



**State of Alaska
Department of Transportation & Public Facilities**

CATEGORICAL EXCLUSION DOCUMENTATION FORM
(NEPA Assignment Program Projects)

The environmental review, consultation, and other actions required by the applicable Federal environmental laws for this project are being, or have been carried out by the DOT&PF pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated November 3, 2017, and executed by FHWA and DOT&PF.

I. Project Information

A. Project Name: AMATS: Spenard Rd Rehab - Minnesota Dr. to Benson Blvd.

B. State Project Number: CFHWY00604

C. Federal Project Number: 0001659

D. Primary/Ancillary Project Connections: N/A

E. COA Determination: 23 CFR 771.117(d)(13)

F. Project Scope:

TIP or STIP: STIP

Need ID: N/A

Project Scope:

Project will rehabilitate to improve traffic flow. This project would also include non-motorized improvements.

G. Project Purpose And Need:

The purpose of the proposed project on Spenard Road Drive between Minnesota and Benson Boulevard is to:

- Improve driver and pedestrian safety
- Improve traffic operations
- Update and replace outdated and deteriorating transportation and utility infrastructure

The project purpose will be accomplished by rehabilitating Spenard Road transportation facilities to current roadway and non-motorized design standards. Spenard Road will be rehabilitated to MOA minor arterial street standards to accommodate traffic volumes forecast until 2040.

The project is needed for the following reasons:

- Spenard Road supports some of the highest pedestrian and transit uses within the Anchorage Bowl, and there are a range of operational, safety, pedestrian and transit issues that must be addressed. Current deficiencies include:
 - Pedestrian and transit facilities along the corridor are minimal, non-existent or in poor condition.
 - Pavement, curb cuts, sidewalks and curb ramps do not meet current Municipality of Anchorage (MOA) and national standard
 - Pedestrian and bicycle facilities are in relatively poor condition and do not meet ADA requirement
- Signals at 36th Avenue and Minnesota Drive are outdated.

The conditions listed above contribute to unsafe conditions for pedestrians and discourage the use of the Spenard Road corridor by pedestrians.

- There are numerous business and other entrances throughout the corridor requiring left hand turning vehicles to block one lane of through traffic flow while waiting to turn. Left hand turning vehicles have no dedicated left turn lane to allow for more efficient through traffic flow and for safer refuge from rear end collision while waiting to turn.
- The current outdated and deteriorating transportation and utility infrastructure is in need of replacement. This includes signals, signing, striping, lighting, intelligent transportation system equipment, pavement, curbs, pedestrian facilities, and drainage infrastructure.

H. Project Description:

The project would rehabilitate and reconstruct the existing typical roadway section from four travel lanes (two lanes in each direction) to a three-lane typical section (one, 11-foot-wide travel lane in each direction with a 14-foot-wide, two-way left turn lane) north of 36th Avenue. Lane configuration south of 36th Avenue is currently planned to retain four travel lanes. The project would also add two, 5-foot-wide dedicated bike lanes and two, 8-foot-wide multi-use pathways to Spenard Road between Minnesota Drive and Benson Boulevard. The proposed project would meet the travel demand requirements for capacity, reallocate space in the typical section to accommodate pedestrian and bicycle users, and enhance road-crossing opportunities for pedestrians. The proposed utility relocations and drainage, signing, striping, roadway lighting improvements can all be accommodated with a three-lane alternative. The proposed project expands right-of-way (ROW) to be 65 feet wide, and would include the following:

- Milling, paving, and structural section rehabilitation
- Upgrading curb ramps to comply with Americans with Disabilities Act (ADA) requirements
- Improving signing, striping, signalization, and intelligent transportation system equipment and lighting
- Improving drainage (e.g., culverts, storm drains, ditch grading)
- Rehabilitating or upgrading non-motorized facilities which may include sidewalks, pathways, and bike lanes
- Relocating utilities
- Adding streetscaping and landscaping

Improvements along Spenard Road, west of and including the intersection of Minnesota Drive to the railroad crossing, are necessary in order to accommodate the proposed changes to lane configuration heading east on Spenard from the Minnesota Drive intersection. These improvements would ensure that changes to traffic patterns and queuing would not impact the railroad crossing.

These improvements would include striping and signage of the intersection approaches, signal head upgrades or updates and associated utility work and signal pole foundation work; the proposed activities may require nominal changes to the approach curblines that would require re-grading and drainage improvements.

These improvements require minimal ground disturbance, are located within existing ROW, and don't require any acquisitions.

Attachments

Environmental Consequences

Project Plans & Location Information

- Project Plans and Location Info CFHWY00604.pdf

Land Use and Transportation Plans

- Appendix C LUP section.pdf CFHWY00604.pdf

Right-of-Way Impacts

- ROW Relocation Study CFHWY00604.pdf
- Appendix B ROW.pdf CFHWY00604.pdf

Environmental Justice Impacts (E.O. 12898)

- Appendix B3 EJ Analysis.pdf CFHWY00604.pdf

Historic Properties and Cultural Impacts

- Appendix D1_Initiation Letters.pdf CFHWY00604.pdf
- Appendix D2_Findings Letters.pdf CFHWY00604.pdf

- 3130-1R FHWA 2022-00665 letter and table signed.pdf CFHWY00604.pdf
- Appendix D2_Report.pdf CFHWY00604.pdf

Section 4(f)/6(f) Impacts

- Section 4(f) Exception CFHWY00604.pdf
- Appendix H - SEO Section 4(f) Determination - CFHWY00604.pdf CFHWY00604.pdf

Contaminated Sites and Hazardous Materials Impacts

- Appendix F Contaminated Sites.pdf CFHWY00604.pdf

Wetland and Waterbody Impacts

- Appendix E Spenard_Bald Eagle and Wetland Memo.pdf CFHWY00604.pdf

Fish and Wildlife Impacts

- Appendix E Spenard_Bald Eagle and Wetland Memo.pdf CFHWY00604.pdf CFHWY00604.pdf
- USFWS Section 7 Consultations_Anchorage.MSB_Nov.2012.pdf CFHWY00604.pdf

Comments and Coordination

Public Involvement

- Appendix G1a Public Notices.pdf CFHWY00604.pdf CFHWY00604.pdf
- Appendix G1b Public Notices.pdf CFHWY00604.pdf CFHWY00604.pdf
- Appendix G2 Public meetings.pdf CFHWY00604.pdf

II. Environmental Consequences

A. Land Use and Transportation Plans

Yes No

1. Were land use plans for this area reviewed? If yes, include source, link, and date accessed.

Anchorage 2020 - Anchorage Bowl Comprehensive Plan (Adopted February 20, 2001 and amended September 10, 2002); Anchorage 2040 Land Use Plan (Adopted September 26, 2017); West Anchorage District Plan (2012)

a. Is the project consistent with land use plan(s)?

2. Were transportation plans for this area reviewed?

Spenard Corridor Plan (Adopted June 1, 2020); Metropolitan Transportation Plan 2040 (2040 MTP - Adopted August 2020); 2014 Official Streets and Highways Plan (Adopted June 24, 2014); Anchorage Bicycle Plan 2010; Draft Anchorage Non-Motorized Plan (Draft Only); AMATS Complete Streets Policy (2018); Anchorage Vision Zero Action Plan (2018)

a. Is the project consistent with transportation plan(s)?

3. Would the project induce adverse indirect and cumulative effects on land use or transportation?

Summary

Summarize how the project is consistent or inconsistent with land use and transportation plan(s).

Land use in the proposed project area consists primarily of developed commercial and residential properties, with some undeveloped properties present to a lesser extent. There are redevelopment plans within the project corridor and the project would be consistent with the current development in the area. Therefore, no short or long-term land use changes are expected to result from the proposed project. Applicable plans were reviewed and are in accordance with the project scope of work, as described in detail in Appendix C (Consistency with Land Use Plans Analysis).

Attachments

- Appendix C LUP section.pdf CFHWY00604.pdf

B. Right-of-Way Impacts

Yes No

1. Are there any temporary right-of-way (ROW) impacts (e.g., Temporary Construction Easements (TCEs), Temporary Construction Permits (TCPs), utility relocates, construction staging area)?

2. Is additional permanent ROW required?

a. Are there any full parcel acquisitions?

b. Are more than 25 partial parcel acquisitions required?

c. Are business or residential relocations required?

Attachments

- ROW Relocation Study CFHWY00604.pdf

i. Number of residential relocations: 16

ii. Number of business relocations: 2

B. Right-of-Way Impacts

Yes **No**

3. Will there be property transfer from a local, state, or federal agency?

4. Will the project require an ANILCA Title XI approval?

Summary

Summarize ROW impacts, if any. Include any project-specific commitments or mitigative measures in Section V.

The proposed work would result in full acquisition of two parcels and partial acquisition from 29 adjacent parcels. Of the full acquisitions, both properties have one business and eight living units on the 2nd floor. All of the 29 partial acquisitions include minor amounts of ROW which are not anticipated to impact accessibility, operations, or function of the properties. Meetings with each affected property owner were held to explain the project and answer questions. A list of all affected parcels is in Appendix B1 and the affected parcels are shown on Figure 3. A relocation study included in Appendix B2 provides detailed information on affected properties; however, the study identified four properties for full acquisition and subsequent evaluation removed properties located at 3701 and 3709 Spenard from consideration. Additionally, the number of living units in the relocation study for 3200 Spenard Road was updated from four to eight based on subsequent data collection.

A detailed evaluation of potential impacts from the proposed project on EJ populations is included in Appendix B3. Based on the discussion and analysis in Appendix B3, the project would not cause disproportionately high and adverse effects on any minority or low-income populations in accordance with the provisions of EO 12898 and FHWA Order 6640.23A; as such, no further EJ analysis is required.

Attachments

- Appendix B ROW.pdf CFHWY00604.pdf

C. Environmental Justice Impacts (E.O. 12898)

Yes No

1. Is there potential to affect environmental justice (EJ) populations?

2. Include source, link, and date accessed of databases used.

EPA Environmental Justice Mapper (July 7, 2021)

3. Are environmental justice (EJ) populations present within or adjacent to the project area?

4. Will the project have an adverse effect on EJ populations?

Summary

Summarize EJ population impacts and mitigation, if any. Include any project-specific commitments or mitigative measures in Section V.

EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, directs Federal agencies to take the appropriate and necessary steps to identify and address disproportionately high and adverse effects of Federal projects on the health or environment of minority and low-income populations to the greatest extent practicable and permitted by law. The environmental justice (EJ) impact area consists of the people, businesses, services, and transit users that exist within the sphere of influence of the project and is contained within approximately 0.25 mile from the project's construction limits.

A detailed evaluation of potential impacts from the proposed project on EJ populations is included in the Appendix B3 EJ Analysis.

Attachments

- Appendix B3 EJ Analysis.pdf CFHWY00604.pdf

D. Historic Properties and Cultural Impacts

Yes No

1. Is a National Register of Historic Places listed or eligible property in the proposed Area of Potential Effect (APE)?

2. Was a programmatic allowance processed for the project under the Section 106 Programmatic Agreement?

3. Was Section 106 consultation initiated or a Direct to Findings worksheet completed?

a. Was a direct to findings worksheet completed?

b. Date Consultation Initiation Letters sent

December 10, 2020

Attachments

- Appendix D1_Initiation Letters.pdf CFHWY00604.pdf

c. List consulting parties:

State Historic Preservation Officer; Municipality of Anchorage Historic Preservation Commission; the Native Village of Eklutna; Knik Tribal Council; Cook Inlet Region, Inc; Eklutna, Inc.; and Knikatu Inc.

D. Historic Properties and Cultural Impacts

Yes No

d. Were any comments received?

Chikaloon Village Tribal Council was added per their request to participate in larger area. At the request of the Municipality of Anchorage Historic Preservation Commission, the Findings Letter was sent to the Spenard Community Council in lieu of the Commission.

4. Was a Section 106 "Finding of Effect" completed?

Attachments

- Appendix D2_Findings Letters.pdf CFHWY00604.pdf

a. Date "Finding of Effect" Letters sent:

May 24, 2022

b. State "Finding of Effect":

- No Adverse Effect

c. Were there any changes to consulting parties?

Chikaloon Village Tribal Council was added per their request to participate in larger area. At the request of the Municipality of Anchorage Historic Preservation Commission, the Findings Letter was sent to the Spenard Community Council in lieu of the Commission.

d. Were any comments received?

Richard Martin of the Knik Tribe (June 7, 2022): Tribe has no comments and is not interested in further consultation.

Kristine Bunnell of the Municipality of Anchorage and Anchorage Historic Preservation Commission (June 27, 2022): The Municipal Historic Preservation Program agrees with the no adverse effects finding and appreciates the information for future nominations.

5. Date State Historic Preservation Officer (SHPO) concurred with "Finding of Effect":

July 15, 2022

Attachments

- 3130-1R FHWA 2022-00665 letter and table signed.pdf CFHWY00604.pdf

6. Will there be an adverse effect on a historic property?

7. Are there any unresolved issues with consulting parties, including project issues or concerns of a federally-recognized Indian Tribe [36 CFR 800.16(m)]?

Summary

Summarize impacts to historic properties and mitigation, if any. List affected sites (by AHRS number only) and any commitments or mitigative measures. Also include any project-specific commitments or mitigative measures in Section V.

A review of Alaska Heritage Resource Survey (AHRS) records on May 28, 2021 indicate that there are five documented sites in the study area (Table 1). All but one of these documented structures have been determined ineligible for the National Register of Historic Places (NRHP). The last, ANC-04070 (Spenard Road) had not been evaluated for eligibility at the time of the AHRS search.

Table 1: AHRS Sites in the Study Area

AHRS No./ Site Description-Address/ Determination/ Condition

ANC-03797/ 3607 Spenard Road / Ineligible/ Demolished

ANC-03798/ 3607 Spenard Road/ Ineligible/ Demolished

ANC-03799/ 3609 Spenard Road/ Ineligible/ Demolished

ANC-03867/ 3502 Spenard Road/ Ineligible/ Intact

ANC-04070/ Spenard Road/ None/ Intact

A Historic Resources Report was completed June 9, 2021 by DOWL, and addendum by the DOT&PF PQI on May 24, 2022, that include the following recommendations:

- Spenard Road was recommended significant for the period of 1916 to 1951 under Criterion A for Transportation, Community Planning and Development and Recreation/Entertainment and Conservation, and for the period 1939 to 1975 under Criterion A for themes of Transportation and Community Planning and Development at the local level in 2014 (Meade & Hunt 2014). The road does not possess significance under Criteria B, C, or D for these two periods of significance. DOT&PF has further expanded the periods of significance for Spenard Road and has found the road both significant and eligible for listing in the NRHP for the period of 1940 to 1968 under Criterion A for Subdivision and Commercialization, and for the period of 1968 to 1988 for the Pipeline Boom and Bust Period. The road does not possess significance under Criteria B, C, or D for these two periods of significance. Effectively, Spenard Road has been determined eligible for NRHP listing by DOT&PF for six areas of significance that span from 1961 to 1988.
- The Enstar building at 3000 Spenard Road (ANC-04638), originally the Anchorage Natural Gas building, was designed by Anchorage architecture firm CCW&C (Crittenden, Cassetta, Wirum and Cannon). The structure was noted in architectural guidebooks as a notable example of Modernist design. The landscaping and lot plan reflect the aspirations of Pipeline Boom Period in Anchorage, with carefully delineated and managed spaces including a front area with a plaza, monumental art, and flagpoles flanking a central staircase that leads around the building to the rear entry, oriented to the parking lot, with a larger stairway into the protected center of the landscaping. DOT&PF determined this property to be eligible at the local level under Criteria A and C. Under Criterion A, the structure represents the apex of Modernist design intended to express that Anchorage had advanced in status; the scale and design of the building and its landscape elements contrast dramatically with the other buildings in the area. Under Criterion C, the design work is of a specific style, Modernist or Internationalist, designed intentionally by CCW&C to contrast to the surrounding architectural context using strong rectangular shapes of contrasting materials like anodized aluminum and tinted glass in earth tones with warm hues, elevated above the surrounding single-story CMU minimal Modern buildings. ANC-04638 contributes to a historic district.
- Arctic Circle Enterprises, located at 3812 Spenard Road (ANC-04622), is a post-modernist office building designed and built in 1974 as office space for a variety of companies supporting construction of the Trans-Alaska Pipeline System. The structure is Post-Modern in design, based on the plan view, architectural detail elements, and the orientation of the building on its lot in relation to Spenard Road. The Modern Commercial cmu building is transitioning to Post-Modern architecture and reflects a different design concept from other buildings in the vicinity, out of scale with residential development and smaller businesses surrounding it. DOT&PF determined the building is eligible at the local level for listing under Criterion A and C. For Criterion A, the building symbolizes the growth and investment in the future of the pipeline boom as formerly residential lots along Spenard Road were combined to accommodate larger scale construction and off-street parking. Under Criterion C, the building represents the arrival of a blend of Modernist or international elements (e.g. window banding, roof line banding, minimalist aesthetic) with Post-Modern playfulness with form and materials (e.g. entry awnings, plan view of south wall, roof eave treatment). ANC-04622 is not a contributing element to a historic district.
- Center Bowl (ANC-04594), at 3717 Minnesota Drive, was built in 1957 was a center of social life for many people and provided an organized set of leagues where bowlers could compete across the city and with other cities big enough to support a bowling alley. The building retains many aspects of its period of significance including location, design, materials, workmanship, feeling and association. DOT&PF has determined that it is eligible under Criterion A at the local level for Recreation/Entertainment during the Subdivision and

Commercialization period, 1940 to 1968. The building does not contribute to a historic district.

Because the structures that have been determined eligible are in the indirect area of potential effect save for Spenard Road itself, and the purpose of the project is to reduce traffic by reducing the number of traffic lanes to three, DOT&PF finds that the project would have no adverse effect to historic properties. The project would reduce traffic volumes and speeds, enhance pedestrian and cyclist access, and reduce through traffic in order to make the area more inviting for non-motorized traffic in a manner that hearkens back to the period when commercialization of the Spenard frontage began in the 1940s. There would be no indirect effects from the project to adjacent buildings and structures.

On July 15, 2022 the State Historic Preservation Officer (SHPO) concurred with a finding of No Historic Properties Adversely Affected.

Appendix D includes the Section 106 Initiation Letter (Appendix D1), the Section 106 Findings Letter with the Historic Resources Report (Appendix D2) and the SHPO concurrence letter (Appendix D3).

Attachments

- Appendix D2_Report.pdf CFHWY00604.pdf

E. Section 4(f)/6(f) Impacts

Yes No

1. Section 4(f) (23 CFR 774)

- a. Was detailed Section 4(f) resource identification conducted for this project, other than that required for Section 106 compliance? Yes No
- b. Does a Section 4(f) resource exist within or adjacent to the project area? Yes No
- c. Does an exception listed in 23 CFR 774.13 apply to this project? Yes No

- 23 CFR 774.13(a)(3)

Attachments

- Section 4(f) Exception CFHWY00604.pdf

- d. Does the project result in the “use” of a Section 4(f) property? Yes No

2. Section 6(f) (36 CFR 59)

- a. Does a Section 6(f) Land and Water Conservation Fund Act (LWCFA) resource exist within or adjacent to the project area? Yes No

Summary

Summarize Section 4(f)/6(f) involvement, if any.

The project area was researched to determine if any potential 4(f) resources, such as parks, were located within 500 feet of the project. None were identified.

There are four eligible historic properties in the project area (as discussed in Section E and Appendix D):

1. The Enstar building (3000 Spenard Road) (ANC-04638). DOT&PF determined this property to be eligible at the local level under Criteria A and C. Under Criterion A, the structure represents the apex of Modernist design intended to express that Anchorage had advanced in status; the scale and design of the building and its landscape elements contrast dramatically with the other buildings in the area. Under Criterion C, the design work is of a specific style, Modernist or Internationalist, designed intentionally by CCW&C to contrast to the surrounding architectural context using strong rectangular shapes of contrasting materials like anodized aluminum and tinted glass in earth tones with warm hues, elevated above the surrounding single-story CMU minimal Modern buildings. ANC-04638 contributes to a historic district. The historic property boundary is the footprint of the building, signage and landscaping. At its closest point, ROW is currently between approximately five to 50 feet from the historic boundary. Partial acquisition of

approximately 1,770 square feet of the parcel will result in DOT&PF ROW that is adjacent to, but not overlapping with, the historic boundary.

2.Arctic Circle Enterprises (3812 Spenard Road) (ANC-04622). . DOT&PF determined the building is eligible at the local level for listing under Criterion A and C. For Criterion A, the building symbolizes the growth and investment in the future of the pipeline boom as formerly residential lots along Spenard Road were combined to accommodate larger scale construction and off-street parking. Under Criterion C, the building represents the arrival of a blend of Modernist or international elements (e.g. window banding, roof line banding, minimalist aesthetic) with Post-Modern playfulness with form and materials (e.g. entry awnings, plan view of south wall, roof eave treatment). The historic boundary is the footprint of the building. ANC-04622 is not a contributing element to a historic district. At its closest point, ROW is currently between approximately 10 to 20 feet from the historic boundary along Spenard Road. Partial acquisition of approximately 45 square feet of the parcel will only move DOT&PF ROW approximately one foot closer to the historic boundary.

3.Center Bowl (3717 Minnesota Drive) (ANC-04594). DOT&PF has determined that it is eligible under Criterion A at the local level for Recreation/Entertainment during the Subdivision and Commercialization period, 1940 to 1968. The historic boundary is the footprint of the building. The building does not contribute to a historic district. At its closest point, ROW is currently between approximately 85 to 140 feet from the historic boundary along Spenard Road. Partial acquisition of approximately 640 square feet of the parcel will move DOT&PF ROW approximately three feet closer to the historic boundary.

ROW acquisition will not directly impact any eligible building or result in any changes to the architecture of the building. Additionally, the Section 106 consultation process determined that the proposed project would have no adverse effect to the aspects of integrity which make the 4(f) property significant. As a result there would be no Section 4(f) use.

4. Spenard Road. The width and lane configuration of Spenard Road would change as a result of the project, but the alignment of the roadway would not change significantly. The following exception to the requirement for Section 4(f) approval [23 CFR 774.13(a)(3)] applies to Spenard Road:

Maintenance, preservation, rehabilitation, operation, modernization, reconstruction, or replacement of historic transportation facilities, if the Administration concludes, as a result of the consultation under 36 CFR 800.5, that such work will not adversely affect the historic qualities of the facility that caused it to be on or eligible for the National Register.

Attached in Appendix H is Section 4(f) consultation with the DOT&PF NEPA Manager concerning the applicability of Section 4(f) and concurrence that the project would result in no Section 4(f) use.

The proposed project is not adjacent to any 6(f) properties or otherwise include any 6(f) properties.

Attachments

- Appendix H - SEO Section 4(f) Determination - CFHWY00604.pdf CFHWY00604.pdf

F. Contaminated Sites and Hazardous Materials Impacts

Yes No

1. Include source, link, and date accessed of databases used.

Alaska Department of Environmental Conservation (ADEC) Contaminated Sites and Leaking Underground Storage Tanks database, July 27, 2021

- | | | |
|--|-------------------------------------|-------------------------------------|
| 2. Are there known or potentially contaminated sites within or adjacent to the existing ROW? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Would a documented hazardous material site be acquired? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Are there contaminated sites within 1,500 feet of where excavation dewatering is anticipated? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Summary

Summarize the contaminated site impacts and mitigation, if any.

A search of the DEC Contaminated Sites Database yielded a total of 38 sites within 1,500 feet of project limits. All sites are shown on Figure 4. Of these sites, seven had associated Institutional Controls (ICs), which are implemented when contamination remains above established cleanup levels without an unacceptable risk to human health or the environment. With ICs, DEC is able to manage land use decisions and require a number of different conditions, such as notification requirements for certain actions and further remediation in the future. Sites with ICs may have use restrictions and possible monitoring requirements, and these may include soil or groundwater monitoring, groundwater use restrictions, air quality monitoring, maintenance of engineering controls like fencing or asphalt caps, and soil and groundwater removal restrictions.

There are seven active sites or sites with ICs immediately adjacent to, or within the project limits and five sites are located in areas where excavation (e.g., utility relocation) could extend into groundwater, listed below. All contaminated sites described below have contamination from petroleum and petroleum byproducts:

1. Tesoro - Olsen Gas Services Store #1 (Hazard ID 23592)

This site is a brownfield with diesel and benzene contamination from a leaking underground storage tank (LUST) in 1988 which created a plume that migrated off site. This site is also listed in the DEC LUST database.

2. Commercial Property - 3608 Spenard Road (Hazard ID 26484)

This plume associated with the Tesoro site contaminated groundwater of the adjacent property located at 3608 Spenard Road. According to the site history, remediation activity led to site closure in 2017. The plume extent is shown on Figure 4.

3. Texaco Service Station 63-057-0024 (Shell) (Hazard 242400)

According to the DEC website, a plume of contaminated groundwater is localized to the area below the building. Groundwater movement is interpreted to be on southwest gradient. The site is being evaluated for closure with ICs.

4. Chevron - #9014 (Hazard 23570)

The full extent of groundwater petroleum contamination at this site has not been defined; however the site description states that contamination extends off property to the west of Minnesota Drive and south across Spenard Road. Groundwater is approximately 11-12 feet below ground surface (bgs) and flows to the southwest.

5. Holiday Station Store #630/Williams Express Store #5030 (Hazard 23316)

Multiple, but relatively minor release events of petroleum occurred between 1999 and 2010 and contamination is no longer detected in soil or groundwater. However, contamination from the Chevron station (Hazard 23316) has migrated off site onto the northwestern portion of the Holiday station.

Groundwater in the project area ranges from 10 to 14 feet bgs while utility excavation work would be between 6 to 10 feet bgs (Northern Geotechnical Engineering Inc., 2020). A dewatering permit from DEC would be obtained prior to beginning construction activities.

If contaminated or hazardous materials are encountered during construction, all work in the vicinity of the contamination would be stopped and DEC will be consulted for guidance on how to proceed. Any contaminated material would be tested, handled, and if necessary, disposed of in accordance with DEC-approved procedures. DOT&PF would follow the procedures outlined in Technical Memorandum (dated April 2017) for Managing Petroleum-Contaminated Soil, Water, and Free Products during Public Utility and Right-of-Way Construction and Maintenance Projects. See Appendix F, Contaminated Sites for hazardous waste consultation documentation with DEC.

Attachments

- Appendix F Contaminated Sites.pdf CFHWY00604.pdf

G. Floodplain Impacts (23 CFR 650, Subpart A)

Yes No

1. Does the project encroach into a mapped base floodplain or a potential unmapped base floodplain?

G. Floodplain Impacts (23 CFR 650, Subpart A)

Yes No

- 2. Does the project conform to local flood hazard requirements?
- 3. Is the project consistent with E.O. 11988 (Floodplain Protection)?

Summary

Summarize floodplain impacts and describe any temporary encroachment(s) and functionally dependent use(s).

There are no floodplains located within the proposed project limits.

H. Wetland and Waterbody Impacts

Yes No

- 1. Would the project affect wetlands or other Waters of the U.S. (WOTUS), as defined by the U.S. Army Corps of Engineers (USACE) (Section 404).
- 2. Is a USACE authorization anticipated?
- 3. Will the project involve navigable waters as defined by the U.S. Coast Guard (USCG) (Section 9)?
- 4. Will the project affect a designated Wild and Scenic River or land adjacent to a Wild and Scenic River, including those on the Nationwide Rivers Inventory?

a. Estimated fill quantities below:

Summary

Summarize wetland and waterbody impacts and mitigation, if any.

A pedestrian survey was conducted to determine if wetland resources are present in the project area (Appendix E, Wetlands and Bald Eagle Memo). The project area consists of an urban streetscape, paved parking lots and business and residential structures. A small stormwater retention feature at the corner of 36th Avenue and Spenard Road constructed within the last 5 years is the only location where water is impounded. Retention or infiltration basins or detention ponds constructed in uplands are considered non-jurisdictional waters under the Clean Water Act. No wetlands were identified in the project area.

Attachments

- Appendix E Spenard_Bald Eagle and Wetland Memo.pdf CFHWY00604.pdf

I. Fish and Wildlife Impacts

Yes No

- 1. Anadromous and resident fish habitat.
 - a. Include source, link, and date accessed of databases used.

ADF&G Anadromous Waters Catalog, June 9, 2021
 - b. Is anadromous or resident fish habitat present in project area (Title 16.05.841 and 16.05.871)?

2. Essential Fish Habitat (EFH).

I. Fish and Wildlife Impacts

Yes No

a. Include source, link, and date accessed of databases used.

National Oceanic and Atmospheric Administration EFHA Mapper, June 9, 2021

b. Is EFH present in project area?

3. Threatened and Endangered (T&E) Species

a. Include source, link, and date accessed of databases used.

Section 7 Consultations in Anchorage and the Matanuska-Susitna Area Letter from the U.S. Fish and Wildlife Service, Anchorage Fish and Wildlife Field Office (AFWFO), November 1, 2012

b. Are listed threatened or endangered species present in the project area?

4. Marine Mammals.

a. Is the project located in the marine environment?

5. Wildlife Resources:

a. Is the project in an area of high wildlife/vehicle accidents?

b. Would the project bisect migration corridors?

c. Would the project segment habitat?

6. Bald and Golden Eagle Protection Act.

a. Include source, link, and date accessed of databases used.

Nest Survey, October 16, 2020, and April 13, 2021 (See Appendix E).

b. Is the project visible from an eagle nesting tree?

c. Is the project within 330 feet of an eagle nesting tree?

d. Is the project within 660 feet of an eagle nesting tree?

e. Will the project require blasting or other activities that produce extreme loud noises within 1/2 a mile from an active nest?

f. Is an eagle permit required?

7. Is the project consistent with the Migratory Bird Treaty Act?

Summary

Summarize fish and wildlife impacts and mitigation, if any.

Anadromous and Resident Fish and EFH: The ADF&G online Anadromous Fish Distribution Database, National Marine Fisheries Services EFH Viewer, and the NMFS Alaska Regional Office Nearshore Fish Atlas of Alaska database were reviewed on June 9, 2021 to identify anadromous streams and EFH in the proposed project area.

Fish Creek is not anadromous in the project area and no EFH is located in the project area. The proposed project would not involve work below ordinary high water or instream work. Measures to protect water quality during construction are listed in Part P (Construction Impacts) and Section V (Environmental Commitments and Mitigation Measures).

Wildlife: The proposed project would not result in the loss of any terrestrial wildlife habitat. The proposed project would not further bisect migration corridors or segment habitat from the existing conditions. No adverse impacts to wildlife or wildlife habitat are expected to occur as a result of the proposed project.

Bald and Golden Eagles and Migratory Birds: A pedestrian survey for active Bald Eagle nests was completed (Appendix E, Wetlands and Bald Eagle Memo). No eagle nests were detected within 660 ft. of the project. No adverse impacts to Bald/Golden eagles, their habitat, or nesting areas as a result of the proposed project are anticipated. No permanent impacts to migratory birds are anticipated because vegetation and tree clearing would be minor and largely limited to ornamental plants. All such activities would follow USFWS clearing guidelines. An additional survey of the area may be conducted prior to construction to confirm the absence of active eagle nests.

Attachments

- Appendix E Spenard_Bald Eagle and Wetland Memo.pdf CFHWY00604.pdf CFHWY00604.pdf
- USFWS Section 7 Consultations_Anchorage.MSB_Nov.2012.pdf CFHWY00604.pdf

J. Invasive Species Impacts

Yes No

1. Include source, link, and date accessed of databases used.

University of Alaska Anchorage Alaska Exotic Plants Information Clearinghouse Invasive Plants Mapper on July 27, 2021

2. Are invasive species present in project area?

3. Does the project include all practicable measures to minimize the introduction or spread of invasive species, making the project consistent with E.O. 13112 (Invasive Species)?

Summary

Summarize invasive species impacts and mitigation, if any.

One invasive species was identified within the proposed project area. To minimize the risk of introducing or spreading invasive species, the DOT&PF would comply with all federal, state, and local laws and regulations regarding invasive species during construction of the proposed project. Erosion control materials made from straw or hay would be weed free or employ locally produced products to minimize potential importation of new weed propagules from outside Alaska. All disturbed areas would be reseeded with weed-free seed and vegetated with native species in accordance with the Alaska Department of Natural Resources (ADNR) revegetation manual. All construction equipment would be inspected and cleaned prior to entering and exiting the construction site to minimize the spread of vegetative materials. Additionally, ground disturbance would be kept to a minimum and certified weed-free seed would be used if native vegetation is needed after construction. Due to the limited nature of the scope, the proposed project is anticipated to have minimal effect on the spread of invasive species.

K. Water Quality Impacts

Yes No

- 1. Will there be temporary degradation of water quality? Yes No
- 2. Is a public or private drinking water source or protection area within or adjacent to the project? Yes No
- 3. Would the project result in a discharge of storm water to a WOTUS? [40 CFR 230.3(o)] Yes No
- 4. Would the project discharge storm water into or affect an ADEC-designated Impaired Waterbody? Yes No

a. List name(s), location(s), and pollutant(s) causing impairment:

Fish Creek is a DEC designated impaired waterbody for non-attainment of the by fecal coliform bacteria standard and has an established total maximum daily load (TMDL).

- 5. Will the project involve more than one (1) acre of ground-disturbing activities? Yes No
- 6. Is there a Municipal Separate Storm Sewer System (MS4) APDES permit, or will runoff be mixed with discharges from an APDES permitted industrial facility? Yes No

a. List APDES permit number and type:

MS4: AKS-052558

Summary

Summarize the water quality impacts and mitigation, if any.

No long-term adverse impacts to water quality are expected to occur as a result of the proposed project. No wetlands, streams, lakes, rivers, or other receiving waters are present within the project area.

The proposed project would result in a minor increase of impervious surface area, but would not substantially change the runoff coefficient. Impacts to the Fish Creek TMDL are not anticipated as road runoff is not generally a source of fecal coliform bacteria.

No long-term adverse impacts to water quality are expected to occur as a result of the proposed project. As a receiving waterbody, Fish Creek may receive minor amounts of construction related storm water but would otherwise be unaffected by the project due to the minimal increase in impervious area.

The proposed project includes temporary and permanent measures to control or prevent erosion and sedimentation during and after construction and adverse water quality impacts would not occur. Temporary water quality impacts related to construction are discussed in Section P (Construction Impacts). Additionally, a DEC dewatering permit will be obtained to minimize the potential for groundwater contamination associated with excavated activities.

Stormwater within the project's road corridor is collected by the MS4 (Permit AKS-02558), which ultimately discharges to Fish Creek, an impaired waterbody. DOT&PF is subject to conditions set forth in the MS4 permit.

L. Air Quality Impacts

Yes No

- 1. Will there be temporary degradation of air quality? Yes No
- 2. Is the project located in an air quality maintenance area or nonattainment area (CO or PM-10 or PM-2.5)? Yes No

- CO

<u>L. Air Quality Impacts</u>	Yes	No
3. Is the project exempt from an air quality analysis per 40 CFR 93.126 (Table 2 and Exempt Projects)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Is the project included in a conforming Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Date of FHWA/FTA conformity determination:		
10/25/2019		
5. Has there been a significant change in the scope or the design concept as described in the most recent conforming TIP and LRTP?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Was a project-level analysis (identify below) completed meeting the requirements of Section 93.123 of the conformity rule? The results satisfy the requirements of Section 93.116.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Summary

Summarize air quality impacts and mitigation, if any.

Anchorage was first declared a nonattainment area for carbon monoxide (CO) in 1978. As Anchorage has not violated the National Ambient Air Quality Standard for CO since 1996, the EPA approved Anchorage's attainment plan and Anchorage officially became a Carbon Monoxide Maintenance Area in 2002.

This project meets the definition of a road diet project. A typical road diet project involves converting an existing four-lane undivided roadway segment to a three-lane segment consisting of two through lanes and a center two-way left turn lane. The reclaimed space is often allocated for other uses, such as turn lanes, bus lanes, pedestrian refuge islands, bike lanes, and sidewalks. As a road diet project, the project is considered exempt from both regional and project-level air quality conformity per 40 CFR 93.12 56, Table 2 as a project that corrects, improves, or eliminates a hazard location or feature. By definition road diet projects are done for safety purposes. FHWA and EPA have agreed with this interpretation and exemption designation through a clarification on exempt project determinations. In January 2012, FHWA designated road diets as a proven safety countermeasure and a safety-focused design alternative. FHWA indicates that road diets studies showed a crash reduction of 19 to 47 percent (FHWA 2017).

Temporary air quality impacts during construction are discussed in Part P (Construction Impacts).

<u>M. Noise Impacts (23 CFR 772)</u>	Yes	No
1. Will there be temporary noise impacts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the project involve any of the following Type I project actions listed below (23 CFR 772.5)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Summary

Summarize noise impacts and mitigation, if any.

The proposed project would not result in a permanent change in traffic patterns, volume, or any other factor that would cause a substantial change or increase in traffic noise along the project corridor. Permanent noise impacts associated with the proposed project are not expected to occur. Refer to Part P for discussion of construction related noise impacts.

<u>N. Social and Economic Impacts</u>	Yes	No
1. Would the project affect neighborhoods or community cohesion?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<u>N. Social and Economic Impacts</u>	Yes	No
2. Would the project affect school boundaries, recreation areas, churches, businesses, police and fire protection, etc.?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Would the project affect the elderly, handicapped, non-drivers, transit-dependent, minority and ethnic groups, or the economically disadvantaged?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Would the project affect travel patterns and accessibility (e.g., vehicular, commuter, bicycle, or pedestrian)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Would the project include temporary delays and detours of traffic?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The project will have adverse economic impacts on the regional and/or local economy, such as effects on development, tax revenues and public expenditures, employment opportunities, accessibility, and retail sales.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. The project will adversely affect established businesses or business districts.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Would the project have temporary impacts on businesses?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Summary

Summarize social and economic impacts and mitigation, if any.

Currently, limited ROW provides little room for adjacent driveways, parking lots, and transit facilities, and inconsistent bicycle and pedestrian facilities create safety issues for all travel modes. Transportation improvements can affect the social environment both positively and negatively by altering economic development patterns or changing land use. Neighborhood and community cohesion and accessibility would be improved by the project's revised travel patterns and the addition of consistent non-motorized facilities and upgrades to pedestrian and curb ramps that would comply with ADA standards. Adverse social and cultural impacts are not anticipated for the proposed project. There are no unresolved issues from any federally-recognized Indian tribe (as defined by 36 CFR 800.16(m)). Vehicle and pedestrian traffic may be temporarily impacted by minor delays during construction.

The proposed project would not result in any adverse economic impacts. Improving the roadway's safety and efficiency would provide long-term economic benefits to the area. Curb and roadway improvements would make it safer and easier to access businesses. The proposed project would not permanently change access patterns or bisect any established business districts. Although the project would relocate two businesses, there is no anticipated impact to property tax revenues as impacted businesses will move but not be removed. Traffic and pedestrian access would be maintained during construction. Refer to Part P (Construction Impacts) for a discussion of construction related traffic impacts.

III. Comments and Coordination

<u>A. Public Involvement</u>	Yes	No
1. Was public involvement for project completed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Was the project public noticed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Newspaper name and date of notice:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

December 2, 2020 (affidavit in Appendix G1a)

Attachments

- Appendix G1a Public Notices.pdf CFHWY00604.pdf CFHWY00604.pdf

A. Public Involvement

Yes **No**

b. Alaska Online Public Notice date:

December 3, 2020 (in Appendix G1b)

Attachments

- Appendix G1b Public Notices.pdf CFHWY00604.pdf CFHWY00604.pdf

c. Were public notices completed for specific resource impacts (e.g., floodplain, Section 4(f))?

3. Was a public meeting held?

a. Date(s), time(s), and location(s):

Spenard Community Council (11/4/2020); Anchorage Transportation Fair (11/18/2020); Spenard Community Council (1/6/2021); Project Open House (1/28/2021); MOA Planning & Zoning Commission Informational Meeting (2/1/2021); Spenard Community Council Transportation Working Group (2/24/2021); AMATS Bike and Pedestrian Advisory Committee (3/2/2021); AMATS Technical Advisory Committee Project (4/8/2021); AMATS Policy Committee (4/22/2021); Stakeholder Site Walk (5/18/2021)

4. Is there any unresolved controversy on human, natural, or economic grounds?

Summary

Summarize public comments and coordination efforts for this project. Discuss pertinent issues raised.

The Project has been presented and discussed at several public meetings and public events and meeting notes for each is included in Appendix G2 (Public Meeting Summaries). Stakeholder outreach indicates people are concerned about inadequate bicycle, pedestrian, transit, and ADA compliant infrastructure and the potential for ROW impacts to property owners.

A brief summary of public outreach meetings are summarized below.

1. Spenard Community Council (11/4/2020). The project team presented the proposed project to the Spenard Community Council virtual meeting.
2. Anchorage Transportation Fair (11/18/2020). The project team presented the proposed project to the 2021 Virtual Anchorage Transportation Fair. The project was also presented on a dedicated webpage during the online platform where the public could ask questions and make comments on the project. During the 3-hour-long event, the project's webpage received 45 views and two people left comments/questions.
3. Spenard Community Council (1/6/2021). The project team presented the proposed project to the Spenard Community Council and Council members asked questions and made comments.
4. Project Open House (1/28/2021). The project open house was a virtual event (i.e., Zoom meeting) and had 39 participants, including the project team. The project team presented the proposed project and then took questions and comments from participants. Questions received during the open house event were incorporated into a Frequently Asked Questions document that was posted to the project's website.
5. MOA Planning and Zoning Commission Informational Meeting (2/1/2021). The project team gave an informal presentation to the MOA Planning and Zoning Commission via Zoom. The DOT&PF project manager gave a presentation regarding the project's history, existing conditions, stakeholder concerns, in favor of the three-lane alternative, and funding.
6. Spenard Community Council Transportation Working Group (2/24/2021). The project team gave a presentation to the Spenard Community Council Transportation Working Group. Representatives from three projects (AMATS Non-Motorized Plan; AMATS: Spenard Road Rehabilitation Minnesota Drive to Benson Boulevard); and Chugach Way Area Transportation Elements Report) gave high-level overviews of their projects.
7. AMATS Bike and Pedestrian Advisory Committee (3/2/2021). The project team gave a presentation to the committee and committee members asked questions.
8. AMATS Technical Advisory Committee Project (4/8/2021). The project team gave a presentation to the committee and discussed AMATS TIP Amendment #2, challenges in improving pedestrian facilities without requiring a full ROW acquisition.
9. AMATS Policy Committee (4/22/2021). DOT&PF Project Manager gave a project update presentation, including a history of previous phases of work, existing conditions, and a description of the three alternatives under consideration. Also summarized were the challenges recently identified with the receiving lanes at the Spenard Road/Minnesota Drive intersection as the project description currently included in the TIP precludes the team from considering alternatives that propose changes to the intersection.
10. Stakeholder Site Walk (5/18/2021). Stakeholders were invited to walk or bicycle the project corridor and take five independent, short surveys either online via SurveyMonkey.com using a smart phone or on paper. Members of the project team staffed each of five stations at which participants were prompted with survey questions; participants were also able to ask questions of team members at the five stations. Links to the online surveys and a printable version of the survey were available on the project website. Survey responses were collected until June 21, 2021.

Attachments

- Appendix G2 Public meetings.pdf CFHWY00604.pdf

B. Agency Involvement

Yes No

- 1. Was an agency scoping conducted?
- 2. Was an agency scoping meeting held?
- 3. Was a field review completed with agencies?

Summary

Summarize agency coordination efforts for this project.

Agency scoping was not conducted.

IV. Permits and Authorizations

A. Permits and Authorizations

Yes No

- 1. USACE, Section 404/10 Includes Abbreviated Permit Process, Nationwide Permit, and General Permit
- 2. Coast Guard, Section 9
- 3. ADF&G Fish Habitat Permit (Title 16.05.871 and Title 16.05.841)
- 4. Flood Hazard
- 5. ADEC Non-domestic Wastewater Plan Approval
- 6. Requires 401 Cert
- 7. ADEC APDES
- 8. Eagle Permit
- 9. Incidental Take Authorization
- 10. Local (Borough or City) permit (e.g., noise)
- 10. Other Permits

A DEC Dewatering Permit will be obtained prior to work.

Summary

An ADEC APDES and DEC Dewatering Permit will be obtained prior to work.

V. Environmental Commitments

A. Environmental Commitments and Mitigation Measures [23 CFR 771.109(b)]

Yes No

1. Are there project-specific environmental commitments for this project?

Summary

DOT&PF and their Contractor(s) shall:

There are no project-specific environmental commitments for this project.

VI. Environmental Documentation Approval

A. Environmental Documentation Approval

Yes No

1. Do any unusual circumstances exist, as described in 23 CFR 771.117(b)?

2. Does the project meet the criteria of one of the following DOT&PF Programmatic Approvals authorized in the Nov. 13, 2017 "Chief Engineer Directive - Programmatic Categorical Exclusions"?

Summary

This CE is approved by a NEPA Program Manager

Environmental Documentation Approval Signatures

Prepared by:



Date: 7/21/2022

Emily Creely

DOWL Consultant Sponsor: by Brian Elliott for NEPABPM

Reviewed by:




Date: 7/21/2022

Alex Read

Project Manager

Approved by:



Date: 8/1/2022

Brian Elliott

Central Region Environmental Manager

Recommended by:



Date: 8/5/2022

Matthew Dietrick

NEPA Manager