

FHWA Class of Action Consultation Form
Use this form for only 6004 excluded projects



I. Project Information:

1. Project Name: Kivalina Evacuation and School Site Access Road
2. Federal-aid Project Number: 0002384
3. AKSAS (State Project Number): NFHWY00162
4. List of attachments: Figure 1. Location Figure, Kivalina, Alaska
Figure 2. Project study area/community proposed routes.
Project Environmental Review

5. Project description:

The proposed project would construct an approximately 6-10 mile long evacuation and school site access road from the City of Kivalina, Alaska (Figure 1) to Kisimigiqtuq Hill. The proposed route would originate at the City of Kivalina, cross Kivalina Lagoon with a causeway and various culvert or bridge sections at an as yet undetermined location, continue through areas of tidally-influenced lowland and tundra wetlands, and terminate at a lower southwest slope of Kisimigiqtuq Hill located NNE of the community (Figure 2).

6. Provide a brief discussion of probable impacts (23 CFR 771.111(b)):

Based on informal public meetings, formal public scoping meetings and both preliminary and informal consultation with various trust resource agencies and public organizations, the following potential impacts due to construction of the combined road and lagoon crossing were identified and their probability and extent reviewed (See attached Environmental Review):

a) While various impacts may be anticipated to several marine and freshwater anadromous and resident fishes, several seal species, polar bears, caribou, grizzly bears, musk oxen, wolves and other furbearers, migratory and resident waterfowl, shorebirds and land birds; appropriate project scheduling, construction methodology, and management practices would generally result in an avoidance and minimization of impacts to these resources. The U.S. Fish and Wildlife Service listed the spectacled eider on May 10, 1993 (58 FR 27474) and the Alaska-breeding population of the Steller's eider as threatened on June 11, 1997 (62 FR 31748). Although neither eider species currently nests in the region, low numbers of listed eiders may migrate through the project area. Polar bears may occasionally pass through or den in the area, although their density is very low and encounters are expected to be infrequent. Transient (non-denning) bears entering the proposed project area could be disturbed by presence of humans or equipment noise, however the degree to which these disturbances could be offset by bears avoiding the project area are unknown.

b) While impacts to wetlands will occur as a majority of proposed road and material site development would require placing fill or excavation of materials in waters of the U.S. and other wetland habitats, the study area and, more generally, the region is characterized by a ubiquitous landscape presence and similar distribution of like wetland types. Based on preliminary discussions with the USFWS and USACE, the anticipated, relatively minimal wetland impact to study area and regional wetlands will likely have little effect on wetland habitats or ecological function on either local or regional scales; and implementation of thoughtful avoidance, minimization and mitigation strategies may potentially yield ecological uplift in some areas impacted by the project.

c) Based on Alaska Heritage Resource Survey (AHRS) data and a review of previous cultural resource surveys, the study area encompasses landforms known to contain historic properties, requiring consultation with both the State Historic Preservation Officer (SHPO) and the National Park Service (NPS) due to the entire project area lying within the Cape Krusenstern National Historic Landmark

(CKNHL). However, preliminary cultural resource surveys specific to the proposed project have yielded no discovery of potentially significant historic properties or resources along general routes anticipated to satisfy other engineering and environmental criteria necessary for NEPA alternative development. Ongoing discussions with SHPO and NPS have centered on the development of Memoranda of Agreement for implementation of monitoring during ground disturbance and other avoidance and minimization strategies that would result in a finding of no adverse effects to historic properties.

d) The entire project study area lies within the 4(f) property CKNHL, thus the entire footprint of the project (roadways and material sites) will use land within the landmark. The extent of the impacts to the 4(f) property is unknown at this time; however, ongoing consultation with the NPS indicates that the potential for some avoidance of features and other measures for minimization of harm is high. DOT&PF will work closely with NPS to conduct an assessment of impacts in parallel with Section 106 consultation on historical resources in order to identify contributing elements to the NHL and inform avoidance and minimization efforts.

Also within the southernmost extent of the project study area is a small portion of the Alaska Maritime National Wildlife Refuge Chukchi Unit (Refuge), consisting of two islands totaling 75 acres owned by the Kivalina Sinuakmeut Corporation and located directly east of Kivalina at the mouth of the Wulik River. The proposed project would not directly use land from within the refuge. This 4(f) property/refuge unit was included in the overall project study area to ensure evaluation of potential indirect impacts due to its proximity to potential lagoon crossing or road construction (approx. 0.5 miles distant). The USFWS will also be consulted regarding potential indirect impacts on the Refuge.

The next nearest potential 4(f) property is an additional 116 acres of the Refuge, also owned by the Corporation, located 4 miles south of the community and separating Imikruk Lagoon from the Chukchi Sea. This area will not be impacted.

e) Potential impacts to various subsistence resources, their availability, and their uses by regional communities were discussed in depth at public meetings in Kivalina, Noatak and Kotzebue; and likewise with the USFWS and ADF&G. As the study area supports a variety of subsistence fish, terrestrial and marine mammals, and plant resources, public and agency scoping respondents have suggested that new road may facilitate greater access to some subsistence resources by users, an outcome generally considered to potentially pose both beneficial and adverse impacts simultaneously depending on circumstances. Also, some concerns were raised about the potential impact of a road on distribution and movement of some subsistence mammals through the general use area.

f) Coastal sediment transport, marine biological processes and navigation will likely be impacted due to construction of a causeway and associated bridge or culverts across Kivalina Lagoon. DOT&PF will work closely with NOAA fisheries, marine mammal and hydrology specialists; as well as with the U.S. Coast Guard and community representatives, to design a lagoon crossing that minimizes potential hydrological concerns and associated fish, marine mammal and vessel passage concerns. Other water crossings along potential routes (rivers, streams, tundra lakes, cross drainage, etc.) would be designed and constructed as necessary to ensure fish passage, maintain natural surface hydrology, and reduce the potential for erosion/sedimentation of waters adjacent to the project. These crossings could employ a variety of culvert designs and configurations as necessary to be determined during design.

g) Right of Way acquisition will be required and will largely involve NANA Corporation-owned private lands with only minor amounts of ADNR owned tideland and City of Kivalina ownership. As a commitment to the proposed project, NANA Corporation adopted a resolution directing their management to make NANA lands available and provide interim Rights of Way as necessary (see Environmental Review, Appendix A). It is not anticipated that acquisition of private Native allotments would be necessary.

II. Class of Action Determination:

1. 23 CFR 771.117(c)

a. Is the action identified on the "c" list? Yes No

b. Identify the applicable "c" list action: **23 CFR 771.117(c)** ()

2. 23 CFR 771.117(d)

a. Is the action identified on the "d" list? Yes No

b. Identify the applicable "d" list action: **23 CFR 771.117(d)** ()

3. Other categorical exclusion

a. The action is not specifically listed on the "c" list or "d" list examples, but qualifies as a categorical exclusion. Provide additional information in Notes section below. Yes No

4. EA - Based on the information available the FHWA has determined that the appropriate Class of Action for the project is an Environmental Assessment. Yes No

5. EIS - Based on the information available the FHWA has determined that the appropriate Class of Action for the project is an Environmental Impact Statement. Yes No

Recommended by:

Brett Nelson DOT&PF Brett Nelson
[Printed Name and Signature] Regional Environmental Manager

Date: 2-24-17

Approved by:

AJ Fletcher [Signature]
[Printed Name and Signature] FHWA Area Engineer

Date: 2-28-17

Approved by:

[Printed Name and Signature] FHWA Environmental Program Manager

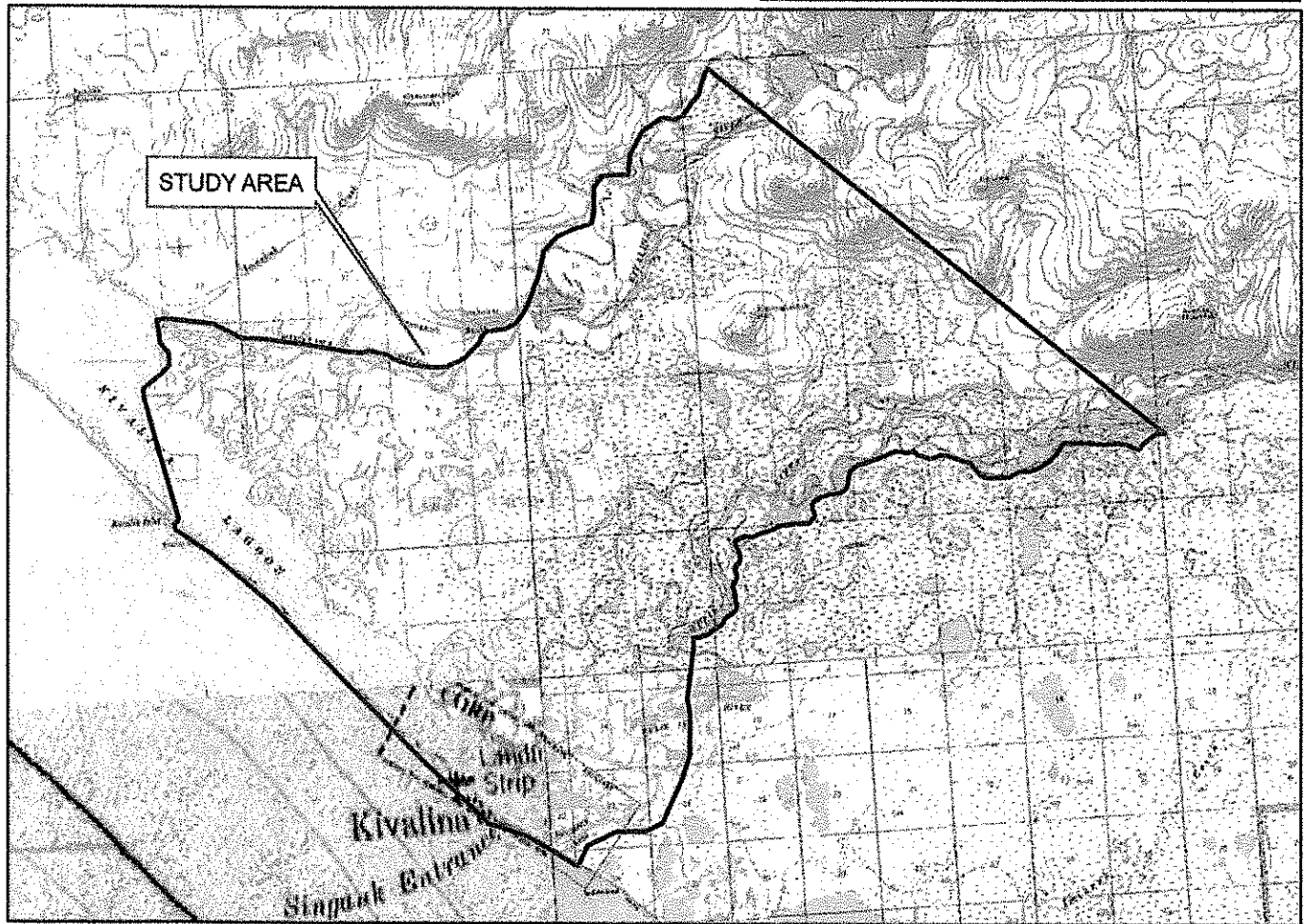
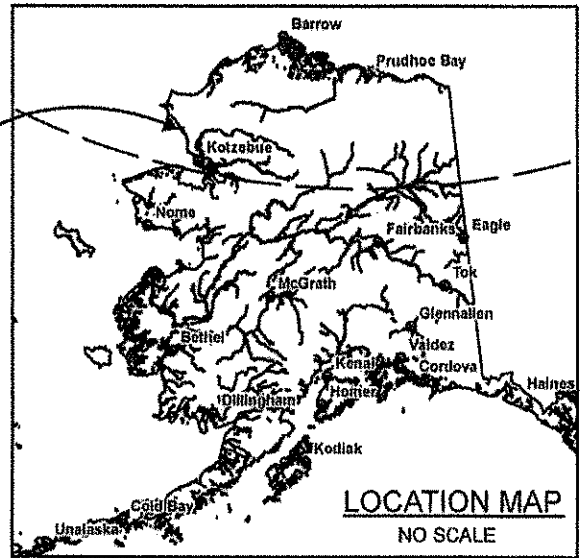
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FHWA Only: There is insufficient information to determine Class of Action at this time.
Additional consultation with FHWA is required to determine Class of Action.

Notes:

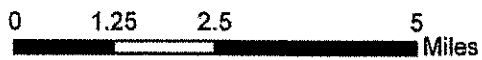


PROJECT
LOCATION



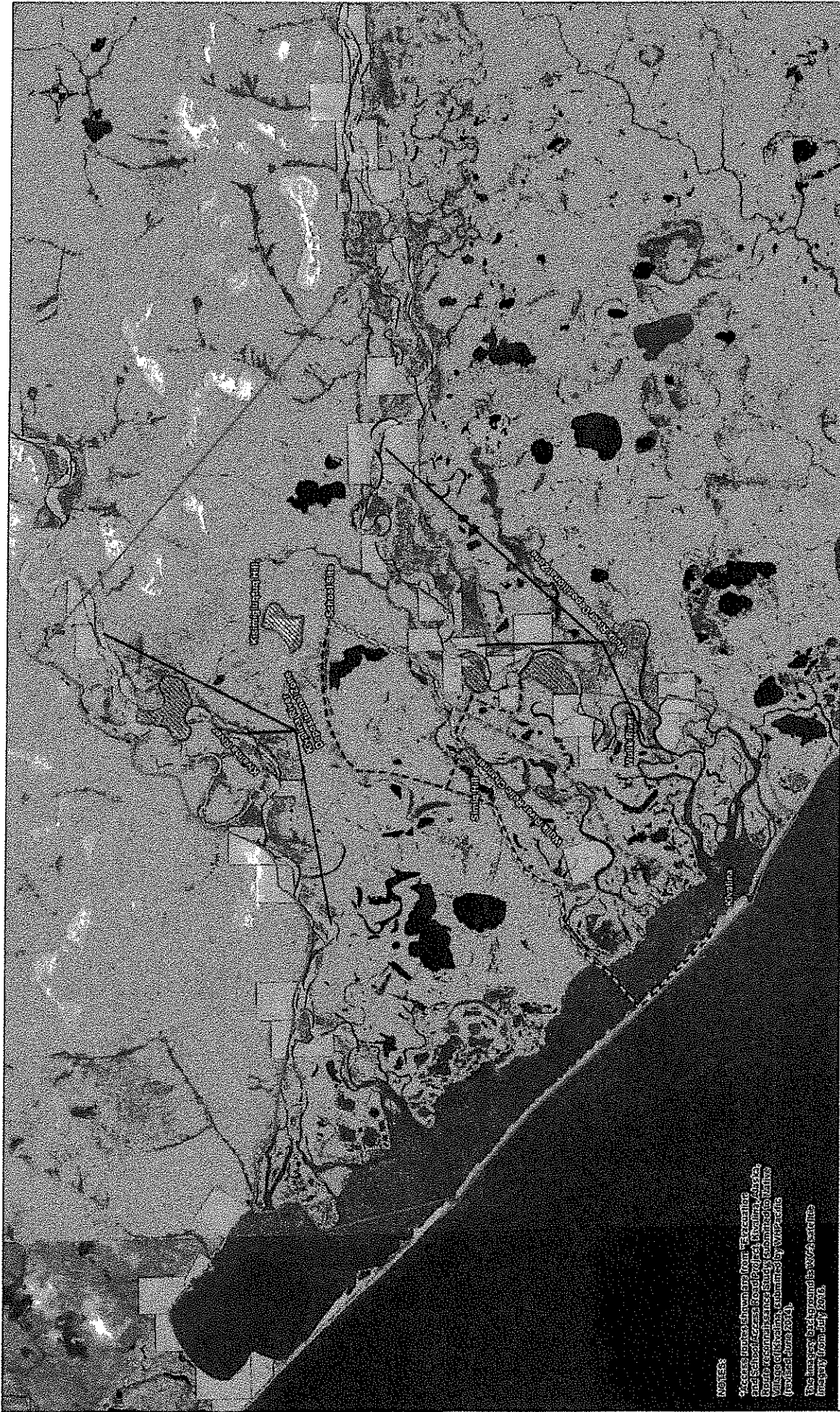
Northwest Arctic Borough
Alaska Department of Transportation
and Public Facilities - Northern Region

Location & Vicinity Map
Project Number: 0002384/NFHWY00162



DATE: November 2016

FIGURE 1



NOTES:
 * Access routes shown are from the existing
 and School Access Road, 2014, 2014, 2014,
 North Access Route Study, 2014, 2014,
 Village of Hamilton, submitted by WSP (2014).
 The survey for the proposed WCA is a
 map from July 2014.

- Legend**
- North Access Route*
 - Combined Access Route*
 - South Access Route*
 - Native Allotments
 - Potential Material Sources
 - Project Study Area



DATE: November 2016
 FIGURE 2
 STUDY AREA AND POTENTIAL SITES
 PROJECT NUMBER: 0002384/NPHWY00162

