

Boydston, Mark A (DOT)

From: Boydston, Mark A (DOT)
Sent: Thursday, February 14, 2013 2:23 PM
To: 'ellen_lance@fws.gov'; 'lori_verbrugge@fws.gov'
Subject: FW: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations

Attachments: Bald eagle nest 2004 CE Appendix C pages.pdf; Revised_1-25-13_Proposed 2013 Off-Shore Test Hole Plan.pdf; Revision2_1-25-13_Proposed 2013 Test Hole Plan.pdf; Seward Hwy MP 105-107 Windy Corner conceptual design.pdf; Seward Hwy Mp 105-107 Windy Corner location map.pdf; USFWS NLAA email geo investigations rev(2) TZ 2 13 13.docx

Please see attachments referenced in the email below.

From: Boydston, Mark A (DOT)
Sent: Thursday, February 14, 2013 2:10 PM
To: 'ellen_lance@fws.gov'; 'lori_verbrugge@fws.gov'
Cc: Schmid, Tom J (DOT); Zimmerman, Teresa J (DOT); Burton, Alban L (DOT)
Subject: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations

To: Ellen Lance, Branch Chief
Endangered Species, USFWS Alaska Region

Lori Verbrugge, Cons Planning/Environmental Contaminants Branch Chief
USFWS Alaska Region

Ellen and Lori:

In connection with the proposed Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner project, we are requesting your approval, subject to all required environmental permits and special provisions, to commence subsurface geotechnical soil investigation along the highway and off-shore between June 1 and September 30, 2013.

Please see the attached documents which explain the scope for the proposed geotechnical investigations and anticipated potential impacts to resources. The purpose of this email is to determine what permits and clearances you would require for the proposed work so we can make the appropriate permit applications and adjust our planning accordingly.

We are also sending similar emails to the Army Corps of Engineers, Department of Fish and Game, Chugach State Park, and NOAA Fisheries. If you have questions or need more information please contact me at 269-0524 or by email.



Mark Boydston, Environmental Impact Analyst II
Alaska Dept. of Transportation and Public Facilities
Preliminary Design and Environmental Section
P.O. Box 196900, Anchorage, Alaska 99519-6900
Phone 907.269.0524| Fax 907.243.6927

56631 / Seward Highway Milepost 105 to 107 Safety Improvements (Windy Corner)

New Material Site geotechnical investigation

USFWS: Pre-permit application information draft email / Proposed geotechnical investigations

The Alaska Department of Transportation and Public Facilities (DOT&PF), in cooperation with the Federal Highway Administration, is proposing to realign and make safety improvements to the Seward Highway from Mileposts (MP) 105 to 107 (Windy Corner, see attached location and map). In order to provide space for the highway realignment, the Alaska Railroad Corporation tracks would also be realigned. The new road and rail alignments would provide space for expanded pullouts and would improve access for parking and wildlife viewing. Acceleration and deceleration lanes would be constructed to access the new pullouts (see attached conceptual design figure). A project agency scoping letter with more information about the proposed project will be sent to your agency in the next two to three weeks.

Design of the proposed Windy Corner project would require identification of material sources and subsurface soil conditions. DOT&PF wishes to explore potential rock and gravel sources within Chugach State Park (CSP). In addition, we would like to explore portions of the submerged lands under Turnagain Arm. See attached maps showing the areas of the Park we have identified for our preliminary proposed material site exploration plan.

We are requesting your approval, subject to all required environmental permits and special provisions, to commence subsurface geotechnical soil investigation along the highway and off-shore between June 1 and September 30, 2013. The material volume needed for this project is approximately 3.5 million cubic yards. A preliminary estimate for the six material sites identified on the attached maps indicates that they may yield approximately 5.5 million cubic yards. We are currently requesting permission to investigate for more than the needed amount as the actual material quality and quantity is unknown until investigated.

Geotechnical investigations of the tidelands would be performed using a drill rig lifted into place by helicopter. Tideland investigations are required to determine structural characteristics for potential fill in Turnagain Arm. Working from a staged area in the highway pull-out area, the drill rig would be placed on the mud flats. After test holes are completed it would be returned to the staging location prior to the tide returning. The proposed drilling would use an 8-inch diameter hollow stem auger. Drill cuttings would be used to back fill test holes. Test holes would range from 10 to 30 feet in depth. Geophysical methods (seismic refraction and reflection) would also be used. This requires small shots (if on mud flats) or a bubble pulser (narrow band electromagnetic signal instrument used from a boat) to generate energy for the shot.

Geotechnical investigations of uplands are proposed to be performed using a drill rig that either accesses the site along the power line corridor or is lifted into place by helicopter. If needed an excavator with a mower attachment could be used to clear a 10 foot wide drill trail avoiding tree cutting whenever possible. Any excavated trail would be revegetated with Alaska Plant Materials Center certified native seed augmented with a soil biotic mix and starter fertilizer.

With the exception of material site C the staging areas for this work would be along the highway in pull out areas as shown on the attached figures. Drill crew access would be by foot and ATV.

All activity performed during the material investigations would be conducted in such a manner to minimize surface damage and potential erosion and sediment problems to Park lands and resources by employing best management practices. All proposed work areas would be kept clean during field work and left clean with all litter and debris removed. DOT&PF's Preliminary Design and Environmental Section will coordinate efforts with CSP to ensure that all work is performed in accordance with all environmental laws and required environmental permits.

The proposed tidelands investigations would be done first depending on permit stipulations and the proposed uplands areas immediately following. We wish to begin our exploration on June 1 this year; however we would appreciate any information you can provide regarding an approved timeline recognizing that such approval would likely be subject to required work windows.

A review of your agency's Alaska Region Endangered Species website on February 12, 2013, showed no endangered or threatened species with designated critical habitat in the project area. Low-tide mudflat investigations are not anticipated to impact EFH in Turnagain Arm. However, two candidate species, the Yellow-billed loon (*Gavia adamsii*) and Kittlitz's murrelet (*Brachyramphus brevirostris*) may utilize Turnagain Arm habitat.

According to the USFWS Species Assessment (current as of 6/01/2012) for the Yellow billed loon, wintering range includes southern Alaska coastal waters. Yellow bill loon observations have been recorded in lower Cook Inlet. The currently identified breeding range is 62 to 74 degrees north latitude and the project area is south at about latitude 61 degrees north. The Map of Species shows the project area in the Yellow billed loon range.

According to the USFWS Species Assessment (current as of 6/01/2011) for the Kittlitz's murrelet (*Brachyramphus brevirostris*) sightings indicate this bird inhabits glacially influenced waters in southcentral Alaska from April to July/August. Some individuals may be year-round residents in these areas. The winter range is poorly known. The Map of Species shows the project area and Turnagain Arm in the murrelet's range.

DOT&PF believes the proposed marine investigations along Turnagain Arm are not likely to adversely affect either the Yellow billed loon or Kittlitz's murrelet because the proposed work would be completed within two weeks and because the proposed work area is small relative to the large expanse of tidal flats in Turnagain Arm. The shots are small which means they are not loud like rock blasting for material. Also, the bubble pulser is a directed, narrow band electromagnetic beam directed at the seafloor.

The proposed upland material site investigation areas are not likely to contain active bald eagle nests according to Joseph Conner, previous Bald Eagle Nest biologist with USFWS Alaska Region. Mr. Conner performed an aerial survey for the Seward Highway from MP 105 to 115 in 2003 and concluded the mountains are too steep to support eagle nesting habitat (see attached correspondence record). DOT&PF would consult with the USFWS if active Bald Eagle nests are found during field work activities.

The USFWS “Recommended Time Periods for Avoiding Vegetation Clearing in Alaska in order to Protect Migratory Birds” for the geotechnical investigations areas is from May 1 to July 15. DOT&PF would conduct a nesting survey prior to beginning work to ensure no migratory birds nests are in the work areas.

DOT&PF is also coordinating permits for the proposed investigations with Army Corps of Engineers (Nationwide Permit for Surveys), NOAA Fisheries (endangered Beluga whale, Essential Fish Habitat), Chugach State Park (Dall sheep habitat and other species), Alaska Department of Fish and Game (Essential Fish Habitat), and the State Historic Preservation Officer.

Please respond with your comments within two weeks if you are able to do so to expedite planning and permitting for the proposed geotechnical investigations. If you have questions or require more information please contact me at 269-0524 or by email.



RECORD OF TELEPHONE CONVERSATION
URS Project Number: 74-23696100.00



PROJECT: SEWARD HIGHWAY: Bird Point to Potter Marsh-Passing Lanes & Pathway Environmental Services. Indian, Alaska

STATE PROEJCT NUMBER: 53577
FEDERAL PROJECT NUMBER: NH-0A3-1(25)

TIME: 3:45 p.m. DATE: July 17, 2001

RECORDED BY: Kevin Doyle, URS

TALKED WITH: Gary Wheeler; USF&WS, Ecological Services
PHONE #: 907-271-2780

NATURE OF CALL: Data Collection INCOMING OUTGOING

SUBJECT: Eagle Nest Data

TOPICS DISCUSSED: Gary stated that based on the latest aerial survey conducted during the Spring of 2001, no eagle nests are located in the vicinity of the Seward Highway from MP 99 to MP 115. I asked Gary about a potential nest located up the Bird Creek valley from the highway, and he said that if there is one, it is far enough away from the project that we wouldn't be impacting it.

ACTION ITEMS: None.

URS



RECORD OF TELEPHONE CONVERSATION
URS Project Number: 26218675



PROJECT: SEWARD HIGHWAY: Indian to Potter Marsh, MP 105 to MP 115
Safety Improvements Project

STATE PROJECT NUMBER: 56631
FEDERAL PROJECT NUMBER: NH-0A3-1(25)

TIME: 3:10 p.m. DATE: May 9, 2003

RECORDED BY: Tara Howell, URS

TALKED WITH: Joe Conner, USF&WS
PHONE #: 907-271-2888 (main office)

NATURE OF CALL: Data Collection INCOMING OUTGOING

SUBJECT: Bald Eagle surveys along Turnagain Arm

TOPICS DISCUSSED: I asked Joe if there had been any recent aerial surveys for bald eagles along Turnagain Arm, and told him that the last time we had checked was with Gary Wheeler in 2001. At that time there were no bald eagle nests in the area of concern. Joe confirmed that he had just flown the corridor in April 2003 and there are still no nests of concern. The mountains are too steep along this corridor to support eagle nesting habitat. There is some concern in the Potter Creek area, but we will not be near enough this area to disturb any nests. If ADOT does find anything during construction, they should call Joe to notify him.

ACTION ITEMS: None.

URS

Boydston, Mark A (DOT)

From: Boydston, Mark A (DOT)
Sent: Thursday, March 07, 2013 10:52 AM
To: Barbara.Mahoney@noaa.gov
Cc: Schmid, Tom J (DOT)
Subject: FW: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations
Attachments: Revision2_1-25-13_Proposed 2013 Test Hole Plan.pdf; Seward Hwy MP 105-107 Windy Corner conceptual design.pdf; Seward Hwy Mp 105-107 Windy Corner location map.pdf; NOAA Fisheries NLAA geo investigations.docx; Revised_1-25-13_Proposed 2013 Off-Shore Test Hole Plan.pdf; Re: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations

Barbara,

Initially, I sent this email to Matt Eagleton who responded only to the EFH section (no concerns for EFH, email attached). For the Beluga, the "Revised 1-12-13 Proposed 2013 Off-shore Test Hole Plan" and 'Windy Corner conceptual design' figures and the word document are the relevant attachments. DOT&PF believes the proposed off-shore geotechnical investigation are not likely to adversely affect the Beluga whale.

From: Boydston, Mark A (DOT)
Sent: Thursday, February 14, 2013 1:58 PM
To: 'matthew.eagleton@noaa.gov'
Cc: Schmid, Tom J (DOT); Zimmerman, Teresa J (DOT); Burton, Alban L (DOT)
Subject: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations

To: Matt Eagleton, EFH specialist
NOAA Fisheries Alaska

Matt,

In connection with the proposed Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner project, we are requesting your approval, subject to all required environmental permits and special provisions, to commence subsurface geotechnical soil investigation along the highway and off-shore between June 1 and September 30, 2013.

Please see the attached documents which explain the scope for the proposed geotechnical investigations and anticipated potential impacts to Essential Fish Habitat in the proposed project area. The purpose of this email is to determine what permits and clearances you would require for the proposed work so we can make the appropriate permit applications and adjust our planning accordingly.

We are also sending similar emails to the Army Corps of Engineers, Department of Fish and Game, U.S. Fish and Wildlife Service, and Chugach State Park. If you have questions or need more information please contact me at 269-0524 or by email.

56631 / Seward Highway Milepost 105 to 107 Windy Corner Safety Improvements
Proposed Turnagain Arm off-shore preliminary geotechnical survey

NOAA Fisheries ESA Section 7 Informal Consultation: Not Likely to Adversely Affect Beluga whales

The Alaska Department of Transportation and Public Facilities (DOT&PF), in cooperation with the Federal Highway Administration, is proposing to realign and make safety improvements to the Seward Highway from Mileposts (MP) 105 to MP 107 (Windy Corner) (see attached Figure 1 - Location and vicinity map). Under the currently proposed design, both the Seward Highway and the Alaska Railroad would be realigned into Turnagain Arm (see attached Figure 2 - Conceptual design figure).

In support of the proposed Windy Corner Safety Improvements project, DOT&PF is proposing to conduct preliminary geotechnical investigations in Turnagain Arm near shore water adjacent to the Seward Highway between MP 105 and MP 107. The investigations would stage on the highway shoulder at Windy Corner and would be completed by August 15, 2013. The current schedule is to begin the survey July 15 and finish by July 31. Nine test holes (TH) would be drilled using an anchored small boat or barge. The boat would be anchored at low tide or resting on the seafloor depending on conditions during drilling operations. Drilling would be done with an 8-inch diameter hollow stem auger. Soil samples would be collected by the Standard Penetration Test (SPT) method and provide soil strength parameters. TH depth would range from 10 to 30 ft depending on the time available to drill between tide cycles. Five test holes would also be drilled along the highway corridor (see attached Figure 3). Drill cuttings would be temporarily stored on the work barge then disposed in an approved upland facility.

A review of your agency's Alaska Region webpage on March 12, 2013, for the endangered Beluga whale (*Delphinapterus leucas*) shows the project area in Turnagain Arm within the designated Critical Habitat Area 1. As stated in the report "Monitoring beluga whale (*Delphinapterus leucas*) distribution and movements in Turnagain Arm along the Seward Highway (April 2007), most sightings occurred between late August and early November. Beluga whales were not observed during monitoring shifts in May, June, or July. The proposed marine investigations would be conducted in late July when beluga whales are not likely to be in the project area.

On March 8, 2013, DOT&PF contacted you regarding the proposed geotechnical Turnagain Arm survey. You stated impacts to Turnagain Arm Beluga Critical Habitat from boring are likely to be negligible since the test holes would be filled quickly by tidal action. However, boat and barge movements for drilling have the potential to alter Beluga behavior or movement and noise greater than 120 dB can harm Beluga. Since DOT&PF has not conducted noise studies on geotechnical drilling activities in Cook Inlet or Turnagain Arm, we are assuming drilling activities will generate noise greater than 120 dB. To avoid potential harm to Beluga from drilling-generated noise and to prevent altering their behavior from drilling activities, DOT&PF would have a qualified, Beluga whale land-based observer in a position to observe Beluga traveling through the proposed survey area. If Beluga are observed within your recommended

distance to ongoing survey work, work (barge movement or drilling) would be halted until the Beluga are no longer within the restricted distance.

Also, DOT&PF intends to schedule the proposed marine survey to avoid times Beluga are likely to be in Turnagain Arm – spring (May) eulachon run and fall (August-September) coho salmon runs. In the event the proposed work cannot be completed before August 15 this year, DOT&PF proposes to work only on the outgoing (ebb) tide since Beluga research in Turnagain Arm indicates Beluga travel on Turnagain Arm’s south shore (Hope side) when leaving Turnagain Arm (source: “Monitoring beluga whale (*Delphinapterus leucas*) distribution and movement in Turnagain Arm along the Seward Highway” [April, 2007]).

Based on the above discussion and incorporating the anticipated NOAA recommendations into the proposed project drilling contract, DOT&PF believes the proposed survey is not likely to adversely affect Beluga or the designated Turnagain Arm Critical Habitat.

Attachments:

- Figure 1 - Location and vicinity map
- Figure 2 - Conceptual design figure
- Figure 3 - Proposed Turnagain Arm off-shore survey



Mark Boydston, Environmental Impact Analyst II
Alaska Dept. of Transportation and Public Facilities
Preliminary Design and Environmental Section
P.O. Box 196900, Anchorage, Alaska 99519-6900
Phone 907.269.0524| Fax 907.243.6927

Boydston, Mark A (DOT)

From: Boydston, Mark A (DOT)
Sent: Thursday, February 14, 2013 1:45 PM
To: Harrison, Thomas D (DNR)
Cc: Schmid, Tom J (DOT); Zimmerman, Teresa J (DOT); Burton, Alban L (DOT)
Subject: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations
Attachments: Bald eagle nest 2004 CE Appendix C pages.pdf; ChugachStatePark pre permit email.docx; Revised_1-25-13_Proposed 2013 Off-Shore Test Hole Plan.pdf; Revision2_1-25-13_Proposed 2013 Test Hole Plan.pdf; Seward Hwy MP 105-107 Windy Corner conceptual design.pdf; Seward Hwy Mp 105-107 Windy Corner location map.pdf

To: Tom Harrison, Park Superintendent
Chugach State Park

Tom,

In connection with the proposed Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner project, we are requesting your approval, subject to all required environmental permits and special provisions, to commence subsurface geotechnical soil investigation along the highway and off-shore between June 1 and September 30, 2013.

Please see the attached documents which explain the scope for the proposed geotechnical investigations and anticipated potential impacts to Chugach State Park resources. The purpose of this email is to determine what permits and clearances you would require for the proposed work so we can make the appropriate permit applications and adjust our planning accordingly.

DOT&PF Right of Way section is submitting a letter to you concurrent with this request for the proposed Windy Corner geotechnical investigations. We are also sending similar emails to the Army Corps of Engineers, Department of Fish and Game, U.S. Fish and Wildlife Service, and NOAA Fisheries. If you have questions or need more information please contact me at 269-0524 or by email.



Mark Boydston, Environmental Impact Analyst II
Alaska Dept. of Transportation and Public Facilities
Preliminary Design and Environmental Section
P.O. Box 196900, Anchorage, Alaska 99519-6900
Phone 907.269.0524| Fax 907.243.6927

56631 / Seward Highway Milepost 105 to 107 Safety Improvements (Windy Corner)
New Material Site geotechnical investigation
Chugach State Park: Pre-permit application information draft email / Proposed geotechnical investigations

The Alaska Department of Transportation and Public Facilities (DOT&PF), in cooperation with the Federal Highway Administration, is proposing to realign and make safety improvements to the Seward Highway from Mileposts (MP) 105 to 107 (Windy Corner, see attached location map). In order to provide space for the highway realignment, the Alaska Railroad Corporation tracks would also be realigned. The new road and rail alignments would provide space for expanded pullouts and would improve access for parking and wildlife viewing. Acceleration and deceleration lanes would be constructed to access the new pullouts (see attached conceptual design figure). A project agency scoping letter with more information about the proposed project will be sent to your agency in the next two to three weeks.

Design of the proposed Windy Corner project would require identification of material sources and subsurface soil conditions. DOT&PF wishes to explore potential rock and gravel sources within Chugach State Park (CSP). In addition, we would like to explore portions of the submerged lands under Turnagain Arm. See attached maps showing the areas of the Park we have identified for our preliminary proposed material site exploration plan.

We are requesting your approval, subject to all required environmental permits and special provisions, to commence subsurface geotechnical soil investigation along the highway and off-shore between June 1 and September 30, 2013. The material volume needed for this project is approximately 3.5 million cubic yards. A preliminary estimate for the six material sites identified on the attached maps indicates that they may yield approximately 5.5 million cubic yards. We are currently requesting permission to investigate for more than the needed amount as the actual material quality and quantity is unknown until investigated.

Geotechnical investigations of the tidelands would be performed using a drill rig lifted into place by helicopter. Working from a staged area in the highway pull-out the rig would be placed on the mud flats. After test holes are completed it would be returned to the staging location prior to the tide returning. The proposed drilling would use an 8-inch diameter hollow stem auger. Drill cuttings would be used to back fill test holes. Test holes would range from 10 to 30 feet in depth. Geophysical methods (seismic refraction and reflection) would also be used. This requires small shots (if on mud flats) or a bubble pulser (narrow band electromagnetic signal instrument used from a boat) to generate energy for the shot.

Geotechnical investigations of uplands are proposed to be performed using a drill rig that either accesses the site along the power line corridor or is lifted into place by helicopter. If needed an excavator with a mower attachment could be used to clear a 10 foot wide drill trail avoiding tree cutting whenever possible. Any excavated trail would be revegetated with Alaska Plant Materials Center certified native seed augmented with a soil biotic mix and starter fertilizer. With the exception of material site C the staging areas for this work would be along the highway in pull out areas as shown on the attached figures. Drill crew access would be by foot and ATV.

All activity performed during the material investigations would be conducted in such a manner to minimize surface damage and potential erosion and sediment problems to Park lands and resources by employing best management practices. All proposed work areas would be kept clean during field work and left clean with all litter and debris removed. DOT&PF's Preliminary Design and Environmental Section will coordinate efforts with CSP to ensure that all work is performed in accordance with all environmental laws and required environmental permits.

The proposed tidelands investigations would be done first depending on permit stipulations and the proposed uplands areas immediately following. We wish to begin our exploration on June 1 this year; however we would appreciate any information you can provide regarding an approved timeline recognizing that such approval would likely be subject to required work windows.

DOT&PF is aware the Windy Corner area and north to MP 107 is Dall sheep habitat area and anticipates timing restrictions for the proposed geotechnical work in this area. The proposed upland material site investigation areas are not likely to contain active bald eagle nests according to Joseph Conner, previous Bald Eagle Nest biologist with USFWS Alaska Region. Mr. Conner performed an aerial survey for the Seward Highway from MP 105 to 115 in 2003 and concluded the mountains are too steep to support eagle nesting habitat (see attached correspondence record). DOT&PF would consult with the USFWS if active Bald Eagle nests are found during field work activities.

To avoid nesting migratory birds, DOT&PF would conduct necessary vegetation clearing before May 1. The USFWS "Recommended Time Periods for Avoiding Vegetation Clearing in Alaska in order to Protect Migratory Birds" for the geotechnical investigations areas is from May 1 to July 15. If vegetation clearing cannot be done before the time between May 1 and July 15, DOT&PF would conduct a nesting survey to ensure no nests are in the work area Also DOT&PF is aware the proposed investigations have the potential to impact other species such as raven nests reported in the area.

DOT&PF is also coordinating permits for the proposed investigations with Army Corps of Engineers (Nationwide Permit for Surveys), USFWS (endangered and threatened species, migratory nesting birds, bald eagle nests), NOAA Fisheries (endangered Beluga whale, Essential Fish Habitat), Alaska Department of Fish and Game (Essential Fish Habitat), and the State Historic Preservation Officer.

The anticipated Chugach State Park permit for the proposed investigations is a Special Use Permit. Please reply within two weeks to facilitate submitting the required permit. If you have questions or require more information please contact me at 269-0524 or by email.



RECORD OF TELEPHONE CONVERSATION
URS Project Number: 74-23696100.00



PROJECT: SEWARD HIGHWAY: Bird Point to Potter Marsh-Passing Lanes & Pathway Environmental Services. Indian, Alaska

STATE PROEJCT NUMBER: 53577
FEDERAL PROJECT NUMBER: NH-0A3-1(25)

TIME: 3:45 p.m. DATE: July 17, 2001

RECORDED BY: Kevin Doyle, URS

TALKED WITH: Gary Wheeler; USF&WS, Ecological Services
PHONE #: 907-271-2780

NATURE OF CALL: Data Collection INCOMING OUTGOING

SUBJECT: Eagle Nest Data

TOPICS DISCUSSED: Gary stated that based on the latest aerial survey conducted during the Spring of 2001, no eagle nests are located in the vicinity of the Seward Highway from MP 99 to MP 115. I asked Gary about a potential nest located up the Bird Creek valley from the highway, and he said that if there is one, it is far enough away from the project that we wouldn't be impacting it.

ACTION ITEMS: None.

URS



RECORD OF TELEPHONE CONVERSATION
URS Project Number: 26218675



PROJECT: SEWARD HIGHWAY: Indian to Potter Marsh, MP 105 to MP 115
Safety Improvements Project

STATE PROJECT NUMBER: 56631
FEDERAL PROJECT NUMBER: NH-0A3-1(25)

TIME: 3:10 p.m. DATE: May 9, 2003

RECORDED BY: Tara Howell, URS

TALKED WITH: Joe Conner, USF&WS
PHONE #: 907-271-2888 (main office)

NATURE OF CALL: Data Collection INCOMING OUTGOING

SUBJECT: Bald Eagle surveys along Turnagain Arm

TOPICS DISCUSSED: I asked Joe if there had been any recent aerial surveys for bald eagles along Turnagain Arm, and told him that the last time we had checked was with Gary Wheeler in 2001. At that time there were no bald eagle nests in the area of concern. Joe confirmed that he had just flown the corridor in April 2003 and there are still no nests of concern. The mountains are too steep along this corridor to support eagle nesting habitat. There is some concern in the Potter Creek area, but we will not be near enough this area to disturb any nests. If ADOT does find anything during construction, they should call Joe to notify him.

ACTION ITEMS: None.

URS

Boydston, Mark A (DOT)

From: Boydston, Mark A (DOT)
Sent: Thursday, February 14, 2013 1:53 PM
To: Bales, James E (DFG)
Cc: Schmid, Tom J (DOT); Zimmerman, Teresa J (DOT); Burton, Alban L (DOT)
Subject: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations
Attachments: Revision2_1-25-13_Proposed 2013 Test Hole Plan.pdf; Seward Hwy MP 105-107 Windy Corner conceptual design.pdf; Seward Hwy Mp 105-107 Windy Corner location map.pdf; DFG geo investigations email.docx; Revised_1-25-13_Proposed 2013 Off-Shore Test Hole Plan.pdf

To: Jim Bales, Area Biologist
Department of Fish and Game

Hi Jim,

In connection with the proposed Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner project, we are requesting your approval, subject to all required environmental permits and special provisions, to commence subsurface geotechnical soil investigation along the highway and off-shore between June 1 and September 30, 2013.

Please see the attached documents which explain the scope for the proposed geotechnical investigations and anticipated potential impacts to Essential Fish Habitat adjacent to the proposed project. The purpose of this email is to determine what permits and clearances you would require for the proposed work so we can make the appropriate permit applications and adjust our planning accordingly.

We are also sending similar emails to the Army Corps of Engineers, Chugach State Park, U.S. Fish and Wildlife Service, and NOAA Fisheries. If you have questions or need more information please contact me at 269-0524 or by email.



Mark Boydston, Environmental Impact Analyst II
Alaska Dept. of Transportation and Public Facilities
Preliminary Design and Environmental Section
P.O. Box 196900, Anchorage, Alaska 99519-6900
Phone 907.269.0524| Fax 907.243.6927

56631 / Seward Highway Milepost 105 to 107 Safety Improvements (Windy Corner)

New Material Site geotechnical investigation

Alaska Department of Fish and Game: Email for Essential Fish Habitat / Proposed geotechnical investigations

The Alaska Department of Transportation and Public Facilities (DOT&PF), in cooperation with the Federal Highway Administration, is proposing to realign and make safety improvements to the Seward Highway from Mileposts (MP) 105 to 107 (Windy Corner, see attached location map). In order to provide space for the highway realignment, the Alaska Railroad Corporation tracks would also be realigned. The new road and rail alignments would provide space for expanded pullouts and would improve access for parking and wildlife viewing. Acceleration and deceleration lanes would be constructed to access the new pullouts (see attached conceptual design figure). A project agency scoping letter with more information about the proposed project will be sent to your agency in the next two to three weeks.

Design of the proposed Windy Corner project would require identification of material sources and subsurface soil conditions. DOT&PF wishes to explore potential rock and gravel sources within Chugach State Park (CSP). In addition, we would like to explore portions of the submerged lands under Turnagain Arm. See attached maps showing the areas of the Park we have identified for our preliminary proposed material site exploration plan.

The material volume needed for this project is approximately 3.5 million cubic yards. A preliminary estimate for the six material sites identified on the attached maps indicates that they may yield approximately 5.5 million cubic yards. We are currently requesting permission to investigate for more than the needed amount as the actual material quality and quantity is unknown until investigated.

Geotechnical investigations of the tidelands would be performed using a drill rig lifted into place by helicopter. Tideland investigations are required to determine structural characteristics for potential fill in Turnagain Arm. Working from a staged area in the highway pull-out area, the drill rig would be placed on the mud flats. After test holes are completed it would be returned to the staging location prior to the tide returning. The proposed drilling would use an 8-inch diameter hollow stem auger. Drill cuttings would be used to back fill test holes. Test holes would range from 10 to 30 feet in depth. Geophysical methods (seismic refraction and reflection) would also be used. This requires small shots (if on mud flats) or a bubble pulser (narrow band electromagnetic signal instrument used from a boat) to generate energy for the shot.

Geotechnical investigations of uplands are proposed to be performed using a drill rig that either accesses the site along the power line corridor or is lifted into place by helicopter. If needed an excavator with a mower attachment could be used to clear a 10 foot wide drill trail avoiding tree cutting whenever possible. Any excavated trail would be revegetated with Alaska Plant Materials Center certified native seed augmented with a soil biotic mix and starter fertilizer. With the exception of material site C the staging areas for this work would be along the highway in pull out areas as shown on the attached figures. Drill crew access would be by foot and ATV.

All activity performed during the material investigations would be conducted in such a manner to minimize surface damage and potential erosion and sediment problems to Park lands and resources by employing best management practices. All proposed work areas would be kept clean during field work and left clean with all litter and debris removed. DOT&PF's Preliminary Design and Environmental Section will coordinate efforts with CSP to ensure that all work is performed in accordance with all environmental laws and required environmental permits.

The proposed tidelands investigations would be done first depending on permit stipulations and the proposed uplands areas immediately following. We wish to begin our exploration on June 1 this year; however we would appreciate any information you can provide regarding an approved timeline recognizing that such approval would likely be subject to required work windows.

A Fish Resource Monitor search on February 12, 2013 showed no anadromous waters in or adjacent to the proposed uplands investigations the NOAA Habitat Conservation Essential Fish Habitat (EFH) Mapper on February 12, 2013 for the marine waters directly off the proposed project area (Latitude = 60.98, Longitude = -149.60) shows this area is EFH for five salmon species: chum, pink, coho, sockeye, and king. There are no Habitat Areas of Particular Concern in the marine waters adjacent to the proposed project area.

DOT&PF believes the proposed marine investigations adjacent to the proposed project area are not likely to adversely affect EFH for the salmon species listed above. The only in water work would be the bubble pulser from a boat for those locations that could not be accomplished during low tide. All other proposed marine work would occur at low tide on dewatered tidal flats. The proposed work area is small relative to the large expanse of tidal flats in Turnagain Arm and the drill bores are short-lived since they would be backfilled. The proposed shots would impact small areas which would quickly return to the original state from tidal current action.

DOT&PF is also coordinating permits for the proposed investigations with Army Corps of Engineers (Nationwide Permit for Surveys), NOAA Fisheries (endangered Beluga whale, Essential Fish Habitat), USFWS (endangered and threatened species, migratory nesting birds, bald eagle nests), Chugach State Park (Dall sheep habitat and other species), and the State Historic Preservation Officer.

Please respond with your comments within two weeks if you are able to do so to expedite planning and permitting for the proposed geotechnical investigations. If you have questions or require more information please contact me at 269-0524 or by email.

Boydston, Mark A (DOT)

From: Boydston, Mark A (DOT)
Sent: Thursday, February 14, 2013 1:58 PM
To: 'matthew.eagleton@noaa.gov'
Cc: Schmid, Tom J (DOT); Zimmerman, Teresa J (DOT); Burton, Alban L (DOT)
Subject: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations
Attachments: Revision2_1-25-13_Proposed 2013 Test Hole Plan.pdf; Seward Hwy MP 105-107 Windy Corner conceptual design.pdf; Seward Hwy Mp 105-107 Windy Corner location map.pdf; NOAA Fisheries NLAA geo investigations.docx; Revised_1-25-13_Proposed 2013 Off-Shore Test Hole Plan.pdf

To: Matt Eagleton, EFH specialist
NOAA Fisheries Alaska

Matt,

In connection with the proposed Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner project, we are requesting your approval, subject to all required environmental permits and special provisions, to commence subsurface geotechnical soil investigation along the highway and off-shore between June 1 and September 30, 2013.

Please see the attached documents which explain the scope for the proposed geotechnical investigations and anticipated potential impacts to Essential Fish Habitat in the proposed project area. The purpose of this email is to determine what permits and clearances you would require for the proposed work so we can make the appropriate permit applications and adjust our planning accordingly.

We are also sending similar emails to the Army Corps of Engineers, Department of Fish and Game, U.S. Fish and Wildlife Service, and Chugach State Park. If you have questions or need more information please contact me at 269-0524 or by email.



Mark Boydston, Environmental Impact Analyst II
Alaska Dept. of Transportation and Public Facilities
Preliminary Design and Environmental Section
P.O. Box 196900, Anchorage, Alaska 99519-6900
Phone 907.269.0524| Fax 907.243.6927

56631 / Seward Highway Milepost 105 to 107 Safety Improvements (Windy Corner)
New Material Site geotechnical investigation
NOAA Fisheries: NLAA email for Beluga whales and EFH / Proposed geotechnical investigations

The Alaska Department of Transportation and Public Facilities (DOT&PF), in cooperation with the Federal Highway Administration, is proposing to realign and make safety improvements to the Seward Highway from Mileposts (MP) 105 to 107 (Windy Corner, see attached location and map). In order to provide space for the highway realignment, the Alaska Railroad Corporation tracks would also be realigned. The new road and rail alignments would provide space for expanded pullouts and would improve access for parking and wildlife viewing. Acceleration and deceleration lanes would be constructed to access the new pullouts (see attached conceptual design figure). A project agency scoping letter with more information about the proposed project will be sent to your agency in the next two to three weeks.

Design of the proposed Windy Corner project would require identification of material sources and subsurface soil conditions. DOT&PF wishes to explore potential rock and gravel sources within Chugach State Park (CSP). In addition, we would like to explore portions of the submerged lands under Turnagain Arm. See attached maps showing the areas of the Park we have identified for our preliminary proposed material site exploration plan.

The material volume needed for this project is approximately 3.5 million cubic yards. A preliminary estimate for the six material sites identified on the attached maps indicates that they may yield approximately 5.5 million cubic yards. We are currently requesting permission to investigate for more than the needed amount as the actual material quality and quantity is unknown until investigated.

Geotechnical investigations of the tidelands would be performed using a drill rig lifted into place by helicopter. Tideland investigations are required to determine structural characteristics for potential fill in Turnagain Arm. Working from a staged area in the highway pull-out area, the drill rig would be placed on the mud flats. After test holes are completed it would be returned to the staging location prior to the tide returning. The proposed drilling would use an 8-inch diameter hollow stem auger. Drill cuttings would be used to back fill test holes. Test holes would range from 10 to 30 feet in depth. Geophysical methods (seismic refraction and reflection) would also be used. This requires small shots (if on mud flats) or a bubble pulser (narrow band electromagnetic signal instrument used from a boat) to generate energy for the shot.

Geotechnical investigations of uplands are proposed to be performed using a drill rig that either accesses the site along the power line corridor or is lifted into place by helicopter. If needed an excavator with a mower attachment could be used to clear a 10 foot wide drill trail avoiding tree cutting whenever possible. Any excavated trail would be revegetated with Alaska Plant Materials Center certified native seed augmented with a soil biotic mix and starter fertilizer. With the exception of material site C the staging areas for this work would be along the highway in pull out areas as shown on the attached figures. Drill crew access would be by foot and ATV.

All activity performed during the material investigations would be conducted in such a manner to minimize surface damage and potential erosion and sediment problems to Park lands and resources by employing best management practices. All proposed work areas would be kept clean during field work and left clean with all litter and debris removed. DOT&PF's Preliminary Design and Environmental Section will coordinate efforts with CSP to ensure that all work is performed in accordance with all environmental laws and required environmental permits.

The proposed tidelands investigations would be done first depending on permit stipulations and the proposed uplands areas immediately following. We wish to begin our exploration on June 1 this year; however we would appreciate any information you can provide regarding an approved timeline recognizing that such approval would likely be subject to required work windows.

A review of your agency's Alaska Region webpage on February 12, 2013, for the endangered Beluga whale (*Delphinapterus leucas*) shows the project area in Turnagain Arm within the designated Critical Habitat Area 1. As stated in the report "Monitoring beluga whale (*Delphinapterus leucas*) distribution and movements in Turnagain Arm along the Seward Highway (April 2007), most sightings occurred between late August and early November. Beluga whales were not observed during monitoring shifts in May, June, or July. The proposed marine investigations would be conducted in June when beluga whales are not likely to be in the project area.

DOT&PF believes the proposed marine investigations along Turnagain Arm are not likely to adversely affect either the beluga whale or their critical habitat because the proposed work area is small relative to the large expanse of tidal flats in Turnagain Arm and the drill bores are short-lived since they would be backfilled and would have a small impact to the tideflats. The proposed shots would be small which means they are not loud like rock blasting for material, performed at low tide, and also only disturb small areas which would quickly return to the original ground from tidal current action. Also, the bubble pulser, a directed, narrow band electromagnetic beam directed at the seafloor, would not be used if beluga whale are observed in the area.

A search of the NOAA Habitat Conservation Essential Fish Habitat (EFH) Mapper on February 12, 2013 for the marine waters directly off the proposed project area (Latitude = 60.98, Longitude = -149.60) shows this area is EFH for five salmon species: chum, pink, coho, sockeye, and king. There are no Habitat Areas of Particular Concern in the marine waters adjacent to the proposed project area or no EFH Areas protected from fishing. Gulf of Alaska Groundfish EFH returned in this search lists Big and Longnose Skate, Octopus, Sharks, and Shallow Water Flatfish Complex.

DOT&PF believes the proposed marine investigations adjacent to the proposed project area are not likely to adversely affect EFH for the species listed above. The only in water work would be the bubble pulser from a boat for those locations that could not be accomplished during low tide. All other proposed marine work would occur at low tide on dewatered tidal flats. The proposed work area is small relative to the large expanse of tidal flats in Turnagain Arm and the drill bores are short-lived since they would be backfilled. The proposed shots would impact small areas which would quickly return to the original state from tidal current action.

DOT&PF is also coordinating permits for the proposed investigations with Army Corps of Engineers (Nationwide Permit for Surveys), USFWS (endangered and threatened species, migratory nesting birds, and Bald eagle nests), Chugach State Park (Dall sheep habitat and other species), Alaska Department of Fish and Game (Essential Fish Habitat), and the State Historic Preservation Officer.

Please respond with your comments within two weeks if you are able to do so to expedite planning and permitting for the proposed geotechnical investigations. If you have questions or require more information please contact me at 269-0524 or by email.

Boydston, Mark A (DOT)

From: Matthew Eagleton - NOAA Federal <matthew.eagleton@noaa.gov>
Sent: Thursday, February 14, 2013 3:59 PM
To: Boydston, Mark A (DOT)
Cc: Barbara Mahoney - NOAA Federal
Subject: Re: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations

Mark,

No EFH concerns; please check with our beluga whale experts (cc'd). As a reminder, potential impacts on EFH and any adverse effect EFH determination rests with your agency or the federal action agency, not with NOAA.

Matt

On Thu, Feb 14, 2013 at 1:58 PM, Boydston, Mark A (DOT) <mark.boydston@alaska.gov> wrote:

To: Matt Eagleton, EFH specialist

NOAA Fisheries Alaska

Matt,

In connection with the proposed Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner project, we are requesting your approval, subject to all required environmental permits and special provisions, to commence subsurface geotechnical soil investigation along the highway and off-shore between June 1 and September 30, 2013.

Please see the attached documents which explain the scope for the proposed geotechnical investigations and anticipated potential impacts to Essential Fish Habitat in the proposed project area. The purpose of this email is to determine what permits and clearances you would require for the proposed work so we can make the appropriate permit applications and adjust our planning accordingly.

We are also sending similar emails to the Army Corps of Engineers, Department of Fish and Game, U.S. Fish and Wildlife Service, and Chugach State Park. If you have questions or need more information please contact me at 269-0524 or by email.



Mark Boydston, Environmental Impact Analyst II

Alaska Dept. of Transportation and Public Facilities

Preliminary Design and Environmental Section

P.O. Box 196900, Anchorage, Alaska 99519-6900

Phone [907.269.0524](tel:907.269.0524) | Fax [907.243.6927](tel:907.243.6927)

Boydston, Mark A (DOT)

From: Frost, William D (DFG)
Sent: Tuesday, February 26, 2013 7:55 AM
To: Boydston, Mark A (DOT)
Subject: RE: Seward Highway Milepost 105 to 107 Saftey Improvements at Windy Corner / Preliminary material site and geotechnical investigations

Hello Mark,

The ADF&G, Division of Habitat has reviewed the proposed Seward Highway preliminary material site and geotechnical investigations project. The ADF&G has no concerns with the project as proposed. No Fish Habitat Permit will be needed.

William D. Frost, Habitat Biologist
Alaska Department of Fish and Game
Division of Habitat
333 Raspberry Road
Anchorage, AK 99518
(907) 267-2813

From: Bales, James E (DFG)
Sent: Friday, February 15, 2013 8:44 AM
To: Boydston, Mark A (DOT)
Cc: Frost, William D (DFG); Marie, Megan E (DFG)
Subject: FW: Seward Highway Milepost 105 to 107 Saftey Improvements at Windy Corner / Preliminary material site and geotechnical investigations

Hi Mark,
I am forwarding this on to Will Frost (267-2813). Thank you.

Jim Bales, Habitat Biologist
Alaska Department of Fish and Game
Division of Habitat
333 Raspberry Road
Anchorage, AK 99518
(907) 267-2143

From: Boydston, Mark A (DOT)
Sent: Thursday, February 14, 2013 1:53 PM
To: Bales, James E (DFG)
Cc: Schmid, Tom J (DOT); Zimmerman, Teresa J (DOT); Burton, Alban L (DOT)
Subject: Seward Highway Milepost 105 to 107 Saftey Improvements at Windy Corner / Preliminary material site and geotechnical investigations

To: Jim Bales, Area Biologist
Department of Fish and Game

Hi Jim,

In connection with the proposed Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner project, we are requesting your approval, subject to all required environmental permits and special provisions, to commence subsurface geotechnical soil investigation along the highway and off-shore between June 1 and September 30, 2013.

Please see the attached documents which explain the scope for the proposed geotechnical investigations and anticipated potential impacts to Essential Fish Habitat adjacent to the proposed project. The purpose of this email is to determine what permits and clearances you would require for the proposed work so we can make the appropriate permit applications and adjust our planning accordingly.

We are also sending similar emails to the Army Corps of Engineers, Chugach State Park, U.S. Fish and Wildlife Service, and NOAA Fisheries. If you have questions or need more information please contact me at 269-0524 or by email.



Mark Boydston, Environmental Impact Analyst II
Alaska Dept. of Transportation and Public Facilities
Preliminary Design and Environmental Section
P.O. Box 196900, Anchorage, Alaska 99519-6900
Phone 907.269.0524| Fax 907.243.6927

Boydston, Mark A (DOT)

From: Klein, Kimberly <kimberly_klein@fws.gov>
Sent: Tuesday, February 19, 2013 1:48 PM
To: Boydston, Mark A (DOT)
Subject: Re: FW: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations

Thanks Mark. I will get the ball rolling on the conference. Our review should be final within 30 days, does this work for the construction schedule?

Kimberly Klein
Endangered Species Biologist
Anchorage Field Office
U.S. Fish and Wildlife Service
(907) 271-2066
Kimberly_Klein@fws.gov

On Tue, Feb 19, 2013 at 1:32 PM, Boydston, Mark A (DOT) <mark.boydston@alaska.gov> wrote:

Kimberly:

Although the proposed project is funded partially by State funds, the lead federal agency is the Federal Highway Administration. We have a long-standing agreement DOT&PF is the non-federal designee for FHWA highway projects in Alaska.

From: Klein, Kimberly [mailto:kimberly_klein@fws.gov]
Sent: Friday, February 15, 2013 11:03 AM
To: Boydston, Mark A (DOT)
Subject: Re: FW: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations

Mark,

Thank you for your request for Conference on the Yellow-billed loon and Kittlitz's Murrelet. The Service conducts Conferences for species that are proposed for listing, and Consultations for listed species. Conference on these species is not required under the ESA, but once completed, can be rolled over into a quick and easy Consultation. Consultation will be required if one of these species is listed before the project is complete. Currently, the Kittlitz's murrelet is in review. The final listing decision for this species is due by

September, 2013. Therefore, completing the Conference now on this project may save time and effort in the future.

All I need to initiate the Conference process is a statement from the US Army Corps that you will act as the non-federal designee for this project. Once the project is assigned to a project manager at the Corps, he or she can send me a quick email stating that DOT will act as their representative.

I will look forward to hearing back from you soon. Call with questions,

Thanks again,

Kimberly Klein
Endangered Species Biologist
Anchorage Field Office
U.S. Fish and Wildlife Service
(907) 271-2066
Kimberly_Klein@fws.gov

On Fri, Feb 15, 2013 at 10:50 AM, Klein, Kimberly <kimberly_klein@fws.gov> wrote:

Certainly!

Kimberly Klein
Endangered Species Biologist
Anchorage Field Office
U.S. Fish and Wildlife Service
(907) 271-2066
Kimberly_Klein@fws.gov

On Thu, Feb 14, 2013 at 5:13 PM, Lance, Ellen <ellen_lance@fws.gov> wrote:

Kim,

Please log and respond. THanks

----- Forwarded message -----

From: **Boydston, Mark A (DOT)** <mark.boydston@alaska.gov>

Date: Thu, Feb 14, 2013 at 2:22 PM

Subject: FW: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations

To: "ellen_lance@fws.gov" <ellen_lance@fws.gov>, "lori_verbrugge@fws.gov" <lori_verbrugge@fws.gov>

Please see attachments referenced in the email below.

From: Boydston, Mark A (DOT)

Sent: Thursday, February 14, 2013 2:10 PM

To: 'ellen_lance@fws.gov'; 'lori_verbrugge@fws.gov'

Cc: Schmid, Tom J (DOT); Zimmerman, Teresa J (DOT); Burton, Alban L (DOT)

Subject: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations

To: Ellen Lance, Branch Chief

Endangered Species, USFWS Alaska Region

Lori Verbrugge, Cons Planning/Environmental Contaminants Branch Chief

USFWS Alaska Region

Ellen and Lori:

In connection with the proposed Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner project, we are requesting your approval, subject to all required environmental permits and special provisions, to commence subsurface geotechnical soil investigation along the highway and off-shore between June 1 and September 30, 2013.

Please see the attached documents which explain the scope for the proposed geotechnical investigations and anticipated potential impacts to resources. The purpose of this email is to determine what permits and clearances you would require for the proposed work so we can make the appropriate permit applications and adjust our planning accordingly.

We are also sending similar emails to the Army Corps of Engineers, Department of Fish and Game, Chugach State Park, and NOAA Fisheries. If you have questions or need more information please contact me at 269-0524 or by email.

Mark Boydston, Environmental Impact Analyst II

Alaska Dept. of Transportation and Public Facilities

Preliminary Design and Environmental Section

P.O. Box 196900, Anchorage, Alaska 99519-6900

Phone 907.269.0524| Fax 907.243.6927

--

Ellen W. Lance

Endangered Species Branch Chief

Anchorage Fish and Wildlife Field Office

605 West 4th Ave., Rm G61

Anchorage, Alaska 99501

(907) 271-1467

Boydston, Mark A (DOT)

From: Hayes, Nicole M POA <Nicole.M.Hayes@usace.army.mil>
Sent: Friday, February 15, 2013 1:48 PM
To: Boydston, Mark A (DOT)
Cc: Lindamood, Steve D POA
Subject: FW: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations (UNCLASSIFIED)
Attachments: image001.jpg; Revision2_1-25-13_Proposed 2013 Test Hole Plan.pdf; Seward Hwy MP 105-107 Windy Corner conceptual design.pdf; Seward Hwy Mp 105-107 Windy Corner location map.pdf; ACOE pre permit email.docx; Revised_1-25-13_Proposed 2013 Off-Shore Test Hole Plan.pdf

Classification: UNCLASSIFIED
Caveats: NONE

Hi Mark,
I am forwarding your request to Steve Lindamood, Acting Field Office Supervisor.
Thanks,
Nicole

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

From: Boydston, Mark A (DOT) [<mailto:mark.boydston@alaska.gov>]
Sent: Thursday, February 14, 2013 2:26 PM
To: Hayes, Nicole M POA
Cc: Schmid, Tom J (DOT); Zimmerman, Teresa J (DOT); Burton, Alban L (DOT)
Subject: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations

To: Nicole Hayes, Field Office Manager

Army Corps of Engineers, Alaska Region

Nicole,

In connection with the proposed Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner project, we are requesting your approval, subject to all required environmental permits and special provisions, to commence subsurface geotechnical soil investigation along the highway and off-shore between June 1 and September 30, 2013.

Please see the attached documents which explain the scope for the proposed geotechnical investigations and anticipated potential impacts to Chugach State Park resources. The purpose of this email is to determine what permits and clearances you would require for the proposed work so we can make the appropriate permit applications and adjust our planning accordingly.

Boydston, Mark A (DOT)

From: Verbrugge, Lori <lori_verbrugge@fws.gov>
Sent: Thursday, February 21, 2013 11:21 AM
To: Boydston, Mark A (DOT)
Cc: Ellen Lance
Subject: Re: FW: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations

Thanks, Mark. We do have some basic recommendations that I can share with you.

We recommend that surveys be conducted to determine whether there are any eagle nests in the vicinity of the project. The Service doesn't have a standard definition of "vicinity", but for this location 660 ft should be sufficient. Surveys are best conducted in the spring when eagles are likely to be present at their nest sites, but prior to leaf-out when sightings become more difficult.

If there are eagle nests (or areas of eagle concentration) in the project vicinity, the applicant should refer to the Alaska Region's Eagle Take Permit Program website at <http://alaska.fws.gov/eaglepermit/index.htm>: (1) for guidelines on avoidance and minimization; (2) to help them determine whether or not their project may disturb or take eagles or their nests; and (3), if the applicant determines that disturbance or take may occur, for instructions on how to begin a permit application process.

For planning purposes, please be aware that permit processing may take a minimum of 90 days or longer.

FYI, the eagle expert in our office that normally responds to inquiries like this is on a temporary assignment at another office. If you need more detailed information, please let me know and I can pass her contact information along to you.

Sincerely,

Lori Verbrugge, Ph.D.
Branch Chief, Conservation Planning Assistance/Environmental Contaminants
Anchorage Fish and Wildlife Field Office
U.S. Fish and Wildlife Service
605 W. 4th Ave., #G-61
Anchorage, AK 99501
Phone: (907) 271-2785
FAX: (907) 271-2786
lori_verbrugge@fws.gov

On Thu, Feb 14, 2013 at 2:22 PM, Boydston, Mark A (DOT) <mark.boydston@alaska.gov> wrote:

Please see attachments referenced in the email below.

From: Boydston, Mark A (DOT)
Sent: Thursday, February 14, 2013 2:10 PM
To: 'ellen_lance@fws.gov'; 'lori_verbrugge@fws.gov'
Cc: Schmid, Tom J (DOT); Zimmerman, Teresa J (DOT); Burton, Alban L (DOT)

Boydston, Mark A (DOT)

From: Klein, Kimberly <kimberly_klein@fws.gov>
Sent: Wednesday, March 20, 2013 2:37 PM
To: Boydston, Mark A (DOT)
Subject: Re: FW: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations
Attachments: 2013-0041 Indian Seward Highway Milepost 105 to 107 Safety Improvements.pdf

Please see the attached letter regarding threatened and endangered species that may be affected by your proposed project. Call or reply if you have questions or if a hard copy of this letter is needed. Thank you.

Kimberly Klein
Endangered Species Biologist
Anchorage Field Office
U.S. Fish and Wildlife Service
(907) 271-2066
Kimberly_Klein@fws.gov

On Tue, Feb 19, 2013 at 2:08 PM, Boydston, Mark A (DOT) <mark.boydston@alaska.gov> wrote:

Kimberley,

Thank you. The current schedule is to begin marine geotechnical investigations June 1st so I do not anticipate the 30 day review changing this.

From: Klein, Kimberly [mailto:kimberly_klein@fws.gov]
Sent: Tuesday, February 19, 2013 1:48 PM

To: Boydston, Mark A (DOT)
Subject: Re: FW: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations

Thanks Mark. I will get the ball rolling on the conference. Our review should be final within 30 days, does this work for the construction schedule?

Kimberly Klein
Endangered Species Biologist
Anchorage Field Office
U.S. Fish and Wildlife Service
(907) 271-2066
Kimberly_Klein@fws.gov

On Tue, Feb 19, 2013 at 1:32 PM, Boydston, Mark A (DOT) <mark.boydston@alaska.gov> wrote:

Kimberly:

Although the proposed project is funded partially by State funds, the lead federal agency is the Federal Highway Administration. We have a long-standing agreement DOT&PF is the non-federal designee for FHWA highway projects in Alaska.

From: Klein, Kimberly [mailto:kimberly_klein@fws.gov]

Sent: Friday, February 15, 2013 11:03 AM

To: Boydston, Mark A (DOT)

Subject: Re: FW: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations

Mark,

Thank you for your request for Conference on the Yellow-billed loon and Kittlitz's Murrelet. The Service conducts Conferences for species that are proposed for listing, and Consultations for listed species. Conference on these species is not required under the ESA, but once completed, can be rolled over into a quick and easy Consultation. Consultation will be required if one of these species is listed before the project is complete. Currently, the Kittlitz's murrelet is in review. The final listing decision for this species is due by September, 2013. Therefore, completing the Conference now on this project may save time and effort in the future.

All I need to initiate the Conference process is a statement from the US Army Corps that you will act as the non-federal designee for this project. Once the project is assigned to a project manager at the Corps, he or she can send me a quick email stating that DOT will act as their representative.

I will look forward to hearing back from you soon. Call with questions,

Thanks again,

Kimberly Klein
Endangered Species Biologist
Anchorage Field Office
U.S. Fish and Wildlife Service
(907) 271-2066
Kimberly_Klein@fws.gov

On Fri, Feb 15, 2013 at 10:50 AM, Klein, Kimberly <kimberly_klein@fws.gov> wrote:

Certainly!

Kimberly Klein
Endangered Species Biologist
Anchorage Field Office
U.S. Fish and Wildlife Service
(907) 271-2066
Kimberly_Klein@fws.gov

On Thu, Feb 14, 2013 at 5:13 PM, Lance, Ellen <ellen_lance@fws.gov> wrote:

Kim,

Please log and respond. THanks

Boydston, Mark A (DOT)

From: Klein, Kimberly <kimberly_klein@fws.gov>
Sent: Wednesday, March 20, 2013 2:37 PM
To: Boydston, Mark A (DOT)
Subject: Re: FW: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations
Attachments: 2013-0041 Indian Seward Highway Milepost 105 to 107 Safety Improvements.pdf

Please see the attached letter regarding threatened and endangered species that may be affected by your proposed project. Call or reply if you have questions or if a hard copy of this letter is needed. Thank you.

Kimberly Klein
Endangered Species Biologist
Anchorage Field Office
U.S. Fish and Wildlife Service
(907) 271-2066
Kimberly_Klein@fws.gov

On Tue, Feb 19, 2013 at 2:08 PM, Boydston, Mark A (DOT) <mark.boydston@alaska.gov> wrote:

Kimberley,

Thank you. The current schedule is to begin marine geotechnical investigations June 1st so I do not anticipate the 30 day review changing this.

From: Klein, Kimberly [mailto:kimberly_klein@fws.gov]
Sent: Tuesday, February 19, 2013 1:48 PM

To: Boydston, Mark A (DOT)
Subject: Re: FW: Seward Highway Milepost 105 to 107 Safety Improvements at Windy Corner / Preliminary material site and geotechnical investigations



United States Department of the Interior

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



In reply refer to: AFWFO

March 20, 2013

Emailed to:

Mark Boydston
Alaska Department of Transportation and Public Facilities
P.O. Box 196900
Anchorage, Alaska 99519-6900

Re: *Conference Number* 2013-0041 Indian Seward Highway Safety Improvements

Dear Mr. Mark Boydston

Thank you for your emails of February 15 and 19, 2013, regarding wildlife species that may be affected by your proposal. The Alaska Department of Transportation and Public Facilities (DOT&PF), in cooperation with the Federal Highway Administration, is proposing to realign the Seward Highway near the community of Indian. The Federal Highways Administration (FHWA) will be the lead federal agency for the project. The U.S. Fish and Wildlife Service (the Service) is responding your request for concurrence with the determination that the proposed action is not likely to adversely affect species designated as candidates for listing under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq., as amended; ESA).

Project Description

Safety improvements are needed at Windy Corner between Mileposts 105 to 107 (60.9839° N., 149.5989° W.). The following work will be done to improve safety: the existing highway will be divided into separate lanes for northbound and southbound traffic; the lanes will be straightened to remove a dangerous curve; fill will be placed in the intertidal area adjacent to the existing highway to provide room for realignment; the Alaska Railroad Corporation tracks will be realigned; and expanded pullouts and acceleration and deceleration lanes will be installed to improve parking and pedestrian access for wildlife viewing. Initial geotechnical work will begin in June 2013, and additional work will continue as allowed according to permits and funding.

Design and construction of the proposed Windy Corner project may require placement of up to approximately 30 acres of fill in the tidelands adjacent to the existing highway. DOT&PF plans to explore within the adjacent Chugach State Park and beneath the marine waters of Turnagain Arm for potential rock and gravel sources. Geotechnical testing of the submerged lands in Turnagain Arm may include drilling or seismic activity. Drilling work will be done when the tidelands are dewatered at low tide. A drill rig with an 8-inch diameter hollow stem auger will be lifted into place by helicopter. Test holes will range from 10 to 30 feet in depth and will be backfilled with the drill cuttings. Seismic work will employ small shots on the mud flats or a bubble pulser in the water to characterize the subsurface using refraction and reflection. Fill material will be transported by truck or barge and placed by heavy equipment including excavators. Staging areas for work along the highway will be located in existing roadside pull-outs. Crews will access the tidelands on foot and by ATV; some vegetation removal may be necessary. Any excavated trail would be revegetated with Alaska Plant Materials Center certified native seed. All construction activity, including material excavation and placement of fill would be conducted in such a manner to minimize surface damage, potential erosion, and sedimentation by employing best management practices.

ESA-Listed Species

Kittlitz's murrelet (*Brachyramphus brevirostris*, listed as a candidate in 2004), and yellow-billed loon (*Gavia adamsii*, listed as a candidate in 2009) that are candidates for listing under the ESA, and may be found in Cook Inlet and near Whittier. However, neither species is known to occur in Turnagain Arm. Both species are diving birds that use nearshore marine waters for feeding on crustaceans and small fish. Candidates receive no formal protection under the ESA, and consultation with the Service for these species is not required. However, your voluntary request for evaluation of the potential impacts to these species from the proposed project may fulfill the need to consult if these species are listed before the project is complete.

Potential Effects to Candidate Species

Loud noises associated with blasting, drilling, seismic work, or placement of fill may harm submerged animals near the action area. During construction, the use of heavy equipment increases the risk of fuel and oil spills. Excavation and placement of fill causes soil disturbance and subsequent sedimentation. Yellow-billed loons and Kittlitz's murrelets may be affected if present when work occurs.

Conclusion

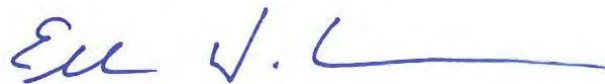
Due to their assumed rarity in Turnagain Arm and Upper Cook Inlet, it is highly unlikely that the yellow-billed loon or Kittlitz's murrelets would be negatively impacted by the safety improvements at Windy Corner. These species are not likely to occur in the area during any particular period of time, and are therefore unlikely to occur during the proposed work. The work will occur in a localized area for a temporary period of time, and will therefore not affect the habitat or food sources of either species. For this reason, the Service concurs with the determination that the proposed project is not likely to adversely affect either the yellow billed loon or Kittlitz's murrelets.

This completes conference with the Service, as defined by the ESA. Obligations under section 7 of the ESA must be reconsidered if new information reveals project impacts that may affect listed species or critical habitat in a manner not previously considered, if this action is subsequently modified in a manner which was not considered in this assessment, or if a candidate species is listed or critical habitat is determined that may be affected by the proposed action.

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

Thank you for your concern for threatened and endangered species. If you have questions, please contact me at (907) 271-1467 or Endangered Species Biologist Kimberly Klein at (907) 271-2660.

Sincerely,



Ellen W. Lance
Endangered Species Branch Chief



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Transportation
and Public Facilities

DESIGN & ENGINEERING SERVICES
CENTRAL REGION RIGHT OF WAY

PO Box 196900
Anchorage, Alaska 99519-6900
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Toll Free: 800.770.5263
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February 14, 2013

Tom Harrison
Chugach State Park Superintendent
Division of Parks & Outdoor Recreation
Department of Natural Resources
18620 Seward Highway
Anchorage, AK 99516

Re: Project No. 56631
Seward Hwy MP 105 - 107 Windy Corner
Geotechnical Investigations and Survey

Dear Mr. Harrison:

As you may be aware the State of Alaska, Department of Transportation and Public Facilities (Department) intends to improve the safety and functionality of the Seward Highway between mileposts 105 and 107 as part of the Seward Highway Windy Corner Project No. 56631. This project proposes improvements to include highway and railroad relocation, improved recreational access, passing lanes and a sheep viewing turnout.

Design of the Windy Corner project will require identification of material sources and subsurface soil and geologic conditions. The Department wishes to explore potential rock and gravel sources within Chugach State Park (CSP). In addition, we would like to explore portions of the submerged lands under Turnagain Arm. Enclosed are maps showing the areas of the Park we have identified for our preliminary exploration plan.

We request your approval, subject to all required environmental permits and special provisions, to commence subsurface soil investigation along the highway and off-shore between June 1st and September 30th 2013. DOT&PF's Environmental section concurrent with this letter will be contacting you and other agencies with jurisdiction to determine what permits/approvals will be needed for the proposed work. The estimated volume of material needed for this project is 3.5 million cubic yards. A preliminary estimate for the six material sites identified on the attached maps indicates that they may yield approximately 5.5 million cubic yards. We are currently requesting permission to investigate for more than the needed amount as the actual quality and quantity of material is unknown until investigated.

Investigations of the tidelands are proposed to be performed using a drill rig that is lifted into place by helicopter. Working from a staged area in the highway pull-out the rig would be placed on the mud flats and after test holes are completed it will be set back in the staging location prior to the tide returning.

The proposed drilling will be 8 inch diameter hollow stem auger and cuttings will be used to back fill test holes. Soil samples will be by SPT methods and test holes will range from 10 to 30 feet in depth. Geophysical methods (seismic refraction and reflection) will also be used. This requires small shots (if on mud flats) or a bubble pulsator (if from a boat) to generate energy for the shot.

Investigations of uplands are proposed to be performed using a drill rig that either accesses the site along the power line corridor or is lifted into place by helicopter. If needed an excavator with a mower attachment could be used to clear a 10 foot wide drill trail avoiding tree cutting whenever possible. Any excavated trail would be revegetated with Alaska Plant Materials Center certified native seed augmented with a soil biotic mix and starter fertilizer. With the exception of material site C the staging areas for this work will be along the highway in pull out areas. Drill crew access will be by foot and ATV.

All activity performed during the material investigations will be conducted in such a manner to minimize surface damage and potential erosion and sediment problems to Park lands and resources by employing best management practices. All work areas will be kept clean and maintained in a work person like manner and all litter and waste will be removed. DOT&PF's Preliminary Design and Environmental Section will coordinate our efforts with CSP to ensure that all work is performed in accordance with all environmental laws and required environmental permits.

Our priority is to perform the work within the tidelands first and move on the other areas immediately following. We wish to begin our exploration as soon as possible; however we would appreciate any information you can provide regarding an anticipated timeline for approval recognizing that such approval will be subject to required work windows

On a related matter, we are also requesting permission to survey three Section Control Monuments within CSP as shown on an enclosed Google Earth image. We are requesting permission to use a helicopter to access these control monuments for surveying purposes. DOT&PF proposes to land the helicopter as close to the monuments as possible, collect the survey data and immediately leave the site. If approved, survey work is proposed for June 1st 2013 and should be completed within one day.

If you have questions or if I can be of further assistance in providing additional information to assist your review, please feel free to give me a call at (907) 269-0700.

Respectfully,



Al Burton
Supervisor Project Coordination

cc: Mark Boydston, Environmental Impact Analyst, Preliminary Design & Environmental
Clark Cox, Natural Resource Manager, 550 W. 7th Ave., Suite 900C Anchorage, AK 99501-3577
Tom Schmid P.E., Project Manager, Preliminary Design & Environmental

Enclosures

Material Site Maps
Survey Map

MEETING RECORD

State of Alaska

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

Date: March 6, 2013 Wednesday

Time: 2:00 pm

Project Name: Seward Hwy. Windy Corner MP
105-107 Safety Improvements

Project No: 56631

Noted By: Quinten Arndt

Participants: See attached sign-in sheet

Location: DOT/PF Construction Conference
Room

Subject: DNR/CSP meeting

Introduction

Tom Schmid gave a review & brief history of DOT's development the project.

The meeting in Girdwood where the Governor detailed the plans for the Seward Highway corridor was discussed. There is urgency in the administration to bring these Seward Highway projects to construction. Safety Corridors are only a temporary solution until a long term solution is completed. The DOT has brought several retired DOT employees back to help streamline the development & implementation of the projects.

Tom Harrison described the purpose of the Chugach State Park (CSP).

- Preserving scenic resources
- Viewing wildlife & whales
- Recreation

Questions and issues:

- Has the DOT looked elsewhere (outside parkland) for material sources (MS) for the project? The DOT needs to demonstrate that it has looked at all possible sources.
- CSP lacks of budget money and staff to maintain existing and/or new facilities, parking and overlooks.
- Do these proposed MS sites benefit the park or animal habitat?
- Has the DOT looked at utilizing problem areas such as rock fall or avalanche zones.
- Can the MS be rock outcroppings/points that can be used to benefit future road straightening and realignments?
- Does DOT have a long term plan with a preferred alignment for the entire corridor? Does DOT intend to only fix isolated (piecemeal) problem areas?
- DOT should work with CSP with future needs & plans for future MS/projects inside the CSP.

"Get Alaska Moving through service & infrastructure."

The 2001 MOA between the ARRC, CSP and DOT has expired. It is important to get this extended/renewed ASAP. DOT has enlisted the services of Bob Wright to get this agreement signed. The status of this MOA needs to be looked into.

Any/all CSP lands affected/relinquished must go through the appraisal process even if they are traded or the ROW shifted (swapped) due to realignments. The Bird Point cell tower was discussed as a previous problem in land swapping/trading.

There is an urgent need for emergency services access across the ARRC rails/property to Turnagain Arm waters.

To determine if climbing areas are affected, there is a guidebook for climbing along the Seward Highway.

The ARRC has had continuing trespass problems along its corridor. Recreation use of Turnagain Arm is increasing and safe/suitable access is needed.

GCI would be a good source of information and problems with working in the Turnagain Arm tidal zone. They could also be helpful in permitting requirement/timelines/questions.

David Griffen with DNR would be the point-of-contact for the CSP permitting. MS exploration for drilling would probably be granted after permit requests and subject to permit conditions.

DOT should prioritize the need/value of each MS. DOT would like CPS to review & comment on the availability/non-availability of each proposed MS.

DOT materials should ask for everything that is wanted and needed, when applying for the permits. Include; the who, what, where & why, in the permit request.

CSP would like to see typical sections of the MS rock wall benching including benches for sheep habitat/feeding.

It was requested that DOT provide a quantity of material removed from the Rainbow pit to compare to proposed sites for Windy Corner.

DOT Materials schedule estimates 6 months to 1 year of work. June 1, 2013 to December 31, 2013 would be in the field. They do not want to slow down DOWL and their work.

DOT has estimated initially to need an estimated 3.5 million yards of materials. This has been reduced to an estimated 1.5 million yards. The MS sites requested are estimated to contain 5 million yards. Depending on the overburden and quality of the material, it is estimated that 50/60% of the quantity would be suitable for the road construction.

Mike Y. with materials explained the drawings, drilling plans and schedule for the MS.

It was suggested that either a joint field trip would be conducted to hike the limits of the proposed pits or/and GPS coordinates and/or flagging of the boundaries be provided.

CSP was appreciative of the DOT desire/willingness to meet early and their desire to listen/work with the Park Service.

Sign In

State of Alaska
DEPARTMENT OF TRANSPORTATION
& PUBLIC FACILITIES

Item No. _____
Date 3/6/2013
Project No. _____
Project Name _____
Calc. By _____
Checked By _____

COMPUTATIONS

FOR 56631 WINDY CORNER

NAME	ORG	Telephone	EMAIL
Newton BINGHAM	DOT	269-6200	newton.bingham@alaska.gov
MIKE YERKES	DOT	269-6200	YERKES@AK.NET
Quinten Arndt	DOT	269-0577	
Lucy Baranko	DPOR	269-87506	lucille.b.lucillebaranko@ak.gov
Jean Ayers	DPOR	269-8694	jean.ayers@alaska.gov
MIKE SEIDL	DPOR	269-8736	mike.seidl@alaska.gov
TOM HARRISON	CHUGACH STATE PARK	345-5014	TOM.HARRISON@ALASKA.GOV
Kristen Hansen	DOWLHKM	562-2000	khansen@dowlhkm.com
Rys Miranda	DNR	269-8944	rys.miranda@alaska.gov
Al Burton	DOT & PF	269-0647	al.burton@alaska.gov
Teresa Zimmerman	"	269-0551	teresa.zimmerman@alaska.gov
MARK BOWSTON	DOT & PF ENVIRON MONITOR		
Aaron Christie	Dowl Hkm	562-2000	achristie@dowlhkm.com
Steven Noble	Dowl Hkm	562-2K	snoble@dowlhkm.com
BILLEVANS	AL/A - Dowl Hkm	223-2396	betwo@gci.net
David Griffin	Parks	269-8696	david.griffin@alaska.gov

**STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
CENTRAL REGION STATEWIDE DESIGN & ENGINEERING
SERVICES
PRELIMINARY DESIGN & ENVIRONMENTAL**



MEETING RECORD

DATE: March 12, 2013
TIME: 10 -11 am
LOCATION: Aviation Design Conference Room, 4111 Aviation Avenue
PROJECT: Seward Highway MP 105-107, Windy Corner Safety Improvements
PROJECT NO.: 56631
SUBJECT: DNR-DPOR Special Use Permit for proposed material sites & marine water preliminary geotechnical investigations
PARTICIPANTS: David Griffin, Resource Specialist / DPOR permits, DNR-DPOR, Jean Ayers, LWCF Grant Administrator, DNR-DPOR, Tom Schmid, P.E., Project Manager, PD&E, Al Burton, ROW specialist, DOT&PF, Teresa Zimmerman, Environmental Team Leader, PD&E, Mark Boydston, Environmental Impact Analyst, PD&E
NOTED BY: Mark Boydston

The meeting purpose was to discuss the Department of Natural Resources (DNR) - Department of Parks and Outdoor Recreation (DPOR) Special Use Permit (SUP) application for proposed material sites & marine water preliminary geotechnical investigations. The investigations are tentatively scheduled to start June 1, 2013 and be completed by September 30, 2013. This schedule is dependent on potential timing windows in the anticipated SUP, weather, and other factors. Participants also discussed potential proposed material site development and how this interacts with the DOT&PF's objectives for the proposed Windy Corner project and possible future Seward Highway project and with DPOR Chugach State Park (CSP) goals and planning.

Topics discussed noted by participant

1. Jean Ayers (JA) – The proposed investigations are a non-conforming (does not conform to the Land and Water Conservation Fund (LWCF) State Assistance Program Manual (Manual) public outdoor recreation requirement). Manual regulations require DOT&PF to request from National Park Service (NPS), through the DNR LWCF Grant program administered by Jean Ayers, a Temporary Non-conforming Use in a Section 6(f) area (CSP) (see attached Temporary Use LWCF Manual regulations from JA). The NPS form - LWCF Proposal Description and Environmental Screening Form (PD/ESF) - must be completed and submitted to JA who will review and request approval from NPS. The PD/ESF must be approved by NPS before DPOR can issue the SUP. The PD/ESF and SUP can be submitted concurrently as they contain essentially identical information. The anticipated National Environmental Policy Act outcome for the PD/ESF is NPS will recommend a Categorical Exclusion for the proposed investigations.

The Manual regulations state the Non-conforming use must not last longer than 6 months otherwise the use will be considered a 6(f) conversion.

2. Tom Schmid (TS) said the investigations are unlikely to be completed within 6 months. JA replied she sent an email (attached) asking NPS to clarify the 6 month time limit (quoted from the email). JA will update DOT&PF when NPS replies.

“Assuming the test drilling activity is approved, and DOT would like to avoid a conversion, how or when do we count the six month “temporary” time frame? DOT envisions drilling several different holes in up to six different areas. (For example, up to 10 holes in “Area A,” 9 holes in “Area B”, etc.) Will DOT have six months total to complete testing within all six different areas? Or would DOT have a six-month stretch within Area A, a six-month stretch in Area B, etc.? Must the six months be continuous, or could it be three months this summer, and three months next summer? Does it begin on the first day they helicopter in to drill or on the date of NPS approval?”

3. David Griffin (DG) said the DNR Director of DPOR will have to approve a Best Finding Use determination to allow helicopter use in CSP. DG anticipates approval. DG anticipates turnaround time from submitting the SUP application to issuance to be about 1 month. DG will not issue a 30-day Public Notice for the SUP. DG said the proposed staging areas are ok. DG has no issues with the proposed marine investigations. Mark Boydston (MB) mentioned the marine waters work plan is being revised so that all drilling and seismic work would be conducted from a barge. DG had no problem with this. MB will update DG and JA with the revised figure.

4. DG said he was ok with answers supplied by DOT&PF Materials Section to questions he had after the DPOR-DOT&PF meeting on March 6, 2013 (see attached email).

5. Individual proposed material site synopsis present by DG. The synopses came from an internal DPOR meeting on March 11, 2013 (see attached DPOR synopsis outline for each site).

DPOR order of priority for proposed material site development (1 most preferred, 6 least preferred):

Material Site	MP 104	B	MP 108.4	C	A	Windy Corner
DPOR development priority	1	2	3	4	5	6

Material Site Synopsis east to west (based on January 25, 2013 Materials Section figures 1-7, attached, and marine investigation attached – will be updated with revised figure).

Site C – the Rainbow community has an access road for inholdings north of Site C. The lower area of the proposed site is managed by DPOR. Proposed tracked rig access with no helicopter use. Vegetation clearing and restoration – DG agree to the following (or similar) language for the SUP application and the PD/ESF for DPOR investigation drill sites and drill rig access routes rehabilitation: “The site will be restored to its natural state in coordination with DPOR.” DG and TS agreed to, if needed, site visits in to inspect sites and drilling rig access routes and discuss potential restoration plans. Actual restoration plans can be done after the SUP is issued. DG mentioned this may be more than simply planting grass (may include some natural landscaping and DPOR’s landscape architect).

Site MP 108.4 – site mostly contained within DOT&PF right of way (ROW). Avoid the Rainbow parking area as an investigation staging area.

Site B - OK with boundary and location. DPOR would prefer the site to be elongated along the highway axis rather than go inland.

Windy Corner – DPOR says this site is a no go – no development for the demarcated boundary and doubly so for the small triangular area on the western end of the site as demarcated on the Materials Section figure. DG says the area has unique scenic (as a point) and habitat features. DPOR would allow some “shaving along the highway” within DOT&PF ROW but no inland site development outside DOT&PF ROW. TS asked if the site’s eastern end could be cut back to improve the horizontal geometry for the highway curve in that area. DG was not sure this would be allowed. DG said DOT&PF would have to make the decision as to how much to investigate this site given DPOR is not going to allow development.

Site A – DPOR recommends elongating site versus going inland (same as Site B recommendation). DG said any local trails that would be in proposed geotechnical investigation areas would be posted by DPOR.

Site MP104 – DPOR’s top priority for site development. DG OK with site development proposal.

6. At various times throughout the meeting, TS and DG discussed how site development would affect the proposed project (DOT&PF perspective) and CSP functions and planning (DPOR perspective). TS and DG also discussed ongoing maintenance funding issues for potential park enhancements (e.g. roadside viewing areas) in connection with the proposed project. DG said material sites would be developed along primitive access guidelines (e.g. rock climbing area with no visitor facilities). DG also said there could be long range plans to develop the material sites contingent upon future funding. Finally, DG said DPOR is onboard with this proposed project and it is a priority for them.

Note: DG will be on leave for 2-3 weeks starting April 17 and JA will be on leave about the same time. Submit the PD/ESF and SUP applications by April 1.

Attachments:

- LWCF Manual Temporary Use regulations
- Jean Ayer email to NPS
- Preliminary proposed material sites and marine investigation figures (8)
- DPOR proposed material sites synopsis outline
- Materials Section answers to David Griffin questions email

cc: Tom Schmid, P.E., PD&E
Al Burton, ROW Agent, CR Design & Engineering

Boydston, Mark A (DOT)

From: Duvall, Shina A (DNR)
Sent: Tuesday, March 19, 2013 1:31 PM
To: Gomez, Valerie L (DOT)
Cc: Boydston, Mark A (DOT)
Subject: RE: Windy Corner Geotechnical Survey (Seward Highway MP 105-107) - Section 106 Consultation

Dear Valerie,

Thank you for providing this information. Following our review of the documentation provided, we concur that a finding of **no historic properties affected** is appropriate for the proposed geotechnical survey work. This concurrence is based on the assumption that the sites would be accessed by helicopter and very little ground disturbance will be necessary. If additional access is needed at any of the proposed sites which would require cutting new road/trail, we would appreciate an opportunity to consult further.

Should unidentified archaeological resources be discovered in the course of the project, work must be interrupted until the resources have been evaluated in terms of the National Register of Historic Places eligibility criteria (36 CFR 60.4) in consultation with our office.

Thank you for the opportunity to comment. Please let me know if we may be of further assistance.

Best regards,
Shina

Shina duVall, RPA
Archaeologist, Review and Compliance Coordinator
Alaska State Historic Preservation Office / Office of History and Archaeology
550 W. 7th Ave., Suite 1310
907-269-8720 (phone) 907-269-8908 (fax)
shina.duvall@alaska.gov

From: Gomez, Valerie L (DOT)
Sent: Thursday, February 28, 2013 9:37 AM
To: Duvall, Shina A (DNR)
Cc: Boydston, Mark A (DOT)
Subject: Windy Corner Geotechnical Survey (Seward Highway MP 105-107) - Section 106 Consultation

Shina,
DOT&PF, using FHWA funds, is planning to conduct geotechnical test bores to assess potential material sites along the Seward Highway (see proposed 2013 test hole plan attached). Several 8 inch borings would be made along property adjacent to the Seward Highway. The potential material sites are located on steep rocky cliffs. Due to this, there is no land-based access to most of the sites and DOT&PF intends to helicopter in the rigs and personnel to conduct the geotechnical testing.

DOT&PF cultural resource staff reviewed the proposed drill plan against the AHRS database and cultural resource reports conducted along this corridor. Based on these reviews, DOT&PF has concluded that no known sites would be impacted by the proposed test holes. Additionally, as the majority of sites would require helicopter access, the ground time of the rigs will be minimal and therefore, there is less potential for disturbing unknown sites. Based on the information provided above, DOT&PF finds that the geotechnical survey for the Windy Corner Project will have **no effect** on historic properties.

We are seeking your concurrence on the above finding. Please feel free to contact me if you have any questions regarding this undertaking.

Thank you,
Valerie

Valerie Gomez
Cultural Resources Specialist
Preliminary Design and Environmental
DOT&PF, Central Region
907-269-0535 / valerie.gomez@alaska.gov

Boydston, Mark A (DOT)

From: Gomez, Valerie L (DOT)
Sent: Tuesday, April 09, 2013 11:10 AM
To: Dara Glass; Erin Ealum; jim@eklutnainc.com; nve.ledirector@eklutna-nsn.gov; Bunnell Kristine
Cc: Boydston, Mark A (DOT)
Subject: Windy Corner Geotechnical Survey (Seward Highway MP 105-107) - Section 106 Consultation

Dear Consulting Party:

DOT&PF, using FHWA funds, is planning to conduct geotechnical test bores to assess potential material sites along the Seward Highway (see proposed 2013 test hole plan attached). Several 8 inch borings would be made along property adjacent to the Seward Highway. The potential material sites are located on steep rocky cliffs. Due to this, there is no land-based access to most of the sites and DOT&PF intends to helicopter in the rigs and personnel to conduct the geotechnical testing.

DOT&PF cultural resource staff reviewed the proposed drill plan against the AHRS database and cultural resource reports conducted along this corridor. Based on these reviews, DOT&PF has concluded that no known sites would be impacted by the proposed test holes. Additionally, as the majority of sites would require helicopter access, the ground time of the rigs will be minimal and therefore, there is less potential for disturbing unknown sites. Based on the information provided above, DOT&PF finds that the geotechnical survey for the Windy Corner Project will have **no effect** on historic properties.

If you wish to comment on this finding, please feel free to contact me. Please note that this consultation is solely for the geotechnical survey work. Additional formal Section 106 consultation letters for the overall project will be sent to your offices at a later date.

Sincerely,
Valerie

Valerie Gomez
Cultural Resources Specialist
Preliminary Design and Environmental
DOT&PF, Central Region
907-269-0535 / valerie.gomez@alaska.gov