

State of Alaska Department of Transportation and Public Facilities
STERLING SAFETY CORRIDOR IMPROVEMENTS, MP 82.5 TO 94
FINDING OF NO SIGNIFICANT IMPACT

Project Numbers:

Federal: 0A33026; State: CFHWY00130

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

Decision

The State of Alaska Department of Transportation and Public Facilities (DOT&PF) has determined that the Proposed Action (the Preferred Alternative) identified in the attached Environmental Assessment (EA) will have no significant impact on the human environment. This Finding of No Significant Impact (FONSI) is based on the attached EA, which has been independently evaluated by the DOT&PF and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed action and appropriate mitigative measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. The DOT&PF takes full responsibility for the accuracy, scope, and content of the attached EA.

Preferred Alternative Summary

The Preferred Alternative would construct a four-lane divided highway, with a depressed median from approximately Handley Street in Sterling to Kleeb Loop in Soldotna, with each end transitioning to a four-lane highway divided with a center two-way left-turn lane to tie back into the existing lane configurations in Sterling and Soldotna. Additional improvements include median breaks approximately every half-mile with dedicated left-turn lanes, frontage road and pedestrian facility construction, utility relocations, vegetation clearing, drainage improvements, and roadside hardware upgrades.

The four-lane, divided with a depressed median highway section will consist of two 12-foot lanes in each direction, eight-foot paved outside shoulders, four-foot paved inside shoulders, separated by a 30-foot wide grass lined ditch. Adjacent to the highway, a separated 10-foot wide multi-use pathway will be installed on the north side of the highway. The pedestrian facilities will meet Americans with Disabilities Act accessibility guidelines, including maximum grade, cross slope, and width. The four-lane, divided highway with a CTWLTL sections will consist of two 12-foot lanes in each direction, a 16-foot CTWLTL, standard curb and gutter, and sidewalk on both sides of the highway to match existing conditions within Sterling and Soldotna.

Environmental Impacts Summary

Construction of the Preferred Alternative will result in both beneficial and potentially adverse effects to the surrounding environment and local community. The proposed project will reduce congestion, improve safety, and increase travel efficiency within the project area. The potential effects of the Preferred Alternative are summarized in Tables FONSI-1 and FONSI-2, and are fully described in Chapter 3 of the Final EA.

Table FONSI-1: Environmental Categories Without Project-Imposed Consequences

Resource Category
Air Quality
Coastal Barriers
Coastal Zone
Cultural Resources
Farmland
Anadromous, Resident, and Essential Fish Habitat
Floodplains
Joint Development
Threatened and Endangered Species
Waterbodies
Wild and Scenic Rivers

Table FONSI-2: Summary of Environmental Consequences

Resource Category	No-Build	Preferred Alternative
Considerations Relating to Pedestrians and Bicyclists	No effect, no separated pathway would be constructed	<ul style="list-style-type: none"> • New separated pathway on north end of Sterling Highway • Increased road width may make crossing the highway more difficult • Center depressed median would provide pedestrian refuge during crossing attempts
Construction Impacts	No effect	<ul style="list-style-type: none"> • Reduced air quality • Increased noise levels • Slight potential for reduced water quality • Traffic delays and detours • Wildlife avoidance of project area • Potential for interference with commercial traffic
Cumulative Impacts	No incremental impacts to contribute	<ul style="list-style-type: none"> • Incremental impacts due to project are expected to contribute negligible or minor cumulative effects to: land use, invasive species, noise, wildlife, and recreation and Section 4(f) resources • Would contribute to adverse cumulative impacts to wetlands and visual quality from past, present, and reasonably foreseeable actions
Energy	No effect	<ul style="list-style-type: none"> • Increase energy consumption during construction • Reduced consumption overall due to decreasing congestion and improved traffic flow

Resource Category	No-Build	Preferred Alternative
Hazardous Materials	No effect	Potential impacts to human health and safety are expected to be minimal
Invasive Species	No effect, normal roadside vegetation management activities would continue	Potential to introduce or further spread invasive species via construction and vegetation clearing
Irreversible and Irrecoverable Commitment of Resources	No effect	<ul style="list-style-type: none"> Approximately 95 acres of additional land necessary to construct improvements Approximately \$77,250,000 of federal funds required to complete the project Considerable amounts of labor, fossil fuels, and construction materials would be expended during construction
Land Use	No changes to current land use or zoning	Project is consistent with applicable transportation and land use plans
Noise	Five receivers, representing six residential receptors would experience noise impacts; no abatement measure would be considered	<ul style="list-style-type: none"> 15 receivers, representing 17 residential receptors, would experience noise impacts by project design year Noise mitigation is not recommended for any of the impacted receivers, per feasibility and reasonableness analyses
Recreation and Section 4(f) Resources	No impacts or use of Section 4(f) properties; no enhancements constructed	<ul style="list-style-type: none"> <i>De minimis</i> impact to Scout Lake State Recreation Site Permanent acquisition of 3.38 acres to realign Scout Lake Road Mitigation and enhancement measures will be constructed to offset proposed impacts
ROW and Relocation	No effect	<ul style="list-style-type: none"> Nine partial parcel acquisitions One full parcel acquisition Total ROW need is approximately 4.88 acres No residential or business relocations
Short-Term Uses vs. Long-Term Productivity	No short-term use, diminished long-term efficiency of the roadway	<ul style="list-style-type: none"> Minor short-term uses via construction activities Long-term benefits to all roadway users through increased capacity and improved safety
Socioeconomics	No effect and travel conditions will continue to deteriorate	<ul style="list-style-type: none"> Safer travel conditions, improved mobility and safety Emergency service response quicker and more efficient No disproportionately high and adverse effects to low-income or minority populations Increased employment opportunities during construction
Visual	No changes to viewshed	<ul style="list-style-type: none"> Appearance and character would change from a rural two-lane road to a four-lane divided arterial roadway Vegetation clearing would increase visibility
Water Quality	No effect	No permanent adverse impacts to water quality

Resource Category	No-Build	Preferred Alternative
Wetlands	No effect	<ul style="list-style-type: none"> Approximately 0.37 acre of palustrine wetland lost due to widening of the highway No substantial effect to the overall availability of wetlands on regional scale or to the functionality of the remaining wetlands within the project area
Wildlife and Migratory Birds	No alteration of current conditions	<ul style="list-style-type: none"> Loss and further fragmentation of roadside habitat due to clearing, including 19 acres of undeveloped forested habitat Reduced frequency of moose-vehicle collisions

Construction of the Preferred Alternative is expected to require the following environmental permits:

- USACE, CWA Section 404 Individual Permit
 - Permit authorizes the discharge of dredged and fill material into jurisdictional Waters of the U.S., including wetlands
- ADEC, CWA Section 401 Water Quality Certification
 - Provides ADEC the opportunity to review Section 404 individual permits and ensure water quality is adequately protected via a water quality assurance certification
- ADEC, APDES Construction General Permit for Discharges from Large and Small Construction Activities
 - Required for projects that disturb greater than one acre of soil and there is potential for storm water to leave the project and enter waters of the U.S.
- ADNR Division of Mining, Land, and Water (MLW) Land Use Permit
 - Permit authorizes construction-related activities occurring on MLW-managed lands, such as staging yards, storage areas, and man camps
- KPB Conditional Use Permit
 - Permit authorizes work, such as vegetation clearing and riprap placement, within the limits of a habitat protection zone (HPZ). The HPZ is defined as a 50-foot horizontal buffer from ordinary high water on either side of a protected waterbody

Public and Agency Coordination

The development of this project dates back to 2014, when the project was expected to be State-funded. However, in 2019, it was determined that Federal funding would be required to complete the project, so the NEPA process began at that time with scoping and the initiation of environmental and engineering studies. Over the course of project development and the preparation of the EA, federal, state, and local agencies, local governments, tribal organizations, and the public were consulted to obtain pertinent information, assist with the development of reasonable alternatives, and identify potential issues and mitigation measures. Outreach efforts included a public involvement plan, a mailing list, project website, newsletters, open houses and mobile public meetings, and displays at multiple Transportations Fairs. Formal agency scoping

was also initiated in 2019, which included email correspondence, meetings, and ongoing consultation on specific environmental issues.

On July 14, 2021, DOT&PF approved the EA for public availability. The formal comment period ran from August 8, 2021 through September 24, 2021. A public open house/open forum hearing was held on September 8, 2021, followed by a virtual public meeting on September 9, 2021, to solicit comments on the EA; a court reporter was present for the hearing. Prior to the hearing, an information kiosk was setup at a nearby grocery store to advertise the meeting. Attendance and comments received were as follows:

- Information Kiosk: 23 attendees, no comments received
- Public Hearing: 33 attendees, 10 comments received
- Virtual Public Meeting: six attendees, one comment received

Comments received were generally in support of the proposed improvements, though not all attendees agreed. However, local users of the roadway continued to acknowledge the increasing levels of congestion and delay, as well as the number of crashes and fatalities and generally expressed a strong desire for improvements that will increase safety and decrease travel time.

A request for comments on the EA was sent to relevant agencies on August 12, 2021. DOT&PF received three agency comments on the Draft EA. The comments were from the Alaska Department of Environmental Conservation Contaminated Sites Program, Environmental Protection Agency, and the Kenai Peninsula Borough River Center. The comments were responded to in the EA, but required no changes to the document or the findings contained therein. DOT&PF will continue to engage with the relevant agencies and affected stakeholders throughout the design process.

Chapter 4 of the EA provides a detailed list of public and agency coordination activities. Appendix F contains public and agency outreach materials from the scoping period to the present.

Environmental Commitments

The following environmental commitments are included in this project:

Air Quality

A SWPPP in accordance with the ADEC APDES CGP for storm water discharge from construction sites would be followed during construction to minimize the amount of loose soils available for air transport. This may include vehicle track out reduction, watering, sweeping, and stabilization of all disturbed ground to suppress loose soil and prevent fugitive dust. Construction equipment and vehicles would be properly tuned and maintained, and unnecessary idling would be prohibited.

Cultural Resources

If unanticipated historic, cultural, or archeological resources are discovered during construction, all work that may impact these resources shall stop immediately, and the contractor shall notify

the Project Engineer. Work would not resume at these sites until a Section 106 consultation is conducted with SHPO

Socioeconomics

Access to all adjacent properties, businesses, public facilities, and recreation areas would be maintained at all times; however, access to some properties may be limited or altered to accommodate construction activities. Construction detours and delays would be localized and short in duration, therefore not permanently affecting or restricting economic vitality within the project area.

The contractor and DOT&PF would maintain open lines of communication with all affected parties and keep the public informed of delays or detours through newspaper ads, signage, and other community outreach methods.

Invasive Species

Landscaping and erosion control measures included in the project would not use or contain any invasive species.

The following measures would be included in soil stabilization and revegetation plans identified in the contractor's Stormwater Pollution Prevention Plan (SWPPP) and required by the ADEC Construction General Permit (CGP):

- All construction equipment and vehicles would be washed prior to being brought on site to remove dirt, seeds, roots, and other plant fragments to prevent any invasive species from being brought onto the project or into Alaska.
- All construction equipment and vehicles would be washed on site to remove dirt, seeds, roots, and other plant fragments to prevent any invasive species from leaving the project area.
- Any erosion control materials made from straw or hay (e.g. wattles, bales of hay, etc.) would be made from certified weed free straw or hay. If certified materials are not available, locally produced products would be utilized to minimize potential importation of new weed propagules from outside Alaska.
- All disturbed areas would be reseeded with certified weed-free seed and vegetated with native species per the ADNR publication, Alaska Coastal Revegetation & Erosion Control Guide.

Water Quality

Prior to construction, the contractor would prepare a DOT&PF-approved SWPPP in accordance with the APDES CGP and DOT&PF contract specification 641 – Erosion, Sediment, and Pollution Control. The SWPPP would also contain a HMCP and Spill Prevention, Control, and Countermeasures (SPCC) Plan to address spills or leaks of hazardous materials. The SWPPP would identify all receiving waters and specify the structural and procedural BMPs that would be utilized during construction to prevent erosion and untreated runoff from reaching nearby water bodies.

All vehicles, trucks, and heavy equipment would be kept within construction limits and operated in a manner that limits unnecessary ground disturbance. Equipment would be routinely inspected and serviced to prevent leaks and accidental spills. If leaks or spills should occur, all contaminated material and soils would be contained and disposed of in an approved offsite location.

Noise

The DOT&PF and construction contractor would comply with all local noise rules, regulations, and ordinances. Measures to control construction-related noise would include requiring proper maintenance of all construction vehicles and equipment, including presence of mufflers in acceptable working condition; ensuring haul routes are located away from residential areas; limiting noisy procedures to daytime hours whenever possible; positioning stationary equipment as far as possible from noise sensitive receivers; and limiting unnecessary equipment idling.

The public would be notified in advance of upcoming construction activities.

Wildlife and Migratory Birds

Clearing and grubbing would not be conducted within the USFWS recommended time period of May 1 to July 15 for avoiding vegetation clearing to prevent impacts to migratory birds, except as permitted by, federal, state, and local laws and approved by the DOT&PF Project Engineer.

Clearing and removing or stunting moose browse to 50 feet off the roadway or to the ROW limits where feasible.

Bald and Golden Eagles

The project area would be surveyed for the presence of eagles and/or their nests prior to construction in order to avoid impacts to nests or nesting birds. If active bald or golden eagle nests are found within the project area, a primary zone of a minimum 330 feet would be maintained as an undisturbed habitat buffer around nesting eagles. If topography or vegetation does not provide an adequate screen or separation, the buffer would be extended to 0.25 mile, or a sufficient distance to screen the nest from human activities. Within the secondary zone (between 330 and 660 feet), no obtrusive facilities or major habitat modifications shall occur. If nesting occurs in sparse stands of trees, treeless areas, or where activities would occur within line-of-sight of the nest, this buffer shall extend up to 0.5 miles. No blasting, logging, or other noisy, disturbing activities within the primary or secondary zones would occur during the nesting period (Feb 1 – August 31). If active bald or golden eagle nests are discovered during construction within 660 feet of the project area, construction activities would cease and USFWS would be contacted for guidance on how to proceed.

Recreation and Section 4(f) Resources

To offset the proposed impacts associated with realigning Scout Lake Road, the following would be conducted at Scout Lake SRS:

- Reducing the audio and visual influences of the highway, eliminating through traffic, and encouraging continuity of the central and eastern parcels of the SRS, making the SRS facilities feel more secluded by:
 - Removing the Sterling Highway access point for the existing alignment by extending the fill slope berm south of the highway across the driveway.
 - Obliterating and revegetating the existing alignment from the SRS parking lot to the extended berm.
- Upgrading and moving the SRS access gates and welcome sign to the intersection of the new and old alignments, effectively making the existing Scout Lake Road alignment the new SRS access road.
- Replacing, upgrading, and installing new SRS directional signs along the Sterling Highway and within the neighborhood street network.
- Re-grading the existing SRS parking lot, which has deteriorated and become badly potholed.

Hazardous Materials

Prior to construction, the contractor would prepare and implement a site-specific HMCP and SPCC in accordance with ADEC requirements and DOT&PF contract specifications to address storage and handling of hazardous materials, including fuel and lubricants and spill response.

All construction waste would be managed and disposed of in accordance with all state and federal solid-waste-management laws and regulations.

In the event that contaminated soil or groundwater is encountered during construction, the contractor shall immediately notify the Project Engineer, and all work shall stop until coordination with the ADEC in accordance with 18 Alaska Administrative Code 75.300 has been completed. All contamination would be handled and disposed of in accordance with an ADEC-approved corrective action plan.

Visual

Dust control BMPs would be implemented during the construction phase to increase visibility and reduce air pollution.

Transportation Flow

The contractor would be required to produce and implement a traffic control plan (TCP) to minimize operational traffic delays and providing effective detours during construction when necessary.

The public, affected local schools, public service organizations and emergency personnel would be notified in advance of construction activities and potential road closures.

Access to all adjacent properties, public facilities, and recreation areas would be maintained at all times.

Finding and Approval

The DOT&PF Statewide Environmental Office (SEO) has determined that the Build Alternative will have no significant impact on the natural or human environment. This Finding of No Significant Impact (FONSI) is based on the attached Final EA and Section 4(f) De Minimis Impact Finding (see Section 3.12 and Appendix D of the Final EA), which the SEO independently determined adequately and accurately discusses the need, potential environmental impacts of the proposed project, and appropriate mitigation measures.

The EA complies with the following Executive Orders (E.O.): E.O. 12898, Environmental Justice; E.O. 11988, Floodplain Management; E.O. 11990, Protection of Wetlands; E.O. 12989, Environmental Justice; E.O. 11988, Floodplain Management; E.O. 11990, Protection of Wetlands; E.O. 11593, Protection and Enhancement of the Cultural Environment; E.O. 13007, Indian Sacred Sites; E.O. 13175, Consultation and Coordination with Indian Tribal Governments; and E.O. 13112, Invasive Species, as amended by E.O. 13751.

The EA and concurrence documents provide sufficient evidence and analysis for determining an Environmental Impact Statement is not required. The DOT&PF SEO takes full responsibility for the accuracy, scope, and content of the attached Final EA and associated consultations. A full list of required permits and compliance activities is included in Section 3.8 of the Final EA.

I have carefully and thoroughly considered the facts contained in the attached EA. Based on that information, I have found the proposed Federal action is consistent with existing national environmental policies and objectives as set forth in Section 101(a) of the National Environmental Policy Act (NEPA) and other applicable environmental requirements. I also find the proposed Federal action will not significantly affect the quality of the human environment or include any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, DOT&PF SEO will not prepare an EIS for this action.

Date

Douglas Kolwaite, Statewide Environmental Program Manager
State of Alaska Department of Transportation and Public Facilities