

Environmental Review Checklist Instructions

- Applicant Name:
- Project Name:
- Project Number: For DPOR Staff to enter

I. Project Description:

- Describe the proposed action in as much detail as possible, in particular pertinent design features that could affect resources (e.g., location, size, and type of structures, and any design exceptions that may be required).
- Give special attention to river and stream crossings, wetland fills, drainage control structures, or other protected resources.
- You may need to develop designs to “plans-in-hands” detail to fully evaluate the effects of the project on protected resources.
- In rare cases, final design detail may be necessary (e.g. Section 4(f), certain in-stream structures) to determine if avoidance alternatives are practicable.

II. Alternatives to Proposed Action:

- Complete this section only if the project would affect a resource protected by a law, Executive Order, or regulation [e.g. E.O. 11990, E.O. 11988, Section 4(f) or Section 404(b)(1)]. This includes avoidance and minimization alternatives.
- You must provide sufficient information to determine if an alternative(s) is practicable.
- You must consider design exceptions or reduced scope if it would avoid the impact, and you must reference the supporting engineering analyses in the Checklist, or append them to the Checklist.
- You must select alternatives to the proposed action or design modifications if the avoidance or minimization is practicable.

III. Environmental Consequences:

- For each Yes response describe the magnitude of the impact(s) and the potential for significant impact (based on the context and intensity)
- You must provide sufficient documentation such as Agency determinations, permits and approvals for project implementation; including the individual you spoke with and their contact information.

A. Property Acquisitions:

Coordinate with the landowner and the State of Alaska Division of Mining Land & Water's regional office (Southcentral at 907-269-8503; Southeast at 907-465-3400; and Northern at 907-451-2740). Acquisition under Eminent Domain is not a permissible activity under the Recreational Trails Program. Additionally, Recreational Trail funds cannot be used for appraisals, surveys, environmental reviews, hazmat studies and as built surveys needed to convey lands.

- It may be possible to obtain temporary (10 year requirement under Recreational Trails Program), permanent or dedicated easements or agency transfer of management rights.
- All Recreational Trail projects must comply with the provision of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to the extent applicable.

B. Local Land Use:

Coordinate with the local governing body to determine if the project is within the scope a local land use plan.

- Review applicable Federal, State and or local land use plans.
- Coordinate with the local governing body of the project site.
- Ensure that the proposed action is consistent with the local land use plans.
- Consider whether the project would induce adverse secondary and cumulative effects.
- Describe adverse impacts and any mitigating measures.

C. Social and Economic:

Coordinate with the local government, community council or community organizations to determine if the project will have an adverse effect. Describe adverse affects in this section, document coordination and attach appropriate documentation.

- Coordinate as appropriate with local officials to determine if the project may affect school districts, recreational areas, churches, businesses, or police and fire protection.
- Describe adverse affects in this section, document coordination and attach appropriate documentation.
- Coordinate as appropriate to determine if the project will adversely affect special interest groups, minorities, economically disadvantaged, etc.
- Coordinate as appropriate with the local government, borough, or State agency to assess the economic effects of the proposed action (i.e. locally and regionally). Describe adverse affects in this section, document coordination and attach appropriate documentation.
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D. Archeological and Historic Resources:

- All projects must consider the potential effects to cultural resources (i.e. archaeological and historic).
- Check the Alaska list of historic properties or National Register of Historic Places
- Conduct a visual survey for potential historic structures.
- Coordinate projects with the State Historic Preservation Officer (SHPO) at 907-269-8721, and Certified Local Government, Traditional Council, and Village or Regional Corporation to determine if a cultural resource survey is necessary.
- Evaluate potentially eligible properties with the eligibility criteria for the National Register of Historic Places.

E. Threatened and Endangered Species (T&E):

Determine if the project will affect fish or wildlife resources by either contacting the U.S. Fish and Wildlife Service regional office(s) at Northern 907-456-0441; Southcentral 907-271-2778; and for Southeast 907-780-1181.

- Check species with USF&WS to determine if the project would affect a T&E species. If so, you must consult with the USF&WS.
- If required, attach the biological assessment.
- Note: If a T&E species is directly or indirectly affected by the project, FHWA cannot approve the Recreational Trails project without completion of the T&E process.
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F. Fish & Wildlife:

Determine if the project will affect Fish and Wildlife populations contact the Department of Natural Resources Office of Habitat Management and Permitting (OHMP). Contact information for projects in Southeast at 907-465-4105 and the rest of Alaska at 907-269-8690. For projects across Essential Fish Habitat (EFH) contact the National Oceanic and Atmospheric Administration (NOAA) at 907-271-6354.

Anadromous or Resident Fish Present:

- Review the ADF&G Anadromous Fish Stream Atlas to determine if the proposed action affects a cataloged anadromous fish stream. This catalog will provide a reference number, species present, and type of use (i.e. spawning and rearing), which need to be documented in the Environmental Review Checklist.
- If an anadromous fish stream is affected, coordinate with State and Federal resource agencies (remember that a fish stream is a “Water of the U.S.” subject to protection under Section 404 of the Clean Water Act).
- Document the type of stream habitat affected by the project. This is essential in determining the magnitude of the impact, the appropriate structure, and any necessary mitigation.
- An on-site meeting with agencies is a good practice, but not required.
- If you do not hold an on-site meeting, provide video or photographs of the site.
- Non-cataloged streams may require “trapping” to determine if fish species are present. If present, the primary concern is fish passage through in-stream structures.

Wildlife Resources:

- You should evaluate the project area to identify any wildlife resources of particular concern, especially any species of concern identified by ADF&G (e.g. Queen Charlotte grouse hawk in S.E.).
- You should analyze the impact categories of habitat fragmentation, bisecting migration corridors, and areas of high wildlife/vehicle accidents.

Bald Eagle and Golden Eagle Protection Act:

- In coastal areas and river and stream corridors, check with USF&WS to determine if any eagle nesting trees are located within the project area.
- If so, you will need to determine if the project slope limits are within 100 meters of the nesting tree.

- You must maintain close coordination with USF&WS to determine if the project will adversely affect the nesting tree.
- Document the results of the coordination and any mitigating measures taken.

Essential Fish Habitat (EFH): EFH is a provision of the Magnuson-Stevens Fisheries Conservation Act (50 CFR 900.20) and is defined as “*those waters and substrate necessary to fish for spawning, breeding, feeding or growth to maturity.*” In Alaska, EFH applies to any species regulated by the North Pacific Fisheries Management Council. The Act requires any Federal action to identify potential adverse impacts on EFH and requires NMFS to recommend actions that would conserve and enhance EFH affected by the action.

- EFH is applicable for some projects that affect intertidal and subtidal areas and all projects that affect anadromous fish streams.
- EFH requires you to consult with NMFS and to prepare and EFH Assessment in accordance with 50 CFR 600.920.
- The assessment must document the resources, potential adverse effects, and any measures taken to minimize harm.
- The FHWA area liaison must inform NMFS on how their EFH recommendations have been incorporated into the project. NMFS has 30 days to determine if an expanded consultation is necessary.

G. Wetlands:

Determine if the project will affects or involves wetlands contact the Army Corps of Engineers (USACE), at 907-753-2712.

- Determine if wetlands as defined by the U.S. Army Corps of Engineers (COE) are affected by the proposed action, in accordance with the Corps wetland delineation manual.
- If wetlands are affected, coordinate with State and Federal resource agencies (including local coastal districts, if applicable).
- Evaluate alternatives that avoid and minimize the wetland involvement.
- Document agency acceptance of the wetlands impact and any mitigating measures.
- Document the results of the functional assessment and alternatives analysis in a “wetlands finding” and append it to the Checklist. In the wetlands finding, you must also document any mitigating measures taken to avoid, minimize, or compensate for unavoidable wetland effect.

H. Floodplains:

A project encroaching on a designated or proposed regulatory floodway must be consistent with the regulatory floodway. Determine if the project will affects or involves floodplains contact the Army Corps of Engineers (USACE), at 907-753-2712.

- You must perform an adequate engineering and environmental analysis to determine the level of encroachment and allow for a consistency evaluation.
- You must coordinate with the Federal Emergency Management Agency (FEMA) and appropriate State and local government agencies for floodway encroachments.
- If a floodway revision is necessary, document coordination from FEMA and local or State agencies indicating the revision would be acceptable.

Document consistency with Executive Order 11988 and 23 CFR 650, Subpart A. Document and Include:

- The reasons why the proposed action must be located in the floodplain;
- The alternatives considered and why they were not practicable; and
- A statement indicating whether the action conforms to applicable State or local floodplain protection standards.

H. Waterbodies:

Determine if the project will affect or involves floodplains contact the Army Corps of Engineers (USACE), at 907-753-2712 and the U.S. Coast Guard regional offices, for projects in Southeast 907-463-2450, Valdez area 907-835-7205/835-7217, and for projects in western and northern Alaska 907-281-6700.

- Determine if the project will affect a water body (i.e. pond, lake, river or stream). If so, you must evaluate practicable avoidance alternatives.
- Depending on the type of project involvement, various regulatory requirements may be applicable (Corps Section 404/10 or USCG Section 9).
- Determine if the water body is navigable as defined by the USCG and the USACE.
- For projects that involve bridge construction or reconstruction over navigable waters, you must coordinate with the USCG per the agreement between FHWA/USCG.
- If the water body is not anadromous, it may support important resident species (i.e. rainbow trout, char, grayling, and white fish).
- Check the type of involvement (i.e. bridge, culvert, embankment fill, or diversion) and type of habitat (i.e. spawning, rearing, pool, riffle, or undercut bank). Describe any substantive adverse impacts.

J. Alaska Coastal Management Program:

A project located within the coastal zone must be consistent with the Alaska Coastal Management Program (ACMP) to receive Federal-aid approval. The Coastal Program Questionnaire (CPQ) can be found at <http://www.alaskacoast.state.ak.us/Projects/pcpq3.html>; contact the Department of Natural Resources, Office of Project Management and Permitting, Alaska Coastal Management Program for projects in Southeast contact 907-465-3562 and for the rest of Alaska contact 907-269-7470

- Determine if the project is located within the ACMP boundaries.
- If the project is located within the State coastal zone, determine if the project is located within an approved Local Coastal District.
- Determine project consistency after review of comments from State and Federal resource agencies, local coastal district, and the public.

N. Water Quality:

Determine if the project will affect water quality contact the State of Alaska, Department of Environmental Conservation (DEC) as indicated in the Environmental Review Checklist

- Projects must meet State and Federal water quality standards.
- Evaluate project for potential effects on public or private potable drinking water sources, particularly projects that involve blasting in the vicinity of a potable drinking water well; contact DEC Drinking Water Protection Coordinator at 907-269-7521.

- You must identify any designated impaired water body and take appropriate measures to mitigate any impact on these waters; contact DEC Water Quality Assessment & Monitoring program office at 907-465-5304.
- The project must comply with the EPA and NPDES Phase I and Phase II regulations, as applicable.
- You must estimate the amount of ground-disturbing activities proposed and identify sensitive receiving waters in acres.
- You should discuss the potential impacts to water quality and mitigating measures.
- Determine if the project is located within or would affect a Municipal Storm Sewer System (MS4) NPDES permit, or if runoff from the project will be mixed with discharges from an NPDES permitted industrial facility; contact DEC Manager of On Site Disposal Systems at 907-262-5210 ext. 238.

L. Hazardous Waste:

To determine if hazardous waste is within the project site contact the following region area representatives with the State of Alaska, Department of Environmental Conservation (DEC):

- Southeastern Region – Scot Tiernan in Juneau at Scot.Tiernan@Alaska.gov, or 465-5378,
- Central Region - Gay Harpole in Anchorage at Gay.Harpole@Alaska.gov, or 269-7684,
- Northern Region – Peggy Wandell in Fairbanks at Peggy.Wandell@Alaska.gov, or 451-2107.

For information on Contaminated Sites/Leaking Underground Storage Tanks contact Evonne Reese in Juneau at Evonne.Reese@Alaska.gov or 465-5229. CS/LUST DB Information can also be found on-line at http://www.state.ak.us/dec/spar/csp/db_search.htm.

- If contamination is known to be substantial, you must complete a detailed site investigation and proposed cleanup plan.
- Attach documentation and correspondence from the Alaska Department of Environmental Conservation (ADEC) and the Environmental Protection Agency (EPA).
- If there is a potential of encountering contamination during construction, a detailed site investigation can be delayed to the Design Phase (unless the information is necessary to compare alternatives).
- In addition, estimate the amount of contaminated material (soil or water) to be handled during construction, develop an ADEC corrective action plan, and prepare an estimate of cost to clean up.

Sections M and N are for Motorized and Diversified Project Categories only

M. Air Quality:

In Alaska, EPA has determined that the following areas are in a non-attainment area for one or more priority pollutants (i.e. CO or PM-10): Anchorage urban (CO), Fairbanks and North Pole areas (CO), Eagle River (PM-10) and Mendenhall Valley (PM-10). Contact the Environmental Protection Agency (EPA) at 907-451-2167 for assistance.

- Certain types of projects are exempt from all or some part of EPA's transportation conformity requirements. Generally, these are "c" list CE type projects that are non-construction activities. But you need to check 40 CFR Part 93, Section 93.126, Table 2 for the list of exempt activities. Some projects exempt from regional emission analysis still require a project level analysis. These are shown in 40 CFR Part 93, Section 93.126, Table 3.

M. Noise Impact:

- You must evaluate projects with adjacent sensitive receivers or land uses for potential noise impacts.
- If you find noise impacts, evaluate potential noise abatement in accordance with the DOT&PF Noise Policy.

IV. Public Involvement:

Describe how public involvement was solicited and attach copies of public notices, posting locations and dates of the public notice, comments received and responses to comments.

- You must coordinate with the public and agencies for any projects that affect a protected resource.
- You must also issue a public notice for projects that affect predominately low-income areas or a predominately minority community, or are located in a community with a federally recognized tribal government.
- Determine if there is a disproportionate effect on minorities or disadvantaged.
- Describe any issues raised as a result of coordination with State and Federal resource agencies, local government, tribal government, Native Corporation, or the public.
- The project cannot be approved without closure of issues raised.

V. Environmental Commitments, Mitigation Measures:

Environmental commitments are actions that the Recreational Trail grantee will be held to during project implementation.

- List any environmental commitments or mitigating measures.
- You must include these measures as part of the construction contract unless concurrence is received from FHWA.

VI. Applicant Certification:

This section is where the Recreational Trails grantee will certify the information provided to be accurate and correct to the best of their knowledge.