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# Environmental Review Checklist Instructions

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## Environmental Review Checklist Instructions

- RTP Project Number (Official Use Only): For Division of Parks and Outdoor Recreation (DPOR) staff to enter
- Applicant Name:
- Project Name:
- Project Category: For more information, see Part B, Application Sections, General Project Information of the Recreational Trails Program – Application Instructions and Information (2016).

### **I. Project Description:**

- Describe the proposed action in as much detail as possible pertinent design features that could impact resources (e.g., location, size, structure type, and any design exceptions that may be required).
- Give special attention to river and stream crossings, wetlands, drainage control structures, or other protected resources.
- You may need to develop detailed designs to fully evaluate the impacts of the project on protected resources.
- In rare cases, final design detail may be necessary to determine if avoidance alternatives are practicable.

### **II. Alternatives to Proposed Action:**

- Complete this section only if the project would impact a resource protected by a law, Executive Order, or regulation. This includes avoidance and minimization alternatives.
- Please provide sufficient information to determine if an alternative(s) is practicable.
- Please consider design exceptions or reduced scope if it would avoid the impact; you must reference the supporting engineering analyses in the agency worksheet in the application, or append them to the worksheet.
- Please select alternatives to the proposed action or design modifications if the avoidance or minimization is practicable.

### **III. Environmental Consequences:**

- For each *Yes* response describe the magnitude of the impact(s) and the potential for significant impact
- Please provide sufficient documentation, such as agency determinations, permits, and approvals for project implementation, including the name of the individual you spoke with and their contact information.

### **A. Property Acquisitions/Easements:**

Coordinate with the landowner and the State of Alaska, Division of Mining Land and Water's regional office. Visit <http://dnr.alaska.gov/mlw/contact.htm> for current contacts. Acquisition under Eminent Domain is not a permissible activity under the Recreational Trails Program (RTP). Additionally, **RTP funds cannot be used for appraisals, surveys, environmental reviews, hazmat studies, or as-built surveys needed to convey lands.**

- It may be possible to obtain temporary, permanent, or dedicated easements or agency transfer of management rights (There is a 10-year requirement under RTP).
- All RTP projects must comply with the provision of the [Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970](#) to the extent applicable.

## **B. Local Land Use Plans:**

Coordinate with the local governing body to determine if the project is within the scope of a local land use plan, trails management plan, area plan, or State Comprehensive Outdoor Recreation Plan (SCORP).

- Review applicable federal, state and or local land use plans.
- Coordinate with the local governing body of the project site.
- Consider whether the project would induce adverse secondary and cumulative effects.
- Describe adverse impacts and any mitigating measures.

## **C. Social and Economic:**

Coordinate with the local government, community council, or community organizations to determine if the project will have an adverse impact. Describe adverse impacts in this section, document coordination, and attach appropriate documentation.

- Coordinate, as appropriate, with local officials to determine if the project may impact school districts, recreational areas, churches, businesses, or police and fire protection.
- Describe adverse impacts in this section, document coordination, and attach appropriate documentation.
- Coordinate, as appropriate, to determine if the project will adversely impact special interest or needs groups, minorities, economically disadvantaged, etc.
- Coordinate, as appropriate, with the local government, borough, or state agency to assess the economic effects of the proposed action (i.e. locally and regionally). Describe adverse impacts in this section; document coordination and attach appropriate documentation.

## **D. Archeological and Historic Resources:**

- All projects must consider the potential impacts to cultural resources (i.e. archaeological and historic). Please visit the [State Historic Preservation Office](#) webpage
- Check the or [National Register of Historic Places](#)
- Conduct a visual survey for potential historic structures or artifacts.
- Coordinate projects with the State Historic Preservation Office (SHPO) at 907-269- 8721, Certified Local Government, Traditional Council, and Village or Regional Corporation, to determine if a cultural resource survey is necessary.
- Evaluate potentially eligible properties with the criteria for the National Register of Historic Places.

## **E. Threatened and Endangered Species (T&E):**

Determine if the project will impact fish or wildlife resources by contacting the U.S. Fish and Wildlife Service (USFWS) regional office. For current contacts visit the website at <http://www.fws.gov/offices/Directory/ListOffices.cfm?statecode=2> .

- Check species with USFWS to determine if the project would impact a T&E species. If so, you must consult with the USFWS.
- If required, attach the biological assessment.
- Note: If a T&E species is directly or indirectly impacted by the project, Federal Highways Administration (FHWA) cannot approve the Recreational Trails project without completion of the T&E process.

## **F. Fish & Wildlife:**

Determine if the project will impact Fish and Wildlife populations. Contact the Alaska Department of Fish and Game (ADFG), Habitat Division. Visit the website for current contacts:

<http://www.adfg.alaska.gov/index.cfm?adfg=contacts.habitat>

Essential Fish Habitat (EFH) is a provision of the Magnuson-Stevens Fisheries Conservation Act (50 CFR 900.20) and is defined as “*those waters and substrate necessary to fish for spawning, breeding, feeding or growth to maturity.*” In Alaska, EFH applies to any species regulated by the North Pacific Fisheries Management Council. The Act requires any Federal action to identify potential adverse impacts on EFH and requires the National Marine Fisheries Service (NMFS) to recommend actions that would conserve and enhance EFH impacted by the action.

- EFH is applicable for some projects that impact intertidal and sub -tidal areas and all projects that impact anadromous fish streams.
- EFH requires you to consult with NMFS and to prepare and EFH Assessment in accordance with 50 CFR 600.920.
- The assessment must document the resources, potential adverse impacts, and any measures taken to mitigate harm.
- The FHWA area liaison must inform NMFS on how their EFH recommendations have been incorporated into the project. NMFS has 30 days to determine if an expanded consultation is necessary. For projects across EFH contact the NMFS, National Oceanic and Atmospheric Administration (NOAA) at <http://alaskafisheries.noaa.gov/>.

Anadromous or Resident Fish Present:

- Review the [ADFG Anadromous Fish Stream Atlas](#) to determine if the proposed action impacts a cataloged anadromous fish stream. This catalog will provide a reference number, species present, and type of use (i.e. spawning and rearing), which need to be documented in the Environmental Review Checklist.
- If an anadromous fish stream is impacted, coordinate with state and federal resource agencies (remember that a fish stream is a “Water of the U.S.” subject to protection under Section 404 of the Clean Water Act).
- Document the type of stream habitat impacted by the project. This is essential in determining the magnitude of the impact, the appropriate structure, and any necessary mitigation.
- An on-site meeting with agencies is a good practice, but not required.
- If you do not hold an on-site meeting, provide video or photographs of the site.
- Non-cataloged streams may require “trapping” to determine if fish species are present. If present, the primary concern is fish passage through in-stream structures.

Wildlife Resources:

- You should evaluate the project area to identify any wildlife resources of concern, especially any species of concern, are identified by ADFG.
- You should analyze the impact categories of habitat fragmentation, bisecting migration corridors, and areas of high wildlife/vehicle accidents.

Bald Eagle and Golden Eagle Protection Act:

- In coastal areas and river and stream corridors, check with USFWS to determine if any eagle nesting trees are located within the project area.
- If so, you will need to determine if the project is within 100 yards of the nesting tree.
- You must maintain close coordination with USFWS to determine if the project will adversely impact the nesting tree.
- Document the results of the coordination and any mitigating measures taken.

## **G. Wetlands:**

Section 404 of the Clean Water Act requires that any person, company, tribe, or government agency planning to work in waters of the U.S. must obtain a permit from the U.S. Army Corps of Engineers (USACE) before initiating any regulated activity. To determine if the project will impact wetlands contact the State of Alaska, Department of Environmental Conservation (ADEC) wetlands webpage for multiple resources <http://dec.alaska.gov/Water/wwdp/wetlands/index.htm>. Also visit the USACE Frequently Asked questions <http://www.poa.usace.army.mil/Missions/Regulatory/FAQ.aspx>.

- Determine if wetlands, as defined by the USACE, are impacted by the proposed action, in accordance with the USACE wetland delineation manual.
- If wetlands are impacted, coordinate with state and federal resource agencies.
- Evaluate alternatives that avoid and minimize the wetland involvement.
- Document agency acceptance of the wetlands impact and any mitigating measures.
- Document the results of the functional assessment and alternatives analysis in a “wetlands finding,” and append it to the Environmental Review Checklist. In the wetlands finding, you must also document any mitigating measures taken to avoid, minimize, or compensate for unavoidable wetland impact.

## **H. Floodplains:**

A project encroaching on a designated or proposed regulatory floodway must be consistent with the regulations. To determine if the project will impact or involves floodplains, contact the USACE, Floodplain Management Services at <http://www.poa.usace.army.mil/About/Offices/Engineering/FloodplainManagement.aspx>.

- You must perform an adequate engineering and environmental analysis to determine the level of encroachment and allow for a consistency evaluation.
- You must coordinate with the Federal Emergency Management Agency (FEMA) and appropriate state and local government agencies for floodway encroachments.
- If a floodway revision is necessary, document coordination from FEMA and local or state agencies indicating the revision would be acceptable.
- Document consistency with Executive Order 11988 and 23 CFR 650, Subpart A. Document and Include:
  - The reasons why the proposed action must be located in the floodplain;
  - The alternatives considered and why they were not practicable, and
  - A statement indicating whether the action conforms to applicable state or local floodplain protection standards.

## **I. Waterbodies:**

To determine if the project will impact any local water bodies (i.e. pond, lake, river or stream), find a current contact on the USACE, Alaska District website <http://www.poa.usace.army.mil/Contact.aspx> or the U.S. Coast Guard (USCG) regional offices, <http://www.uscg.mil/d17/units.asp>. Depending on the type of project involvement, various regulatory requirements may be applicable (Corps Section 404/10 or USCG Section 9).

- Determine if the water body is navigable as defined by the USCG and the USACE.
- For projects that involve bridge construction or reconstruction over navigable waters, you must coordinate with the USCG per the agreement between FHWA/USCG.
- If the water body is not anadromous, it may support important resident species (i.e. rainbow trout, char, grayling, and white fish).
- Check the type of involvement (i.e. bridge, culvert, embankment fill, or diversion) and type of habitat (i.e. spawning, rearing, pool, riffle, or undercut bank). Describe any substantive adverse impacts.

## **J. Water Quality:**

To manage several situations that could impact water quality near your project please visit the following links:

- To determine if the project will impact water quality, contact the ADEC Water Quality Standards section at <http://dec.alaska.gov/water/wqsar/wqs/>. Projects must meet state and federal water quality standards.
- Determine if the project needs a Storm Water Pollution Prevention Plan (SWPPP). Visit <http://www.dec.alaska.gov/water/wnpspc/stormwater/index.htm> or contact ADEC Storm Water Program Office at 907-334-2288. Click <http://dec.alaska.gov/water/wnpspc/stormwater/docs/AKSWGGuide.pdf> for the Alaska Storm Water Guide.
- Evaluate the project for potential impacts on public or private potable drinking water sources, particularly projects that involve blasting in the vicinity of a potable drinking water well; contact ADEC Drinking Water Program at 907-269-7656 or 1-866-956-7656 or visit <http://dec.alaska.gov/eh/dw/>.
- You must identify any designated impaired water body and take appropriate measures to mitigate any impact on these waters; contact ADEC Water Quality Monitoring and Assessment program office at 907-465-5304, or visit <http://dec.alaska.gov/water/wqsar/monitoring/AKMAP.htm>.
- The project must comply with the Environmental Protection Agency (EPA) and National Pollutant Discharge Elimination System (NPDES) <http://www.epa.gov/compliance/monitoring/programs/cwa/npdes.html> Phase I and Phase II regulations, as applicable.
- You must estimate the amount of ground-disturbing activities proposed and identify sensitive receiving waters in acres.
- You should discuss the potential impacts to water quality and mitigating measures.
- Determine if the project is located within, or would impact, a Municipal Storm Sewer System (MS4) NPDES permit, or if runoff from the project will be mixed with discharges from an NPDES permitted industrial facility; contact ADEC Manager of On Site Disposal Systems in your region: <http://dec.alaska.gov/Water/wwdp/onsite/index.htm> .

## **K. Hazardous Waste:**

To determine if hazardous waste is within the project site visit [http://dec.alaska.gov/spar/csp/db\\_search.htm](http://dec.alaska.gov/spar/csp/db_search.htm).

For information on Contaminated Sites/Leaking Underground Storage Tanks visit [http://dec.alaska.gov/spar/csp/db\\_search.htm](http://dec.alaska.gov/spar/csp/db_search.htm).

- If contamination is known to be substantial, you must complete a detailed site investigation and proposed cleanup plan.
- Attach documentation and correspondence from the ADEC and the EPA.
- If there is a potential of encountering contamination during construction, a detailed site investigation can be delayed to the Design Phase (unless the information is necessary to compare alternatives).
- In addition, estimate the amount of contaminated material (soil or water) to be handled during construction, develop an ADEC corrective action plan, and prepare an estimate of cost to clean up.

**Sections L and M are for Motorized and Diversified Project Categories only.**

#### **L. Air Quality:**

In Alaska, the EPA has determined that some areas qualify to be categorized as non-attainment areas for one or more priority pollutants (i.e. CO or PM-10): Contact the ADEC Division of Air Quality for assistance and more information <http://dec.alaska.gov/air/anpms/index.htm>.

#### **M. Noise Impact:**

- You must evaluate projects with adjacent sensitive receivers or land uses for potential noise impacts.

#### **IV. Public Involvement:**

Describe how public involvement was solicited and attach copies of public notices, posting locations, and dates of the public notice, comments received, and responses to comments.

- You must coordinate with the public and agencies for any projects that impact a protected resource.
- You must also issue a public notice for projects that impact predominately low-income areas or a predominately minority community, or are in a community with a federally recognized tribal government.
- Determine if there is a disproportionate impact on minorities or a disadvantaged community.
- Describe any issues raised because of coordination with state and federal resource agencies, local government, tribal government, Native Corporation, or the public.
- The project cannot be approved without closure of issues raised.

#### **V. Environmental Commitments, Mitigation Measures:**

Environmental commitments are actions that the RTP grantee will be held accountable for during project implementation.

- List any environmental commitments or mitigating measures.
- You must include these measures as part of the construction contract unless concurrence is received from FHWA.

#### **VI. Applicant Certification:**

This section is where the RTP grantee will certify the information provided to be accurate and correct to the best of their knowledge.