Highway from its beginning (junction with Elliott Highway) to milepost 9. The Dalton Highway is part of the National Highway System and provides the only vehicle access across Interior Alaska from Fairbanks to Deadhorse. It serves as a critical supply route between commercial and industrial centers. The original roadway was built between 1971 and 1974 as a private haul route to support the Trans-Alaska Pipeline System and was constructed to the former State of Alaska Department of Highways secondary road standards. The Dalton Highway was opened to the public in 1994 and is now designated as a rural principal arterial that supports heavy truck and tourism traffic. DOT&PF anticipates an increase in future traffic with continued industrial development, regional tourism, and renewed interest in the Alaska natural gas pipeline.

There is need for the project corridor to be updated to current safety standards since more than a third of the existing alignment has substandard grades and curves that need correction. The geometry of the roadway makes truck travel difficult due to steep grades and sharp curves, which are considerable for a route with trucks comprising 60% of its total traffic volume. Due to the difficult terrain on which the existing highway was constructed, reconstructing on existing alignment would be an extensive and costly effort to meet design criteria.

II. Project Description

The project is located within T8N, R7W, Section 12 and T8N, R6W, Sections 7, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 35, and 36; and T8N R5W Section 29, 30, 31 Fairbanks Meridian, USGS Quad Maps Livengood C-4 and C-5. The section of the Dalton to be reconstructed begins at Latitude 65°29'21.32"N, Longitude -148°39'17.05"W and ends at Latitude 65°32'22.23"N, Longitude -148°53'4.61"W. See Figure 1 for a project location and vicinity map.

This project includes the following work items: 1) realign the first 6.5 miles of the Dalton Highway; 2) construct a new bridge crossing of Lost Creek and new culverts at unnamed tributaries to West Fork Tolovana and to Lost Creek; 3) extract material from the site MS 65-3-020-2 for use to construct the project; 4) remove from service portions of the existing Dalton Highway alignment that are no longer needed, 5) remove the existing Lost Creek culvert, 6) retain portions of the highway alignment that continue to be needed to serve adjacent lands and facilities.

On 2/21/14 FHWA confirmed the project to be a categorical exclusion under 23 CFR 771.117. A copy of the FHWA class of action concurrence is attached in Appendix A.

III. 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. <u>Right-of-Way Impacts</u>	<u>N/A</u>	<u>YES</u>	<u>NO</u>
1. Additional right-of-way required.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Permanent easements required.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Estimated number of parcels: <u>none</u>			
• Full or partial property acquisition required.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Estimated number of full parcels: <u>2</u>			
• Estimated number of partial parcels: <u>none</u>			
• Property transfer from state or federal agency required. <i>If yes, list agency in No. 4 below.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Business or residential relocations required. <i>If yes, summarize the findings of the conceptual stage relocation study in No. 4 below and attach the conceptual stage relocation study.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/> *	<input type="checkbox"/>
• Number of relocations: <u>none</u>			
• Type of relocation: Residential: <input type="checkbox"/> Business: <input type="checkbox"/> Residential (Indicate number: <u>Not Applicable</u>) Business (Indicate number: <u>Not Applicable</u>)			
• Last-resort housing required.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 (DOT Order 6640.23, December 1998)?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. The project will involve use of ANILCA land that requires an ANILCA Title XI approval. <i>If yes, the project is not assigned to the State per the 6004 MOU and the CE must be processed by FHWA.</i>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Summarize the right-of-way impacts, if any: An estimated 250 acres from 2 parcels would be needed for the project. All lands would be acquired by property transfer from the Alaska Department of Natural Resources to the Alaska Department of Transportation and Public Facilities.			

- | B. <u>Social and Cultural Impacts</u> | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|---|------------|-------------------------------------|-------------------------------------|
| 1. The project will affect neighborhoods or community cohesion. | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. The project will affect travel patterns and accessibility (e.g. vehicular, commuter, bicycle, or pedestrian). | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. The project will affect school boundaries, recreation areas, churches, businesses, police and fire protection, etc. | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. The project will affect the elderly, handicapped, nondrivers, transit-dependent, minority and ethnic groups, or the economically disadvantaged. | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. There are unresolved project issues or concerns of a federally-recognized Indian Tribe [as defined in 36 CFR 800.16(m)]. <i>If yes, the project is not assigned to the State per the 6004 MOU and the CE must be processed by FHWA.</i> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Summarize the social and cultural impacts, if any: | | | |

The project would positively affect travel patterns and accessibility for Dalton Highway users by providing a highway with an improved alignment that is safer and more convenient to travel. Access to remote cabin sites and the Alyeska Pipeline would be maintained by means of maintaining service of approximately 2.5 miles of the existing Dalton Highway alignment including segments on both ends of the new alignment. See Figure 4, Appendix E.

- | C. <u>Economic Impacts</u> | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|--|------------|--------------------------|-------------------------------------|
| 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. | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. The project will adversely affect established businesses or business districts. | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Summarize the economic impacts, if any:
This project would not cause adverse economic effects. | | | |

- | D. <u>Land Use and Transportation Plans</u> | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|--|------------|--------------------------|-------------------------------------|
| 1. Project is consistent with land use plan(s).
a. Identify the land use plan(s) and date <u>Yukon Tanana Area Plan (1/3/2014)</u> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Project is consistent with transportation plan(s).
a. Identify the transportation plan(s) and date. <u>Interior Alaska Transportation Plan (November 2010)</u> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Project would induce adverse indirect and cumulative effects on land use or transportation. <i>If yes, attach analysis.</i> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Summarize how the project is consistent or inconsistent with the land use plan(s) and transportation plan(s): | | | |

Land Use Plans - The project is consistent with the *Yukon Tanana Area Plan (1/3/2014)* for state lands as described in the land management policies for the Lower Tanana Region – North (Chapter 3). The project's proposed Dalton Highway land use is compatible with the management intentions of the land units that the project passes through. Land Units T-56 Gu, T-57 Wr, and T-77 Gu, that surround the proposed new highway alignment, are managed to include development of roads that provide a general public benefit (Pages 3-39, 40 and 3-47). Land Units T-78Se and T-59FH, where the project remains near the existing alignment, include the Dalton Highway as part of the current land use (Pages 3-40 and 3-47). Land Units T-92Ma and T-95Ma are managed as material sites (Pages 3-51, 52) which is consistent with the proposal to utilize one of these sites as a material source for the project.

Local Transportation Plan - The project is consistent with the *Interior Alaska Transportation Plan (November 2010)*, Goal #4, Objective A to preserve the existing transportation facilities and extending the life of these facilities by ensuring that deficient highways are brought to compliance with standards.

- | E. <u>Impacts to Historic Properties</u> | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|--|--------------------------|-------------------------------------|-------------------------------------|
| 1. Does the project involve a road that is included on the “ List of Roads Treated as Eligible ” in the Alaska Historic Roads PA? <i>If yes, follow the Interim Guidance for Addressing Alaska Historic Roads.</i> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Does the project qualify as a listed activity that has no potential to cause effects to historic properties? <i>If yes, attach concurrence from the FHWA Area Engineer (non-assigned projects) or Statewide NEPA Manager for 6004-assigned projects.</i> | | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| a. Indicate the appropriate policy directive or memo that identifies the project as an action with no potential to cause effects to historic properties:
<u>Not Applicable</u> | | | |
| 3. Is a National Register of Historic Places listed or eligible property in the Area of Potential Effect? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Date Consultation/Initiation Letters sent <u>12/31/2014</u> <i>Attach copies to this form.</i> | | | |
| a. List consulting parties <u>State Historic Preservation Officer (SHPO), Advisory Council on Preservation (ACHP), Tanana Chiefs Conference, Doyon Limited, Seth-De-Ya-Ah Corporation, Bean Ridge Corporation, Native Village of Minto, Manley Village Council, and the Manley Hot Springs Community Association.</u> | | | |
| b. If no letters were sent, explain why not. <i>Attach “Section 106 Proceed Directly to Findings Worksheet”, if applicable</i> <u>Not Applicable</u> | | | |
| 5. Date “Finding of Effect” Letters sent <u>2/20/2015, 3/10/2015, 3/27/2015</u> <i>Attach copies to this form</i> | | | |
| a. State any changes to consulting parties <u>Advisory Council on Historic Preservation was added to invite them regarding resolution of adverse effect.</u> | | | |
| 6. List responding consulting parties, comment date, and summarize:
Doyon responded to initiation letters on 1/9/2015 noting that the project does not impact Doyon-owned lands and Doyon has no further comments.
SHPO responded to initiation letters on 1/14/2015 stating that they have no objection to the area of potential effects (study area) or level of effort conducted for identification. SHPO noted the ongoing consultation with DOT&PF on the effects to the Dalton Highway, a treated-as-eligible road.
Seth De-Ya-Ah Corporation responded on 3/24/2015 stating that the board had no comments concerning the project.
The Advisory Council on Historic Preservation replied on 4/3/2015 stating that they do not believe their participation in consultation to resolve adverse effects is needed. | | | |
| 7. Are there any unresolved issues with consulting parties? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a. If yes, list <u>None</u> | | | |
| 8. Date SHPO concurred with “Finding of Effect” <u>3/16/2015, 4/10/2015</u> <i>Attach copy to this form.</i> | | | |
| 9. Will there be an adverse effect on a historic property? <i>If yes, attach correspondence (including response from ACHP) and signed MOA. If yes, Programmatic Agreements (PCEs) do not apply.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

10. Summarize any effects to historic properties. *List affected sites (by AHRS number only) and any commitments or mitigation measures. Include any commitments or mitigation measures in Section VI.*

[REDACTED] LIV-456 archaeological site [REDACTED]. In accordance with MOA stipulations to resolve adverse effects, DOT&PF shall ensure: 1) data recovery of the site is completed according to the approved plan in Appendix A of the MOA, 2) data recovery field work is completed within 18 months following the last signature date of the MOA and prior to and in coordination with those actions that could disturb the archaeological site, 3) other MOA stipulations are carried out concerning project schedule, reports, qualifications, treatment of human remains, inadvertent discoveries, curation, periodic MOA review, dispute resolution, amendments, duration, and termination. A copy of Section 106 documentation and the MOA signed 6/4/2015 are in Appendix B.

The project would affect a portion of the treated-as-eligible Dalton Highway by taking out of service 4 miles of the first 6.5 mile of the Dalton Highway. Taking the road out of service would entail cutting notches in the road and placing barricades to make this segment inaccessible to vehicles as well as removing culverts on this segment. Two and a half miles of the road would be preserved in-place remaining accessible to serve neighboring remote land sites and the Alyeska Pipeline. Preserving a segment of road in-place is programmatic mitigation option #3 under the *Interim Guidance for Addressing Alaska Historic Roads* under the February 23, 2010 Programmatic Agreement between the FHWA, Advisory Council on Historic Preservation, DOT&PF, and the SHPO. In accordance with the agreement SHPO was consulted concerning this project's effects to the Dalton Highway and the proposed mitigation. SHPO is in agreement that, with implementation of the proposed mitigation, the project would result in no adverse effect to the treated-as-eligible Dalton Highway. SHPO concurred with this effect determination in their 3/16/2015 letter in Appendix B.

A portion of the project APE passes through LIV-00284 (Rosebud Archaeological District). The boundaries of LIV-00284 have been broadly defined in the Alaska Heritage Resource Survey (AHRS) database. [REDACTED]

[REDACTED]. Since survey results identified no cultural resources within the project APE that passes through LIV-00284, DOT&PF found and SHPO concurred that the project would result in no adverse effect to LIV-00284. See SHPO's attached 3/16/15 letter in Appendix B.

A visible segment of the Hunter Creek – Livengood RS2477Trail (LIV-00773) intersects the proposed Dalton Highway alignment near MP 2.5. DOT&PF determined and SHPO concurred that the project would have no adverse effect on the trail. The trail's overall character, location, and purpose would be similar following the project. See SHPO's attached 4/10/15 letter in Appendix B.

F. Wetland Impacts

1. Project affects wetlands as defined by the U.S. Army Corps of Engineers (USACE). *If yes, document public and agency coordination required per [E.O. 11990](#), Protection of Wetlands.*
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](#)"?

N/A	YES	NO
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

F. Wetland Impacts N/A YES NO

3. Estimated area of wetland involvement (acres): 40
4. Estimated fill quantities (cubic yards): 20,000
5. Estimated dredge quantities (cubic yards): Not Applicable
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 mitigation measures in [Section VI](#).*

A notice of wetland involvement was placed in the Fairbanks Daily News Miner on 12/7/13, 12/8/13, 12/11/13, 5/31/15, and 6/7/15 and posted on the State of Alaska public notice website on 12/5/13 and 6/1/15. A copy of the newspaper advertisements and online public notices are located in Appendix C.

The total estimated project impact on wetlands is 40 acres. Wetlands potentially impacted are all low quality sedge, shrub, and forested wetlands. See wetland mapping in Appendix G. Higher quality pond and stream impacts are addressed in the next section.

Wetland impact avoidance and minimization measures have been incorporated into the project to mitigate wetland impacts.

- The alignment would minimize impacts to streamside wetlands by following the upland margin parallel to the stream valley.
- Where wetland crossings are unavoidable the alignment would cross perpendicular to the long dimension and/or at narrow constriction points.
- Natural drainage patterns associated with wetlands would be maintained by use of bridge or culvert crossings.
- When wetland impacts are unavoidable, the alignment would preferably target lower quality wetlands over high quality riverine or emergent wetlands.
- Embankment side slopes adjacent to wetlands would be constructed at the maximum steepness to meet design standards while minimizing water impacts.

G. Water Body Involvement N/A YES NO

1. Project affects a water body.
2. Project affects a navigable water body as defined by USCG, (i.e. Section 9). *

- | G. <u>Water Body Involvement</u> | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|---|--------------------------|---------------------------------------|-------------------------------------|
| 3. Project affects Waters of the U.S. as defined by the USACE, Section 404. | <input type="checkbox"/> | <input checked="" type="checkbox"/> * | <input type="checkbox"/> |
| 4. Project affects Navigable Waters of the U.S. as defined by the USACE (Section 10) | <input type="checkbox"/> | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 5. Project affects 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"/> |
| 6. Project affects a cataloged anadromous fish stream, river or lake (i.e. Title 16.05.871). | <input type="checkbox"/> | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 7. Project affects 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 Statewide NEPA Manager (assigned CEs) or FHWA Area Engineer and FHWA Environmental Program Manager (non-assigned CEs) to determine applicability of Section 4(f).</i> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8. Proposed water body involvement: Bridge <input checked="" type="checkbox"/> Culvert <input checked="" type="checkbox"/> Embankment Fill <input checked="" type="checkbox"/>
Relocation <input type="checkbox"/> Diversion <input type="checkbox"/> Temporary <input checked="" type="checkbox"/> Permanent <input checked="" type="checkbox"/> Other <input type="checkbox"/> | <input type="checkbox"/> | | |
| 9. Type of stream or river habitat impacted: Spawning <input type="checkbox"/> Rearing <input type="checkbox"/> Pool <input type="checkbox"/>
Riffle <input type="checkbox"/> Undercut bank <input type="checkbox"/> Other <input checked="" type="checkbox"/> | <input type="checkbox"/> | | |
| 10. Amount of fill below (cubic yards): OHW <u>2500</u> MHW <u>Not Applicable</u> HTL <u>Not Applicable</u> | | | |
| 11. Summarize the water body impacts and mitigation, if any. <i>Include any commitments or mitigative measures in Section VI.</i> | | | |

The total estimated project impact to water bodies is 0.5 acres. The impacted waters consist of moderate to high quality pond and stream areas.

Lost Creek

The project would impact an estimated 0.3 acres of Lost Creek as a result of the new bridge, approach fill, and riprap protection. A proposed bridge crossing was selected over a culvert crossing at the recommendation of the Department of Fish and Game to minimize impacts to Lost Creek and its fish habitat. No piers are proposed in the water.

Unnammed Tributary to West Fork

The project would impact approximately 0.10 acres of this tributary creek as a result of the new culvert crossing. The culvert is being designed in coordination with the Department of Fish and Game to provide adequate fish passage. The new culvert would be placed at the natural stream gradient and be designed to accommodate fish passage. Riprap would be placed to armor the culvert ends.

Unnammed Tributary to Lost Creek

The project would impact approximately 0.10 acres of this tributary creek as a result of the new culvert crossing. The culvert is being designed in coordination with the Department of Fish and Game to provide adequate fish passage. The new culvert would be placed at the natural stream gradient and be designed to accommodate fish passage. Riprap would be placed to armor the culvert ends.

Unnamed Pond

The project would impact approximately 0.003 acres of a pond as a result of the new culvert crossing.

The following measures have been incorporated into the project to mitigate water body impacts.

- The alignment would minimize impacts to streams and streamside wetlands by closely following the upland margin parallel to the stream valley and utilizing uplands where possible.
- Embankment side slopes adjacent to water bodies would be constructed at the maximum steepness to meet design standards while minimizing water impacts.
- Where water body crossings are unavoidable the alignment would cross perpendicular to the

- long dimension and/or at narrow constriction points.
- Natural drainage patterns would be maintained by use of bridge or culvert crossings.
- The proposed bridge and culverts crossings would be designed in coordination with state and federal resources agencies to accommodate waters resource functions/values and to minimize impacts. Coordination issues include the crossing location, opening size, span length, pier placement/design, abutment protection, fish passage design, watercraft navigation, and erosion control.
- The existing Dalton Highway culvert and associated fill at Lost Creek would be removed from the stream.

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 Department of Fish and Game (DFG) Correspondence 12/20/2013 (Appendix D Agency Scoping)
 - 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: DFG Correspondence 12/20/2013 (Appendix D Agency Scoping)
 - 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 VI](#).*

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 Correspondence 12/24/2013 (Appendix D Agency Scoping)
 - 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? *

- | | | | | |
|-----------|--|-------------------|-------------------------------------|-------------------------------------|
| H. | <u>Fish and Wildlife</u> | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
| | e. Will the project require blasting or other activities that produce extreme loud noises within 1/2 a mile from an active nest? | | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| | f. Is an eagle permit required? | | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 5. | Is the project consistent with the Migratory Bird Treaty Act ? | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

6. Summarize fish and wildlife impacts and mitigation, including timing windows, if any. *Include any commitments or mitigation measures in [Section VI](#).*

The project would involve work within fish-bearing waters including a new bridge at Lost Creek, removal of the existing culvert at Lost Creek, and new culverts at unnamed tributaries to West Fork Tolovana and to Lost Creek. These streams support arctic grayling. Coordination with resource agencies is ongoing concerning the design of the proposed bridge and culvert crossings to accommodate water resource functions/values and to minimize impacts. See the 12/20/2013 DFG email and the 12/24/2013 USFWS letter in Appendix D. Coordination issues include the crossing location, opening size, span length, pier placement/design, abutment protection, fish passage design and erosion control. Additionally, the project would comply with all water-related and fisheries-related permit conditions such as fisheries-related timing restrictions. With continued resource agency coordination on the design of water crossings and with implementation of fisheries-related permit provisions adverse effects to fisheries and fish habitat would be avoided.

The U.S. Fish and Wildlife Service (USFWS) is unaware of any eagle nests in the immediate vicinity of the project. See the 12/24/2013 USFWS letter in Appendix D. No eagle-related impacts are anticipated. If an eagle nest is discovered within one mile of the project footprint, USFWS requests that they be contacted immediately for further assistance.

- | | | | | |
|-----------|---|-------------------|-------------------------------------|-------------------------------------|
| I. | <u>Threatened and Endangered Species (T&E)</u> | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
| 1. | Database name(s) and date(s) queried: USFWS E,T,P,C, and D Species in Alaska (5/13/2014); USFWS Correspondence (12/24/2013), Appendix D Agency Scoping. | | | |
| 2. | Listed threatened or endangered species present in the project area. | | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 3. | Threatened or endangered species migrate through the project area. | | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 4. | Designated critical habitat in the project area. | | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 5. | Proposed species present in project area. | | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 6. | Candidate species present in project area. | | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 7. | What is the effect determination for the project? <i>Select one.</i> | | | |
| | a. Project has no effect on listed or proposed T&E species or designated critical habitat. | | <input checked="" type="checkbox"/> | |
| | b. Project is not likely to adversely affect a listed or proposed T&E species or designated critical habitat. <i>Informal Section 7 consultation is required. Attach consultation documentation, including concurrence from the Federal agency, to this form.</i> | | <input type="checkbox"/> | |
| | c. Project is likely to adversely affect a listed or proposed T&E species or designated critical habitat. <i>If yes, consult the FHWA Area Engineer (non-assigned projects) or Statewide NEPA Manager for 6004-assigned projects.</i> | | <input type="checkbox"/> | |
| 8. | 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. <i>Include any commitments or mitigative measures in Section VI.</i> | | | |

There are no T&E species or critical habitat at this location.

J. Invasive Species N/A YES NO

1. Database name(s) and date(s) queried: AKEPIC Database (6/15/2015)
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 VI](#).*

A 6/15/2015 review of the AKEPIC database found the following occurrence records within the proposed project disturbance area: narrow-leafed hawksbeard (*crepis tectorum*), white sweet clover (*mellilotus albus*), common tansy (*tanacetum vulgare*), common plantain (*plantago major*), prostrate knotweed (*polygonum aviculare*), common dandelion (*taraxacum officinale*), foxtail barley (*hordeum jubatum*) and perennial sow thistle (*sonchus arvensis*).

The project includes the following practical measures to minimize harm: 1) Avoiding the use of listed noxious species for landscaping and erosion control purposes. 2) Planning construction activities to minimize disturbed areas. 3) Timely seeding of project-disturbed areas with non-invasive species providing adequate cover.

With the implementation of practicable measures to minimize the introduction or spread of invasive species, the project is expected to result in no substantial invasive species-related impacts.

K. Hazardous Waste N/A YES NO

1. Database name(s) and date(s) queried: ADEC Contaminated Sites Database, 6/15/15)
2. There are potentially contaminated sites within or adjacent to the existing and/or proposed ROW.
3. There are identified contaminated sites within or adjacent to the existing and/or proposed ROW.
4. Extensive excavation is proposed adjacent to, or within, a known hazardous waste site, or the potential for encountering hazardous waste during construction is high. *If yes, attach the hazardous waste investigation report and approved ADEC Corrective Action Plan.* *
5. Summarize the hazardous waste impacts and mitigation, if any. *Include any commitments or mitigative measures in [Section VI](#).*

A review of the Alaska Department of Environmental Conservation (ADEC) contaminated site database found two sites in project vicinity, File#180.38.007 and File# 330.38.113. At the Tower Hills Mine – Livengood Camp (File#180.38.007) there was a leaking pipe containing heating oil. Approximate 30 gallons of heating oil leaked into the surrounding soil. The leak site is on the south end of the camp approximately 1600 to 2000 feet from the proposed alignment. Due to the distance of the spill from the project and its limited quantity, this contamination is not expected to be encountered by the project. At Dalton Highway Milepost 7 (File# 330.38.113) a tanker truck rolled over on 10/29/2006 and released approximately 6685 gallons of diesel #1 fuel to the east of the shoulder ditchline. After a clean up response there is estimated to be approximately 1881 gallons of fuel remaining under or near the road. On 3/28/07 excavation was performed to a depth of 2.5-3.5 feet below the bottom of the ditchline and a liner was installed at the bottom of the excavation to prevent contamination of surface

water runoff from remaining soil contamination. Due to the nature of proposed roadway work in this area the remaining soil contamination is not expected to be encountered by the project.

- | L. <u>Air Quality (Conformity)</u> | <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.</i> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. 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>Not Applicable</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. 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"/> |
| 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 VI.</i>
The project is not located in an air quality maintenance or non-attainment area. | | | |

- | M. <u>Floodplain Impacts (23 CFR 650, Subpart A)</u> | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|---|-------------------------------------|----------------------------|-------------------------------------|
| 1. Project encroaches into the base (100 year) flood plain in fresh or marine waters. Identify floodplain map source and date : FEMA Flood Map Service Center website, June 15, 2015

<i>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. Attach the required location hydraulic study developed per 23 CFR 650.111. Answer questions M.1.a through d.</i>

<i>If no, skip to M.2.</i> | | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| a. Is there a longitudinal encroachment into the 100-year floodplain? | <input checked="" type="checkbox"/> | <input type="checkbox"/> * | <input type="checkbox"/> |

- M. Floodplain Impacts (23 CFR 650, Subpart A)** N/A YES NO
- b. Is there significant encroachment as defined by [23 CFR 650.105\(q\)](#)? *If yes, the project cannot be approved as proposed without a finding that the proposed action is the “Only Practicable Alternative” as defined in [23 CFR 650.113](#). Attach the finding for approval.* *
- 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 mitigation measures in [Section VI](#).*

A notice of potential floodplain involvement was placed in the Fairbanks Daily News Miner on 12/7/13, 12/8/13, 12/11/13, 5/31/15, and 6/7/15 and posted on the State of Alaska public notice website on 12/5/13 and 6/1/15. A copy of the newspaper advertisements and online public notices are located in Appendix C.

However, a 6/15/2015 review of the Federal Emergency Management Agency (FEMA) flood mapping found that the project does not encroach into a FEMA-mapped 100-year floodplain or a regulatory floodway.

- N. Noise Impacts (23 CFR 772)** N/A YES NO
1. Does the project involve any of the following? *If yes, complete N.1.a. If no, a noise analysis is not required. Skip to section O.*
- Construction of highway on a new location.
 - Substantial alteration in vertical or horizontal alignment as defined in [23 CFR 772.5](#).
 - An increase in the number of through lanes.
 - Addition of an auxiliary lane (except a turn lane).
 - Addition or relocation of interchange lanes or ramps added to a quadrant to complete an existing partial interchange.
 - Restriping existing pavement for the purpose of adding a through-traffic lane or an auxiliary lane.
 - Addition of a new or substantial alteration of a weigh station, rest stop, ride-share lot or toll plaza.

- a. 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, amphitheatres, auditoriums, campgrounds,

N. Noise Impacts (23 CFR 772) N/A YES NO

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.*

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

3. Summarize the findings of the attached noise analysis and noise abatement worksheet, if applicable:
The project does not require a noise analysis in accordance with 23 CFR 772. There are no sensitive receivers along the proposed alignment. The proposed alignment passes through remote lands owned by the Alaska Department of Natural Resources. Three notable sites in the project vicinity were reviewed but found not to be noise sensitive.

- 1) The LIV-456 and LIV-00284 archaeological sites are eligible for the National Register of Historic places for information that can be learn through recovery of artifacts and not for preservation in place. Due to the nature of the sites, they are not noise sensitive. The sites contain no areas of frequent human use, artifacts would either be left unaffected in place or recovered before being disturbed, and the sites do not require Section 4(f) approvals.
- 2) An RS 2477 trail (Hunter Creek-Livengood Trail) is near the proposed highway alignment. Its primary purpose is to serve as a transportation route for off road vehicles to access dispersed hunting grounds. It is not a Section 4(f) resource. Due to the nature of the site, it is not a noise sensitive receiver.
- 3) Located at mile 74 of the Elliott Highway, where the proposed new Dalton Highway alignment begins, is a private parcel that has historically been used as a staging yard for the Alyeska Pipeline line construction and for Tower Hills mining operations. In recent years the parcel has been vacant. Due to its historically industrial nature and its current vacant status, it is not a noise sensitive receiver.

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:

Not Applicable.

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

- O. Water Quality Impacts** N/A YES NO
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: NA
 6. Would the project discharge storm water to a water body within a national park or state park; a national or state wildlife refuge? *If yes and Alaska Construction General Permit applies to the project, consultation with ADEC is required at least 30 days prior to planned start of construction activities.*
 7. Summarize the water quality impacts and mitigation, if any. *Include any commitments or mitigative measures in [Section VI](#).* No discharges of stormwater to Waters of the U.S. are proposed other than the potential for dispersed overland runoff. To minimize water quality impacts, temporary erosion control and stabilization measures [Best Management Practices (BMPs)] would be used during construction activities to minimize erosion of soils and transportation of sediment beyond the immediate construction site. Water quality is expected to meet state and federal water quality standards. As necessary, in compliance with the APDES General Permit for Construction Activities, the construction contractor would issue a Notice of Intent to the ADEC for storm water discharges associated with construction activities and, before construction, a SWPPP would be completed for ADEC review.

- P. Construction Impacts** N/A YES NO
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.
 8. Summarize construction impacts and mitigation for each ‘yes’ above. *Include any commitments or mitigative measures in [Section VI](#).*

Construction Impacts and Mitigation Measures:

Water Quality - There would be temporary impacts to water quality during construction. Work within Lost Creek and unnamed tributaries is required to install the new culverts and bridge and to remove the existing culvert on Lost Creek.

Mitigation: In order to minimize water quality impacts, temporary erosion control and stabilization measures (BMPs) would be utilized during construction to minimize erosion of soils and the transport of sediment beyond the immediate construction site.

Mitigation: The contractor would be required to develop a Hazardous Materials Control Plan to address containment, cleanup, and disposal of all construction related discharges of petroleum fuels, oils, and/or other hazardous substances. Wastes generated during construction would be properly handled, contained, and disposed of at an appropriately permitted disposal facility, in accordance with State and Federal laws.

Mitigation: Work within streams would be timed to follow any permit provisions requirements to minimize impacts to fisheries as a result of reduced water quality.

Temporary Stream Diversion – No stream diversions are anticipated at this time.

Mitigation: If the contractor proposes a stream diversion, coordination with the Alaska Department of Fish and Game would be completed to avoid and/or minimize impacts to fish and their habitat.

Air Quality - Temporary degradation of air quality may occur from the increased airborne particulate levels and emissions from heavy equipment and dust during construction activities.

Mitigation: Watering of dust prone areas during construction would be implemented as needed to minimize air quality impacts.

Traffic – Traffic is anticipated to be routed on the existing Dalton Highway while the new alignment is being constructed. Some portions (northwest 3 miles) of construction would occur on the existing alignment. To accomplish reconstruction of these portions, temporary traffic detours and delays may occur.

Mitigation: The contractor will be required to submit a traffic control plan. Sufficient notice would be provided to roadway users of temporary detours and delays.

Businesses - Business road users may be temporarily impacted during construction due to temporary traffic detours and delays.

Mitigation: The contractor will be required to submit a traffic control plan. Sufficient notice would be provided to road users of temporary detours and delays.

Noise - There would be a temporary increase in noise during construction due to the use of heavy equipment.

Mitigation: The project would comply with the local noise ordinance or a variance obtained, if applicable.

Invasive Plants – Soil disturbance provides opportunity for invasive plants to become established, out-compete native plant growth, and/or spread invasive plants present in the project area.

Mitigation: Practicable measures would be implemented to minimize the introduction or spread of noxious weeds as described in item J.3.

Q. Section 4(f)/6(f)	<u>N/A</u>	<u>YES</u>	<u>NO</u>
1. Section 4(f) (23 CFR 774)			
a. 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 Statewide NEPA Manager (assigned CEs) or FHWA Environmental Program Manager (non-assigned CEs) to determine applicability of Section 4(f)</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does an exception listed in 23 CFR 774.13 apply to this project? <i>If yes, attach consultation with the Statewide NEPA Manager (assigned CEs) or FHWA Environmental Program Manager (non-assigned CEs), and documentation from the official with jurisdiction, if required.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. 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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Has a <i>de minimis</i> impact finding been prepared for the project? <i>If yes, attach the finding.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Has a Programmatic Section 4(f) Evaluation been prepared for the project? <i>If yes, attach the evaluation.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Does the project require an Individual Section 4(f) Evaluation? <i>If yes, the project is not assigned to the State per the 6004 MOU and the CE must be processed by FHWA. Attach the evaluation.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

N/A YES NO

- 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:

No 6(f) involvement is planned. DOT&PF reviewed the applicability of Section 4(f) to the resources affected by the project and finds that in all cases either 4(f) does not apply or a CFR 774.13 4(f) exception applies. A summary of conclusions for each resource is below.

DNR Multi-Use Lands

The proposed new alignment passes through lands owned by the Alaska Department of Natural Resources (DNR) as part of their Lower Tanana Region – North Section. The project passes through land management units T-56 Gu, T-57 Wr, T-77 Gu, T-78Se, T-59FHa, T-92Ma, and T-95Ma. The DNR management intent for each land unit is described in DNR’s Yukon Tanana Area Plan, 1/3/2014 (YTAP) and summarized in the table below.

Land Management Unit	Management Intent
T-56 Gu	wildlife habitat, potential mining, public access on RS 2477 trails, and certain types of utilities, communication facilities, and roads that provide public benefit.
T-57 Wr	wildlife habitat, hydrologic values, dispersed recreation
T-78Se	retain lands to support State’s land disposal program, Trans Alaska Pipeline right-of-way
T-59FHa	forestry, wildlife habitat, recreation, and certain types of utilities, communication facilities, and roads that provide public benefit.
T-92Ma	material resources
T-95Ma	material resources
RS 2477 (RST 468)	highway purposes, access to communities and hunting lands

While recreation is part of the management intent of the Lower Tanana Region and some of its subunits, the nature of the recreational use within the land management units affected by the project is primarily dispersed hunting use. In accordance with the Section 4(f) Policy Paper (July 20, 2012), Part II, question 1A (Page 23), dispersed activities do not constitute a primary purpose within the context of Section 4(f). In addition in accordance with Part II, question 4 (Page 31), Section 4(f) does not apply to those areas within a multiple-use public property that function primarily for any purpose other than significant park, recreation, or refuge purposes. Based on information from DNR and their land management plan, Section 4(f) does not apply to the state lands affected by the project.

Hunter Creek – Livengood Trail – RST 468 (RS2477 Trail)

The Hunter Creek – Livengood Trail (HCL Trail) overlaps a portion of the proposed Dalton Highway alignment. See Figures 2 and 3 in Appendix E. As noted above, the trail passes through DNR management units not primarily intended for recreation. DOT&PF consulted with DNR, the trail owner and manager concerning the trail’s use. In their 1/8/2015 email (Appendix E) DNR notes that the primary purpose of the RS 2477 trail is for highway purposes and that recreational use, if any, is limited to a small number for hunting activities. The nature of the trail as observed on the ground supports that trail use is for dispersed activities. While the trail follows a gravel road for the first mile, beyond this it frequently has no defined location but branches into numerous forks and in some cases is not discernable. Based on the information gathered, the trail is not a recreational resource under the definition of 4(f) since its primary purpose is for transportation and its recreational use is limited to dispersed hunting activities.

Regarding the trail as a potential historic 4(f) resource, DOT&PF has been in consultation with the SHPO. Historic records support the trail’s primary purpose as transportation. The Alaska Department of Natural

Resources (DNR) RS2477 casefile summary (http://dnr.alaska.gov/mlw/trails/rs2477/rst_legal.cfm) describes the HCL Trail's historic use to be for access between Livengood and Rampart and it is included in the 1973 DOT&PF Trails Inventory. There are records between 1950-1954 of a territorial project to construct and maintain a roadway between Rampart and Livengood for access to navigation on the Yukon River. In the attached 3/27/15 supplemental 106 findings letter DOT&PF concluded that the project would have no adverse effect on the trail since the character, nature, and purpose of the trail would not be substantially changed by the project. SHPO concurred in their 4/10/15 letter (Appendix B). Since the trail is historically and currently part of a local transportation system and its primary function is for transportation purposes, the CFR 774.13(f)(4) exception to the requirement for Section 4(f) approval applies to the HCL Trail. In addition, the CFR 774.13(f)(3) exception would also apply since the trail occupies a transportation right-of-way (RS2477 easement) without limitation to any specific location within that right-of-way.

Archaeological Sites LIV-456 and LIV-284

The project would adversely affect archeological site LIV-456 which is determined eligible for the National Register of Historic Places (NRHP) under Criterion D. In addition, the project passes through but would result in no adverse effect to archeological site LIV-284 which SHPO has officially determined to be eligible under Criterion D. In the 2/20/15 findings letter (Appendix B), DOT&PF concluded that both sites are important chiefly for what can be learned through data recovery having minimal value for preservation in place. In their attached 3/16/2015 letter (Appendix B), SHPO did not object to these findings. As a result, the archaeological sites fall under the 23 CFR 774.13 (b) exception to the requirement for Section 4(f) approval.

Dalton Highway (LIV-501)

The project would affect a portion of the treated-as-eligible Dalton Highway (LIV-501) by taking out of service 4 miles of the first 6.5 miles of the current highway. The remaining 2.5 miles of the road would be preserved in-place. See attached Figure 4 (Appendix E). DOT&PF has consulted SHPO concerning this project's effects to the Dalton Highway. See SHPO's 3/16/2015 concurrence letter (Appendix B). SHPO concurred that with the proposed implementation of Interim Guidance Mitigation Option #3 (preserving a portion of the road in place) the project would result in no adverse effect to the Dalton Highway (LIV-501). For those projects that have SHPO concurrence with no adverse effect to treated-as-eligible roads, FHWA has agreed that the CFR 774.13(a) exception to the requirement for Section 4(f) approval applies.

DOT&PF consulted with FHWA regarding the conclusions of Section 4(f) review for the resources listed above and FHWA, in a 4/9/2015 email (Appendix E), expressed agreement with DOT&PFs Section 4(f) approach for these resources.

IV. Permits and Authorizations

	<u>N/A</u>	<u>YES</u>	<u>NO</u>
1. USACE, Section 404/10 <i>Includes Abbreviated Permit Process, Nationwide Permit, and General Permit</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Coast Guard, Section 9		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. ADF&G Fish Habitat Permit (Title 16.05.871 and Title 16.05.841)		<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Flood Hazard		<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. ADEC Non-domestic Wastewater Plan Approval		<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. ADEC 401		<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. ADEC APDES		<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Noise		<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Eagle Permit		<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Other. <i>If yes, list below.</i> Not Applicable		<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. Comments and Coordination

	<u>N/A</u>	<u>YES</u>	<u>NO</u>
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>June 9, 2015</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>Fairbanks Daily News-Miner, December 7,8 and 11, 2013; May 31, 2015, and June 7, 2015</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Agency scoping letters. Date sent: <u>11/25/2013</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Agency scoping meeting. Date of meeting: <u>Not Applicable</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Field review. Date: <u>Not Applicable</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. 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>			

Public Involvement

A summary of public involvement including newspaper ads, e-mail notices, on-line notices, public meeting information, comments received, and comment responses are located in Appendix C.

Agency Scoping

Agency scoping letters were sent out on 11/25/2013 to parties shown on the distribution list in Appendix D. Replies were received from the Alaska Department of Fish and Game (12/20/13), the U.S. Fish and Wildlife Service (12/24/2013), the Department of Natural Resources (12/17/2013 & 12/24/2013), Alyeska Pipeline Service Company (11/25/2013), Doyon Limited (12/18/2013), and the trucking community (12/11/2013, 12/13/2013, and 1/16/2014). A copy of the scoping letter and the replies received are located in Appendix D. Comments received are summarized below.

- The Alaska Department of Fish and Game (DFG) replied by email on 12/20/2013 and noted the following: 1) all streams to be crossed by the project support grayling, 2) all stream crossings should be designed for fish passage, 3) a bridge is appropriate at Lost Creek, 4) DFG would like to explore options for developing fish habitat at proposed material site locations, 5) removal of the existing Lost Creek culvert should reclaim waterway functions and be timed so nearby fish spawning is not deterred, 6) selected re-vegetation plant species should not attract moose.
- The U.S. Fish and Wildlife Service (USFWS) replied by letter on 12/24/2013 and noted the following: 1) there are no threatened or endangered resources in the project area, 2) the project should comply with the Migratory Bird Treaty Act to avoid the killing or harassment of migratory birds, 3) USFWS recommends vegetated buffers be retained on each side of Lost Creek (100 feet) and tributaries (66 feet), 4) all stream crossings should be designed for fish passage, 5) USFWS recommends maintaining wetland and stream connectivity, 6) USFWS recommends that crossings be at least slightly wider than bank-full width, 7) USFWS recommends implementing best management practices minimizing the spread of invasive weeds, 8) USFWS recommends reclamation plans be designed for all the project's material sites to restore and create fish and wildlife habitat, 9) USFWS recommends that the old highway be reclaimed by restoring the natural topography, native plant species, and hydrology of the surrounding area.
- The Alaska Department of Natural Resources (DNR) replied by email on 12/17/2013 and 12/24/2013 noting that there are remote recreational cabin sites adjacent to the existing Dalton Highway between mileposts 1-4. DNR requests that access to these sites be maintained.
- The Alaska Department of Natural Resources (DNR) replied by email on 12/24/2013 noting that the new Dalton Highway alignment would require an easement from the DNR.
- The Alyeska Pipeline Service Company replied by email on 11/25/2013 requesting that the existing Dalton Highway remain open for use by the public and for access to the Trans-Alaska

Pipeline.

- Doyon Limited replied by email on 12/18/2013 stating that the project does not impact any Doyon-owned lands and they have no other comments.
- The trucking community replied by email on 12/11/2013, 12/13/2013, and 1/16/2014 stating that: 1) the project segment of Dalton Highway is one of the most problematic for maintenance and safety due to steep grades, 2) rerouting the highway as proposed would significantly reduce safety risks, road closures, and maintenance costs, 3) the proposed project is viewed by truckers as an improvement.

VI. Environmental Commitments and Mitigation Measures

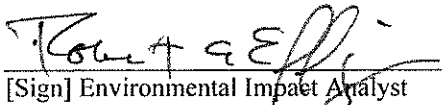
List all environmental commitments and mitigation measures included in the project.

- 1) In accordance with MOA stipulations to resolve adverse effects to the eligible archaeological site LIV-456, DOT&PF shall ensure: 1) data recovery of the site is completed according to the approved plan in Appendix A of the MOA, 2) data recovery field work is completed within 18 months following the last signature date of the MOA and prior to and in coordination with those actions that could disturb the archaeological site, 3) other MOA stipulations are carried out concerning project schedule, reports, qualifications, treatment of human remains, inadvertent discoveries, curation, periodic MOA review, dispute resolution, amendments, duration, and termination.
- 2) As an outcome of the Section 106 process, a total of 2.5 miles of the Dalton Highway's first 6.5 miles would be preserved in-place as a condition for the project having no adverse effect to the treated-as-eligible Dalton Highway.

VII. Environmental Documentation Approval

- | | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|--|-------------------------------------|--------------------------|-------------------------------------|
| 1. Do any unusual circumstances exist, as described in 23 C.F.R. 771.117 (b) ? <i>If yes, the CE Documentation form cannot be approved.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Does this 6004 Program approval statement apply?
"The State has determined that this project has no significant impact(s) on the environment and that there are no unusual circumstances as described in 23 CFR 771.117(b) . As such, the project is categorically excluded from the requirements to prepare an environmental assessment or environmental impact statement under the National Environmental Policy Act. The State has been assigned, and hereby certifies that it has carried out, the responsibility to make this determination pursuant to Chapter 3 of title 23, United States Code, Section 326 and a Memorandum of Understanding dated September 20, 2012, executed between the FHWA and the State." <i>If no, the CE must be approved by FHWA.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. For 6004 projects: The project meets the criteria of the DOT&PF Programmatic Approval 2 authorized in the November 6, 2012 " CE Directive – Delegation of Approval Authority for Certain CEs under 6004 MOU ". <i>If yes, the CE may be approved by the Regional Environmental. If no, the CE may be approved by a Statewide NEPA Manager.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. For non-assigned projects: The project meets the criteria of the April 13, 2012 "Programmatic Categorical Exclusion for Use on Federal-Aid Highway Projects in Alaska" between FHWA and DOT&PF. <i>If yes, the CE may be approved by the Regional Environmental Manager. If no, the CE may be approved by FHWA Area Engineer.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VIII. Environmental Documentation Approval Signatures

Prepared by: 
[Sign] Environmental Impact Analyst

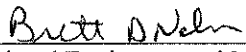
Date: 6/24/15

Robert A. Effinger
[Print Name] Environmental Impact Analyst

Reviewed by: 
[Sign] Engineering Manager

Date: 6/24/2015

Sarah E. Schacher
[Print Name] Engineering Manager

Approved by: 
[Sign] Regional Environmental Manager

Date: 6-25-15

Brett Nelson
[Print Name] Regional Environmental Manager

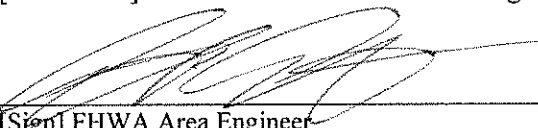
Assigned CE

Approved by: _____
[Sign] DOT&PF Statewide NEPA Manager

Date: _____

[Print Name] DOT&PF Statewide NEPA Manager

Non-Assigned CE

Approved by: 
[Sign] FHWA Area Engineer

Date: 7/20/2015

Austin Armstrong
[Print Name] FHWA Area Engineer