U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

FINDING OF NO SIGNIFICANT IMPACT

Haines Highway Reconstruction Milepost 3.9 to 25.0
Project Number 0956028/Z68606000

Note: *Throughout the development of this project it has been known by the name Haines Highway from MP 3.5 to MP 25.3. The title of the project has been corrected to be more accurate. The old title is used throughout the Final Revised Environmental Assessment and all associated documents, but the formal name of the project moving forward is Haines Highway Reconstruction Milepost 3.9 to 25.0.*

Background and Project Summary

Background
The Alaska Department of Transportation and Public Facilities (DOT&PF), on behalf of the Federal Highway Administration (FHWA) is proposing to upgrade Haines Highway from Milepost (MP) 3.5 to MP 25.3 to be consistent with the upgraded portions on either side of the proposed project (from MP 1 to MP 3.5 and from MP 25 to the Canadian border).

The Haines Highway is on the National Highway System and links Southeast Alaska with the intercontinental network of roads and is the primary surface transportation link between Southeast Alaska and Interior Alaska. The Haines Highway begins in Haines, Alaska and ends in Haines Junction, Yukon Territory, Canada. The project area is primarily located along the eastern side of the Chilkat River from MP 3.5, near the Haines Airport, to MP 25.3, north of Klukwan and the Chilkat River Bridge. Except for the project area, the Haines Highway in the US is constructed to a 55 mile-per-hour standard, e.g. a total pavement width of 36 feet and curves that allow a vehicle to travel safely at 55 miles per hour under normal weather conditions. The highway generally follows a travel corridor used for centuries by the Chilkat Tlingit as well as the historic Dalton Trail. The Haines Highway was originally constructed in 1943 and has been periodically upgraded over the years, with the portion from the Bluffs (MP 25.3) to the Canadian border (MP 40) being the most recently upgraded in 2000. The Alaska Chilkat Bald Eagle Preserve (Preserve) was created by the Alaska legislature in 1982 near and/or adjacent to the Haines Highway from about MP 10 through MP 23.5.

This Final Revised Environmental Assessment (FREA) was prepared in response to comments received on the public review Environmental Assessment (EA) released in July 2013 and the draft Revised Environmental Assessment (DREA) released in October 2015. Comments from the public and agencies stated that the July 2013 Environmental Assessment Proposed Action (Alternative 2A) would result in unacceptable impacts to Chilkat Valley's resources, in particular to fish habitat in the Chilkat River and the Preserve. DOT&PF and FHWA considered all comments received and developed a Revised Proposed Action (Alternative 2B) that further

avoided and minimized impacts to bald eagle and fish habitat, resources of particular concern to residents of Haines and Klukwan. Following public review of the DREA, the number of mitigation features was increased and the design refined to further offset impacts from fill in the Chilkat River.

Project Summary
The Revised Proposed Action would

- Bring the final segment of the Haines Highway within the US up to 55 MPH standards by widening shoulders to 6 feet on each side, realigning most curves, and providing sight distance to allow for passing zones.
- Improve recreational access.
- Remove and replace the Chilkat River Bridge.
- Make improvements for highway protection at debris and flood flow areas near MP's 19 and 23.

Selected Alternative

The DOT&PF has selected Alternative 2B based on its ability to best meet the project's purpose while minimizing environmental impacts and addressing the concerns of the public and agencies. Highway improvements under Alternative 2 B would:

- Realign sections of the highway and adjust or straighten as many curves as practicable to meet the purpose and need (Section 2.0) to bring the highway up to 55 mph design standards and a desired level of service (LOS) B. To avoid sensitive resources, two curves in the vicinity of MP 13 would not be straightened to a 55 mph design standard.
- Add passing zones. Based on public and agency comments, the amount of passing zones has decreased in this FREA as compared to the July 2013 EA to further avoid sensitive resources.
- Widen the roadway shoulders to a continuous 6-foot width.
- Provide minimum sight distance to meet design standards.
- Construct drainage ditches and upgrade, replace, and/or add new culverts where appropriate.
- Repave and restripe the roadway and add new signage.
- Rehabilitate or relocate driveways, turnout access points, and road intersections (including Chilkat Avenue, Klukwan), to meet design standards.
- Install or upgrade guardrails and other safety features along the highway, where needed.
- Modify the Haines-Fairbanks Pipeline Gate Valve 4's surrounding concrete vault to protect the gate valve and provide a safe road embankment.
- Relocate utilities, where required, and maintain access to utilities not relocated.
- Raise the grade of the highway from its current elevation 15 to 18 feet at MP 19 and MP 23.
- Install four to six larger-diameter culverts at each debris flow area (MP 19, MP 23).

To replace the Chilkat River Bridge, Alternative 2B would also

- Install a temporary bridge downstream to be used as a construction staging platform.

- Construct a new bridge directly adjacent to, and downstream of, the existing bridge, with the same lane and shoulder widths as the revised proposed road. The new bridge would be constructed to meet the following criteria:
    - a 55 mph design speed,
    - current seismic standards, and
    - accommodation of freight vehicles carrying heavier loads than currently accommodated by the bridge, and
    - consistency with the bridges in the Haines Highway MP 24 to the border project.
- Remove existing bridge deck and rail; cut and remove foundation structures, including remnant pilings from previous bridge structures.

Alternative 2B would also result in improvements for recreational access:

- By widening roadway shoulders from 2 feet to 6 feet, safety would be improved for non-motorized users.
- A parking area would be constructed for access to the Mount Ripinski Trailhead.
- Surfacing and grading of turnouts and parking areas within the right-of-way (ROW) would be improved.
- Vehicle access to the Chilkat River recreational areas would be improved.

Alternative 2B provides the following advantages over the other considered alternative, the No Action Alternative:

- Addresses highway deficiencies by
    - bringing the highway up to standards for a 55 mph design speed by adjusting and straightening curves,
    - providing widened shoulders,
    - providing new pavement
    - improving sight distance and adds passing zones
- Replaces the Chilkat River Bridge
- Improves the highway at MP 19 and MP 23 to better manage the debris and water flow events at these locations
- Improves recreational access by,
    - providing a continuous 6-foot shoulders on both sides of the highway, and
    - improving operational access at existing waysides and turnouts
    - installing a trailhead for the Mt. Ripinski trail,
    - providing a new wayside for eagle viewing near MP 20.5.

<u>Alternatives Considered</u>

The approach to this project has always focused on upgrading the existing highway. Alternative roadway locations to link Haines with the Canadian or Interior Alaskan road network were not considered because of the presence of an existing road, difficult terrain in the surrounding area, glacial systems to the west, and the sensitivity of the environment between Haines and the Canadian border. Three highway alternatives were evaluated but not advanced for further consideration:

- *Alternative 1* brings the entire roadway up to AASHTO standards for a 55 mph design speed, including 6-foot-wide shoulders on both sides of the highway, and replaces the Chilkat River Bridge. All curves would be straightened. This was the original DOT&PF design concept.
- *Alternative 2a* brings the roadway up to AASHTO standards for a 55 mph design speed, as practicable, including 6-foot-wide shoulders on both sides of the highway, and replaces the Chilkat River Bridge. Two curves near MP 13 would not be straightened. This was the Proposed Action presented in the July 2013 EA.
- *Alternative 3* would bring the roadway up to AASHTO standards for a 50 mph design speed including 4-foot-wide shoulders on both sides of the highway and would replace the Chilkat River Bridge. This alternative was recommended in public and agency comments on the July 2013 EA.

Alternative 1 is not considered reasonable and was eliminated from detailed consideration because it would require the most ROW acquisition, has the longest new roadway alignment, results in the greatest amount of Chilkat River and wetlands impacts, and the greatest impact to cultural resources. Similar benefits are realized in other alternatives having less impact.

Alternative 2a was evaluated in the July 2013 EA. Following the public comment period and subsequent Revised Proposed Action, Alternative 2a has been eliminated from further consideration due to the quantity of ROW acquisition within the Preserve, the amount of fill in the Chilkat River and wetlands, and the number of cultural resource sites impacted. Specifically, Alternative 2a would require: 3.8 acres of ROW from the Preserve, versus 2.98 acres in Alternative 2b; 7.7 acres and 15,550 linear feet (lf) of fill in the Chilkat River versus 3.6 acres and 12,662 lf in Alternative 2b; 23.6 acres fill in wetlands versus 22.2 acres in Alternative 2b including a reduction of 0.9 acres of fill in a high value wetland near MP 10; and impacts to a cultural resource near MP 4 versus no impact to the cultural resource with Alternative 2b. Benefits similar to those provided by Alternative 2a are realized in the proposed alternative with less environmental impact.

Alternative 3 has been eliminated from further evaluation because it would not bring the existing highway up to a 55 mph design speed standard, improve the proportion of available passing zones, provide the minimum width for shoulders, or a consistent highway width. Under Alternative 3 the highway between MP 3.5 and MP 25.3 would not be consistent with the adjacent segments of the highway. Other alternatives better meet the purpose for the project.

One other alternative was evaluated in detail in the FREA:

- *Alternative 4* is the No Action Alternative.

Alternative 4 was evaluated to determine the impacts if no action were taken. Highway deficiencies between MP 3.5 and MP 25.3 would not be addressed and the highway would not be brought up to current design standards for a 55 mph design speed. Highway and bridge deficiencies, highway instability and temporary closures caused by debris and water flooding, and recreational access deficiencies all would not be addressed. Alternative 4 would not meet the purpose and need of the project.

In addition to the highway upgrade alternatives, three Chilkat River bridge options were considered and two were dismissed. The selected option, construct a new bridge, was evaluated in four locations. The selected location would be down stream, adjacent to the existing bridge location. The selected location was used in the development of the highway alternatives (Alternatives 1, 2a, 2b, and 3).

Mitigation and Measures to Minimize Harm

Table 1 provides information on how Alternative 2b is in compliance with the following environmental laws and Executive Orders, and where each is discussed in the FREA:

TABLE 1 - ENVIRONMENTAL COMPLIANCE		
Laws and Executive Orders	**Proposed Action Compliant (Yes, No, or Not Applicable)**	**Location in FREA**
Clean Water Act	Yes	4.11 Water Body Involvement, Hydrology and Water Quality 4.14 Wetlands and Other Waters of the U.S.
Safe Drinking Water Act	Yes – Proposed action would not change drinking water source or treatment	1.0 Proposed Action
Clean Air Act	Yes	4.18 Air Quality
Rivers and Harbors Act	Yes	4.11 Water Body Involvement, Hydrology and Water Quality 4.14 Wetlands and Other Waters of the U.S.
National Historic Preservation Act; Native Graves Protection and Repatriation Act; Executive Order 11593, Protection and Enhancement of the Cultural Environment; Executive Order 13007, Indian Sacred Sites	Yes	4.6 Social Conditions and Environmental Justice 4.7 Economy and Subsistence 4.10 Cultural Resources
Executive Order 13175, Consultation and Coordination with Indian Tribal Governments;	Yes	4.10 Cultural Resources 7.0 Comments and Coordination Appendix H
Historic Sites Act of 1935 – National Natural Landmarks	Not applicable – none present	--
Executive Order 12898, Environmental Justice	Yes	4.6 Social Conditions and Environmental Justice
Executive Order 11988,	Yes	4.13 Floodplains

Floodplain Management		
Executive Order 11990, Protection of Wetlands	Yes	4.14 Wetlands and Other Waters of the U.S.
Executive Order 13112, Invasive Species	Yes	4.17 Invasive Plant Species
Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks	Yes	4.6 Social Conditions and Environmental Justice
Farmland Protection Policy Act	Not applicable – none present	--
Coastal Zone Management Act	Not applicable – Alaska Coastal Management Program was repealed	--
Wild and Scenic Rivers Act	Not applicable – none present	--
Fish and Wildlife Coordination Act	Yes	4.15 Fish 4.16 Wildlife Resources
Noise Control Act	Yes	4.9 Noise
Section 4(f) of the Department of Transportation Act of 1966	Yes	5.0 Section 4(f) Evaluation
Endangered Species Act	Not applicable – no listed species or designated critical habitat present	--
Magnuson-Stevens Fishery Conservation and Management Act	Yes	4.15 Fish Appendix F

Land Use and Land Management Plans

- There would be no fill placed in the Chilkat River within the boundaries of the Preserve or Critical Habitat Area.
- Realignments selected to avoid and minimize property acquisition to the extent practicable.
- Realignments adjusted to avoid acquisition of 0.9 acres of Preserve land required in the 2013 EA.
- Existing public access to the Chilkat River, the Preserve, and the Haines State Forest would be maintained or improved, thus avoids impacts to tourism.
- Project developed to be consistent with applicable land use plans.
- DOT&PF ROW would be relinquished to the Preserve to offset impacts from proposed acquisitions from Preserve.

Alaska Chilkat Bald Eagle Preserve

Compared to Alternative 2a presented in the 2013 Draft EA, DOT&PF:

- Avoided fill in Chilkat River at MP 8.5 and avoided take of 0.51 acres of Preserve land for ROW.
- Reduced the extent of passing zones by retaining some existing curves, which reduced the ROW acquisition within the Preserve from 3.8 acres to 2.98 acres.
- Reduced fill in the Chilkat River by approximately 3.6 acres (2,938 linear feet).
- Would replace two affected ADF&G fish weir locations (a total of six locations for fish weirs would be constructed; two of them are adjacent to the Preserve).
- Reduced fill in wetlands by approximately 1.4 acres and modified the alignment to minimize impacts to higher functioning wetlands.
- Retained the existing alignment as practicable to minimize clearing of eagle perch trees and other wildlife habitat in the Preserve.

Additionally, DOT&PF

- Used guardrail to allow for steeper embankment in some locations along the Chilkat River.
- Used retaining walls at MP 21 (a high use bald eagle foraging/perching area) to avoid cutting perch trees.
- Would relinquish ROW to the Preserve to offset impacts from proposed acquisitions from Preserve.
- Would, as a result of consulting with DNR to identify improvements to Preserve access,
    - provide waysides at MP 11.5 and MP 14.5,
    - resurface or regrade existing turnouts at MP 13 and 14.5,
    - close two existing turnouts at MP 11 that attract nuisance uses, and
    - provide a new turnout at MP 20.5 for eagle viewing where a section of the existing highway would be abandoned.

Measures used to minimize harm and mitigate for impacts to wildlife habitat within the Preserve are described under Wetlands, Fish, and Wildlife (except for bald eagles). To minimize harm and mitigate for impacts to bald eagles and their habitat DOT&PF would

- Evaluate locations near MP 20 where cottonwood trees could be replanted to mitigate for loss of eagle forage and roosting habitat.
- Place construction-removed trees in sections of the Chilkat River to mimic eagle perches on naturally fallen trees.
- Obtain and comply with the conditions of bald eagle take permits under the Bald and Golden Eagle Protection Act.
- Time construction through the Council Grounds to avoid periods of high eagle concentration and viewing.
- DOT&PF would relinquish about 6.2 acres of existing right-of-way to the Preserve to offset right-of-way acquisition impacts in the Preserve at an approximately 2:1 ratio.

Right of Way

- All property acquisition would be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

Encroachments

- DOT&PF would review and analyze each individual encroachment for safety hazards, utilities, traffic concerns, and effects on the community. Depending on the analysis, DOT&PF will either permit, require structures to be removed, or remove the structures.

Utilities

- The proposed alignment minimized the footprint of the roadway and the need to relocated utilities to the degree practicable.
- Where ROW does shift, access to utilities would be maintained if those utilities are not relocated.

Social Conditions and Environmental Justice DOT&PF would:

- Not increase the number or size of turnouts or sanctioned parking lots to minimize the likelihood that increased sport or recreational river use could out-compete subsistence and traditional uses.
- Coordinate with Native Alaska entities to time construction in certain locations to reduce potential impacts to subsistence activities.
- Incorporate improvements to Chilkat Avenue (the Klukwan access road) into the project to benefit the affected population.

Economy and Subsistence

- Construction would be halted during the one-day Kluane-Chilkat International Bike Relay which takes place every year in July.
- DOT&PF would coordinate with Southeast State Fair and Great Alaska Craft Beer Festival organizers regarding temporary highway closures for blasting activities.
- No blasting would be allowed in the Council Grounds area November 1 – January 31 to minimize impacts to perching eagles during the bald eagle congregation.
- No construction would occur in the Council Grounds area and access to waysides would be maintained at all times during the Alaska Bald Eagle Festival.
- At least one lane of traffic would be kept open at all times other than temporary closures for blasting to minimize impacts to subsistence users.
- DOT&PF would coordinate with Native Alaska entities to time construction in certain locations to reduce potential impacts to subsistence activities.

Visual

- Clearing of mature vegetation would be avoided and minimized to the extent feasible.
- Vegetation would be added in select locations.
- DOT&PF would make every effort to place required signs in such a manner that minimizes blocking of scenic views.
- A new turnout at MP 20.5 would provide photography and wildlife viewing opportunities. The ballasted log clusters that would be placed in the river near MP 20 may also enhance wildlife viewing opportunities by providing eagle perch locations.

Cultural Resources

- DOT&PF dismissed an alternative proposed in 2006 that would have adversely affected SKG-050.
- DOT&PF modified the highway design to allow Gate Valve 4 to remain in place and still provide an embankment that meets design standards.
- Compared to Alternative 2a presented in the 2013 Draft EA, DOT&PF shifted alignment in the MP 4 area to avoid impacts to Yendistucky and Smokehouse Village.
- DOT&PF and SHPO executed a Memorandum of Agreement (MOA) to offset adverse impacts to the historic Chilkat River Bridge. DOT&PF will
    - Submit architectural documentation (using HAER documentation Level II standards) of the Chilkat River Bridge to SHPO and the Sheldon Museum in Haines.
    - Construct one (1) interpretive wayside which will include an interpretive display panel with a theme of the history of transportation and major utilities within the Chilkat Valley. A history of the Chilkat River crossings will also be included.
- DOT&PF has and will continue to consult with Chilkat Indian Village and Chilkoot Indian Association to provide for archaeological monitoring during excavation onto previously undisturbed ground, as well as Tribal monitoring during construction.

Water Body Involvement, Hydrology, and Water Quality

- Existing culverts would be replaced or upgraded to mitigate for current erosional impacts to water quality.
- Some tributary channels would be realigned further from the roadway to reduce roadway runoff directly to the streams.
- To improve localized hydrology, the design would raise the elevation of the highway at MP 19 and MP 23 and construct larger diameter box culverts that would allow naturally occurring debris flow sediment to pass under the highway and enter the Chilkat River, rather than settle out on top of the Haines Highway.

Navigation

The new bridge would

- Have six fewer in-water piers than the current bridge.
- Provide an additional 6 feet of vertical clearance.
- Require two US Coast Guard (USCG) Permits; one for construction of the temporary bridge and one for construction of the new bridge. Demolition of the existing bridge would also require USCG approval.

Floodplains

- Adequately sized culverts would be designed and installed to limit the increase in backwater and pass the 50-year floods without significant damage to the floodplain, roadway embankment, or Chilkat River Bridge.
- DOT&PF would make drainage improvements to reduce the potential for road flooding resulting from mountain debris flows.

Wetlands and Other Waters of the United States

Wetlands and Other Waters of the U.S. would be avoided by:

- Following the existing highway alignment to the extent feasible.
- Widening and/or realigning into uplands, rather than wetlands, to the extent practicable.
- Maintaining natural flow patterns through use of culverts and cross-drainage structures.
- Improving sight distance as a way to remove the need for passing lanes and larger fill footprint.

Impacts to wetlands and other Waters of the U.S would be minimized by:

- Adjusting the elevation of the highway.
- Adding guardrail.
- Designing a road embankment slope that is as steep as practicable (2:1)
- Staking/flagging construction limits in wetland areas prior to construction to limit impacts to the areas permitted.
- Limiting construction staging areas, material sites, and disposal sites to upland areas and/or to within permit fill limits of the roadway.
- Complying with the Alaska Pollutant Discharge Elimination System (APDES) Construction General Permit, developing a Storm Water Pollution Prevention Plan (SWPPP), and implementing erosion and sediment controls to reduce impacts to wetlands from stormwater runoff.

Compared to Alternative 2a presented in the 2013 Draft EA, DOT&PF reduced the extent of passing zones by retaining some existing curves, which

- Reduced area and linear feet (lf) of fill in the Chilkat River from 7.7 acres to 3.6 acres and from 15,550 lf to 12,662 lf.
- Reduced fill in wetlands from 23.6 acres to 22.2 acres, including a reduction of fill in 0.9 acre of high value wetlands near Milepost 10.

Since the Interdisciplinary Team (IDT) felt the highest value of the impacted wetlands is to provide the correct quality and quantity of water to fish bearing tributaries, DOT&PF would create and enhance fish tributary habitat to minimize harm and mitigate impacts to wetlands.

- 26 culverts in anadromous fish streams would be upgraded and/or constructed resulting in improved fish access to up to 7 miles of habitat above the highway. Temporary impacts to these streams would occur as a result of construction.
- All impacted fish streams would be replaced, in-kind.
- Approximately 7,308 linear feet of fish bearing tributaries would be created and/or improved as mitigation for fill in wetland areas (see Table 4.15-3 in the FREA).

Fish

- The design minimizes fill in the Chilkat River by using passing zones instead of expanding the roadway for passing lanes.
- In-water work at the Chilkat River Bridge would be minimized by selecting driven piles rather than placement of concrete bridge foundations.
- The total number of in-water piers at the Chilkat River crossing would be reduced to three from nine.

- The fill footprint was minimized by making the slope of the road embankment as steep as feasible, and by adding guardrails, shifting the alignment, reducing curves, adding curves and lowering the profile of the road in several locations.
- Rough angular rock would be used to stabilize fill and prevent erosion in the Chilkat River; a biodegradable or synthetic fabric would be used to hold soils in place, and the bank would be planted with native vegetation for long-term stability.
- The project would reconstruct, in-kind, all section of tributaries directly affected and improve fish passage for all fish bearing tributaries that intersect the highway in the project area.
- About 7,308 lf of new fish bearing tributary would be created and includes replacement of an off-site perched culvert at Mink Creek on Mud Bay Road.
- Three different mitigation features would be constructed to mimic natural fish habitat environment in locations as close to the impact sites as practicable (see Table 4.15-3 in the FREA)
    - Ballasted log clusters would be installed at 30 locations in the Chilkat River.
    - Vegetated river protrusions would be installed to provide overhanging trees and add stream bank complexity; some of these protrusions would also be constructed in such a manner to provide the hydrologic characteristics needed for installation of fish wheels.
- Woody debris would be incorporated into the project to improve habitat for juvenile fish.
- A hydrologically connected flood terrace/wetland area would be created adjacent to a stream by partial excavation of the existing road embankment near MP 18.
- DOT&PF would adhere to ADF&G permitted in-water work windows.

Essential Fish Habitat

- DOT&PF completed consultation with NMFS under the Magnuson-Stevens Fisheries Conservation Management Act in September, 2014.
- Following the release of the October 2015 DREA, DOT&PF continued to work with CIV and ADF&G to further develop mitigation measures to improve fish habitat in the Chilkat River (see description of three different mitigation features above in Fish).
    - In addition to the commitments DOT&PF made in the EFH document, there would be an additional 1,042 lf of new/enhanced fish stream; 11 areas in the Chilkat River where DOT&PF would introduce woody debris; and four river protrusions
- The added mitigation measures were presented to NMFS in May 2016, and NMFS determined in June 2016 that consultation remains complete

Wildlife Resources

- Habitat impacts were minimized because the Selected Alternative deviates as little as practicable from the current alignment.
- Vegetation clearing would be avoided to the extent practicable during the nesting season to comply with the Migratory Bird Treaty Act.
- DOT&PF would work with ADF&G to identify sensitive time periods and areas for mountain goats, and avoid blasting activity that might disturb mountain goats during those times and in those areas identified.

- Willows will be planted in the newly created riparian area adjacent to Horse Farm Creek to offset any moose habitat fragmentation near MP 18.

Measures to minimize harm and mitigate for impacts to bald eagles and their habitat are included with the measures listed under the Alaska Chilkat Bald Eagle Preserve.

Invasive Plant Species

- Surveys of invasive species would be conducted prior to construction; an invasive plant control plan would be developed and implemented.
- Construction equipment would be pressure-washed to remove soil, seed, and plant material prior to moving onto or off of the project site.
- Clean fill material, native plants, and certified native seed would be used.
- Stabilization of disturbed areas would occur as soon as practicable.

Hazardous Waste

- The contractor would be required to develop a Hazardous Materials Control Plan (HMCP) to address contamination, cleanup, and disposal of all construction related discharges of petroleum products (fuel, oils, etc.) and/or other hazardous substances.
- Wastes generated during construction demolition of the Chilkat River Bridge would be properly handled, contained, and disposed of at a permitted disposal facility, in accordance with State and Federal laws.
- Should contamination be discovered within the ROW, DOT&PF would stop work at the discovery location, identify the nature of the contamination, and coordinate the appropriate response with the DEC and, if appropriate, with the USACE or BLM.

Construction Impacts

A summary of all proposed avoidance, minimization and mitigation measures proposed to offset temporary impacts during construction can be found in Table 6.1-1 in the Final Revised Environmental Assessment.

Alternative 2B will require the following permits:

TABLE 2 – PERMITS REQUIRED		
Issuing Agency	**Permit Type**	**Project Purpose**
Alaska Department of Environmental Conservation, Division of Water Quality	Section 401 Water Quality Certification	Work in waters of the U.S.
Alaska Department of Environmental Conservation, Division of Water Quality	Alaska Pollution Discharge Elimination System (APDES) Construction General Permit	Greater than 1 acre of ground disturbance
Alaska Department of Fish and Game	Fish Habitat Permit	Work in anadromous waters
Alaska Department of Natural Resources, Division of Parks and Recreation	Parks Special Use Permit	Work in state preserve

U.S. Army Corps of Engineers	Section 404 Permit	Place fill in wetlands and other waters of the U.S.
U.S. Coast Guard	Bridge Permit	Replacement of the Chilkat River Bridge
U.S. Fish and Wildlife Service	Bald Eagle Disturbance Permit	Disturbance to nesting, foraging, congregated eagles

Public Hearings and Issues of Concern

During the scoping process, information was gathered from the public and agencies on the purpose and need for the project, potential alternatives, and possible issues and concerns to be addressed during the environmental review and design. Comments received from the public and agencies during the initial scoping period were compiled in a Scoping Summary Report (FREA Appendix H). The project team continued to solicit input from the agencies and the public during public and agency meetings, through public comments on the July 2013 EA and the October 2015 DREA, and in subsequent meetings and consultations. Comments received after the Scoping Summary Report, including public comments on the July 2013 EA and October 2015 DREA, have been compiled and are attached in Appendix H of the FREA. All comments received have been considered during the development of this project.

Scoping and Public Meetings

Scoping began in December 2005. Advertisements for the public scoping meeting appeared in the Juneau Empire newspaper on November 27 and December 6, 2005. Additional advertisements for the public scoping meeting appeared in the Chilkat Valley News on December 1 and December 6, 2005. December 2005 scoping efforts include the following meetings:

- agency meeting held December 5, 2005,
- Preserve Advisory Council meeting held on December 6, 2005,
- public meeting held on December 6, 2005, and
- CIV meeting held on December 7, 2005.

Scoping was reinitiated in March 2009. A newsletter announcing the meeting and reporting progress on the project was mailed on February 16, 2009. The meeting was advertised in the Juneau Empire on February 18, 2009, and in the Chilkat Valley News on February 19, 2009. Public service announcements were transmitted to the local radio and cable stations in Haines on February 23, 2009. March 2009 scoping efforts are documented in Appendix H of the FREA and included the following:

- agency meeting held on March 3, 2009,
- Preserve Advisory Council meeting held on March 4, 2009,
- public meeting held on March 4, 2009, and
- CIV meeting held on March 5, 2009.

Public Hearings and Availability of Public Review Documents

The DREA was released to the public in July 2013. The Chilkat Valley News (Haines) published a public notice announcing the availability for public review of the Environmental Assessment on July 13, 2013. The notice also stated that a public hearing would be held in

Haines on August 5, 2013 and a court reporter would be at a public meeting held in Klukwan earlier that same day. A notice of availability and public hearing was also posted in the Juneau Empire on July 17, 2013. The public comment period ended on August 26, 2013. Two hundred fifty-five (255) comment documents were received during the review period. After the comment period ended, each comment document was assigned a unique comment number (1 through 255a). A list of persons, tribes, and agencies who commented on the July 2013 EA is included in Appendix H of the FREA.

The DREA was released to the public in October 2015. A public notice on the availability of the DREA was published on September 24, 2015 in newspapers in Haines, Sitka and Juneau. A public workshop and hearing was held in Haines on October 28, 2015 and public comments on the DREA were accepted through December 8, 2015. Sixty-seven (67) comment documents were received during the review period. Comment documents from the 2015 DREA were assigned a unique comment (255b through 321). Comments from the 2015 DREA are also included in Appendix H of the FREA.

Of the comments received on the July 2013 EA and the October 2015 DREA, many had common issues and concerns. The most common ones have been grouped together by topic and addressed in a single response to each topic. Table 7.4-1 of the FREA presents the comments by year (2013 EA or 2015 DREA) and provides a response for each group of comments and the location of changes in the FREA that resulted from the comments. The right column in the table refers to the response to each individual comment in Appendix H, e.g. if the right most column in Table 7.4-1 indicates “294bb”, the reference is to comment 294 in Appendix H and the underlined section in comment 294 marked “bb”. Comments received during the 2013 EA review period are numbered from 1 to 255a; comments received during the 2015 DREA review period are numbered from 255b to 321. Individual response letters to October 2015 DREA agency and tribal comments are also included in Appendix H.

Conclusion:

The FHWA has determined that Alternative 2B selected in this decision will have no significant impact on the human environment. This Finding of No Significant Impact (FONSI) is based on the attached FREA, Programmatic 4(f) Evaluation, and Section 4(f) *De Minimis* Impact Findings (see Section 5 of FREA), which FHWA independently evaluated and determined adequately and accurately discusses the need, environmental issues, and impacts of this proposed project and appropriate mitigation measures.

The FHWA has determined there is no feasible and prudent avoidance alternative to the use of the Chilkat River Bridge and that Alternative 2B as proposed contains all possible planning to minimize harm to the historic bridge. The FHWA has determined that Alternative 2B, with any impact avoidance, minimization, and mitigation or enhancement measures incorporated into the project, does not adversely affect the activities, features, and attributes that qualify 1) the Chilkat Bald Eagle Preserve (the Preserve) and Critical Habitat Area (CHA), or 2) Smokehouse Village and Yendistucky for protection under Section 4(f) and the project will result in a *de minimis* impact on the Preserve, CHA, Smokehouse Village, and Yendistucky.

The FREA provides sufficient evidence and analysis for determining than an environmental impact statement is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the attached FREA.

Al Fletcher
Field Operations Engineer
Federal Highway Administration

8-15-16
Date