Final Environmental Assessment

Native Village of Eagle (New)

FEMA-1843-DR-AK

August 31, 2009

FEMA

U.S. Department of Homeland Security
FEMA Region X
130 228th Street SW
Bothell, WA 98021-9796

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LIST OF ACRONYMS

AAC Alaska Administrative Council
ABFE Advisory Base Flood Elevation
ACM Asbestos-Containing Material
ADEC Alaska Department of Environmental Conservation
ADNR Alaska Department of Natural Resources
ADOT Alaska Department of Transportation
ADF&G Alaska Department of Fish & Game
ANTHC Alaska Native Tribal Health Consortium
APE Area of Potential Effect
ASCG ASCG Incorporated
BIA Bureau of Indian Affairs
BLS Below Land Surface
BMPs Best Management Practices
CAA Clean Air Act
CBRA Coastal Barrier Resources Act
CBRS Coastal Barrier Resources System
CEQ Council on Environmental Quality
CERCLA Comprehensive Environmental Response, Compensation, and Liability Act
CFR Code of Federal Regulations
CMP Coastal Management Plan
CRA Civil Rights Act
CWA Clean Water Act
CZMA Coastal Zone Management Act
DHS&EM Alaska Division of Homeland Security and Emergency Management
EA Environmental Assessment
EIS Environmental Impact Statement
EFH Essential Fish Habitat
EO Executive Order
ESA Endangered Species Act
EDMS Electronic Document Management System
FEMA Federal Emergency Management Agency
FPPA The Farmland Protection Policy
FONSI Finding of No Significant Impact
FWCA The Fish and Wildlife Coordination Act
HEAG Highest Existing Adjacent Grade
LUST Leaking Underground Storage Tank
MBTA The Migratory Bird Treaty Act
MSL Mean Sea Level
NAAQS National Ambient Air Quality Standards
NEPA National Environmental Policy Act
NHPA National Historic Preservation Act
NESHAP National Emission Standards for Hazardous Air Pollutants
NMFS National Marine Fisheries Service

NOAA National Oceanic & Atmospheric Administration
NPDES National Pollution Discharge Elimination System
NRCS Natural Resources Conservation Service
NRHP National Register of Historic Places
OEH Office of Environmental Health
OSHA Occupational Safety and Health Act
PA Public Assistance Program
PEA Programmatic Environmental Assessment
RECAP Risk Evaluation/Corrective Action Program
RCRA Resource Conservation and Recovery Act
RHA Rivers and Harbors Act
RPKA Rodney P. Kinney Associates, Inc.
SEA Supplemental Environmental Assessment
SHPO State Historic Preservation Office/Officer
TCC Tanana Chiefs Conference, Inc.
TSCA Toxic Substance Control Act
URARPAPA Uniform Relocation Assistance and Real Property Acquisition Policies Act
US United States
USACE United States Army Corps of Engineers
USC United States Code
USDA United States Department of Agriculture
USEPA United States Environmental Protection Agency
USFWS United States Fish and Wildlife Service
USGS United States Geological Survey
VSW Village Safe Water
WWTP Wastewater Treatment Plant
WSRA The Wild and Scenic Rivers Act

I. INTRODUCTION

The Native Village of Eagle has applied through the Alaska Division of Homeland Security and Emergency Management (DHS&EM) to the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) for funding to construct public facilities and infrastructure. The sites are needed to replace the former public facilities and infrastructure which were destroyed by the flooding and ice jams that occurred from April 28 through May 31, 2009. The event was declared a Presidential disaster on June 11, 2009, under FEMA-1843-DR-AK. FEMA is proposing to fund 75 percent of the cost for this project through its Public Assistance Program (PA) and the State of Alaska is proposing to fund the remaining 25 percent.

The Village of Eagle (Village) is comprised of two sites discussed in this report: the old Village and the new Village. The old Village site was virtually destroyed by the moving ice jams and flooding that occurred during this disaster. The new Village site has been in the planning and development stages since 2000.

Figure 1. Village of Eagle, Alaska, Location Map

The Village of Eagle is near the Canadian border approximately 380 road miles and 200 air miles from Fairbanks (see Figure 1). The old Village site is located on the west side of the Yukon River, three miles east of the City of Eagle (Eagle). The old Village site lies at 64.7833 N. latitude and 141.1167 W. longitude. The new Village site is shown on Figure 2 located 4 miles southeast of the old Village site in Section 14, T 2 S, R 33 E, Fairbanks Meridian, at 66.7455 N. latitude and 141.0475 W. longitude.

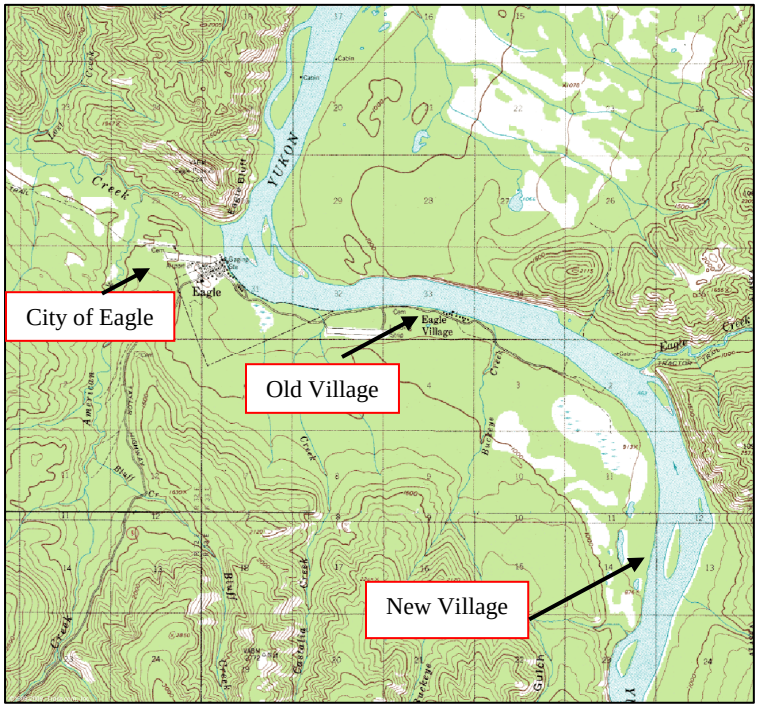
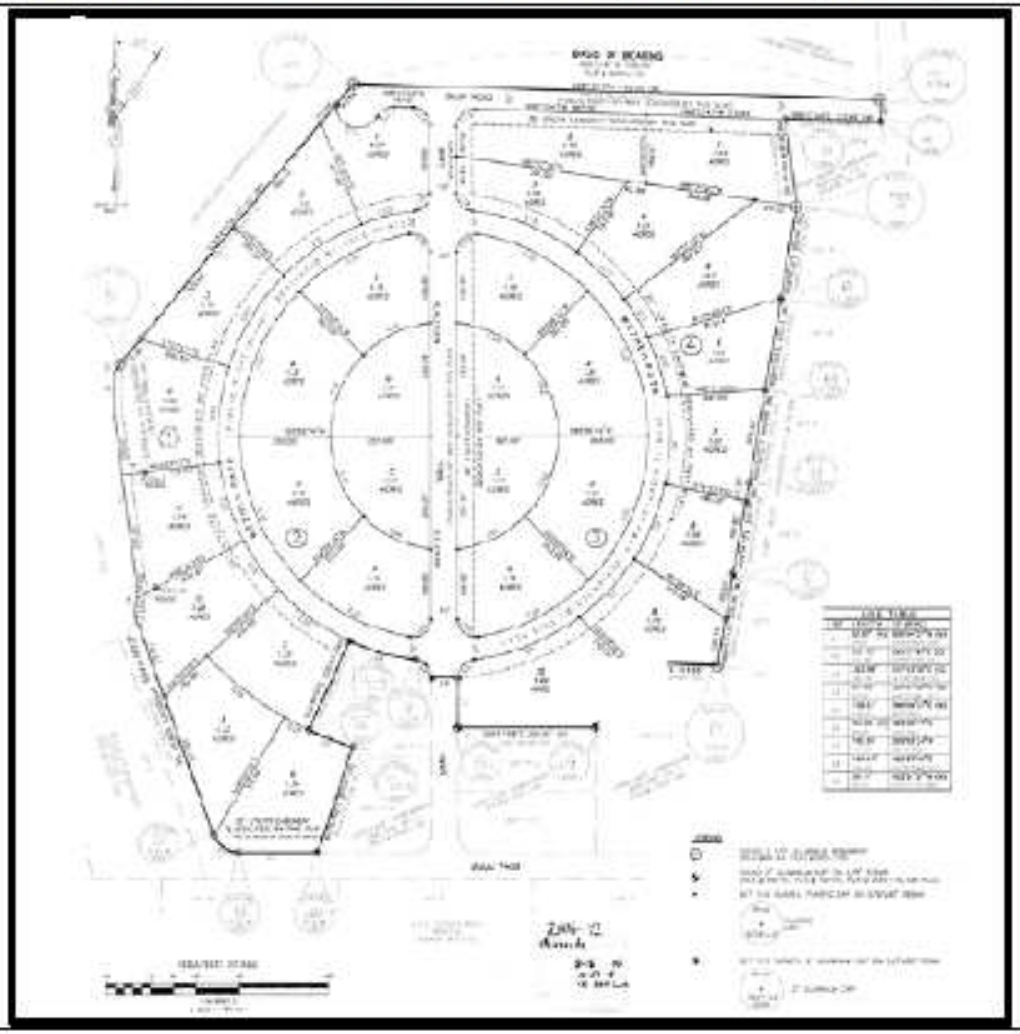


Figure 2. The old Village site, the new Village site, & the City of Eagle (portion of USGS quad map Eagle D-1).

The Village of Eagle is a Han Kutchin Indian Village with an estimated 2008 population of 64. The Village is a traditional Athabascan community and subsistence is an important part of the local culture. A trading station for miners working the upper Yukon and its tributaries was established around 1874. In 1897, the City was founded and named after nesting eagles on nearby Eagle Bluff. By 1898 the population had grown to over 1,700. Eagle became the first incorporated city in the Interior in January 1901. However, by 1910 Fairbanks and Nome gold prospects had lured away many people and the City's population declined to 178. Access to the state road system and Canada is only available during the summer via the Taylor and Top of the World Highways. A state-owned 3,600 feet long by 75 feet wide gravel airstrip is available, with commercial flights originating from Fairbanks and Tok. In addition, float planes are able to land on the Yukon River and although there is no public dock, there is a boat landing.

The Village of Eagle has been in the process of relocating for several years due to flood hazards, erosion, and poor water quality at the existing village. The Eagle Village Council (Council) selected a site and obtained land for the new location. In 2001, the Council purchased approximately 58 acres of Lot 7 and Lot 8 of River Bluff Subdivision, Addition 2, located within Surveyed Section 14, Township 2 South, Range 33 East, Fairbanks Meridian, Alaska and recorded in the Fairbanks Recording District as Plat No. 2000-125. In 2006, the Council began development of a subdivision of the unsubdivided remainder of Lot 7 of Long Lake Subdivision Addition No. 1, Plat No. 2002-39 located within protracted Sections 11 and 14, Township 2 South, Range 33 East, Fairbanks Meridian, Alaska and recorded in the Fairbanks Recording District as Plat No. 2002-39. The new planning created communal properties for both public and residential usage and were subdivided into parcels known as Long Lake Subdivision, Addition No. 2, creating lots 1-9, Block 1: Lots 1-6, Block 2: Lots 1-6, Block 3: and Lots 1-10, Block 4. A Plat Map of the new Village is depicted on Figure 3.

FEMA-1843-DR-AK Figure 3 Plat Map of the Village of Eagle



LOCATION MAP

N

0 100 200 400

Feet

FEMA

A legal survey and Final Environmental Assessment for the Eagle (new) Village Road Project was prepared on March 2005, by Rodney P. Kinney Associates, Inc. for the Bureau of Indian Affairs. The EA determined no significant impact for the roads or utility easements proposed for the new Village. (See Rodney P. Kinney Associates, Inc., under References, page 34.)

II. PURPOSE AND NEED FOR ACTION

As a result of the flooding and ice jams, FEMA was authorized under a Presidential disaster on June 11, 2009, (FEMA-1843-DR-AK), to implement the Public Assistance (PA) Program for the Village of Eagle. The purpose of the Public Assistance Grant Program is to provide applicant-requested federal assistance under FEMA's PA program to State, Tribal and local governments, and certain types of Private Nonprofit organizations so that communities can quickly respond to and recover from major disasters or emergencies declared by the President.

FEMA anticipates that there will be a need for restoring permanent public facilities and infrastructure, destroyed by the flooding and ice in the old Village, with similar services for the residents as they relocate to the new Village. Functional, safe, reliable, and effective public services and infrastructure are critical elements in the rebuilding and recovery effort, and are essential for public health and safety of the relocating community. The preferred Action Alternative is the applicant's request to meet their needs.

The new Village location is designed to provide public services and infrastructure to the 64 residents. It would include public facilities (hospital clinic, Village Public Safety Office, fire and ambulance services, garage, storage, and other facilities deemed necessary), and public infrastructure (water, wastewater treatment, utilities, roads, etc. including but not limited to any necessary systems up-grades) to replace the destroyed facilities in the old Village. All subdivided lots are owned and maintained by the Village and planning development is still being determined by the Council. All lots within the new Village site are being evaluated under this Environmental Assessment (EA). Proposed lots and estimated lot sizes are shown in Table 1.

Table 1 – Lots and Estimated Size for the Village of Eagle

Block/Lot Number	Acreage
Long Lake Subdivision, Addition No. 1, Plat 2002-39	
Lot 7-1	1.04
Lot 7-2	1.09
Lot 7-3	1.12
Lot 7-4	1.20
Lot 7-5	4.22
Long Lake Subdivision, Addition No. 2, Plat 2002-39	
Block 1/Lot 1	1.07
Block 1/Lot 2	1.10
Block 1/Lot 3	1.10
Block 1/Lot 4	1.42
Block 1/Lot 5	1.07
Block 1/Lot 6	1.28
Block 1/Lot 7	1.22

Block 1/Lot 8	1.22
Block 1/Lot 9	1.36
Long Lake Subdivision, Addition No. 2, Plat 2002-39	
Block 2/Lot 1	1.16
Block 2/Lot 2	1.31
Block 2/Lot 3	1.31
Block 2/Lot 4	1.16
Block 2/Lot 5	1.01
Block 2/Lot 6	1.01
Long Lake Subdivision, Addition No. 2, Plat 2002-39	
Block 3/Lot 1	1.16
Block 3/Lot 2	1.31
Block 3/Lot 3	1.31
Block 3/Lot 4	1.16
Block 3/Lot 5	1.01
Block 3/Lot 6	1.01
Long Lake Subdivision, Addition No. 2, Plat 2002-39	
Block 4/Lot 1	1.33
Block 4/Lot 2	1.30
Block 4/Lot 3	1.06
Block 4/Lot 4	1.20
Block 4/Lot 5	1.47
Block 4/Lot 6	1.01
Block 4/Lot 7	1.01
Block 4/Lot 8	1.06
Block 4/Lot 9	1.12
Block 4/Lot 10	1.49
River Bluff Subdivision, Addition No. 1, Plat 99-91	
Lot 1	1.01
Lot 2	1.01
Lot 3	1.01
Lot 4	1.01
Lot 5	1.01
Lot 6	1.01
River Bluff Subdivision, Addition No. 2, Plat 99-91	
Lot 8	2.50

2.1 Purpose, Scope and Use of Environmental Assessment

The National Environmental Policy Act of 1969 (NEPA) and its implementing regulations at 40 C.F.R. Part 1500 and 44 C.F.R. Part 10 direct FEMA take into consideration the environmental consequences of proposed actions during the decision-making process. FEMA must comply with NEPA before making federal funds available for disaster response, recovery, and mitigation, including implementation of the PA Program.

The Stafford Act and FEMA's implementing regulations for NEPA provide for the exemption of certain actions from NEPA and the exclusion of other actions from full review under NEPA. For

all other actions, FEMA ensures compliance with NEPA through the preparation of an Environmental Assessment (EA). An EA is a concise public document that serves to provide evidence of the environmental impacts of a Preferred Action Alternative. The assessment includes alternatives to aid in decision making and concludes with one of two findings: a Finding of No Significant Impact (FONSI) or a Notice of Intent to prepare an Environmental Impact Statement (EIS). FEMA must prepare an EIS when significant environmental impacts are anticipated and cannot be mitigated.

FEMA has determined through experience that the majority of the typical recurring actions proposed for funding, and for which an EA is required, can be grouped by type of action or location. These groups of actions can be evaluated in a Environmental Assessment (EA) for compliance with NEPA and its implementing regulations without the need to develop and produce a stand-alone EA for every action.

FEMA will use this EA to determine the level of environmental analysis and documentation required under NEPA for any proposed public facilities and infrastructure for the Village of Eagle, given the available site-specific information. If the alternatives, levels of analysis, and site-specific information of an action proposed for FEMA funding are fully and accurately described in this EA, FEMA will annotate to the appropriate project file in FEMA's Environmental Management Information System documenting this determination. No further documentation would be required to comply with NEPA. Because FEMA would be required to implement the mitigation measures contained in the EA, the annotation to the file would summarize the mitigation measures to be undertaken for the action and alternatives.

If the specific action is expected to (1) create impacts not described in the EA; (2) create impacts greater in magnitude, extent, or duration than those described in the EA; or (3) require mitigation measures to keep impacts below significant levels that are not described in the EA, then a Supplemental Environmental Assessment (SEA) and corresponding FONSI would be prepared to address the specific action. The SEA would be tiered from this EA, in accordance with 40 CFR Part 1508.28.1 Actions that are determined, during the preparation of the SEA, to require a more detailed or broader environmental review will be subject to the stand-alone EA process. Actions that are determined to have significant environmental impacts will be subject to the EIS Alternate Procedures established by FEMA, the Department of Homeland Security, and the Council on Environmental Quality (CEQ) on September 15, 2005 as a result of the emergency nature of these actions.

III. ALTERNATIVES

In accordance with federal laws and FEMA regulations, the EA process for a proposed federal action must include an evaluation of alternatives and a discussion of the potential environmental impacts.

This EA includes three alternatives. Alternative 1 is the No Action Alternative, which would leave the Village with no public facilities or infrastructure. Alternative 2 is the rehabilitation and reconstruction of the old Village sites. Alternative 3 is the Preferred Action Alternative for construction on the new Village sites.

3.1 Alternative 1 – No Action Alternative

Inclusion of a No Action Alternative in the environmental analysis and documentation is required under NEPA, with no FEMA funding for any alternative action. The alternative evaluates the effects of not providing eligible assistance for a specific action and provides a benchmark against which the other alternatives may be evaluated.

Under the No Action Alternative, FEMA would not provide rehabilitation or replacement of public facilities and infrastructure which were destroyed during the spring 2009 ice jams and flooding. For the purpose of this report, it is assumed that the Village would be unable to repair or replace the damages to public facilities and infrastructure due to lack of FEMA funds and private assistance.

The old Village was devastated and the community would be without drinking water, power, wastewater treatment, and other public services. There would be no construction of new facilities and infrastructure and public services would continue to be provided using the interim arrangements currently in use at the new Village site. These temporary facilities are currently providing only limited services and would continue to operate at a much reduced capacity. This alternative would not meet the community's recovery needs and would forego the benefits of permanent facilities for the community and result in continued hardships, including the physical, psychological, and economic stresses associated with the damage and risks to public health and safety.

3.2 Alternative 2 – Rehabilitation and Reconstruction of the Old Village Site - Eliminated from Further Consideration

This alternative would consist of rebuilding the public facilities and infrastructure back to the pre-disaster condition at the old Village site. FEMA discussed this alternative with the Village Council, the project applicant. Records show significant flooding in 1962 and 1964 and anecdotal information indicates annual flooding and erosion. The Village Council has determined that it is not viable or practical to reconstruct the existing community at the old location because of the potential for future flood and ice jam damage.

Flooding and erosion from the spring 2009 disaster caused property damage and destruction to public facilities and infrastructure. The old Village site is without drinking water, power, and wastewater treatment facilities and the homes and buildings are uninhabitable. The old Village site is located within an identified flood-susceptible area of the Yukon River and is affected annually to some degree by flooding and erosion during the spring breakup of river ice. Rebuilding the community at the old Village site could cause property damage and pose imminent threats to lives, homes, and infrastructure. This alternative would not be consistent with FEMA's PA program and legal requirements to site projects in a flood-free location, thus it was not analyzed further.

3.3 Alternative 3 – Preferred Action Alternative – Construction of the New Village Site

Under the Preferred Action Alternative, Alternative 3, FEMA would participate with the Village and State to fund construction of new public facilities and infrastructure for public services to the community. The new Village would include public facilities (clinic, Village Public Safety

Office, fire and ambulance services, garage, storage, and other facilities deemed necessary), and public infrastructure (water, sewage treatment, utilities, roads, etc.) to replace the destroyed facilities from the old Village site.

The new Village site has some existing infrastructure including a road system, electricity, and telecommunication systems and has had ground disturbance to at least the depth these required during installation. These sites include the Community Center, septic fields, potable water wells, residential lots, and vacant lots that are currently being developed for planned construction including residential, the temporary Health Clinic, and the Village Public Safety Office (VPSO). A legal survey and plat map were completed and all subdivided lots are owned and maintained by the Village (see figure 3.) Planning development and location for the new Health Clinic, Fire and Ambulance Services, Garage, Storage, and other public facilities are currently being evaluated by the Village Council. All lots within the new Village site are being evaluated under this EA.

3.4 Alternatives Considered in Detail

3.4.1 Alternative 1 – No Action Alternative

The No Action Alternative is discussed in Section 3.1.

3.4.2 Alternative 2 – Rehabilitation and Reconstruction of the Old Village Site

Alternative 2 is discussed in Section 3.2 and is eliminated from further consideration.

3.4.3 Alternative 3 – Preferred Action Alternative – Construction of the New Village Site

The first step under this alternative would be for the Council to designate the lot site for each public facility to be constructed. The site would be cleared of all vegetation and grubbed. Contouring and grading would be done, if necessary. Facilities would be designed, constructed, and maintained according to applicable local, state, and federal building codes. If gravel access roads do not exist, gravel roads would be constructed for ingress/egress to/from the site.

Utilities would be connected to the site including, but not limited to, any necessary design and engineering up-grades to provide consistent and reliable service. Electrical power for the City and the Village is generated at the power plant located next to the school, owned and run by Alaska Power and Telephone Company, a for-profit utility. The electric power system is available in certain areas of the new Village; further expansion would be required for future development of the new Village site. A Sanitation Facilities Feasibility Study/Master Plan was prepared by ASCG Incorporated on May 2001 for the new Village site. According to recommendations of the report and Village Council, each lot will have its own potable water well and septic field. If necessary, shallow drainage ditches would be constructed to carry storm water away from sites.

IV. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

The NEPA compliance process requires federal agencies to consider direct and indirect impacts to the environment. The following subsections discuss the regulatory settings and the existing conditions for resource areas within the Village.

- Climate, Geology, Hydrogeology, and Soils
- Water Resources
    - Water Quality
    - Magnuson-Stevens Fishery and Conservation Management Act
    - Floodplains
    - Wetlands
- Biological Resources
    - Habitat and Vegetation
    - Threatened and Endangered Species
- Air Quality
- Noise
- Cultural Resources
- Socioeconomics
- Safety and Security
    - Hazardous Materials

The discussion is broad and regional in nature. It does not include a complete inventory of each resource but does provide information to characterize those resources. This section also describes the environment and existing conditions at the new Village site and identifies the potential effects of the two alternatives considered, including the impact intensity. Effects are categorized as follows:

- **None/Negligible**: The effects of the alternative on environmental resources would either be undetectable or, if detected, would be slight and localized. Impacts would be well below regulatory standards, if applicable.
- **Minor:** The effects of the alternative on environmental resources would be measurable, although the changes would be small and affect only the immediate vicinity where the action would take place. Impacts would be well within regulatory standards. Mitigation measures would reduce potential environmental effects and environmental impacts would be negligible.
- **Moderate:** The alternative would have both localized and regional scale impacts. Mitigation measures would be necessary and the measures would reduce potential adverse effects.
- **Major:** The alternative would have substantial consequences on a local and regional level. Impacts would exceed regulatory standards. Mitigation measures to offset adverse impacts would reduce potential adverse effect, but long-term changes to the resource would be expected.

The following table summarizes the potential impacts of the No Action and Preferred Action Alternatives and conditions or mitigation measures to offset those impacts. Following the

summary table, any areas where potential impacts were identified will be discussed in greater detail along with the mitigation measures.

Table 2. Summary of Effects and Impact Intensity

Resource	Alternative 1 – No Action Alternative	Alternative 3 – Preferred Action Alternative
Climate, Geology, Hydrology, and Soils	***None/Negligible.*** There would be no effect to climate, geology, hydrogeology, and soils, as no action would be taken.	***Minor/Moderate.*** There are no designated agricultural lands within the Village and soils are not prime, unique, or important. Minor to moderate impact would be anticipated as existing topography/soils and conditions at the Village would change due to excavation of unwanted fill and placement of fill and increased dust during construction. Project design/engineering would include measures to reduce thermal disturbance and thaw settlement. Soil conditions in the northeast corner of the lake may not be feasible for development because of the underground spring and flooding. Special engineering controls may be required.
Water Resources Water Quality	***Minor/Moderate.*** There would be no disturbance of the earth surface that would have the potential to impact water quality. However, water quality may be impacted from hazardous materials or wastes that may have been exposed by the disaster and remain in place.	***Negligible/Minor.*** Negligible impact would be anticipated from increased construction activities. The only surface water body is Long Lake located west of the Village. No anadromous streams, other than the Yukon River, were identified. The Preferred Action Alternative would not result in the discharge of pollutants into waters of the United States and does not require a permit from the U.S. Army Corps of Engineers. The contractor should implement BMPs by installing silt fence/straw bales to reduce soil erosion and sedimentation.
Magnuson-Stevens Fishery and Conservation Management Act (Essential Fish Habitat)	***None/Negligible.*** No ground would be disturbed and therefore there would be no runoff that could affect potential Essential Fish Habitat in the Yukon River. See water Quality statement (page 8).	***None/Negligible.*** No adverse effect. The closest surface water body is Long Lake and no essential fish habitats were identified. No surface water bodies or streams are within 200 feet of the new Village site. Project design and best management practices required as part of the DEC authorization will ensure there will not be any release into the Yukon River or Long Lake

Resource	Alternative 1 – No Action Alternative	Alternative 3 – Preferred Action Alternative
Floodplains (Executive Order 11988)	***None/Negligible.*** If the Village chose to remain at its original location, it would remain in the estimated 100-year floodplain (see page 18) and be subjected to possible flooding events. The event-created construction debris would remain in non-cleared private areas of the Village.	***None/Negligible.*** The new Village site does not participate in the National Flood Insurance Program and the area is not mapped for floodplains. However, using the best available data provided by the U.S. Geological Service, U.S. Army Corps of Engineers, and .5-foot orthomosaic mapping provided by Aero-Metric, Inc. and the Alaska Native Tribal Health Consortium (ANTHC), FEMA was able to determine the new Village site is not located in a 100-year floodplain, per 44 CFR Part 9.7(c) – *Floodplain determination*.
Wetlands (Executive Order 11990)	***None/Negligible.*** There would not be any disturbance of the earth surface.	***Negligible/Minor.*** Based upon the field wetland determination and delineation and research of aerial photographs, soil and groundwater information, a Jurisdictional Determination for non-wetlands in the new Village was provided by the USACE with the condition that development within 30 feet of Long Lake needs to be avoided. If construction activities are proposed within 30 feet of Long Lake, a wetland determination and delineation survey for the Jurisdictional Determination by the USACE would be required (Appendix A). FEMA would comply with EO 11990 by applying the Eight-Step Process and documenting the results in a SEA. Any staging areas used for construction materials must meet conditions in Section 8.0 of this document as a term and condition of FEMA funding.

Resource	Alternative 1 – No Action Alternative	Alternative 3 – Preferred Action Alternative
Biological Resources Habitat and Vegetation	***None/Negligible.*** There would be no ground disturbance. No vegetation or wildlife at the site will be impacted if No Action Alternative is taken.	***Minor.*** The Village is located within an upland forest ecosystem that is mostly dominated by aspen (*Populus tremuloides*) and paper birch (*Betula papyrifera*), with some black spruce (*Picea mariana*) trees. The understory consists of an unknown willow (*Salix spp.*), some wild rose (*Rosa spp.*), Labrador tea (*Ledum groenlandicum*), mosses (*Sphagnum spp.*), and small forbs. Habitat near the new Village site offers nesting, brood rearing, foraging, and staging habitat for numerous bird species, including the American peregrine falcon and the bald eagle. The American peregrine falcon was delisted from the USFWS Endangered Species List in 1999 and the bald eagle was delisted in 2006. Mammals in the new Village site area include caribou, moose, black and brown bear, lynx, wolves, foxes, hares, mink, beaver, and muskrat. Vegetation would be cleared and habitat would be lost. Fencing for the site would reduce the habitat available for wildlife use, but there is substantial habitat available in the surrounding area and the effect would be negligible. Short and long-term impacts to vegetation and wildlife are considered minor.
Threatened and Endangered Species Act (Section 7)	***None/Negligible.*** There are no listed species or critical habitats in or near the affected area.	***None/Negligible.*** No effect. There are no listed species or critical habitats in or near the project area.
Air Quality	***None/Negligible.*** There would be no effect to air quality, as no action would be taken	***None/Negligible.*** Negligible impact would be anticipated from increased dust during construction. Project design would include watering practices during construction activities to reduce the likelihood of dust generation. Federal and state air quality attainment levels would not be exceeded.

Resource	Alternative 1 – No Action Alternative	Alternative 3 – Preferred Action Alternative
Noise	***None/Negligible.*** There would be no effect to noise quality, as no action would be taken	***Negligible/Minor.*** With the rebuilding of public facilities and infrastructure, the new Village population would increase. With population increase, the background sound levels typical of small, rural communities influenced by wind, traffic, occasional construction activities, and other common community noises would increase. Given the anecdotal information on general sound levels, it is anticipated that typical daytime sound levels in the community would range between 50-60 dB(A). The Preferred Action Alternative would create a short-term increase in noise pollution due to heavy machinery operation during construction. Construction could be limited to daytime hours to reduce noise impacts. Federal and state noise quality attainment levels would not be exceeded.
Cultural Resources (National Historic Preservation Act, Section 106)	***None/Negligible.*** FEMA would not fund the project and there would be no ground disturbance or clearing related to construction. The No Action Alternative would have no significant effect on cultural resources.	***None/Negligible.*** No known archaeological or historic sites exist in the vicinity of the new Village site for the Preferred Action Alternative. FEMA has determined that the area has a very low potential for the location of such sites, and that no archaeological survey needs to be conducted. Subject to any unanticipated discovery (see Section 8.0), FEMA has further determined that no historic properties will be affected by this undertaking. The Alaska State Historic Preservation Officer concurred with these determinations on August 7, 2009 (see Appendix B).
Socioeconomics and Environmental Justice (Executive Order 12898)	***Major.*** This alternative would likely result in disproportionate health and safety risks to low-income and minority persons and to children, as these groups will be most likely to be affected by the lack of public infrastructure if not restored or repaired.	***None/Negligible.*** The Preferred Action Alternative is not expected to pose disproportionately high and adverse public health or environmental effects on minority and low-income populations and would not cause adverse economic impacts.
Safety and Security	***Moderate.*** There would not be any action to provide safety or security for remaining construction and demolition debris which, if not removed, would impact the community as an attractive nuisance and a safety issue.	***None/Negligible.*** During construction the contractor would post appropriate signage and fencing to minimize potential adverse public safety concerns, including placing fencing around the site perimeter. Appropriate signage and barriers should be in place prior to construction activities in order to alert pedestrians and motorists of project activities and traffic pattern changes.

Resource	Alternative 1 – No Action Alternative	Alternative 3 – Preferred Action Alternative
Hazardous Materials and Wastes	***Moderate.*** Although the No Action Alternative would not actively use hazardous materials or generate hazardous wastes, it may prolong the exposure of individuals to hazardous materials or wastes that may have been generated by the disaster. Residents who find themselves without alternative housing may continue to live within an area contaminated by hazardous materials or wastes, such as petrochemicals (from storage areas), airborne asbestos (from damaged asbestos-containing materials), or lead paint chips (from peeling painted surfaces) which can create a potential hazard to human health.	***None/Negligible.*** According to the Alaska Department of Environmental Conservation website and the Environmental Protection Agency website, no hazardous waste or contaminated sites are in or near the project area. Activities that occurred historically at sites proposed for construction of facilities and infrastructure may have generated hazardous materials or wastes. Appropriate measures to prevent, minimize and control spills of hazardous materials should be taken, and any hazardous and non-hazardous wastes generated should be disposed in accordance with applicable federal, state and local requirements.

4.1 Climate, Geology, Hydrology, and Soils

The EA project area is located in the Yukon-Tanana Upland. Rounded, even-topped ridges with gentle side slopes characterize this section of broad undulating divides and flat-topped spurs. The ridges have no preferred direction, are 3,000-5,000 feet in altitude but have some domes as high as 6,800 feet, and rise 1,500-3,000 feet above adjacent valleys. Streams in the eastern part drain to the Yukon drainage basin. Streams flow south to the Tanana River and north to the Yukon River. The few lakes in this section are mainly thaw lakes in valley floors and low passes. There are no glaciers; the entire section is underlain by discontinuous permafrost. Periglacial mass-wasting is active at high altitudes, and ice wedges lace the frozen muck of valley bottoms.

The geology is a belt of highly deformed Paleozoic sedimentary and volcanic rocks containing conspicuous limestone units which extend along the north side of the upland. The rest of the upland is chiefly Precambrian. A thick mantle of windborne silt lies on the lower slopes of hills and thick accumulations of muck overlie deep stream gravels in the valleys.

4.1.1 Affected Environment

The Yukon-Tanana Uplands around the Village are characterized by rounded ridges, and include Crazy and White Mountains. The Ogilvie Mountains lie north of the Village across the Yukon River. The terrain at the project site is relatively flat. From the Yukon River's edge, the terrain slopes steeply upwards over a length of fifty feet before it flattens and begins to gently climb to the west. Long Lake, a 13-acre lake, lies on the west side of the new Village site. According to the Sanitation Facilities Feasibility Study by ASCG, an underground spring is located in the northeast corner of Long Lake and this area is known to flood during the spring.

According to the subsurface investigation conducted by RPKA in 2003, groundwater was detected in one exploratory pit at a depth of 6 feet. The typical soil strata at the village site consist of 6 to 18 inches of organic material at the surface, followed by 18 to 24 inches of silt or sandy silt. Gravel was encountered below the silt layer in most locations. Four of the test pits at the village site revealed a layer of permafrost. The new Village site is classified as being in an area of discontinuous permafrost.

The Village experiences seasonal temperature extremes. The Environmental Atlas of America reports a mean minimum January temperature of -20 F, and a mean maximum temperature of -4 F. The mean low for July is 44 F, and the mean high is 75 F. The mean annual temperature is 22.5 F. According to the Western Regional Climate Center, temperatures have been recorded as high as 97 F and as low as -71 F in the City of Eagle. (See Table 3.)

The design freezing index for the Village is approximately 7600, and the design thawing index is 3300. Average annual precipitation is 11.3 inches, and ice fog is common in the winter. The mean annual snowfall is approximately 55 inches. Pilots report that prevailing winds come from the east at the airport.

Table 3 – Village of Eagle Climate Data

Mean min. January temperature	-20°F
Mean max. January temperature	-4°F
Mean min. July temperature	44°F
Mean max. July temperature	76°F
Mean annual Eagle Village temperature	22.5°F
Record high temperature	97°F
Record low temperature	-71°F
Design freezing index	7600
Design thawing index	3300
Average annual precipitation	11.3 in.
Mean annual snowfall	55 in.
Prevailing winds at airport	East

Climate data based on the Environmental Atlas of America and data from the Western Regional Climate Center.

4.1.2 Effects to Climate, Geology, Hydrology, and Soils – No Action Alternative

There would be no immediate change to the topography and soils.

4.1.3 Effects to Climate, Geology, Hydrology, and Soils – Preferred Action Alternative

Existing topography/soil conditions at the project area would change due to excavation of unwanted material and the subsequent placement of fill. Frozen soils may be thawed and thaw settlement may occur due to the placement for building construction and infrastructure. The consequences to the public would be moderate uneven settlement of constructed improvements and uneven finish surfaces.

The Farmland Protection Policy Act (FPPA) requires federal agencies to evaluate the effects (direct and indirect) of their activities before taking any action that could result in converting designated prime or unique farmland or farmland of statewide and local importance to nonagricultural purposes. There are no designated agricultural lands within the Village and soils are not prime, unique, or important. The action complies with FPPA and no further documentation is required.

4.1.4 Mitigation Measures

There are several methods to reduce thermal disturbance and thaw settlement. One method would be to over-excavate the frozen material and replace it with thaw-stable fill material. A second method would be to provide insulation to keep the permafrost frozen. A third method is to plan on thawing and settlement. Removing the organic layer prior to construction would

accelerate thawing and reduce settlement after construction. Erosion control methods would be implemented at each area of construction to minimize erosion from both precipitation and river activity. Best Management Practices (BMPs) would be implemented as listed in Section 8.0.

Soil conditions near the northeast corner of the lake may not be feasible for development because of the underground spring and potential for flooding. Special engineering controls may be required.

4.2 Water Resources

The Clean Water Act (CWA) establishes the basic structure for regulating pollutant discharges to navigable waters of the United States. It sets forth procedures for effluent limitations, water quality standards and implementation plans, national performance standards, and point source (e.g., municipal wastewater discharges) and nonpoint source programs (e.g., stormwater.) The CWA also establishes the National Pollutant Discharge Elimination System (NPDES) under Sections 401 and 402 and permit requirements for dredged or fill material under Section 404.

The U.S. Army Corps of Engineers (USACE) is charged with regulating the disposal of dredge and fill materials under Section 404 of the CWA. A Section 404 permit from the USACE must be obtained for any dredge or fill activities within jurisdictional waters of the U.S. During the permit review process, the USACE determines the type of permit appropriate for the proposed action. Two types of permits are issued by the USACE: (1) General Permits, issued on a state, regional and nationwide basis and covering a variety of activities, including minimal individual and cumulative adverse effects; and (2) Individual Permits, issued for a case-specific activity. Section 401 of the CWA specifies that states must certify that any activity subject to a permit issued by a federal agency, such as a CWA Section 404 permit, meets all state water quality standards. Water quality certification is also necessary when a project qualifies for a General Permit, even if the activity does not need to be reported to the USACE.

EO 11988 (Floodplain Management) requires federal agencies to take action to minimize occupancy and modification of floodplains. Furthermore, EO 11988 requires that federal agencies proposing to site an action in a 100-year floodplain must consider alternatives to avoid adverse effects and incompatible development in the floodplain. In accordance with 44 CFR Part 9, critical actions, such as developing hazardous waste facilities, hospitals, or utility plants, must be undertaken outside of a 500-year floodplain. If no practicable alternatives exist to siting an action in the floodplain, the action must be designed to minimize potential harm to or within the floodplain. Furthermore, a notice must be publicly circulated explaining the action and the reasons for siting it in the floodplain. When evaluating actions in the floodplain, FEMA applies the decision process described in 44 CFR Part 9, referred to as the Eight-Step Process, to ensure that its actions are consistent with EO 11988. By its nature, the NEPA compliance process involves the same basic decision-making process as the Eight-Step Process.

As with EO 11988, EO 11990 (Protection of Wetlands) requires federal agencies to follow avoidance, mitigation, and preservation procedures with public input before proposing new construction in wetlands. The implementation of EO 11990 is described in 44 CFR Part 9. As with EO 11988, the Eight-Step Process is used to evaluate the potential effects of an action on wetlands. As discussed in the Clean Water Act subsection above, formal legal protection of jurisdictional wetlands is promulgated through Section 404 of the CWA. A permit from the

USACE may be required if an action has the potential to affect wetlands.

4.2.1 Affected Environment

4.2.1.1 The Clean Water Act (CWA)

Construction activities would not require dredging or filling or create pollutant discharges to navigable waters of the United States. The CWA sets forth procedures for effluent limitations, water quality standards and implementation plans, national performance standards, and point source (e.g., municipal wastewater discharges) and nonpoint source (e.g., stormwater) programs. The CWA also establishes the National Pollutant Discharge Elimination System (NPDES) under Sections 401 and 402 and requires permits for dredged or fill material under Section 404.

4.2.1.2 EO 11988 (Floodplain Management)

Neither FEMA nor the USACE has mapping for the new Village site showing either the 100 or 500-year floodplain. Flood levels for the old Village and new Village sites were developed by ANTHC surveyors during field reconnaissance in June 2000. A correlation was developed between a gauge reading in the City of Eagle and the elevation used by ANTHC's surveyors for aerial photography. Using ANTHC's basis of elevation, the river surface at the new Village was at elevation 860 feet above mean sea level (MSL) on June 10, 2000, the day aerial photographs were taken. The gauge reading in the City of Eagle, approximately 6 miles down river of the new Village, read 20.44 feet on June 10, 2000.

The Yukon River has a fairly uniform river surface on the stretch of river between the City of Eagle and the new Village site. Based upon the study by ANTHC, it was assumed that the river surface at the new Village is within a foot of the elevation of the river surface at the gauge in the City of Eagle. A correlation was developed for any gauge reading to establish a water surface elevation in MSL. Therefore, a gauge reading of 20.44 feet at the City of Eagle would equal a surface elevation of approximately 860 feet MSL at the new Village.

The U.S. Geological Survey reports that the gauge at the City of Eagle was originally established in 1911 at the bluff downstream of the City and operated until 1913. From 1950 to 1955, the gauge was operated at a site 1.1 miles upstream of the City of Eagle. From 1955 to present, it has been operated and referenced to water levels at the current site in front of the historical customs office.

The highest recorded gauge reading at the City of Eagle occurred during a 1962 ice jam event. The gauge indicated the river peaked at 35.94 feet (875.5 MSL). An open water flood occurred in 1964, producing a gauge reading of 33.85 feet (875.41 MSL). The 1962 and 1964 floods were contained within the riverbanks at Eagle River. USGS data also suggests a significant flood during break-up in 1992, with a gauge reading of 35.90, just under the 1962 flood level.

The USACE estimates that the 100-year flood level at the old Village is two to three feet higher than the highest recorded flood, which would equal a gauge reading of approximately 39 feet, or an elevation of 878.36 MLS. The new Village is at approximately 900 feet MSL, well above the estimated 100-year flood level of 878.6 feet at the old Village site and likely well above a 500-year flood level.

4.2.1.3 EO 11990 (Protection of Wetlands)

Wetlands were not noted during the site reconnaissance and soil characteristics of the entire Village appeared dry. Currently, no wetland inventory maps are available for the new Village site. Hank Baij, USACE Biologist, visited the site on July 23, 2009, and conducted a field wetland determination for the new Village site. The new Village is dominated by aspen (*Populus tremuloides*), which is at least a facultative upland species (dry two-thirds of the time) and may be an upland (dry all the time) indicator.

Based upon the field wetland determination and delineation and research of aerial photographs, soil and groundwater information, a Jurisdictional Determination for non-wetlands in the new Village was provided by the USACE with the condition that development within 30 feet of Long Lake needs to be avoided (see Appendix B).

4.2.1.4 The Wild and Scenic Rivers Act (WSRA)

The Wild and Scenic Rivers Act (WSRA) preserves selected rivers in a free-flowing condition and protects their local environments. These rivers possess outstanding scenic, recreational, geological, fish and wildlife, historical, or cultural values.

The Yukon River is not designated as a Wild and Scenic River.

4.2.2 Effects to Water Resources – No Action Alternative

This alternative does not include any FEMA action. Therefore, FEMA would not be required to comply with the CWA, EO 11988, EO 11990, or WSRA. There would no disturbance of the earth surface that would have the potential to impact water quality. However, water quality may be impacted from hazardous materials or wastes that may have been exposed by the disaster.

The No Action Alternative would have no impact on the 100-year floodplain. If the Village chose to remain at the pre-disaster location, it would remain in the 100-year floodplain and be subjected to possible future flooding events.

4.2.3 Effects to Water Resources – Preferred Action Alternative

Site preparation and construction of public facilities and infrastructure within the new Village location has the potential to affect hydrology and water quality with minimal sediment pollution. The new Village site is not within a floodplain thus the project would be in compliance with EO 11988 and no further documentation is required. The Yukon River is not designated Wild and Scenic thus no further review is required for this resource.

FEMA and the USACE evaluated whether the new Village site is located within wetlands. Based upon the findings and the Jurisdictional Determination, approximately 95% of the new Village is not within a wetland and would be in compliance with EO 11990 and no further documentation would be required. Approximately 5% of the new Village site around Long Lake may be wetlands and would need further evaluation. Based upon this finding, development within 30 feet of Long Lake will be avoided. If construction is proposed within 30 feet of Long Lake, FEMA would comply with EO 11990 by applying the Eight-Step Process and

documenting the results in a SEA. See Appendix A for Jurisdictional Determination and 8.0 for Mitigation Measures.

The Preferred Action Alternative may result in the discharge of pollutants into waters of the United States via surface water runoff. Sediment pollution from roadway runoff could affect the water quality of the Yukon River and Long Lake. If development and construction near the lake by the underground spring is necessary, it would require special engineering controls. According to the Sanitation Facilities Feasibility Study by ASCG, this area is known to flood during the spring due to the underground spring and soil conditions may not be feasible for development.

4.2.4 Mitigation Measures

Site preparation and construction of public facilities and infrastructure has the potential to affect hydrology and water quality. Erosion control methods would be implemented at areas of construction to minimize erosion from both precipitation and river activity. Best Management Practices (BMPs) would be implemented as listed in Section 8.0.

If construction activities are proposed within 30 feet of Long Lake, a wetland determination and delineation survey for a Jurisdictional Determination by the USACE would be required along with notification to State/FEMA for further environmental review. Best Management Practices (BMPs) would be implemented as listed in Section 8.0.

4.3 Biological Resources

The Endangered Species Act (ESA) establishes a federal program to conserve, protect, and restore threatened and endangered plants and animals and their habitats. Section 7 of the ESA mandates that all federal agencies must ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a threatened or endangered species or result in the destruction of critical habitat for these species. To accomplish this, federal agencies must consult with the U.S. Fish and Wildlife Service (USFWS) or the National Oceanic and Atmospheric Administration National Marine Fisheries Service (NOAA Fisheries) when taking action that has the potential to affect species listed as endangered or threatened or proposed for threatened or endangered listing.

The Migratory Bird Treaty Act (MBTA) makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 CFR 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). Disturbance that causes nest abandonment and/or loss of reproductive effort (e.g., killing or abandoning eggs or young) may be considered a take and is potentially punishable by fines and/or imprisonment. If an action is determined to cause a potential take of migratory birds, as described above, then a consultation process with the USFWS needs to be initiated to determine measures to minimize or avoid these impacts. This consultation should start as an informal process.

The Fish and Wildlife Coordination Act (FWCA) was enacted to protect fish and wildlife when federal actions result in the control or modification of a natural stream or body of water. The statute requires federal agencies to take into consideration the effect those water-related projects

would have on fish and wildlife resources, take actions to prevent loss or damage to these resources, and provide for the development and improvement of these resources. For an action resulting in the control or modification of a body of water, the federal agency must consult with the USFWS or NOAA Fisheries (as appropriate) to develop measures to mitigate action-related losses of fish and wildlife resources. These measures need to be included in some kind of public documentation for the action, and where possible, the federal lead agency must incorporate the measures in plans for the action.

The Magnuson-Stevens Fishery Conservation and Management Act (as amended), also known as the Sustainable Fisheries Act, requires all federal agencies to consult with NOAA Fisheries on activities or proposed activities authorized, funded, or undertaken by that agency that may adversely affect Essential Fish Habitat (EFH). The EFH provisions of the Sustainable Fisheries Act is designed to protect fisheries habitat from being lost due to disturbance and degradation.

EO 13112 (Invasive Species) was created to prevent the introduction of invasive species and to provide for their control. Under this order, the federal government may "not authorize, fund, or carry out actions that it believes are likely to cause or promote the introduction or spread of invasive species in the U.S. or elsewhere unless, pursuant to guidelines that it has prescribed, the agency has determined and made public its determination that the benefits of such actions clearly outweigh the potential harm caused by invasive species; and that all feasible and prudent measures to minimize risk of harm will be taken in conjunction with the actions."

4.3.1 Affected Environment

The Village is located within an upland forest ecosystem that is mostly dominated by aspen (*Populus tremuloides*) and paper birch (*Betula papyrifera*), with some black spruce (*Picea mariana*) trees. The understory consists of an unknown willow (*Salix spp.*), some wild rose (*Rosa spp.*), Labrador tea (*Ledum groenlandicum*), mosses (*Sphagnum spp.*) and small forbs. Habitat near the new Village site offers nesting, brood rearing, foraging, and staging habitat for numerous bird species, including the American peregrine falcon and the bald eagle. The American peregrine falcon was delisted from the USFWS Endangered Species List in 1999 and the bald eagle was delisted in 2006. Mammals in the new Village site area include caribou, moose, black and brown bear, lynx, wolves, foxes, hares, mink, beaver, and muskrat.

4.3.1.1 The Endangered Species Act (ESA)

According to USFWS there are no threatened and endangered species near the new Village site.

4.3.1.2 The Migratory Bird Treaty Act (MBTA)

No migratory birds were identified at the new Village site.

4.3.1.3 The Fish and Wildlife Coordination Act (FWCA)

No in-water work is proposed at the new Village site, thus no modification of a natural stream or waterbody will occur that would require further review.

4.3.1.4 The Magnuson-Stevens Fishery Conservation and Management Act (as amended)

The closest surface water body is Long Lake and no essential fish habitats were identified. No other surface water bodies or streams are within 200 feet of the new Village site. Project design and best management practices required as part of the DEC authorization will ensure there will not be any release into the Yukon River or Long Lake.

4.3.2 Effects to Biological Resources – No Action Alternative

This alternative does not include any FEMA action, Therefore, FEMA would not be required to consult with USFWS, NOAA Fisheries, or ADF&G to comply with ESA, MBTA, FWCA or the Sustainable Fisheries Act. Fish and wildlife currently inhabiting or foraging in the area would continue to do so.

4.3.3 Effects to Biological Resources – Preferred Action Alternative

The new Village site has been evaluated and the project does not have the potential to affect threatened and endangered species or their habitats, migratory birds, natural waterways, or EFH.

The Preferred Action Alternative would disturb areas of the Village. Vegetation would be cleared and habitat would be lost and fencing for construction activities would reduce the habitat available for wildlife use. However, there is substantial habitat available in the surrounding area and the effect would be negligible. Short and long-term impacts to vegetation and wildlife are considered minor. No river habitat would be affected by construction activities within the Village.

4.3.4 Mitigation Measures

Appropriate BMPs and fencing within and for the site would reduce the habitat available for wildlife use, but there is substantial habitat available in the surrounding area and the effect would be negligible. Short and long-term impacts to vegetation and wildlife are considered minor.

4.4 Air Quality

The Clean Air Act (CAA) requires that the U.S. Environmental Protection Agency (USEPA) establish primary and secondary National Ambient Air Quality Standards (NAAQS) for air pollutants that are considered harmful to the public and environment. Primary NAAQS are established at levels necessary, with an adequate margin of safety, to protect public health, including the health of sensitive populations such as asthmatics, children, and the elderly. Similarly, secondary NAAQS specify the levels of air quality determined appropriate to protect the public welfare from any known or anticipated adverse effects associated with air contaminants. The pollutants for which USEPA has established ambient concentration standards are called criteria pollutants and include ozone (O3), respirable particulates that have aerodynamic diameters of 10 micrometers or less (PM10), fine particles with aerodynamic diameters less than 2.5 micrometers, (PM2.5), carbon monoxide (CO), nitrogen dioxide (NO2), sulfur dioxide (SO2), and lead (Pb). The CAA also requires USEPA to assign a designation to each area of the United States regarding compliance with the NAAQS. The USEPA categorizes the level of compliance or noncompliance as follows: attainment (area currently meets the

NAAQS), maintenance (area currently meets the NAAQS but has previously been out of compliance), and nonattainment (area currently does not meet the NAAQS).

4.4.1 Affected Environment

According to the USEPA, the new Village site is in an attainment area for air quality. Attainment areas meet the EPA's Air Quality Standards.

4.4.2 Effects to Air Quality – No Action Alternative

Air quality would not be impacted with the No Action Alternative.

4.4.3 Effects to Air Quality – Preferred Action Alternative

Airborne dust caused by construction activities would have minor, temporary effects on air quality during construction. Vehicle travel on the completed gravel roads and access driveways would also propel dust particles into the air, thus impacting air quality in minor amounts. Vehicle exhaust and heavy equipment exhaust would increase, but would have minor, temporary effects on air quality. Consequences to the public would be minor with implementation of appropriate BMPs and mitigation.

4.4.4 Mitigation Measures

Watering during construction would help control airborne dust resulting from construction activities. A dust palliative would be applied during construction to help control air pollution caused by dust. This treatment would need to be reapplied periodically to maintain its effectiveness. Reapplication would be the responsibility of the entity maintaining the road, and would be subject to its priority and funding constraints.

4.5 Noise

Commonly defined as unwanted and/or unwelcome sound, noise is federally regulated by the Noise Control Act of 1972. Although this Act tasks the USEPA to prepare guidelines for acceptable ambient noise levels, it only charges those federal agencies that operate noise-producing facilities or equipment to implement noise standards.

4.5.1 Affected Environment

The new Village site is mostly undeveloped land with a road infrastructure, a Community Center, and some residential houses. Undeveloped land still lies throughout the new Village site. Noise baseline data is unavailable for the project area.

4.5.2 Effects to Noise Levels – No Action Alternative

The No Action Alternative would not cause an increase in noise pollution.

4.5.3 Effects to Noise Levels – Preferred Action Alternative

With the rebuilding of public facilities and infrastructure, more villagers would move from the old Village to the new Village. The background sound levels typical of small, rural communities that are influenced by wind, traffic, occasional construction activities, and other common community noises levels would increase as the Village population relocates to the new site. Given the anecdotal information on general sound levels, it is anticipated that typical daytime sound levels in the community would range between 50-60 dB(A).

The Preferred Action Alternative would create a short-term increase in ambient noise levels due to heavy machinery operation during construction. The consequences to the public would be minor with short term increases to ambient noise levels from construction that would be limited to daylight hours.

4.5.4 Mitigation Measures

Construction should be limited to daytime hours to reduce noise impacts.

4.6 Cultural Resources

The National Historic Preservation Act (NHPA) declares federal policy to protect historic sites and values, in cooperation with other nations, states, and local governments. Subsequent amendments designated the State Historic Preservation Officer (SHPO) as the individual responsible for administering state-level programs. Section 106 of the NHPA and implementing regulations (36 CFR 800) outline the procedures to be followed in the documentation, evaluation, and mitigation of impacts to cultural resources. The Section 106 process applies to any federal undertaking that has the potential to affect cultural resources. The Section 106 process includes identifying significant historic properties and districts that may be affected by an action and mitigating adverse effects to properties listed, or eligible for listing, in the National Register of Historic Places (NRHP) (36 CFR 60.4).

4.6.1 Affected Environment

An archaeological survey was done by BIA archaeologists in 1988 at some proposed sites in the new Village. A letter from the SHPO notes that there are no reported sites in the area. During construction of the road system at the new Village, BIA maintained responsibility for compliance with Section 106. After completing an additional archaeological survey of the project area in 2003, the BIA Regional Roads Archaeologist submitted a finding of No Historic Properties Affected to the SHPO. The SHPO concurred with these findings.

No known archaeological or historic sites exist in the vicinity of the new Village. FEMA has determined that the area has a very low potential for the location of such sites, and that no archaeological survey needs to be conducted. Subject to any unanticipated discovery (see Section 8.0), FEMA has further determined that no historic properties will be affected by this undertaking. The Alaska State Historic Preservation Officer concurred with these determinations on August 7, 2009 (see Appendix B).

4.6.2 Effects to Cultural Resources – No Action Alternative

Cultural Resources would not be impacted with the No Action Alternative.

4.6.3 Effects to Cultural Resources – Preferred Action Alternative

Because there are no known archaeological or historic sites in the vicinity of the new Village and the area has been determined low probability for archeological resources, no effects to cultural resources are anticipated.

4.6.4 Mitigation Measures

If any unanticipated archeological resources are identified during construction, the contractor shall stop work pending evaluation of the discovery and coordination with the SHPO.

4.7 Socioeconomic Conditions

EO 12898 (Federal Actions to Address Environmental Justice in Minority and Low-Income Populations) requires federal lead agencies to ensure rights established under Title IV of the Civil Rights Act of 1964 when analyzing environmental effects. FEMA and most federal lead agencies determine impacts to low-income and minority communities as part of the NEPA compliance process. Agencies are required to identify and correct programs, policies, and activities that have disproportionately high and adverse human health or environmental effects on minority or low-income populations. EO 12898 also tasks federal agencies with ensuring that public notifications regarding environmental issues are concise, understandable, and readily accessible.

EO 13045 (Protection of Children from Environmental Health Risks and Safety Risks) requires federal agencies to identify and assess health risks and safety risks that may disproportionately affect children. As with EO 12898, FEMA and most federal lead agencies determine impacts to children as part of the NEPA compliance process. Agencies must ensure that their policies, programs, activities, and standards address disproportionate risks to children that result from environmental health risks or safety risks.

The Uniform Relocation Assistance and Real Property Acquisition Policies Act (URARPAPA) and Title IV of the Uniform Relocation Act provide consistent and equitable treatment of persons displaced from their homes, businesses, or farms by federal or federally assisted programs. These regulations also establish uniform and equitable land acquisition policies for federal and federally assisted programs. Agencies are required to reimburse for and provide relocation planning, assistance coordination, and advisory services to persons displaced by such programs.

4.7.1 Affected Environment

Approximately 64 people live in or near the Village. The villagers depend heavily on a traditional subsistence lifestyle, traveling out from the village for hunting, fishing, and gathering. The Yukon River is an important transportation corridor, providing access to many traditional use areas.

Throughout the summer months, the village has access to the state road system and Canada using the Taylor and Klondike Highways. During the winter, these highways are not maintained and air travel becomes the primary mode of transportation. An airport is available at the City of

Eagle with scheduled air service to Fairbanks. Most of the employment in the Village is seasonal. Summer tourism brings many people to nearby Eagle City, both by bus and tour boat. A tour boat operates on the Yukon River between Eagle and Dawson City, Canada.

4.7.2 Effects to Socioeconomic Conditions – No Action Alternative

Socioeconomic conditions would have a major impact on the Village under this alternative. This alternative would likely result in disproportionate health and safety risks to the low-income and minority persons and to children, as these groups will be most likely to be affected by the lack of public infrastructure if not restored or repaired.

4.7.3 Effects to Socioeconomic Conditions – Preferred Action Alternative

The Preferred Action Alternative is not expected to pose disproportionately high or adverse public health or environmental effects on minority and low-income populations and would not cause adverse economic impacts. The Preferred Action Alternative would benefit the Village's infrastructure and public services. Short-term benefits would include additional jobs for the Village residents during construction of the project.

4.7.4 Mitigation Measures

None

4.8 Safety and Security

The Occupational Safety and Health Act of 1970 (OSHA) seeks to prevent work-related injuries, illnesses and deaths by issuing and enforcing standards for workplace safety and health. The health, safety and security of construction workers, area residents and the general public as related to the project alternatives are considered in this section.

4.8.1 Affected Environment

The new Village site is mostly undeveloped land with a road infrastructure, utility easements, a Community Center, and some residential houses. Undeveloped land still lies throughout the new Village site. The level of safety and security risk at the new Village site is minimal due to lack of population.

4.8.2 Effects to Safety and Security – No Action Alternative

The No Action Alternative would have no impact on health, safety and security in the new Village.

4.8.3 Effects to Safety and Security – Preferred Action Alternative

The Preferred Action Alternative could temporarily impact the safety of workers and others in the vicinity of the project site during construction as construction sites are inherently dangerous. The safety of site workers would be dependent on the policies, knowledge, experience and diligence of the workers. The Village and its contractors should ensure all project activities are

conducted in a safe manner and in compliance with all state and federal occupational safety regulations, including OSHA, to protect workers and the general public.

4.8.4 Mitigation Measures

The contractor would post appropriate signage and fencing to minimize potential adverse public safety concerns, including placing fencing around the site perimeter. Appropriate signage and barriers should be in place prior to construction activities in order to alert pedestrians and motorists of project activities and traffic pattern changes.

Mitigation measures have been established in Section 8.0 to reduce any potential adverse effects from implementation of the Preferred Action Alternative. These measures and all appropriate BMPs are required as conditions of FEMA funding for the project.

4.9 Hazardous Materials and Waste

Hazardous materials and wastes are regulated in the U.S. under a variety of federal and state laws. Federal laws and subsequent regulations governing the assessment, transportation, and disposal of hazardous materials and wastes include the Resource Conservation and Recovery Act (RCRA); the RCRA Hazardous and Solid Waste Amendments; Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); the Solid Waste Act; the Toxic Substances Control Act (TSCA); and the Clean Air Act (CAA).

RCRA is the federal law that regulates hazardous waste. RCRA regulates hazardous waste from "cradle to grave," that is, from the time the waste is generated through its management, storage, transport, treatment, and final disposal. The USEPA is responsible for implementing this law and may delegate this responsibility to the states to implement. Alaska Hazardous Waste Program is operated by the U.S. Environmental Protection Agency Region 10 Office in Seattle, Washington. RCRA also sets forth a framework for the management of non-hazardous wastes. The 1986 amendments to RCRA enable the USEPA to address the environmental problems that can result from underground tanks storing petroleum and hazardous substances. RCRA focuses only on active and proposed facilities and does not address abandoned or historical sites.

TSCA gives the USEPA the ability to track the approximately 75,000 industrial chemicals currently produced or imported into the U.S. The USEPA repeatedly screens these chemicals and can require reporting or testing of those that may pose an environmental or human-health hazard. The USEPA may ban the manufacture and import of those chemicals that pose an unreasonable risk. The USEPA may also control these chemicals as necessary to protect human health and the environment. TSCA supplements other federal statutes, including CAA and the Toxic Release Inventory under the Emergency Planning and Community-Right-to-Know Act. TSCA includes regulations regarding asbestos and polychlorinated biphenyls (PCBs).

CERCLA and the Superfund Amendments and Reauthorization Act (SARA) govern the process of identifying and prioritizing the cleanup of abandoned or other sites not regulated under RCRA contaminated by the release of hazardous materials. The USEPA was given power to seek out those parties responsible for any release and ensure their cooperation in the cleanup. Superfund site identification, monitoring, and response activities in states are coordinated through the state environmental protection or waste management agencies.

Section 112 of the CAA requires the USEPA to develop emission standards for hazardous air pollutants. In response to this section the USEPA published a list of hazardous air pollutants and promulgated the National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations. Because lead and asbestos present a substantial risk to human health as a result of air emissions from one or more source categories, they are considered hazardous air pollutants and, thus, hazardous materials. The Asbestos NESHAP (40 CFR 61, Subpart M) addresses milling, manufacturing, and fabricating operations; demolition and renovation activities; waste disposal issues; active and inactive waste disposal sites; and asbestos conversion processes.

4.9.1 Affected Environment

According to the Alaska Department of Environmental Conservation (ADEC) website, no known hazardous waste or contaminated sites are in or near the new Village. A search of the EPA cleanup sites yielded similar results.

4.9.2 Effects from Hazardous Waste & Materials – No Action Alternative

Although the No Action Alternative would not actively use hazardous materials or generate hazardous wastes, it may prolong the exposure of individuals to hazardous materials or wastes that may have been exposed by the disaster. Residents who find themselves without alternative housing may continue to live within an area contaminated by hazardous materials or wastes, such as petrochemicals spills (from storage areas), airborne asbestos (from damaged asbestos-containing materials), or lead paint chips (from peeling painted surfaces on damaged buildings) which can create a potential hazard to human health.

4.9.3 Effects from Hazardous Waste & Materials – Preferred Action Alternative

The Preferred Action Alternative is not expected to pose any significant public health or environmental effects. Activities that occurred historically at sites proposed for construction of facilities and infrastructure may have generated incidental hazardous materials or wastes. Although undeveloped, the potential exists for plumes of hazardous wastes to have migrated onto these sites or illegal dumping of hazardous waste to have occurred at these sites. Clearing, grubbing, grading, connecting utilities, constructing infrastructure could contribute to environmental releases of any latent hazardous waste or expose displaced residents to hazardous wastes.

4.9.4 Mitigation Measures

If hazardous constituents are unexpectedly encountered during project activities, appropriate measures for the proper assessment, remediation and management of the contamination should be initiated in accordance with applicable federal, state and local regulations. Project construction would involve the use of potentially hazardous materials (e.g., petroleum products, cement, caustics, acids, solvents, paint, electronic components, pesticides, herbicides, fertilizers, treated timber) and may result in the generation of small volumes of hazardous wastes. Appropriate measures (including BMPs) to prevent, minimize and control spills of hazardous materials should be taken, and any hazardous and non-hazardous wastes generated should be

disposed in accordance with applicable federal, state and local requirements.

4.10 Public Involvement

FEMA's Draft EA was released and a public notice was posted throughout the City and Village on August 26, 2009, for a 24-hour public review and comment period, ending August 27, 2009. The notice identified the Preferred Action Alternative, location of the action, participants, location of the draft EA, and listed Stanley KS Chun, FEMA Environmental Lead/Advisor, as the point of contact to contribute comments that would go to Mark Eberlein, FEMA Regional Environmental Officer.

FEMA consulted with several state and federal agencies throughout this EA process to gather valuable input and to meet regulatory requirements (see reference list for specific contacts). This coordination was integrated into the public involvement process and the draft EA was provided to contacts at the DEC, DNR, U.S. Army Corps of Engineers, and the U.S. Environmental Protection Agency.

Cheryl Bommarito, FEMA Environmental Specialist, visited the community of Eagle on July 31, 2009, and met with representatives of both the City and Village, along with many community members. Additionally, FEMA staff met with village people to verbally discuss the contents of the draft EA and garner any input on potential for significance. The clear consensus throughout the community was that there are no significant concerns regarding the construction of public facilities and infrastructure in the new Village site. The community would like to see the project proceed as soon as possible, as there is a substantial need for public services and infrastructure in order to proceed with the recovery effort.

No substantive public comments were received; therefore, no further public involvement will be conducted for this EA. In the public notice distributed with the draft EA, all recipients were notified that after the public comment period ended, provided no substantive comments were received, the final EA and the FONSI would be available for viewing at: http://www.fema.gov/plan/ehp/envdocuments/archives_index.shtm.

4.11 Cumulative Effects

Cumulative effects are those that result from the incremental effect of a Preferred Action Alternative when added to other past, present and reasonably foreseeable future actions, regardless of what agency (federal or nonfederal) or person undertakes such other action. Cumulative effects can result from individually minor, but collectively significant, actions taking place over a period of time.

The old Village site was devastated and under the No Action Alternative (Alternative 1), the community would remain without drinking water, power, sanitary, and other public services. There would be no construction of new facilities. Infrastructure and public services would continue to be provided using the interim arrangements currently in use at the new Village site. These temporary facilities are currently providing only limited services and would continue to operate at a much reduced capacity. This alternative would not meet the community's needs and

would forego the benefits of permanent facilities for the community and result in continued hardships, including physical, psychological and economic stresses associated with the damage and risks to public health and safety.

The Preferred Action Alternative (Alternative 3) provides for the construction of new public facilities and infrastructure at the new Village site. Development is currently underway in the new Village site with assistance from other sponsoring agencies. Access to new public facilities and infrastructure on the part of the community could lead to a revitalized Village core and identity, the cumulative effect of which would be a positive, more stimulated local effort toward recovery of the economy and of community vitality.

Future development may occur in the area directly adjacent to and above Long Lake. The Village will need to consider possible multi-family septic systems to avoid impacts to the water supply. Should FEMA be funding this construction, FEMA would mitigate these impacts by applying BMPs (as described in Section 8.0) to reduce transport of sediment, debris, oils, and hazardous substances. For the water supply, potable wells would need to be grouted and wellheads would need to be watertight to prevent contamination of the water supply. Building pads for facilities in this area would need to be constructed so they do not flood. Further evaluation of impacts would be documented in a Supplemental EA.

V. MITIGATION MEASURES REQUIRED

The following mitigation measures are required as conditions of FEMA funding:

1. The Village is required to obtain and comply with all local, state, and federal requirements, including, but not limited to any required certifications and permits for the Preferred Action Alternative.

2. If construction activities are proposed within 30 feet of Long Lake, a determination and delineation survey for Jurisdictional Determination by the USACE would be required. The applicant will notify the State/FEMA of the need to work within this location and allow FEMA the opportunity to complete additional environmental evaluation.

3. The applicant is responsible for selecting, implementing, monitoring and maintaining appropriate Best Management Practices (BMPs) to control erosion and sediment, reduce spills and pollution, and provide habitat protection. Erosion controls must be in place before any significant alteration of the area takes place. If fill is stored on site, the contractor is required to cover and contain it appropriately. Access roads and work areas must use existing access ways whenever possible and minimize soil disturbance and compaction within 200 feet of a stream, water body, or wetland.

4. If hazardous constituents are unexpectedly encountered during project activities, appropriate measures for the proper assessment, remediation, containment and management of the contamination should be initiated in accordance with applicable federal, state and local regulations. Project construction would involve the use of potentially hazardous materials (e.g., petroleum products, cement, caustics, acids, solvents, paint, electronic components, pesticides, herbicides, fertilizers, treated timber) and may result in the generation of small volumes of hazardous wastes. Appropriate

measures to prevent, minimize and control spills of hazardous materials should be taken, and any hazardous and non-hazardous wastes generated should be disposed in accordance with applicable federal, state and local requirements.

5. The contractor is to stay away from lake and wetland fringe areas and not dispose of overburden or other earthen material off-site and into any other waterway or wetland.

7. Large wood, native vegetation, and weed-free topsoil disturbed during the site preparation must be conserved on site whenever possible for site restoration.

8. In the event historically or archaeologically significant materials or sites (or evidence thereof) are discovered during the implementation of the project or should any cultural material (e.g., prehistoric stone tools or flaking, human remains, historic material caches) be encountered during construction, the project shall be halted and all reasonable measures taken to avoid or minimize harm to property until such time as the applicant and FEMA, in consultation with the State Historic Preservation Officer (SHPO), determine appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act.

9. No construction material or debris shall be staged or disposed of in a wetland, even temporarily. Excess and unsuitable excavated material shall not be sidecast into or placed upslope of wetlands environments.

10. Watering during construction would help to control airborne dust resulting from the construction activities. A dust palliative would be applied during construction, as needed, to help control air pollution caused by dust. This treatment would need to be reapplied periodically to maintain its effectiveness. Reapplication would be the responsibility of the entity maintaining the road, and would be subject to its priority and funding constraints.

11. Construction shall be limited to daytime hours to reduce noise impacts.

VI. CONCLUSION

Based upon onsite review, previous studies and resource/regulatory agency consultations undertaken in the preparation of this EA, and given the precautionary and mitigation measures, no significant environmental impacts were identified associated with the construction of public facilities and infrastructure at the new Village of Eagle.

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APPENDIX A

USACE Jurisdictional Determination

Bommarito, Cheryl

From: Baij, Harry A Jr POA [Harry.A.Baij@usace.army.mil]
Sent: Thursday, July 30, 2009 3:00 PM
To: Bommarito, Cheryl
Cc: Hartmann, Dale R POA; Mullins, Mervin E POA; Keller, William A POA; resjr1@gmail.com; Hendrix, Joel C POH
Subject: RE: WetLands & Uplands to view in NEW Eagle Village

Cheryl,

My jurisdictional determination is for the proposed VPSO and Clinic sites. That is what I was tasked to do. I only looked at the other areas and made judgments, trying to cover as much ground as possible.

I can do a jurisdictional determination for the entire New Eagle Village using the collected information from my field visit and information obtained off-site (resource records such as aerial photos, soil and water information, etc.). It will not constitute a field wetland delineation. I do not know of any specific soil mapping for Eagle and vicinity. I am confident the New Eagle Village site not being located in wetlands where the infrastructure for the roads and buildings would go. Development within 25-30 feet of the lake (near the community center) needs to be avoided without a close look, just to be safe.

Hydric soils for the area are saturated decomposing peat primarily from sphagnum mosses likely above a layer of fine silt loam. Observe and dig a soil test hole at the wetland along the Duramat temporary road near the end of the runway frontage road. The plastic mat temporary road was constructed in the most prevalent wetland in the vicinity. Hydrology for the groundwater in the hydric soil area is at or very near the surface . Hydric soils require saturation within 12 inches of the soil surface (where the green plant material stops and the brown soil begins). The wetland hydrology is a very shallow perched groundwater. I found a NON-HYDRIC SOIL over at the community center, a rather dark yellowish brown silt loam something like 10YR4/3.

The hydrology for the regional water table is variable but several feet below the ground surface. Look at the soil profile at the existing new village landfill. If you dug near Long Lake it would be more near the surface.

Wetland plants are stunted stressed black spruce (Picea mariana); labrador tea (Ledum sp.); most all of the sedges (most common is Carex aquatilis); water horsetail (Equisetum fluviatile); bog rosemary (Andromeda polifolia), etc.

I'll try to get you my datasheets and some pictures.

Please take digital snapshots of the New Eagle Village existing landfill, the proposed Corps debris landfill, and the permanent sites for the VPSO & clinic. Given time, take a walk around the New Eagle Village roadway and take photos of the areas. You will see the village is located in non-wetlands as designed and constructed thus far. The only areas to stay clear away from are Long Lake and its shoreline area.

H. Baij
907-753-2784

-----Original Message-----
From: Bommarito, Cheryl [mailto:Cheryl.Bommarito@associates.dhs.gov]
Sent: Thursday, July 30, 2009 2:15 PM
To: Baij, Harry A Jr POA; Bommarito, Cheryl
Cc: Mullins, Mervin E POA; Hendrix, Joel C POH; Gimlin, Barbara; Hartmann, Dale R POA; Keller, William A POA
Subject: RE: WetLands in NEW Eagle Village

Hank,

Thanks for the response, are you going to provide a Jurisdictional Determination for the

Bommarito, Cheryl

From: Baij, Harry A Jr POA [Harry.A.Baij@usace.army.mil]
Sent: Tuesday, August 04, 2009 12:53 PM
To: Bommarito, Cheryl
Cc: Hartmann, Dale R POA
Subject: RE: Village of Eagle

Cheryl,

The northwest area is where Long Lake is located. I did not evaluate this area, just walk over it. The lake, to its ordinary high water mark and its adjacent wetlands, are jurisdictional under S. 404 of the CWA. Work is not proposed in this area.

I can create a wetland map for you by air photo interpretation and my field observations during my visit on 23 July. I did not conduct any test pit field wetland delineations. I can draw a wetland delineation line on an aerial photograph and send it to you. I think the scale is 1" = 400'. I can complete it tomorrow, all right?

H. Baij
907-753-2784

-----Original Message-----
From: Bommarito, Cheryl [mailto:Cheryl.Bommarito@associates.dhs.gov]
Sent: Tuesday, August 04, 2009 10:47 AM
To: Baij, Harry A Jr POA
Cc: Chun, Stanley; Lopez, Lois
Subject: Village of Eagle

Hank,

I am going over previous reports done for the Village and they all claim the northwest corner of the Village is marshy with an underground spring. I was wondering if you were able to evaluate this portion of the Village.

Also, do you have a mapped area around the lake for the wetlands you detected.

Thanks

Cheryl

Bommarito, Cheryl

From: Baij, Harry A Jr POA [Harry.A.Baij@usace.army.mil]
Sent: Wednesday, August 05, 2009 2:11 PM
To: Bommarito, Cheryl
Cc: Keller, William A POA; Hendrix, Joel C POH; Hartmann, Dale R POA; Chun, Stanley
Subject: New Eagle Village JD (jurisdictional determination)

Cheryl,

Donna or someone representing the Native Village of Eagle (or whatever their official name is) needs to submit a request for jurisdiction (or they can call it a wetlands determination) to me in order to provide them with an approved jurisdictional determination. I will start a file and provide them with a letter for the area they designate their request. They must be specific on the area and include a vicinity map. I need their mailing address and other contact information to make this happen.

I have currently misplaced the aerial photo I was going to use for the "wetland map". I'll get you something soon.

H. Baij
Anchorage Team Leader
907-753-2784

-----Original Message-----
From: Bommarito, Cheryl [mailto:Cheryl.Bommarito@associates.dhs.gov]
Sent: Wednesday, August 05, 2009 10:52 AM
To: Lopez, Lois; Baij, Harry A Jr POA
Cc: Chun, Stanley; Hendrix, Joel C POH; Hartmann, Dale R POA; Mullins, Mervin E POA
Subject: RE: Trip to Eagle

Speaking with Donna at the Village, all lake lots will be public facilities and will not be designated for residential. My only concern for doing the PEA for the entire village was to get this area by the lake determined for wetlands (since the Village is unsure what they are going to use the lake
lots for), I will include in the PEA that 25 to 30 feet along the lake will need to have a JD if the Village decides to construct anything at a latter date.

Hank, can I get that map showing this area and also were you going to issue a JD for the Village for me to include in the PEA.

Thanks,

Cheryl

From: Lopez, Lois [mailto:lois.lopez@dhs.gov]
Sent: Tuesday, August 04, 2009 2:44 PM
To: Bommarito, Cheryl; Harry.A.Baij@usace.army.mil
Cc: Chun, Stanley; Lopez, Lois; Joel.C.Hendrix@usace.army.mil; Dale.R.Hartmann@usace.army.mil; Mervin.E.Mullins@usace.army.mil
Subject: Trip to Eagle

Bommarito, Cheryl

From: Baij, Harry A Jr POA [Harry.A.Baij@usace.army.mil]
Sent: Monday, August 03, 2009 3:51 PM
To: Hartmann, Dale R POA
Cc: Hendrix, Joel C POH; Gimlin, Barbara; Mullins, Mervin E POA; Bommarito, Cheryl; Keller, William A POA
Subject: Scope of Work sent 7-31-09 Eagle, AK VPSO/Clinic

Dale,

I reviewed the latest SOW sent by e-mail message Friday July 31, 2009. The work areas depicted on sheets 17 & 18 of your attachment for activities proposed for land clearing, excavation, grubbing, and fill placement for the VPSO, Clinic, Conex relocations, access, fire fighting buffer, and firewood area are NOT in wetlands and a permit from the Regulatory Division is NOT required.

All you need to do is stay away from the lake and wetland fringe areas and not dispose of overburden or other earthen material off-site and into any other waterway or wetland. Please contact me if I can help in any way.

H. Baij
Chief, North Section
Regulatory Division
907-753-2784

-----Original Message-----
From: Hartmann, Dale R POA
Sent: Friday, July 31, 2009 4:13 PM
To: Baij, Harry A Jr POA; Frenier, David J POA; Gaulke, Michael S POA; Jackman, George E POA; Jackson, Ronald K POA; Kalli, George A POA; Lam, Peter H POA; Lindamood, Steve D POA; Morgan, Christine A POA; Shuman, Catherine M SPL; Underwood, Thomas J POA
Subject: Current SOW
Importance: High

Folks,

Attached is the current SOW and attachments.

Dale Hartmann, P.E.
Mechanical Engineer
Alaska District, US Army Corps of Engineers
2204 3rd St
Elmendorf, AFB 99506
(907)753-2550
(907)753-2783 FAX
(317)552-4800x2550 DSN

1

WETLAND DETERMINATION DATA FORM – Alaska Region

Project/Site: Eagle new Village Borough/City: Community Center Sampling Date: 7-23-09
Applicant/Owner: Sampling Point: #1
Investigator(s): Baij Landform (hillside, terrace, hummocks, etc.):
Local relief (concave, convex, none): flat Slope (%): 0-2%
Subregion: Lat: Long: Datum:
Soil Map Unit Name: NWI classification:
Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✓ No (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	(Yes)	No	Is the Sampled Area within a Wetland? Yes ____ No X
Hydric Soil Present?	Yes	(No)	
Wetland Hydrology Present?	Yes	(No)	

Remarks: Site is NW corner Community Center lot adjacent to septic field

VEGETATION – Use scientific names of plants. List all species in the plot.

Tree Stratum	Absolute % Cover	Dominant Species?	Indicator Status
1. Black Spruce (Picea mariana)	60	Y	FacW
2. Paper birch (Betula papyrifera)	5	N	FacU
3.			
4.			
Total Cover:	65		
50% of total cover: ____ 20% of total cover: ____			
Sapling/Shrub Stratum			
1. Salix sp. (willow)	5	N	Fac
2. Labrador Tea (Ledum sp.)	25	Y	FacW
3.			
4.			
5.			
6.			
Total Cover:	30		
50% of total cover: ____ 20% of total cover: ____			
Herb Stratum			
1. Sphagnum sp.	90		
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
Total Cover:	90		
50% of total cover: ____ 20% of total cover: ____			

Plot size (radius, or length x width) 30 ft radius % Bare Ground 0%
% Cover of Wetland Bryophytes 90% Total Cover of Bryophytes 90%
(Where applicable)

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)
Total Number of Dominant Species Across All Strata: 2 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:	
OBL species 0	x 1 =	0
FACW species 85	x 2 =	170
FAC species 5	x 3 =	15
FACU species 5	x 4 =	20
UPL species 0	x 5 =	0
Column Totals: 95	(A)	205 (B)

Prevalence Index = B/A = 2.15

Hydrophytic Vegetation Indicators:
___ Dominance Test is >50%
✓ Prevalence Index is ≤3.0
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
✓ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present unless disturbed or problematic.

See Remarks below + attached notes.

Hydrophytic Vegetation Present? Yes ✓ No ____

Remarks: Black Spruce indicator status is facultative wet but species is problematic due to its adaptability to drier conditions. The black spruce growing at the site are large (30ft) trees indicative of drier growing conditions. Labrador Tea is somewhat similar.

SOIL Sampling Point: _____

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6	decaying sphagnum duff							oxygen (air) present
6-23	10YR4/3		dark yellowish brown					
23-30	rounded stones 1-3" + gravel size							30 + below
+below								

no saturation 0-30"; no observed redox features

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol or Histel (A1)
- ___ Histic Epipedon (A2)
- ___ Hydrogen Sulfide (A4)
- ___ Thick Dark Surface (A12)
- ___ Alaska Gleyed (A13)
- ___ Alaska Redox (A14)
- ___ Alaska Gleyed Pores (A15)

Indicators for Problematic Hydric Soils[3]:

- ___ Alaska Color Change (TA4)[4]
- ___ Alaska Alpine Swales (TA5)
- ___ Alaska Redox With 2.5Y Hue
- ___ Alaska Gleyed Without Hue 5Y or Redder Underlying Layer
- ___ Other (Explain in Remarks)

[3]One indicator of hydrophytic vegetation, one primary indicator of wetland hydrology, and an appropriate landscape position must be present.

[4]Give details of color change in Remarks.

Restrictive Layer (if present):
Type: none observed to 29-30"
Depth (inches): _____

Hydric Soil Present? Yes ____ No ✓

Remarks:
10YR 4/3 @ 10" no redox but perhaps leaching + accumulation zones evident in blotching pattern of colors.
10YR3/3 @ 8"
or cryoturbation
>30" gravel heard from soil auger

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (any one indicator is sufficient)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water-stained Leaves (B9)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Salt Deposits (C5)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ____ No ✓ Depth (inches): _____
Water Table Present? Yes ____ No ✓ Depth (inches): _____
Saturation Present? (includes capillary fringe) Yes ____ No ✓ Depth (inches): _____

Wetland Hydrology Present? Yes ____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Sphagnum + b. spruce indicate some seasonal surface moisture; soil drains thru organic + silt loam to coarse material below.

US Army Corps of Engineers 2007 Alaska Version 2.0

Field notes
new Eagle Village Sites WLD
FEMA/corps 7-23-09
#Baij

Site #1: dug test pit just to north of standpipe for septic system in undisturbed Black Spruce stand.

Spruce are large vigorous growth form indicative of drier more productive growing conditions. Labrador Tea just barely a dominant species in shrub layer at around 25%, just making a living.

Conditions are dry + overcast. no evidence of recent rain fall on ground surface.

After cutting thru roots; organic mat, dry, of about 6"; uniform loam ~16" early dry digging. Soil probe Auger used to try + locate water table +/or saturation below shovel digging depth encountered rounded rock + gravel size stones. no saturation or penetration due to rocks. looked quite permeable.

no hydric soil indicators + no hydrology indicators present. Vegetation will go hydrophytic but not representative of actual conditions. Likely b. spruce, labrador tea, + sphagnum moss exist due to moist spring and/or soil wetter conditions but not to point of wetland positive determination.

WETLAND DETERMINATION DATA FORM – Alaska Region

Project/Site: Eagle new Village Borough/City: Community Center Sampling Date: 7-23-09
Applicant/Owner: Sampling Point: #2
Investigator(s): Baij Landform (hillside, terrace, hummocks, etc.): flat
Local relief (concave, convex, none): none Slope (%): 2-3% toward Long Lake
Subregion: Lat: Long: Datum:
Soil Map Unit Name: NWI classification:
Are climatic / hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks.)
Are Vegetation ✓, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes	(No)	Is the Sampled Area within a Wetland? Yes ____ No X
Hydric Soil Present?	Yes	(No)	
Wetland Hydrology Present?	Yes	(No)	
Remarks:			

VEGETATION – Use scientific names of plants. List all species in the plot.

Tree Stratum	Absolute % Cover	Dominant Species?	Indicator Status
1. logged off for			
2. road r-o-w; no			
3. trees present in sample			
4. plot			
Total Cover:			
50% of total cover: ____ 20% of total cover: ____			
Sapling/Shrub Stratum			
1. absent: vegetation			
2. cleared of shrub			
3. layer			
4.			
5.			
6.			
Total Cover:			
50% of total cover: ____ 20% of total cover: ____			
Herb Stratum (dwarf)			
1. Canada dogwood (Cornus canadensis)	70	Y	FacU
2. Sphagnum moss (sp)	30	Y	NI
3. Labrador Tea (Ledum sp.)	20	Y	FacW*
4.			
5. Fireweed (Epilobium angustifolium)	10	N	FacU
6.			
7. Wild Rose (prickly rose) (Rosa acicularis)	10	N	FacU
8.			
9. High bush cranberry (Viburnum edule)	5	N	FacU
10. crowberry	5	N	Fac
Total Cover:	150		
50% of total cover: ____ 20% of total cover: ____			
Plot size (radius, or length x width) 5 ft. r.	% Bare Ground	<10%	
% Cover of Wetland Bryophytes 0% (Where applicable)	Total Cover of Bryophytes	0%	

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 33% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	20	x 2 =	40
FAC species	6	x 3 =	15
FACU species	1	x 4 =	
UPL species	100	x 5 =	500
Column Totals:	126	(A)	550 (B)

Prevalence Index = B/A = 4.4

Hydrophytic Vegetation Indicators:

___ Dominance Test is >50%

___ Prevalence Index is ≤3.0

___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks: 150-175' East of Long Lake; 30' west of existing gravel road. Vegetation in area rebounding since clearing about 1-3 years previous.

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SOIL Sampling Point: _____

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6			decomposing oxygenated peat					organic mat (duff) sphagnum
6-8	7.5YR 3/2							
8-24	10YR 4/3		uniform dark yellowish brown					
24-30+	stones + gravel material							
soils well oxygenated; no saturation; no redox features present								

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:
- ___ Histosol or Histel (A1)
- ___ Histic Epipedon (A2)
- ___ Hydrogen Sulfide (A4)
- ___ Thick Dark Surface (A12)
- ___ Alaska Gleyed (A13)
- ___ Alaska Redox (A14)
- ___ Alaska Gleyed Pores (A15)

Indicators for Problematic Hydric Soils[3]:
- ___ Alaska Color Change (TA4)[4]
- ___ Alaska Alpine Swales (TA5)
- ___ Alaska Redox With 2.5Y Hue
- ___ Alaska Gleyed Without Hue 5Y or Redder Underlying Layer
- ___ Other (Explain in Remarks)

[3]One indicator of hydrophytic vegetation, one primary indicator of wetland hydrology, and an appropriate landscape position must be present.

[4]Give details of color change in Remarks.

Restrictive Layer (if present):
Type: none
Depth (inches): _____

Hydric Soil Present? Yes ____ No X

Remarks: very similar conditions as #1. no redox noted soil dry. water deposited silt loam over very coarse material ~1mi from Yukon River east/south

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (any one indicator is sufficient)
- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)
- ___ Water-stained Leaves (B9)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Salt Deposits (C5)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes ____	No ✓	Depth (inches): _____
Water Table Present?	Yes ____	No ✓	Depth (inches): _____
Saturation Present? (includes capillary fringe)	Yes ____	No ✓	Depth (inches): _____

Wetland Hydrology Present? Yes ____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: No indicators of saturation present on soil surface or subsurface (soil profile)

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site #2 7-23-09

Test pit location ~ 25-30 ft. towards lake just off gravel road very near community center.
Vegetation has been cleared of trees + shrubs; growing back with forbs for the most part now.
Organic layer still present + intact.
Similar soil conditions found as in site #1 for soil + hydrology.
Soils are weakly aggraded + upland plants dominating the site.

Also dug a soil pit at the lowest elevation in the UPSO/clinic location just to the South west to see if any saturation was present. no water visible in soil pit to 24" depth.


FEMA-1843-DR-AK Long Lake 30 ft Buffer, Eagle Village, AK
MXD: EagleVillageLakeBuffer.mxd
LOCATION MAP
N
0 125 250 500
Feet
Legend
30 Foot Buffer
FEMA
FEMA Region X GIS
Created By: SGASTON
Created On: 08/08/2009

APPENDIX B

SHPO Concurrence Letter

3130-1R FEMA

No Historic Properties Affected
Alaska State Historic Preservation Officer
Date. 8/7/09
File No.. 3130-1R FEMA

U.S. Department of Homeland Security
DHS/FEMA/State Joint Field Office
FEMA-1843-DR-AK
4510 Old International Airport RD
Anchorage, AK 99502

FEMA

RECEIVED
AUG 04 2009
OHA

3 August 2009

Ms. Judith Bittner, State Historic Preservation Officer
Alaska Office of History and Archaeology
550 West 7th Avenue, Suite 1310
Anchorage, AK 99501-3565

Re: NHPA §106 Compliance, FEMA-DR-1843-AK, temporary clinic, VPSO facility, and other undertakings, Village of Eagle, Alaska

Dear Ms. Bittner:

Through the Alaska Division of Homeland Security and Emergency Management, the Village of Eagle, Alaska has applied to the Department of Homeland Security's Federal Emergency Management Agency (FEMA) for funding assistance for construction of temporary facilities to house a clinic and Village Public Safety Officer (VPSO) facility to replace buildings lost due to the ice jamming and flooding during the period 28 April-31 May, 2009.

The proposed locations of these facilities (shown on the enclosed map) are within the confines of the new site of the Village of Eagle. This site is located in Section 14, T2S, R33E, Fairbanks Meridian, at 66.7455° N, 141.0475° W. The new village site is being developed as a replacement for the original Village of Eagle, which had already been recognized as being vulnerable to flooding. Development of the area began with construction of roads, funded by the Bureau of Indian Affairs (BIA).

Prior to that road construction, the BIA contracted with Rodney P. Kinney and Associates to prepare an environmental assessment for the project. As part of that effort, the consulting engineers contracted with Walking Dog Archaeology to prepare an archaeological evaluation of the area, and conduct an archaeological survey. On the basis of that survey, which included the area in general, as well as the locations of the roads themselves, the BIA made a determination that no historic properties would be affected by the undertaking. Their determination was dated 11 June, 2003; your office concurred with this determination on 9 July, 2003.

The present undertaking, the construction of two temporary community facilities, is located completely within the footprint of the original project. The Area of Potential Effect, (APE) is taken to be Lots 8 (clinic) and 9 (VPSO) of the Long Lake Subdivision, Addition No. 2, as shown on the enclosed plat, totaling 2.58 acres, more or less. The area, characterized in the Environmental Assessment as "heavily vegetated with black and white spruce, cottonwood, birch, willows, and patches of aspen . . . The ground is covered with a mat of moss, grass, and low shrubs." (Kinney and Associates 2005: 5) The enclosed photograph gives a general impression of the area. The archaeological survey of the APE of the BIA roads project found no indications of prior occupation of the area, and characterized the potential of the area for such occupation to be low (Pipkin 2003: 6). No subsurface testing was conducted.

www.fema.gov

APPENDIX C

Public Notice

PUBLIC NOTICE

The U.S. Department of Homeland Security's
Federal Emergency Management Agency (FEMA)
Draft Environmental Assessment
FEMA-1843-DR-AK
Village of Eagle, Alaska

Replacement of Public Facilities and Infrastructure

Notice is hereby given that FEMA plans to assist the Village of Eagle by providing partial funding for the construction of public facilities and infrastructure in the new Village of Eagle. Federal financial assistance would be provided pursuant to the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended (The Stafford Act).

FEMA prepared a draft Environmental Assessment (EA) for the proposed project pursuant to the National Environmental Policy Act (NEPA) of 1969 and FEMA's implementing regulations. The Draft EA will be finalized after agency and public review and input. The EA evaluates alternatives for compliance with applicable environmental laws, including: Executive Orders No. 11988 (Floodplain Management), No. 11990 (Protection of Wetlands), No. 12898 (Environmental Justice), and No. 13084 (Consultation and Coordination with Indian Tribal Governments). The alternatives evaluated include: (1) no action, (2) rehabilitation and reconstruction of the old Village Site (eliminated from consideration) and (3) construction for public facilities and infrastructure at the new Village site.

This notice will constitute as the final notice as required by Executive Order 11988, Floodplain Management and Executive Order 11990, Protection of Wetlands. If no significant issues are identified during the comment period, FEMA will finalize the EA, issue a Finding of No Significant Impact (FONSI), and fund the project.

The Draft EA is available for viewing at the following locations:

The City of Eagle
The (new) Village of Eagle

Please submit your written comments to FEMA Region X Environmental Officer, Mark Eberlein no later than midnight on August 27, 2009. Comments can be submitted by:

1 Fax (attention Stanley KS Chun and/or Charles (Chuck) Diters) at (907) 786-3731
2 E-mailed: stanley.chun@dhs.gov and/or charles.diters@dhs.gov

After the public comment period ends, the final EA and the FONSI will be available for viewing at: http://www.fema.gov/plan/ehp/envdocuments/archives_index.shtm.

VIII. LIST OF PREPARERS

Cheryl L Bommarito Environmental Specialist (Contractor Support to FEMA)
Donna D. Postma, Environment/Historic Preservation Specialist, FEMA
Harold A. Legard, Environment/Historic Preservation Specialist, FEMA