



MEMORANDUM

STATE OF ALASKA

Department of Transportation and Public Facilities
- Central Region Design and Construction
Preliminary Design and Environmental

To: Dale Lewis
Central Region Area Liaison
FHWA

Date: April 19, 2007

Project No.: 59759

Phone No.: 269-0534

From: Jerry O. Ruehle 
Environmental Coordinator

Subject: False Pass Landfill Road, CE Checklist

The U.S. Department of Agriculture is funding the False Pass landfill, completed the environmental assessment, and issued a FONSI for the project on May 4, 2005. The City of False Pass requested FHWA funding for the landfill access road. In March 2007, FHWA determined that a CE would be the appropriate level of documentation for FHWA road funding for the False Pass Landfill Road. Because the road is in a new location, FHWA determined the project could not classify as an action covered under the Programmatic Agreement.

All of the environmental permits for the road have been obtained. The local Native corporation, Isanotski Corporation, is the landowner and is donating the right-of-way for the road to the City of False Pass. The City of False Pass will assume road maintenance.

Please review and approve the attached CE Documentation Form. Teresa Zimmerman, Environmental Team Leader, can be contacted if you have any questions. She can be reached at 269-0551 or teresa_zimmerman@dot.state.ak.us.

Attachment: False Pass Landfill Access Road, CE Documentation Form

cc: Morgan Merritt, P.E., Project Manager, Aviation Design
Teresa Zimmerman, Environmental Team Leader



CATEGORICAL EXCLUSION DOCUMENTATION FORM

Project Name: False Pass Landfill Access Road
Project Number (state/federal): 59759

Date: April 6, 2007

I. Purpose of Project

The purpose of the proposed project is to construct a new 0.6 mile access road to the new landfill and sewage sludge facility site in False Pass (Sheet 1 and 2 attached). The road would have one travel lane, with turnouts for vehicle passage.

The City of False Pass received grant funding from the USDA for the existing landfill closure and constructing the new landfill and sewage sludge facility. The City is requesting Federal Highway Administration (FHWA) funding for the landfill access road and bridge that crosses Ungaman Creek.

II. Project Description

The proposed project would construct a new 0.6-mile landfill access road (Sheet 4. Proposed Landfill and Access Road attached) and install a bridge (Sheets 3 and 4 attached) to cross Ungaman Creek. The access road will start at an existing road adjacent to the crab pot storage area, north of the City dock, and terminate at a turnaround at the new landfill site.

Construction is expected to begin after the fall of 2007. The road will be one-lane, gravel-surfaced, with turnouts, approximately 14 feet wide (traveling surface) by 3,360 feet (approximately 0.6 mile) long. The road would have a design speed of 20 miles per hour. Side slopes would be 4:1 or steeper.

A single lane bridge will be installed to cross Ungaman Creek. No abutments or piers will be placed in the creek. The bridge would be approximately 110 feet long and would be installed 1/2 mile from the creek's outlet into Isanotski Strait. Guide banks will be constructed along the sides of the creek to protect the bridge from flood damage and to prevent a lateral shift of the creek channel up stream of the bridge. Both guide banks will be approximately 120 feet long with side slopes (18 inch gabion mattress) no greater than 2:1. The guide banks will extend approximately 50 feet up stream of the bridge and Class III riprap (12 feet wide by 3.5 feet thick) will be placed at the toe of slopes.

The Isanotski Corporation will donate the necessary right-of-way for the road to the City of False Pass. The City of False Pass will assume road maintenance.

III. Environmental Consequences

Complete the following. For each yes, summarize the activity evaluated and the magnitude of the impact and the potential for significant impact based on context and intensity. An alternatives analysis (e.g. Avoidance and Minimization Checklist) is required for any consequence category with an asterisk (). Summarize impacts in this form with detailed analysis attached as appropriate.*

	<u>N/A</u>	<u>YES</u>	<u>NO</u>
A. <u>Right-of-Way Impacts</u>			
1. Additional right-of-way required.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Permanent easements required.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated number of parcels: _____			
b. Full or partial property acquisition required.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Estimated number of parcels: 1

- c. Property transfer from state or federal agency required. List agencies in No. 3 below.
- d. Business or residential relocations required. If yes, summarize the findings of the conceptual stage relocation study in No. 3, below and attach the conceptual relocation study. *

No. of relocations: _____

Type of relocation: Residential: Business:

Residential (Indicate number: _____)

Business (Indicate number: _____)

- e. Last-resort housing required.
2. Low-income and minority populations are disproportionately high and adversely affected by the project as defined in E.O. 12898 (DOT Order 6640.23, December 1998).
3. Summarize impact.

The City of False Pass does not have land within or outside of city boundaries appropriate for use as a landfill. The project area is currently undeveloped, and would extend from a main community thoroughfare. The local Native Corporation (Isanotski) owns the surface estate and is transferring (donating) the ROW for the road and landfill to the City of False Pass. A copy of the Isanotski letter of intent is attached. The Federal government owns the subsurface estate, which is managed by the US Fish and Wildlife Service (USFWS) (Alaska Maritime National Wildlife Refuge). A letter of non-objection or a consent to easement will be obtained from USFWS for the landfill road. No additional ROW impacts are anticipated from the proposed project.

- | | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|---|--------------------------|-------------------------------------|-------------------------------------|
| B. <u>Social Impacts</u> | | | |
| 1. The project will affect neighborhoods or community cohesion. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. The project will affect travel patterns and accessibility (e.g. vehicular, commuter, bicycle, or pedestrian). | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. The project will affect school boundaries, recreation areas, churches, businesses, police and fire protection, etc. Include the direct and indirect impacts from the displacement of businesses in the analysis. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. The project will adversely affect the elderly, handicapped, nondrivers, transit-dependent, minority and ethnic groups, or the economically disadvantaged. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Summarize impacts, if any. | | | |

The proposed project involves constructing a new road and bridge to access the new landfill site that will be located further from residential housing. The landfill access road is on undeveloped land. No social impacts are anticipated from the proposed project.

- | | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|--|--------------------------|--------------------------|-------------------------------------|
| C. <u>Economic Impacts</u> | | | |
| 1. The project will have 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. The project will affect established businesses or business districts. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Summarize impacts, if any. | | | |

The proposed project involves constructing a new bridge and road to the new landfill site. No economic impacts are anticipated from the proposed project.

- | | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|--|--------------------------|-------------------------------------|-------------------------------------|
| D. <u>Local Land Use and Transportation Plan</u> | | | |
| 1. Project is consistent with local land use plan. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Project is consistent with local transportation plan. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Project would induce adverse secondary and cumulative effects. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Summarize any adverse effect on the local transportation and land use plan, including secondary and cumulative effects. | | | |

The Isanotski Corporation, the False Pass Tribal Council, and the City have agreed on the new location for the landfill. The location was selected from lands available from the Isanotski Corporation. The community wanted to avoid areas used for subsistence and allow for further community development. An additional consideration was placing the landfill an appropriate distance from the airport.

- | | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|---|--------------------------|----------------------------|-------------------------------------|
| E. <u>Impacts to Historic Properties</u> | | | |
| 1. National Register-listed or eligible properties are in area of potential effect. If yes, consult with FHWA. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. There will be an adverse effect on a historic property. <i>If yes, consult with FHWA, summarize alternatives evaluated, attach SHPO correspondence, and attach signed MOA).</i> | <input type="checkbox"/> | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 3. This project would have no potential to cause effect to historic properties. <i>This project does meet the criteria for no formal review under Section 106 of the National Historic Preservation Act [36 CFR 800.3(a)(1)] per the May 2, 2006 determination by the Alaska Division of FHWA. If yes, note applicability in number 4 below or attach email from the FHWA. Attach SHPO and other appropriate correspondence as appropriate.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Summarize impacts to historic properties. | | | |

The State Historic Preservation Officer (SHPO) was contacted and identified two sites from the Alaska Heritage Resources Survey files in the vicinity of the proposed project. XFP-40 (unnamed) consists of depressions near the mouth of the stream and XFP-49 (unnamed) is a historic cabin. The SHPO recommended an archaeological survey be completed. On October 2, 2003 Herbert Maschner performed a surface reconnaissance of the proposed area of disturbance. No historic or prehistoric remains of any kind were found on or within 50 meters of the proposed landfill and access road. SHPO concurrence with the findings of no historic properties affected was received on October 31, 2003. The correspondence is attached. On April 4, 2007, the AHRS records were examined to determine whether new sites were recorded since the site reconnaissance. No new sites were recorded.

- | | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|--|-------------------------------------|---------------------------------------|--------------------------|
| F. <u>Wetlands Impacts</u> | | | |
| 1. Project involves wetlands as defined by the U.S. Army Corps of Engineers (USACE). <i>If yes, document public and agency coordination required per E.O. 11990, Protection of Wetlands.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> * | <input type="checkbox"/> |
| 2. Wetlands delineated in accordance with DOT&PF/FHWA/USACE 1992 Permit Accord. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Estimated area of involvement (i.e. acres): <u>0.2</u> | | | |
| 4. Estimated fill quantities (cubic yards): <u>1500</u> | | | |

F. Wetlands Impacts

- 5. Estimated dredge quantities (cubic yards): 1500
- 6. USACE authorization anticipated: None
 Type: NWP Individual Other
- 7. Summarize wetlands impacts and attach following supporting documentation as appropriate:
 - Avoidance and Minimization Checklist.
 - Wetlands Delineation.
 - Jurisdictional Determination.
 - Copies of public and resource agency letters received in response to the request for comments.

Wetlands impacts are as follows:

A site visit was completed by the U.S. Army Corps of Engineers (USACE) on June 30, 2004. USACE determined the proposed project would not involve work or the placement of dredged and/or fill material into waters of the U.S. However, the bridge will require riprap and/or additional fill below ordinary high water (OHW) of Ungaman Creek. A Nationwide permit (NWP) 13 (No. POA-2004-672-D) was issued by USACE in March 2005. A copy of the permit is attached.

No practical alternatives are available to avoid construction in wetlands. The stream must be crossed in order to access the landfill site. Appropriate measures will be used to minimize harm to the wetlands; the bridge will be a clear span, avoiding additional wetland fill. The guide banks will be constructed to conform to the channel shape to not constrict the channel and minimize stream bank alteration. In-water work will be isolated from the flowing waters of the creek. Any bank cuts, slopes, fill, or other exposed earth work shall be stabilized and revegetated to prevent erosion and sedimentation of Ungaman Creek both during and after project construction. Any other appropriate Best Management Practices (BMPs) will be implemented to minimize impacts at the stream crossing.

8. Wetlands Finding:

- 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. List any commitments and mitigative measures in Section VII.*
- 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.*

G. Fish and Wildlife

- 1. Anadromous or resident fish habitat.
 - a. Adverse effect on spawning habitat. *
 - b. Adverse effect on rearing habitat. *
 - c. Adverse effect on migration corridors. *
 - d. Adverse effect on subsistence species. *

	<u>N/A</u>	<u>YES</u>	<u>NO</u>
G. Fish and Wildlife			
2. Essential Fish Habitat (EFH).			
a. EFH present in project area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Project proposes construction in EFH. <i>If yes describe EFH impacts in Section G, No. 5.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Project may adversely affect EFH. <i>If yes, attach EFH Assessment.</i>	<input type="checkbox"/>	<input type="checkbox"/> *	<input checked="" type="checkbox"/>
d. Project includes conservation recommendations proposed by NOAA Fisheries. If no, formal notification must be made to NOAA Fisheries. (Summarize the final conservation measures in No. 5 and list in Section VII).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Wildlife Resources (game/subsistence species):			
a. Project is in area of high wildlife/vehicle accidents.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Project would bisect migration corridors.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Project would segment habitat.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Project would adversely affect species of concern to Alaska Department of Fish and Game (ADF&G). <i>If yes, attach appropriate documentation from ADF&G that demonstrates the project would not result in significant adverse impacts.</i>	<input type="checkbox"/>	<input type="checkbox"/> *	<input checked="" type="checkbox"/>
4. Bald Eagle and Golden Eagle Protection Act			
a. Project slope limits are within 660 feet of eagle nesting tree. <i>If yes, consult USF&WS and attach documentation of consultation.</i>	<input type="checkbox"/>	<input type="checkbox"/> *	<input checked="" type="checkbox"/>
b. Project would adversely affect eagles or their nests. <i>If yes, project cannot be approved as proposed.</i>	<input type="checkbox"/>	<input type="checkbox"/> *	<input checked="" type="checkbox"/>
5. Summarize adverse fish and wildlife impacts.			

The proposed project will cross a creek one mile north of the City dock, locally known as Ungaman Creek. The creek is not listed in the Alaska Department of Fish and Game Catalog of Waters Important to the Spawning, Rearing, or Migration of Anadromous Fishes. Local residents report the creek is not fished for salmon. The Alaska Department of Natural Resources (ADNR) office of Habitat Management and Permitting (OHMP) issued Fish Habitat Permit FH 05-II-0009 on February 25, 2005; the permit expires upon abandonment and restoration of the project. The permit states that Ungaman Creek is not specified as being important for the spawning, rearing, or migration of anadromous fish pursuant to AS 41.14.870(a); however it is likely that anadromous and or resident fish inhabit the stream. All conditions of the permit will be followed to minimize adverse effects to the fish resources. A copy of the permit is attached.

Bald Eagles are known to nest in an area approximately ½ mile from the beginning of project, and approximately 1 mile from the end of project, as illustrated on the attached map. Consultation with local residents and USFWS (records attached) indicates that the project would not impact known eagles nests. Should active eagles nest(s) be discovered within 660 feet of the project area, USFWS will be contacted to discuss level of activity to be conducted during the nesting season (March 1 through August 15), and determine monitoring needs.

	<u>N/A</u>	<u>YES</u>	<u>NO</u>
H. Threatened and Endangered Species (T&E)			
1. Listed threatened or endangered species present.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Threatened or endangered species migrate through the project area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Proposed species present in project area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Candidate species present in project area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|---|--------------------------|-------------------------------------|-------------------------------------|
| H. <u>Threatened and Endangered Species (T&E)</u> | | | |
| 5. Project not likely to adversely affect T&E species. <i>If yes, go to Section I.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Project may adversely affect T&E species. <i>If yes, attach biological assessment and the appropriate documentation from agency with jurisdiction.</i> | <input type="checkbox"/> | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 7. Project would jeopardize a T&E species. <i>If yes the project cannot be approved as proposed.</i> | <input type="checkbox"/> | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 8. Summarize the findings of the biological assessment and the opinion of the agency with jurisdiction. | | | |

The Steller's eider, Steller sea lion, fin whale, humpback whale, blue whale, sei whale, and sperm whale have all been observed in the marine waters in the False Pass area. Section 7 consultation with the USFWS has been completed for the landfill project. The USFWS concluded that the listed species under their jurisdiction would not likely be adversely affected by the proposed project. A copy of the correspondence is attached. The NMFS was sent a scoping letter on January 6, 2004. The project does not impact marine waters, so protected species under NMFS jurisdiction are unlikely to be affected. The NMFS agreed that the project would not likely affect listed species under their jurisdiction; the conversation log is attached.

- | | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|---|--------------------------|---------------------------------------|-------------------------------------|
| I. <u>Water Body Involvement</u> | | | |
| 1. Project affects a water body. | <input type="checkbox"/> | <input checked="" type="checkbox"/> * | <input type="checkbox"/> |
| 2. Project affects a navigable water body as defined by USCG, (i.e. Section 9). | <input type="checkbox"/> | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 3. Project affects Waters of the U.S. (as defined by the Corps), 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 Corps) Section 10. | <input type="checkbox"/> | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 5. Project affects a resident fish stream (i.e. A.S. 41.14.840) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Project affects a cataloged anadromous fish stream (i.e. A.S. 41.14.870). | <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, Regional Environmental Coordinator must consult with the FHWA Environmental Program Manager to determine applicability of Section 4(f).</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8. Proposed river or stream involvement: Bridge <input checked="" type="checkbox"/> Culvert <input type="checkbox"/> Embankment Fill <input type="checkbox"/>
Relocation <input type="checkbox"/> Diversion <input type="checkbox"/> Temporary <input type="checkbox"/> Permanent <input checked="" type="checkbox"/> N/A <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"/> N/A <input type="checkbox"/> | | | |
| 10. Amount of fill below: OHW <u>1,500 cubic yards</u> MHW _____ HTL _____ | | | |
| 11. Summarize impacts: | | | |

The proposed project will include work below OHW in Ungaman Creek. The work below OHW will consist of building two guide bank structures to prevent flood damage and lateral shift of the stream channel. The guide banks will be installed to conform to the existing shape of the channel, excavated material will be stored nearby to backfill the guide banks to encourage finer material to fill in the empty spaces and maintain the natural flow of the stream. Work in the stream will be isolated from the flowing water. Water quality will be protected using appropriate BMPs.

- | | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|--|--------------------------|-------------------------------------|--------------------------|
| J. <u>Alaska Coastal Management Program (ACMP)</u> | | | |
| 1. Project is within the Alaska Coastal Management Program boundary. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Project is within a local coastal management district. <i>If yes, consult with the local coastal management official and attach correspondence.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Project is consistent with local and state coastal management plans. <i>If no, the project cannot be approved as proposed.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

J. Alaska Coastal Management Program (ACMP)

N/A YES NO

4. Finding:

The proposed project will take place within the Aleutians East Borough Coastal District. The Coastal Project Questionnaire (CPQ) was submitted to the Office of Project Management and Permitting (OPMP). OPMP responded that that ACMP review was not required provided the project complies with General Concurrence Determination (GCD) # 7 for culvert and bridge installation. A copy of the OPMP letter is attached.

K. Hazardous Waste (HW)

N/A YES NO

- 1. There are known or potentially contaminated sites along the corridor.
- 2. The existing and/or proposed ROW is contaminated.
- 3. Extensive excavation is proposed adjacent to, or within, a known HW site. *
- 4. Potential for encountering hazardous waste during construction is high.
- 5. Summarize impacts of any yes marked in 1-4 and attach appropriate HW investigation report.

No areas of concern were identified from a review of the Alaska Department Environmental Conservation (ADEC) contaminated sites and leaking underground storage tanks database or spills database or Federal databases. Informal discussions with a False Pass City official (Nickels 2003) and an examination of aerial photography indicate the potential for encountering environmental contamination is low. The project area is currently undeveloped and no activities that could lead to contamination are known to have occurred on the site.

L. Air Quality (Conformity)

N/A YES NO

- 1. The project is located in an air quality maintenance area or nonattainment area (CO or PM-10). *If yes, indicate CO or PM-10 and complete the remainder of this section. If no, continue to next section.*
- 2. If applicable, the project is included in a conforming Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP) (state dates of FHWA/FTA conformity determination). Date:
- 3. The project is exempt from an air quality analysis per 40 CFR 93.126 (Table 2 and Exempt Projects). *If yes, continue to next section. If no, complete the remainder of this section. Note: A project-level air quality conformity analysis is required for CO nonattainment and maintenance areas and a qualitative project-level analysis is required for PM-10 nonattainment and maintenance areas.*
- 4. Have there been any significant changes in the design, concept, and/or scope as discussed in the most recent conforming TIP and LRTP? *If yes, describe changes in No. 7. 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).*
- 5. If required, 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 maintenance areas or 93.116(b) for nonattainment areas. *Attach a copy of the analysis.*
- 6. If required, 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(a). (The thresholds are different for PM-10 than they are for CO). *Attach a copy of the analysis.*
- 7. Summarize air quality impacts:

n/a

- | | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|--|-------------------------------------|-------------------------------------|-------------------------------------|
| M. <u>Floodplains Impacts (23 CFR Part 650, Subpart A)</u> | | | |
| 1. Project encroaches longitudinally into the 100-year floodplain (i.e. base floodplain in fresh or marine waters). <i>If yes, public comments on the action must be requested and comments received attached. Summarize the findings and attach the "Location Hydraulic Study" developed per 23CFR 650.111.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Project encroaches into a regulatory floodway. <i>If yes attach the location hydraulic study.</i> | <input type="checkbox"/> | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 3. The proposed action would increase the base flood elevation one-foot or greater. <i>If yes attach the location hydraulic study.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. The encroachment is significant as defined by 23CFR 650.105. <i>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 FHWA approval.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Project conforms to local flood hazard ordinances. <i>If no, consult with FHWA.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Project is consistent with E.O. 11988 (Floodplain Protection). <i>If no the project cannot be approved as proposed.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

7. Summarize risk and adverse floodplain impacts:

The bridge crossing is located above tidal influence. Hydrologic analysis of the stream indicates that the 100-year flood elevation at the proposed stream crossing is approximately 65.8 feet in elevation. The proposed bridge is a single span structure with no abutments or piers within the 100 year floodplain. The lowest horizontal cross channel component will be 4 feet above the 100 year flood elevation. Riprap and gabion bank protection for the bridge abutments to armor the present banks would be keyed in below the 100-year flood elevation. The flood hazard rating for the creek is unknown; however, unusually prolonged rain in the mid-1990s resulted in the lower reach (downstream of the proposed bridge crossing) shifting to the north. A new creek mouth was established north of the original mouth and is clearly visible on 2003 aerial photography. The Federal Emergency Management Agency (FEMA) has not mapped the 100 year floodplain in the area. (HDR Pre-NEPA Scoping Report, attached.)

- | | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|--|-------------------------------------|--------------------------|-------------------------------------|
| N. <u>Noise Impact (23 CFR Part 772)</u> | | | |
| 1. There are noise-sensitive receivers/land uses adjacent to the proposed project. <i>If yes attach the noise analysis, if applicable. If no, go to section "O".</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>Category A: There are adjacent lands where 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.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <i>Category B: There are adjacent picnic areas, recreation areas, playgrounds, active sports areas, parks, residences, hotels, motels, schools, churches, libraries, or hospitals.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <i>Category C: There are adjacent developed lands, properties, or activities not included in categories A or B above. This would include commercial properties.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. The project is located on new location, would result in substantial changes in vertical or horizontal alignment, or would increase the number of through lanes. <i>If yes, a noise analysis is required. If not, go to Section O.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. There is an existing noise impact. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- | | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|--|-------------------------------------|--------------------------|--------------------------|
| N. <u>Noise Impact (23 CFR Part 772)</u> | | | |
| 4. The project would create a noise impact. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Noise analysis demonstrates potential noise impacts. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. There are feasible and reasonable measures that can reduce noise impacts. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. The noise abatement measures listed in 23 CFR 772.13(c)(1-5) have been considered for those receivers where a noise impact would occur. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Summarize noise impact and abatement measures considered, if applicable. | | | |

Noise analysis was not conducted for the proposed project. While the proposed project would be new construction, the new road is not expected to generate a noise impact due to the low traffic volumes expected. The new landfill will be placed further from residential housing than the existing landfill, resulting in less of a noise impact on the community. Noise impacts from construction would be short term and are discussed in section IV (Construction Impacts).

- | | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|---|--------------------------|-------------------------------------|-------------------------------------|
| O. <u>Water Quality Impact</u> | | | |
| 1. Project would involve a public or private drinking source. <i>If yes, explain in no. 7.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Project would result in a discharge of storm water to a Waters of the U.S. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Project would discharge storm water into or affect an ADEC designated impaired water body. <i>If yes, list in no. 4 and describe in no. 7.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. List name(s) and location(s). | | | |
- No impaired water bodies are listed by the ADEC in the False Pass area.

- | | | | |
|--|--------------------------|--------------------------|-------------------------------------|
| 5. Estimate the acreage of ground-disturbing activities that will result from the project?
3 acres | | | |
| 6. Is there a municipal separate storm sewer system (MS4) NPDES permit, or will runoff be mixed with discharges from an NPDES permitted industrial facility? If yes, NPDES permit #: _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Summarize the impacts of any "yes" marked in Section O. | | | |

The acreage of ground disturbing activities is approximately 3 acres for a one-lane, 0.6 mile road, and a potential exists for storm water to reach waters of the U.S. Appropriate measures will be taken to minimize runoff. A Storm Water Pollution Prevention Plan (SWPPP) and a Hazardous Material Control Plan (HMCP) will be prepared by the Contractor and implemented prior to construction. The Contractor will be required to use BMPs to minimize storm water discharge and comply with the NPDES General Permit for Construction Activities in Alaska.

- | | <u>N/A</u> | <u>YES</u> | <u>NO</u> |
|---|--------------------------|-------------------------------------|-------------------------------------|
| P. <u>Permits and Authorizations</u> | | | |
| 1. Corps, Section 404/10 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Coast Guard, Section 9 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Department of Natural Resources (DNR), Fish Habitat Permit (T41.870 and .840) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Flood Hazard | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Department of Environmental Conservation (ADEC) Non-domestic Wastewater Plan Approval. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. ADEC 401 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. DNR, ACMP consistency | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

P. Permits and Authorizations N/A YES NO
 8. Other. *If yes, list.*
 The proposed project will additionally require using the NPDES General Permit for Construction Activities in Alaska.

The permits for the proposed project have already been obtained. Fish Habitat Permit FH 05-II-0009 was received on February 25, 2005 and expires upon abandonment and restoration of the project. A CPQ was submitted, and OPMP determined a Alaska Coastal Management Program (ACMP) review was not required; the project will comply with GCD-7 (culvert and bridge installation). The NWP 13 authorization was obtained in March 2005. While the NWP expired in March 2007, the permitted activity expiration date has been extended to 2008.

IV. Construction Impacts N/A YES NO

1. There will be temporary degradation of water quality.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. There will be temporary stream diversion.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. There will be temporary degradation of air quality.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. There will be temporary delays and detours of traffic.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. There will be temporary impact on businesses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. There will be other construction impacts, including noise.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Summarize construction impacts associated with any "yes" in Section IV.			

Temporary stream diversion in Ungaman Creek will be necessary during bridge and guide bank installation. BMPs will be implemented during construction to minimize erosion and sedimentation. Residents in the area will experience temporary impacts on air quality from the increased airborne particulate levels and emissions from heavy equipment during construction activities. Using abatement measures such as watering for dust control and appropriate equipment maintenance will minimize these impacts. Noise levels will increase on a short-term basis due to use of heavy equipment.

V. Section 4(f)/6(f) N/A YES NO

1. Section 4(f) properties would be affected by the proposed action.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. There would be a "use" of any land from these 4(f) properties.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. The project would affect Section 6(f) properties.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Funds from the Land and Water Conservation Fund Act (LWCFA) were used for improvement to the 4(f) property.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Is the use of the property receiving LWCFA funds a "conversion of use" per Section 6(f) of the LWCFA? <i>Attach the correspondence received from the ADNR 6(f) Grants Administer. If yes, consult with FHWA.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Project is adjacent to a Section 4(f) resource. <i>If yes, consult with the FHWA Environmental Programs Manager to determine applicability of "constructive use".</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Summarize the type of involvement. Coordinate with the land manager and attach appropriate documentation (i.e. Section 4(f) or Section 6(f) Evaluation).			

The surface estate is owned by Isanotski Corporation, is not publicly owned, and Section 4(f) does not apply. The subsurface estate was retained by USFWS pursuant to ANCSA, and is not a Section 4(f) resource. The nearest surface estate of the Alaska Maritime National Wildlife Refuge is approximately 3 miles away. The landfill road area is surrounded by land owned by Isanotski Corp. The False Pass Community Park, a 6(f) property, is located near the center of the community, will not be impacted by the proposed project. A map

depicting the park location is attached.

VI. 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Meetings	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Newspaper ads Name of newspaper: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Scoping letters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Scoping meeting	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Field review	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Summarize comments and coordination efforts for this project. Discuss pertinent issues raised during public and agency scoping and public meetings. <i>Attach agency correspondence that demonstrates coordination and that there are no unresolved issues.</i>			

A Scoping letter for the False Pass Landfill Access Road was sent to ADNR SHPO, OHMP, OPMP, and the division of Mining, Land, and Water, USACE, and USFWS on January 26, 2004. SHPO concurrence had been received prior to scoping, and confirmed via e-mail on January 9, 2004. OHMP had additional questions that were resolved in future correspondence; OHMP issued a Fish Habitat Permit for the required work below OHW on February 25, 2005. OPMP requested a completed CPQ and Certification Statement once the need for federal and state permits had been determined. A completed CPQ was submitted, and notification was received from OPMP that a coastal zone review was not necessary. The DNR Division of Mining, Land, and Water suggested that a temporary water use permit would be necessary if more than 500 gallons of water per day from a single source would be used for construction. Later correspondence confirmed authorization would not be needed. On June 30, 2004 USACE conducted an on-site field inspection and determined that no dredged or fill material would be placed into waters of the U.S. for the road. However, a NWP 13 was issued to cover the bridge work. USFWS advised (February 12, 2003) that listed species are not likely to be adversely affected by the proposed project. USFWS agreed that (March 20, 2007) no known eagles nests were located within the primary or secondary zone (660 feet) of the project site.

Public scoping was also conducted. A newsletter was sent to all post office box holders in False Pass in December 2003. A public meeting was held on January 13, 2004, and the public comment period ended February 15, 2004. Questions brought up during the public meeting included how long the new landfill will operate, and how much will the landfill cost to operate. The public wanted to know if access would be open to the public, if there would be recycling, and if the old landfill would still be used as the tsunami warning meeting point. The present application proposes no changes to the operations; however the city is responsible for determining practices such as opening the gate for self haul. Some recycling would be possible, including oil, antifreeze, refrigerant, and batteries. Scrap metals can be recycled on a more intermittent basis by barge, but may not be practical. The use of either the old or new landfill location as a tsunami gathering location would also be up to the city. The new landfill may be further from the community and travel there would be along the coast. The old landfill will be capped and revegetated and the road will be left in place.

VII. Environmental Commitments and Mitigation Measures N/A YES NO

List environmental commitments or mitigation measures included in the project.

1. Construction equipment will not be refueled or serviced within 100 feet of wetlands or water bodies.
2. The Construction Contractor will be required to prepare and implement a SWPPP and a HMCP in accordance with DOT&PF contract specifications.
3. If contaminated or hazardous materials are encountered during construction, all work in the vicinity of the contaminated site will be stopped until ADEC is contacted and a corrective action plan is approved by ADEC and implemented.

4. Solid waste will be collected and disposed offsite according to applicable laws and regulations.
5. If cultural, archaeological, or historical sites are discovered during construction, the SHPO will be contacted and any work that might impact these sites will be stopped. Work shall not resume in the vicinity of the site until a written clearance for the SHPO is issued to the Project Engineer.
6. If active eagle nests are found within 660 feet of the project area (primary and secondary zones), then DOT&PF in conjunction with USFWS will determine appropriate actions, which could include 1) restricting certain construction activities during sensitive nesting time periods or 2) monitoring the nest during construction.
7. Residents and local businesses will be notified prior to construction activities so those users can be accommodated to all practical means.

VIII. Environmental Documentation Approval

N/A YES NO

- | | | | |
|--|--------------------------|--------------------------|-------------------------------------|
| 1. Project listed as a CE, per FHWA 23 CFR 771.117(c). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Project listed as a CE, per FHWA 23 CFR 771.117(d). If no, consult with FHWA, Area Liaison. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Project meets the criteria for programmatic approval under a Programmatic CE Agreement between FHWA and DOT&PF. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Prepared by: Teresa J Zimmerman
Environmental Analyst

Date: 4/19/07

Reviewed by: Morgan Merritt
Engineering Manager

Date: 4/19/2007

Approved by: Jimmy O. Rueda
Regional Environmental Coordinator

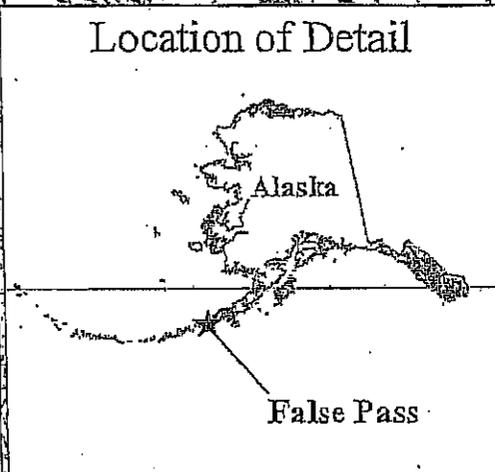
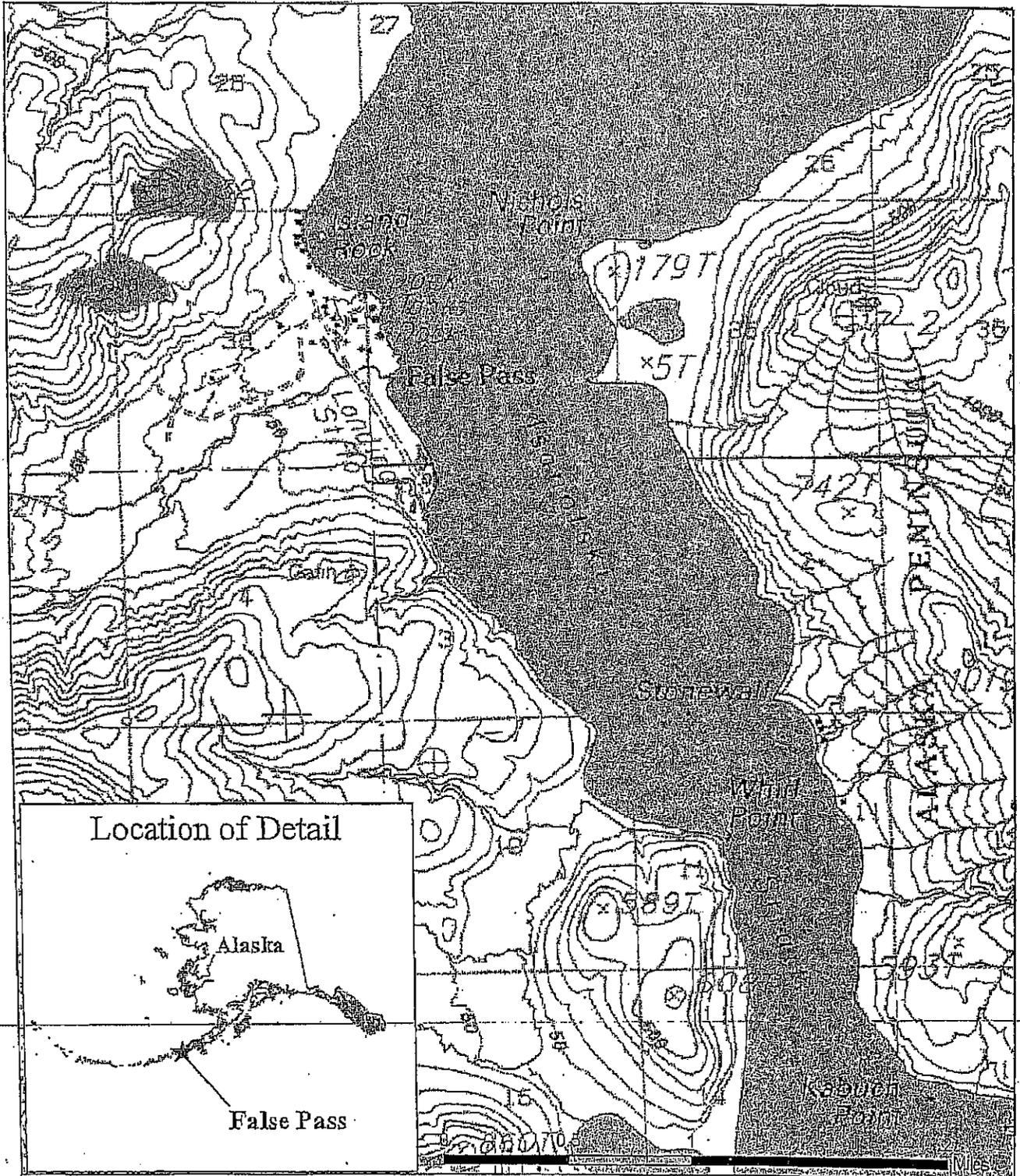
Date: 4/19/2007

Approved by: _____
FHWA Area Liaison (signature required only for non-programmatic CEs)

Date: _____

**Attachments
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LOCATION:
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 Seward Meridian
 USGS Map: False Pass D-5

SHEET 1

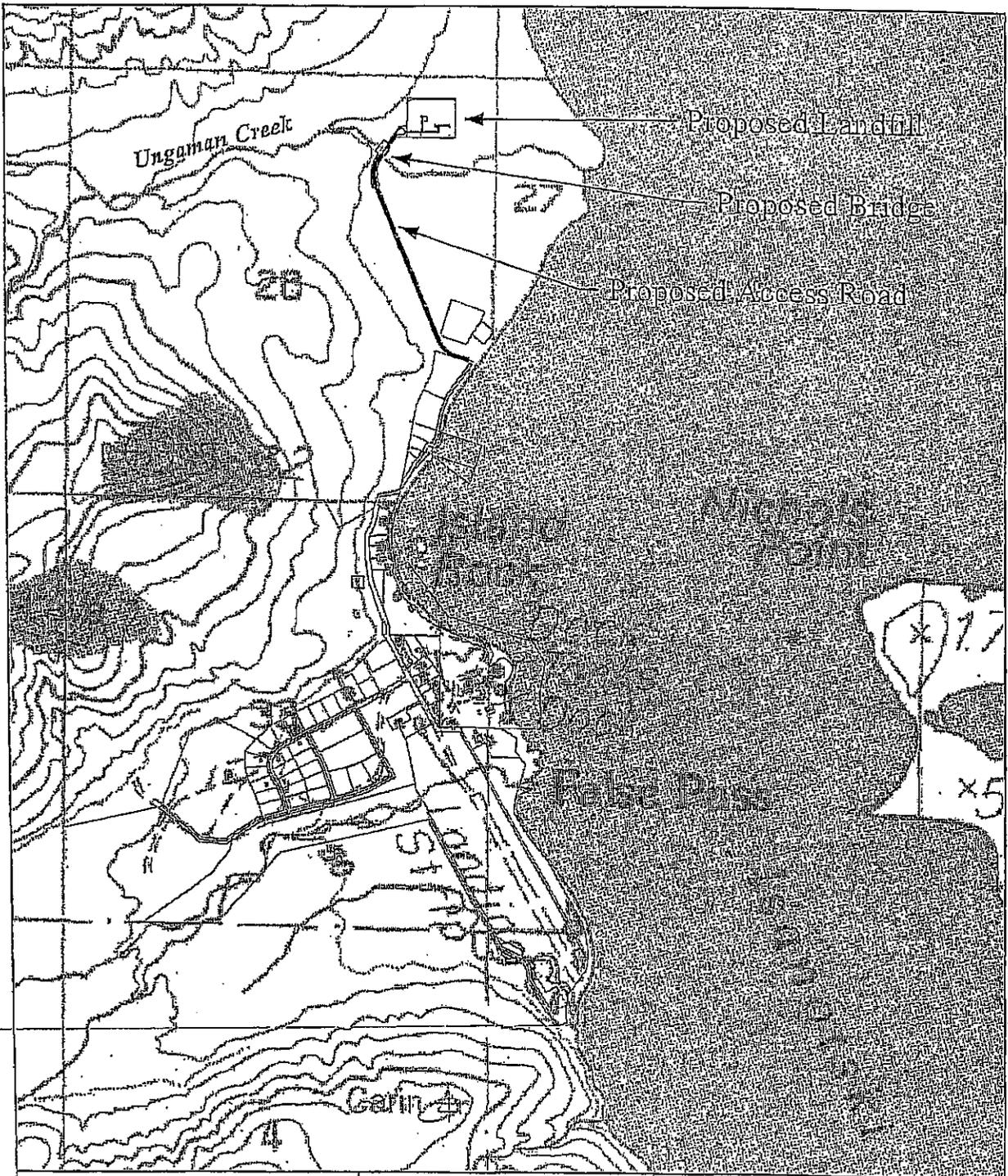


Project Vicinity

 City of False Pass
 PO Box 50
 False Pass, AK 99583

**City of False Pass
 Landfill and
 Access Road Project**

Date: 11-11-04
 File: lcpa_msp.mxd (Clstrv01) By: JDS



LOCATION:
 T. 61S R. 94W SEC. 28
 Seward Meridian
 USGS Map: False Pass D-5

SHEET 2

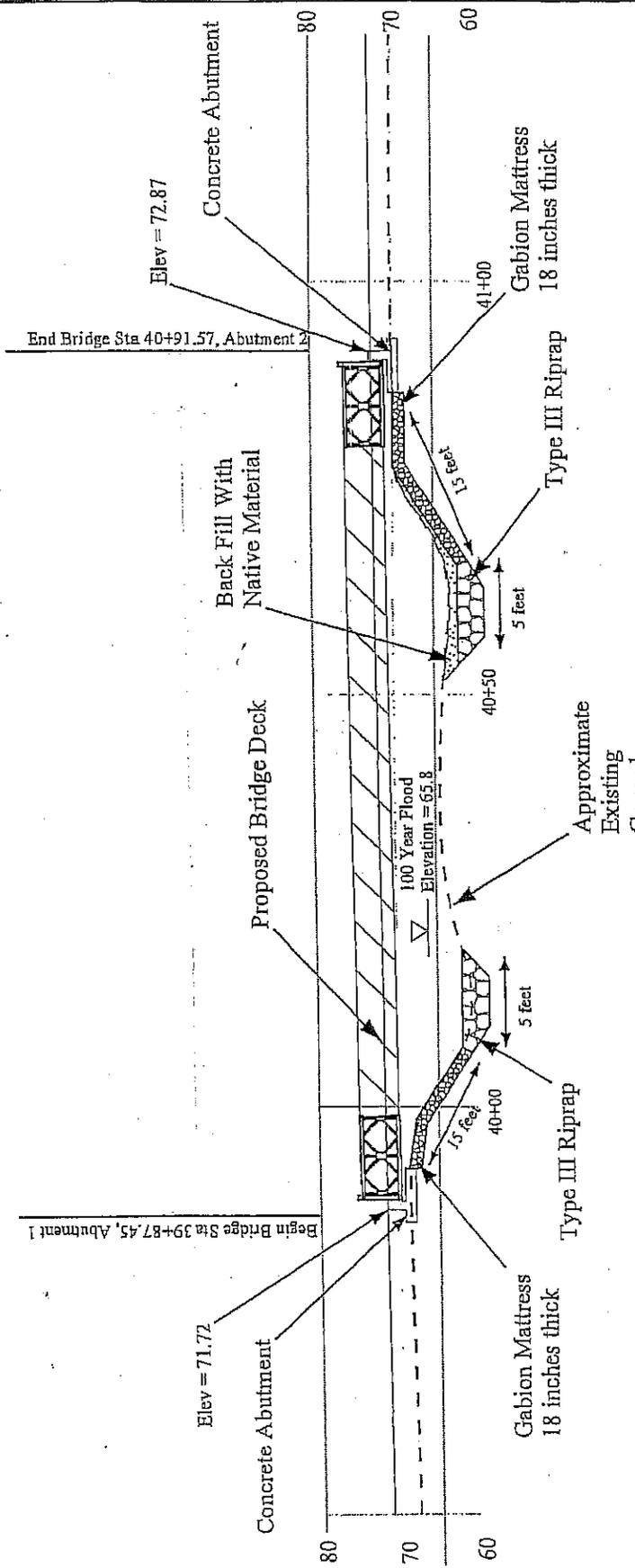


Proposed Landfill
 and Access Road

City of False Pass
 PO Box 50
 False Pass, AK 99583

City of False Pass
 Landfill and
 Access Road Project

Date: 11-10-04
 File: project_comp.rxd (Chrsv01) By: JDS



North Bank Guide

South Bank Guide

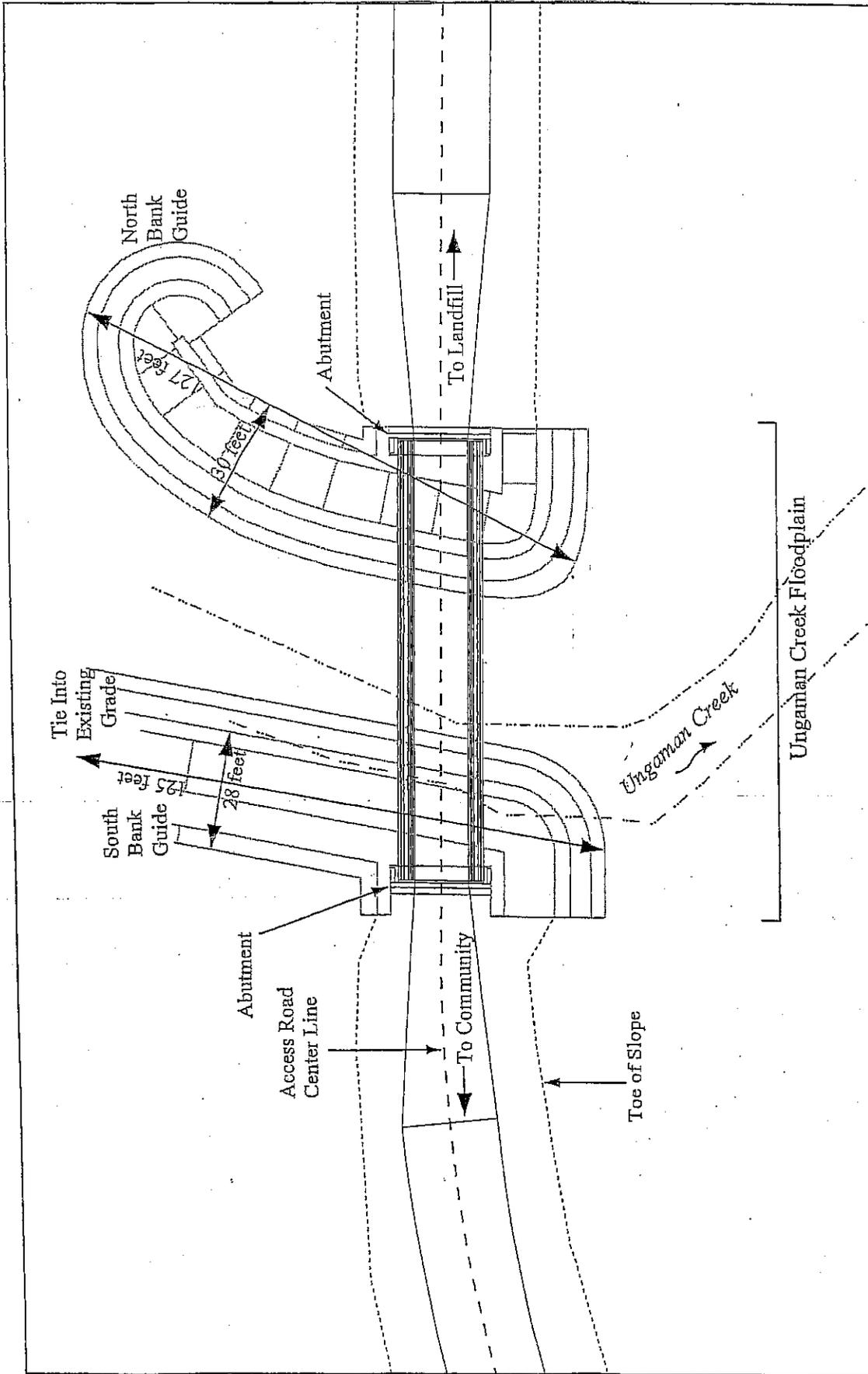
LOCATION:
 T. 61S R. 94W SEC. 28
 Seward Meridian
 USGS Map: False Pass D-5

Elevation View of Proposed Bridge
 Over Ungaman Creek

City of False Pass
 PO Box 50
 False Pass, AK 99583

City of False Pass
 Landfill and
 Access Road Project

Date: 11-10-04
 File: bridge_elevation.mxd (Charv01) By: JDS



LOCATION:
 T. 61S R. 94W SEC. 28
 Seward Meridian
 USGS Map: False Pass D-5

City of False Pass
 Landfill and
 Access Road Project

Plan View of Proposed Bridge
 Over Ungaman Creek

Date: 11-12-04
 File: bridge_plan.mxd (Chsrvt01) By: JDS

City of False Pass
 PO Box 50
 False Pass, AK 99583

SHEET 4

False Pass Landfill Project Pre-NEPA Scoping Report

Prepared for
City of False Pass
P.O. Box 50
False Pass, AK 99583

Prepared by:



HDR Alaska, Inc
2525 C Street, Suite 305
Anchorage, Alaska 99503

1.0 Introduction

The City of False Pass, Isanotski Corporation, and False Pass Tribal Council are collaborating on a new landfill and landfill access road project. HDR Alaska, Inc. is assisting them with access road and solid waste facility planning, design, and permitting services. Although construction funds have not been secured, the community has funding for landfill planning and design engineering. The community is currently gathering agency and public input to design a landfill that meets community needs and agency desires.

The existing landfill is an unpermitted, open dump located at the southwest end of town. It is upstream of the developed part of the community. The landfilled waste is typical of most fishing communities. The City provides waste pick-up services for residents. Fish processors haul their own wastes.

A new landfill is needed since the existing landfill is nearly at capacity. Currently, the existing landfill is too close to the community, and False Pass residents are concerned about unsafe bear encounters. Additionally, the existing landfill is within 5,000 ft of the airport runway and is in a location that makes it difficult for the community to expand.

The proposed project would construct a new access road, install a pre-engineered modular steel bridge, construct a new 7-acre landfill, and close the existing landfill.

- **Access Road.** The access road will start at an existing road adjacent to the crab pot storage area, north of the City dock, and terminate at a turnaround at the new landfill. It will be gravel-surfaced, two lanes, and 22.5 feet by 3,360 feet (approximately 0.6 miles).
- **Bridge.** A single-lane pre-engineered modular steel bridge will be installed to cross Ungaman Creek. No abutments or piers will be placed in the creek.
- **New Landfill.** The site selected for the new landfill is on the north side of Ungaman Creek. A 7-acre reserve will be set aside for long-term landfill development, and initial construction will include two solid waste disposal cells, two sludge pits, a stockpile of cover materials, drainage controls, and fencing of the entire site.
- **Closure of the Existing Landfill.** The existing landfill will be closed once the new facility is operating. A closure plan for the existing facility has been developed.

2.0 Scoping Methods

Although funding has not been secured to construct the landfill and access road, the City of False Pass embarked on determining environmental issues in advance of the National Environmental Policy Act (NEPA) process and permitting. Through pre-NEPA scoping activities, the City initiated a process to help determine information sources available, issues to be addressed, and which alternatives to consider. This process helps to understand the degree of controversy associated with the project, thereby helping to determine which environmental document (Categorical Exclusion, Environmental Assessment, or Environmental Impact Statement) is needed for the project.

This Pre-NEPA Scoping Summary Report presents results of public and agency scoping for the False Pass Landfill Project and presents other relevant background information learned during the scoping process. Records of meetings and all correspondence are appended to this document.

2.1 Agency Scoping

On January 6, 2004, a letter was sent to agencies inviting comments regarding Landfill Project in False Pass (Attachment A). The letter included a project description, preliminary environmental summary, related project figures, and comment period end date. Follow up phone calls were made to agency representatives to confirm that the letter was received and to gather comments, if responses in writing were not given.

Approximately nine agency representatives were invited to comment on the proposed landfill project. Written and verbal agency comments were accepted by mail, fax, email, and phone. The agency comment period ended February 13, 2004. Comments received by agencies are summarized in Table 1 and included in full in Attachment B.

Table 1. Summary of Agency Comments

<i>Name</i>	<i>Agency</i>	<i>Comment Received</i>
Julie Raymond- Yakoubian	State Historic Preservation Office	Concurred on finding of affect on cultural and historical properties on October 30, 2003. Confirmed finding via email response on January 9, 2004.
Ed Weiss	Alaska Department of Natural Resources (ADNR), Office of Habitat Management and Permitting (OHMP)	<ul style="list-style-type: none"> • Is there any intent to place riprap and gabions below ordinary high water (OHW) of the creek or will they be above OHW in the floodplain? • How far is the landfill from OHW of Ungamen Creek and what is the terrain and groundwater flow like between the creek and landfill? • OHMP is interested in preventing surface or subsurface contamination of the groundwater and Ungamen Creek. Will the landfill be lined? • Alaska Department of Transportation and Public Facilities is currently working on plans for the upgrades to the airport. This may involve relocation of existing airport. Some coordination should be given in regards to this as FAA is particular about having landfills placed too close to airports because of bird / aircraft collisions. • No specific information on Ungamen Creek or fish resources. However, OHMP will be in False Pass in March 2004 and will determine any additional concerns as a result of the site visit.
Cynthia Zuelow- Osborne	ADNR, Office of Project Management and Permitting (OHMP), Alaska Coastal Management Program (ACMP)	<ul style="list-style-type: none"> • The community of False Pass lies within the boundaries of the State of Alaska's Coastal Zone and the Aleutians East Coastal Resource Service Area. • Based on information received to date (including the U.S. Army Corps of Engineers jurisdictional determination issued January 23, 2004), an OHMP coordinated review <i>may</i> be required for this project. • Submit a Completed Coastal Project Questionnaire and Certification Statement to OHMP when project design work has determined whether federal and state permits are necessary.

<i>Name</i>	<i>Agency</i>	<i>Comment Received</i>
		<ul style="list-style-type: none"> • Contact Tina Anderson, AEB Coastal District Coordinator, for additional information and policies that may affect the work.
Irvin Joy	US Army Corps of Engineers (Corps)	<ul style="list-style-type: none"> • Based on a review of information provided, the Corps has determined that the project may involve work in wetlands. • There is evidence of wetlands in the road corridor and landfill site. • The Corps needs more information for a determination of whether a general permit or a individual permit is required. • Isanotski Strait is a navigable water of the U.S.
Linda Holzman	ADNR Land and Water	<ul style="list-style-type: none"> • A temporary water permit would be required if more than 500 gallons of water from a single source is used for construction (e.g. for activities such as dust abatement). A 30 days notice for the permit would be required.
Ted Rockwell	Environmental Protection Agency (EPA)	No response
Alan Wein	Alaska Department of Environmental Conservation (ADEC)	No response
Catherine Berg	US Fish and Wildlife Service (USFWS)	No response
John Olson	National Marine Fisheries Service (NMFS)	No response

2.2 Public Scoping

In December 2003, project newsletters were sent to False Pass (Attachment A). The newsletter summarized the project and invited False Pass residents to a public meeting for the new landfill and access road on January 13, 2004. Project newsletters were distributed to all post office box holders in False Pass. Written and verbal public comments were encouraged by mail, fax, email, and phone. The public comment period ended February 15, 2004.

A public meeting was held on January 13, 2004. It was attended by the False Pass City Clerk, Tribal President, Major, and Post Master. Questions and comments recieved at the public meeting included:

- Waste oil is burned in False Pass; however, the city shop waste oil burner only runs intermittently.
- Will there be recycling at the new landfill?
- Presently the old landfill is used as a meeting point for people during Tsunami warning, due to its elevation. Is this still going to be the case?
- How will the landfill be operated?
- Will access be open to the public?
- How much will it cost to maintain the new landfill?

No other public comments were received.

3.0 Special Studies/Permits Needed

Based on Corps of Engineers' comments, a wetlands delineation would be needed for the False Pass Landfill Project. Based on the findings of the wetlands work, a general or individual Corps of Engineers permit could be required. A temporary water permit would be required if water is used for the project. A Coastal Project Questionnaire could be required, if state or federal permits are needed for the project.

4.0 Summary

Ultimately the federal funding agency (or lead agency) would be responsible for determining the level of documentation for complying with NEPA. Based on the information gathered during this pre-NEPA effort, it is likely that this project would require a Categorical Exclusion (Cat Ex) to comply with the requirements of NEPA. However, the wetlands delineation and other comments from agencies that were not received during the comment period could change the level of documentation, if significant issues arise.

Based on the comments received from agencies and the public during scoping for the proposed False Pass Landfill Project, it is likely that a Cat Ex will be required to address the following issues:

- Any impacts the proposed improvements would have on wetlands.
- How the new bridge and access road would impact wetlands and floodplain.
- Whether the landfill, access road, and bridge would be consistent with the AEB Coastal Management Plan.
- Whether there is the potential for landfill contamination to flow into Ungamen Creek.
- Whether the landfill project would impact the False Pass airport.
- How the landfill would be operated and how much it would cost to maintain the facility.

January 6, 2004

«Agency»

«Name»

«Title»

«Address»

«city», «state» «zip»

Subject: Proposed False Pass Landfill and Landfill Access Road

Dear «Name»:

The City of False Pass, Isanotski Corporation, and False Pass Tribal Council are collaborating on a new landfill and landfill access road project. HDR Alaska, Inc. is assisting them with access road and solid waste facility planning, design, and permitting services. Although construction funds have not been secured, the community has funding for landfill planning and design engineering. The community is currently gathering agency and public input to design a landfill that meets community needs and agency desires.

Background

The existing landfill is an unpermitted, open dump located at the southwest end of town. It is upstream of the developed part of the community. The landfilled waste is typical of most fishing communities. The City provides waste pick-up services for residents. Fish processors haul their own wastes.

A new landfill is needed since the existing landfill is nearly at capacity. Currently, the existing landfill is too close to the community, and False Pass residents are concerned about unsafe bear encounters. Additionally, the existing landfill is within 5,000 ft of the airport runway and is in a location that makes it difficult for the community to expand.

Proposed Project

The proposed project would construct a new access road, install a pre-engineered modular steel bridge, construct a new 7-acre landfill, and close the existing landfill. The project layout is shown on Figure 1.

Access Road. The access road will start at an existing road adjacent to the crab pot storage area, north of the City dock, and terminate at a turnaround at the new landfill. It will be gravel-surfaced, two lanes, and 22.5 feet by 3,360 feet (approximately 0.6 miles).

Bridge. A single-lane pre-engineered modular steel bridge will be installed to cross Ungaman Creek. No abutments or piers will be placed in the creek.

New Landfill. The site selected for the new landfill is on the north side of Ungaman Creek. A 7-acre reserve will be set aside for long-term landfill development, and initial construction will include two solid waste disposal cells, two sludge pits, a stockpile of cover materials, drainage controls, and fencing of the entire site.

Closure of the Existing Landfill. The existing landfill will be closed once the new facility is operating. A closure plan for the existing facility has been developed.

Although funding has not been secured to construct the landfill and access road, the City of False Pass is interested in addressing environmental issues in advance of the National Environmental Policy Act (NEPA) process and permitting. Agency input is important to understanding the scope of the environmental and permitting effort. A figure showing the proposed project, a brief summary of results of environmental issues

research, and a recent newsletter are attached. In addition to verifying the information and identifying any concerns or issues your agency might have with the proposed project, the following information is requested:

«Questions»

You are encouraged to submit comments on this project by February 13, 2004. Please send your comments to:

False Pass Landfill Project
HDR Alaska, Inc
2525 C Street, Suite 305
Anchorage, AK 99503-2632

You are also welcome to submit comments by e-mail to robin.reich@hdrinc.com. Please contact me by telephone at (907) 644-2000 or Susan Walker at 644-2055 if you have any questions.

Sincerely,

HDR Alaska, Inc.

Robin Reich
Environmental Planner

Enclosures (Project map, Preliminary Research Results, Newsletter)

cc: John Nickels, Mayor of False Pass
Sharon Boyette, Community Development Planner, Aleutians East Borough

Distribution List:

Kevin Morgan, Army Corps of Engineers
Ted Rockwell, Environmental Protection Agency
Ann Rappoport, U.S. Fish and Wildlife Service
Stewart Seaberg, DNR/Office of Habitat Management and Permitting
Jeanne Hanson, National Marine Fisheries Service
Judith Bittner, State Historic Preservation Officer
Sue Magee, DNR/Office of Project Management and Permitting
Richard Mylius, Alaska Department of Natural Resources, Division of Mining, Land, and Water
Alan Wein, Alaska Department of Environmental Conservation
Gilda Shelikoff, False Pass Tribal Council
Tom Hoblett, Isanotski Corporation

Preliminary Research Results

- **Contaminated Sites, Spills and Underground Storage Tanks:** No areas of concern were identified from a review of the Alaska Department of Environmental Conservation's contaminated sites database, spills database, UST database, and LUST database. Informal discussions with a False Pass City official (Nickels 2003) and an examination of aerial photography indicate the potential for contamination is low. Federal databases were not reviewed.
- **Anadromous Fish Streams:** The project will cross a creek one mile north of the City Dock, locally known as Ungaman Creek. The Alaska Department of Fish and Game (ADF&G) *Catalog of Waters important to the Spawning, Rearing or Migration of Anadromous Fishes* does not list this Creek as an anadromous fish stream. Local residents report the creek is not fished for salmon.
- **State Refuges, Critical Habitat Areas and Sanctuaries:** The ADF&G website was checked to obtain information on refuges, critical habitat areas and sanctuaries in the project area. The Izembek State Game Refuge is located northeast of False Pass and consists of the lagoon and intertidal waters. The project components are well outside the refuge.
- **State Land Use Plans, State Parks:** The Alaska Department of Natural Resources (ADNR) web site indicates no land use plans for the project area or state parks in the vicinity.
- **Historical, Archeological, and Cultural Properties:** Under Section 106 consultation, the State Historic Preservation Officer (SHPO) determined that no historic properties would be affected by the project ((File No. 3130-1121400; SHPO 10/31/03).
- **Coastal Zone Management:** A review of the *Coastal Zone Boundaries* atlas found that the proposed project area is within the Aleutians East Borough Coastal Zone. The project will require coastal zone review.
- **Navigability, Floodplain Management, and Wetlands:** No U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) mapping was found for False Pass. An office-based study of stereo-pair 1"=800' color aerial photography dated September 2003, did not identify any wetlands in the open areas of the road corridor adjacent to or northwest of the crab pot storage. Interpretation for the areas of more dense alder growth north and south of Ungaman Creek and in portions of the site selected for the landfill were difficult to interpret because of the dense vegetation. However, using available information, it appears unlikely that these areas would be classified as wetlands. Field verification may be necessary to delineate the questionable areas and verify conditions in the open areas.

The bridge crossing is located well above any tidal influence. Hydrologic analysis of the stream indicates that the 100 year flood elevation at the proposed stream crossing point is approximately 65.8 ft elevation. The proposed bridge is a single span structure with no abutments or piers

within the 100 year floodplain. Riprap and gabion bank protection for the bridge abutments would be constructed to armor the present banks below flood elevation. The flood hazard rating for the creek is unknown; however, unusually prolonged rain in the mid-1990s resulted in the lower reach (downstream of the proposed bridge crossing) shifting to the north. A new creek mouth was established north of the original mouth and is clearly visible on recent (2003) aerial photography. The Federal Emergency Management Agency (FEMA) has not mapped the 100-year floodplain in the area.

- **Threatened and Endangered Species:** The Steller's eider, Steller sea lion, fin whale, humpback whale, blue whale, Sei whale, and sperm whale have all been observed in the False Pass area. Section 7 (of the Endangered Species Act) consultation with the USFWS has been completed for the landfill project (USFWS February 12, 2003). The USFWS concluded that listed species under their jurisdiction would not likely be adversely affected by the project. Section 7 consultation with the National Marine Fisheries Service (NMFS) has not occurred. However, since the project does not impact marine waters, it is unlikely that protected species under the jurisdiction of the NMFS would be affected.
- **Essential Fish Habitat:** The creek is not known to support anadromous fish and it is unlikely the creek would be considered Essential Fish Habitat (EFH). The project does not impact marine waters. Therefore, it is presumed that EFH will not be impacted by the landfill or access road.
- **National Wildlife Refuges and Wetlands:** The USFWS web site has been visited to determine if National Wildlife Refuges exist in the proposed project area. The web site indicates that the project area is within the boundaries of the Alaska Maritime National Wildlife Refuge. The surface estate in the project area is owned by the City of False Pass and Isanotski Corporation and the subsurface estate is owned by the federal government and managed by the USFWS.
- **Bald Eagle Nests:** Bald eagles have been observed throughout the False Pass area. It is not known whether there are any nests in the project area.

References

Alaska Department of Environmental Conservation (ADEC) databases. ADECcontsites.xls, ADECspills.xls, <http://www.state.ak.us/local/akpages/ENV.CONSERV/dspar/stp/search.htm> (LUSTs and USTs)

Alaska Department of Fish and Game (ADF&G). 2002. Catalog of Waters Important to the Spawning, Rearing or Migration of Anadromous Fishes. Accessed on line at: ADF&G Fish Distribution Database web site: http://www.sf.adfg.state.ak.us/sarr/FishDistrib/FDD_intro.cfm

Alaska Department of Fish and Game, http://www.wildlife.alaska.gov/refuge/refuge_home.cfm

Alaska Department of Natural Resources, Division of Mining, Land, and Water. <http://www.dnr.state.ak.us/mlw/planning/index.htm>

Alaska Department of Natural Resources, Division of Parks and Outdoor Recreation. <http://www.dnr.state.ak.us/parks/units/index.htm#sw>

City of False Pass to State Historic Preservation Officer, letter dated October 28, 2003 requesting concurrence with finding of No Historic Properties Affected. Concurrence issued 10/31/03.

HDR Alaska Inc., October 2003. City of False Pass Wastewater System Improvement Plan, 95% Submittal. Prepared for the City of False Pass.

LGL Alaska Research Associates, Inc. May 2000. *Abundance and Distribution of Steller's Eiders and Other Waterbirds at False Pass, Alaska. January through March of 2000.* Prepared for Aleutians East Borough. Final Report.

LGL Research Associates Inc., Undated. Biological Assessment of Threatened and Endangered Species for the False Pass Water system Improvement Project. Prepared for the Economic Development Administration and the City of False Pass.

U.S. Army Corps of Engineers. December 2000. *Navigation Improvements Final Interim Feasibility Report with Environmental Assessment and Finding of No Significant Impact. False Pass Alaska.*

U.S. Fish and Wildlife Service to Aleutians East Borough, letter dated February 12, 2003. Providing consultation under Section 7 of the Endangered Species Act.

False Pass Landfill and Access Road Design in Progress

December 2003

The New False Pass Landfill Project Design is 60% Complete

The new False Pass Landfill Project Design is about 60% complete. The City of False Pass, Isanotski Village Corporation, and False Pass Tribal Council, with the help of HDR Alaska, have been working on the new design, which includes:

- Developing a seven-acre landfill site on the north side of Ungaman Creek
- Constructing approximately 0.6 miles of new two-lane, gravel-surfaced road to the landfill starting at the crab-pot storage area
- Installing a new single-lane, heavy-duty steel bridge to cross Ungaman Creek

While the project is well under way, there is still much to do.

- Design needs to be completed
- Permits to construct the access road, bridge, and landfill need to be obtained
- A permit to operate the landfill needs to be acquired
- Construction funding needs to be secured



Great Need for New Landfill

There are many reasons for developing a new landfill. The existing land-

fill is nearly full. If a new landfill is not built, the trash will have no place to go. Bear encounters are a safety concern because the landfill is too close to the community. The landfill is also too close to the airport runway and is in a location that makes it difficult for the community to expand.

Other Tasks Accomplished

Along with the new landfill and access road design, the project team has been busy completing other tasks related to closing the existing landfill and opening the new one. The project team has:

- Developed a closure plan for the existing landfill, which includes how the old landfill will be filled and covered
- Submitted a solid waste permit application for a new Class III Municipal Landfill to the Alaska Department of Environmental Conservation
- Started the preliminary environmental review of the landfill and access road



HDR Alaska, Inc.
2525 C Street, Suite 305
Anchorage, AK 99503

To:



False Pass Landfill Public Meeting Scheduled

A public meeting will be held regarding the new False Pass landfill and access road:

Date: January __, 2004
Time: 6:30 PM
Place: Recreation Center

You're invited to come, learn about, and give your comments on:

- The new landfill design
- The landfill access road and bridge design
- Construction schedule for the landfill and road
- The proposed operation plan for the new landfill design
- The closure plan for the existing landfill

The planning and design team wants your opinion. Please submit your comments and questions any time before February 15, 2004 by phone, fax, e-mail, or regular mail. Comments and questions may also be given during the public meeting.

For more information, contact:

City of False Pass
John Nickels
Phone: (907) 548-2319
Fax: (907) 548-2214
Email: cityoffalsepass@ak.net
P.O. Box 50
False Pass, AK 99583



HDR Alaska, Inc.
Scott Wharton
Phone: (800) 478-2514
Fax: (907) 274-2022
Email: swharton@hdrinc.com
2525 C Street, Suite 305
Anchorage, AK 99503-2632

Attachment B
Agency Comments Received

Written Comments

E-mail Comments

Telephone Comments



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, ALASKA
P.O. BOX 6898
ELMENDORF AFB, ALASKA 99506-6898

RECEIVED
JAN 6 2 2004

JAN 23 2004

Regulatory Branch
South Section
9-2004-0021

Ms. Susan Walker
Environmental Planner
HDR Alaska, Incorporated
2525 C Street, Suite 305
Anchorage, Alaska 99503-2632

Dear Ms. Walker:

This is in response to your January 6, 2004, request for a Department of the Army (DA) jurisdictional determination concerning your proposed project located within section 27, T. 61 S., R. 94 W., Seward Meridian, near False Pass, Alaska. The project is the construction of a road, a bridge, and a solid waste facility.

Based on our review of the information you furnished and information available to our office, we have preliminarily determined that your proposed project may involve work in AND/OR a discharge or placement of dredged and/or fill material into waters of the United States (U.S.) under our regulatory jurisdiction.

While it cannot be ascertained for certain at this time, I feel that there is some evidence of wetlands in the road corridor, and the solid waste facility area. If there are jurisdictional wetlands in the project site the Corps will require a complete application to include any dikes or containment berms, or roads around or in the solid waste disposal site.

Therefore, DA authorization may be required. However, your proposed plan lacks the necessary information sufficient for a determination whether a General Permit may apply or if an individual permit is required.

Your proposed project was reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Section 10 of the Rivers and Harbors Act of 1899 requires that a DA permit be obtained for certain structures or work in or affecting navigable waters of the U.S., prior to conducting the work (33 U.S.C. 403). Section 404 of the Clean Water Act requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including wetlands, prior to conducting the work (33 U.S.C. 1344).

For regulatory purposes, the Corps of Engineers defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Navigable waters of the U.S. are those waters subject to the ebb and flow of the tide shoreward to the mean high water mark, and/or other waters identified as navigable by the Alaska District. Isanotski Strait is a navigable water of the U.S.

Please be advised that land clearing operations involving vegetation removal with mechanized equipment such as front-end loaders, backhoes, or bulldozers with shear blades, rakes, or discs; windrowing vegetation; land ~~leveling; or other soil disturbance in areas subject to Corps jurisdiction~~ are considered placement of dredged material under our jurisdiction.

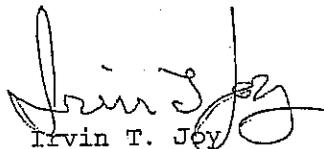
Nothing in this letter shall be construed as excusing you from compliance with other Federal, State, or local statutes, ordinances, or regulations that may affect any proposed work.

For informational purposes, a copy of this letter is being sent to the agencies and individuals on the enclosed list.

Please take a moment to complete and return the enclosed questionnaire. Our interest is to see how we can continue to improve our service to you, our customer, and how best to achieve these improvements. Upon your request, you may also provide additional comments by telephone or a meeting. We appreciate your efforts and interest in evaluating the regulatory program.

We appreciate your cooperation with the Corps' Regulatory Program. Please refer to file number 9-2004-0021, Isanotski Strait, in future correspondence or if you have any questions concerning this determination. For questions regarding permit applications, please contact me at the letterhead address, ATTN: CEPOA-CO-R-S, or call 753-2724, or by FAX at 753-5567. For additional information about our Regulatory Program, visit our web site at www.poa.usace.army.mil/reg.

Sincerely,



Irvin T. Joy
Project Manager

Enclosures

Copies Furnished:

Mr. Tim Rumpfelt
Alaska Department of Environmental
Conservation
555 Cordova Street
Anchorage, Alaska 99501-2617

Office of Habitat Management and
Permitting
Alaska Department of Natural
Resources
333 Raspberry Road
Anchorage, AK 99518-1599

Project Coordinator
Department of Natural Resources
Office of Project Management and Permitting
Alaska Coastal Zone Management
550 West 7th Avenue, Suite 1660
Anchorage, Alaska 99501-3568

Ms. Ann Rappoport
Field Supervisor
U.S. Fish and Wildlife Service
Ecological Service Anchorage
605 West 4th Avenue, Room 62
Anchorage, Alaska 99501-2249

Supervisor
Western Alaska Ecological
National Marine Fisheries Service
222 West Seventh Avenue, # 43
Anchorage, Alaska 99513-7577

Ms. Judith Bittner
Department of Natural Resources
State Historic Preservation Office
550 W. 7th Avenue, Suite 1310
Anchorage, Alaska 99501-3565

Mr. Richard B. Thompson
State of Alaska
Department of Natural Resources
Division of Land
550 W. 7th Avenue, Suite 900C
Anchorage, Alaska 99501-3577

Mr. Gary Prokosch
State of Alaska
Department of Natural Resources
Division of Water
550 W. 7th Avenue, Suite 900A
Anchorage, Alaska 99501-3577

Ms. Robin Willis
Statewide Services
Alaska Department of Fish and Game
333 Raspberry Road
Anchorage, Alaska 99518-1599

Alaska Operations Office
Environmental Protection Agency
222 West Seventh Avenue, # 19
Anchorage, Alaska 99513-7588

Walker, Susan

From: Ed Weiss [ed_weiss@dnr.state.ak.us]
Sent: Thursday, February 19, 2004 11:50 AM
To: Walker, Susan.
Cc: Stewart J Seaberg
Subject: False Pass Landfill Project

Susan.

Regarding scoping comments on False Pass Landfill Project. Overall project looks good, I have a few questions or concerns that perhaps you can answer.

1. The document notes that riprap and gabions will be used below the 100 year flood plain of Ungamen Creek. Is there any intent to place these structures below OHW of the creek or will they be above OHW in the floodplain?
2. Also how far is the 7-acre landfill from OHW of Ungamen Creek and what is the terrain and groundwater flow like between the creek and landfill. Is the landfill going to be lined, etc? We will want to prevent any surface or subsurface contamination of the groundwater and Ungamen Creek.
3. Also ADOT is currently working on plans for the upgrades to the airport. This may involve relocation of existing airport. Some coordination should be given in regards to this as FAA is particular about having landfills placed too close to airports because of bird / aircraft collisions.

I don't have any specific info on the stream or fish resources in the stream, however, I will be going to False Pass March 15 – 17 to look at the airport project and will try to look at the landfill site and bridge crossing while I am there. If I come up with any additional concerns as a result of the site visit I will get those to you at that time.

Edward W. Weiss

Habitat Biologist
Office of Habitat Management & Permitting
Alaska Department of Natural Resources
550 W. 7th Ave. Suite 1420
Anchorage, AK 99501
Phone: (907)-269-5901
FAX: (907)-269-5673
ed_weiss@adnr.state.ak.us

Walker, Susan

From: Cynthia Zuelow Osborne [cynthia_zuelow-osborne@dnr.state.ak.us]
Sent: Wednesday, February 18, 2004 9:57 AM
To: Walker, Susan; Karol Kolehmainen; Tina Anderson
Subject: CORRECTED False Pass Landfill and Access Road

February 18, 2004

Ms. Susan Walker
Environmental Planner
HDR Alaska, Inc.
2525 C Street, Suite 305
Anchorage, Alaska 99503-2632

Dear Ms. Walker,

Thank you for contacting the Alaska Department of Natural Resources, Office of Project Management and Permitting, Alaska Coastal Management Program (ADNR/OPMP/ACMP) concerning the False Pass Landfill and Landfill Access Road project proposed for development as a cooperative effort by the City of False Pass, the Isanotski Corporation, and the False Pass Tribal Council. The Community of False Pass lies within the boundaries of the State of Alaska's Coastal Zone and the Aleutians West Coastal Resource Service Area. Based on the information available for assessment to this date (including the US Army Corps of Engineers jurisdictional determination issued January 23, 2004 under project number 9-2004-0021), an Office of Project Management and Permitting coordinated review *may* be required for this project.

Please submit a completed Coastal Project Questionnaire and Certification Statement (with requested attachments) to this office when project design work has progressed to the point that appropriate state and federal development permits are sought. Also, please contact Ms. Tina Anderson, Aleutians East Borough Coastal District Coordinator, for additional information and policies that may affect your proposed work. Ms. Anderson can be reached at phone number (907) 383-2699.

Feel free to contact me again if you have further questions.

Sincerely,

Cynthia Zuelow-Osborne
ADNR/OPMP/ACMP

Walker, Susan

From: Julie Raymond-Yakoubian [julie_raymond-yakoubian@dnr.state.ak.us]
Sent: Friday, January 09, 2004 10:52 AM
To: Walker, Susan
Subject: Re: False Pass

OK, thanks!

Walker, Susan wrote:

>While we already have SHPO's concurrence, we wanted to ensure that all
>agencies have received the same information at the same time in the
>project development - we did not want to leave you out of the loop. No
>more information is needed, and thanks for asking.

>

>Susan

>

>-----Original Message-----

>From: Julie Raymond-Yakoubian
>[mailto:julie_raymond-yakoubian@dnr.state.ak.us]
>Sent: Friday, January 09, 2004 10:33 AM
>To: Walker, Susan
>Subject: False Pass

>

>

>Susan,

>We received your letter regarding the False Pass landfill. Seeing as we
>already concurred NHPA on 10/30/03, do you need to receive anything else

>

>from us?

>

>-Julie

>

>

>

>

--

Julie Raymond-Yakoubian
Archaeologist, Review and Compliance

Dept. of Natural Resources
Office of History and Archaeology
550 W 7th Ave., Suite 1310
Anchorage, AK 99501

Phone (907) 269-8722
Fax (907) 269-8908



Telephone Record

Project: False Pass Landfill	Project No: 11767-5679
Date: 2/6/2004	Subject: Scoping Letter Response
Call to: Susan Walker	Phone No: 907-644-2055
Call from: Linda Holzman, DNR-MLW	Phone No: 907-269-8641

Discussion, Agreement and/or Action:

Linda's call was prompted by a letter she had received from the Corps regarding the project. Linda said a temporary water permit would be required if > 500 gallons of water from a single source is being used for project construction (e.g. for activities such as dust abatement). 30 days notice would be required.

Attachment C
Public Comments Received

Public Meeting Notes



Subject: Public Meeting	
Client: City of False Pass	
Project: Landfill and Access Road Project	Project No: 5679
Meeting Date: Jan 13, 2004	Meeting Location: False Pass Council Room
Notes by: Scott Wharton	

Attendees:

Scott Wharton – HDR
Lolly Larsen – Postmistress
Lotta Hines – City Clerk, Tres.

Gilda Shellikoff – False pass Tribal President
John Nickels – City Mayor

Topics Discussed:

Meeting Convened at approx 6.15. Tom Hoblet was invited to attend by telephone but declined to attend.

Scott Wharton gave a brief project history and purpose of the project. He discussed project status, and illustrated the scope of the project by use of 3 color drawings.

The project consists of:

- 3700 ft two lane gravel access road that begins on the beach road and trends north across a creek to the site selected for the landfill.
- 114.5 ft span, one lane, pre-manufactured steel bridge
- 7 acre landfill reserve with fencing, gated access, signage, two unlined landfill cells and two unlined sludge disposal cells.
- Gravel would probably come from a combination of the current city pit and a new gravel source identified north of the crab pot storage yard.

Scott then asked the attendees if there were any questions or concerns about the project, or its impacts or effects.

Points of discussion brought up were:

- 1) What is extent of recycling proposed? Answer: Oil , antifreeze, refrigerant, and batteries are supposed to be recycled. All vehicles and refrigerators etc. are to have fluids removed. The project can have a dedicated steel shed to temporarily store household hazardous material, until it is recycled. Aluminum can recycling has not be found to be sustainable, however, scrap metals can be recycled on a more intermittent basis, by contracting a barge service. This is usually only effective in larger communities with a lot of scrap (i.e. Dutch Harbor).
- 2) Follow on question: the waste oil is to burned; however, the city shop waste oil burner only runs intermittently. Answer: HDR will put city in touch with a mechanical engineer regarding this malfunction.
- 3) Presently the old landfill is used as a meeting point for people during Tsunami warning, due to its elevation. Is this still going to be the case? Answer: The new landfill is at approximately elevation 70 ft above sea level. Use for tsunami gathering point would be up to the city. It would be a longer drive along the coast than the current landfill site. The old landfill site will be capped with earth and revegetated and the road would be left in place so the old landfill could continue to serve as the Tsunami gathering point.

- 4) There was a question about operations and access to the new landfill. Answer: the present permit application proposes no significant changes to the operations. The city is responsible to determine the operations practices such as allowing the gate to be opened for self haul.
- 5) There was a question about maintenance cost for the new landfill. Answer: since the operations will be similar and the access length is similar the city is budgeting the same amount for new landfill maintenance as is currently the case.

Action/Notes:

- 1) John Nickels will retain the meeting graphics and present them to the council for their comment. Council meeting is scheduled for January 20, 2004. John Nickels will address the proposed landfill layout with his operators to determine if they had any comments. John has subsequently notified HDR that both of these were carried out and there was strong support for the project at the council level and that the operators were satisfied with the proposed landfill layout.
- 2) Scott will contact Kevin Hansen to suggest a possible solution to the oil burner problem in the city shop. This was subsequently taken care of.
- 3) HDR needs to finalize the geotechnical report to fulfill the contract deliverable items.

The meeting adjourned at approximately 7.45 PM.

Isanotski Corporation

101 Isanotski Drive
P.O. Box 9
False Pass, AK 99583
907-548-2217, FAX 548-2317
E-mail: isanotskiCorp@gci.net

12 January 2005

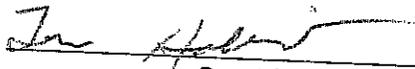
State of Alaska
Department of Transportation
And Public Facilities
P.O. Box 196900
Anchorage, Alaska 99519-6900

RE: False Pass Land Fill Access Road

To Whom It May Concern:

The intent of the Isanotski Corporation is to support the City of False Pass in establishing a new City Land Fill and access road. Therefore, when the land survey has been finished for the road, we will convey the required land for this project to the City of False Pass. Our donation of this land to the City is with the full knowledge of our entitlement to receive just compensation and therefore we waive all rights to compensation. We also release the DOT & PF from the obligation of preparing an appraisal of this donated parcel of land. The land fill access road crosses informal trails on Isanotski property that are sometimes used by the public but the road does not in any way hinder or restrict access to those trails.

Signed this 14th day of January 2005.



President, Isanotski Corporation

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF PARKS AND OUTDOOR RECREATION
OFFICE OF HISTORY AND ARCHAEOLOGY

550 W. 7TH AVENUE, SUITE 1310
ANCHORAGE, ALASKA 99501-3565
PHONE: (907) 269-8721
FAX: (907) 269-8908

December 2, 2002

File No.: 3130-1R HUD

SUBJECT: False Pass Landfill Relocation

Sharon Boyette
Community Development Coordinator
Aleutians East Borough
3380 C Street, Suite 205
Anchorage, AK 99503-3952

Dear Ms. Boyette,

We have reviewed the referenced project for potential impacts to historic and archaeological resources under Section 106 of the National Historic Preservation Act. Based on the Alaska Heritage Resources Survey files, there are two sites located in the vicinity of the proposed landfill relocation at False Pass. These two sites are XFP-40 (unnamed), depressions near the mouth of the unnamed stream to be relocated, and XFP-49 (unnamed), an historic cabin.

Little archaeological work has been completed in the vicinity of False Pass. Because the proposed landfill relocation site is near a stream and the coast, and on relatively flat ground, and because of the proximity of the two sites noted above, it is considered to be an area with high potential for containing unknown cultural resources. Due to the above information, the State Historic Preservation Office recommends that an archaeological survey be completed prior to any ground disturbing activity.

Please contact Julie Raymond-Yakoubian at 269-8722 if you have any questions or if we can be of further assistance.

Sincerely,



Judith E. Bittner
State Historic Preservation Officer

JEB:jry

20 October, 2003

Judith E. Bittner, State Historic Preservation Officer
Office of History and Archaeology
550 W. 7th Ave. Suite 1310
Anchorage AK 99501-3565

Dear Ms. Bittner,

On October 2, 2003, I performed a surface reconnaissance of the proposed areas of disturbance for the False Pass Landfill and Landfill Access Road Design Project for the City of False Pass. I performed the work under contract to the City of False Pass, The project was recommended by your office.

The survey was conducted by pedestrian survey and by 4-wheel ATV. The route and landfill area are located on a broad alluvial fan, a geomorphic feature that that has never been known to have prehistoric cultural resources anywhere in the region but is known to have historic sites, particularly early 20th century cabins, in rare circumstances. No historic or prehistoric remains of any kind were found on or within 50m of the proposed road and landfill. The route is mapped on the attached photograph.

This work was carried out, and the report prepared, using accepted professional methods and practices for the nature of the work completed. It is intended for the use of the City of False Pass and the State Historic Preservation Officer. It is not to represent a legal opinion. I do not warrant to have identified all cultural resources in the proposed project area as some may be hidden and may require extensive excavation or remote sensing techniques for discovery.

Given these findings and limitations, I find no cultural resources reason to alter the engineering plan of the False Pass Landfill and Landfill Access Road Design Project. If you have questions, comments, or require further information, please do not hesitate to contact me.

Yours,

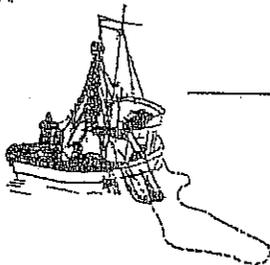
Herbert D. G. Maschner, Ph.D., RPA
855 W. Whitman St.
Pocatello, ID 83204

208-282-2745 office
208-478-9582 evenings
maschner@isu.edu

XFP D5

SK

3130-1K4JL



City of False Pass

RECEIVED

P.O. Box 50 • False Pass, Alaska 99583-0050
Telephone (907) 548-2319 • Fax (907) 548-2214

OCT 31 2003

OHA

October 28, 2003

Via Fax: 269-8908

Julie Raymond-Yakoubian
Alaska State Office of History and Archaeology
550 West 7th Avenue, Suite 1310
Anchorage, AK 99501

Dear Ms. Raymond-Yakoubian,

I understand that you have received the report from archaeologist, Herb Maschner, who surveyed the False Pass proposed landfill and landfill access road site for the City of False Pass.

The City of False Pass requests your concurrence with his findings with regards to potential impacts to historic and archaeological resources under the National Historic Preservation Act.

Thank you.

Sincerely,

Sharon Boyette
Community Development Coordinator

No Historic Properties Affected
Alaska State Historic Preservation Officer
Date: 10/31/03
File No.: 3130-1K4JL

Post-It™ brand fax transmittal memo 7671 # of pages > /	
To SHARON	From BOYETTE
Co.	Co.
Dept.	Phone #
Fax #	Fax #

RECEIVED
OCT 4 2003



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, ALASKA
P.O. BOX 6898
ELMENDORF AFB, ALASKA 99506-6898

REPLY TO
ATTENTION OF:

JUL 06 2004

Regulatory Branch
South Section
POA-2004-672-8

Ms. Sharon Boyette
Aleutians East Borough
3380 C Street, Suite 205
Anchorage, Alaska 99503-3952

Dear Ms. Boyette:

This is in response to your May 3, 2004, letter requesting a Department of the Army (DA) jurisdictional determination for a proposed landfill and access road for the City of False Pass. The landfill is located within Section 28, Township 61 South, Range 94 West, Seward Meridian. (54.8750° N -163.4342°W.)

Based on our review of the information you furnished and our on-site field inspection on June 30, 2004, we have determined that your proposed project would not involve work or the placement of dredged and/or fill material into waters of the United States (U.S.) under our regulatory jurisdiction. Therefore, a DA permit is not required. The road access route starts near the crab pot storage yard and continues northward, crossing Ungaman Creek and terminates at the Landfill site.

However, should you decide to alter the method, scope, or location of your proposed activity, please contact this office for a determination of DA jurisdiction and, if applicable, the required DA authorization. We understand that a clear-span bridge crossing of Ungaman Creek is proposed. If fill and/or support structure for this bridge is positioned above the ordinary high water (OHW) of the creek, no further Corps authorization is required.

Your proposed project was reviewed pursuant to Section 404 of the Clean Water Act which requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including wetlands, prior to conducting the work (33 U.S.C. 1344).

For regulatory purposes, the Corps of Engineers defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

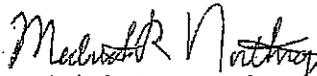
This approved jurisdictional determination is valid for a period of five (5) years from the date of this letter, unless new information supporting a revision is provided to this office before the expiration date. Should you desire to appeal this approved jurisdictional determination, please contact this office to request additional information on the Administrative Appeals Process.

Nothing in this letter shall be construed as excusing you from compliance with other Federal, State, or local statutes, ordinances, or regulations that may affect this work. For informational purposes, a copy of this letter is being sent to the agencies and individuals on the enclosed list.

Please take a moment to complete and return the enclosed questionnaire. Our interest is to see how we can continue to improve our service to you, our customer, and how best to achieve these improvements. Upon your request, you may also provide additional comments by telephone or a meeting. We appreciate your efforts and interest in evaluating the Regulatory Program.

We appreciate your cooperation with the Corps of Engineers' Regulatory Program. Please refer to file number POA-2004-672-8, in future correspondence or if you have any questions concerning this determination. You may contact me at (907) 753-2724, toll free from within Alaska at (800) 478-2712, or by mail at the letterhead address, ATTN: CEPOA-CO-R-S.

Sincerely,


Medrick R. Northrop
Project Manager

Enclosures

Sharon Boyette

From: Walker, Susan [Susan.Walker@hdrinc.com]
Sent: Thursday, March 03, 2005 12:12 PM
To: Medrick_R_Northrop@poa02.usace.army.mil
Cc: Reich, Robin; swharton@hdrinc.com; aeboro@gci.net; mayor
Subject: False Pass Landfill Access Road - Part I

Medrick:

In response to our telephone conversation earlier in the week regarding construction of a bridge across Ungaman Creek, False Pass, this email is to request the type of permit required to perform the action described in the attached materials.

I am sending you the information that was provided to Ed Weise at OHMP. OHMP recently issued Fish Habitat Permit FH 05-11-0009 for the project.

Your original understanding that the bridge abutments will not be in the creek is correct. But as you saw from OHMP's permit, work will occur in the floodplain to install guide bank structures to protect the banks and prevent a lateral shift of the creek bed. You indicated this work would require a Corps permit.

Because of file size, I will send the information in three parts. Please call me at 907-644-2055 if they don't all come through or you have any further questions. Thank you.

Susan

Susan Walker, Environmental Planner
HDR ONE COMPANY | *Many Solutions*
2525 C Street, Suite 305 | Anchorage, AK | 99503-2632
Main Line: 907.644.2000 | Direct Line: 907.644.2055 | Fax: 907.644.2022 |
Email: susan.walker@hdrinc.com



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, ALASKA
P.O. BOX 6898
ELMENDORF AFB, ALASKA 99506-6898

MAR 15 2005

RECEIVED

MAR 15 2005

Regulatory Branch
South Section
POA-2004-672-D

City of False Pass
Attn: John Nickels
P.O. Box 50
False Pass, Alaska 99583

Dear Mr. Nickels:

This is in response to your application on behalf of the City of False Pass, for bank stabilization work associated with the construction of a bridge crossing of Ungaman Creek. It has been assigned file number POA-2004-672-D, which should be referred to in all future correspondence with this office. The project is located in section 28, Township 61 South, Range 94 West, Seward Meridian; in False Pass, Alaska. (54.8732°N, 163.4174°W)

Department of the Army (DA) permit authorization is necessary because your project would involve the placement of fill material into waters of the U.S. under our regulatory jurisdiction.

Based upon the information and plans you provided, we hereby verify that the work described above, which would be performed in accordance with the enclosed plan (sheets 1-4), dated 9-28-04, is authorized by Nationwide Permit (NWP) #13, Bank Stabilization. NWP13 and its associated Regional and General Conditions can be accessed at our website at www.poa.usace.army.mil/reg or, at your request, a paper copy will be provided to you. Regional Conditions A-E and L-O, apply to your project. You must comply with all terms and conditions associated with NWP13, as well as with the special condition listed below:

Conditions 1-6, of the Fish Habitat Permit (FH 05-II-009) issued by the Department of Natural Resources, Office of Habitat Management and Permitting (attached), shall be included as conditions of this permit.

Further, please note General Condition 14 requires that you submit a signed certification to us once any work and required mitigation are completed. Enclosure 1 is the form for you to complete and return to us.

This verification will be valid for two years from the date of this letter, unless the NWP authorization is modified, suspended, or revoked.

Please take a moment to complete and return the enclosed questionnaire. Our interest is to see how we can continue to improve our service to you, our customer, and how best to achieve these improvements. Upon your request, you may also provide additional comments by telephone or a meeting. We appreciate your efforts and interest in evaluating the Regulatory Program.

Nothing in this letter shall be construed as excusing you from compliance with other Federal, State, or local statutes, ordinances, or regulations which may affect this work.

Please contact me at the letterhead address, ATTN: CEPOA-CO-R-S, at (907) 753-2724, toll-free from within Alaska at (800) 478-2712, or by FAX at (907) 753-5567, if you have any questions or to request a paper copy of the terms and conditions of NWP13. For additional information about our Regulatory Program, visit our web site at www.poa.usace.army.mil/reg.

Sincerely,


Merrick R. Northrop
Project Manager

Enclosures

such as coho and chum salmon or Dolly Varden inhabit the stream. If completed according to submitted plans and the conditions of this permit the project should not have any adverse effect on these fish resources.

In accordance with AS 41.14.840, project approval is hereby given subject to the following conditions:

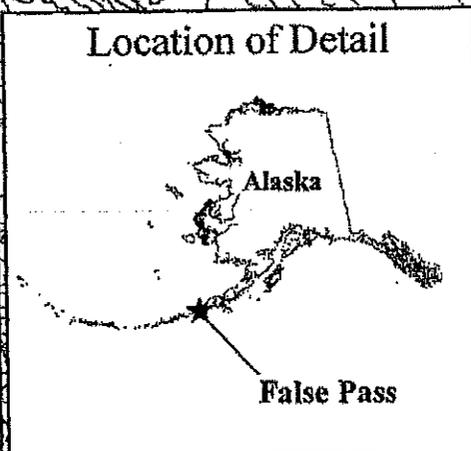
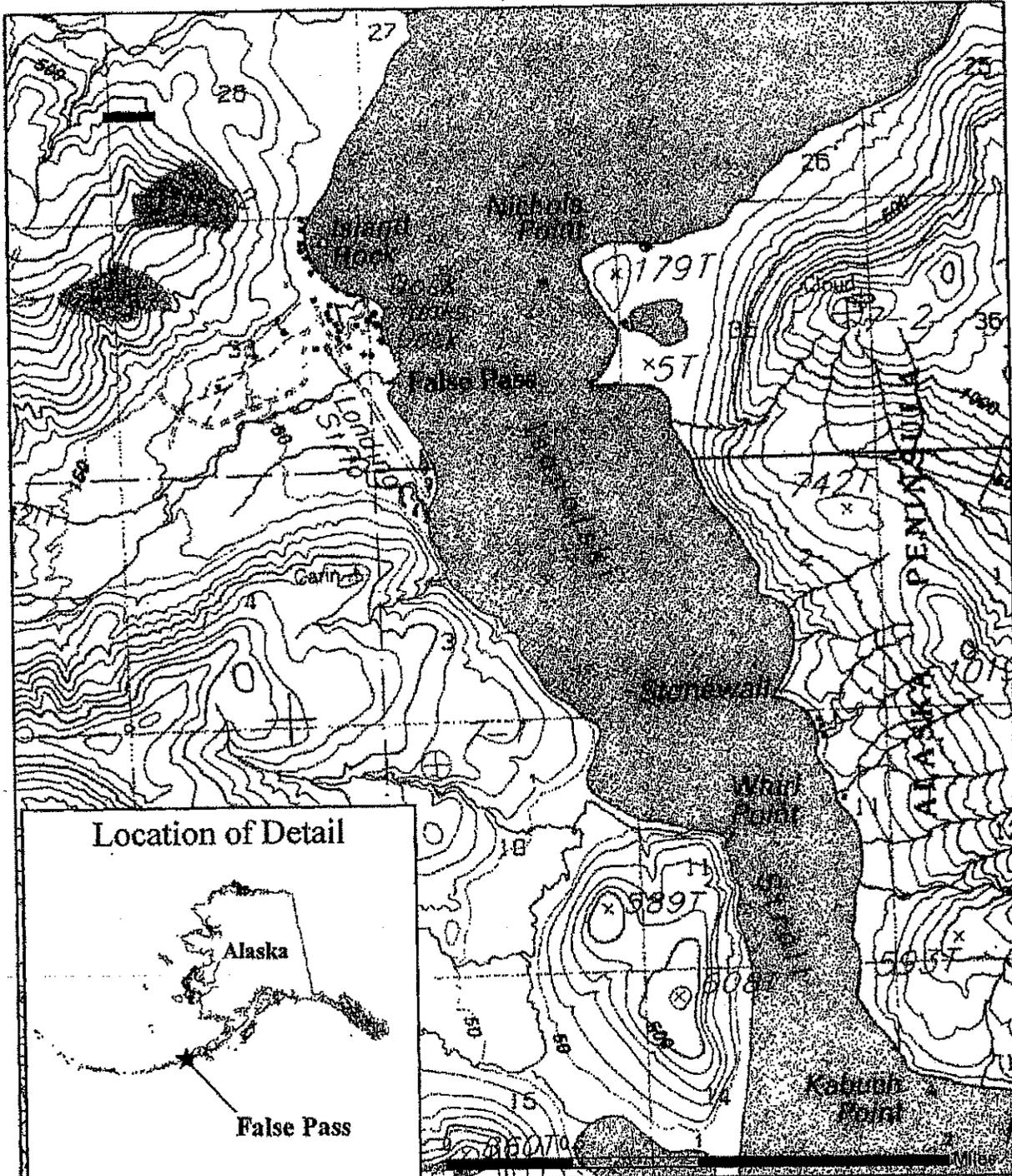
1. The structure and any reconstructed stream channel shall be designed, installed, and maintained to accommodate the efficient passage and movement of fish, both upstream and downstream.
2. During construction and installation activities, water shall bypass the work area and the stream reach downstream of the road shall be supplied with a constant flow of clean water sufficient to support the aquatic life found in the stream and maintain fish passage.
3. The riprap scour protection and gabion blankets shall be buried below the streambed or banks and conform to the channel shape so it will not constrict the channel. Alluvial gravels shall be layered on any portions below OHW. The intent of the gravel is to fill the voids in the riprap and gabions, accelerating natural deposition of finer grained material, which will force the water to flow on top of the riprap and gabions rather than through them.

In addition, the following stipulations were adopted pursuant to 6 AAC 50 [Project Consistency with the Alaska Coastal Management Program (ACMP)] and are necessary to ensure that your project is consistent with the ACMP and the Aleutians East Borough Coastal Management Program.

4. Bridge and guide bank construction and installation shall be conducted in a manner and utilizing methodologies that maintains water quality in Ungaman Creek and downstream in Isanotski Strait. Water within work areas, and all wastewaters shall be treated and discharged in a manner that allows sediments adequate time to filter or settle before the waters reenter Ungaman Creek or Isanotski Strait. Discharged water and waters within Ungaman Creek and Isanotski Strait must meet Alaska Department of Environmental Conservation water quality standards.
5. Alteration of stream banks shall be minimized and restricted to only that necessary for the installation of the bridge and guide banks at the stream crossing. Any bank cuts, slopes, fill, or other exposed earthwork attributable to the crossings shall be stabilized and revegetated to prevent erosion and sedimentation of Ungaman Creek both during and after project construction.
6. Stream crossings shall be made from bank to bank in a direction substantially perpendicular to the direction of stream flow at a location with gradually sloping banks. There shall be no crossings at locations with sheer or cut banks.

The recipient of this permit (the permittee) is responsible for the actions of contractors, agents, or other persons who perform work to accomplish the approved plan. For any activity that significantly deviates from the approved plan, the permittee shall notify the OHMP and obtain written approval in the form of a permit amendment before beginning the activity. Any action taken by the permittee or an agent of the permittee that increases the project's overall scope or that negates, alters, or minimizes the intent or effectiveness of any stipulation contained in this permit will be deemed a significant deviation from the approved plan. The final determination as to the significance of any deviation and the need for a permit amendment is the responsibility of the OHMP. Therefore, it is recommended that the OHMP be consulted immediately when a deviation from the approved plan is being considered.

POA-2005-672-D



LOCATION:
 T. 61S R. 94W SEC. 28
 Seward Meridian
 USGS Map: False Pass D-5

SHEET 1

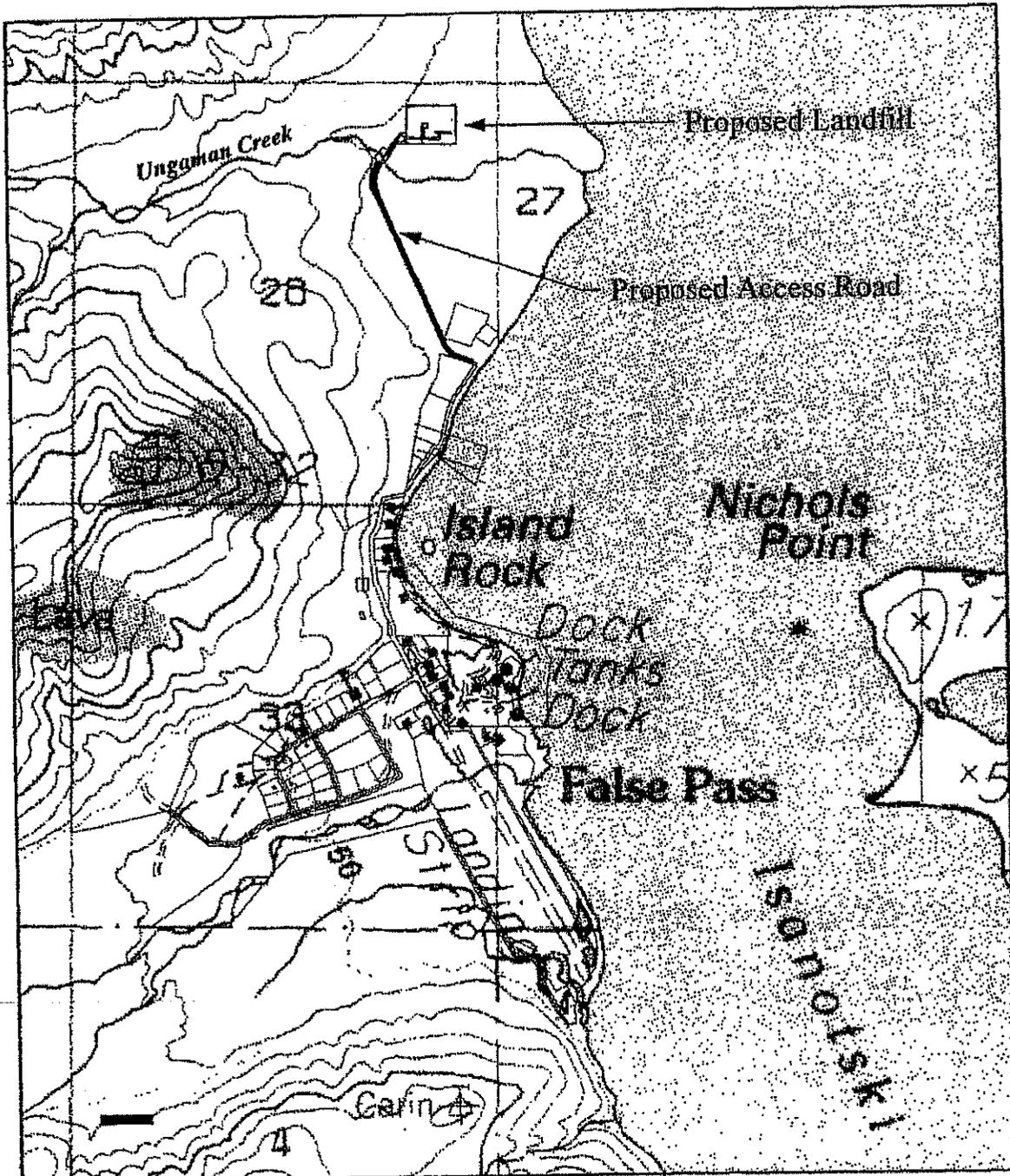
Project Vicinity

City of False Pass
 PO Box 50
 False Pass, AK 99583

**City of False Pass
 Landfill and
 Access Road Project**

Date: 9-28-04
 File: topo_map.mxd (Chsrv01) By: JDS

54.8732°N - 163.4174°W



LOCATION:
 T. 61S R. 94W SEC. 28
 Seward Meridian
 USGS Map: False Pass D-5

SHEET 2

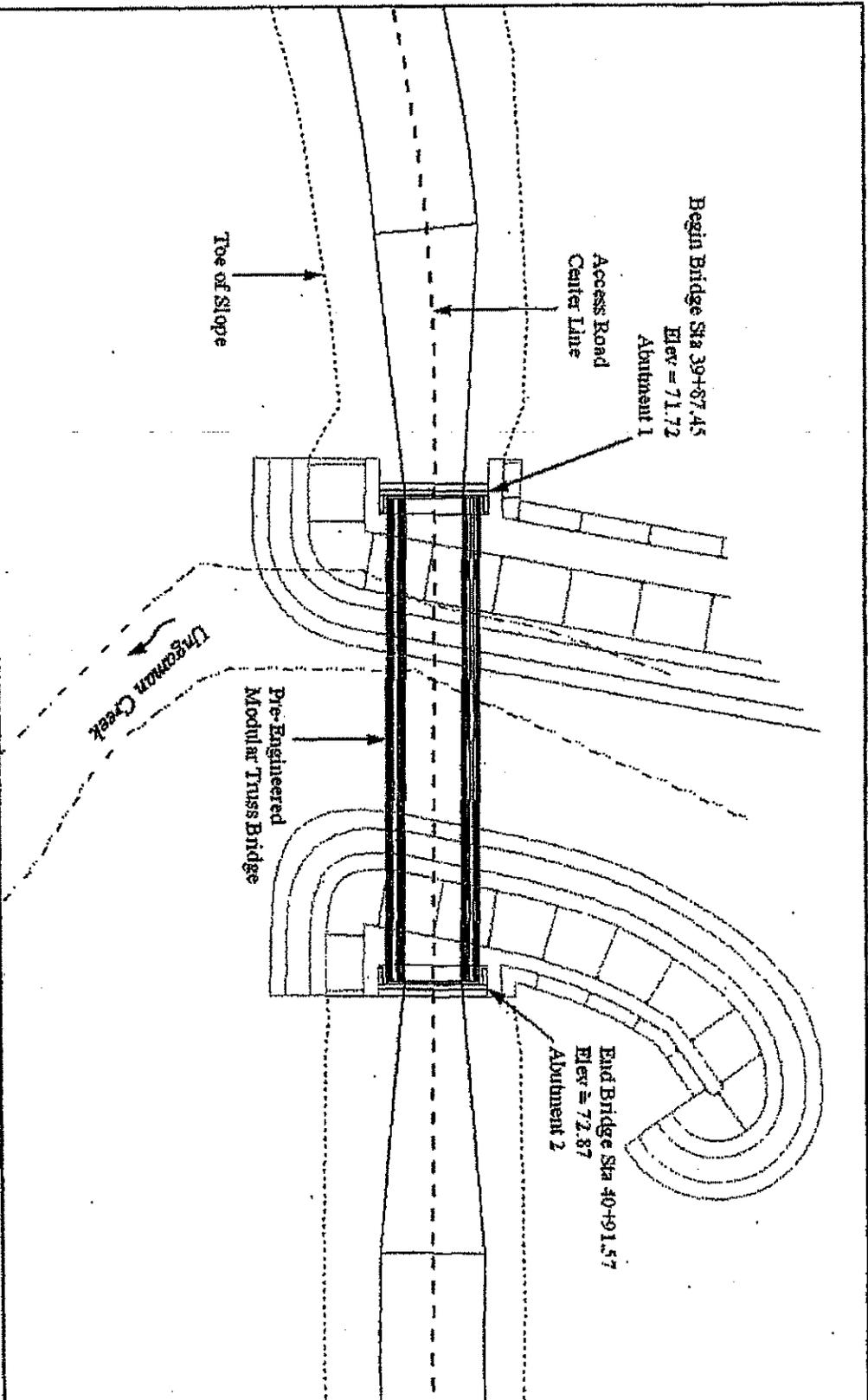
**Proposed Landfill
 and Access Road**

City of False Pass
 PO Box 50
 False Pass, AK 99583

**City of False Pass
 Landfill and
 Access Road Project**

POA-2005-672-0

Date: 9-28-04
 File: lotp_map.mxd (Chrv01) By: JDS



LOCATION:
 T. 61S R. 94W SEC. 28
 Seward Meridian
 USGS Map: False Pass D-3

**Plan View of Proposed Bridge
 Over Ungamman Creek**

City of False Pass
 Landfill and
 Access Road Project

SHEET 4

City of False Pass
 PO Box 50
 False Pass, AK 99583

Date: 9-28-04
 File: bridge plan.mxd (03/04) By: JDS

POA-2005-672-D

STATE OF ALASKA

FRANK H. MURKOWSKI, GOVERNOR

550 W. 7th Avenue, Suite 1420
ANCHORAGE, ALASKA 99501-3566
PHONE: (907) 269-8690
FAX: (907) 269-5673

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF HABITAT MANAGEMENT AND PERMITTING

RECEIVED

FEB 28 2005

FISH HABITAT PERMIT FH 05-II-0009

ISSUED: February 25, 2005

EXPIRES: Upon Abandonment
and Restoration of the project

City of False Pass
Attn: John Nickles
P.O. Box 50
False Pass, AK 99583

Dear Mr. Nickles:

Re: Bridge Installation / guidebank construction – Ungaman Creek
NE ¼, NE ¼, Section 28, T. 61S., R. 94W., S.M.
GC-07

Pursuant to AS 41.14.840 the Alaska Department of Natural Resources, Office of Habitat Management and Permitting (OHMP) has reviewed your request to install a modular steel truss bridge and flood control guide banks in Ungaman Creek at the referenced location. The bridge and guide bank work is part of the larger False Pass Landfill and Access Road Project planned to occur during 2006 - 2007. Plans call for the installation of an approximately 110 foot long clear span modular truss steel bridge about ½ mile upstream from Ungaman Creek's outlet into Isanotski Strait. The one lane bridge would rest on concrete abutments well above the ordinary high water mark of Ungaman Creek and it's lowest horizontal cross channel component would be 4 feet above the 100 year flood elevation.

In addition to the bridge placement two guide bank structures is proposed to prevent flood damage and lateral shift of the stream channel. The south guidebank would be 125 feet long, 28 feet wide at the base and 8 feet wide at the top. The north guide bank would be 127 feet long, 30 feet wide at the base and 8 feet wide at the top. The north guide bank would also incorporate a quarter ellipse design to prevent lateral movement of the stream and promote sediment transport through the span. Both guide banks would have top elevations 2 feet above the 100 year flood elevation, have 2:1 side slopes and extend 50 feet upstream of the bridge. An 18 inch thick by 15 foot wide rock gabion blanket will extend the length of the guide banks and Class III riprap scour protection would be placed in a 5 foot lateral strip at the base of the gabion blanket. Guide bank and abutment construction will require excavation of trenches below the OHW mark to key in gabion baskets, diversion of stream flow and multiple equipment crossings of the creek. During guide bank construction stream flow will be diverted to the opposite side of the stream to isolate the work area from the flowing waters of Ungaman Creek. Bridge and guide bank construction is scheduled to occur during 3 months between Summer 2006 and Summer 2007.

Ungaman Creek has not been specified as being important for the spawning, rearing, or migration of anadromous fish pursuant to AS 41.14.870(a). No known sampling has been conducted within the creek. However, given what is known about nearby streams it is likely that anadromous and or resident fish species

"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."

FH 05-II-0009

-2-

February 25, 2005

such as coho and chum salmon or Dolly Varden inhabit the stream. If completed according to submitted plans and the conditions of this permit the project should not have any adverse effect on these fish resources.

In accordance with AS 41.14.840, project approval is hereby given subject to the following conditions:

1. The structure and any reconstructed stream channel shall be designed, installed, and maintained to accommodate the efficient passage and movement of fish, both upstream and downstream.
2. During construction and installation activities, water shall bypass the work area and the stream reach downstream of the road shall be supplied with a constant flow of clean water sufficient to support the aquatic life found in the stream and maintain fish passage.
3. The riprap scour protection and gabion blankets shall be buried below the streambed or banks and conform to the channel shape so it will not constrict the channel. Alluvial gravels shall be layered on any portions below OHW. The intent of the gravel is to fill the voids in the riprap and gabions, accelerating natural deposition of finer grained material, which will force the water to flow on top of the riprap and gabions rather than through them.

In addition, the following stipulations were adopted pursuant to 6 AAC 50 [Project Consistency with the Alaska Coastal Management Program (ACMP)] and are necessary to ensure that your project is consistent with the ACMP and the Aleutians East Borough Coastal Management Program.

4. Bridge and guide bank construction and installation shall be conducted in a manner and utilizing methodologies that maintains water quality in Ungaman Creek and downstream in Isanotski Strait. Water within work areas, and all wastewaters shall be treated and discharged in a manner that allows sediments adequate time to filter or settle before the waters reenter Ungaman Creek or Isanotski Strait. Discharged water and waters within Ungaman Creek and Isanotski Strait must meet Alaska Department of Environmental Conservation water quality standards.
5. Alteration of stream banks shall be minimized and restricted to only that necessary for the installation of the bridge and guide banks at the stream crossing. Any bank cuts, slopes, fill, or other exposed earthwork attributable to the crossings shall be stabilized and revegetated to prevent erosion and sedimentation of Ungaman Creek both during and after project construction.
6. Stream crossings shall be made from bank to bank in a direction substantially perpendicular to the direction of stream flow at a location with gradually sloping banks. There shall be no crossings at locations with sheer or cut banks.

The recipient of this permit (the permittee) is responsible for the actions of contractors, agents, or other persons who perform work to accomplish the approved plan. For any activity that significantly deviates from the approved plan, the permittee shall notify the OHMP and obtain written approval in the form of a permit amendment before beginning the activity. Any action taken by the permittee or an agent of the permittee that increases the project's overall scope or that negates, alters, or minimizes the intent or effectiveness of any stipulation contained in this permit will be deemed a significant deviation from the approved plan. The final determination as to the significance of any deviation and the need for a permit amendment is the responsibility of the OHMP. Therefore, it is recommended that the OHMP be consulted immediately when a deviation from the approved plan is being considered.

February 25, 2005

This letter constitutes a permit issued under the authority of AS 41.14.840. This permit must be retained on site during construction and operation activities. Please be advised that this determination applies only to activities regulated by OHMP; other divisions within ADNR may have jurisdiction under their respective authorities. This determination does not relieve you of the responsibility for securing other permits, state, federal, or local. You are still required to comply with all other applicable laws.

This permit provides reasonable notice from the commissioner that failure to meet its terms and conditions constitutes violation of AS 41.14.860; no separate notice under AS 41.14.860 is required before citation for violation of AS 41.14.840 can occur.

Pursuant to 6 AAC 80.010(b), the conditions of this permit are consistent with GC-07 and GC-05, the Standards of the Alaska Coastal Management Program and the Aleutians East Borough Coastal Management Program.

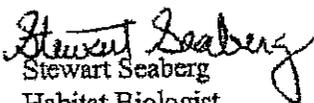
In addition to the penalties provided by law, this permit may be terminated or revoked for failure to comply with its provisions or failure to comply with applicable statutes and regulations. The department reserves the right to require mitigation measures to correct disruption to fish and game created by the project and which was a direct result of the failure to comply with this permit or any applicable law.

The permittee shall indemnify, save harmless, and defend the department, its agents, and its employees from any and all claims, actions or liabilities for injuries or damages sustained by any person or property arising directly or indirectly from permitted activities or the permittee's performance under this permit. However, this provision has no effect if, and only if, the sole proximate cause of the injury is the department's negligence.

This permit decision may be appealed in accordance with the provisions of AS 44.62.330--44.62.630. Please contact Habitat Biologist, Ed Weiss at (907) 269-5901 if you have further questions or need assistance with this permit.

Sincerely,

Dick LeFebvre, Deputy Commissioner

By: 
Stewart Seaberg
Habitat Biologist
Anchorage Area Office

cc: ✓ Robin Reich, HDR
T. Anderson, AEB
M. Northrop, ACOE

L. Schwarz, ADF&G
S. Honnold, ADF&G
C. Zuelow-Osborne, DNR/OPMP

ABWE, Cold Bay
W. Dolezal, ADF&G

Telephone Record

State of Alaska

Department of Transportation and Public Facilities
Central Region – Design & Engineering Services
Preliminary Design & Environmental

Date:	3/20/07	Time	10 a.m.
To <input type="checkbox"/>	From <input checked="" type="checkbox"/> : Teresa Zimmerman	Phone:	548-2319
	Representing: DOT&PF	Location	False Pass
To <input checked="" type="checkbox"/>	From <input type="checkbox"/> : City of False Pass (spoke with Melanie, City Clerk)	Project Name:	False Pass Landfill Road
	Subject: eagles nests along LF road route	Project No.:	59759

I called the city to speak with someone that may be familiar with the landfill road area and whether any eagles nests are known to be nearby. Melanie advised that she had lived in False Pass most of her life, and that residents know that the eagles nests are along the hillside behind Hillside Road. She said that a nest is in "one huge tree" that someone had planted years ago is in the area, and several more nests were nearby in the alders.

I e-mailed a map of the False Pass area for her to delineate the area of the known eagles nests. Melanie received the e-mail, and then faxed the map back with the location of the eagles nests delineated.

We also discussed subsurface land ownership for the landfill road. Melanie checked with the Mayor, Tom Hoblet, who advised that the subsurface was owned by USFWS.

Teresa Zimmerman

From: Teresa Zimmerman [teresa_zimmerman@dot.state.ak.us]
Sent: Tuesday, March 20, 2007 11:10 AM
To: 'City of False Pass'
Subject: RE: map for eagles nests

can you put x's and fax it to me?
My fax is 243-6927

From: City of False Pass [mailto:cityoffalsepass@ak.net]
Sent: Tuesday, March 20, 2007 11:04 AM
To: Teresa Zimmerman
Subject: Re: map for eagles nests

Hi Teresa,

I rec'd the map okay, but any ideas on how I put marks on the map to send back to you, I don't have a whole lot of experience with adobe acrobat reader?
Thanks.

Melanie

----- Original Message -----

From: Teresa Zimmerman
To: cityoffalsepass@ak.net
Sent: Tuesday, March 20, 2007 9:54 AM
Subject: map for eagles nests

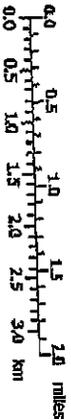
Melanie,
Thanks so much for helping out! Please indicate where the eagles nests are and send the map back to me.
Teresa Z.
269-0551

_____ NOD32 1.1776 (20060926) Information _____

This message was checked by NOD32 antivirus system.
<http://www.eset.com>



TOPOI map printed on 03/19/07 from "Untitled.tpo"



03/19/07
 13°
 TMT/AM
 WGS84 163°19'00\"/>

Teresa Zimmerman

From: Teresa Zimmerman [teresa_zimmerman@dot.state.ak.us]
Sent: Tuesday, March 20, 2007 3:57 PM
To: 'Mary_Nation@fws.gov'
Cc: 'City of False Pass'
Subject: False Pass Eagle Information
Attachments: eagle nest location map.pdf

Mary Lynn,

Thanks for discussing the eagle information for the False Pass Landfill Road project. I spoke with Melanie, the False Pass City Clerk this morning. Melanie advised that residents know where the eagles are nesting, and faxed me a map of the approximate location of the nests. Since the fax was almost black, I transposed the area on a fresh map, and have attached the map for your information. Melanie advised that someone had planted a tree in that area years ago, and the tree was quite large now. The tree has an eagle nest, and other nests are in the area in the alders.

The eagle nest area indicated by Melanie is 1/2 to 1 mile away from the road project, as you can see by the attached map.

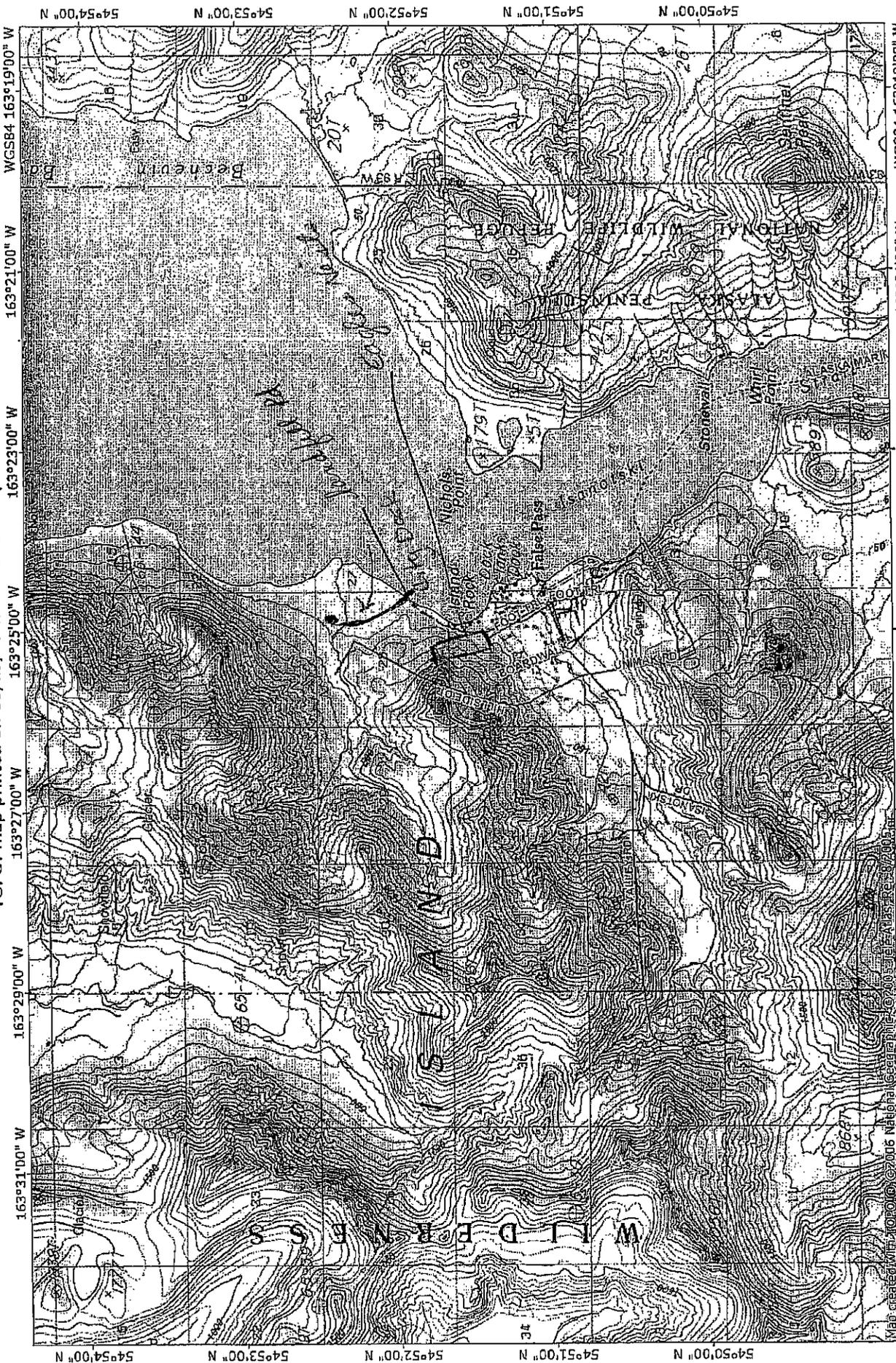
You advised that if the nest is not within 660 feet (primary or secondary zone) we don't have a concern. We will use this sent e-mail as documentation for our files.

I noticed that you could get approximate lat/long from this map for entry in your database.

Thanks for your time,

Teresa Zimmerman
269-0551

TOPOI map printed on 03/19/07 from "Untitled.tpo"



TTN/MIN 13°
03/19/07



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Anchorage Fish & Wildlife Field Office
605 West 4th Avenue, Room G-61
Anchorage, Alaska 99501-2249

in reply refer to
AFWFO2003056

February 12, 2003

Ms. Sharon Boyette
Aleutians East Borough
3380 C Street, Suite 205
Anchorage, Alaska 995-3-3952

Re: City of False Pass Landfill (*endangered species consultation number 2003056*)

Dear Ms. Boyette,

This responds to your November 5, 2002 letter requesting information regarding the potential effects to threatened and endangered species resulting from the proposed construction of a new landfill in False Pass. According to additional project information we received January 13, 2003, the city of False Pass proposes to develop a Class III municipal solid waste landfill. Total landfill reserve is 7 acres, 2 of which will be used for waste disposal. Approximately 0.75 mile of new road would be constructed to access the new landfill.

As many as 32 Steller's eiders (*Polysticta stelleri*), listed as threatened under the Endangered Species Act in 1997, were observed in the marine waters near False Pass in the winter of 2000. We reviewed the solid waste disposal permit application you provided, and considering the absence of conditions likely to produce leachate at the new landfill, we believe that listed species are not likely to be adversely affected by the proposed project. Preparation of a biological assessment or further consultation under section 7 of the Endangered Species Act regarding this project is not necessary at this time. If project plans change, additional information on listed or proposed species becomes available, or new species are listed that may be affected by the project, consultation should be reinitiated.

This letter relates only to federally listed or proposed species and/or designated or proposed critical habitat under our jurisdiction. It does not address species under the jurisdiction of National Marine Fisheries Service, or other legislation or responsibilities under the Fish and Wildlife Coordination Act, Clean Water Act, National Environmental Policy Act, or Bald and Golden Eagle Protection Act.

This concludes section 7 consultation on the proposed new municipal solid waste landfill at False Pass. If you have any questions, please contact me at (907) 271-2781. In future correspondences regarding this project please refer to consultation number 2003056.

Sincerely,

Charla Sterne
Endangered Species Biologist

Telephone Record

State of Alaska

*Department of Transportation and Public Facilities
Central Region – Design & Engineering Services
Preliminary Design & Environmental*

Date: 3/23/07

Time: 4:15 pm.

To From : Teresa Zimmerman

Phone: 271-5006

Representing: DOT&PF

Location: Anchorage

To From : Matt Eagleton, NMFS

Project Name: False Pass Landfill Road

Subject: Section 7 consultation

Project No.: TBD

I called Mr. Eagleton to encourage a NMFS response to the 1/6/04 Scoping letter sent out for the False Pass Landfill Road project. I described the project as a road on uplands, crossing one creek, that is not anadromous but possibly has resident fish. Matt remembered the project, and advised that NOAA fisheries had no Section 7 issues for the project.

STATE OF ALASKA

FRANK H. MURKOWSKI, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMENT AND PERMITTING
ALASKA COASTAL MANAGEMENT PROGRAM

✓ SOUTHCENTRAL REGIONAL OFFICE
550 W 7TH AVENUE SUITE 1880
ANCHORAGE, ALASKA 99501
PH: (907) 269-7470 FAX: (907) 269-3891

□ CENTRAL OFFICE
302 GOLD STREET, SUITE 202
JUNEAU, ALASKA 99801
PH: (907) 465-3562 FAX: (907) 465-3075

□ PIPELINE COORDINATOR'S OFFICE
411 WEST 4TH AVENUE, SUITE 2C
ANCHORAGE, ALASKA 99501
PH: (907) 2857-1351 FAX: (907) 272-3829

December 27, 2004

Ms. Robin Reich
HDR Alaska, Inc.
2525 C Street, Suite 305
Anchorage, Alaska 99503

SUBJECT: **ACMP REVIEW NOT REQUIRED:** False Pass Landfill and Access Road Project (Collaborative Effort Between City of False Pass, Isanotski Corporation and False Pass Tribal Council); Section 33, T061S, R094W, Seward Meridian; US Army Corps of Engineers #POA-2004-672-8.

Dear Ms. Reich,

The Office of Project Management and Permitting, Alaska Coastal Management Program (ACMP) has reviewed the Coastal Project Questionnaire and Certification Statement that you supplied in addition to other, pertinent information concerning the above referenced project.

You have certified that the project described will conform with the terms of US Environmental Protection Agency (EPA) General NPDES Permit AKR-10-0000. Activities authorized under this General Permit are consistent with the Alaska Coastal Management Program. If information provided to this office concerning conformance with the terms of the General Permit is not confirmed by the EPA, you must contact this office to determine if additional review for consistency with the ACMP is required.

Your proposed project also requires authorizations from the Alaska Department of Natural Resources, Office of Habitat Management and Permitting (OHMP). Your contact at OHMP is Mr. Ed Weiss. You may contact him at (907) 269-5901. Your project does not require a State review for consistency with the ACMP providing that you also comply with the conditions listed in the enclosed General Concurrence Determination #7, Culvert and Bridge Installation. If you are unable to comply with these conditions, please contact me immediately.

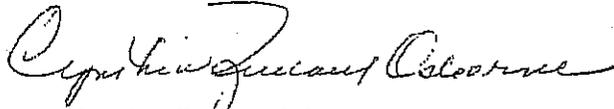
You are not relieved from obtaining required permits and approvals from State, federal or local agencies before you begin the proposed work. Nothing in this letter excuses you from compliance with other statutes, ordinances or regulations that may affect any proposed work.

This decision is only for the project as described. If there are any changes to the proposed project, including to its intended use, prior to or during its siting, construction or operation, please contact this office immediately to determine if further review and approval of the revised project is necessary.

"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."

Thank you for your cooperation with the ACMP.

Sincerely,



Cynthia Zuelow-Osborne
Project Review Assistant

Enc. CPQ, Pg. 1&2
GCD# GP-AKR-10-0000, Stormwater Discharges from Construction Activities Associated
with Industrial Activity (applicant only,) and
GCD #7, Culvert and Bridge Installation and 24 (applicant only)

cc: Ms. Tina Anderson, Aleutians East Coastal District
Mr. Ed Weiss, ADNR/OHMP
Ms. Kara Moore, ADNR/MLW
Ms. Stefanie Ludwig, ADNR/SHPO
Ms. Mel Langdon, ADEC
Mr. Medrick Northrop, US Army Corps of Engineers Regulatory Branch

Coastal Project Questionnaire and Certification Statement

All questions must be answered. **If you answer "Yes" to any of the questions, please call that specific department for further instructions to avoid delay in processing your application** Maps and plan drawings must be included with this packet.

An incomplete packet will be returned.

RECEIVED

NOV 16 2004

■ APPLICANT INFORMATION

ANCHORAGE

1. City of False Pass Attention: John Nickels

Name of Applicant	
P.O. Box 50	
Address	
False Pass, Alaska 99583	
City/State/Zip	
907-548-2319	
Daytime Phone	
907-548-2214	
Fax Number	E-mail Address

2. HDR Alaska, Inc Attention: Robin Reich

Agent (or responsible party if other than applicant)	
2525 C Street Suite 305	
Address	
Anchorage, AK 99503	
City/State/Zip	Zip Code
(907) 644-2000	
Daytime Phone	
(907) 644-2022	
E-mail Address	
robin.reich@hdrinc.com	
Fax Number	E-mail Address

■ PROJECT INFORMATION

1. This activity is a: new project modification or addition to an existing project

Yes No

If this is a modification, do you currently have any State, federal or local approvals for this activity?.....

Note: Approval means any form of authorization. If "yes," please list below:

Approval Type	Approval #	Issuance Date	Expiration Date

2. If this is a modification, was this project reviewed for consistency with Alaska Coastal Management?.....

Previous State I.D. Number: AK _____

Previous Project Name _____

■ PROJECT DESCRIPTION

1. Provide a brief description of your entire project and ALL associated facilities and land use conversions.

The City of False Pass, False Pass Incorporated, and False Pass Village Council are collaborating on a new landfill and landfill access road project. The proposed project would consist of a new access road, install more engineered modular waste bridge, construct a new 7-acre landfill, and close the existing landfill.

Access Road: The access road will start at an existing road adjacent to the scrap oil storage area north of the City dock and terminate in a turnaround at the new landfill. It will be gravel surfaced, two lanes, and 22.5 feet by 3,360 feet.

2-lane 22.5' x 3,360'

approximately 0.7 miles)

Bridge: A simple lane pre-engineered modular steel bridge will be installed to cross Unegannak Creek. No alterations to the creek banks will be constructed along the sides of the creek to protect the bridge from flood damage and to prevent lateral shift of the creek channel upstream of the bridge.

New Landfill: The site selected for the new landfill is on the north side of Unegannak Creek. A water reserve will be established to prevent landfill development and initial construction will include two solid waste disposal cells, two sludge pits, stockpile of gravel materials, drainage controls, and fencing of the entire site.

Closure of the existing landfill: The existing landfill will be closed once the new facility is operating. A closure plan for the existing facility has been developed.

Proposed starting date for project: Summer 2006 Proposed ending date for project: 2007

- 2. Attach the following:
 - a detailed project description all associated facilities, and land use conversions, etc. (Be specific, including access roads, caretaker facilities, waste disposal sites, etc.);
 - a project timeline for completion of all major activities;
 - a site plan depicting project boundary with all proposed actions;
 - other supporting documentation to facilitate project review. Note: If the project is a modification, identify existing facilities and proposed changes on the site plan.

PROJECT LOCATION

1. Attach a copy of the topographical and vicinity map clearly indicating the location of the project. Please include a map title and scale.

2. The project is located in which region (see attached map):
 Northern Southcentral Southeast
 Southwest within or associated with the Trans-Alaska Pipeline corridor

3. Location of project (Include the name of the nearest land feature or body of water.) Unegannak Strait

Township 04S Range 94W Section 05 Meridian Seward Latitude/Longitude 64 51'N 163 52'W

USGS Quad Map False Pass D-5

4. Is the project located in a coastal district? Yes No If yes, identify: Aleutians East Borough
(Coastal districts are a municipality or borough, home rule or first class city, second class with planning, or coastal resource service area.) Note: A coastal district is a participant in the State's consistency review process. It is possible for the State review to be adjusted to accommodate a local permitting public hearing. Early interaction with the district is important please contact the district representative listed on the attached contact list.

5. Identify the communities closest to your project location False Pass

6. The project is on:
 State land or water* Federal land Private land
 Municipal land Mental Health Trust land

*State land can be uplands, tidelands, or submerged lands to 3 miles offshore. See Question #1 in DNR section. Contact the applicable landowner(s) to obtain necessary authorizations.

GENERALLY CONSISTENT DETERMINATION GP-AKR-10-0000

STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES THAT ARE "ASSOCIATED WITH INDUSTRIAL ACTIVITY"

The following activity is consistent with the Alaska Coastal Management Program per 11 AAC 110.730 when conducted according to the standard alternative measures listed below. This approval does not relieve the applicant from obtaining required permits and approvals from local, State, and federal individual agencies.

DESCRIPTION OF THE ACTIVITY

Discharges of storm water associated with industrial activity from construction sites.

Authority: Section 401 and 402, Clean Water Act (33 U.S.C. 1341, 33 U.S.C. 1342)
AS 46.03

Permit: EPA General NPDES Permit AKR-10-0000 (expires 7/1/08)
Certificate of Reasonable Assurance (DEC)

Region: Statewide

STANDARD ALTERNATIVE MEASURES

See Volume II, Appendix A for a copy of NPDES general permit AKR-10-0000.

GENERALLY CONSISTENT DETERMINATION GCD-7

CULVERT AND BRIDGE INSTALLATION

The following activity is consistent with the Alaska Coastal Management Program per 11 AAC 110.730 when conducted according to the standard alternative measures listed below. This approval does not relieve the applicant from obtaining required permits and approvals from local, State, and federal individual agencies.

For activities subject to this generally consistent determination, the applicant is not automatically required to complete a coastal project questionnaire (CPQ). DFG may require a CPQ for project proposals where it is uncertain whether other State or federal authorizations may be required. For example, a CPQ may not be required for the replacement or modification of culverts or bridges associated with timber harvest activities on State and federal lands. In all cases, a CPQ is not required for the activities described below on private lands and non-navigable waters reviewed in accordance with AS 41.17, the Alaska Forest Resources and Practices Act.

DESCRIPTION OF THE ACTIVITY

The installation, maintenance, repair, replacement, or modification of culverts or bridges.

Authority: AS 41.14.840
AS 41.14.870
AS 16.20
5 AAC 95
AS 38.05.850

Section 10, Rivers and Harbors Act (33 U.S.C. 403)
Section 401 and 404 of Clean Water Act (33 U.S.C. 1341, 33 U.S.C. 1344) (33 U.S.C. 1341, 33 U.S.C. 1344) (for NWP's only)

Permit: Fish Habitat Permit (OHMP)
Special Area Permit (DFG)
Land Use Permit or Right-of-Way (DNR)

Federal Temporary Use Permit (BLM)
NWP's 3, 13-15, 18, 23, 25, 32, 33 (COE)

Region: Statewide

PROCEDURE

Permittee shall consult the Office of History and Archaeology ((907) 269-8721) so that known historic, prehistoric, or archeological sites may be avoided.

STANDARD ALTERNATIVE MEASURES

1. The structure shall be designed, installed, and maintained to accommodate the efficient passage and movement of fish, both upstream and downstream, at all flows up to and including a mean annual seasonal flood design discharge with a two-day duration for the specific time of the year that the weakest swimming fish (design fish) present in the waterbody must be assured passage.¹
2. Alteration of streambanks shall be minimized and restricted to that necessary for the stream crossing. Disturbed streambanks shall be immediately stabilized to prevent erosion and sedimentation of the stream.
3. Authorized activities shall avoid sensitive fish life stages. (Note: OHMP may restrict or prohibit activities during certain sensitive time periods as necessary.)
4. The installation, replacement, or modification shall be conducted in a manner that maintains fish and wildlife and their habitats.
5. If the structure crosses a fresh water body, it shall not be constructed of any wood treated with a preservative containing creosote or pentachlorophenol.
6. The Alaska Historic Preservation Act (AS 41.35.200) prohibits the appropriation, excavation, removal, injury, or destruction of any state-owned historic, prehistoric, or archeological site without a permit from the commissioner. Should any sites be discovered during the course of field operations, activities that may damage the site will cease and the Office of History and Archaeology in the Division of Parks and Outdoor Recreation ((907) 269-8721) and the appropriate coastal district shall be notified immediately.

¹ Fish passage design flow is not the same as the culvert design or flood flow. The flood flow is the maximum anticipated stream discharge that the structure must safely accommodate during its design life. The fish passage design flood is the maximum stream discharge at which fish passage must be assured. The OHMP has defined the fish passage design flood as the mean annual, two-day duration flood for the specific time of year that the design fish is migrating upstream. The OHMP is responsible for identifying the design fish and the seasonal period for calculation of the fish passage design flood.

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Division of Spill Prevention and Response

Contaminated Sites Program

State of Alaska > DEC > SPAR > Database Search > Results

Database Search Results

[New Database Search](#)

Questions?
Antoine_Doiron@dec.state.ak.us
907-465-5301

Total Records Found: 0 on 1/23/2007

- Contaminated Sites Records: 0
- Leaking UST Records: 0

No records from the Underground Storage Tanks database found.

No records from the Contaminated Sites database found.

[New Database Search](#)

[Back to the Top](#)

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Search Criteria:

Active vs. Archived: *Active* [What are active and archived sites?](#)
City: *FALSE PASS*
State(s): *Alaska*

Found **0** site(s) that match your search criteria listed above.

To conduct another search, return to the [Search Superfund Site Information](#) page or request a [Customized SIS Report](#).

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URL: <http://cfpub.epa.gov/supercpad/cursites/srchrslt.cfm>
This page design was last updated on Wednesday, December 20, 2006
Content is dynamically generated by ColdFusion



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Query Results



Envirofacts

Location Address: False Pass

State Abbreviation: AK

Total Number of Facilities Displayed: 0

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Last updated on Wednesday, January 24th, 2007
http://oaspub.epa.gov/enviro/fii_master.fii_retrieve

Adele Fetter

From: Joy Bryan-Dolsby [joy_bryan-dolsby@dnr.state.ak.us]
Sent: Friday, February 02, 2007 2:20 PM
To: Adele Fetter
Subject: Re: 6(f) question
Attachments: 00364 False Pass maps.pdf

Hi Adele,

Attached are maps depicting the 6(f) boundary & general location of the False Pass LWCF project. Just let me know if there are further questions,

Joy

Adele Fetter wrote:

Joy,
I looked up the False Pass Community Park on the NPS Land and Water Conservation Fund list, but I don't know where it is. Do you have any map that could show me where the Park is in False Pass? I have a project out there that's looking to relocate the landfill to the north of the community.
Thanks
Adele

--
Joy Bryan-Dolsby
Grant Administrator II
Alaska State Parks
550 W 7th Ave, Suite 1380
Anchorage, AK 99501

joyb@dnr.state.ak.us
907-269-8692 phone
907-269-8907 fax

4/5/2007

D-3

Boundary Map
and
Legal Description
False Pass Park
#02-00364

[Signature]
Nancy L. Johannsen
State Liaison Officer

12/23/94

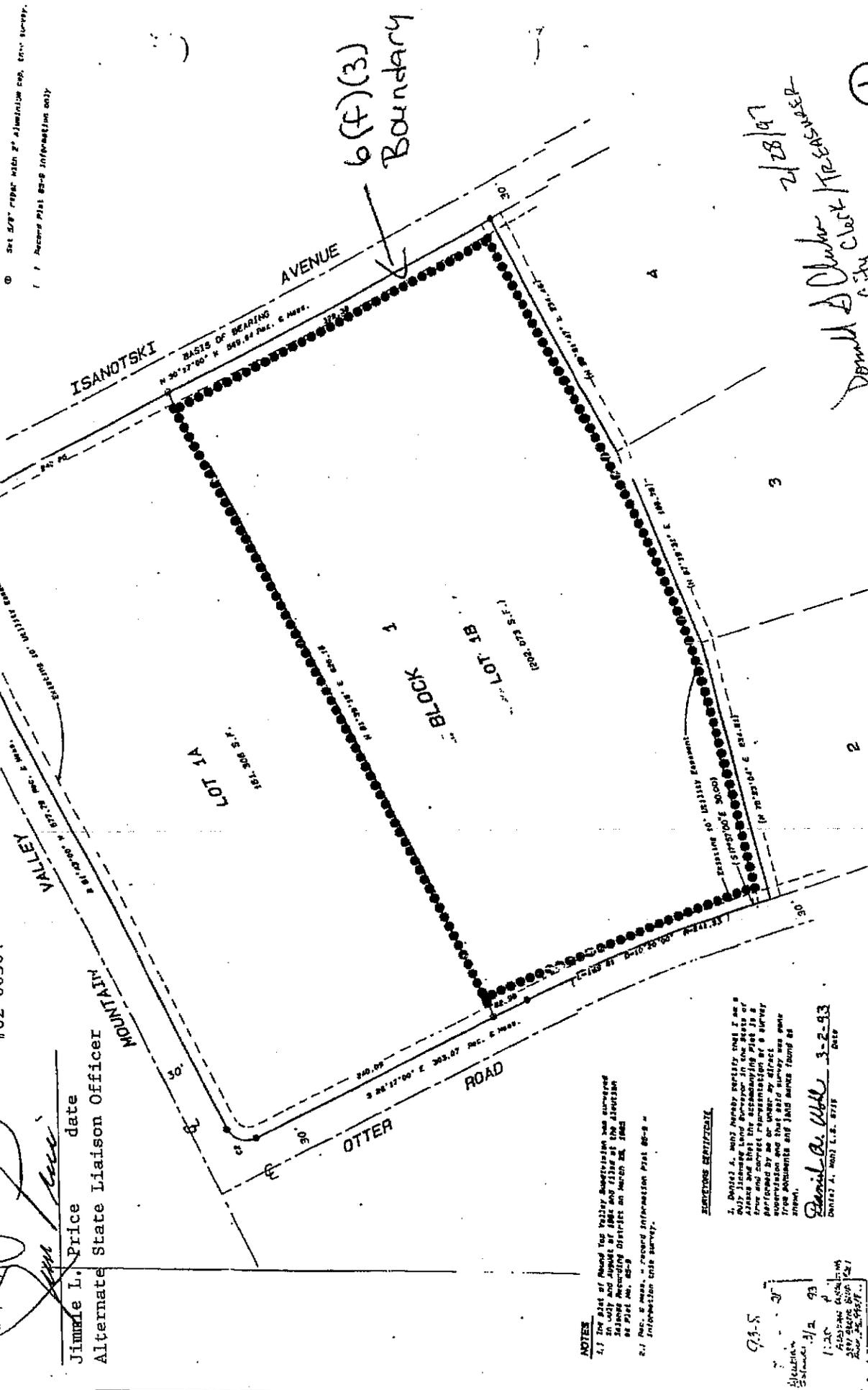
[Signature]
Jimie L. Price
Alternate State Liaison Officer

[Signature]
Mayor
Date
20 Dec. 1993

MANUAL DISCUSSION 10-1/2" EAST FROM
ANCHOR TO 1st SURVEY. RECOVERING NO. 80-2

LEGEND

- FOUND 8/2" REBAR THIS SURVEY.
- 2x4 2x8" REBAR WITH 2" ALUMINUM CAP, 6x6" SURVEY.
- RECORDS PLAT 80-8 INFORMATION ONLY



NOTES

1. The east of Round Top Valley Subdivision was surveyed in July and August of 1984 and filed at the Austin State Recording District on March 28, 1984 as Plat No. 80-9
2. Plat No. 80-8 was a record information Plat 80-8 = information only survey.

EXHIBITS CERTIFICATE

I, David A. Wood, hereby certify that I am a duly licensed surveyor in the State of Texas and that the accompanying plat is a true and correct representation of a survey performed by me or under my direct supervision and that said survey was made from monuments and field notes found at [location].

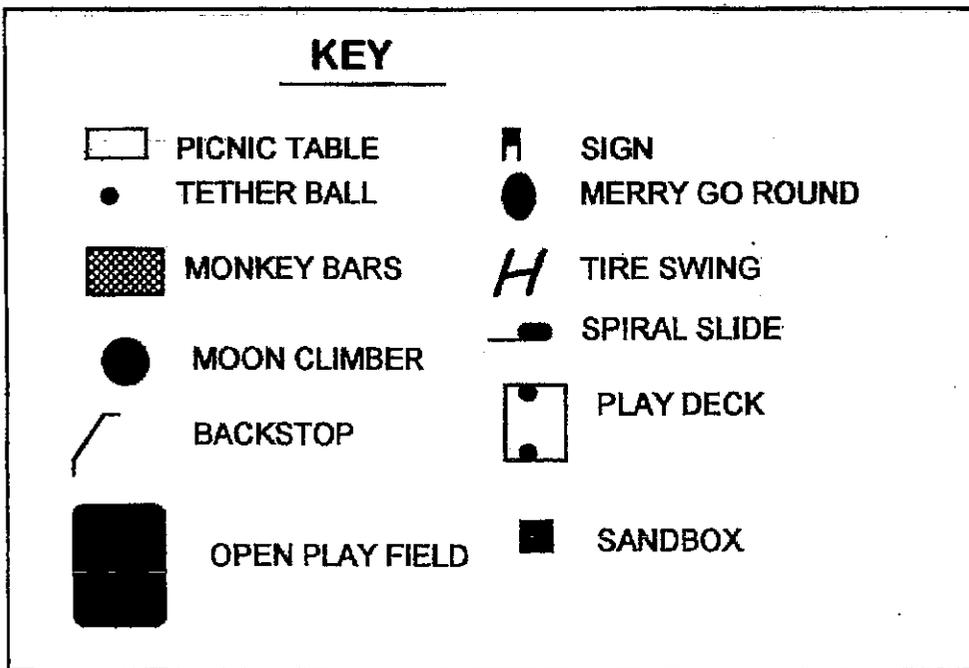
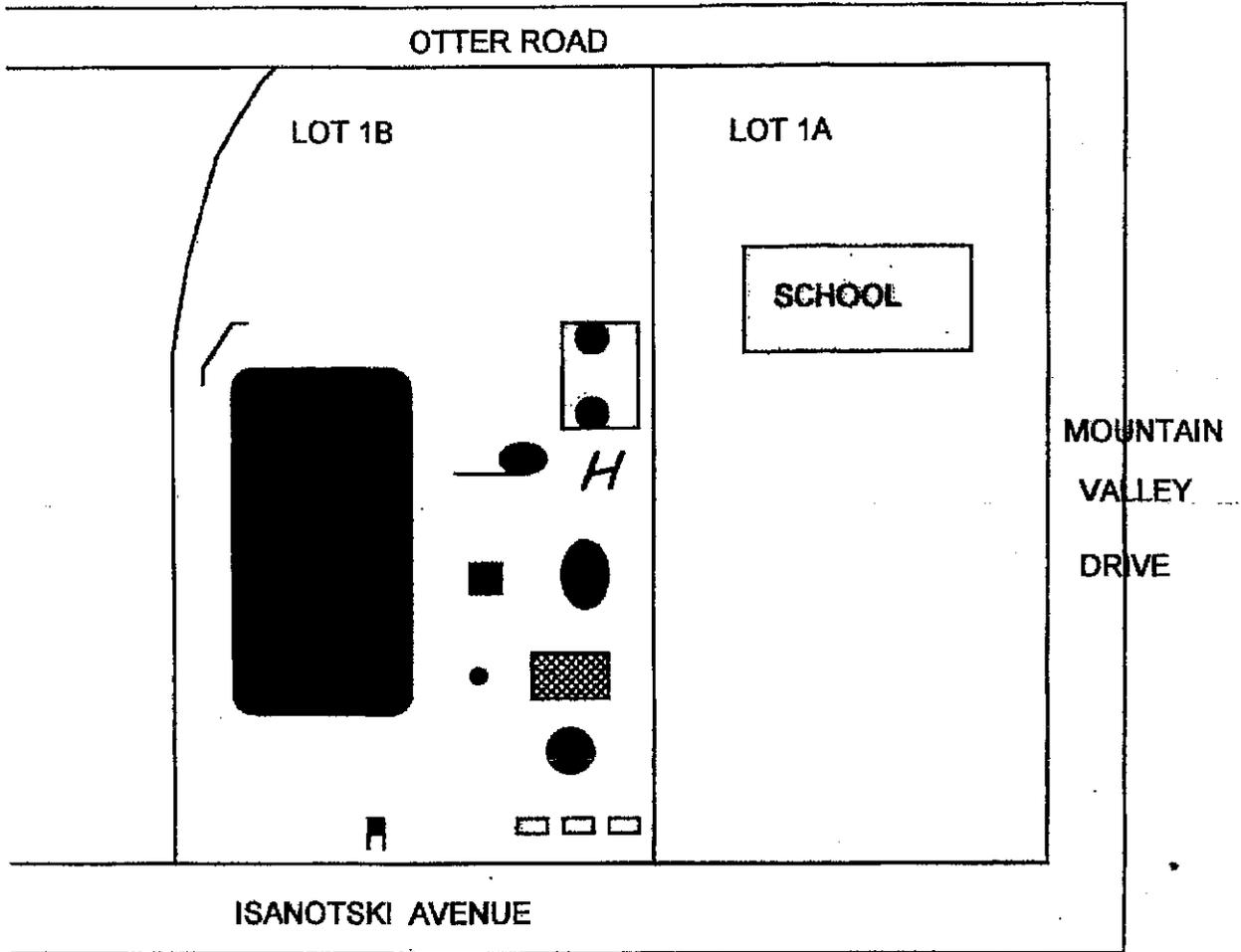
[Signature]
David A. Wood
DATE: 12/23/94

93-5
12/23/94
1:25
287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

6/28/94
2/28/94
Donald A. Wood
City Clerk
False Pass Park

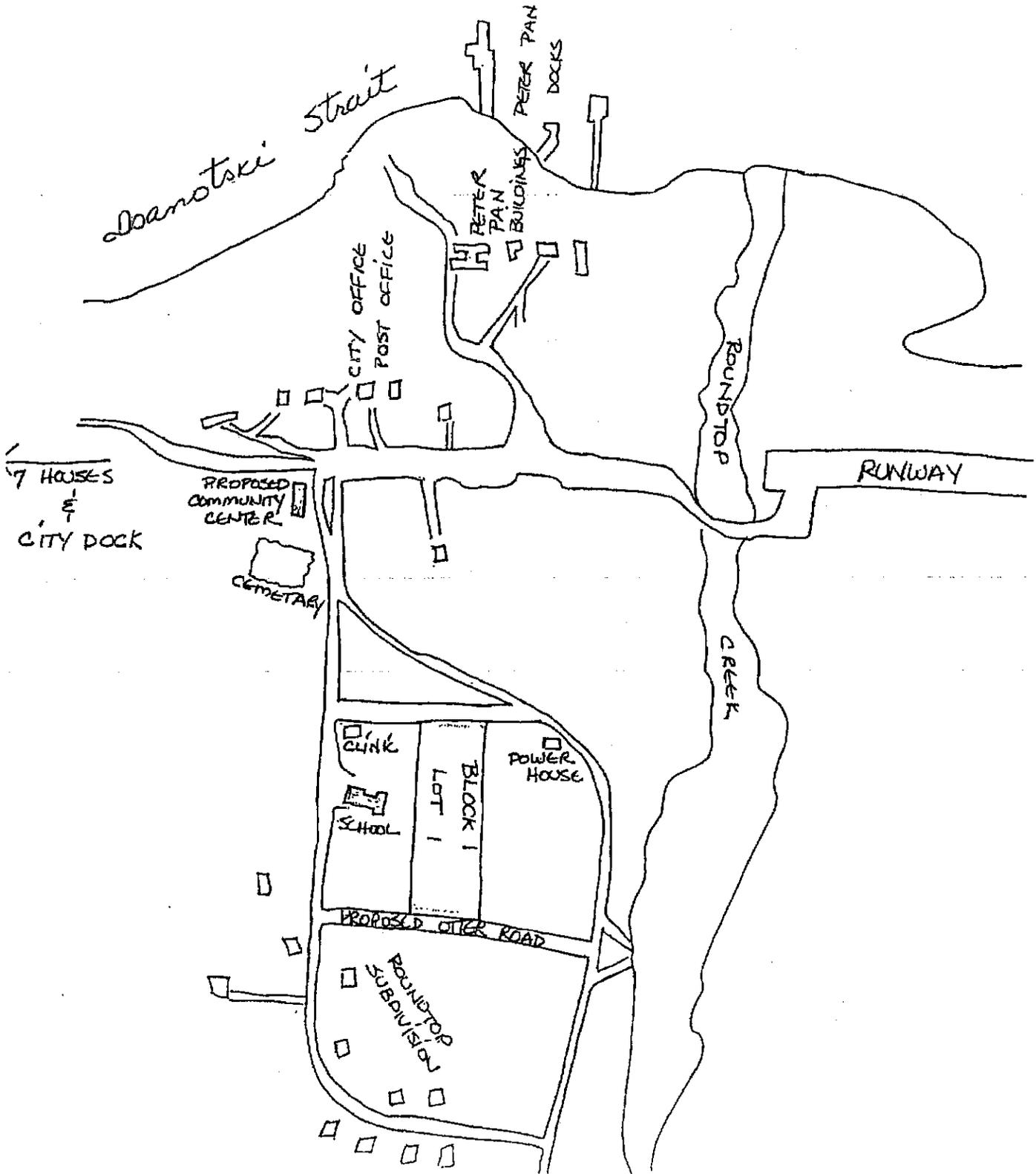
1

AS BUILT MAP FALSE PASS PARK



D-4 Geographic Location Map

False Pass



United States Department of the Interior
National Park Service
Land & Water Conservation Fund
—
Detailed Listing of Grants Grouped by County
—

Alaska - 2

Today's Date: 4/5/2007

Grant ID & Element	Type	Grant Element Title	Grant Sponsor
ALEUTIAN ISLANDS			
322 - XXX	D	SAND POINT BASEBALL FIELD/PLAYGROUND	CITY OF SAND POINT
335 - XXX	D	KING COVE COMMUNITY CENTER PK, PH. 1	CITY OF KING COVE
364 - XXX	D	FALSE PASS COMMUNITY PARK	CITY OF FALSE PASS

ALEUTIAN ISLANDS County Total:

ALEUTIANS EAST			
239 - XXX	D	SAND POINT PLAYGROUND	CITY OF SAND POINT

ALEUTIANS EAST County Total:

ALEUTIANS WEST			
310 - XXX	D	UNALASKA ATHLETIC PARK	CITY OF UNALASKA

ALEUTIANS WEST County Total:

ENVIRONMENTAL REPORT

1.0 Purpose and Need for Project

1.1 Project Description (Proposed Action or Proposed Project)

The City of False Pass, Isanotski Corporation and the False Pass Village Council are collaborating on a new landfill and landfill access road project. The existing landfill is an un-permitted, open dump located at the southwest end of town. It is upstream of the community and within close proximity of a housing area.

The proposed project would construct a new access road, install a pre-engineered modular steel bridge, construct a new 7-acre landfill, and close the existing landfill.

The City of False Pass' USDA application requests funding only for the existing landfill closure and new landfill construction. Funding for access road and bridge will be requested from other state and federal funding sources. However, the access road and bridge will be necessary for landfill construction and therefore are not separated for environmental review purposes.

Access Road. The access road will start at an existing road adjacent to the crab pot storage area, north of the City dock, and terminate at a turnaround at the new landfill. It will be gravel-surfaced, two lanes, and 22.5 feet by 3360 feet (approximately 0.6 miles).

Bridge. A single-lane pre-engineered modular steel bridge will be installed to cross Ungaman Creek. No abutments or piers will be placed in the creek.

New Landfill. The site selected for the new landfill is on the north side of Ungaman Creek. A 7-acre reserve will be set aside for long-term landfill development, and initial construction will include two solid waste disposal cells, two sludge pits, a stockpile of cover materials, drainage controls, and fencing of the entire site.

Closure of the Existing Landfill. The existing landfill will be closed once the new facility is operating. A closure plan for the existing facility has been developed.

1.2 Purpose and Need of Project

The existing landfill is presently at capacity after having served the community since 1981. It is not permitted and has no formal operational plan but is well maintained by city employees. Located in close proximity of residential housing within a brown bear habitat, it poses a safety threat to residents. Residents are also wary of the threat of rabies from foxes which also attempt to scavenge at the landfill. The community has repeatedly worked to move the landfill away from the village.

A separate cell for sewage sludge disposal was closed in 2002 because it was at capacity. City employees dug another cell, adjacent to the old, and moved the fencing. The new cell is anticipated to last approximately three years -- the time it may take to develop and open another landfill.

Environmental concerns about the run-off from the landfill also occupy a space in residents' minds. The landfill is located at the top of a gentle valley. During the long rainy season, which is most of the year in the Aleutians, water flows from the landfill downward into an area widely used by subsistence berry pickers.

2.0 Alternatives to the Proposed Action

The City of False Pass does not have land within or outside the city boundaries appropriate for use as a landfill. The Isanotski (local Native) Corporation is the major land holder in the community. The Isanotski Corporation, working cooperatively with the False Pass Tribal Council and the City, offered two alternative locations for the landfill. The location south of the proposed location was eliminated after residents expressed their concerns about this location's value for subsistence purposes.

The City attempted to ship approximately 130 cubic yards of scrap metal to a metal recycling center in the Pacific Northwest about five years ago but could not find a barge company willing to work within the allotted budget of \$30,000 even when False Pass partnered with three other Aleutian communities with similar amounts of scrap metal and budgets.

3.0 Affected Environment / Environmental Consequences

3.1. Land Use/Important Farmland/Formally Classified Lands

3.1.1 Affected Environment

The U.S. Fish and Wildlife Service web site has been visited to determine if National Wildlife Refuges exist in the proposed project area. The web site indicates that the project area is within the boundaries of the Alaska Maritime National Wildlife Refuge. The surface estate in the project area is owned by the City of False Pass and Isanotski Corporation and the subsurface estate is owned by the federal government and is managed by the USFWS.

The Alaska Department of Fish and Game website was checked to obtain information on refuges, critical habitat areas and sanctuaries in the project area. The Izembek State Game Refuge is located northeast of False Pass and consists of the lagoon and intertidal waters. The project components are well outside the refuge.

The Alaska Department of National Resources website indicates no land use plans for the project area or state parks in the vicinity.

There are no "Important Farmland" designations in the Aleutian Islands.

3.1.2 Environmental Consequences

None.

3.1.3 Mitigation

None.

3.2 Floodplains

3.2.1 Affected Environment

The bridge crossing is located well above tidal influence. Hydrologic analysis of the stream indicates that the 100 year flood elevation at the proposed stream crossing point is approximately 65.8 ft. elevation. The proposed bridge is a single span structure with no abutments or piers within the 100 year floodplain. Riprap and gabion bank protection for the bridge abutments would be constructed to armor the present banks below flood elevation. The flood hazard rating for the creek is unknown; however, unusually prolonged rain in the mid-1990s resulted in the lower reach (downstream of the proposed bridge crossing) shifting to the north. A new creek mouth was established north of the original mouth and is clearly visible on recent (2003) aerial photography. The Federal Emergency Management Agency (FEMA) has not mapped the 100 year floodplain in the area.

3.2.2 Environmental Consequences

None.

3.2.3 Mitigation

None.

3.3 Wetlands

3.3.1 Affected Environment

No U.S. Fish and Wildlife Service National Wetlands Inventory mapping was found for False Pass. An office-based study of stereo-pair 1"=800' color aerial photography dated September 2003, did not identify any wetlands in the open areas of the road corridor adjacent to or northwest of the crab pot storage. Interpretation for the areas of more dense alder growth north and south of Ungaman Creek and in portions of the site selected for the landfill were difficult to interpret because of dense vegetation. However, using available information, it appears unlikely that these areas would be classified as wetlands. Field verification may be necessary to delineate the questionable areas and verify conditions in the open areas.

3.3.2 Environmental Consequences

Not determined at this point. Please see attached letter from the U.S. Fish and Wildlife Service recommending an on-site assessment.

3.3.3 Mitigation

Not determined at this point.

3.4 Cultural Resources

3.4.1 Affected Environment

Under Section 106 consultation, the State Historic Preservation Officer determined that no historic properties would be affected by the project (File No. 3130-1121400; SHPO 10/31/03).

3.4.2 Environmental Consequences

None.

3.4.3 Mitigation

None.

3.5 Biological Resources

3.5.1 Affected Environment

The project will cross a creek one mile north of the city dock, locally known as Ungaman Creek. The Alaska Department of Fish and Game Catalog of Waters Important to the Spawning, Rearing or Migration of Anadromous Fishes does not list this creek as an anadromous fish stream. Local residents report the creek is not fished for salmon. The creek is not known to support anadromous fish and it is unlikely the creek would be considered Essential Fish Habitat.

Threatened and Endangered Species: The Steller's eider, Steller sea lion, fin whale, humpback whale, blue whale, Sei whale, and sperm whale have all been observed in the False Pass area. Section 7 (of the Endangered Species Act) consultation with the USFWS has been completed for the landfill project (USFWS February 12, 2003). The USFWS concluded that listed species under their jurisdiction would not likely be adversely affected by the project. Section 7 consultation with the National Marine Fisheries Service (NMFS) has not occurred. However, since the project does not impact marine waters, it is unlikely that protected species under the jurisdiction of the NMFS would be affected.

Bald eagles have been observed throughout the False Pass area. It is not known whether there are any nests in the project area.

3.5.2 Environmental Consequences

None.

3.5.3 Mitigation

None.

3.6 Water Quality Resources

3.6.1 Affected Environment

No impaired water bodies are listed by Alaska Department of Environmental Conservation in the False Pass area.

3.6.2 Environmental Consequences

None.

3.6.3 Mitigation

None.

3.7 Coastal Resources

3.7.1 Affected Environment

This project will take place within Aleutians East Coastal Management Area. The Coastal Project Questionnaire has been submitted.

3.7.2 Environmental Consequences

None.

3.7.3 Mitigation

None.

3.8 Socio-Economic / Environmental Justice Issues

3.8.1 Affected Environment

This project will not disproportionately impact minorities or low-income families in False Pass. In fact, by moving the landfill away from the Round Top Subdivision (low income housing area), minorities and low income families will benefit.

3.8.2 Environmental Consequences

None.

3.8.3 Mitigation

None.

3.9 Miscellaneous Issues

3.9.1 Affected Environment

Contaminated Sites, Spills and Underground Storage Tanks: No areas of concern were identified from a review of the Alaska Department of Environmental Conservation's contaminated sites database, spills database, UST database, and LUST database. Informal discussions with a False Pass City official (Nickels 2003) and an examination of aerial photography indicate the potential for contamination is low. Federal

databases were not reviewed.

3.9.2 Environmental Consequences

None.

3.9.3 Mitigation

None.

4.0 Summary of Mitigation

Please see the attached responses from the agencies addressed in 5.0.

The City of False Pass intends to conduct an on-site wetlands assessment as soon as possible in the spring of 2004. Mitigation measures will be fully described upon conclusion of the wetlands assessment, if necessary. No other mitigation measures have been required or recommended.

5.0 Correspondence

Please see attached sample letter to the Army Corps of Engineers, the list of other recipients, Preliminary Research Results, References, and the matrix of recipients and questions included for each.

6.0 Exhibits / Maps

Please see the attached Figure 1, Map of Project Area, as sent to all agencies. Also attached is the "newsletter" sent to each False Pass box holder before the public meeting in December 2003 and to each of the agencies with the letter described in 5.0.



United States Department of Agriculture
Rural Development
Alaska State Office

SUBJECT: City of False Pass, Alaska - Solid Waste Landfill Project (FY04)
Finding of No Significant Impact

TO: Project File

The attached Environmental Assessment has been prepared and reviewed for in accordance with the National Environmental Policy Act, as amended (42 U.S.C. 6941 et seq.); the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (40 CFR Parts 1500-1508); and 7 CFR Part 1794, Rural Utilities Service's Environmental Policies and Procedures. Upon review of the environmental documentation included and referenced in the Environmental Assessment, I find that the proposed project will not have a significant impact on the human environment and for which an Environmental Impact Statement therefore will not be prepared.

A handwritten signature in black ink, appearing to read "Tim Krug". The signature is written over a horizontal line.

Tim Krug
State Environmental Coordinator
Rural Development

Date: May 4, 2005

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