Draft Environmental Assessment

Rehabilitation and Relocation of Historic U.S. Customs House

City of Eagle, Alaska
FEMA-1843-DR-AK

June 1, 2010

FEMA

U.S. Department of Homeland Security
FEMA Region X
130 228th Street SW
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LIST OF ACRONYMS

ADEC	Alaska Department of Environmental Conservation
ADNR	Alaska Department of Natural Resources
ANTHC	Alaska Native Tribal Health Consortium
APE	Area of Potential Effect
BIA	Bureau of Indian Affairs
BMPs	Best Management Practices
CAA	Clean Air Act
CAR	Condition Assessment Report
CEQ	Council on Environmental Quality
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CWA	Clean Water Act
DHS&EM	Alaska Division of Homeland Security and Emergency Management
EA	Environmental Assessment
EFH	Essential Fish Habitat
EHSM	Eagle Historical Society and Museums
EO	Executive Order
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FPPA	The Farmland Protection Policy
FONSI	Finding of No Significant Impact
FWCA	Fish and Wildlife Coordination Act
MBTA	Migratory Bird Treaty Act
MSL	Mean Sea Level
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NHL	National Historic Landmark
NHPA	National Historic Preservation Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NMFS	National Marine Fisheries Service
NPDES	National Pollution Discharge Elimination System
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
OHA	Alaska Office of History and Archaeology
OSHA	Occupational Safety and Health Act
PA	Public Assistance Program
EA	Environmental Assessment
RCRA	Resource Conservation and Recovery Act
SHPO	State Historic Preservation Office/Officer
TSCA	Toxic Substance Control Act
USACE	United States Army Corps of Engineers
EPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

1.0 INTRODUCTION

The City of Eagle (City) 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 repair and relocate the damaged Eagle historic U.S. Customs House (Customs House). The structure was damaged and displaced from its foundation by 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 (PA) Program and the State of Alaska is proposing to fund the remaining 25 percent.

The National Environmental Policy Act (NEPA) requires that Federal agencies evaluate the environmental impacts of their proposed actions and the natural and human environment before deciding to fund an action. The President's Council on Environmental Quality (CEQ) has developed a series of regulations for implementing NEPA. These regulations are included in Title 40 of the Code of Federal Regulations (CFR), Parts 1500–1508. They require the preparation of an Environmental Assessment (EA) that includes an evaluation of alternative means of addressing the purpose and need for a Federal action and a discussion of the potential environmental impacts of the proposed Federal action. An EA provides the evidence and analysis to determine whether the proposed Federal action will have a significant adverse effect on the human environment. An EA related to a FEMA program must be prepared according to the requirements of the Stafford Act and 44 CFR, Part 10. This section of the Federal Code requires that the Federal Emergency Management Agency (FEMA) take environmental considerations into account when authorizing funding or approving actions. This draft EA was conducted in accordance with both CEQ and FEMA regulations for NEPA.

1.1 Project Location and General Background

The community of Eagle includes both the City and the Village of Eagle (Village). In 2008, the City's population was listed as 129 and the Village as 64. The City is located on the Taylor Highway six miles west of the Alaska-Canadian border, on the left bank of the Yukon River at the mouth of Mission Creek. It encompasses one square mile of land and is southeast of the Yukon Charley Rivers National Preserve. The Village is also along the river and encompasses 19.1 square miles of land, including both an Old Village site three miles east of the City and a New Village site further southeast and upland from the Old Village site. 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' long by 75' 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, a boat landing is available.

The Old Village site was virtually destroyed by the moving ice jams and flooding that occurred during this disaster event. All sites are located in the Fairbanks Recording District for Alaska. See Figure 1 (below) for the City of Eagle location.

Figure 1. City of Eagle, Alaska, Location Map

2.0 PURPOSE AND NEED FOR ACTION

The purpose of FEMA's PA Program is to provide applicant-requested Federal assistance to State, Tribal and local governments, and certain types of private nonprofit organizations, to recover from damages caused by disaster events that are declared a Federal disaster by the President. The purpose of this project is to provide funds to repair the Customs House that was damaged and displaced from its foundation by the flooding and ice jams, and to move it to a site that offers better protection from future flood events. The structure is a contributing building to the Eagle National Historic Landmark (NHL) District which was established on June 2, 1978. It is the only remaining Klondike Gold Rush Era building on Eagle's Historic Yukon River waterfront. The City has determined there is a need to restore and preserve its historic significance and to make it reusable as a museum for the community as soon as feasibly possible.

2.1 Historical Background

Eagle is a rare Alaskan community which is preserved much as it was in 1897. The general area has been the historical home to Han-Kutchin Indians. Three distinct but related communities have evolved in the area: the Village, the City, and Fort Egbert. The Village is a traditional Athabascan community and subsistence is an important part of the local culture.

The City was established in 1897, by a group of disgruntled gold prospectors who were unable to locate lucrative gold claims in the Klondike. After a group of business people joined them, they decided to start the City on the other side of the international border. Finding a desirable location twelve river miles beyond the Canadian border, they called it Eagle for the large birds nesting on nearby Eagle Bluff. By 1898 the population had grown to over 1,700.

The U. S. Army arrived in 1899 to build Fort Egbert adjacent to the City. The military was to provide law and order, establish roads and communications and to assist the miners in the area. The first 14 years were the heyday for the City. By 1898, four trading companies were flourishing, as the location made it the transportation, trade, and communication center of the Yukon. In 1901, many riverboats that vied for trade were serving Yukon River towns and Eagle was a major steamboat landing and supply hub. The waterfront became the heart of activity in Eagle as buildings and warehouses were constructed on the banks of the Yukon River.

By 1901, the City had a civil government in place with a mayor and council, and was no longer considered part of the military reservation. In January 1901, the City became the first incorporated city in Alaska's interior. By 1903 the telegraph line from Eagle to Valdez was completed, becoming part of the 1,497 mile Washington-Alaska Military Cable and Telegraph System . Merchandising of supplies was a vital role of Eagle's economy. By 1910, the City's population began to decline as residents were lured away by Fairbanks and Nome gold prospects, along with others. When the wireless replaced the need for a telegraph line, the U. S. Army Infantry abandoned Fort Egbert in 1911 and the City's population declined even further.

The opening of the Taylor Highway into Eagle in 1953 brought new life to the area and the population soared back to an earlier count of 150-200. In 1970 Eagle was placed on the National Register of Historic Places and the Eagle and Fort Egbert Historic District (a NHL) was established in 1975. Preservation of the local history and historical buildings continues to be important for this small rural community.

Today, Eagle expends an extraordinary amount of energy maintaining and conserving a community museum collection that is housed in six separate historic structures scattered throughout the community (see Figure 2 – Site Map of Historic Sites in Eagle, AK). In addition the Eagle Historical Society and Museums (EHSM) maintains a separate archival collections building that has obtained an extensive collection of the early diaries, photographs and records of Eagle and the upper Yukon River's early history. The 110-year-old Custom's House is the only remaining Klondike Gold Rush Era building on Eagle's historic Yukon River waterfront and was the only EHSM resource that was impacted by the 2009 flood event.

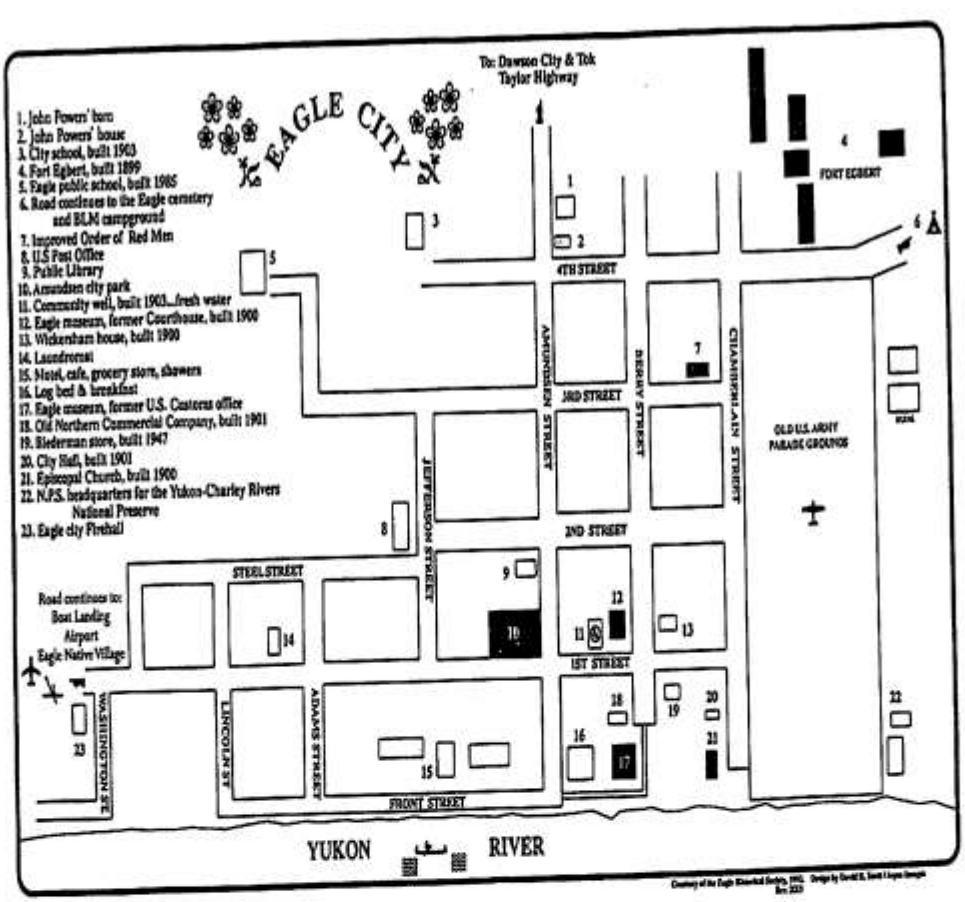

Figure 2 – Site Map of Historic Sites in Eagle, AK

2.1.1 Customs House

The Customs House was built as housing for noncommissioned officers at Fort Egbert in 1900. The building was constructed using local white spruce that was milled by the military at Fort Egbert and consists of three separate building components. The central core is one-and-a-half stories and measures approximately 24 feet x 24 feet. In later years a shed approximately 14 feet x 16 feet was added, followed by the addition of a second shed addition of approximately the same size.

In 1915, after the abandonment of Fort Egbert, the building was moved to the City's commercial Front Street where it served as offices for the expanding U.S. Customs Service. In 1989 it was moved again, back approximately 15 feet from the Front Street waterfront to better protect it from the eroding shoreline. Additional mitigation for the shoreline included construction of a steel river wall paralleling Front Street.

The one-and-a-half story, wood-framed Customs House is distinctive for its architectural style, which is most expressed in a gambrel roof that extends to cover a small entrance porch at an inset corner. The roof gables incorporated the use of locally sawn white spruce shingles which are installed in a diamond pattern. The building is sided with horizontal dropped siding which is

also called “novelty siding”. At the time of the first move, a one-story, hip-roofed wing on the side was moved to the rear of the building as an accommodation to its narrow lot. A ghost of the original roof line remains on the east elevation of the core building.

After decades of abandonment by the U.S. Treasury Department, the building eventually came into ownership by the City and was converted to a museum. On June 2, 1978, it was listed as a contributing building to the Eagle NHL District. The entire house has long been used as a historic house museum and prior to the spring 2009 event was open to the local community and summer visitors as part of a guided tour of the NHL.

2.2 Customs House Damage Description

During the incident period, the building was damaged by the ice jams and flooding and was displaced off of its original foundation. The building suffered considerable damage by collision with the ice chunks and floated off its foundation. The structure was located at the southeast corner of Front Street and Berry Street on property owned by the City. It floated approximately 30 feet south of its original location. Displacement of the building off its foundation left it sitting in a skewed position on the remnants of the previous foundation and downgradient of the slope from its original location. When the ice receded from beneath the structure, significant erosion from the flooding event was revealed.

A Condition Assessment Report (CAR) entitled *Eagle Historic Customs House, Eagle National Historic Landmark District, May 3-6, 2009 Yukon River Flood Eagle, Alaska* was prepared on June 4, 2009, by Jean Turner, Executive Director, Eagle Historical Society and Museum Association (EHSM); Steven M. Peterson, Senior Historical Architect, National Park Service (NPS), Alaska Regional Office; and Doug Gasek, Architectural Historian, State Historic Preservation Office (SHPO), Anchorage, Alaska.

The CAR assessed the current damages of the structure and offered recommendations for triage, rehabilitation, and collections, along with a cost estimate for rehabilitation. During the month of September 2009, the house was stabilized under FEMA Public Assistance Category B, Emergency Protective Measures. The stabilization measures included:

- Two additions from the core of the building were separated, lifted and leveled, and temporary cribbing was placed under the core of each building.
- Stabilization the damaged floor, rim joists, floor sheathing, and walls.
- Securing the building and additions to prevent access and vandalism.
- Applying temporary measures to the roof and windows.
- Removal and storage of materials that could be used in future rehabilitation.
- Removal and storage of the remaining historic furnishing, exhibit cases, books, etc.

3.0 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 draft EA includes three alternatives. Alternative 1 is the No Action Alternative, which would entail no relocation or rehabilitation of the Customs House that was damaged by the disaster. Alternative 2 is the rehabilitation of the Customs House to its original pre-disaster condition at its original site. Alternative 3 is the Proposed Action Alternative for rehabilitation of the Customs House to its original pre-disaster condition and relocation at an alternative site. In addition to the relocation and restoration of the Customs House itself, this project envisions the reestablishment of other auxiliary features, including but not limited to perimeter fencing (a white painted two-rail fence), exterior displays, and a flagpole.

3.1 Alternative 1 – No Action Alternative

Inclusion of a No Action Alternative in the environmental analysis and documentation is required under NEPA. 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 of the Customs House which was severely damaged during the spring 2009 ice jams and flooding. As a consequence, the City would be without a historical property which was listed as a contributing element of the NHL for the Eagle and Fort Egbert Historic District and the City would be without a museum to display its artifacts.

3.2 Alternative 2 – Rehabilitation of the Customs House to its original pre-disaster condition at its original site.

This alternative would be to rehabilitate the Customs House on its current site to pre-disaster configuration, function and capacity. The structure would be repaired on the existing lot owned by the City. In addition to the restoration of the Customs House itself, this project envisions the reestablishment of other auxiliary features, including but not limited to perimeter fencing (a white painted two-rail fence), exterior displays, and a flagpole. The existing lot would have to be graded and elevated due to erosion caused by the disaster. The current 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.

If the structure was to be rehabilitated at the current site, it must be elevated and protected from levels that were recorded from the recent disaster. The house would have to be structurally elevated approximately six feet above the current ground level and steel armor would be constructed along the river edge to protect it from future flooding and ice jams. Ground disturbance would be substantial to elevate the site, footings would have to be placed below ground surface to support the elevated foundation, and construction of the steel armor would also cause ground disturbance. The house would have to be temporarily relocated to a different location during construction activities and moved again to re-set it onto the new foundation.

3.3 Alternative 3 – Rehabilitation of the Customs House to its original pre-disaster condition and relocation at an alternative site (Proposed Action).

The current site of the Customs House is located at the northern edge of the impacted flood damage in Eagle. It is proposed to repair the Customs House to its original pre-disaster condition and to relocate the site to higher ground along the riverfront. The new site is located approximately 320 feet to the northwest of the current location at the burned and destroyed historic Episcopal Manse location. The new site is owned by the EHSM and is located immediately adjacent to the Episcopal Church, a log structure which was also constructed in 1900, on the location of the former Rectory of that church which was destroyed by fire. The proposed site location was not affected by the recent disaster and is situated approximately 25 feet higher in elevation and set further back from the river.

The house would be re-set on a reconstructed post and pad foundation. Site preparation would be minimal, as the ground is mostly level and has been previously cleared of vegetation. The building would be repaired to its pre-disaster condition in accordance with the Secretary of Interior's standards for the rehabilitation of historic buildings. In the CAR prepared in 2009, it suggests that while the building was heavily damaged it is repairable. The report also identified the desirability of relocating the structure to a safer site.

In addition to the relocation and restoration of the Customs House itself, this project envisions the reestablishment of other auxiliary features, including but not limited to perimeter fencing (a white painted two-rail fence), exterior displays, and a flagpole.

4.0 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 affected area of the City. 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 for each alternative and identifies the potential effects of the three alternatives considered.

4.1 Geology and Soils

The draft 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 to 5,000 feet in altitude but have some domes as high as 6,800 feet, and rise 1,500 to 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 and the entire section is underlain by discontinuous permafrost. Periglacial mass-wasting is active at high altitude 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 City are characterized by rounded ridges and include Crazy and White mountains. The Ogilvie Mountains lie north of the City across the Yukon River. The terrain at the City's riverfront site is relatively flat. From the Yukon River's edge, the terrain slopes steeply upwards over a length of 50 feet before it flattens and begins to gently climb to the west.

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 City and soils are not prime, unique, or important. The action complies with the FPPA and no further documentation is required.

4.1.2 Effects and Consequences to Geology and Soils – Alternative 1 – No Action Alternative

Under this alternative, no construction activities would occur that would potentially impact geology or soils.

4.1.3 Effects and Consequences to Geology and Soils – Alternative 2 – Rehabilitation of the Customs House to its original pre-disaster condition at its original site.

Existing topography and soil conditions at the current location are relatively flat and the area towards the river was eroded by the disaster. The area would have to be filled and leveled to its existing elevation. Ground disturbance to geology and soils would be significant. Steel armor would have to be driven into the ground on the riverside of the structure. Soils would have to be excavated to allow for the footing for the foundation of the structure and would also be impacted by heavy machinery.

4.1.4 Effects and Consequences to Geology and Soils – Alternative 3 – Rehabilitation of the Customs House to its original pre-disaster condition and relocation at an alternative site (Proposed Action).

Existing topography and soil conditions at the proposed location would be located approximately 25 feet higher in elevation than its original location. The area is relatively flat at the surface and slopes gradually towards the north and south. The proposed location has been cleared and would have to be slightly worked and leveled. Ground disturbance would be minimal to allow the placement of the pads. A basement from the Manse was known to exist; however, the exact footprints are unknown. It is believed the basement has been filled, but this would have to be investigated prior to relocating the structure.

4.1.5 Mitigation Measures

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 as conditions in Section 7.0.

4.2 Water Resources

Projects funded by FEMA must comply with permit requirements for the U.S. Army Corps of Engineers (USACE) under the Clean Water Act of 1972 and the River and Harbors Act of 1899. This includes any project that involves the excavation or the placement of fill material into waters of the United States, particularly when work will be conducted below the ordinary high water mark of a water body or in a wetland. Regulations also require that any fill material used is obtained from a permitted borrow location or approved upland source.

Executive Order (EO) 11988 for Floodplain Management requires Federal agencies to take action to minimize the occupancy and modification of floodplains. Furthermore, EO 11988 requires that Federal agencies proposing to site an action in a 100-year floodplain must consider practicable alternatives to avoid adverse effects and incompatible development in the 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 8-Step Process, to ensure that its actions are consistent with EO 11988.

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 also described in 44 CFR Part 9. As with EO 11988, the 8-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 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)

The community of Eagle does not participate in the FEMA National Flood Insurance Program and the area is not mapped for floodplains. In the wake of the spring 2009 ice jam and flooding disaster (FEMA-1843-DR-AK), as part of the rebuilding plan for Eagle, flood advisory setback lines were generated to help communicate the risk by the FEMA Hazard Mitigation Program. To determine whether the Eagle community is located in a floodplain, FEMA used Hazards U.S. Multi-Hazard (HAZUS-MH) mapping. HAZUS-MH mapping was developed by FEMA in 1992 as a risk assessment software program for analyzing potential losses from floods, hurricane winds and earthquakes. It uses current scientific and engineering knowledge coupled with the latest geographic information systems (GIS) technology to produce estimates of hazard-related damage before, or after, a disaster.

The HAZUS-MH mapping for Eagle utilized best available data available from the U.S. Geological Service (USGS), the USACE, and by .5-foot orthomosaic mapping purchased from Aero-Metric, Inc. from flyovers the company had completed on the area prior to and immediately following the disaster. The mapping delineated 100-year and 500-year base flood advisory setback lines to be used for planning purposes and provides pre- and post-disaster aerial imagery. Benchmarks were surveyed into the elevation model to correct for ground truth and accuracy. The ice jam intrusion was mapped using heads–up digitizing and became the basis of the ice extent line.

Normally flood mapping involves a more complex process requiring flood studies, engineering, map production and quality control. This process can take at minimum 18 months. The process

used for FEMA-1843-DR-AK was less than 30 days and therefore is no substitute for a FEMA Flood Insurance Rate Map (FIRM). At best they can serve as flood advisory setback lines and in no way should be considered regulatory flood line boundaries. Their value is in identifying areas of potential risk.

Prior to the HAZUS-MH mapping, surveyors for the Alaska Native Tribal Health Consortium (ANTHC) provided controlled aerial orthophotography in the fall of 2000 that helped to identify the 100-year floodplain for the proposed new Village of Eagle. The Yukon River has a fairly uniform river surface on the stretch of river between the City and the new Village site. A correlation was developed between gauge readings in the City and the elevation used by ANTHC's surveyors for the aerial photography. The gauge reading in the City read 20.44 feet on June 10, 2000.

The USGS reports that the gauge at the City 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. From 1955 to present, it has been operated and references water levels at the current site in front of the historical customs office. The highest recorded gauge reading at the City occurred during a 1962 ice jam event. The gauge indicated the river at 35.94 feet. An open water flood occurred in 1964, producing a gauge reading of 33.85 feet. 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 and the City 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 mean sea level (MSL). There is no data regarding a 50-year flood level. Based upon the USACE's information, it is estimated that the 50-year flood level at the Old village and City may be approximately the same level as the riverbanks, or approximately 875 feet above MSL.

Based upon FEMA benchmarks, the elevation of the current location for the Customs House is approximately 890 feet MSL and the proposed alternative location is approximately 915 feet MSL. Based upon the USGS staff gage (USGS 15356000 Yukon R at Eagle, AK) the gage datum is established at 850 feet MSL. From the HAZUS-MH mapping, FEMA was able to determine the current site of the Customs House is located in what would likely be the 100-year floodplain, per 44 CFR Part 9.7(c) – *Floodplain Determination.* The Proposed Action Alternative location was not impacted by this spring 2009 event or previous flooding events and appears well above the 100-year and possibly even the 500-year floodplain.

4.2.1.3 EO 11990 (Protection of Wetlands)

Currently, no wetland inventory maps are available for the City. A site visit conducted by FEMA Environmental and Historic Preservation staff on October 6, 2009, confirmed that no wetlands occur at the current location or the Proposed Action Alternative site. Both sites are cleared and no hydric soils, hydrophytic plants or hydrologic indicators were identified. The 1987 *Corps of Engineers Wetlands Delineation Manual* requires the presence of all three parameters (greater than 50% dominance of hydrophytic vegetation, evidence of hydric soils, and hydrologic indicators) for an area to be considered a wetland (USACE, 1987).

The original site location and the proposed site location are not within wetlands, thus no further review is required for this resource.

4.2.1.4 Wild and Scenic Rivers Act (WSRA)

The Wild and Scenic Rivers Act 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 Wild and Scenic thus no further review is required for this resource.

4.2.2 Effects to Water Resources – Alternative 1 – No Action Alternative

This alternative does not include any FEMA action. Therefore, FEMA would not be required to comply with the CWA, EO 11988, or EO 11990. 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.

The No Action Alternative would have no impact on the 100-year floodplain. If the Customs House was to remain in its current condition at the pre-disaster location, it would remain within the flood advisory setback lines and be subjected to possible future flooding events which would likely accelerate the deterioration.

4.2.3 Effects to Water Resources – Alternative 2 – Rehabilitation of the Customs House to its original pre-disaster condition at its original site.

Rehabilitation of the Customs House to its original pre-disaster condition at its original site would result in ground disturbance which 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.

Under this alternative, adverse impacts to the floodplain could occur. The original site is located within the flood advisory setback lines established following this disaster event. The proposed construction of steel armor could impede natural floodplain uses by altering the site. The Customs House would remain at the pre-disaster location and would be subjected to possible future flooding events. The site location would likely not be in compliance with EO 11988 and the action must be designed to minimize potential harm to or within a floodplain. Mitigation measures would require the structure to be elevated and a steel armor to be constructed on the river side to protect it from future ice jams and flooding.

Furthermore, a notice must be publicly circulated explaining the action and the reasons for siting it in the floodplain when a practicable alternative exists. FEMA will have to apply the 8-Step decision process described in 44 CFR Part 9 to ensure that its actions are consistent with EO 11988.

4.2.4 Effects to Water Resources – Proposed Action Alternative – Alternative 3 – Proposed Action Alternative for rehabilitation of the Customs House to its original pre-disaster condition and relocation at an alternative site.

Site preparation and relocation of the Customs House at an alternative site has the potential to affect water quality by sediment pollution from roadway and site preparation runoff that could affect the water quality of the Yukon River. BMPs would be required as mitigation. The alternate site is not within a potential floodplain thus the project would be in compliance with EO 11988 and no further documentation is required.

4.2.5 Mitigation Measures

In order to minimize stormwater pollutants from the construction activities under Alternative 2, a General National Pollutant Discharge Elimination System (NPDES) permit, or a waiver of the permit, may be required to be obtained from the Alaska Department of Environmental Conservation (ADEC). The General NPDES permit is obtained by developing a Stormwater Pollution Prevention Plan that implements a series of BMPs (e.g., silt fences, hay bales, etc.). For both Alternative 2 and 3, the contractor would implement specific BMPs as listed as a condition in Section 7.0 to reduce or eliminate runoff impacts during proposed construction activities and to reduce the potential for soil erosion after construction, regardless of whether a NPDES Permit or a waiver from the permit requirement is secured.

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) and the National Oceanic and Atmospheric Administration National Marine Fisheries Service (NMFS) when taking an 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.

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 NMFS (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 NMFS 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 City 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 City 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 de-listed from the USFWS endangered species list in 1999 and the bald eagle was de-listed in 2006. Mammals near the City limits 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 a current ESA species list provided by the USFWS for both USFWS and NMFS species, there are no threatened and endangered species near the City.

4.3.1.2 The Migratory Bird Treaty Act (MBTA)

The City is located in the statewide Pacific Flyway path for migratory birds. There is not nesting habitat for migratory birds in or near the alternatives and the types of actions proposed would not alter or disturb breeding or non-breeding habitat, affect food fish populations, or contribute to pollution levels or contamination of marine waters, provided all environmental conditions required by FEMA are implemented. No further review regarding migratory birds is required.

4.3.1.3 The Fish and Wildlife Coordination Act (FWCA)

No in-water work is proposed at the either site, thus no modification of a natural stream or water body 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 the Yukon River and no other surface water bodies or streams are near the two sites. Project design and BMPs as listed in Section 7.0 and required as part of any ADEC authorization would ensure there will not be any release of sediments into the Yukon River that would have the potential to affect EFH.

4.3.2 Effects to Biological Resources – Alternative 1 – No Action Alternative

This alternative does not include any FEMA action, therefore, FEMA would not be required to consult with the USFWS or NMFS to comply with the ESA, MBTA, FWCA or EFH. Fish and wildlife currently inhabiting or foraging in the area would continue to do so.

4.3.3 Effects to Biological Resources – Alternative 2 – Rehabilitation of the Customs House to its original pre-disaster condition at its original site.

The original 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 site is already disturbed and is devoid of plant life and therefore removal of vegetation is not required. The location is within the developed portion of the city and this activity is not likely to adversely affect any vegetation and wildlife. BMPs and potential USACE permitting required for any in-water work to stabilize the river edge would ensure river habitat would not be affected by the construction activities.

4.3.4 Effects to Biological Resources – Proposed Action Alternative – Alternative 3 – Proposed Action Alternative for rehabilitation of the Customs House to its original pre-disaster condition and relocation at an alternative site.

The relocation site is within the City limits and the project does not have the potential to affect threatened and endangered species or their habitats, migratory birds, natural waterways, or EFH. The proposed site is previously disturbed and currently is mowed grass. It would require minimal grubbing for the proposed activities. No river habitat would be affected by construction activities.

4.3.5 Mitigation Measures

The location of both sites is within the developed portion of the City and construction activity is not likely to adversely affect any vegetation or wildlife. Appropriate BMPs and fencing around the sites would reduce the habitat available for wildlife use, but there is substantial habitat available in the surrounding area and the effect would be negligible.

4.4 Air Quality

The Clean Air Act (CAA) requires that the U.S. Environmental Protection Agency (EPA) 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 the EPA 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 the EPA to assign a designation to each area of the United States regarding compliance with the NAAQS. The EPA 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 EPA, the City is in an attainment area for air quality. Attainment areas meet the EPA's Air Quality Standards.

4.4.2 Effects to Air Quality – Alternative 1 – No Action Alternative

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

4.4.3 Effects to Air Quality – Proposed Action Alternative – Alternative 2 – Rehabilitation of the Customs House to its original pre-disaster condition at its original site.

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 the implementation of appropriate BMPs and mitigation.

4.3.4 Effects to Air Quality – Proposed Action Alternative – Alternative 3 – Proposed Action Alternative for rehabilitation of the Customs House to its original pre-disaster condition and relocation at an alternative site.

The operation of construction equipment could result in minor effects to air quality in the area immediately surrounding the construction activity, with dust entering the atmosphere during these activities. 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. However, the effects from construction would be localized and of short duration and have minor, temporary effects on air quality. The proposed construction would not jeopardize the attainment status of the City. The contractor would be required to keep all equipment in good working order to minimize air pollution and follow the appropriate BMPs.

4.4.5 Mitigation Measures

Watering during construction would help control airborne dust resulting from construction activities. A dust treatment would be applied during construction, if needed, to help control air pollution. This treatment would need to be reapplied periodically to maintain its effectiveness.

4.5 Noise

Commonly defined as unwanted and/or unwelcome sound, noise is Federally regulated by the Noise Control Act of 1972. Although the EPA is tasked to prepare guidelines for acceptable ambient noise levels, it only requires actions that operate noise-producing facilities or equipment to implement noise standards.

4.5.1 Affected Environment

The City is small with road, commercial and residential infrastructure. Noise baseline data is unavailable for the project area, but is assumed to be low based upon the population and remote location.

4.5.2 Effects to Noise Levels – Alternative 1 – No Action Alternative

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

4.5.3 Effects to Noise Levels –- Alternative 2 – Rehabilitation of the Customs House to its original pre-disaster condition at its original site.

The background sound levels typical of small, remote communities that are influenced by wind, light traffic, occasional construction activities, and other common community noises levels would increase along Front Street. Given the anecdotal information on general sound levels, it is anticipated that an increase in typical daytime sound levels in the community would be minimal. This 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.

4.5.4 Effects to Noise Levels Proposed Action Alternative – Alternative 3 – Proposed Action Alternative for rehabilitation of the Customs House to its original pre-disaster condition and relocation at an alternative site.

Noise is generally described as unwanted sound. Existing ambient noise levels in the area for the Proposed Action Alternative are consistent with traffic noise from Front Street. Noise levels within and adjacent to the project area would increase during construction activities as a result of construction equipment. The noise levels generated would be limited and would not cause long-term negative impacts.

4.5.5 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

Known archaeological sites and many historic architectural resources have been identified in the City. The immediate area for the alternatives does not have recorded archaeological sites. The focal point for the Historic District is the City and the adjacent site of Fort Egbert. Within the Historic District there are several historic buildings such as the Customs House, which operated as a museum by the City and Historical Society; the Federal Courthouse, which also serves as a museum and as the City library; and several residences and outbuildings. Fort Egbert also retains several standing structures. The table below provides some inventories for Fort Egbert and also identifies buildings within the City that contribute to the Historic District.

Table 1 – Eagle Historic District Inventory

Name	Construction Year
Mule Barn-Fort Egbert	1900
Granary-Fort Egbert	1903
Water Wagon Shed – Fort Egbert	1907-1909
Quartermaster Storehouse-Fort Egbert	1899
NCO Quarters-Building 19 – Fort Egbert	1900
Bakery-Fort Egbert	1905
Wickersham Courthouse	1901
Well House and Water Tank	1909-1910
Taylor Building	1905
U.S. Customs House	1900
City Hall	1901
School House	1905
Red Men Hall	1908-1909
Eagle Roadhouse	1898
Wickersham Cabin	1899
Amundsen Cabin	1899
Presbyterian Church	1900s
NC Store and Warehouse	1898-1899

The 110-year-old Customs House is the only remaining Klondike Gold Rush Era building on Eagle's Historic Yukon River waterfront and was the only historical structure impacted by this disaster.

4.6.2 Effects to Cultural Resources – Alternative 1 – No Action Alternative

Under the No Action Alternative, demolition, relocation or rehabilitation of the Customs House would not occur. Adverse impacts to historic property could occur if the house was allowed to deteriorate. Zero-maintenance procedures and no utilities in vacant buildings can result in

deterioration of the buildings. Under Section 106 of the NHPA, "neglect of a property resulting in its deterioration or destruction," is identified as an adverse effect (Section 800.9 [b]).

4.6.3 Effects to Cultural Resources – Alternative 2 – Rehabilitation of the Customs House to its original pre-disaster condition at its original site.

Front Street was historically Eagle's commercial street, paralleling the river along the City's Historic District which is comprised of warehouses and businesses. The current location of the Customs House on Front Street is at the northern edge of impacted flood damage which occurred by two events; one in the late 1980s and the spring 2009 event.

Beneficial effects to Customs House could occur under this alternative. The CAR found that although the house is in some disrepair, it is structurally sound, marginally modified from its original design, and retains many of its original character-defining features. The house would be rehabilitated back to pre-disaster conditions and used as a museum, in compliance with Section 110 of the NHPA, which directs Federal agencies to use historic properties under their control "to the maximum extent feasible." If rehabilitated to serve again as a museum, all work would be conducted in consultation with the Alaska SHPO and in keeping with the *Secretary of the Interior's Standards for Rehabilitation* (36 CFR Part 67) and FEMA guidelines.

Impacts to archaeological or traditional resources may be expected under this alternative. Based upon proposed mitigation actions to restore the structure to pre-disaster conditions, it would have to be raised and a steel armor wall would be constructed on the river side to protect it from flooding and ice jams. Ground disturbance would be moderate for construction of the footings and shoring for the armor wall. The original site is located in a disturbed area with moderate archaeological potential. An archaeological survey and consultations with SHPO would need to be conducted prior to any site construction to determine the presence/non presence of archaeological resources. During construction activities, in the event unanticipated discoveries of archaeological resources were found, work would halt in the area and the resources would be managed in compliance with Section 106 of the NHPA and in consultation with the SHPO and the NPS.

Adverse impacts to historic architectural resources could occur under this alternative. The Customs House would have to be relocated twice, once before construction activities, and a second time to set on its new foundation. The new elevated foundation and armor wall may also adversely affect the historic context of the house and could adversely affect its NRHP eligibility.

4.6.4 Effects to Cultural Resources – Alternative 3 – Proposed Action Alternative for rehabilitation of the Customs House to its original pre-disaster condition and relocation at an alternative site.

The Proposed Action Alternative site is located approximately 320 feet to the northwest of its current location, on the former footprint of the historic Episcopal Manse. The land is owned by the EHSM. The proposed new site is approximately 25 feet higher in elevation and the orientation is located along the Yukon River in the Historic District. The site has never experienced flooding and sits well back from the river, giving the Customs House decades of protection from river erosion.

Pursuant to 36 CFR § 800, FEMA has taken steps necessary to identify historic and archaeological properties located within the Area of Potential Effect (APE) for this project. Chuck Diters, archaeologist and FEMA Historic Preservation Specialist has assisted in this review. The APE for the larger effects is taken to be the entire geographic distribution of the Eagle and Fort Egbert NHL.

According to the CAR, although the house is in some disrepair, it is structurally sound, marginally modified from its original design, and retains many of its original character-defining features. That report identified the desirability of relocating the structure to a safer site. The house has been moved on two prior occasions, once in 1915 from the location of Fort Egbert to Eagle's commercial Front Street, where it served as offices for the expanding U.S. Customs Service. In 1989 it was moved back approximately 15 feet from the waterfront to better protect it from the eroding shoreline as a mitigation measure to the newly installed river wall paralleling Front Street. The Proposed Action Alternative would require lifting and moving the building in three sections to the proposed location. It would require only one move, unlike Alternative 2, which would require two moves and would further jeopardize the structural integrity of the house.

By definition, relocating a structure listed on the NRHP, or a structure that is part of a NHL District (District), is at least a potential adverse effect to the property and the District. FEMA believes that the ice jam and flooding in the spring of 2009 created an adverse effect beyond the control of either the City or FEMA. The proposed relocation, within the boundaries of the District, is being considered solely to protect the structure from further damages. It will retain its orientation to the waterfront. FEMA has determined that any further adverse effects, either to the structure itself, or to the NHL, are mitigated by the relocation of the structure to a safer site still within the boundaries of the NHL and not inconsistent with the prior history of the structure.

Construction of the new foundation would be orientated in the same direction with similar set-backs as its original location. The proposed new site offers prominent exposure within the District. The construction of the new historically-compatible foundation will be coordinated with lifting the structure from its current foundation to enable moving and placement on the new site. Work has already been done to stabilize the structure and rehabilitation will begin after placement on the new foundation.

The Proposed Action Alternative site at the former Episcopalian Manse may have had a variety of historic and prehistoric settlement activities. According to the CAR, archaeological surveys and other excavations in the vicinity have revealed archaeological resources. The former Manse had a full basement underneath it. According to some residents in the City, it is believed the basement was filled in with debris from the Manse and earthen fill material. Although this undertaking has some potential to disturb archaeological deposits, this potential is limited since the reconstruction proposes no foundation work beyond the placement of pre-poured concrete footers as the structure existed prior to the event. The APE for this type of effect is regarded as the construction site of the relocated building, with a footprint of substantially less than 0.5 acres. FEMA will include the standard unexpected discovery clause as a condition on funding for this undertaking.

FEMA has involved the Alaska Office of History and Archaeology (OHA) and the National Park Service (NPS) in the consultation process for this undertaking. Letters requesting concurrence

with FEMA's determination to relocate the building as planned under the Proposed Action Alternative were sent on May 7, 2010, to Judith Bittner, the State Historic Preservation Officer (SHPO) at OHA, and Steven Peterson, Senior Historic Architect, at the NPS. Concurrence was received from Mr. Peterson at the NPS on May 13, 2010, and is included in Appendix A. A response has not been received from the SHPO at the time of release of this draft EA for public review. However, FEMA will ensure compliance with Section 106 of the NHPA prior to authorizing funding for this action.

4.6.5 Mitigation Measures

Under the Proposed Action Alternative, measures to address impacts include ensuring the long-term preservation of the historic characteristics of the houses, rehabilitation, and keeping the house a contributing factor to the District. The house would be rehabilitated back to pre-disaster conditions and used as a museum, in compliance with Section 110 of the NHPA, which directs Federal agencies to use historic properties under their control "to the maximum extent feasible." If rehabilitated to serve as a museum, all work would be conducted in keeping with the *Secretary of the Interior's Standards for Rehabilitation* (36 CFR Part 67) and FEMA guidelines.

The CAR has already provided documentation of the pre-move conditions and potential archaeology issues. Interior and exterior documentation of both sites will occur before, during, and after the process of relocation. Close dialogue with SHPO and the NPS will be followed to encourage the highest possibility of keeping the structure on the National Register. Documentation will also aid in maintaining and updating the status of the listing criteria. The contractor should be an experienced, licensed, and insured building mover to move the building intact. There may be some reconstruction required prior to moving the house to the new location. As documented in the CAR, the house appears structurally sound. If any unanticipated archeological resources are identified during construction, the contractor shall stop work pending evaluation of the discovery and coordination with the SHPO and the NPS.

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.

4.7.1 Affected Environment

Eagle is a small community with tourism as its main economic source. Throughout the summer months, the City 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 with scheduled air service to Fairbanks. Most of the employment in the City is seasonal. Summer tourism brings many people to the City, both by bus and tour boat. A tour boat operates on the Yukon River between Eagle and Dawson City.

Prior to the disaster, the City had a motel, B&B, restaurant, grocery store, campground, recreational vehicle hook-ups, garages, communication services, an airfield, river trips, a daily tour boat to Dawson City (the Yukon Queen) and canoe rentals. Opportunities are also provided by the community school with grades K-12, an all-volunteer public library, and a museum housed in six historic buildings. Preservation of the local history and historical buildings continues to be important for this small rural community. The commercial district is limited to Front Street. The Historic District is located in the northern portion of Front Street (See Figure 2) and extends towards Fort Egbert. Eagle's tourist base was heavily affected by the recent disaster. Businesses that were lost or severely damaged along Front Street include the motel, the B&B, a restaurant, the Yukon Queen, and the Customs House.

According to the 2000 census, there were 129 people, 58 households, and 37 families residing in the City. The racial makeup of the city was 93% white, 6.2% Native American, and 0.8% from two or more races. For the 58 households, 20.7% had children under the age of 18 living with them, 55.2% were married couples living together, 6.9% had a female head of household with no husband present, and 36.2% were non-families. 34.5% of all households were made up of individuals and 5.2% had someone living alone who was 65 years of age or older. The average household size was 2.22 and the average family size was 2.86. In the city the population was spread out with 24.8% under the age of 18, 3.1% from 18 to 24, 24.0% from 25 to 44, 44.2% from 45 to 64, and 3.9% who were 65 years of age or older. The median age was 44 years. The median income for a household in the city was $36,042, and the median income for a family was $44,375. Males had a median income of $30,000, versus $20,000 for females. The per capita income for the city was $20,221. There were 2.6% of families and 16.5% of the population living below the poverty line, including 40% under 18 and none of those over 64.

4.7.2 Effects to Socioeconomic Conditions – Alternative 1 – No Action Alternative

Socioeconomic conditions would have an impact to the City under this alternative. The Customs House is listed as a contributing building in the national Historic District and also is a contributing factor to the City as a historic element to their history and as a viable source of revenue from tourism it attracts. Under this alternative, no construction activities would take place, eliminating any positive socioeconomic impacts potential to the community.

4.7.3 Effects to Socioeconomic Conditions – Alternative 2 – Rehabilitation of the Customs House to its original pre-disaster condition at its original site.

Implementation of Alternative 2 would have little likelihood of having disproportionate impacts on low-income or minority groups. Activities associated with the implementation of alternative would be considered a positive effect, with a need for construction workers to rehabilitate the

structure. Construction personnel would provide short-term benefits to the local businesses, which would include the purchase of food, gas, and other services. This alternative would not displace or adversely affect any nearby residents during the construction phase.

After construction, the improvements may affect the historic context of the house and could adversely affect its NRHP eligibility. This would not be beneficial to the community. This alternative may not be beneficial to the community both for tourism and the preservation of their history. The community could lose economic viability of the community through tourism and jobs

4.7.4 Effects to Socioeconomic Conditions – Alternative 3 – Proposed Action Alternative for rehabilitation of the Customs House to its original pre-disaster condition and relocation at an alternative site.

Activities associated with the implementation of the Proposed Action Alternative would be considered a positive impact, with a need for construction workers to rehabilitate the house. Construction personnel would provide short-term benefits to the local businesses, which would include the purchase of food, gas, and other services. This alternative would not displace or adversely affect any nearby residents during the construction phase. Once completed, the Customs House would contribute to restoring the economic viability of the community through tourism and jobs.

4.7.5 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 City is a small community with a road infrastructure, utility easements, a Historic District, a Community Center, and residential houses. The level of safety and security risk in the City is minimal due to the lack of population.

4.8.2 Effects to Safety and Security – Alternative 1 – No Action Alternative

The No Action Alternative would have an impact on the health, safety and security in the City. If no action was taken, the damaged and inhabitable structure would remain stabilized and separated. Access for vandalism or trespassing could remain high and would impact the safety of residents and children in the City.

4.8.3 Effects to Safety and Security – Alternative 2 – Rehabilitation of the Customs House to its original pre-disaster condition at its original site.

This 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 City 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 Effects to Safety and Security – Alternative 3 – Proposed Action Alternative for rehabilitation of the Customs House to its original pre-disaster condition and relocation at an alternative site.

The Proposed Action Alternative would have less impact on safety then Alternative 2 because of the minor site prep work and rehabilitation efforts. The relocation of the structure would have an impact on safety and the safety of site workers would be dependent on the policies, knowledge, experience and diligence of the workers. Appropriate barricades and road closures should be conducted during the relocation. The City 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.

4.8.5 Mitigation Measures

All construction activities would be performed using qualified personnel and in accordance with the standards specified in OSHA regulations. Appropriate signage and barriers would be in place prior to construction activities to alert pedestrians and motorists of project activities and traffic pattern changes. This would include the contractor placing fencing around the site perimeter to minimize potential adverse public safety concerns.

Mitigation measures have been established in Section 7.0 to reduce any potential adverse effects from implementation of Alternative 2 or Alternative 3. These measures 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; the 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 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 U.S. Environmental Protection Agency (EPA) is responsible for implementing this law and may delegate this responsibility to states to implement. The Alaska Hazardous Waste Program is operated by the EPA Region 10 office in Seattle, Washington, however, the Alaska Department of Environmental Conservation (ADEC) is the state-designated agency to regulate hazardous waste management. The RCRA also sets forth a framework for the management of non-

hazardous wastes. RCRA focuses only on active and proposed facilities and does not address abandoned or historical sites.

The TSCA gives the EPA the ability to track approximately 75,000 industrial chemicals currently produced or imported into the U.S. The EPA repeatedly screens these chemicals and can require reporting or testing of those that may pose an environmental or human-health hazard. The EPA may ban the manufacture and import of those chemicals that pose an unreasonable risk. The EPA may also control these chemicals as necessary to protect human health and the environment. The TSCA supplements other Federal statutes, including the CAA and the Toxic Release Inventory under the Emergency Planning and Community-Right-to-Know Act. The TSCA also 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 EPA was given power to seek out those parties responsible for any release and to ensure their cooperation in the cleanup. Superfund site identification, monitoring, and response activities in states are coordinated through state environmental protection or waste management agencies.

Section 112 of the CAA requires the EPA to develop emission standards for hazardous air pollutants. In response to this section, the EPA published a list of hazardous air pollutants and promulgated in 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 ADEC website, no known hazardous waste or contaminated sites are known to occur in the current site location of the Customs House, or the proposed relocation site. A search of the EPA cleanup sites yielded similar results. Alternatives 2 and 3 would generate solid wastes, but are not expected to have a significant impact to the operating life of any landfill.

4.9.2 Effects from Hazardous Waste & Materials – Alternative 1 – 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.

4.9.3 Effects from Hazardous Waste & Materials – Alternative 2 – Rehabilitation of the Customs House to its original pre-disaster condition at its original site.

Alternative 2 is not expected to pose any significant public health or environmental effects. Project construction and renovation would involve the use of potentially hazardous materials (e.g., petroleum products, cement, caustics, acids, solvents, paint, electronic components, pesticides, treated timber, pesticides, fertilizers, asbestos, lead-based paint) and may result in the

generation of small volumes of hazardous wastes. Clearing, grubbing, grading, and connecting utilities could contribute to environmental releases of any latent hazardous waste or expose displaced residents to hazardous wastes. Any hazardous materials discovered, generated, or used during construction would be disposed and handled in accordance with applicable local, state, and Federal regulations.

4.9.4 Effects from Hazardous Waste & Materials – Alternative 3 – Proposed Action Alternative for rehabilitation of the Customs House to its original pre-disaster condition and relocation at an alternative site.

The Proposed Action Alternative is not expected to pose any significant public health or environmental effects. Activities that occurred historically at the current and proposed relocation sites 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.

Project construction and renovation would involve the use of potentially hazardous materials (e.g., petroleum products, cement, caustics, acids, solvents, paint, electronic components, pesticides, treated timber, pesticides, fertilizers, asbestos, lead-based paint) and may result in the generation of small volumes of hazardous wastes. Potential impacts would only occur during abatement, demolition, and remediation portions of the project and are expected to be controlled with strict adherence with applicable health, safety, and environmental regulations.

4.9.5 Mitigation Measures

Any hazardous materials discovered, generated, or used during construction would be disposed and handled in accordance with applicable local, state, and Federal regulations, with the ADEC being the lead agency regarding compliance. During all actions, appropriate measures to remove, prevent, contain, minimize and control spills of any potentially hazardous materials (e.g., petroleum products, cement, caustics, acids, solvents, paint, electronic components, pesticides, fertilizer, treated timber, asbestos-containing materials, lead-based paint) would be required. If hazardous constituents are unexpectedly encountered during project activities, appropriate measures for the proper assessment, remediation and management of the contamination would be required.

5.0 CUMULATIVE EFFECTS

Cumulative effects are those that result from the incremental effect of an action 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.

There will be relatively little potential for cumulative impacts to the environment, vegetation, and wildlife from the alternatives considered. The rehabilitation would occur on previously disturbed sites. There would be temporary disturbance to soil, but BMPs such as silt fencing and reseeding would eliminate the potential for runoff and erosion to adjacent areas. Areas of disturbed soil would be properly compacted to eliminate settling and erosion issues. Minor impacts in construction-related noise and traffic increases and a potential decrease in air quality

may occur during construction activities. These impacts would be temporary and localized to the vicinity of the construction. There may be some short-term economic gain to the local vendors and contractors engaging in the rehabilitation project. There may be longer term economic gain by local businesses (restaurants, service stations, etc.), due to the increased number of employees on-site.

The principal impact for the Customs House would be the historical and archaeological resources. Under the No Action Alternative, adverse impacts to historic property would occur if the house was allowed to deteriorate, therefore making it ineligible for the National Register. It would also have a negative impact to the economy, tourism, and the local history to the City. Alternative 2 may result in the loss or degradion of prehistoric and historic archaeological sites through direct disturbance during construction. Any archaeological resources discovered would have to be recovered and mitigated prior to construction. After structural changes required for rehabilitation at the site, the house could potentially loose it eligibility on the National Register. Under the Proposed Action Alternative, the house would only have to be moved once and minimal ground disturbance would occur, therefore protecting historical and archaeological resources and still contributing to the Historic District. Reconstruction proposes no foundation work beyond what existed prior to the event and the Customs House would be orientated in the same direction with similar set-backs as its current location.

The No Action Alternative and Alternative 2 could result in adverse cumulative effects to the Customs House. Rehabilitation of the building as proposed under Alternative 2, while preserving the building, may still add to the loss of historic property within the Historic District. Under Alternative 3, relocation and rehabilitation of the building should not contribute to adverse cumulative impacts to the Historic District or its eligibility.

6.0 PUBLIC INVOLVEMENT

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 SHPO, NPS, ADEC, ADNR, USACE, and the EPA. Cheryl Bommarito, a FEMA-contracted Environmental Specialist, visited the City of Eagle on October 6, 2009, and met with representatives of the EHSM, the City and Village, and many community members to garner input on any potential for significance. The clear consensus throughout the community was that there are no significant concerns regarding the relocation and rehabilitation of the Customs House. The community would like to see the project proceed as soon as possible.

FEMA's draft EA was released and a public notice was posted in Eagle on June 1, 2010, for a 14-day public review and comment period, ending June 14, 2010. During this time the draft EA was made available for viewing at the community library and the City office in the City of Eagle, and at the New Village tribal office. It was also posted for viewing on FEMA's website at http://www.fema.gov/plan/ehp/envdocuments/index.shtm. The public notice was posted at these locations and also at the U.S. Post Office and the General Store in the City. The notice identified the alternatives being considered, including the proposed action, and listed Mark Eberlein, FEMA Region X Environmental Officer, as the point of contact to contribute comments. A copy of the public notice is included in Appendix B.

The initial public notice will also serve as the final public notice for this project (see Appendix B). Unless significant substantive public comments are received, no further public involvement will be conducted for this draft EA. FEMA does not anticipate the need to prepare an Environmental Impact Statement. 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 a Finding of No Significant Impact (FONSI) would be available for viewing at: http://www.fema.gov/plan/ehp/envdocuments/archives_index.shtm.

7.0 MITIGATION MEASURES REQUIRED

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

1. The City is required to obtain and comply with all local, state and Federal requirements, including any required certifications and permits.

2. The applicant is responsible for selecting, implementing, monitoring and maintaining appropriate 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 any stream, water body, or wetland. BMPs such as silt fencing and reseeding using native species are required, as needed, to eliminate the potential for runoff and erosion to adjacent areas. Areas of disturbed soil need to be properly compacted to eliminate settling and erosion issues.

3. The applicant is responsible for ensuring all construction activities would be performed using qualified personnel and in accordance with the standards specified in OSHA regulations. Appropriate signage and barriers are required to be in place prior to construction activities to alert pedestrians and motorists of project activities and traffic pattern changes, including the placement of fencing around the site perimeter to minimize potential adverse public safety concerns.

4. Building pads are required to be consistent with the requirements of the local Alaska floodplain administrator. The Proposed Action Alternative site location will require additional engineering controls and investigation to confirm the stability of the former Manse basement. Any fill used is required to be from a permitted borrow location or an approved upland source.

5. 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.

6. Watering during construction would help to control airborne dust resulting from construction activities. A dust treatment 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.

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

8. Any hazardous materials discovered, generated, or used during construction would be disposed and handled in accordance with applicable local, state, and Federal regulations, with the ADEC being the lead agency regarding compliance. During all actions, appropriate measures to remove, prevent, contain, minimize and control spills of any potentially hazardous materials (e.g., petroleum products, cement, caustics, acids, solvents, paint, electronic components, pesticides, fertilizers, treated timber, asbestos-containing materials, lead-based paint) would be required. If hazardous constituents are unexpectedly encountered during project activities, appropriate measures for the proper assessment, remediation and management of the contamination would be required. Documentation of all occurrences and associated compliance should be kept in project files.

9. The CAR provides documentation of the pre-move conditions and potential archaeology issues. Interior and exterior documentation of both sites will occur before, during, and after the process of relocation. Close dialogue with SHPO will be followed to encourage the highest possibility of keeping the structure on the National Registry. Documentation will also aide in maintaining and updating the status of the house listing criteria. The contractor should be an experienced, licensed, and insured building mover to move the building intact. There may be some reconstruction required prior to moving the house to the new location. As documented in the CAR, the house appears structurally sound

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 SHPO, determine appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act.

9. Coordination and consultation by the City with the SHPO and the NPS should be followed throughout the relocation process and should provide interior and exterior photo documentation taken before, during and after the process of relocation.

8.0 CONCLUSION

Based upon on-site review, previous studies, and consultations with resource and regulatory agencies during the preparation of this draft EA, and given the required precautionary and mitigation measures, no significant environmental impacts were identified associated with the Proposed Action Alternative for relocation and rehabilitation of the Customs House.

9.0 LIST OF PREPARERS

Cheryl L. Bommarito, Environmental Specialist (Contractor Support to FEMA)
Barbara Gimlin, FEMA Environmental Specialist

REFERENCES

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Alaska Department of Commerce, Community and Economic Development, Division of Community and Regional Affairs. On-line community database for Eagle Village and City of Eagle, www.commerce.state.ak.us/dca/commdb/CF_BLOCK.cfm.

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Journal of Rural and Community Development. Commentary: Solid Waste as it Impacts Community Sustainability in Alaska. Matsuura, Lung and Nakazawa. Volume 3, 2008, pages 108-122.

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Rodney P. Kinney Associates, Inc. Eagle Village Road Project, Final Environmental Assessment. March 2005.

Shannon and Wilson, Inc. Wetland Delineation, Vegetation Classification, and Wildlife Assessment, Taylor Highway Project, Chicken, Alaska to Canadian Border. May 2003.

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U.S. Fish and Wildlife Service. National Wetlands Inventory mapping, PSS1/4B.

U.S. Geological Services. Quadrant map, Eagle D-1.

APPENDIX A

National Park Service Concurrence Letter

United States Department of the Interior

NATIONAL PARK SERVICE
Alaska Region
240 West 5th Avenue, Room 114
Anchorage, Alaska 99501

IN REPLY REFER TO:

H34 (ARO-RCR)

Mark G. Eberlein
Regional Environmental Officer
U.S. Department of Homeland Security
Region X
Federal Emergency Management Agency
130 228th Street, SW
Bothell, Washington 98021-9796

MAY 13 2010

Dear Mr. Eberlein:

Thank you for your letter dated May 7, 2010, regarding the NHPA Section 106 Compliance, Eagle Customs House Museum Repair and Relocation, FEMA Project Worksheet No. 243, FEMA-1843-DR-AK.

As you know, the Eagle Customs House Museum is a contributing building within the Eagle National Historic Landmark (NHL). The National Park Service (NPS) administers the National Historic Landmarks program for the Secretary of the Interior and serves as an interested party throughout the Section 106 process of the National Historic Preservation Act of 1966, as amended, to ensure the integrity of the NHL.

We agree with FEMA's assessment to rehabilitate the building according to the Secretary of the Interior Standard's for rehabilitation. We also concur with FEMA's determination of relocating the building approximately 320 feet to the northwest of its current location, which will place it at a higher elevation and therefore less likely to be impacted by future flooding of the river. At this new site, the building will continue to maintain it NHL integrity as it will be placed in a location that will maintain its historic orientation to the Yukon River.

For our NHL files, we would appreciate receiving copies of photographs taken of the building and its location after the move and treatment. We would also appreciate seeing a copy of the draft Environmental Assessment. If we can be of any further assistance, please contact me, Steven Peterson @ 907.644.3475 or Janet Clemens, Historian, @ 907.644.3461.

Sincerely,

Steven Peterson
Senior Historical Architect

cc:
Judith Bittner, Alaska State Historic Preservation Officer

RECEIVED
MAY 18 2010
FEMA REGION X

APPENDIX

Public Notice

PUBLIC NOTICE

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

Rehabilitation and Relocation of the Historic U.S. Customs House

Notice is hereby given that FEMA plans to assist the City of Eagle by providing partial funding for the rehabilitation to pre-disaster conditions and relocation of the historic U.S. Customs House in the City of Eagle. The structure was damaged and displaced from its foundation by 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. 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 has 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), and No. 12898 (Environmental Justice). Alternative 1 is the No Action Alternative, which would entail no relocation or rehabilitation of the Customs House that was damaged by the disaster. Alternative 2 is the rehabilitation of the Customs House to its original pre-disaster condition at its current location. Alternative 3 is the Proposed Action Alternative for rehabilitation of the Customs House to its original pre-disaster condition and relocation at an alternative 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 library and City office in the City of Eagle; at the New Village tribal office; and at http://www.fema.gov/plan/ehp/envdocuments/index.shtm. Please submit your written comments to Mark Eberlein, FEMA Region X Environmental Officer, no later than midnight on June 14, 2010. Comments can be submitted by:

1. By mail to: U.S. Department of Homeland Security
   FEMA Region X
   130 228th Street SW
   Bothell, WA 98021-9796
2. Fax at: (425) 487-4613
3 E-mail at: mark.eberlein@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.