

# ***RECORD OF DECISION***

SEPTEMBER 2009



## **SITKA ROCKY GUTIERREZ AIRPORT SITKA, ALASKA AVIATION SAFETY ENHANCEMENTS**

SITKA



**Department of Transportation  
Federal Aviation Administration**

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## **Summary**

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This Record of Decision provides final determinations and approvals by the Federal Aviation Administration (FAA) for federal actions needed to enhance aviation safety and protect current and future aviation uses at Sitka Rocky Gutierrez Airport, Sitka, Alaska.

Included within the Record of Decision are descriptions of the six projects proposed by the Airport Sponsor (the Alaska Department of Transportation and Public Facilities) and the documented need for each project, alternatives to the proposed actions, environmental impacts associated with the actions and alternatives, and mitigation measures required to avoid or minimize environmental harm. This Record of Decision also discloses the federal, state, and local actions needed before each of the projects may be implemented and provides findings, certifications, and determinations concerning resources of special concern. Conditions of approval that must be met by the Alaska Department of Transportation and Public Facilities are listed. The Record of Decision identifies the FAA's preferred and environmentally preferred alternatives as well as alternatives selected by the FAA for implementation. This Record of Decision explains the authorization that must be granted by the Department of Interior's Bureau of Land Management to convey federal lands to the state of Alaska for aviation and airport uses.

The FAA is responsible for the preparation and content of the Draft Environmental Impact Statement (DEIS) and Final Environmental Impact Statement (FEIS), published in August 2008 and May 2009, respectively and this Record of Decision.<sup>1</sup> In developing the FEIS, the FAA relied on certain information provided by outside sources as authorized by Council on Environmental Quality Regulations on Implementing the National Environmental Policy Act Procedures (see 40 C.F.R. § 1506.5). The FAA is responsible for reviewing and independently verifying the accuracy of any information provided by outside entities including the Alaska Department of Transportation and Public Facilities and cooperating agencies. In keeping with its oversight responsibility as the lead federal agency for the EIS, the FAA consistently exercised control over the scope, content, and development of the FEIS. The FAA selected a third-party contractor to assist with information verification and preparation of the FEIS.

During the project scoping process, a website was established to help provide the public and interested parties with information concerning the progress and status of the EIS. The website also includes maps and documents prepared for the project, including the Draft and Final EISs, wildlife survey reports, geotechnical engineering studies, progress reports, and many others (see <http://sitkaeis.com/>). Once signed, this Record of Decision will be posted on the EIS website. This Record of Decision will also be available on-line at the FAA's electronic Record of Decision repository (see [http://www.faa.gov/airports/environmental/records\\_decision/](http://www.faa.gov/airports/environmental/records_decision/)).

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<sup>1</sup> Announcement of FEIS publication was provided in Federal Register Volume 74, #97 dated May 21, 2009. See pgs. 23929-23930.

***Sitka Rocky Gutierrez Airport  
Record of Decision***

The FAA is responsible for the accuracy of all information within the EIS and this Record of Decision. For more information concerning the contents of this Record of Decision or the FEIS, please contact:

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## **TABLE OF CONTENTS**

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### **SUMMARY**

<b>1.0 INTRODUCTION</b>	<b>1</b>
1.1 Projects Funding	3
1.2 Public and Agency Outreach	3
1.3 Statutory Compliance	4
<b>2.0 NEED FOR ACTION</b>	<b>5</b>
2.1 Location and Project Setting	5
2.2 Sitka Rocky Gutierrez Airport	7
2.3 Need for Action	10
<b>3.0 PROPOSED ACTIONS AND ALTERNATIVES</b>	<b>17</b>
3.1 Runway Safety Area Alternatives	18
3.2 Parallel Taxiway Alternatives	22
3.3 Seaplane Pullout Alternatives	24
3.4 Approach Lighting System Alternatives	25
3.5 Alternatives to Make Repairs and Improvements to the Seawall	27
3.6 Land Transfer Alternatives	27
<b>4.0 PREFERRED ALTERNATIVES</b>	<b>31</b>
4.1 FAA Preferred Alternatives	31
4.2 Environmentally Preferred Alternatives	40
<b>5.0 SELECTED ALTERNATIVES</b>	<b>43</b>
<b>6.0 SUMMARY OF MITIGATION MEASURES</b>	<b>53</b>
6.1 Mitigation Measures to Avoid Environmental Impacts	53
6.2 Mitigation Measures to Reduce or Minimize Environmental Impacts	55
6.3 Construction Best Management Practices	58
6.4 Additional Conditions of Approval to Minimize Harm	59
6.5 Conceptual Planning for Compensatory Mitigation	59
6.6 Mitigation Authorization, Monitoring and Enforcement	60
<b>7.0 NECESSARY FEDERAL, STATE AND LOCAL ACTIONS</b>	<b>63</b>

**Sitka Rocky Gutierrez Airport  
Record of Decision**

<b>8.0 FINDINGS, DETERMINATIONS, AND CERTIFICATIONS</b>	<b>67</b>
8.1 Compliance with Laws, Regulations, and Executive Orders	67
8.2 FAA Determinations Under Provisions of the Airport and Airways Improvement Act (49 U.S.C. Sections 47106 and 47107)	70
8.3 Tribal Consultation	72
8.4 Runway Safety Area Practicability Determination	73
8.5 Other Sponsor-Initiated Actions	74
<b>9.0 DECISION AND ORDER</b>	<b>75</b>

**APPENDIX A: AGENCY CONCURRENCE LETTERS**

**APPENDIX B: COMMENTS ON THE FINAL EIS**

**FIGURES**

<b>1 – Airport Location/Vicinity Map</b>	<b>6</b>
<b>2 – Federal Jurisdictions</b>	<b>8</b>
<b>3 – Proposed Project Locations</b>	<b>11</b>
<b>4 – Alternative 5: Declared Distances Concept with 280-foot Landmass Expansion on Runway 29 and Pavement Extension</b>	<b>33</b>
<b>5 – Runway Safety Area Alternative 5: Fill Related to Outfall and ZID Location</b>	<b>35</b>
<b>6 – Taxiway Project Alternative 3</b>	<b>37</b>
<b>7 – Seaplane Pullout Project Alternatives</b>	<b>38</b>

**TABLES**

<b>1 – Environmental Impact Summary – Selected Alternatives</b>	<b>45</b>
<b>2 – Local, State, and Federal Actions and Approvals for Sitka Airport Projects Implementation</b>	<b>64</b>

## **1.0 Introduction**

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This Record of Decision provides final determinations and approvals by the Federal Aviation Administration (FAA) for federal actions needed to enhance safety features and protect current and future aviation uses at Sitka Rocky Gutierrez Airport, Sitka, Alaska. The federal actions identified in Section 7.0 of this Record of Decision, and other applicable state and local actions, are necessary to support the following projects.

- The FAA's selected alternative to meet runway safety area (RSA) standards to the extent practicable is to expand the RSA by constructing a 280-foot landmass extension to Runway end 29, paving an additional 200 feet of runway on existing land beyond the Runway end 11 threshold, paving an additional 500 feet of runway beyond the existing Runway end 29 threshold, and repositioning the Runway end 29 landing threshold approximately 320 feet to the southeast. Declared distances criteria will be implemented to increase the available takeoff lengths for departures on both runways. The RSA overrun on Runway 11 will be lengthened to 520 feet, while the RSA overrun on Runway 29 will be lengthened to 540 feet. Undershoot protection will be maintained at 220 feet on Runway 11 and decrease approximately 40 feet, to 200 feet, on Runway 29. Lateral safety area and landing distance available will remain unchanged on both runways. The FAA's selected alternative for this action is RSA Alternative 5.
- Taxiway Alternative 3 is the FAA's selected alternative to reduce the potential for runway incursions, thereby improving the safety and efficiency of aircraft operations. The existing parallel taxiway will be extended through the Airport Lagoon approximately 2,330 feet from the midpoint of the runway to Charcoal Island. The taxiway extension will be 75 feet wide, with a 118-foot-wide taxiway safety area, and run parallel to and 400-feet from the Runway 11/29 centerline. A connector taxiway will be constructed from the runway to the taxiway extension at Charcoal Island.
- The FAA's selected alternative for the seaplane pullout relocation is Alternative 2. This action will reduce the potential for runway incursions by relocating the seaplane pullout from the causeway to the southeast side of Charcoal Island. This action will eliminate the need for Airport staff to provide escorts to vehicles accessing the seaplane pullout and moving aircraft to and from the pullout. The fixed seaplane pullout ramp will be 30 to 40 feet long and constructed to FAA design standards, with a ramp slope between 6:1 and 10:1 and a submerged depth of four feet at the toe.
- The Airport Sponsor, the Alaska Department of Transportation and Public Facilities (ADOT&PF), does not own or otherwise have sufficient property rights to protect lands for current and future aviation and airport uses. The FAA's selected Land Transfer Alternative 2 will approve transfer of property rights to the State of Alaska from the Federal Government for portions of the federal lands that have been identified by the ADOT&PF as being necessary for existing and future aviation and airport uses.

## **Sitka Rocky Gutierrez Airport Record of Decision**

- The Bureau of Land Management (BLM) will authorize by a separate Record of Decision, title conveyance to Alaska of those federal lands approved in this Record of Decision that are currently above the mean high tide, the Airport Lagoon, and those lands that will be above the mean high tide once fill has been placed for RSA and taxiway expansions, and new seaplane pullout construction. In addition, the BLM's Record of Decision will approve a long-term authorization for such lands below the mean high tide in the vicinity of the Airport as are necessary to provide the ADOT&PF with sufficient property interest to maintain object-free areas, runway protection zones, and other operational and safety areas required by the FAA.

Not all of the needs identified in Section 1.3 of the Final Environmental Impact Statement (FEIS) and Section 2.0 of this Record of Decision will be satisfied by the FAA's selected alternatives. No federal funding would be available or authorizations granted for the following decisions approving no action alternatives.<sup>2</sup>

- The FAA and the ADOT&PF have determined that, at this time, there would not be a sufficient navigational improvement or material change in the approach minimums to justify the cost, difficult construction, and maintenance challenges associated with installation of an approach lighting system (ALS) at the Airport. As a consequence, the FAA's selected alternative to improve the ability of aircraft to land and takeoff during inclement weather conditions is the ALS Alternative 1, the no action alternative.
- The FAA has also selected a no action alternative to maintain structural integrity of the runway and prevent periodic closure of the runway resulting from wave overtopping and associated storm debris. Based upon an analysis by the ADOT&PF using the information generated during preparation of the EIS, the FAA finds no substantial evidence that the Airport seawall is failing. It is believed that the seawall is therefore not presently in need of improvement to maintain structural stability. Seawall Alternative 1, the no action alternative and the FAA's selected alternative will result in no changes to the seawall or the Airport operations.

The ADOT&PF's proposed actions to meet the defined needs are summarized along with the FAA-developed alternatives in Section 3.0 of this Record of Decision. A full description of the preferred alternatives may be found in Section 4.0. The environmentally preferred alternatives are also identified in Section 4.0. As is described in Section 5.0, the FAA has selected the preferred alternatives for implementation at Sitka Rocky Gutierrez Airport.

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<sup>2</sup> Regulations at 40 C.F.R. § 1502.14(d) require analysis of the "no action" alternative. As explained in Council on Environmental Quality "Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations," Question 3. 1981, the no action alternatives evaluated in the Sitka Airport EIS mean the proposed actions (such as installation of an approach lighting system, or reconstruction of the runway seawall) would not take place.



## **1.1 Projects Funding**

The FAA understands that the ADOT&PF will apply for federal grant-in-aid funding from the FAA's Airport Improvement Program. There are numerous findings and determinations prescribed by statute and regulation that must be made by the FAA as preconditions to agency approvals of airport project funding applications. This Record of Decision includes the environmental determinations necessary to establish eligibility for approval of grants for federal funding, and it provides the basis to proceed with those findings and determinations. However, this Record of Decision neither grants federal funding nor constitutes a funding commitment. The FAA will review funding requests upon submission by the ADOT&PF of a timely grant-in-aid application, and the FAA will make funding decisions in accordance with statutory and regulatory requirements.

## **1.2 Public and Agency Outreach**

This Record of Decision completes the environmental decision-making process undertaken by the FAA with the assistance of the ADOT&PF and cooperation of federal and state agencies and Alaska native tribes. The U.S. Army Corps of Engineers (USACE), the National Marine Fisheries Service (NMFS), and the BLM participated as Council on Environmental Quality (CEQ)-defined "cooperating agencies" (40 C.F.R. § 1501.6). The BLM has used the FAA's environmental analysis and NEPA-conformance process, including public and stakeholder involvement, to make independent federal decisions concerning the need for conveyance of federal lands to Alaska for existing and future aviation and airport uses. Other agencies, particularly the U.S. Environmental Protection Agency, Alaska Departments of Natural Resources, and Fish and Game, as well as local city and borough agencies and officials, worked closely with the FAA. The Sitka Tribe of Alaska also participated through a Memorandum of Agreement with the FAA Alaskan Region.<sup>3</sup>

Agencies, public interest groups, citizens, and the ADOT&PF provided comment on project needs, possible alternatives, resources affected, mitigation, and other subjects throughout the course of the EIS. The FAA provided numerous opportunities for public involvement, including during the following milestones:

- 2002 – Notice of Intent published announcing plan to prepare an EIS
- 2002 through 2003 – Focus group meetings conducted in Sitka
- 2004 – Project scoping, including public and focus group meetings
- 2007 – Project open house and stakeholder meetings concerning alternatives
- 2008 – DEIS published, with informational meetings and a public hearing in Sitka

The DEIS was released on August 22, 2008 for public and agency review and comment until October 14, 2008. The DEIS was sent to interested parties, in addition to being available at several public locations in Sitka and on the project website. A public

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<sup>3</sup> Federal Aviation Administration. 2004. Memorandum of Agreement between Federal Aviation Administration, Alaskan Region and the Sitka Tribe of Alaska for the Rocky Gutierrez Airport Environmental Impact Statement. October 27.

## **Sitka Rocky Gutierrez Airport Record of Decision**

information meeting and hearing on the DEIS was conducted October 2, 2008. Notice of availability of the DEIS and FEIS were mailed to each household in the City of Sitka, published in local and regional newspapers, and published in the Federal Register.

More information on the FAA's public involvement activities is provided in Appendix 13 to the FEIS. Agency letters reflecting concurrence with the FAA's findings are provided in Appendix A to this Record of Decision. Public and agency comments on the FEIS are included as Appendix B herein.

### **1.3 Statutory Compliance**

The FAA has conducted a thorough and careful environmental analysis of the projects and alternatives. Impacts arising from these actions are disclosed in the FEIS. The FAA's Alaskan Region Airports Division Manager has reviewed the FEIS and administrative record in support of the decisions documented in this Record of Decision.

The FAA is responsible for the preparation and content of the FEIS and this Record of Decision in compliance with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. Sections 4321 et seq.), Council on Environmental Quality regulations implementing NEPA (40 C.F.R. Parts 1500-1508), and guidance contained in FAA Orders 1050.1E and 5050.4B. This Record of Decision is also used to demonstrate and document FAA compliance with procedural and substantive requirements as well as related environmental and programmatic statutes and regulations that apply to FAA decisions on airport projects. The FAA arrived at these determinations and approvals documented in this Record of Decision by reviewing the environmental analysis in the FEIS and all other information that comprise the administrative record for the EIS.

The FAA is responsible for reviewing and verifying the accuracy of any environmental information provided by outside entities. In keeping with its oversight responsibility, the FAA has consistently exercised control over the scope, content and development of the EIS. FAA selected a third party Contractor (Contractor) to assist in the preparation of the EIS and this Record of Decision. The FAA used its own resources, as well as the resources of the Contractor, to independently evaluate any environmental information and other submissions provided by cooperating agencies or other entities. In addition, the FAA and the Contractor used environmental information submitted by the ADOT&PF for development of the EIS only as permitted under 40 C.F.R. § 1506.5(a). The FAA and the Contractor independently reviewed environmental information provided by ADOT&PF for accuracy and completeness. The FAA believes that its degree of supervision exercised over the Contractor, and its involvement in the preparation and review of the EIS and this Record of Decision, is consistent with CEQ regulations and its own Orders and fully demonstrates the integrity and objectivity of the EIS and this Record of Decision.

## **2.0 Need for Action**

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This section provides background context on Sitka and the surrounding area, and a summary of facilities and operations at the Airport. Following this introductory information, the needs for the actions evaluated in the FEIS and considered in this Record of Decision are presented.

### **2.1 Location and Project Setting**

The City of Sitka, Alaska is located on the west coast of Baranof Island in southeast Alaska's Alexander Archipelago and on the outer coast of Alaska's Inside Passage. The City and Borough of Sitka comprises a unified city-borough with a co-located government. The bays, islands and waters of Sitka Sound surround the city and its approximately 9,000 residents. The city is located 95 statute miles southwest of Juneau, Alaska's capital, and approximately 590 statute miles southeast of Anchorage and 855 statute miles northwest of Seattle, Washington. Sitka Rocky Gutierrez Airport is located on Japonski Island approximately 1.5 statute miles southwest of Sitka's central business district (see Figure 1).

Sitka is best known for the variety and abundance of seafood harvested in the surrounding waters. However, the local economy is diversified with healthcare, education, government support, and tourism. Sitka's island location, back-dropped by the snowcapped peaks of the Tongass National Forest, provides a setting for recreational activities including wildlife viewing, historical site visitation, kayaking, biking, hiking, fishing and hunting. Unlike many areas of Alaska, the winter climate of Sitka is relatively mild, similar to Seattle or Portland, with winter temperatures averaging above freezing.

The City and Borough of Sitka is the largest incorporated area in the United States of America (U.S.), with a total area of about 4,812 square miles. The City of Sitka is geographically the largest city in Alaska, incorporating approximately 2,874 square miles, or essentially the entire land base of the Borough. The Airport, along with its aviation-related businesses and facilities, represents a significant regional economic asset. Sitka is accessible to only by sea and air (no road or rail access is available); therefore, the Airport provides a vital transportation link into and out of the City and Borough of Sitka.

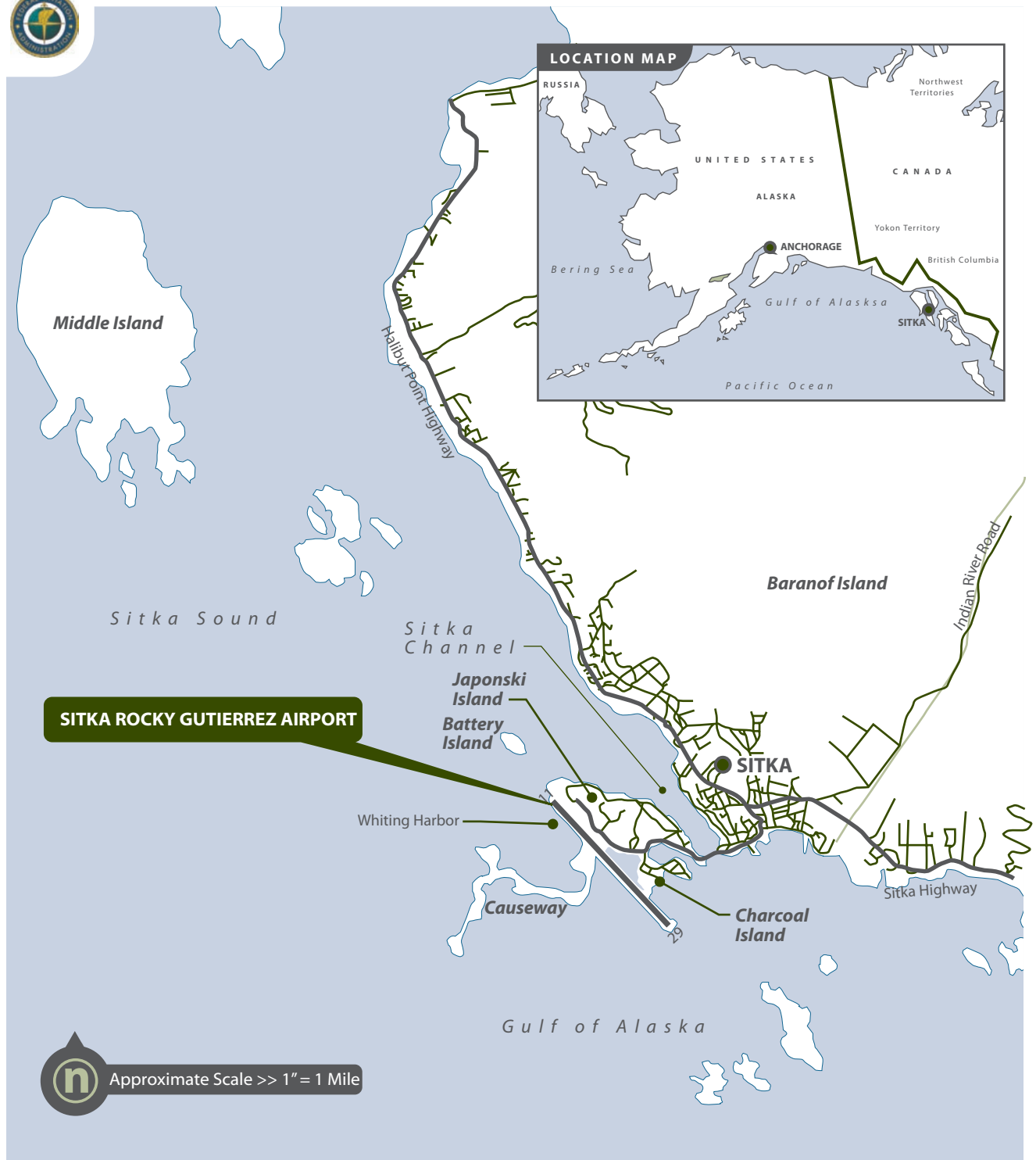


Figure 1 **Airport Location/Vicinity Map**

Source: Microsoft Streets & Trips 2004.



## **2.2 Sitka Rocky Gutierrez Airport**

Prior to the construction of Sitka Rocky Gutierrez Airport (referred to herein as “SIT” or the “Airport”), boats, ferries, and seaplanes were the primary means of transportation to Sitka. During World War II, the U.S. Navy built an air base (first known as the Naval Air Station and then as the Sitka Naval Operating Base) on Japonski Island, with up to 30,000 based military personnel and over 7,000 civilians. In 1943, the U.S. military completed the causeway connecting Japonski Island to Makhnati Island, including six other islands along the route. Most of the facilities on the causeway were part of the Fort Ray Army Garrison. A component of Fort Ray was also located on Charcoal and Alice Islands, on the leeward side of the current runway. After the war, the Navy airfield (not the current airport) was later turned over to the State of Alaska.

The federal government reserved approximately 190 acres of property around Charcoal and Alice Islands in 1939 with Executive Order 8216, which withdrew lands and water in Alaska for Naval purposes.<sup>4</sup> In 1941, properties around the causeway comprising approximately 700 acres of lands and water known as the Makhnati Island area were withdrawn by the federal government with Executive Order 8877.<sup>5</sup> The tidelands and submerged areas encompassing the Executive Order 8877 lands did not transfer to the state at statehood; similarly, the tidelands and submerged areas within the Executive Order 8216 were recently determined to be under jurisdiction of the BLM. As a result, the marine submerged lands and filled lands in the Makhnati Island area are under the administration of the BLM. Figure 2 shows these areas.

The Airport was constructed in the 1960s and is approximately 0.7 statute miles southwest of the City, on the west side of Japonski Island, within a complex array of surround islands and channels. The ADOT&PF owns and operates the Airport. However, the passenger terminal building, constructed in 1969, is owned, operated, and maintained by the City and Borough of Sitka. The U.S. Coast Guard (USCG) also maintains Naval Air Station Sitka and other USCG facilities on Japonski Island.

### **2.2.1 Airport Facilities**

Within the FAA’s National Plan of Integrated Airport Systems, Sitka Rocky Gutierrez Airport is classified as a primary non-hub commercial service airport (DOT 2006)<sup>6</sup>. Currently, the Airport is served on a daily basis by one commercial airline carrier, Alaska Airlines, offering service to four destinations using Boeing 737 aircraft. In addition, Northern Air Cargo provides daily service with jet aircraft and several other cargo carriers, including Federal Express and Ace Air, conduct daily cargo operations using a variety of turboprop aircraft. Air taxi operations (with aircraft seating 60 people or less) make up about half of the total aircraft operations at Sitka.

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<sup>4</sup> Presidential Executive Order 8216: “Withdrawing Public Land and Water for Naval Purposes; Alaska.” July 25, 1939.

<sup>5</sup> Presidential Executive Order 8877: “Withdrawing Public Lands for Use of the War Department for Military Purposes; Alaska” August 29, 1941.

<sup>6</sup> The term “hub” is used by FAA to identify busy commercial service airports as measured by passenger enplanements. Non-hubs are airports that accommodate less than 0.05% of total U.S. enplanements, but more than 10,000 annual enplanements.



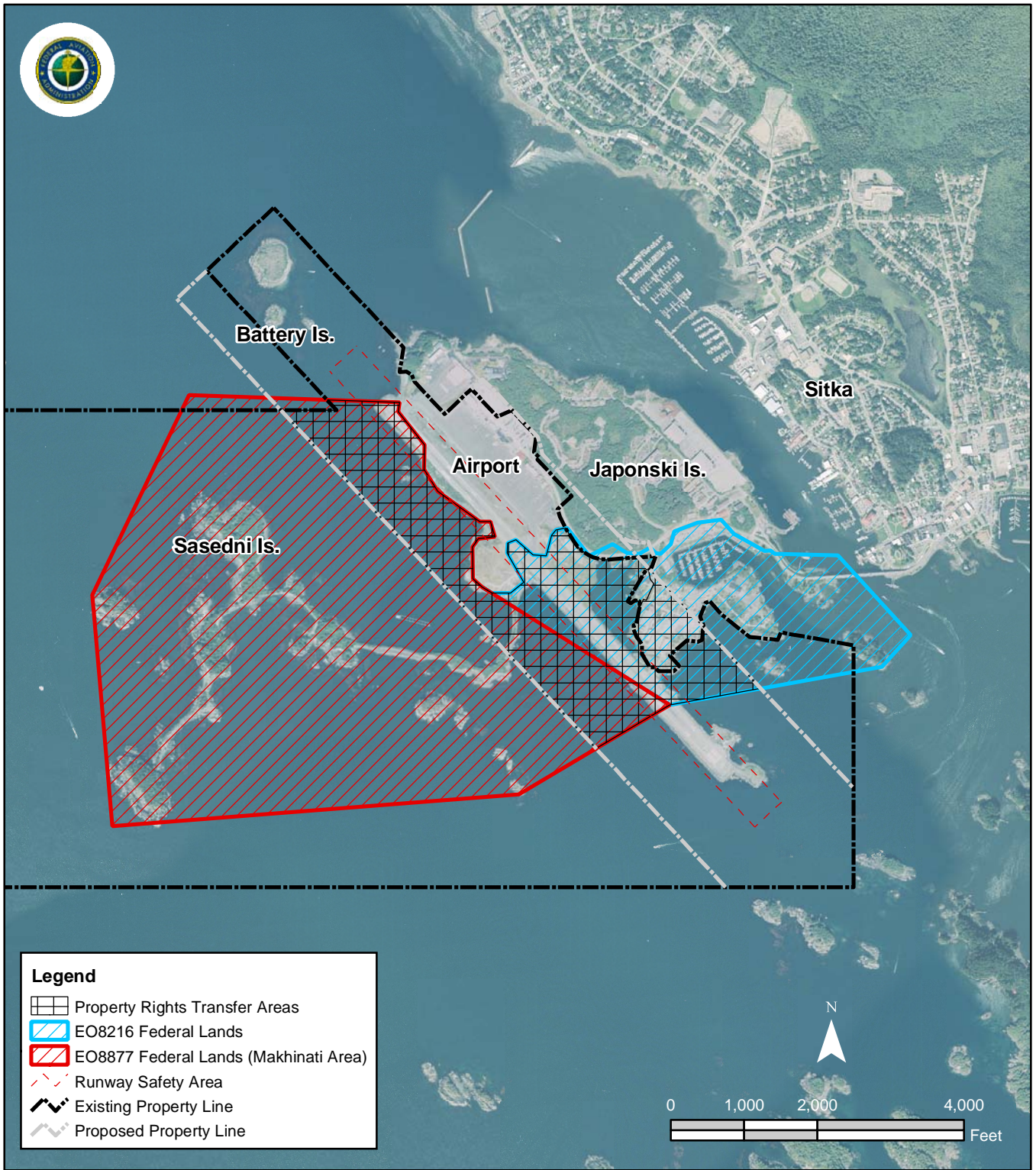


Figure 2 Federal Jurisdictions

Source: BLM, 2009.

**Sitka** EIS

The Airport has one runway (Runway 11/29) and a partial parallel taxiway. Runway 11/29 is 6,500 feet in length and 150 feet in width. In addition to the runway, the airside facilities at the Airport also consist of taxiways that provide access between the runway surfaces and the airside aviation use areas. Taxiway "A" is a partial parallel taxiway that connects the physical end of Runway 11 with the terminal area, and then extends 2,620 feet east of Runway 11 to connect near the midpoint of the runway.

Fixed Base Operators and general aviation facilities are located on the east side of the Airport, adjacent to the north end of the runway (i.e., the approach end of Runway 11). Use of the USCG apron is restricted to USCG aircraft operations and transient parking for other military aircraft. Landside development at the Airport includes commercial passenger terminal facilities, aircraft hangars, general aviation facilities, USCG facilities, and fuel storage facilities. Surface access to the Airport's existing seaplane pullout is located on the south side of the runway, and is only accessible via an Airport personnel escort across the runway/taxiway facility.

### **2.2.2 Aviation Activity**

Section 1.2.1 of the FEIS includes a compilation of aviation activity at the Airport from 1990 through 2006 (see FEIS Table 1.2.1). In summary, estimated total aircraft operations at the Airport have remained relatively unchanged through the last 14 years, ranging from a low of 18,324 operations in 1996 to a high of approximately 24,998 operations in both 1992 and 1993. While fluctuating slightly from year to year, the number of enplaned passengers (passengers boarding aircraft), since 1990, increased at an average annual rate of about 2.3 percent.

Air carrier operations have varied only slightly since 1990, reflecting the entrance/exit of additional carriers and fluctuations in airline schedules. Alaska Airlines has served the Airport as the primary air carrier since initiation of air service, and has historically provided a consistent level of service. Approximately 1,800 average annual air carrier operations have been conducted at Sitka Rocky Gutierrez Airport since 1997, with the number of daily scheduled flights increasing during the peak summer tourist season.

The remainder of the aviation activity categories considered (general aviation, and air taxi and military operations) is estimated to have remained relatively consistent for the period 1990 through 2008. (The Airport does not have an air traffic control tower, so precise counts of general aviation activity are not available.)

The FAA's Terminal Area Forecast for the Airport through the year 2025 projects a steady growth in passenger enplanements and air carrier operations, and no change in air taxi, general aviation, or military operations (see FEIS Table 1.2.2). However, the alternatives selected in this Record of Decision for implementation at the Airport are not dependent on aviation activity, nor will they prompt an increase or decrease in the number of aircraft operating at the Airport. The actions proposed are to enhance safety at the Airport, not increase capacity. The safety standards used to design RSA and taxiway alternatives are based on the types of aircraft operating at the Airport and are not dependent on the overall number of operations at the Airport.

## **Sitka Rocky Gutierrez Airport Record of Decision**

Since completion of the EIS, the FAA has updated the Terminal Area Forecasts nationally, including for Sitka Airport. The most recent Terminal Area Forecast was issued in December 2008 and includes an estimate of 23,306 total operations in 2025 compared to the previous forecast used in the FEIS, which estimated 23,328 operations in 2025 (a difference of 22 operations per year). The most current Terminal Area Forecast is consistent with and nearly the same as the forecast used for the FEIS analysis and does not change the impact analysis in the FEIS.

### **2.3 Need for Action**

The CEQ regulations implementing NEPA require that an EIS specify the underlying purpose and need to which an agency is responding in proposing actions and alternatives (40 C.F.R. § 1502.13). The purpose of the federal actions approved in this Record of Decision is to meet the following needs:

- To provide runway safety areas that meet current FAA guidance to the greatest extent practicable;
- To reduce the potential for runway incursions and thus improve the safety and efficiency of aircraft operations at the Airport;
- To improve the ability of aircraft to land and/or takeoff during inclement weather conditions;
- To maintain structural integrity of the runway and prevent closure of the runway resulting from wave overtopping and associated storm debris; and,
- To protect land for current and future aviation and airport uses.

The purpose of the federal decisions authorizing selected alternatives is to address the needs in a comprehensive, integrated plan for safety improvements. The following sections of this Record of Decision describe the needs in more detail and the actions proposed to satisfy those needs. More information concerning the purpose and needs may be found in Section 1.3 of the FEIS. Section 3.0 of this Record of Decision describes the actions proposed by the ADOT&PF to meet these needs and alternatives to the proposed actions developed by the FAA. Figure 3 illustrates the locations for the proposed projects.

#### **2.3.1 Runway Safety Area**

The runway layout at Sitka Rocky Gutierrez Airport does not meet current FAA design standards for Runway Safety Areas (RSA). According to FAA Advisory Circular (AC) 150/5300-13, *Airport Design*, an RSA is a “defined surface surrounding a runway prepared or suitable for reducing the risk of damage to airplanes in the event of an undershoot, overshoot, or other excursion from the runway.” RSAs enhance the safety of airports and provide pilots with surface area with no (or few) obstructions, thereby minimizing the potential for aircraft damage and injury to occupants. Furthermore, RSAs provide ground accessibility for firefighting and rescue operations during such incidents.





**Legend**

- EXISTING AIRPORT BUILDINGS
- NON-STANDARD RUNWAY SAFETY AREA

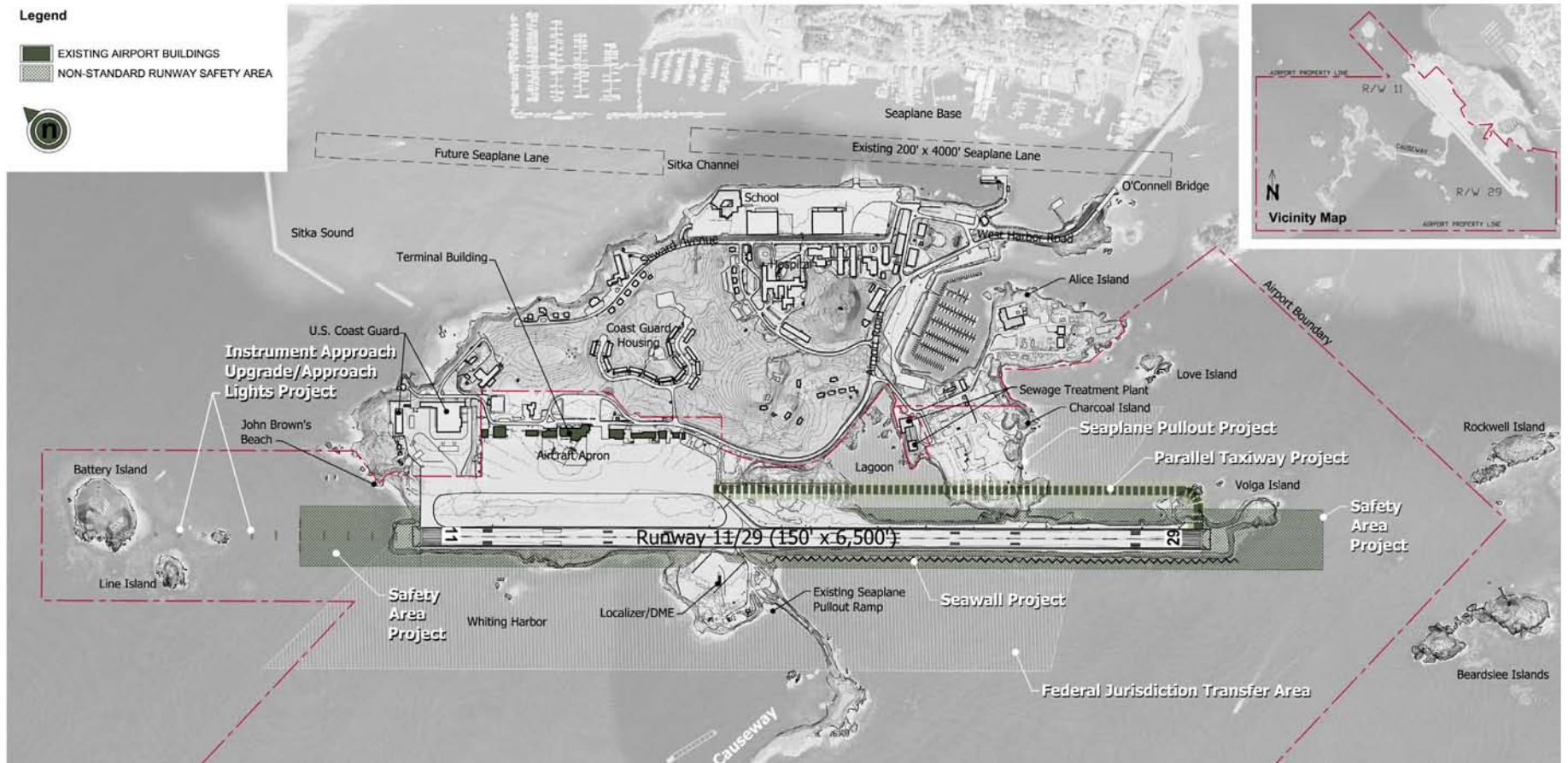


Figure 3 Proposed Project Locations

ELS  
Sitka

## **Sitka Rocky Gutierrez Airport Record of Decision**

The RSA dimension for Runways 11/29 is based on the design aircraft, which for the Airport is the Boeing 737-400 operated by Alaska Airlines<sup>7</sup>. The applicable FAA airport design standard for the Airport calls for a rectangular area centered about the runway that is 500 feet wide along the length of the runway and extends 1,000 feet beyond each runway end. The required length of an RSA varies depending on the runway use; 1,000 feet of RSA is required beyond the runway end to provide overshoot protection, while 600 feet of RSA are required before the runway threshold to provide undershoot protection.<sup>8</sup>

The current RSA at the Airport extends 220 feet from the end of Runway 11 and 240 feet from the end of Runway 29, and is therefore deficient by 780 feet and 760 feet, respectively. The lateral RSA is also deficient along most of the length of the runway, ranging from 215 feet to 500 feet from the centerline, a deficiency as great as 285 feet. On the basis of these RSA dimensional deficiencies, **the FAA has identified a need to provide runway safety areas that meet current FAA guidance to the greatest extent practicable.**

RSA standards cannot be modified or waived by the FAA or airport owner. However, through its planning review process, the FAA has the ability to determine whether meeting the standards at an airport is practicable.<sup>9</sup> The FAA recognizes that incremental improvements approaching, but not achieving, standard RSA dimensions can enhance the level of safety. In 2000, the FAA determined that it was not practicable to meet the RSA design standards at the Airport for reasons that included site constraints, but that the existing safety areas could be increased to enhance the level of safety. The FAA re-examined the practicability of standard safety areas for the Airport and developed a range of alternatives in the FEIS that would meet safety guidance to the greatest extent practicable.

### **2.3.2 Runway Incursions**

A runway incursion is any occurrence at an airport involving an aircraft, vehicle, person, or object on the ground that creates a collision hazard or results in a loss of separation with an aircraft that is either taking-off or landing, or intends to takeoff or land. The National Transportation Safety Board (NTSB) considers the reduction of runway incursions to be one of its highest priority transportation safety improvements.<sup>10</sup> The potential for a runway incursion is related to existing aviation procedures, airport geometry, training, operations, communications, and National Air Space (NAS) infrastructure components. The FAA notes that human factors are the common denominator in every runway incursion. Reducing the risks of runway incursions and runway collisions is a top priority of the FAA.<sup>11</sup>

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<sup>7</sup> The 737-400 is a two-jet engine aircraft that accommodates approximately 140 seats with only passengers or about 72 seats if it is a combination cargo/passenger aircraft. It falls within the wingspan category of Group III and approach category of C.

<sup>8</sup> Federal Aviation Administration. 2004. Airport Design. Advisory Circular 150/1500-13.

<sup>9</sup> Federal Aviation Administration. 1999. Runway Safety Area Program. FAA Advisory Order 5200.8. Oct 1.

<sup>10</sup> Federal Aviation Administration. 2002. The 2002-2004 Runway Safety Blueprint, July.

<sup>11</sup> Federal Aviation Administration. 2005. *FAA Runway Safety Report*. FAA Air Traffic Organization, August.

At the Airport, the runway incursion potential exists primarily because of the lack of a full-length parallel taxiway. Aircraft arriving on Runway 11 (from the northwest, the predominant southeast flow operation) typically roll past the parallel taxiway exit, execute a 180 degree turn on the runway and back-taxi to exit the runway. Similarly, aircraft departing Runway 29 (northwest flow departures) must taxi down the runway 3,880 feet to the runway end and execute a 180 degree turn on the runway before beginning their departure roll. Taxiing on the runway creates a potential safety hazard with an aircraft taking-off or intending to land.

The additional taxi movement increases an aircraft's runway occupancy time, thereby reducing the availability of the runway for arrivals or departures by other operations and substantially increasing the potential for runway incursions. Compounding the concerns with incursions at the Airport is the runway's site constraints (i.e., coastal location), which provide little surrounding land and limits escape routes for maintenance and operation vehicles that might be caught on the runway when an aircraft is on approach.

The use of the seaplane pullout area southwest of the existing runway also increases the risk of runway incursions. The existing seaplane pullout is located on the southwest side of Runway 11/29, on the land connecting the Airport to the causeway (see Figure 3). The seaplanes need access to aircraft parking and other facilities on the east side of the Airport after being pulled out of the water. The only land access to and from the seaplane base is by crossing the runway, traveling along the taxiway to the apron, and crossing the apron. Currently, individuals desiring to use the seaplane pullout must receive an escort by Airport staff who radio air traffic control to close the runway for the period until all persons and equipment are clear of the runway. During the time the runway is closed, no aircraft can arrive or depart on the runway. The complexity and frequency of coordination and radio communications between the ground movement to and from the seaplane pullout could result in human error, thereby resulting in a runway incursion.

The lack of a full-length parallel taxiway and location of the seaplane pullout illustrate the **need to reduce the potential for runway incursions and thus improve the safety and efficiency of aircraft operations at the Airport.**

### **2.3.3 Inclement Weather Operations**

The City of Sitka is accessible from the "outside" only by sea or air. As such, the Airport represents a significant portion of the transportation infrastructure for the City, Borough, and southeast Alaska. Air service from the Airport supports local businesses and industry, and promotes tourism; dependable air access encourages additional business development and expansion throughout the region and surrounding communities.

The importance of air access to Sitka is not limited to those traveling to or from the city. During times when other Alaska airports (i.e., Juneau, Ketchikan, Yakutat, etc.) are inaccessible due to weather, the Airport is designated as an alternate airport. If the Airport is also unavailable, aircraft may be diverted to Anchorage, or as far south as Seattle. Furthermore, airline operations to cities in southeast Alaska are often connected in a chain from south to north, and, when flights are held at, or diverted away

## **Sitka Rocky Gutierrez Airport Record of Decision**

from the Airport, there is an adverse effect on scheduled operations at other airports and cities in the region.

Operating conditions at Sitka Rocky Gutierrez Airport are rather complex due to mountainous terrain, changing weather, and winds. Most aircraft are capable of operating at the Airport during visual conditions. However, during some weather conditions, aircraft may be unable to land/takeoff from the Airport. Access during these times depends on weather, aircraft (including aircraft on-board instrumentation and navigation equipment), and pilot training. Aircraft equipped (and pilots trained) for instrument flight rule procedures can operate at the Airport when the ceiling is greater than 400 feet, but less than 1,000 feet, or visibility is greater than one mile but less than three miles, or when both conditions are present. These conditions occur at the Airport approximately 4.6 percent of the time annually (16.8 days or about 500 hours per year).

When the ceiling is less than 400 feet or visibility is less than one mile, access to Sitka is further impaired. Alaska Airlines has received approval for the use of special procedures to operate when the ceiling is above 321 feet, but less than 1,000 feet and visibility is greater than one mile. When the ceiling is between 321 and 400 feet, the Airport is essentially closed to all but those with the necessary equipment and training (including Alaska Airlines) 0.7 percent of the time (2.6 days or 62 hours per year). The Airport is closed to all traffic due to inclement weather conditions approximately 0.3 percent of the time annually (about one day or 26 hours per year).<sup>12/</sup>

Section 1.3 of the FEIS documents the **need to improve the ability of aircraft to land at and takeoff from the Airport during inclement weather conditions**. Without improvement, the Airport is closed to commercial aircraft from one to 2.6 days per year. For aircraft not equipped to fly instrument procedures, the closure is nearly 17 days per year. In addition, during both good and poor weather conditions, pilot alignment for landing at the Airport is achieved through visual detection of the runway end lights, runway pavement, and runway markings. During poor weather and nighttime, these alignment aids can be difficult to see from a distance.

### **2.3.4 Runway Structural Integrity (Seawall Improvements)**

Approximately three-quarters of Runway 11/29 at Sitka Rocky Gutierrez Airport is directly surrounded and supported by seawalls that are affected by wave action, tidal flows, and currents. The seawall between the causeway and south end of Runway end 29 experiences the most frequent exposure to significant wave action, especially during storm events, because of waves originating in the open ocean that have not yet been significantly dissipated (see Figure 3). Erosion and deterioration of the seawall normally occurs slowly. However, during periods of high waves, material gets washed down the seawall slope or even deposited onto the runway, sometimes causing temporary runway closure and always resulting in a hazard to aircraft operations.

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<sup>12</sup> The reference to closures of the Airport means that past weather conditions have resulted in closures spread throughout the year. For instance, the 26 hours do not occur in one continuous period, but rather occur over one or a few hours at intervals throughout the year.

The ADOT&PF believed that material being deposited on the runway during storms represents debris from seawall erosion. Early studies conducted by the ADOT&PF indicated that a portion of the seawall degraded and, given the amount of material removed from the runway annually, was continuing to degrade. Eventually the seawall erosion could result in structural failure of the land mass supporting the runway and close the runway until emergency reconstruction could take place. Complete closure of the only runway at the Airport would cause significant social and economic impacts to the community and region. Because of the temporary runway closures, hazards to aircraft operations, and potentially greater impacts associated with structural failure of the runway, the ADOT&PF asked the FAA to evaluate alternatives that would meet the **need to maintain structural integrity of the runway and prevent closure of the runway resulting from wave overtopping and associated storm debris.**

During preparation of the EIS, the FAA collected additional data indicating that material deposited on the runway during storm conditions comes from the seafloor, and not the seawall. Ultimately, the FAA and the ADOT&PF agreed there is no substantive need to repair the seawall at this time. Should future analysis conclusively indicate that repair of the seawall is needed, additional environmental analysis would be undertaken. Nevertheless, the FEIS includes full analysis of seawall repair alternatives, and this Record of Decision completes the decision-making process for this need.

### **2.3.5 Property Rights Acquisition**

In April 2005, the Federal Subsistence Board (FSB) asked the U.S. Department of Interior's Office of the Solicitor to determine whether a federal interest presently exists in certain areas of southeastern Alaska. The specific areas were originally identified by the Sitka Tribe of Alaska and presented before the Southeast Alaska Subsistence Regional Advisory Council, who forwarded a request for review to the FSB. In subsequent determinations, the Office of the Solicitor responded that the submerged lands and water adjacent to Japonski Island including Whiting Harbor withdrawn by Executive Order 8877 and 8216 were not rescinded until after Alaska was granted statehood. The result of this action, or inaction, is that remaining unpatented, non-purchased or non-transferred lands, including submerged and subsequently filled submerged lands, reverted back to management by the BLM as vacant, un-appropriated, and un-reserved lands of the United States. In other words, these lands were not transferred to Alaska at statehood. The Office of the Solicitor ruled on September 25, 2006 that this so-called Makhnati Island area should be included within the jurisdiction of the Federal Subsistence Management Program.

Subsequently, the BLM reviewed the ownership status of additional lands that were withdrawn on July 25, 1939 by Executive Order 8216. These lands include submerged and subsequently filled lands surrounding Charcoal Island, Alice Island, portions of Japonski Island, the Airport Lagoon, and Mermaid Cove. By the same argument as that described for the Makhnati Island area, the Office of the Solicitor determined that certain lands withdrawn in Executive Order 8216 did not transfer to the State of Alaska at statehood. The applicable Executive Orders 8216 and 8877 lands still in federal ownership are shown in Figure 2.

**Sitka Rocky Gutierrez Airport  
Record of Decision**

The ADOT&PF identified portions of the lands falling within the Executive Orders 8216 and 8877 as being necessary for existing and future aviation and airport uses. These uses include: protection of existing airport infrastructure, construction of proposed airport improvements, maintaining a clear object free area, maintaining a clear RSA, maintaining a clear building restriction line, protecting approach and departure surfaces, and maintaining safety and security of airport facilities and operations.

The FAA requires that, for airports and airport projects supported with federal grant in aid funding, the airport owner must acquire real property rights to the extent needed for the construction, operation and maintenance of the airport. In cases where the airport cannot obtain full fee title ownership of properties necessary for aviation and airport uses, property rights must be acquired sufficient to encumber the remainder real estate with provisions that will ensure full use of the property needed for airport infrastructure and for safe airport operations conforming to requirements of the FAA. The FEIS includes an evaluation of alternatives that would satisfy the **need to obtain property rights sufficient to protect lands for current and future aviation and airport uses.**

### **3.0 Proposed Actions and Alternatives**

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The regulations implementing NEPA (40 C.F.R. § 1502.14) require an evaluation of alternatives to the actions proposed by the ADOT&PF to satisfy the needs identified in Section 2.3. Alternatives are considered because some aspects of the ADOT&PF's proposed actions may adversely affect the environment in a manner that could be minimized or even eliminated by using an alternative action. The FAA identified a range of reasonable alternatives with the potential to meet the purpose and need for the different proposed actions. Those alternatives that did not meet the purpose and need or were not feasible, were economically impractical, or were otherwise not prudent were eliminated from detailed consideration (see FEIS Section 2.2). The FAA identified reasonable alternatives for each of the needs identified in Section 2.3 of this Record of Decision, including those developed in response to public scoping concerns and others addressing specific environmental or engineering issues presented by the proposed actions. The ADOT&PF and state and federal agencies helped refine these alternatives through feedback obtained during meetings and in response to draft documents reviews.

Alternatives were developed for each of the six separate projects proposed by the ADOT&PF. Each of the proposed actions has independent need and utility and could be implemented individually or in combination. As is explained in FEIS Section 2.4.7, alternatives were first examined separately, but the FAA also recognized the possibility that the selection of one alternative to address a need could influence decisions for other alternatives, or change the types and severity of environmental impacts associated with alternatives addressing other needs. During the environmental analysis, the FAA subsequently determined that the preferred alternatives (and, by this Record of Decision, selected alternatives) for each of the six projects would not individually influence the ability to select, implement, or fund any other alternatives carried forward for consideration in the FEIS.

Recognizing that the FAA could select build alternatives for each of the six projects, the FEIS documents the impacts associated with each of the project alternatives individually, as if implemented separately from other projects. Three other scenarios were also evaluated, including: 1) an assessment of the combined impacts of the preferred alternatives; 2) an assessment of a combination of alternatives that would result in the maximum environmental impacts (typically caused by the largest project footprint and amount of construction), and 3) cumulative effects of combined projects with other past, present and reasonably foreseeable future actions. The FAA found that none of these combinations of alternatives, with or without other past, present and reasonably foreseeable future actions, would cause significant impacts.

The following sections summarize the alternatives described in Section 2.4 of the FEIS. References are provided to the applicable sections of the FEIS and supporting documents. Alternatives designated by the ADOT&PF as the Sponsor's proposed actions are also identified, as are the FAA's preferred and selected alternatives, further

**Sitka Rocky Gutierrez Airport  
Record of Decision**

described in Sections 4.1 and 5.0, respectively. Table 5.1, in Section 5.0, includes a summary of the environmental impacts associated with the selected action alternatives.

**3.1 Runway Safety Area Alternatives**

The FEIS evaluates six alternatives, including the no action alternative and the Sponsor's proposed action, to determine which alternative provide runway safety areas that meet current FAA standards to the greatest extent practicable. All of the RSA "build" alternatives (i.e., those other than the no action) would enhance safety on the runway ends. None of the alternatives would increase or improve lateral runway safety areas that currently do not meet the FAA's width standard of 500 feet. Sections 2.4.1.1 through 2.4.1.6 of the FEIS describe these alternatives, which are illustrated in Figures 2.4-1 through 2.4-6 of that document.

The environmental impacts to natural resources that would be caused by the different build alternatives stem primarily from the expanded RSA footprints. Those alternatives with larger footprints would extent further into the marine environment, with commensurate permanent losses of marine bottom habitat and waters of the U.S., and short-term displacement of mobile marine species to other areas for forage and shelter. Stormwater runoff would increase proportionate to the amount of new RSA and runway surface. Alternatives with the greatest amount of fill and construction would also increase impacts to other resources: truck and barge traffic to haul fill materials, short-term noise increases and air quality degradation; and other relatively minor consequences. The extent of short-term economic impact on the local and regional communities doesn't correlate exactly with the RSA expansion footprints, since alternatives that incorporate EMAS on one or both runway ends are substantially higher cost per measure of new RSA. However, none of the RSA alternatives would cause significant impacts to any environmental resources. Table 2.6-2 of the FEIS identifies the environmental impacts associated with the runway safety area alternatives. Chapter 6 of this Record of Decision describes the mitigation process and regulatory requirements that would be incorporated into the selected RSA alternative to avoid and minimize environmental impacts to the extent practicable. The following sections summarize the six RSA alternatives.

**3.1.1 RSA Alternative 1: No Action**

The "No Action" alternative would retain the RSAs in their current non-standard dimensions, with no enhancements to airfield safety. Overrun and undershoot protection would remain at 220 feet for Runway 11 and 240 feet for Runway 29. The lack of RSA-related construction or other activity means there would be no additional environmental or social impacts associated with the no action alternative. There is no cost associated with RSA Alternative 1.



### **3.1.2 RSA Alternative 2: 40-Knot EMAS Both Runway Ends**

RSA Alternative 2 would enhance the RSA at the end of each runway with the installation of an EMAS bed that provides 40-knot stopping capability<sup>13,14</sup>. No landmass expansion or fill would be needed in the marine environment off the runway ends for this alternative. The existing RSA at the end of each runway would be redeveloped to accommodate an EMAS bed 170 feet wide and 165 feet long, as well as an emergency access road beyond each EMAS. The EMAS would provide a 40-knot stopping capability for the Airport's design aircraft (i.e., the Alaska Airlines Boeing 737-400) and thus enhance the existing RSA compliance for aircraft overrun protection equally at each end of the runway. The runway length of 6,500 feet would be unchanged. Landing thresholds and takeoff locations would remain in their current positions. There would be no increase or decrease in undershoot protection at either runway end. The FAA's conclusion documented in the FEIS was that an EMAS alternative is feasible, but not as prudent as non-EMAS safety enhancements because of uncertainty concerning EMAS stability in extreme coastal conditions that could compromise the product integrity. The estimated cost of this alternative is \$13.8 million. RSA Alternative 2 would have no significant environmental impacts.

### **3.1.3 RSA Alternative 3: 40-Knot EMAS Runway 11 and 55-Knot EMAS Runway 29**

This alternative would enhance the RSA at each end of the runway. EMAS providing a 40-knot stopping capability would be installed on Runway 11 while an EMAS with a 55-knot stopping capability would be installed on Runway 29. The Airport's runway length of 6,500 feet would be maintained, with no change in takeoff or landing distances. Fill would be placed into the marine environment at the Runway 29 end to accommodate the installation of a 55-knot EMAS bed. No marine fill or landmass expansion would be required on the Runway 11 end. The EMAS on both runway ends would be 170 feet wide, but the Runway 29 end EMAS would be 250 feet long as opposed to the 165-foot long EMAS on the Runway 11 end. The 85 foot difference in length accounts for the greater aircraft stopping capability at the Runway 29 end (i.e., 70 knot stopping capability vs. 40 knot stopping capability at the Runway 11 end) which receives about 80 percent of the landing operations at the Airport. The expanded landmass on the Runway 29 end would slightly enhance the RSA undershoot dimension (i.e., 300 feet with this alternative vs. the existing 240-foot undershoot protection). As with other EMAS alternatives, RSA Alternative 3 is considered to be feasible, but not as prudent as non-EMAS safety enhancements. The estimated cost of this alternative is \$28.2 million.

Approximately 110,200 cubic yards of fill would be placed into the marine environment to create a 60-foot landmass expansion on the Runway 29 end. The additional landmass expansion would be required to accommodate the longer EMAS bed and an

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<sup>13</sup> "EMAS" is the acronym for Engineered Materials Arresting System, a product consisting of a number of pre-cast, crushable cellular blocks that can stop an aircraft that has overrun the runway. An EMAS can provide a level of safety equivalent to a longer runway safety area. See Section 2.2.4.1, page 2.13 of the FEIS for more information.

<sup>14</sup> The "40-knot" EMAS design is based on ability to fully arrest a B737-400 that enters the EMAS traveling at 40 knots or slower. Similarly, the "50-knot" EMAS would stop a B737-400 traveling at 50 knots or slower.

**Sitka Rocky Gutierrez Airport  
Record of Decision**

emergency access road. RSA Alternative 3 would have no significant environmental impacts.

**3.1.4 RSA Alternative 4: 70-Knot EMAS Runway 29 and 160-foot Landmass Extension**

RSA Alternative 4 would focus the proposed RSA enhancements on the Runway 29 end with the installation of an EMAS bed that provides a standard 70-knot stopping capability<sup>15</sup>. The Airport's 6,500-foot runway would be maintained, with no change in takeoff or landing distances. Fill would be placed into the marine environment at the Runway 29 end to accommodate the installation of a 70-knot EMAS bed. No marine fill or landmass expansion would be required on the Runway 11 end. The Runway 29 EMAS would be approximately 170 feet wide and 337 feet in length. The expanded landmass on the Runway 29 end would also provide an enhancement to the RSA undershoot dimension (i.e., 400 feet vs. the existing 240 feet). As with other EMAS alternatives, RSA Alternative 4 is considered to be feasible, but not as prudent as non-EMAS safety enhancements. The cost of this alternative is estimated at \$27.3 million.

Approximately 203,000 cubic yards of fill would be placed into the marine environment to create a 160-foot landmass expansion on the Runway 29 end. The additional landmass expansion would be required to accommodate the longer EMAS bed and an emergency access road. RSA Alternative 4 would have no significant environmental impacts.

**3.1.5 RSA Alternative 5: Declared Distances with 280-foot Landmass Extension on Runway End 29**

This alternative is the Sponsor's proposed action, and the FAA's preferred and selected alternative. RSA Alternative 5 would enhance the RSA at each runway end by extending grooved runway pavement. The runway pavement on the Runway 11 end would be extended 200 feet on existing landmass. The runway pavement on the Runway 29 end would be extended 500 feet using 220-feet of existing RSA and 280 feet of added landmass. The Airport's 6,500 foot runway would be extended approximately 200 feet to the northwest (i.e., the Runway 11 end) and approximately 500 feet to the southeast (i.e., the Runway 29 end), in conjunction with the implementation of declared distances criteria, to accommodate the projected RSA stopping requirements for aircraft overruns in each direction. The Runway 29 landing threshold would be repositioned approximately 320 feet to the southeast, on newly constructed runway pavement.

The pavement extensions, combined with changes to both departure thresholds and the Runway 29 landing threshold, would increase the Airport operational performance, potentially allowing increased takeoff weights for design aircraft. However, the primary benefits of this alternative would be realized from the increased aircraft overrun protection associated with lengthened RSA at each runway end. The RSA overrun on

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<sup>15</sup> A 70-knot EMAS bed design provides an equivalent level-of-safety for aircraft overruns as that offered by a traditionally graded 1,000 RSA.

Runway 11 would be lengthened to 520 feet while the RSA overrun on Runway 29 would be lengthened to 540 feet. The RSA undershoot for Runway 11 would be maintained at 220 feet, while the RSA undershoot for Runway 29 would be reduced slightly to 200 feet. The newly constructed grooved runway pavement in the RSAs, in conjunction with the implementation of declared distances criteria, would provide a level-of-safety for aircraft overruns on both ends during poor braking conditions that is comparable to an EMAS bed installation with 40-knot stopping capability with full braking and reverse thrust available. In other words, the RSA would be enhanced for aircraft overruns at each runway end comparable to the EMAS-realized improvements offered by Alternative RSA-2.

Approximately 371,200 cubic yards of fill would be placed into the marine environment to expand the Runway 29 end by 280 feet. The additional landmass expansion would be required to accommodate repositioned Runway 29 landing and departure thresholds, combined with a shift in the Runway 11 end departure location and imposition of declared distances criteria. The estimated cost to implement RSA Alternative 5 is \$28 million. RSA Alternative 5 would have no significant environmental impacts.

### **3.1.6 RSA Alternative 6: Declared Distances with 170-foot Landmass Extension on Runway 11 and 150-foot Landmass Extension on Runway 29**

RSA Alternative 6 is the only alternative considered that would expand landmass (by about 170 feet) on the Runway 11 end. Fill would also be placed in the marine environment on the Runway 29 to extend the landmass by about 150 feet. These actions, combined with the installation of grooved runway pavement within the safety areas on each runway end and imposition of declared distances, would enhance RSAs for both landings and departures. The Airport's 6,500 foot runway would be extended approximately 370 feet on both runway ends for departures. The Runway 29 landing threshold would be repositioned approximately 110 feet to the southeast and the Runway 11 landing threshold would be repositioned approximately 110 feet to the northwest, all on new runway pavement. The relocation of the landing thresholds would equally allocate the additional grooved pavement on each runway end that would be available for RSA overrun protection for both aircraft landings and aborted takeoffs.

The pavement extensions, combined with changes to departure and landing thresholds on both runways, would increase the Airport operational performance, potentially allowing increased takeoff weights for design aircraft. However, the primary benefits of this alternative would be realized from the increased aircraft overrun protection associated with lengthened RSA at each runway end. The RSA overruns on both runways would be lengthened to 500 feet; while the RSA undershoot protection would be lengthened to 280 feet. The newly constructed grooved runway pavement in the RSAs, in conjunction with the implementation of declared distances criteria, would provide a level-of-safety for aircraft overruns on both ends during poor braking conditions that is comparable to an EMAS bed installation with slightly-better-than 40-knot stopping capability. In other words, the RSA would be enhanced for aircraft

## **Sitka Rocky Gutierrez Airport Record of Decision**

overruns at each runway end comparable to the RSA-realized improvements offered by Alternatives RSA-2 and RSA-5.

Approximately 382,000 cubic yards of fill would be needed to expand the runways. The additional landmass expansions would be required to accommodate repositioned landing and departure thresholds, expanded RSAs, and imposition of declared distances criteria. RSA Alternative 6 would have no significant environmental impacts.

The estimated cost of this alternative is \$33.4 million, which would exceed the \$30-million policy established by the FAA for RSA improvements at the Airport (see Section 2.2.4.1 of the FEIS for more information concerning this cost threshold). Although it would exceed the cost threshold, this alternative was carried forward for environmental review recognizing that the cost estimates prepared in the EIS are planning level estimates and to compare the additional safety benefits of the alternative to its environmental and social impacts.

### **3.2 Parallel Taxiway Alternatives**

The FEIS includes the FAA's evaluation of two parallel taxiway alternatives that would reduce the potential for runway incursions and thus improve the safety and efficiency of aircraft operations at the Airport. The no action alternative was also evaluated. Sections 2.4.2.1 through 2.4.2.3 of the FEIS describe these alternatives. Figures 2.4-7 and 2.4-8 of the FEIS illustrate the full-length and partial parallel taxiway alternatives. Table 2.6-3 of the FEIS identifies the environmental impacts associated with the parallel taxiway alternatives. The following sections summarize these three alternatives.

#### **3.2.1 Taxiway Alternative 1: No Action**

The "No Action" alternative would maintain the existing partial parallel taxiway, with no reduction in the potential for runway incursions. The lack of RSA-related construction means there would be no additional environmental or social impacts associated with the no action alternative. However, there would also be no safety-related improvements or increases in the efficiency of the Airport operations. High runway occupancy times by aircraft and vehicles would continue with resultant adverse economic impacts to the airport and aircraft operators. For example, snow removal operations would remain somewhat inefficient as vehicles have limited runway ingress and egress options, a particular concern during aircraft arrivals and departures. There is no cost associated with Taxiway Alternative 1.

#### **3.2.2 Taxiway Alternative 2: Full-Length Parallel Taxiway**

This alternative would extend the existing partial parallel taxiway approximately 3,980 feet from the midpoint of the runway through the Airport Lagoon and Mermaid Cove to the Runway 29 end, creating a full-length parallel taxiway. In accordance with FAA design standards, the extended taxiway pavement would be 75 feet wide and maintain the existing 400-foot runway centerline to taxiway centerline separation. Connector taxiways would be constructed from the runway to the taxiway extension at Charcoal Island and at the Runway 29 threshold. The portion of Airport Lagoon between the

proposed taxiway extension and existing runway would be filled, thereby eliminating standing water or ponding in that area. It is estimated that this alternative would cost \$76.6 million.

This alternative would reduce the potential for runway incursions by allowing aircraft to exit and enter the runway at additional points along its length. Departing and arriving aircraft would be able to spend less time on the active runway surface, enhancing safety by reducing the potential for incursions and increasing the time the runway is available for other operations, thereby increasing airport efficiency. In addition, adherence to FAA design standards for a parallel taxiway would enable the Airport to qualify for future instrument approach procedure enhancements offering less than one mile approach visibility minimums.

Environmental impacts associated with Taxiway Alternative 2 stem primarily from the need for approximately 1,016,200 cubic yards of fill used in construction, divided almost equally for taxiway construction through the Airport Lagoon and Mermaid Cove. Aquatic habitats and waters of the U.S. would be permanently lost in both of these areas, including a relatively small amount of fringe wetland adjacent to the lagoon. The amount of impervious surface on the Airport would increase, with proportional increases in stormwater runoff. Other environmental impacts (for example, short-term noise increases and air quality degradation) are primarily related to the truck and barge traffic used to transport fill materials. These impacts would not be significant.

### **3.2.3 Taxiway Alternative 3: Extension of the Partial Parallel Taxiway**

This alternative is the Sponsor's proposed action, and the FAA's preferred and selected alternative. This alternative would extend the existing partial parallel taxiway approximately 2,330 feet from the midpoint of the runway through the Airport Lagoon to Charcoal Island. As with Alternative 2, the extended partial parallel taxiway pavement would be 75 wide and maintain the existing 400-foot runway centerline to taxiway centerline separation. A connector taxiway would be constructed from the runway to the taxiway extension at Charcoal Island. The portion of Airport Lagoon between the proposed taxiway extension and existing runway would be filled. It is estimated that this alternative would cost \$32.6 million.

This alternative would partially reduce the potential for runway incursions by allowing aircraft to exit and enter the runway at one additional point along its length. An operational benefit of this alternative is that aircraft would be on the runway less than under the existing conditions, although aircraft would still be required to back taxi on the runway to and from Charcoal Island to the Runway 29 end. However, this alternative would provide less operational enhancement than Taxiway Alternative 2. This alternative would not satisfy the design standards of a full-length parallel taxiway to qualify for future instrument approach procedure enhancements offering less than one mile approach visibility minimums.

Environmental impacts associated with Taxiway Alternative 3 stem primarily from the need for approximately 511,000 cubic yards of construction fill. Almost all of this material would be used in the Airport Lagoon, eliminating aquatic habitat and waters of

## **Sitka Rocky Gutierrez Airport Record of Decision**

the U.S., including a relatively small amount of fringe wetland adjacent to the lagoon. Impacts on the lagoon resources would be the same as for Taxiway Alternative 2. The loss of waters of the U.S. would be substantially less than for Taxiway Alternative 2, and no marine habitat outside of the lagoon would be affected. There would, however, be a smaller permanent increase in stormwater runoff for this alternative since less impervious taxiway surface would be created. Other environmental impacts (for example, short-term noise increases and air quality degradation) are primarily related to the truck and barge traffic used to transport fill materials. These impacts would not be significant.

### **3.3 Seaplane Pullout Alternatives**

Another action considered in the Sitka FEIS to reduce the potential for runway incursions and thus improve operational safety and efficiency is to relocate the seaplane pullout. Three alternatives, including the no action alternative, were evaluated. Sections 2.4.3.1 through 2.4.3.3 of the FEIS describe these alternatives, illustrated on Figure 2.4-9. Table 2.6-4 of the FEIS identifies the environmental impacts associated with the seaplane pullout alternatives.

#### **3.3.1 Seaplane Alternative 1: No Action**

Use of the existing seaplane pullout facility on the southwest side of the runway is restricted to ensure the Airport operational capability and safety by minimizing runway incursions. Implementation of Seaplane Alternative 1 would maintain use of this facility and the continuing need for escort service by the Airport staff, coordination with Air Traffic Control, and runway closure while traffic is on the runway. There are no additional environmental or social impacts associated with Seaplane Alternative 1, and no implementation cost. However, the periodic runway closures to transport seaplanes and staff time needed for escorts associated with the no action alternative would continue adverse economic impacts to the airport and aircraft operators. This alternative would not reduce the potential for runway incursions and thereby would not improve the safety and efficiency of aircraft operations at the Airport.

#### **3.3.2 Seaplane Alternative 2: Construction of a Fixed Ramp Seaplane Pullout on Charcoal Island**

This alternative is the Sponsor's proposed action, and the FAA's preferred and selected alternative. Seaplane Alternative 2 includes construction of a new seaplane pullout using a fixed concrete ramp on the southeast side of Charcoal Island. This alternative would eliminate the need to cross a runway to access or exit the seaplane pullout, and the Airport staff would not have to provide escort service. The potential for runway incursions would be reduced, thereby improving the safety and efficiency of aircraft operations at the Airport. This alternative would slightly enhance operational efficiency by eliminating runway closure times for seaplane pullout. Public access to the pullout and staging area would be provided directly from the roadway. However, direct access to the terminal apron area would require transport down the runway, or along an extended parallel taxiway, if available.

Potential environmental impacts caused by Seaplane Alternative 2 would be associated with the dredging, grading, and construction to establish the fixed seaplane ramp in Mermaid Cove. Beyond the temporary impacts of construction, such as noise increases and air quality degradation, a small amount of marine habitat would be eliminated. The estimated cost of this alternative is \$500,000. These impacts would not be significant.

### **3.3.3 Seaplane Alternative 3: Construction of a Fixed Ramp Seaplane Pullout on Charcoal Island with an Associated Dock**

Seaplane Alternative 3 is almost identical to Seaplane Alternative 2, including construction of a replacement seaplane pullout on the southeast side of Charcoal Island using a fixed concrete ramp. However, Seaplane Alternative 3 also includes a dock for parking aircraft and plane access. Safety and operational benefits would be exactly as described for Seaplane Alternative 2.

Potential environmental impacts caused by Seaplane Alternative 3 would be associated with the dredging, grading, and construction to establish the fixed seaplane ramp in Mermaid Cove. Approximately 3,030 cubic yards of fill would be required for the dock. Beyond the temporary impacts of construction, a small amount of marine habitat would be eliminated. The estimated cost of this alternative is \$1.5 million. These impacts would not be significant.

## **3.4 Approach Lighting System Alternatives**

As described in Sections 2.4.4.1 through 2.4.4.3 of the FEIS, three ALS alternatives, including the no action alternative, were evaluated that would improve the ability of aircraft to land at and takeoff from the Airport during inclement weather conditions. Figures 2.4-10 and 2.4-11 illustrate the two approach lighting systems considered. Table 2.6-5 of the FEIS identifies the environmental impacts associated with the approach lighting system alternatives. The following sections summarize these three alternatives.

### **3.4.1 ALS Alternative 1: No Action**

This alternative is the Sponsor's proposed action, and the FAA's preferred and selected alternative. ALS Alternative 1 would continue the existing condition of no approach lighting for aircraft approaches to Runway 11. There would be no improvement in runway visual recognition in poor weather or nighttime operations. This alternative would not change conditions under which instrument flight rules are imposed or when other special procedures, such as Alaska Airlines Required Navigational Performance (RNP) Required Navigational Approach (RNAV), could be used. This alternative would not affect access to the Airport beyond that currently experienced. There is no additional social or environmental impact associated with ALS Alternative 1, and no implementation cost. These impacts would not be significant.

**Sitka Rocky Gutierrez Airport  
Record of Decision**

**3.4.2 ALS Alternative 2: Installation of a Medium Intensity Approach Lighting System (MALS) on Pile Structures**

ALS Alternative 2 involves the installation of a MALS on the approach end of Runway 11 (the predominant approach for landings at Sitka Airport). It would include pile support structures for the lights constructed at 200-foot intervals along its entire length, extending approximately 1,200 feet beyond the runway end. Maintenance and other access to the lights would be conducted by boat. The cost of installing the MALS would be about \$2.3 million.

Adding further lighting and marking would create safer landing conditions for all aircraft during the transition to visual references used in landing at night and during poor weather conditions. The MALS would provide an array for flashing lights visually indicating the approach to the runway landing threshold. A ¼-mile visibility credit would be gained for the user of the RNP RNAV procedure (i.e., Alaska Airlines) and the public users of the Runway 11 LDA/DME and GPS approach. Aircraft approaches to Runway 11 could increase, as the MALS would increase the percentage of the time annually that the Airport would be accessible during poor weather conditions.

The primary potential environmental impacts related to ALS Alternative 2 would be associated with installation of the support pilings, including short-term disruptions to marine vessel traffic and increased turbidity to the marine environment around the construction zones. Conservation measures to avoid impacts to marine mammals would include a prohibition on blasting. Piles would also need to be illuminated and marked for avoidance by marine vessel traffic. The lighting structures could inadvertently increase wildlife hazards to aviation by providing resting perches for birds. These impacts would not be significant.

**3.4.3 ALS Alternative 3: Installation of a Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights (MALSR) on Pile Structures**

ALS Alternative 3, involving installation of a MALSR, is similar to ALS Alternative 2, except that runway alignment indicator lights would extend the approach lighting system an additional 1,000 feet, or a total of 2,200 feet from Runway 11 end. The MALSR would be installed on pile supports spaced in 200-foot increments. The safety and operational benefits of the MALSR are essentially the same as described for ALS Alternative 2. The primary additional benefit of the MALSR is the runway alignment indicator lights provide greater precision approaches. The cost of installing the MALSR is estimated to be \$3 million.

The primary potential environmental impacts and conservation measures related to ALS Alternative 3 would be as described for ALS Alternative 2, except that more pilings would be installed requiring an extended construction period and affecting a larger area of marine habitat and water quality. As with ALS Alternative 2, piles would need to be illuminated and marked for avoidance by marine vessel traffic, and they could inadvertently increase wildlife hazards to aviation by providing resting perches for birds. However, these impacts would not be significant.



### **3.5 Alternatives to Make Repairs & Improvements to the Seawall**

Only one action alternative was evaluated that would meet the need to maintain structural integrity of the runway and prevent closure of the runway resulting from wave overtopping and associated storm debris. Sections 2.4.5.1 and 2.4.5.2 of the FEIS describe the no action and proposed action alternatives, while Figure 2.4-12 shows the area along the runway where seawall repairs would take place. Table 2.6-6 of the FEIS identifies the environmental impacts associated with the Airport seawall alternatives. The following sections summarize these two alternatives.

#### **3.5.1 Seawall Alternative 1: No Action**

This alternative is the Sponsor's proposed action, and the FAA's preferred and selected alternative. Seawall Alternative 1 would result in no action to repair the seawall between the Fort Ray Causeway and the Runway 29 end. There are no additional social or environmental impacts associated with this no action alternative, and no implementation cost for Alternative 1. Emergency repairs would be made as needed to keep the runway operating, but periodic runway closures would continue to be experienced, with resultant short term adverse economic impacts to the airport and aircraft operators during these closures. Materials would continue to wash from the seafloor onto the runway during storm events, causing a hazard to aircraft and requiring periodic closure to clear the runway. There would be no change in operational capabilities from existing conditions unless the runway structure were to fail, at which time the runway could be closed for an extended period until repairs are made.

#### **3.5.2 Seawall Alternative 2: Seawall Repairs**

Implementation of Seawall Alternative 2 would result in repair of the existing seawall between the Fort Ray Causeway and the Runway 29 end. Additional fill and armor stone would be used for these repairs to approximately 3,850 feet of runway seawall. The benefit of this action would be to reduce wave overtopping and prevent future deterioration of the runway structure. The cost of seawall repairs and improvements is estimated to be \$36 million.

This alternative would increase safety and reduce maintenance costs by reducing the occurrence of obstructions and debris on the runway during storm events. Runway closures would be reduced and operational capability of the Airport increased. There would be reduced chance of emergency closure of the runway caused by structural failure. The primary potential environmental impacts related to this alternative would be associated with construction activities, including short-term construction-related disturbances and noise increases. There would also be temporary impacts to the marine environment (increased turbidity from construction) and permanent loss of marine habitat. These impacts would not be significant.

### **3.6 Land Transfer Alternatives**

The FAA requires that for airports and airport projects supported with federal funding, the airport owner must acquire sufficient real property rights needed for the construction, operation, and maintenance of the airport. The FAA encourages airport

## **Sitka Rocky Gutierrez Airport Record of Decision**

owners to acquire fee title to all land within the physical boundaries of the airport. Fee interest or easement may be acquired as needed for aircraft approach and departure protection. In cases where the airport owner cannot obtain full fee title ownership of properties necessary for aviation and airport uses, property rights must be acquired sufficient to encumber the remaining real estate with provisions that would ensure full use of the property needed for airport infrastructure and for safe airport operations conforming to FAA requirements.

The ADOT&PF must hold good title to the areas of the Sitka Airport used or intended to be used for landing, taking-off, or surface maneuvering of aircraft. A good title is a marketable title, free and clear of all liens and encumbrances. Title with respect to lands to be used for landing area or building area purposes can be either fee simple title (free and clear of any and all encumbrances), or title with certain rights excepted or reserved. Any encumbered title must not deprive the airport owner of possession or control necessary to carry out all obligations under FAA grants.

Public use airport sponsors, such as the ADOT&PF, that qualify for federal funding under the Aviation Trust Fund must have sufficient interest in the landing and building areas. In instances where the airport owner's title consists of a long-term lease or easement, such title is satisfactory provided the following conditions are met:

- If the landing area is leased, the lessor must be a public agency;
- The airport owner has a long-term lease or easement (minimum of 20 years from the date of the grant) to all landing areas and building areas;
- The lease or easement contains no provision which prevents the ADOT&PF from assuming any of the obligations of the grant agreement; and,
- That consideration for the entire lease or easement is paid in advance. However, this condition may be waived if the airport owner has adequate financial resources to assure future lease payments.

The constraints described above limit the possible alternatives available to provide sufficient property rights to maintain and manage the Airport safely and according to FAA regulations. One action alternative was identified that would meet the need to obtain property rights sufficient to protect lands for current and future aviation and airport uses at the Airport. Sections 2.4.6.1 and 2.4.6.2 of the FEIS describe the no action and proposed action alternatives, while Figure 2.4-13 of the FEIS (Figure 2 in this Record of Decision) shows the boundaries within which federal lands that would be transferred if the proposed action were implemented. Table 2.6-6 of the FEIS identifies the environmental impacts associated with the land transfer alternatives. The following sections summarize these two alternatives.

### **3.6.1 Land Transfer Alternative 1: No Action**

This alternative would result in no changes in property rights associated with federal owned lands from Executive Orders 8216 and 8877 needed for Airport uses and aviation at the Airport. Without some form of property rights allocation, the ADOT&PF would have little or no control over development and use on the applicable federal lands

within the future Airport boundary. Land Transfer Alternative 1 conflicts with FAA policy and would not meet the need for the ADOT&PF to obtain property rights sufficient to protect lands for current and future aviation and airport uses. There are no direct costs or environmental impacts associated with the no action alternative. However, without sufficient land interest, the ADOT&PF may not be able to comply with FAA grant requirements, and land uses incompatible with safe and efficient airport and aviation operations could result.

### **3.6.2 Land Transfer Alternative 2: Transfer of Property Rights within Airport Boundary to the State from the Federal Government**

This alternative is the Sponsor's proposed action and the third option described below represents the FAA's preferred and selected alternative. Land Transfer Alternative 2 would transfer property rights for about 200 acres of submerged and filled lands owned by the federal government and managed by the BLM to the ADOT&PF for airport improvements and management. This alternative would satisfy the need for the Airport to have property rights sufficient to protect lands for current and future aviation and airport uses. Land Transfer Alternative 2 would ensure that the ADOT&PF has sufficient interest in the areas immediately surrounding the existing Airport to maintain object free areas, runway protection zones, and other operational and safety areas and to implement needed airport improvements. Transfer of property rights to the State of Alaska from the Federal Government could take place through one of three options: title transfer, a long-term lease or an easement from the BLM to the ADOT&PF with conveyance of sufficient property rights, or a combination of title transfer and long-term lease or easement. Each of these options is described in more detail below. Environmental consequences resulting from implementation of these options were summarized in Table 2.6-7 of the FEIS.

#### **Title Transfer Option**

A transfer of title from the federal government to the State would provide the ADOT&PF with permanent ability to control and improve the lands needed for continued safe and efficient use of the Airport, as a part of the National Air Transportation System. All property rights and management authority for approximately 112 acres of federal land within Executive Order 8216 and 86 acres of Executive Order 8877 would be transferred to the State of Alaska for the Airport use.

#### **Long-Term Lease or Easement Option**

This option would require a legal agreement, such as a long-term lease or easement, between the ADOT&PF and the BLM that would authorize the ADOT&PF to manage the applicable portions of federal lands within Executive Orders 8877 and 8216 around the Airport. Under the lease or easement option, the BLM would retain federal ownership. The ADOT&PF would obtain sufficient property rights to control and improve the lands as needed for continued safe and efficient use of the Airport as a part of the National Air Transportation System. For this option to be viable, according to FAA grant conditions, the lease or easement would need to be written to remain in effect for a minimum of 20 years.

**Sitka Rocky Gutierrez Airport  
Record of Decision**

**Combination Title Transfer and Long-Term Lease or easement Option**

The third option available under Land Transfer Alternative 2 is a combination of the first two options. Permanent title would be transferred to the State of Alaska for a portion of the lands needed by the Airport, while the remaining lands would be leased or provided under an easement. The BLM would retain a portion of area currently under federal ownership, and the ADOT&PF would gain title to some lands and obtain sufficient property rights to control lands immediately surrounding the Airport. This option would transfer the title to all filled lands within the Airport boundary and the Airport Lagoon. Title transfer could also extend out to filled and/or submerged lands needed to encompass the runway including areas within both the FAA standard lateral safety area around the runway and the area needed to implement the preferred alternative for the seaplane pullout. The long-term lease or easement agreements for the remaining lands would be maintained to provide the minimum 20-year time frame necessary for FAA grant compliance. The boundaries for this option, differentiating between properties transferred through title transfer and properties transferred through long-term lease or easements, could be adjusted during implementation. For example, the title transfer portion could include only lands currently above the high tide line, with submerged lands transferred through long-term lease or easement.

The BLM has management responsibility for the federal lands in question and is the federal agency authorized to approve title transfers or other conveyance mechanisms. The BLM will therefore also complete a Record of Decision documenting their preferred and selected alternatives for conveyance of federal lands to the State of Alaska for airport purposes. The FAA and the BLM have cooperated in preparation of the NEPA decision documentation for the Sitka Airport to assure consistent approval and authorization statements to allow the needed land conveyance activities to proceed. The BLM has identified Land Transfer Alternative 2, with the option describing a combination of title transfer and long-term lease or easement, as the preferred and selected alternative, and FAA concurs with the BLM's decision. The two agencies have agreed to hold concurrent signings of their respective Record of Decisions.

## **4.0 Preferred Alternatives**

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This section provides a summary of the alternatives identified in Section 2.5 of the FEIS as the *FAA's preferred alternatives*. The rationales for these preferences are explained, and figures illustrate the scope of each preferred alternative. This section also identifies the *environmentally preferred alternative* for each action as required by CEQ regulations (40 C.F.R. § 1505.2(b)) and FAA Orders (FAA Order 5050.4B, Paragraph 1007.e7).

### **4.1 FAA Preferred Alternatives**

The FAA's preferred alternatives are those "which the agency believes would fulfill its statutory mission and responsibilities, giving consideration to economic, environmental, technical, and other factors".<sup>16</sup> Therefore, in making a determination as to preferred alternatives for the Airport, the FAA has considered not only relevant and applicable environmental statutes, but also its statutory charter to encourage the development of civil aeronautics and safety of air commerce in the United States (49 U.S.C. § 40104).

*The Airports Program's statutory mission is to provide leadership in planning and developing a safe, efficient national airport system to satisfy the needs of the aviation interests of the United States. In accomplishing this mission, the Airports Program will consider economics, environmental compatibility, and local proprietary rights, and safeguard the public investment.*<sup>17</sup>

The Approving Official for this Record of Decision has selected preferred alternatives based on a review of "each alternative's ability to fulfill the agency's mission while considering their economic and environmental impacts, and technical factors."<sup>18</sup> The FAA's preferred alternatives for the Airport are consistent with the mission of the Airports organization.

The preferred alternatives were identified based on their ability to meet relevant statutory considerations and satisfy the purpose and need for each action, and in consideration of other environmental and technical factors specific to the actions being considered. The FAA carefully considered public comment and testimony offered as part of project scoping and during meetings and hearings for the Draft EIS. Reasoned and expert advice from state and federal agencies and from the Sitka Tribe of Alaska was continually factored into development and evaluation of the alternatives. Opportunities to avoid, reduce, or minimize environmental impacts were incorporated into the alternatives when possible. The FAA's preferred alternatives are consistent with the Sponsor's proposed actions. Each of the FAA's preferred alternatives have been selected for implementation (see Section 5.0 of this Record of Decision).

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<sup>16</sup> Council on Environmental Quality "Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations," Question 4a. 1981. See <http://www.nepa.gov/nepa/regs/40/40p3.htm>

<sup>17</sup> National Environmental Policy Act Implementing Instructions for Airport Projects: FAA Order 5050.4B, Paragraph 1301c(3)

<sup>18</sup> FAA Order 5050.4B, Paragraph 1007e (7).

**Sitka Rocky Gutierrez Airport  
Record of Decision**

**4.1.1 Runway Safety Area Alternatives**

The FAA’s preferred RSA alternative, RSA Alternative 5, would provide a substantial safety enhancement to Runway 11/29. This alternative has a number of benefits compared to others. For example, alternatives incorporating EMAS into their design are not considered as “prudent” as RSA alternatives incorporating landmass extension because of uncertainty over the suitability of EMAS in extreme coastal conditions such as those at Sitka. In addition, RSA Alternative 5 incorporates landmass extension only on Runway end 29, which is considered to be less environmentally sensitive than Runway end 11 due to the rarity of historic herring spawn (only once between 1977 and 2007). Figure 4 illustrates the changes resulting from RSA Alternative 5.

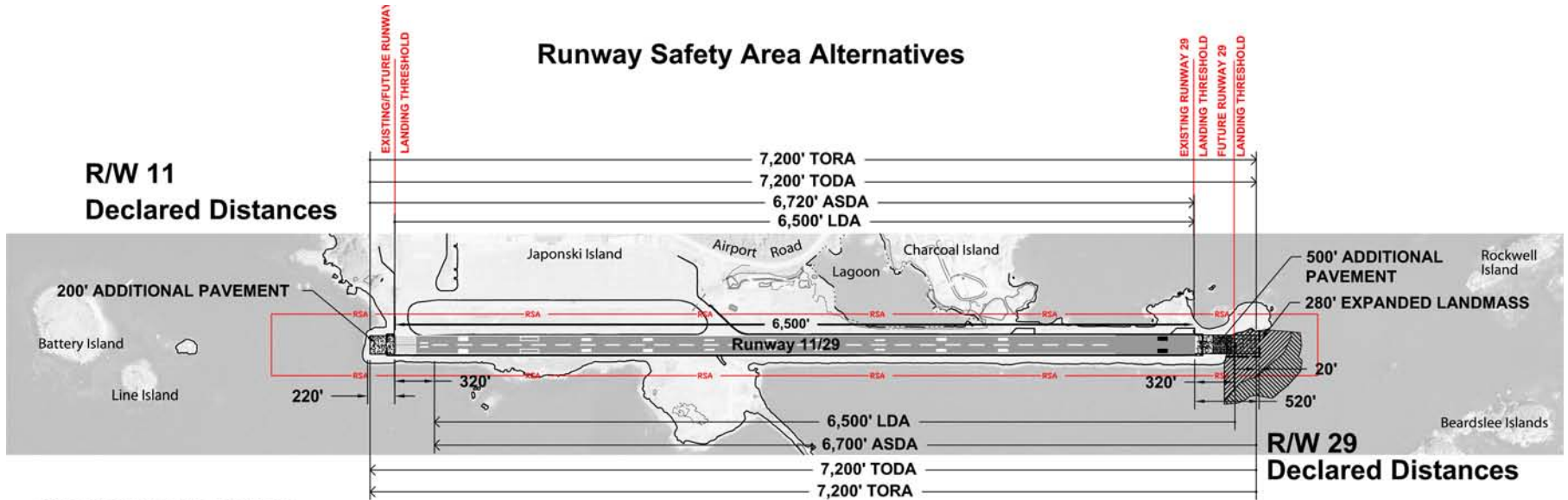
RSA Alternative 5 would provide a level-of-safety for aircraft overruns during poor braking conditions that is comparable to an EMAS bed installation with 40-knot stopping capability with full braking and reverse thrust available. The RSA overrun on Runway 11 would be lengthened to 520 feet, while the RSA overrun on Runway 29 would be lengthened to 540 feet. The RSA undershoot for Runway 11 would be maintained at 220 feet, while the RSA undershoot for Runway 29 would be reduced slightly to 200 feet from 240 feet.

RSA Alternative 5 would maintain the runway’s existing non-standard lateral RSAs, but enhance the RSA at each end of the runway with the extension of grooved runway pavement. Pavement extensions (200 feet on existing land beyond the Runway end 11 threshold; 500 feet beyond the existing Runway end 29 threshold with the 280-foot landmass extension) would not only enhance RSAs but, in conjunction with threshold repositioning and implementation of declared distance criteria, provide an increase to some runway operational criteria. The specified runway operational lengths for takeoff run available, takeoff distance available, and accelerate stop distance available would all increase, potentially offering benefits such as increased takeoff weights for some aircraft. The existing landing distance available would be maintained for each runway.

	<i>TORA</i>	<i>TODA</i>	<i>ASDA</i>	<i>LDA</i>
<i>Runway 11</i>	7,200'	7,200'	6,720'	6,500'
<i>Runway 29</i>	7,200'	7,200'	6,700'	6,500'



## Runway Safety Area Alternatives



### RUNWAY SAFETY AREA LENGTH

RUNWAY END	RSA UNDERSHOOT	RSA OVERUN
R/W 11	220' *	520' *
R/W 29	200' *	540' *

\* DIMENSION INCLUDES GROOVED RUNWAY PAVEMENT

### RSA Projects/Cost Estimates

~ Runway 11 Extension:	\$ 654,500
~ Runway 29 Extension:	\$ 1,376,000
~ Runway 29 Landmass Extension:	\$26,000,000
<b>TOTAL</b>	<b>\$28,030,500</b>



### LEGEND

- FUTURE RUNWAY EXTENSION
- EXISTING PAVED RUNWAY
- FILL OVER ARMOR ROCK BELOW EXISTING MHHW
- FILL OVER NATURAL BOTTOM
- RUNWAY SAFETY AREA

Figure 4 Alternative 5 - Declared Distances Concept with 280-foot Landmass Expansion on Runway 29 & Pavement Extension

**Sitka** ELS

**Sitka Rocky Gutierrez Airport  
Record of Decision**

Construction in the marine waters off Runway end 29 would begin with installation of a riprap dike at the toe of the proposed fill (see Figure 5). This dike would retain the core rock fill material to be placed behind it. The riprap dike and core rock fill would be built up in subsequent layers until the fill reaches the desired height at an approximate slope of 3:1. Armor rock would be placed on the seaward side of the riprap as the fill progresses upward. The fill slope would be at a 3:1 and extend seaward. Approximately 371,000 cubic yards of fill would be needed to construct the 280-foot land mass expansion. More information about construction and associated impacts may be found in Section 4.19 of the FEIS.

Site design would also include modification of the existing runway lighting and navigational aids. In addition, the Runway 29 instrument approach procedures would be revised to reflect the new location of the Runway 29 landing threshold. Departure procedures for both runways would have to be updated to reflect the new departure thresholds on each runway end. The cost to complete this alternative is estimated at \$28 million. Changes to lighting, navigational aids, and approach and departure procedures are listed below, by runway.

**Runway 29:**

- Relocate existing Runway End Identifier Lights
- Extend and modify spacing of existing High Intensity Runway Lights
- Replace & reposition existing runway threshold lights and shield to Runway 29 operations
- Install new runway threshold lights and shield to Runway 11 operations
- Relocate or realign Visual Approach Slope Indicator or upgrade to Precision Approach Path Indicator
- Revise approach procedures
- Revise departure procedure

**Runway 11:**

- Replace & reposition existing threshold lights
- Revise departure procedure

**Runway 11/29:**

- Update existing distance-to-go signage for each operational direction



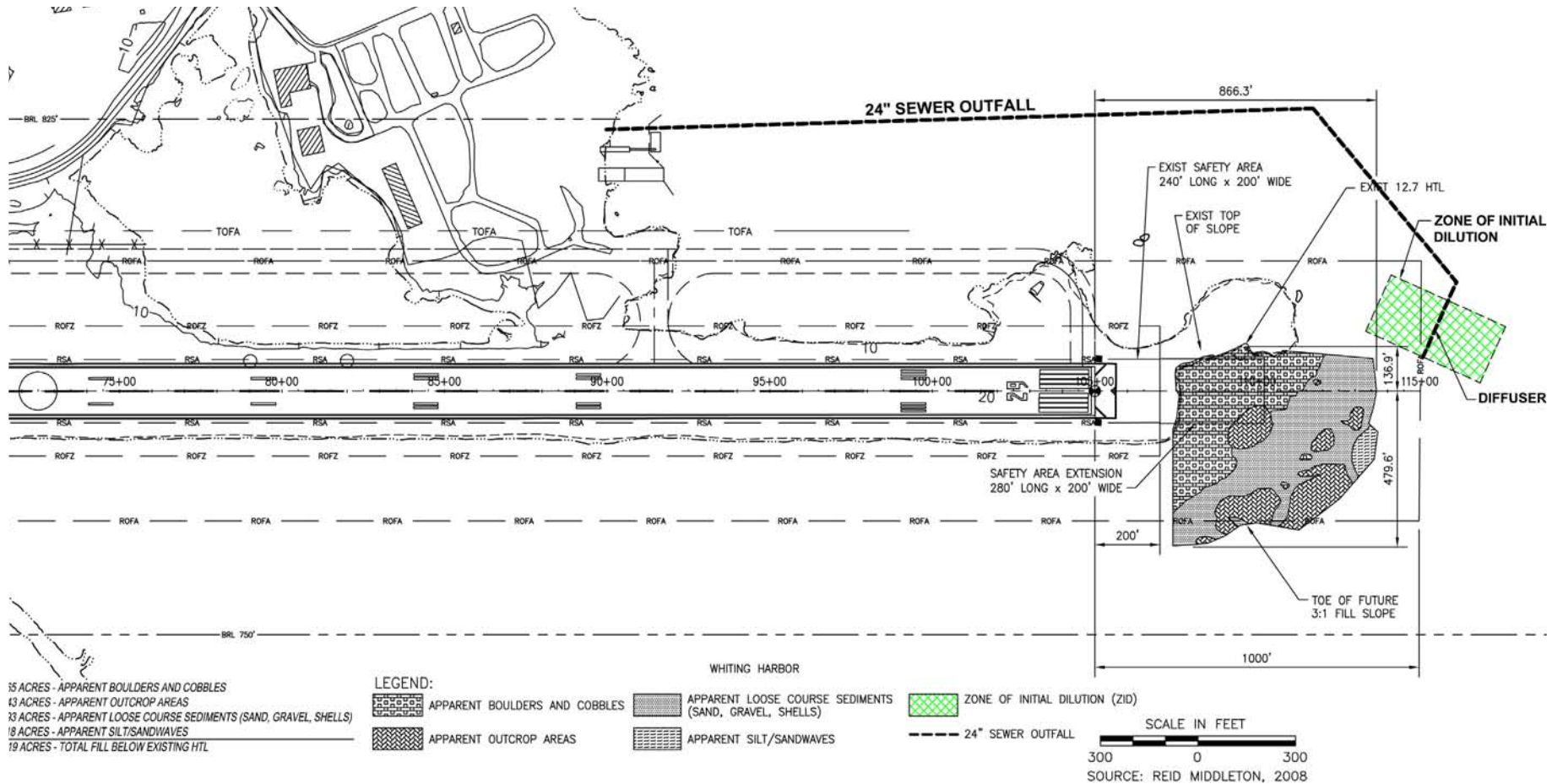


Figure 5 Runway Safety Area (RSA) Alternative 5: Fill Related to Outfall and ZID Location

**Sitka Rocky Gutierrez Airport  
Record of Decision**

**4.1.2 Parallel Taxiway Alternatives**

The FAA's preferred taxiway alternative, Taxiway Alternative 3, would extend the parallel taxiway approximately 2,330 feet from the midpoint of the runway through the Airport Lagoon to Charcoal Island (see Figure 6). The parallel Taxiway extension would be constructed 400 feet from, and parallel to, the Runway 11/29 centerline. The taxiway would be 75 feet wide, with a 118-foot-wide taxiway safety area, and maintain the existing 400-foot runway centerline to taxiway centerline separation. A connector taxiway would be constructed from the runway to the taxiway extension at Charcoal Island. Approximately 511,000 cubic yards of fill would be needed to construct the partial parallel taxiway.

Taxiway Alternative 2, consisting of construction of a full-length parallel taxiway, would provide the greatest safety benefit resulting in the largest decrease in the amount of time aircraft are on the runway and a greater reduction in potential for runway incursions. However, the high cost of Taxiway Alternative 2 (\$76.6 million), large amounts of fill (1,016,200 cubic yards), and potential environmental impacts including fill in the marine habitat of Mermaid Cove, are also much greater than Alternative 3.

**4.1.3 Seaplane Pullout Alternatives**

The FAA's preferred seaplane pullout alternative, Seaplane Pullout Alternative 2, would reduce the potential for runway incursions by eliminating the need for aircraft using the pullout to cross the runway. Other operational benefits would include more open and available runway time for aircraft operations, and reduced staff time (since escort service would no longer be required). The seaplane pullout would be relocated to Mermaid Cove on the southeast side of Charcoal Island. The pullout facility would be constructed using a 30- to 40-foot fixed ramp on a slope between 6:1 and 10:1. The toe of the concrete ramp would rest in approximately 4 feet of water. Figure 7 displays location and approximate dimensions of the seaplane pullout on Charcoal Island.

The location of the proposed seaplane pullout on Charcoal Island is the only one identified that met the purpose and need to increase safety while providing access to Airport facilities. Seaplane Pullout Alternative 3 was not selected because the Airport determined a dock would not be needed.

**4.1.4 Approach Lighting System Alternatives**

The ADOT&PF included the installation of an approach lighting system in the Airport Master Plan because it was anticipated that the project would result in significantly lower approach minimums for landings on Runway 11, the most used runway end. Through the analysis conducted for the EIS study, the FAA and State have concluded that there would not be a sufficient navigational improvement or material change in the approach minimums to justify the cost, difficult installation, and maintenance challenges associated with an ALS at the Airport. As a result, the FAA's preferred approach lighting system alternative is Alternative 1, no action.



Figure 6 **Taxiway Project Alternative 3**

**Partial Extension of the parallel taxiway to Charcoal Island.**

This alternative would extend the existing partial parallel taxiway to Charcoal Island to provide an extended partial parallel taxiway.

**Cost Estimates**

~ Taxiway Alternative 3 \$ 32,600,000





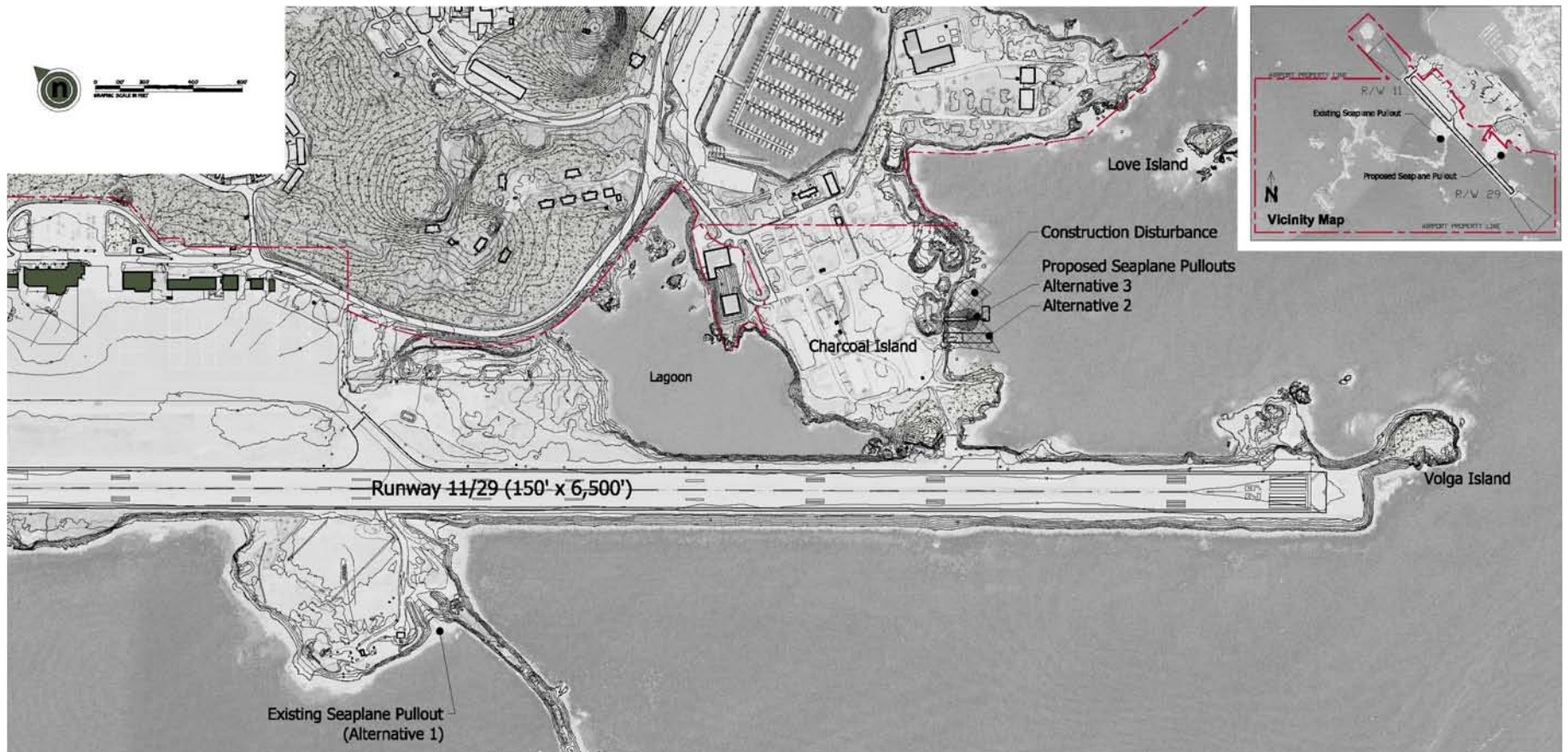


Figure 7 Seaplane Pullout Project Alternatives

**New Seaplane Pullout Ramp Construction**

**Alternative Two:**

Construct new seaplane pullout ramp (fixed ramp construction) on the east side of runway (i.e., on Charcoal Island).

- Construct fixed concrete ramp (30-foot width) on pilings with a 10:1 slope
- Ramp length to be determined based on a 4-foot depth of toe at the low water level datum
- Cost Estimate \$500,000

**New Seaplane Pullout Ramp Construction with Gangway and Dock**

**Alternative Three:**

Construct new seaplane pullout ramp (fixed ramp construction) on the east side of runway (i.e., on Charcoal Island).

- Construct fixed concrete ramp (30-foot width) on pilings with a 10:1 slope
- Ramp length to be determined based on a 4-foot depth of toe at the low water level datum
- Floating Dock for accommodating two aircraft
- Gangway length of 40 to 50 feet by 5 feet wide
- Cost Estimate \$1,500,000

#### **4.1.5 Seawall Repair Alternatives**

The FAA's preferred alternative for improvements to the seawall is Alternative 1, no action. Additional data was collected during this EIS concerning the condition of the seawall and materials on the adjacent seafloor. Based upon an analysis by the ADOT&PF using the information generated during the EIS, there is no substantial evidence that the seawall is failing. It is therefore believed that the seawall does not currently need improvement to maintain structural stability of the runway. Based upon the analysis generated during the EIS, the FAA and the ADOT&PF have agreed that the no action alternative is prudent and feasible.

#### **4.1.6 Land Transfer Alternatives**

The FAA's preferred alternative for a land transfer is Alternative 2. This alternative would transfer property rights, for portions of the Executive Orders 8216 and 8877 lands that have been identified by the ADOT&PF as being necessary for existing and future aviation and airport uses, from the Federal Government to the State of Alaska for management by the ADOT&PF. This alternative would meet requirements of the FAA for airports and airport projects supported with federal funding. The ADOT&PF would acquire sufficient property rights to ensure the ADOT&PF has sufficient interest in the area immediately surrounding the existing Airport to maintain object free areas, runway protection zones, other operational and safety areas, and to implement needed Airport improvements. The lands to be transferred are shown in Figure 2, Section 1 of this Record of Decision.

Three options to this alternative were identified in the FEIS. These are acquisition of property rights through 1) direct title transfer, 2) long-term lease or easement, or 3) a combination of title transfer and long-term lease or easement. The FAA concurs with the BLM's preferred alternative, which is a combination of direct title transfer and long-term lease or easement. The BLM, as the federal agency with land conveyance authority in this matter, shall:

- Convey to the State of Alaska lands at the Rocky Gutierrez Airport in Sitka, Alaska that are currently above the mean high tide, the Airport Lagoon, and those lands that will be above the mean high tide once fill has been placed for runway safety area and taxiway expansions, and new seaplane pullout construction, in conformance with this Record of Decision.
- Provide to the State of Alaska through a long-term authorization such lands below the mean high tide in the vicinity of the Rocky Gutierrez Airport as are necessary to provide the state with sufficient property interest to maintain object-free areas, runway protection zones, and other operational and safety areas required by the FAA.

**Sitka Rocky Gutierrez Airport  
Record of Decision**

**4.2 Environmentally Preferred Alternatives**

For most development projects, a no action alternative will cause the least impact to environmental resources. However, the environmentally preferred alternative is selected based not only on the extent of impact to social, cultural, and natural resources; it is also the alternative that best promotes the national environmental policy described in NEPA Title I, Section 101. This statutory mandate lists the following policy goals for federal actions:

1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.
2. Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings.
3. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences.
4. Preserve important historic, cultural, and natural aspect of our national heritage, and maintain, whenever possible, an environment which supports diversity and variety of individual choice.
5. Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities.
6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

The following represent the environmentally preferred alternatives for Sitka Airport.

**4.2.1 Runway Safety Area Alternatives**

RSA Alternative 2: 40-Knot EMAS on both runway ends would require that little or no fill be placed into marine habitat on either runway end, and is the action alternative that would cause the least adverse impacts to environmental resources. There are, however, two primary reasons why the FAA has not selected RSA Alternative 2 for implementation at the Airport.

First, this alternative would not provide the safety enhancements offered by other prudent and feasible alternatives, as the EMAS beds could only be constructed to 40-knot arrest speed dimensions without landmass expansion into marine habitats. Whereas, the FAA's preferred RSA Alternative 5 would exceed that of an EMAS bed installation with 40-knot stopping capability during times of better than poor braking conditions with full braking action available to the aircraft. In addition, the landmass deficiency maintained under RSA Alternative 2 would also mean the new RSAs would provide no additional undershoot protection. Second, RSA Alternative 2 and others that include EMAS are not considered as "prudent" as alternatives using traditional RSA improvements, due to the remaining questions over suitability of EMAS in coastal conditions with sometimes extreme weather conditions that include storm surges that may result in overtopping of the runway by waves, and deposition of rock and other

materials on the runway surfaces during these events. The FAA has determined that RSA Alternative 2 does not satisfy the NEPA environmental policy criterion to “Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences.” (NEPA Title I, Section 101(3)). For these reasons, the FAA has selected RSA Alternative 5 over RSA Alternative 2.

#### **4.2.2 Parallel Taxiway Alternatives**

Parallel Taxiway Alternative 3 is also the environmentally preferred alternative. The no action alternative would have the least impact on environmental resources but it would not satisfy the need to reduce potential runway incursions and enhance safety. Parallel Taxiway Alternative 3 would attain the highest degree of safety, but at a much greater cost and increased environmental degradation to sensitive marine habitat. Parallel Taxiway Alternative 3 would have the least environmental impact of the two action alternatives while best promoting NEPAs national environmental policy goals.

#### **4.2.3 Seaplane Pullout Alternatives**

Seaplane Pullout Alternative 2 is the environmentally preferred alternative. It would meet the need to reduce runway incursions and enhance safety, with minimal impact to environmental resources while best promoting NEPAs national environmental policy goals. The no action alternative would not satisfy the need, while the dock that would be installed with Seaplane Pullout Alternative 3 has been found by the ADOT&PF to be unnecessary at this time.

#### **4.2.4 Approach Lighting System Alternatives**

As described in Section 4.1.4, the FAA and the ADOT&PF have concluded that there would not be a sufficient navigational improvement or material change in the approach minimums to justify the cost, difficult installation, and maintenance challenges associated with an ALS at the Airport. As a result, the ALS Alternative 1, the no action alternative, is not only the FAA’s preferred alternative but also the environmentally preferred alternative.

#### **4.2.5 Seawall Repair Alternatives**

As described in Section 4.1.5, there is no substantial evidence that the seawall is failing. Moreover, it is believed that the seawall is not presently in need of improvement to maintain structural stability of the runway. As a result, the Seawall Alternative 1, the no action alternative, is both the FAA’s preferred alternative and the environmentally preferred alternative.

#### **4.2.6 Land Transfer Alternatives**

In almost all aspects, a transfer of property rights from federal jurisdiction to the control of the ADOT&PF for the Sitka Airport would have no environmental impacts, regardless of the manner in which the conveyance is made. By contrast, the no action alternative

## **Sitka Rocky Gutierrez Airport Record of Decision**

would not satisfy the need for control of lands necessary for airport and aviation uses and public safety, and there could be considerable impacts in terms of land use and social services. Within Land Transfer Alternative 2 the options vary only slightly, based primarily on potential impacts to subsistence resources and associated traditional cultural practices. These differences may be summarized as follows:

- **Transfer of Title.** If the property title is legally transferred there would be adverse impacts to subsistence resources and associated traditional cultural practices from a loss of federal subsistence regulations, which could affect season and bag limit for harvest of some subsistence resources. The loss of federal ownership would cause an irreversible loss of opportunities for a subsistence priority for rural residents.
- **Long-term Lease or Easement.** There would be no impacts to subsistence resources and associated traditional cultural practices resulting if the transfer of property rights is made through long-term lease or easement.
- **Combined Title Transfer/Lease or Easement.** The combined option would represent a mix of the impacts cited above. However the area of title transfer under the combined title transfer and long-term lease or easement option would be smaller and the resulting impacts to substance resources and traditional cultural practices would be less than under the title transfer only option. Only lands directly surrounding the runway and proposed seaplane pullout location would be removed from the area subject to federal subsistence regulations. The remaining portion of the submerged lands would be placed under a long-term lease or easement, retaining federal ownership on these lands. Federal subsistence regulations would continue to apply to the leased lands. Filled or submerged lands transferred to the ADOT&PF in title would cause adverse impacts to subsistence resources and traditional cultural practices from a loss of federal subsistence regulations. The loss of federal ownership of these lands would cause an irreversible loss of opportunities for a subsistence priority for rural residents. There would be no impacts to subsistence resources and traditional cultural practices caused by the use of a long-term lease or easement for property rights to those lands not transferred in title.

The action options presented above would all satisfy the need for the ADOT&PF to obtain property rights sufficient to protect lands for aviation and airport uses. However, the FAA and the BLM concur that the options of Alternative 2 that would provide a long-term authorization to all lands or only submerged lands are the environmentally preferred alternatives. Alternative 2's option that would convey all lands would have greater potential impacts because of the irreversible loss of opportunities for a subsistence priority for rural residents from loss of federal public lands.



## **5.0 Selected Alternatives**

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The FAA's selected alternatives are those that are prudent and feasible, best satisfy the purpose and need for the projects, comply with federal law and the FAA's statutory mission, and conform to the FAA's environmental responsibilities. The FAA has followed CEQ and other federal laws, regulations and guidance, as well as the comprehensive environmental analysis included in the FEIS, to determine which alternatives should be implemented at the Airport. The FAA's selected alternatives are:

- Runway Safety Area Alternative 5: Declared Distances with 280-Foot Landmass Expansion on Runway End 29 and Additional Runway Pavement
- Parallel Taxiway Alternative 3: Partial Extension of the Parallel Taxiway to Charcoal Island
- Seaplane Pullout Alternative 2: Construction of Fixed Ramp Seaplane Pullout on Charcoal Island
- Approach Lighting System Alternative 1: No Action
- Seawall Alternative 1: No Action
- Land Transfer Alternative 2: Transfer of Property Rights within Airport Boundary to Alaska from the United States using a Combination of Title Conveyance and Long-Term Lease or Easement

For the runway safety areas, the FAA's selected alternative (RSA Alternative 5) is not the environmentally preferred alternative (RSA Alternative 2). The previous Section 4.1 described the FAA's statutory obligation, codified at 49 U.S.C. § 40104, to encourage the development of civil aeronautics and safety of air commerce in the United States. In fulfilling this mission the FAA's Airports Program will safeguard public investment and consider economics, environmental compatibility, and local property rights.

Each of the FAA's selected alternatives meets statutory obligations and is consistent with the mission of the Airports Program. These alternatives also incorporate all identified practicable measures to avoid or minimize environmental harm. Accordingly, the FAA has decided that the preferred alternatives described in previous sections of this Record of Decision are the alternatives selected for implementation and federal funding. Table 1 summarizes the environmental impacts associated with each of the selected alternatives and when combined with all other selected alternatives. No significant impacts were identified for any of the selected alternatives.

The selected alternatives are expected to be implemented within the next five years, pending receipt of applicable permits by the ADOT&PF and availability of project funding. Funding for the RSA expansion and a new seaplane pullout would be allocated in fiscal years 2010 and 2011. Construction would begin in 2011 and extend potentially into 2013. Funding for Parallel Taxiway Alternative 3 is not expected until 2015.

***Sitka Rocky Gutierrez Airport  
Record of Decision***

The BLM has also identified a combination of direct title transfer and long-term lease or easement as the selected alternative to protect lands for current and future aviation and airport uses. The BLM's Record of Decision will grant the State of Alaska a long-term authorization of interest in the lands sufficient to complete the airport improvements approved in this Record of Decision. Surveys and other work necessary may begin in fiscal year 2010 to determine exact boundaries of lands above the mean high tide or that would be above the high tide upon completion of the construction projects approved in this Record of Decision. The areas selected for transfer include properties needed for construction of portions of the parallel taxiway extension and portions of the relocated seaplane pullout. The BLM's Record of Decision will provide the approval necessary for the land surveys needed to prepare the title transfer and long-term lease or easement authorization.

**Sitka Rocky Gutierrez Airport  
Record of Decision**

**TABLE 1  
ENVIRONMENTAL IMPACT SUMMARY – SELECTED ALTERNATIVES<sup>1</sup>**

<b>Impact Category</b>	<b>RSA Alt. 5 Declared Distances with 280 feet extended landmass on Rwy 29</b>	<b>Taxiway Alt. 3 Partial Parallel Taxiway</b>	<b>Seaplane Pullout Alt. 2 Ramp</b>	<b>Land Transfer Alt. 2 Land Transfer</b>	<b>Combined Impacts</b>
<b>Coastal Resources<sup>2</sup></b>	Some fill into coastal zone – Project has no upland alternative; no significant impacts on coastal access, coastal recreational areas, coastal resources, subsistence resources or access to resources, and would not endanger human life.	Some fill into coastal zone – Project has no upland alternative; no significant impacts on coastal access, coastal recreational areas, coastal resources, subsistence resources or access to resources and would not endanger human life.	Some fill into coastal zone – Project has no upland alternative; no significant impacts on coastal access, coastal recreational areas, coastal resources, subsistence resources or access to resources, and would not endanger human life.	None	Some fill into coastal zone – Project has no upland alternative; no significant impacts on coastal access, coastal recreational areas, coastal resources, subsistence resources or access to resources, and would not endanger human life.
<b>Marine</b>	622 feet of shoreline affected; 2.65 acres of fill over existing armor rock; 4.54 acres of fill over natural bottom habitat; no impacts on seagrasses; 2.6 acres of kelp impacted; 2.12 acres loss of waters of the U.S.; 30-32 weeks in water work.	Lagoon: 2,293 feet of shoreline affected; 4.02 acres of fill over existing armor rock; no seagrasses or kelp impacted; 5.61 acres of fill over natural bottom habitat; 0.07 acre of wetland impacted; 8.05 acres total loss of waters of the U.S.	100 feet of shoreline affected; 0.4 acre over natural bottom habitat; 0.10 acres of seagrasses impacted; no kelp impacted; 0.04 acre loss of waters of the U.S.; 2-3 weeks of in-water work.	None	Coastal: 722 ft of shoreline affected; 2.65 acres fill over existing armor rock; 4.94 acres fill over natural bottom; 0.10 acres of seagrass impacted; 2.6 acres kelp impacted; 2.16 acres loss of U.S. waters; 32-35 weeks in-water work. Lagoon: 2,293 ft of shoreline affected; 4.02 acres fill on existing armor rock; no seagrasses or kelp impacted; 5.61 acres fill on natural bottom; 8.05 acres loss of U.S. waters (0.07 acre wetland impact)

**Sitka Rocky Gutierrez Airport  
Record of Decision**

**TABLE 1 (Continued)  
ENVIRONMENTAL IMPACT SUMMARY – SELECTED ALTERNATIVES<sup>1</sup>**

<b>Impact Category</b>	<b>RSA Alt. 5 Declared Distances with 280 feet extended landmass on Rwy 29</b>	<b>Taxiway Alt. 3 Partial Parallel Taxiway</b>	<b>Seaplane Pullout Alt. 2 Ramp</b>	<b>Land Transfer Alt. 2 Land Transfer</b>	<b>Combined Impacts</b>
<b>Floodplain</b>	No significant encroachment. Slight encroachment into coastal floodplain; encroachment would not impact any natural or beneficial floodplain values, endanger human life or endanger SIT operations.	No significant encroachment. Slight encroachment into coastal floodplain; encroachment would not impact any natural or beneficial floodplain values, endanger human life or endanger SIT operations.	No significant encroachment. Slight encroachment into coastal floodplain; encroachment would not impact any natural or beneficial floodplain values, endanger human life or endanger SIT operations.	None	No significant encroachment into coastal floodplain; encroachment would not impact any natural or beneficial floodplain values, endanger human life or endanger SIT operations.
<b>Water Quality</b>	~8.12% increase of stormwater runoff; slight increase in pollutant loads. Short-term turbidity increase during construction.	13% increase of stormwater runoff and urea loading; changes to lagoon water chemistry; short-term turbidity increase in lagoon.	Minor, short-term turbidity increase in marine waters.	None	~21.12% increase of stormwater runoff; slight increase in pollutant loads. Short-term turbidity increase during construction.
<b>Wetlands</b>	None	0.07 acre of wetland impacts; 8.05 acres of total non-marine waters of the U.S. lost.	None	None	0.07 acre of wetland impact; 8.05 acres of total non-marine waters of the U.S. lost.
<b>Noise</b>	Short-term, slight increase in noise from construction; No noise sensitive areas or residences within the 65 DNL noise contour.	Short-term, slight increase in noise from construction; no change in aircraft noise. No noise sensitive areas or residences within the 65 DNL noise contour.	Short-term; slight increase in noise from construction; no change in aircraft noise. No noise sensitive areas or residences within the 65 DNL noise contour.	None	Short-term, slight increase in noise from construction. No noise sensitive areas or residences within the 65 DNL noise contour.

**Sitka Rocky Gutierrez Airport  
Record of Decision**

**TABLE 1 (Continued)  
ENVIRONMENTAL IMPACT SUMMARY – SELECTED ALTERNATIVES<sup>1</sup>**

<b>Impact Category</b>	<b>RSA Alt. 5 Declared Distances with 280 feet extended landmass on Rwy 29</b>	<b>Taxiway Alt. 3 Partial Parallel Taxiway</b>	<b>Seaplane Pullout Alt. 2 Ramp</b>	<b>Land Transfer Alt. 2 Land Transfer</b>	<b>Combined Impacts</b>
<b>Compatible Land Use</b>	None	Property rights would need to be transferred to the State from the Federal Government for the project to proceed (See Land Transfer Alternative 2).	Property rights would need to be transferred from the Federal Government to the State.	Property rights and management would be transferred to the ADOT&PF, enabling the ADOT&PF to improve existing facilities, protect Airport facilities, and preserve necessary lands and airspace for aviation uses.	Property rights would need to be transferred to the State from the Federal Government, enabling the ADOT&PF to improve existing facilities, protect Airport facilities, and preserve necessary lands and airspace for aviation uses.
<b>Historical, Architectural, Archeological, and Cultural Resources</b>	No cultural or historic properties impacted; Some short-term impact on customary and traditional practices by temporary reduction in herring spawning habitat in portions around Runway end 29 and a resulting temporary displacement of harvesting activities during construction. No substantial long-term adverse impacts to subsistence from loss of resources and access to resources at Runway end 29. Long-term impacts would be negligible to beneficial, as marine plants would re-inhabit the new fill material and fill over soft seafloor would create additional rocky habitat.	No cultural or historic properties impacted; some short-term impact on customary and traditional practices from construction activities near SIT. No substantial long-term adverse impacts to customary and traditional practices. Some long-term adverse impacts to subsistence resources from permanent loss of migratory bird resting habitat at Airport Lagoon.	No cultural or historic properties impacted; Some short-term impact on customary and traditional practices by temporary reduction in herring spawning habitat in Mermaid Cove and a resulting temporary displacement of harvesting activities to other locations near SIT during construction. Some adverse long-term impacts to subsistence from loss of resources in Mermaid Cove offset by a small increase in harvest area from closure of the current seaplane pullout location in Whiting Harbor.	No cultural or historic properties impacted; No substantial change in access to subsistence resources. Combined long-term lease and title transfer option retains the opportunity for federal subsistence priority for rural residents (see subsistence analysis for potential effects to subsistence resources and users)	No cultural or historic properties would be impacted by the transfer of property rights. (See subsistence analysis for potential effects to subsistence resources and users.)

**Sitka Rocky Gutierrez Airport  
Record of Decision**

**TABLE 1 (Continued)  
ENVIRONMENTAL IMPACT SUMMARY – SELECTED ALTERNATIVES<sup>1</sup>**

<b>Impact Category</b>	<b>RSA Alt. 5 Declared Distances with 280 feet extended landmass on Rwy 29</b>	<b>Taxiway Alt. 3 Partial Parallel Taxiway</b>	<b>Seaplane Pullout Alt. 2 Ramp</b>	<b>Land Transfer Alt. 2 Land Transfer</b>	<b>Combined Impacts</b>
<b>Socio-economic, Environmental Justice, and Children’s Environmental Health and Safety</b>	\$43,800,000 total business income increase; 386.2 extra jobs; increased tax revenue; no impact on children’s health or safety; no environmental justice impacts.	\$50,940,000 total business income increase; 449 extra jobs; increased tax revenue; no impact on children’s health or safety; no environmental justice impacts.	\$2,350,000 total business income increase; 20.7 extra jobs; increased tax revenue; no impact on children’s health or safety; no environmental justice impacts.	None	\$97,090,000 total business income; 855.9 extra jobs; increased tax revenue; no impact on children’s health or safety; no environmental justice impacts.
<b>Section 4(f)</b>	None	None	None	None	None
<b>Terrestrial Wildlife and Vegetation</b>	0.6 acre vegetation disturbance; 0.6 acre of wildlife habitat disturbance; low intensity direct impacts on wildlife and habitat due to small percentage of habitat loss; medium intensity indirect impacts from temporary displacement due to construction activities (2013); low intensity indirect impacts due to minimal impacts from ongoing operations (2023).	4.7 acres vegetation disturbance; 11.1 acres of habitat disturbance; medium intensity direct impacts on wildlife and habitat due to moderate percentage permanent of habitat loss; medium intensity indirect impacts from temporary displacement due to construction activities and ongoing airport operations on the new taxiway (2013); low intensity indirect impacts due to minimal impact ongoing taxiway operations (2023).	0.3 acre vegetation; 0.3 acre of wildlife habitat disturbed; low intensity direct impacts on wildlife and habitat due to small percentage of habitat loss; medium intensity indirect impacts from temporary displacement due to construction activities, increased human activity, and ongoing aircraft operations (2013); low intensity indirect impacts due to minimal impacts from ongoing airport operations (2023).	None	5.6 acres of vegetation disturbance; 12.0 acres of wildlife habitat disturbance; low intensity direct impacts on wildlife and habitat due to a small percentage of habitat loss; medium intensity indirect impacts from temporary displacement due to construction activities, increased human activity and ongoing aircraft operations (2013); low intensity indirect impacts due to minimal impacts from ongoing operations (2023)

**Sitka Rocky Gutierrez Airport  
Record of Decision**

**TABLE 1 (Continued)  
ENVIRONMENTAL IMPACT SUMMARY – SELECTED ALTERNATIVES<sup>1</sup>**

<b>Impact Category</b>	<b>RSA Alt. 5 Declared Distances with 280 feet extended landmass on Rwy 29</b>	<b>Taxiway Alt. 3 Partial Parallel Taxiway</b>	<b>Seaplane Pullout Alt. 2 Ramp</b>	<b>Land Transfer Alt. 2 Land Transfer</b>	<b>Combined Impacts</b>
<b>Hazardous Material</b>	Small increase of pollutant loads in runoff; minor amounts of solid waste generated.	Minor amounts of solid waste generated.	Minor amounts of solid waste generated.	None	Small increase of pollutant loads in runoff; minor amounts of solid waste generated.
<b>Secondary Impacts</b>	Small number of displaced subsistence users could temporarily increase competition at adjacent subsistence locations.	Short-term secondary increase in urea loads could increase algal blooms and the reduction in the oxygen available; potential increased odor of decay from algal blooms.	Small number of displaced subsistence users could temporarily increase competition at adjacent subsistence locations.	Property rights transfer would enable other proposed construction projects to proceed.	Small number of displaced subsistence users could temporarily increase competition at adjacent subsistence locations; short-term secondary increase in urea loads could increase algal blooms and the reduction in oxygen available; potential increased odor of decay from algal blooms; property rights transfer would enable other proposed construction projects to proceed.
<b>Farmlands</b>	None	None	None	None	None
<b>Light Emissions and Visual Impacts</b>	Moderate short-term (2013) and minor long-term (2023) visual impacts as a result of increased landmass; additional High Intensity Runway Lights (HIRLs) (every 100 feet) – No substantial adverse lighting impact.	Moderate short-term (2013) and major long-term (2023) visual impacts; additional taxiway lights every 100 feet.	Minor, short- and long-term visual impacts (2013 and 2023); minimal additional lights – no substantial adverse lighting impact.	None	Moderate, short-term (2013) and minor long-term (2023) visual impacts; additional HIRLs, taxiway and seaplane lights; no substantial adverse lighting impact.
<b>Natural Resources and Energy Supply</b>	371,200 cy of fill; small increase in fuel use from upkeep/snow removal; no significant effect on local or regional energy supplies or natural resources.	511,000 cy of fill; small increase in fuel use due to upkeep/snow removal; no significant effect on local or regional energy supplies or natural resources.	1,115 cy of fill; no significant effect on local or regional energy supplies or natural resources.	None	883,315 cy of fill; small increase in fuel use from upkeep/snow removal; no significant effect on local or regional energy supplies or natural resources.

**Sitka Rocky Gutierrez Airport  
Record of Decision**

**TABLE 1 (Continued)  
ENVIRONMENTAL IMPACT SUMMARY – SELECTED ALTERNATIVES<sup>1</sup>**

<b>Impact Category</b>	<b>RSA Alt. 5 Declared Distances with 280 feet extended landmass on Rwy 29</b>	<b>Taxiway Alt. 3 Partial Parallel Taxiway</b>	<b>Seaplane Pullout Alt. 2 Ramp</b>	<b>Land Transfer Alt. 2 Land Transfer</b>	<b>Combined Impacts</b>
<b>Subsistence</b>	No significant impacts. No impact on terrestrial subsistence resources; low, short-term impacts to access of areas and to marine resources from habitat disturbance during construction activity. Temporary reduction of herring spawning habitat for 1-2 years during marine recolonization after construction. No substantial long-term adverse impacts to subsistence from loss of resources and access at Runway end 29. Long-term impacts would be negligible to beneficial, as marine plants would re-inhabit the new fill material and fill over soft seafloor would create additional rocky habitat.	No Significant Impacts. Some adverse impacts to subsistence resources from loss of migratory bird habitat during the construction period. Some long-term adverse impacts to subsistence resources from permanent loss of migratory bird resting habitat at the Airport Lagoon.	No Significant Impacts; temporary loss of resources and access to resources in Mermaid Cove during the construction period. Some long-term adverse impacts to subsistence from loss of resources and access in Mermaid Cove offset by a small increase in harvest area from the closure of the current seaplane pullout location in Whiting Harbor.	No significant impacts. No substantial change in physical access to subsistence resources; Under the combined title transfer/lease or easement option, there would be no adverse impact to subsistence resources as the marine areas used for subsistence would retain the opportunity for management under federal subsistence regulations and there would be no loss of opportunities for a subsistence priority for rural residents.	No significant impacts. No impact on terrestrial subsistence resources; low, short-term impacts to physical access of areas and to marine resources from habitat disturbance during construction activity. Temporary reduction of herring spawning habitat for 1-2 years during marine recolonization after construction. No substantial long-term adverse impacts to subsistence from loss of resources and access at Runway end 29. Long-term impacts would be negligible to beneficial, as marine plants would re-inhabit the new fill material and fill over soft seafloor would create additional rocky habitat. No substantial change in physical access to subsistence. Under the combined title transfer/lease or easement option, there would be no adverse impact to subsistence resources as the marine areas used for subsistence would retain the opportunity for management under federal subsistence regulations and there would be no loss of opportunities for a subsistence priority for rural residents. Some adverse impacts to subsistence from loss of resources in Mermaid Cove offset by small increase in harvest area from closure of the current seaplane location in Whiting Harbor.



**Sitka Rocky Gutierrez Airport  
Record of Decision**

**TABLE 1 (Continued)  
ENVIRONMENTAL IMPACT SUMMARY – SELECTED ALTERNATIVES<sup>1</sup>**

<b>Impact Category</b>	<b>RSA Alt. 5 Declared Distances with 280 feet extended landmass on Rwy 29</b>	<b>Taxiway Alt. 3 Partial Parallel Taxiway</b>	<b>Seaplane Pullout Alt. 2 Ramp</b>	<b>Land Transfer Alt. 2 Land Transfer</b>	<b>Combined Impacts</b>
<b>Wild and Scenic Rivers</b>	None	None	None	None	None
<b>Construction</b>	184 days of construction; 461 truck trips; 98 barge trips.	153 days of construction; 1,125 truck trips; 94 barge trips.	19 days of construction; 48 truck trips.	None	356 days of construction; 1,634 truck trips; 192 barge trips.
<b>Air Quality</b>	Small, short-term increases in emissions from construction equipment.	Small, short-term increases in emissions from construction equipment.	Small, short-term increases in emissions from construction equipment.	None	Small, short-term increases in emissions from construction equipment.

<sup>1</sup> The no action alternative is preferred for both the Approach Lighting System and Seawall actions. No environmental impacts are associated with these alternatives other than socioeconomic. Without an approach lighting system, SIT would continue to be closed to commercial aircraft from 1 to 2.6 days per year. Without improvements to the seawall, the runway would continue to be closed during and after major storm events due to debris on the runway.

<sup>2</sup> A Coastal Zone Consistency determination would be required for all of the action alternatives. However, based on review of the State and Sitka Coastal Management Plans, it appears that this alternative is consistent with the enforceable policies.

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## **6.0 Summary of Mitigation Measures**

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“Mitigation” is the process used to avoid, minimize, and compensate for unavoidable environmental impacts of an action or management practice. Steps in this process may typically include methods to avoid an impact altogether, or minimize or reduce the magnitude of impact to the extent practicable. All of these types of mitigation can be included in an action proposed by a sponsor, or incorporated into an alternative design as part of the regulatory approval process incumbent upon most major actions. Two other types of mitigation, rehabilitation (i.e., impact rectification) and compensation are also important to consider. However, these are methods of mitigation considered only for those impacts that cannot be avoided or those that remain after measures to minimize project impacts are incorporated into project designs.

Section 6.0 of the FEIS describes in detail the approach taken to identify appropriate forms of mitigation for the selected alternatives. This section of the Record of Decision provides a summary of the specific mitigation measures and construction best management practices the ADOT&PF is required to apply as a condition of federal approval and funding for implementing the selected alternatives. These include mitigation measures that are dependent on final project designs and permit requirements. Mitigation measures identified by other agencies during interagency reviews and meetings or through consultation processes for other special purpose laws (such as the Endangered Species Act) are specifically noted.

This Record of Decision contains only a brief summary of the efforts undertaken during the EIS to develop a conceptual compensatory mitigation plan. A final plan for compensation for unavoidable impacts to marine waters and resources will be approved by state and federal agencies through the permitting and coastal management plan review processes. Please see FEIS Section 6.3 for a summary of the process and conceptual plan developed to provide compensatory mitigation. Appendix 15 of the FEIS contains the Conceptual Compensatory Mitigation Plan for Marine Impacts.

### **6.1 Mitigation Measures to Avoid Environmental Impacts**

The FAA and the ADOT&PF have attempted to avoid environmental impacts in two ways. First, the underlying need for each proposed action was scrutinized and independently evaluated during the development of the EIS. In this manner, the FAA and ADOT&PF based their determinations for preferred alternatives on objective assessments of the need for a project – expressed as benefits such as enhanced safety or improved airport access – compared to economic and environmental costs for the project. Second, where practical, the FAA has developed alternatives that would avoid impacting certain environmental resources, while still meeting a project need. Steps taken to avoid environmental impacts in the selected alternatives will include:

- The selected RSA alternative takes advantage of declared distances criteria and FAA guidance allowing shorter undershoot protection as compared to overrun

**Sitka Rocky Gutierrez Airport  
Record of Decision**

distance to minimize the disturbance footprint while maintaining acceptable landing length for the design aircraft.

- Transport fill material, armor rock, and riprap for embankment construction of the RSA, seaplane pullout, and parallel taxiway alternatives by barge to the maximum extent practical to minimize impacts from truck traffic through Sitka neighborhoods and downtown.
- Implementation of a monitoring plan to assess the rate of colonization and biological use of newly placed fill materials.
- No work will be allowed in the marine environments near the Airport during periods of high ecological sensitivity. Work will be restricted between approximately mid-March and the end of May to protect spawning herring and other marine species present for this annual event, including species protected under the Endangered Species Act. This timing restriction will also minimize construction impacts on out-migrating salmon smolts. The actual start and finish of the spring timing window may shift to accommodate earlier or later herring spawns. (Mitigation per consultation with the NMFS during ESA Section 7 Consultation; July 30, 2008; see Appendix A correspondence)
- Vegetation clearing associated with any of the projects will not occur during avian breeding and nesting season to avoid the destruction of nests or eggs to comply with the Migratory Bird Treaty Act.
- The U.S. Fish and Wildlife Service, National Bald Eagle Management Guidelines as published May 2007, or newer guidance should it become available during implementation of the projects, will be adhered to during construction. A nest survey for eagles and other raptors, such as peregrine falcon, will take place within a ½ mile radius of construction activities. Raptor nests in the vicinity of the material source(s) identified by the contractor will be protected by the owner or operator of the material source as is required by law.
- A speed limit of 8 knots or under through the water will be required for tugs with barges engaged in bringing materials to the site; a further limitation of vessel speed to 7 knots will be imposed in central Fredrick Sound and in Chatham Strait or whenever a whale is spotted within one kilometer of the vessel. (Mitigation per consultation with the NMFS during ESA Section 7 Consultation; July 30, 2008; see Appendix A correspondence)
- Areas of known hazardous waste contamination (such as near the taxiway extension) will be avoided or properly isolated from disturbance.
- During construction of the partial parallel taxiway near Area K (located near the long-term parking lot), a soil-vapor detector will be used to screen for petroleum-contaminated soils. The soil-vapor detector will be applied at new excavations, trenching, and where the existing surface is disturbed. Additional precautionary steps (such as collection of soil samples) will be taken if elevated soil-vapors are detected. If detected in sampled soils, contamination or wastes and debris will be removed, capped, or otherwise treated in accordance with applicable state and federal regulations to assure no unacceptable risk to workers or significant

impacts on other environmental resources. A construction management plan will be prepared to describe these response efforts.

- An eelgrass delineation will be conducted in the area of the proposed seaplane pullout before design begins, and ramp orientation will be adjusted to avoid eelgrass to the extent possible.
- Transit vessels used for transporting fill materials will not travel within designated Steller sea lion critical habitat (within 3,000 feet of haulouts or rookeries). (Mitigation per consultation with the NMFS during ESA Section 7 Consultation; July 30, 2008; see Appendix A correspondence)

## **6.2 Mitigation Measures to Reduce or Minimize Environmental Impacts**

The FAA has also identified alternatives and components of alternatives that may not completely avoid environmental impacts to some resources, but will minimize or reduce the magnitude of impact. Other measures and design features may be incorporated into the selected alternatives to further reduce or minimize environmental impacts. A number of impact reduction or minimization measures are identified below. Some of these are specific as to the method of implementation, such as the conservation measures approved by the NMFS during Endangered Species Act consultations (see Appendix A correspondence). Other measures are not definitive as to the method by which impacts will be reduced or minimized; the specific means of implementing a mitigation activity will be identified during development of final designs and as part of the permitting process. Use of these measures and others approved by permitting agencies will ensure potential construction impacts are minimized and/or avoided to the extent practical. The actual methods used to minimize impacts will be assessed based on the benefits of a mitigation measure relative to cost of implementation.

- Surface routes used for transport of materials to the Airport or the movement of construction equipment will be selected to minimize noise and traffic conflicts in residential areas and other areas with sensitive receptors.
- Construction lighting will be deployed and directed in such a way as to minimize light and glare for vehicular traffic and residential areas with clear sightlines to the Airport and to minimize light attraction by marine species.
- Construction lights will be directed away from the runway and other aircraft operation areas and may need to be shielded, if construction takes place while the Airport is open to air traffic.
- Construction contract material specifications will establish quality control measures to ensure armor rock, riprap and core fill material will be “clean” with a small content of fines to minimize turbidity within the water column and sedimentation outside of the RSA fill zone. (Mitigation per consultation with the NMFS during ESA Section 7 Consultation; June 16, 2009; see Appendix A correspondence)

**Sitka Rocky Gutierrez Airport  
Record of Decision**

- Construction of the embankments will include placement of a riprap dike along the perimeter of the RSA fill zone to contain the core rock fill and substantially help to prevent soft bottom sediments from being released into the water column or pushed out into the surrounding marine habitat. GPS or other precision location techniques will be used to position the barges so that riprap will be deposited in the desired dike configuration. Use of clean rip rap and the focus on accurate materials placement are key to efficient, cost effective construction as well as protection of marine water quality and habitat. (Mitigation per consultation with the NMFS during ESA Section 7 Consultation; June 16, 2009; see Appendix A correspondence)
- Core rock fill, consisting of variably-sized materials generally averaging about one pound but ranging up to potentially 100 pounds in weight, will be dumped within the riprap containment dike. After the core rock has reached the height of the surrounding dike, another layer of riprap will be installed to increase the height of the dike. In this manner, the dike and core rock fill will be built up in subsequent layers until the desired height has been reached. (Mitigation per consultation with the NMFS during ESA Section 7 Consultation; June 16, 2009; see Appendix A correspondence)
- Large armor rock on the outside (seaward) of the RSA fill dike will be placed using heavy equipment such as a “clamshell.” (Mitigation per consultation with the NMFS during ESA Section 7 Consultation; June 16, 2009; see Appendix A correspondence)
- To the extent practical, nontoxic materials will be used for project construction. Construction material contaminated by an oily discharge or other contaminants will not be used in construction.
- Material sources for the armor rock will be analyzed to assure compatibility in the marine environment, thereby ensuring rapid recolonization of the outer fill materials by desirable marine species.
- An agreement outlining protocols for how to address the potential discovery of human remains during construction will be established between the FAA, the ADOT&PF, the Alaska State Historic Preservation Officer (SHPO), and the Sitka Tribe of Alaska. This agreement will contain protocols for the treatment of any discoveries of prehistoric or historic artifacts or materials that could be inadvertently discovered during construction of any selected action alternative(s). Given the heavy use of the area both prehistorically and historically, the potential exists for subsurface artifacts to be uncovered during construction. Protocols for the treatment of such items will be developed in advance of construction and include stipulations for archaeological monitoring during construction in specific locations, curation of discovered artifacts, etc. (Mitigation per consultation with the SHPO and the Sitka Tribe of Alaska, December 29, 2008; see Appendix A correspondence)
- Close coordination will be maintained between the contractors and municipal facilities to prevent harm to the city’s primary sewer outfall. Due to the lack of certainty regarding the location of the City’s wastewater treatment plant outfall, a

survey will be conducted prior to construction contract award to accurately locate the outfall and diffuser to prevent damage and ensure that fill placement will not encroach on the outfall's zone of initial dilution

- The FAA and the ADOT&PF understand that construction of either project will likely trigger a regulatory review of the adequacy and effectiveness of the Airport's current NPDES permit for stormwater. Further, the EPA is expected to publish by the end of 2009 new stormwater discharge standards that will apply to the Sitka Airport and necessitate revision of the Airport's stormwater pollution prevention plan (SWPPP). Finally, all agencies participating in this EIS recognize that major construction projects like the RSA expansion or taxiway extension present opportunities to consider the stormwater management program for all Airport operations. As such, the FAA will make funding available to the ADOT&PF to evaluate stormwater management on the Airport and to identify actions that could be implemented to minimize stormwater runoff and improve the quality of that discharge.
- Consistent with the commitment to evaluate the Sitka Airport's stormwater management program, project designs for and use of approved projects will incorporate stormwater management and treatment best management practices (BMPs) to minimize discharge of contaminated stormwater. Potential sources of pollutants at airports, discussed in FEIS Sections 3.5.2.3, 3.14, and 4.4, include maintenance-related chemicals such as hydraulic fluids, fuels, greases, and solvents; washdown chemicals; drippage of petroleum products from aircraft in storage or on parking apron; leaks of chemicals or waste products in storage; and aircraft, runway and taxiway de-icing and anti-icing chemicals. BMPs commonly employed to control pollutants in stormwater runoff that may be incorporated into the design and operation of the selected alternatives include:
  - Perform maintenance activities indoors; maintain an organized inventory of maintenance chemicals; drain all parts of contained fluids prior to disposal; use dry cleanup methods; collect and treat stormwater runoff from the maintenance area.
  - Clearly demarcate washdown areas; collect and clean stormwater runoff from washdown areas.
  - Maintain containers of chemicals in good condition; plainly label containers; store materials indoors; provide secondary containment around chemical storage areas.
  - Implement spill and overflow practices for fueling; use only dry cleanup methods for fuel spills.
  - Minimize the use of urea and glycol-based deicing chemicals; analyze application rates of deicing chemicals; use metered application of chemicals; implement anti-icing operations.
  - Implement programs to manage contaminated runoff, including dedicated de-icing facilities with runoff collection/recovery systems; using vacuum/collection trucks; use treatment wetlands.

### **6.3 Construction Best Management Practices**

The following or similar best management practices (BMPs) will be employed during construction to minimize environmental impacts during construction. BMPs are activities relatively common in construction that can help to prevent pollution, minimize environmental harm, and assure that appropriate response action is taken if unacceptable environmental impacts occur, such as during a fuel spill. This list will not be completed until a construction management plan is prepared for the project permits.

- All on-site construction activities will be conducted in accordance with FAA AC 150/5370-10, *Standards for Specifying Construction of Airports* and FAA AC 150/5320-5B, *Airport Drainage*.
- Ground disturbance areas including runway ends will require appropriate erosion and sediment control during construction. Design drawings will include an Erosion and Sediment Control Plan (ESCP) with the bid package. The selected contractor will submit a Stormwater Pollution Prevention Plan (SWPPP) based on that ESCP for review and approval prior to filing the Notice of Intent (NOI) to use the EPA Construction General Permit.
- Use of Measures to minimize the potential for introduction of invasive species from sources including barge ballast water in accordance with the National Invasive Species Act of 1996 and Alaska Statute 46.03.750, *Ballast Water Discharge*.
- Use of fill materials clean of any invasive species.
- A Hazardous Material Control Plan (HMCP) will be prepared and approved prior to construction. That HMCP will include the handling, storage, cleanup, and disposal of petroleum products and other hazardous substances used during construction. Also, the current airport spill prevention, control, and countermeasures plan will remain in effect. (Oil spill planning component of this mitigation per consultation with the NMFS during ESA Section 7 Consultation; July 30, 2008; see Appendix A correspondence)
- Marine contractor(s) will be required to adhere to federal and state regulations concerning marine pollution specified in the Federal Clean Water Act and other federal and state regulations.
- Weed-free native seed will be used in areas where revegetation is required; and surface disturbance should be minimized in areas of native vegetation that are to be maintained. These measures will help to reduce the potential for introduction and spread of noxious or invasive weed species.
- Pollutants in stormwater runoff from construction activities at airports were identified in FEIS Section 4.4.7. There are a number of BMPs commonly used to control pollutants in stormwater runoff from these construction sources, including:
  - Minimize disturbed area and protect natural features.
  - Divert run-on water.
  - Control stormwater flowing onto and through the project.



- Stabilize erodible soils.
- Protect slopes.
- Protect storm drain inlets.
- Establish perimeter controls and sediment barriers.
- Retain sediment onsite and control dewatering practices.
- Establish stabilized construction exits.
- Control solid wastes.
- Designate concrete washout areas.
- Establish proper equipment fueling and maintenance practices.
- Establish a spill prevention and control plan.

#### **6.4 Additional Conditions of Approval to Minimize Harm**

The alternatives selected for implementation at the Airport incorporate elements to avoid environmental impacts and minimize harm over time. Other options and activities to avoid or minimize harm were identified in the previous sections to this Record of Decision. Additional activities to avoid or minimize harm may be stipulated in an approved compensatory mitigation plan and in state and federal permits. All of these design features and mitigation elements are incorporated by reference into the selected alternatives and this Record of Decision. The ADOT&PF shall implement the avoidance, minimization, and compensatory mitigation measures incorporated into the selected alternatives and this decision. Federal grant-in-aid funds shall not be applied toward project construction until all required permits have been received for the individual project in question and the ADNR has concurred with the ADOT&PF and the FAA's determination that the selected alternatives are consistent with the Alaska Coastal Zone Management Program.

#### **6.5 Conceptual Planning for Compensatory Mitigation**

The selected alternatives will include measures to avoid environmental impacts, reduce adverse effects to the extent feasible, and ensure that remaining environmental impacts remain below thresholds of significance. However, because there will still be unavoidable and irreversible loss of regulated waters of the U.S. and impacts to the marine habitat, mitigation to replace and compensate for the losses will be required under federal and state laws and regulations.

A conceptual mitigation plan was developed during the course of the EIS that identifies a suite of potential habitat protection, restoration, and enhancement projects to compensate for some or all of the unavoidable losses to marine habitat and waters of the U.S. Some compensatory mitigation opportunities were identified as early as project scoping, but efforts increased after publication of the Draft EIS and through numerous meetings with agencies and tribal representatives. The process used to develop a conceptual compensatory mitigation plan for the selected alternatives follows the steps identified in *Compensatory Mitigation for Losses of Aquatic Resources; Final*

## **Sitka Rocky Gutierrez Airport Record of Decision**

*Rule*, promulgated as 33 C.F.R. Parts 325 and 332 for the USACE, and 40 C.F.R. Part 230 for the EPA. The process outlined in the Final Rule is most directly applicable to compensatory mitigation for impacts to wetlands and in watersheds, but the essential principles of mitigation planning and steps for implementation are generally applicable to the Sitka Airport projects.

The purpose of the conceptual compensatory mitigation plan is twofold:

- To describe an approach to define the functions and relative aquatic value of those functions being provided by habitat that will be unavoidably lost or temporarily affected by the Sitka Airport projects.
- To use the same approach to evaluate a suite of alternative mitigation actions that might be used to compensate for (replace) those functions that are unavoidably lost.

The objectives of compensatory mitigation for impacts to marine habitat will be to improve or replace habitat functions, or to otherwise compensate for unavoidable loss of waters of the U.S. and the unavoidable adverse impacts to marine resources and habitats. Habitats unavoidably and irreversibly lost by the RSA, taxiway and seaplane pullout projects include the Airport Lagoon estuarine fringe wetland, open water area, and associated soft bottom benthic habitat and the mixed-soft bottom habitats covered by RSA and seaplane ramp fill. Rocky and shoreline habitats that will be disturbed by the projects will ultimately be replaced by marine colonization of the riprap and armor stone embankments used to support the Runway end 29 RSA and the seaplane pull out. Overall, the projects will result in a net increase in the amount of rocky habitat in the project area.

Additional information concerning the compensatory mitigation planning process conducted throughout the EIS may be found in Sections 6.2.3 and 6.3 of the FEIS. The complete Conceptual Compensatory Mitigation Plan for Marine Impacts is attached to the FEIS as Appendix 15.

### **6.6 Mitigation Authorization, Monitoring and Enforcement**

Per 40 C.F.R. § 1505.3, the FAA will take appropriate steps through federal funding grant assurances and conditions, airport layout plan approvals, and contract plans and specifications to ensure that the following authorizations and mitigation monitoring and enforcement actions are implemented during project development. The ADOT&PF will monitor the implementation of these mitigation actions. Reports of monitoring will provide necessary assurance that representations made in the FEIS with respect to mitigation are carried out. These mitigation actions will be subject to a special condition included in future federal airport grants to the ADOT&PF. The monitoring elements of the mitigation plan and enforcement programs are summarized below. The ADOT&PF shall:

- Obtain all necessary permits and authorizations prior to construction.

***Sitka Rocky Gutierrez Airport  
Record of Decision***

- Update the FAA annually on the status of the mitigation measures until the mitigation efforts are complete. The FAA will monitor these mitigation measures as necessary to assure that they are carried out as project commitments.
- Implement a monitoring plan to assess the rate of colonization and biological use of newly placed fill materials (in the marine environment).

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## **7.0 Necessary Federal, State, and Local Actions**

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The FAA has statutory authority to ensure that the safe operation of the Airport and the nation's airport and airway system is the highest aviation priority (49 U.S.C. §§ 44701 47101(a)(1)). In carrying out its responsibilities, the FAA is responsible for ensuring that its actions are in compliance with NEPA. The FAA's Airports Program is responsible for analyzing the environmental impacts and consequences of a proposed federal action involving airports. The FAA's policy is that airport improvement projects provide for the protection and enhancement of natural resources and quality of the environment of the United States (49 U.S.C. § 47101(a)(6)). As the lead federal agency, the FAA was responsible for supervising preparation of the EIS (40 C.F.R. § 1501.5(a)) and for requesting the participation of cooperating agencies as defined by CEQ (40 C.F.R. § 1501.6).

There are other decisions that the FAA must make in conjunction with these actions. The Airport Layout Plan must be updated to reflect changes, and the Airport must receive the FAA's approval of the updated Airport Layout Plan. The FAA must also ensure that the proposed developments will not adversely affect the safe and efficient use of airspace. The FAA will work with the ADOT&PF to develop an airport capital improvement program for financial assistance with implementation of those actions determined to be eligible for FAA funding through the federal grant-in-aid and the use of passenger facility charge funds.

The FAA recognized before scoping the EIS that numerous state, federal, and local agencies and the Sitka Tribe of Alaska would have important roles in the projects analyses through permitting authority, special expertise, coordination requirements, and other jurisdictional standing. Importantly, many of these entities also have substantial expertise concerning important environmental resources potentially affected by the projects, particularly for marine resources including habitat and listed species, fisheries, waters of the U.S., cultural resources, subsistence, and lands jurisdiction. During the course of the EIS, the FAA held meetings with staff from agencies and other interested parties to solicit early and critical feedback throughout the EIS process on alternatives, resource impacts, impact minimization features, mitigation and functional assessment criteria, and numerous other topics. The committed participation of these entities and individuals greatly benefited the analysis and strongly influenced the scope of the projects. In addition, consistent agency involvement has facilitated development of a conceptual compensatory mitigation plan that will serve as the framework for determining mitigation requirements during permitting.

There are a number of federal, state, and local permits, approvals, and regulatory determinations and consultations that must be approved and completed for the selected projects to be implemented. Table 2 lists the identified approvals, permits, consultations and determinations necessary for the actions described in the Final EIS and approved in this Record of Decision to be implemented.

**Sitka Rocky Gutierrez Airport  
Record of Decision**

**TABLE 2  
LOCAL, STATE, AND FEDERAL ACTIONS AND APPROVALS FOR SITKA AIRPORT PROJECTS IMPLEMENTATION**

Agency	Action	Authority and Basis of Action
Federal Aviation Administration	Record of Decision	42 U.S.C. § 4321 et seq. and 40 C.F.R. Parts 1500 et seq. The FAA's Record of Decision will document authorization for actions approved.
	Approval and Determination	49 U.S.C. § 40103; 49 U.S.C. § 44502; and 49 U.S.C. § 47105. The FAA must approve Airport Layout Plan revisions and make a determination of no adverse affect to safe and efficient use of the airspace.
	Approval	49 U.S.C. § 44505(a)(1). The FAA must approve any relocation and/or upgrade of existing navigational aids.
	Approvals and Certification	49 U.S.C. § 44502(b). Approval of some actions may require approval of an amendment to the Airport's Certification Manual certifying that the proposed facility is reasonably necessary for use in air commerce or from the national defense under the standards and criteria of 14 C.F.R. Part 139.
	Approval and Funding	49 U.S.C. § 47101 et seq. The FAA will determine if and how much financial support can be provided for the projects approved in this Record Of Decision.
	Determination	49 U.S.C. § 40103(b) and 49 U.S.C. § 40113. Determination, through the aeronautical study process of any off-airport objects that might be obstructions to the navigable airspace under the standards and criteria of 14 C.F.R. Part 77.
	Determination	49 U.S.C. § 40113(a). Determination under the standards and criteria of 14 C.F.R. Part 157 as to appropriateness of proposals for on-airport development from an airspace utilization and safety perspective based on aeronautical studies
	Determination	49 U.S.C. § 47104 and 49 U.S.C. § 47107. Determinations pertaining to FAA funding of airport development for the selected alternatives.
	Determination	49 U.S.C. § 40113. Development and implementation of Flight Procedures for the Airport.
	Evaluation	49 U.S.C. §§ 44701, 47107(a)(7). The FAA will evaluate an aeronautical survey assessing the impact of runway threshold shift on approach and departure procedures.
Evaluation	49 U.S.C. §§ 40113, 44701. The FAA will develop and amend instrument flight procedures.	
Bureau of Land Management	Record of Decision	42 U.S.C. § 4321 et seq. and 40 C.F.R. Parts 1500 et seq. The BLM's Record of Decision will document authorization for conveyance of federal lands to the State of Alaska.
	Approval(s)	43 C.F.R. § 2640 provides a mechanism to transfer federal lands from the BLM to the ADOT&PF for airport purposes. 43 C.F.R. Subpart 2911 provides a mechanism to lease or otherwise authorize the use of federal lands from the BLM to the ADOT&PF for airport purposes.
U.S. Army Corps of Engineers	Permit Approval	33 U.S.C. § 403. Approval required for any structures to be placed in navigable waters of the U.S., or for work in or affecting navigable waters of the U.S.
	Permit Approval	33 U.S.C. § 1344. Approval required for the discharge of dredged and fill material into waters of the U.S., including wetlands.

**TABLE 2  
LOCAL, STATE, AND FEDERAL ACTIONS AND APPROVALS FOR SITKA AIRPORT PROJECTS IMPLEMENTATION**

<b>Agency</b>	<b>Action</b>	<b>Authority and Basis of Action</b>
National Marine Fisheries Service	Concurrence	16 U.S.C. §§ 1531-1544. The NMFS concurred with the FAA's determination, documented in a Biological Assessment that the proposed projects with conservation measures would have no effect on sperm whales and fin whales and are not likely to adversely affect humpback whales and Steller sea lions, nor modify or adversely affect designated critical habitat. In subsequent correspondence NMFS concurred that the proposed best management practices and conservation measures are consistent with the FAA's determination.
Alaska Department of Environmental Quality	Permits	33 U.S.C. § 1342(b). The ADEC will be the approving authority for future industrial stormwater discharge renewals associated with changes to the Airport's stormwater management program and for stormwater discharge construction general permits for some actions approved in this Record Of Decision.
Alaska Department of Natural Resources and Conservation	Consistency Determination	11 Alaska Administrative Code, Title 11, ch. 112. The ADNR will evaluate the selected alternatives (through the review processes established for needed permits) against Alaska's enforceable standards for management of coastal habitat and protection and preservation of land, air, and water quality.
City and Borough of Sitka	Permit and Consistency Determination	Sitka, Alaska, Code § 18.20.010 (2009). Permits will need to be obtained by the ADOT&PF for fill into the coastal floodplain/tidelands. The City and Borough of Sitka will determine consistency of actions with the local coastal management plan and other local codes, ordinances, and planning criteria.

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## **8.0 Findings, Determinations, and Certifications**

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In accordance with federal law and agency guidance, the FAA makes the following findings, determinations and certifications for the selected alternatives. These findings, determinations and certifications are based upon the information and analysis contained in the FEIS and the administrative record supporting the EIS and this Record of Decision.

### **8.1 Compliance with Laws, Regulations, and Executive Orders**

There are a number of federal, state, and local agency approvals and permits that will have to be issued before the preferred alternatives can be implemented. These approvals and permits were identified in Section 7.0 of this Record of Decision. There are also Executive Orders (EOs) such as those concerning floodplains (EO 11988) and wetlands (EO 11990), that will apply to the selected alternatives. The following sections summarize the degree to which the selected alternatives are consistent with the laws, regulations, and Executive Orders not specific to the FAA's regulatory authority.

- Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. § 1801 et seq.). This act requires consultation with the NMFS and identification of measures to minimize harm to essential fish habitat (EFH). The NMFS provided conservation recommendations to the FAA that were incorporated in the FEIS and EFH assessment as measures for avoiding, mitigating, or offsetting impacts to essential fish habitat.
- Endangered Species Act of 1973 (16 U.S.C. § 1531 et seq.). The FAA determined in a Biological Assessment that the proposed projects with conservation measures would have no effect on sperm whales and fin whales and would not be likely to adversely affect humpback whales and Steller sea lions, nor modify or adversely affect designated critical habitat. The NMFS concurred with this determination. In subsequent correspondence, the NMFS concurred that the best management practices and conservation measures are consistent with the FAA's determination (See correspondence in Appendix A to this Record of Decision).
- Fish and Wildlife Coordination Act (16 U.S.C. § 661-667e). The FAA, in accordance with this Act, consulted with the U.S. Fish and Wildlife Service (USFWS), the NMFS, the Alaska Department of Fish & Game and other agencies throughout the EIS process. State and federal agencies with fish or wildlife management responsibilities and expertise will provide comments and recommendations for protection of biota to the USACE through permits issued under the Clean Water Act and the Rivers and Harbors Act.
- Migratory Bird Treaty Act of 1918 (16 U.S.C. § 703-712; Executive Order 13186<sup>19</sup>). The FEIS documents the FAA's consideration of the potential for impacts to migratory birds and, in particular, birds of special (protected) status and

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<sup>19</sup> Presidential Executive Order 13186: "Responsibilities of Federal Agencies to Protect Migratory Birds." Signed January 10, 2001.

## **Sitka Rocky Gutierrez Airport Record of Decision**

conservation concern. No significant adverse impacts to migratory birds would result from implementing the selected alternatives. The FAA also developed and documented avoidance and minimization measures to be incorporated into the proposed projects to reduce possible impacts or “take” to protected migratory bird populations in the project region. The FAA and the ADOT&PF will continue to consult with the USFWS through permitting and final project design.

- Bald and Golden Eagle Protection Act of 1940 (16 U.S.C. § 668 et seq.). The analysis in the FEIS established there would be no significant adverse impacts to golden or bald eagles. The FAA has stipulated in Section 6.0 of the FEIS and this Record of Decision that the projects will conform with National Bald Eagle Management Guidelines as prepared by the USFWS and published May 2007, or newer guidance should it become available during implementation, to protect bald and golden eagles.
- Marine Mammal Protection Act of 1972 (16 U.S.C. § 1361-1421). The FAA has determined there would be no significant adverse effects on marine mammals. The ADOT&PF would be required to comply with requirements of the MMPA during construction activities.
- Department of Transportation Act (49 U.S.C. Subtitle 1, § 303 & 23 U.S.C. § 138). The FAA must consult with the landowners of Section 4(f) properties (including public parks, recreation areas, or wildlife and waterfowl refuge of national, state, or local significance or land from a historic site of national, state, or local significance) and with officials having jurisdiction over those properties. Potential Section 4(f) properties were identified and described in Section 3.10 of the FEIS. The FAA has determined that the proposed projects would not result in a physical or constructive use of Section 4(f) resources.
- Clean Air Act (42 U.S.C. § 7401 et seq.) The Clean Air Act provides the EPA with authority to review and comment on federal actions conducted under NEPA. The EPA reviewed the environmental analyses within the FEIS for compliance with NEPA requirements and guidelines of the CEQ. (The EPA’s NEPA review authority under this act extends to the entire EIS and not just actions or analyses related to air quality).
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.<sup>20</sup> Per this EO, the FAA provided opportunities for meaningful public involvement by minority and low income populations; see the discussion in Section 8.2.2. In addition, the FAA analyzed potential impacts to minority and low income populations (see Section 4.10 of the FEIS). The FAA determined that there would be no significant disproportionate adverse impact to minority or low-income populations with implementation of the selected alternatives.

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<sup>20</sup> Presidential Executive Order 12898. “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations’.” Signed February 11, 1994.

**Sitka Rocky Gutierrez Airport  
Record of Decision**

- Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks.<sup>21</sup> The FAA has determined there would be no change in risk to health or safety for children caused by the selected alternatives.
- Executive Order 11990 Protection of Wetlands.<sup>22</sup> This EO requires federal agencies to ensure their actions minimize the destruction, loss, and degradation of wetlands. It also assures the protection, preservation, and enhancement of the Nation's wetlands to the fullest extent practicable during the planning, construction, funding, and operation of transportation facilities and projects. The FEIS documents wetlands at the Airport and provides an analysis demonstrating that less than 1/10 of an acre of wetland would be affected by the selected alternatives (see Impact Summary Table 1 at the end of Section 5.0 of this Record of Decision). There were no practicable alternatives to avoid this wetland impact and still meet the purpose and need for the projects.
- Executive Order 11988, Floodplain Management.<sup>23</sup> This EO, together with applicable DOT and FAA Orders, establishes a policy to avoid construction within a 100-year floodplain where practicable and, where avoidance is not practicable, to ensure that the construction design minimizes potential harm to or within the floodplain. Construction of the proposed projects within the coastal flood hazard area would not endanger human life or put the Airport facilities at an increased risk for flooding or other damage. Construction would not increase flood risk elsewhere.
- Alaska Coastal Management Program (11 AAC 112). The selected alternatives are located within Alaska's designated Coastal Zone. The FAA evaluated the selected alternatives for consistency with enforceable standards of the Alaska Coastal Management Program and believes the projects are consistent with the ACMP. The ADNR will evaluate the selected alternatives (through the review processes established for needed permits) against Alaska standards for management of coastal habitat and protection and preservation of land, air, and water quality.
- Sitka Coastal Management Plan (SCMP April 8, 2007). The SCMP provides guidance for development within the Sitka Coastal Zone, which includes the Airport and surrounding property as well as the entire 4,710-square-mile area encompassing the City and Borough of Sitka. The City and Borough of Sitka Coastal Zone Coordinator has indicated that the selected alternatives are believed to be consistent with both the Enforceable Policies and the Transportation and Economic Development Goals and objectives of the SCMP. A final determination will be made by the City and Borough of Sitka concurrent with the ADNRs Coastal Zone Consistency determination.
- National Historic Preservation Act of 1966 (16 U.S.C. § 470). The FAA conducted an evaluation of potential impacts to historic resources resulting from the proposed projects in accordance with Section 106 of the National Historic Preservation Act. The FAA consulted with the Sitka Tribe of Alaska, the SHPO, and other interested

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<sup>21</sup> Presidential Executive Order 13045. "Protection of Children from Environmental Health Risks and Safety Risks." Signed April 21, 1997.

<sup>22</sup> Presidential Executive Order 11990. "Protection of Wetlands." Signed May 24, 1977.

<sup>23</sup> Presidential Executive Order 11988. "Floodplain Management." Signed May 24, 1977.

**Sitka Rocky Gutierrez Airport  
Record of Decision**

parties throughout the identification, evaluation, and determination of affects to historic properties. On December 29, 2008 the SHPO concurred with the FAA that no (known) historic properties would be adversely affected by the proposed projects.

**8.2 FAA Determinations Under Provisions of the Airport and Airways Improvement Act (49 U.S.C. Sections 47106 and 47107)**

In accordance with applicable law, the FAA makes the following determinations for this project based upon the appropriate information and data contained in the FEIS and the administrative record.

**8.2.1 49 U.S.C. § 47106(a)(1) - The Selected Alternatives are Reasonably Consistent with Existing Plans of Public Agencies Responsible for Development in the Area**

The determination prescribed by this statutory provision is necessary for approval by the FAA of airport project funding applications. To make this determination, the FAA considered local land use and development plans and requested confirmation from local authorities concerning consistency determinations. The City and Borough of Sitka's Comprehensive Plan addresses the Airport in its policies and goals, and specifies the following goals for the airport area under the following categories:

- Government and General Infrastructure Goals and Policies – “To develop, in partnership with the State of Alaska, the airport to serve the anticipated growth and/or changes in aviation activity to include aircraft maintenance, passenger and freight operations, and support services, and to:
  - A. Give priority to aircraft-dependent and aircraft-related commercial and industrial use of public land on Japonski Island.
  - B. Maintain a greenbelt between future airport-related development and the future airport road.”
- Urban-Commercial and Industrial Goals and Policies - “To development the airport to serve as a regional center for southeast Alaska to include aircraft maintenance, passenger and freight operations and support services in partnership with the State of Alaska and private business.”

Further, the 1999 *Comprehensive Plan* recommends that the land on Japonski Island be classified as Public/Quasi-Public except for the Airport terminal and apron areas, which are classified as Commercial.

The City and Borough of Sitka has provided assurance to the FAA that the selected alternatives are consistent with current land use plans. Further, the City and Borough of Sitka noted that the selected alternatives are “fully consistent with the Sitka General Code, Sitka zoning ordinance, and the 2007 Sitka Comprehensive Plan land use goals, policies

and recommended land use maps.<sup>24</sup> The City and Borough of Sitka has also informed the FAA that they believe the project "...is consistent with both the Enforceable Policies and the Transportation and Economic Development Goals and objectives of the Sitka Coastal Management Plan."<sup>25</sup>

In light of the above, the FAA finds that the projects are consistent with the existing land use and development plans of public agencies in the area in which the Airport is located. The FAA is satisfied that it has fully complied with 49 U.S.C. § 47106(a)(1).

### **8.2.2 49 U.S.C. § 47106(b)(2)) - The Secretary [of Transportation] is Satisfied that the Interests of Communities in or Near the Project Location have been Given Fair Consideration**

The determination prescribed by this statutory provision is necessary for approval by the FAA of airport development project funding applications.

The FAA issued a Notice of Intent (NOI) to prepare an EIS for proposed projects identified in the Airport Master Plan for the Airport in the Federal Register on December 12, 2002. On July 15, 2004, the FAA issued a supplemental NOI to announce the commencement of the scoping process, which included a public scoping meeting and agency scoping meetings. The public scoping meeting was conducted July 27, 2004. Agency, tribal, and stakeholder scoping meetings were conducted on July 27, 28, and 29, 2004 in Sitka, Alaska and on August 24, 2004 in Anchorage Alaska. On November 28, 2007, the FAA supplemented the NOI to announce that the EIS would assess the transfer of lands from federal to state ownership for aviation use.

Scoping comments received from the public, stakeholders, agencies, and tribal organizations generally focused around the potential for the proposed projects to affect natural resources in the vicinity of the Airport and the resources important to natural, commercial and recreational uses. FEIS Appendix 11 includes scoping comments and the input received throughout the EIS process.

The DEIS was released in August 2008 and was made available for public and agency review and comment from August 22 to October 14, 2008. The DEIS was sent to interested parties and made available at several public locations in Sitka and on the project website. A public information meeting and hearing on the DEIS was conducted in Sitka on October 2, 2008. Responses to comments received on the DEIS are included in FEIS Appendix 1. FEIS Appendix 14 includes additional information on the public outreach and agency coordination process.

In light of the above, the FAA has determined that throughout the environmental process leading up to publication of the FEIS and throughout public comment on the FEIS,

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<sup>24</sup> Wells Williams, Planning Director for the City and Borough of Sitka, in letter to Patricia Sullivan, FAA. June 12, 2009.

<sup>25</sup> Marlene Campbell, Coast Management Coordinator for the City and Borough of Sitka, in comments to Patricia Sullivan, FAA. April 25, 2008.

**Sitka Rocky Gutierrez Airport  
Record of Decision**

beginning at its earliest planning stages, fair consideration was given to the interests of communities in or near the project location.

**8.2.3 49 U.S.C. § 47107(a)(10)) - To the Extent Reasonable, the Airport Sponsor has Taken or Will Take Actions to Restrict Land Uses in the Airport Vicinity, including the Adoption of Zoning Laws, to Ensure the Uses are Compatible with Airport Operations**

The ADOT&PF either owns or has submitted applications for acquiring land interests to all properties needed for safe and efficient airport operations. Additionally, the City and Borough of Sitka passed a resolution supporting the Airport Master Plan on May 25, 1999, which included the implementation of the projects assessed in the EIS. The City and Borough of Sitka has provided assurance to the FAA that actions have been taken to restrict adjacent land uses. Further, the City and Borough of Sitka noted that the selected alternatives are “fully consistent with the Sitka General Code, Sitka zoning ordinance, and the 2007 Sitka Comprehensive Plan land use goals, policies and recommended land use maps.”<sup>26</sup> The ADOT&PF has confirmed their intent to “...take appropriate action to the extent reasonable to restrict land uses on or near Sitka Rocky Gutierrez Airport to those compatible with normal airport operations.”<sup>27</sup>

In light of the above, the FAA is satisfied that the ADOT&PF and City and Borough of Sitka have taken and will continue to take actions necessary to restrict land uses in the vicinity of Sitka Rocky Gutierrez Airport to ensure the allowed uses are compatible with Airport operations.

**8.3 Tribal Consultation**

The FAA acknowledges the importance of tribal consultation to promote meaningful coordination with Tribes. The FAA recognized the potential for the proposed actions considered in the Sitka Airport EIS to adversely affect resources of traditional, cultural, and religious importance to federally recognized Tribes. Concurrent with the EIS, the FAA invited consultation with tribes and tribal organizations who may have had an interest in the Airport improvement projects and their impacts. Requests for consultation were sent to the Sitka Tribe of Alaska, the Tlingit villages of Kake and Angoon (contacted through their respective mayors and Tribal Councils), the Shee Atika Village Corporation, Sealaska Regional Corporation, and the Alaska Native Brotherhood/Alaska Native Sisterhood. The Sitka Tribe of Alaska responded indicating that they would like to consult with the FAA during the EIS process and, as such, the FAA and the Sitka Tribe of Alaska entered into formal consultation through a Memorandum of Agreement (MOA) in October of 2004.

Formal consultation was undertaken with the Sitka Tribe of Alaska which served a number of purposes, including to:

1. Establish a framework for cooperative relationships.

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<sup>26</sup> Wells Williams, Planning Director for the City and Borough of Sitka, in letter to Patricia Sullivan, FAA. June 12, 2009.

<sup>27</sup> Gary L. Davis, Regional Director for ADOT&PF, in letter to Patricia Sullivan, FAA, June 15, 2009.

2. Promote communication.
3. Identify, evaluate, and appropriately consider the potential impacts to Tribal history, culture, and customary and traditional resources and practices of importance to the Tribe within areas that could be affected by the proposed actions.

Consultation between the FAA and the Sitka Tribe of Alaska's Tribal Council occurred on a government-to-government basis in recognition of the sovereign nation status of the Tribe. The MOA acknowledges the Sitka Tribe's expertise in areas and resources of cultural, religious, and customary and traditional importance to the Tribe and as such, the FAA sought the Tribe's assistance in identifying and assessing impacts to these resources. The Sitka Tribe provided its expertise to the FAA during the NEPA process through ongoing coordination with the Tribe's resource staff, their resource and heritage commissions and committees, and during meetings with the Tribal Council. Interviews were also conducted with individual Sitka Tribe of Alaska citizens identified by the Sitka Tribe staff as Tribal Elders and Subsistence Gatherers. In accordance with terms of the MOA, the FAA met with the Tribal Council approximately twice yearly but at a minimum every time the FAA traveled to Sitka from 2004 until July 2009. The FAA used these consultation meetings to provide the Tribal Council timely feedback on how issues identified by the Council, staff, and the committees and commissions were being addressed to ensure that the Tribe's concerns were meaningfully considered. The Tribe's input was incorporated into avoidance and minimization measures, particularly measures to reduce adverse impacts to traditional subsistence gathering areas. Further, the Tribe participated in the compensatory mitigation planning process. The Tribe and their resource staff also provided formal comments on the DEIS. At the final consultation meeting in July 2009, the Tribal Council Chair expressed appreciation for the open communication and effective consultation undertaken throughout the EIS process. The input from the Tribe is incorporated into the Cultural Resources Report, included as Appendix 8 to the FEIS. As specified in the MOA, the consultation process between the FAA and the Sitka Tribe of Alaska is considered completed upon issuance of this Record of Decision.

#### **8.4 Runway Safety Area Practicability Determination**

In a practicability determination completed in September 2000, the FAA determined that it is not practicable to meet runway safety area standards at the Airport using traditional means (graded areas surrounding the runways) due to cost. In response to guidance provided in FAA Order 5200.9, *Financial Feasibility and Equivalency of Runway Safety Area Improvements and Engineered Material Arresting Systems*, and input received from the FAA Alaskan Region, the FAA subsequently determined that the maximum feasible RSA improvement cost for the Airport is approximately \$30 million. The EIS again examined the ability to achieve RSA standards.

Based upon the analysis disclosed in the FEIS, the FAA has determined that while it is prudent and feasible to improve the RSAs at the Airport within the established cost threshold, it is still not practicable to meet runway safety area standards.

**Sitka Rocky Gutierrez Airport  
Record of Decision**

**8.5 Other Sponsor-Initiated Actions**

The ADOT&PF is the project sponsor for most actions at Sitka Rocky Gutierrez Airport. In the course of implementing the alternatives selected in this Record of Decision, the ADOT&PF will:

- Certify in accordance with Section 307 of the Coastal Zone Management Act of 1972, as amended that the selected alternatives comply with the Alaska Coastal Management Program and that ADNR concurs with the certification before issuance of an USACE permit or FAA approval of the Airport Layout Plan (16 U.S.C. § 1456(c)(1)).
- Submit applications for federal financial assistance.
- Apply for the transfer of property rights in accordance with the decision rendered in the BLMs record of decision.
- Apply to the City and Borough of Sitka for needed building and grading permits.
- Develop and submit permit applications (as identified in Table 6-2, including for example Clean Water Act 401 and 404 permits, Rivers and Harbors Act Section 10 permit, etc.) to the appropriate agencies for approval.
- In conjunction with permit applications, prepare a compensatory mitigation plan for review and approval by appropriate agencies.
- Construct the selected alternatives as funding is available and all necessary approvals are granted.



## **9.0 Decision and Order**

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Approval by the FAA to implement the selected alternatives would signify that applicable federal requirements relating to airport planning and improvement have been met and would permit the ADOT&PF to proceed with the projects at the Airport. It may allow the ADOT&PF to receive federal funding and approval to impose and use Passenger Facility Charge funds for eligible items. Not approving these agency actions would preclude the ADOT&PF from proceeding with design and construction of the selected alternatives for the Airport.

### **Decision**

I have carefully considered the FAA's goals and objectives in relation to various aeronautical aspects of the proposed actions discussed in the Final Environmental Impact Statement. The review included: the purpose and need that the projects would serve, the alternative means of achieving the purpose and need for the projects, the environmental impacts of a range of alternatives, and the mitigation necessary to preserve and enhance the human, cultural, and natural environment.

Under the authority delegated to me by the Administrator of the FAA, I find that the projects in this Record of Decision are reasonably supported. I, therefore, direct that actions be taken to carry out the following agency actions, including:

1. Determinations under 49 U.S.C. § 47106 and § 47107 pertaining to funding by the FAA of airport development, including approval of the revised Airport Layout Plan (ALP) in accordance with 49 U.S.C. § 47107(a)(16) for the selected alternatives, summarized in Section 2.5 of the FEIS and Section 5.0 of this Record of Decision and including the following elements:
  - Project designs
  - Site preparation
  - Runway and runway safety area construction
  - Partial parallel taxiway construction
  - Seaplane pullout construction
  - Concurrence with BLM's approval for of the conveyance of property rights from the United States to the State of Alaska
  - Environmental mitigation
2. Application of the avoidance and minimization mitigations, conservation measures, monitoring requirements, and best management practices described in Chapter 6 of this Record of Decision in the design and construction of approved projects.
3. Approval under 49 U.S.C. § 47107 et seq. of projects eligibility for Federal grant-in-aid funds under 49 U.S.C. § 47104.

**Sitka Rocky Gutierrez Airport  
Record of Decision**

4. Determination, through the aeronautical study process of any off-airport objects that might be obstructions to the navigable airspace under the standards and criteria of 14 C.F.R. Part 77 (49 U.S.C. §§ 40103(b) and 40113).
5. Determination under the standards and criteria of 14 C.F.R. Part 157 (49 U.S.C. § 40113(a)) as to the appropriateness of proposals for on-airport development from an airspace utilization and safety perspective based on aeronautical studies
6. The FAA will develop and amend instrument flight procedures (per 49 U.S.C. §§ 40113 and 44701).
7. Review and subsequent approval of an amended Airport Certification Manual for the Airport (per 14 C.F.R. Part 139).
8. Approval of protocols for maintaining coordination among the ADOT&PF offices, construction personnel, and appropriate FAA program offices, ensuring safety during construction.

Finally, based upon the administrative record of this project, I certify, as prescribed by 49 U.S.C. § 44502(b), that implementation of the selected alternatives is reasonably necessary for use in air commerce.

**Approved and Ordered**



Robert N. Lewis  
Regional Administrator, Alaskan Region



Date

**Right of Appeal**

This Record of Decision is the FAA's final decision and approval for the actions identified. This Record of Decision is a decision document and constitutes a final order by the FAA Administrator. Under 49 U.S.C. § 46110(a), this Record of Decision is subject to the exclusive judicial review by either (1) the United States Court of Appeals for the District of Columbia Circuit, or (2) in the court of appeals of the United States for the circuit in which the person who seeks review resides or has its principal place of business. Under 49 U.S.C. § 46110(a), a petition for review of this Record of Decision must be filed no later than 60 days after this Record of Decision is issued absent reasonable grounds. A petitioner who seeks to stay implementation of this Record of Decision must, per Fed. R. App. P. 18(a), first move the FAA for a stay pending review.

Appendices

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## **Appendix A – Agency Concurrence Letters**

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Appendix A to the Sitka Rocky Gutierrez Airport Record of Decision includes a limited set of relevant findings and determinations from federal, state, and local authorities. Permit decisions are expected to be issued after issuance of the Record of Decision. The following documentation is found in this appendix:

National Marine Fisheries Service: Consultation and Concurrence Letters Regarding Endangered Species Act.

State Historic Preservation Officer: Consultation and Concurrence Letters Regarding Section 106 of the Historic Preservation Act.

City and Borough of Sitka: Determination of Consistency with Local Land Use Plans.

Alaska Department of Transportation and Public Facilities: Statement of Efforts to Restrict Incompatible Land Uses in the Airport Vicinity.



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Airports Division

Alaskan Region  
222 West 7<sup>th</sup> Ave #14  
Anchorage, Alaska 99513

June 27, 2008

Kaja Brix, Director  
Protected Resources Division  
National Marine Fisheries Service  
P.O. Box 21668  
Juneau, AK 99802-1668

Re: Sitka Rocky Gutierrez Airport - Agency Review of Preliminary Draft  
Environmental Impact Statement

Dear Ms. Brix,

The Federal Aviation Administration (FAA) has initiated preparation of an Environmental Impact Statement (EIS) for the Sitka Rocky Gutierrez Airport. The EIS evaluates a number of proposed actions that will enhance aviation safety and play an important role in future airport development. The National Marine Fisheries Service (NMFS) has participated in the EIS as a cooperating agency, and FAA has consulted with the Protected Resources Division on a number of occasions concerning the potential for the airport actions to affect federal protected species.

Section 7 of the Endangered Species Act (ESA) requires that any action by a federal agency not be "likely to jeopardize the continued existence of any [listed] species or result in the destruction or adverse modification of habitat of such species..." Issuance of federal permits and funding to conduct the airport expansion projects qualifies as a federal action. FAA's obligation, as the lead federal agency for the projects under consideration, is to prepare a Biological Assessment (BA) of the potential influence of the actions on listed species and their critical habitat.

Enclosed is a BA for the Sitka Airport Improvement Projects. This document has been prepared in consultation with NMFS and according to federal guidance for ESA compliance. I am confident that our analyses will meet the standards expected by NMFS for such important decisions, and that the proposed conservation measures fulfill our important trust responsibilities to protect species and habitat.

Ms. Kaja Brix  
National Marine Fisheries Service  
June 27, 2008

We look forward to your review, comments and, I hope, concurrence with our determinations of effect. The FAA plans to publish a Draft EIS by August 1, 2008 and it would be most helpful to have NMFS formal response to the BA prior to this date so that we may incorporate any needed adjustments into the EIS for publication.

On behalf of FAA and the project team, thank you very much for your assistance and advice with this project. Please contact Patti Sullivan, FAA Project Manager at 271-5454 should you have any questions or concerns.

Sincerely,



James W. Lomen, P.E.  
Assistant Airports Division Manager

Cc: Linda Shaw, NMFS  
Richard Enriquez, USFWS



**UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration**

*National Marine Fisheries Service  
P.O. Box 21668  
Juneau, Alaska 99802-1668*

July 30, 2008

Mr. James W. Lomen  
U.S. Department of Transportation  
Federal Aviation Administration  
222 West 7<sup>th</sup> Ave #14  
Anchorage, Alaska 99513

RE: Sitka Rocky Gutierrez Airport Endangered Species Act Section 7 Consultation

Dear Mr. Lomen:

The National Marine Fisheries Service (NMFS) received the Federal Aviation Administration's June 27, 2008, letter and has reviewed the Biological Assessment (BA) for improvements to the Sitka Rocky Gutierrez Airport. In your correspondence, you requested concurrence with the determinations in your BA regarding effects to species listed under the Endangered Species Act (ESA) or their designated critical habitat. Listed species in the action area include endangered humpback whales, sperm whales and fin whales, as well as the threatened eastern distinct population segment (eDPS) and the endangered western distinct population segment (wDPS) of Steller sea lion. Given the rarity of both sperm whale and fin whale occurrence in the action area, the BA concludes *no effect* on these listed species, while concluding a *may affect but not likely to adversely affect* determination for humpback whales and the eDPS and wDPS for Steller sea lions as a result of the project. Critical habitat for the eDPS of Steller sea lion in the action area as described includes the Lull Point haulout on Baranof Island. No other critical habitat for listed species exists in the action area.

### **CONSTRUCTION**

The project as described in the preferred alternative involves runway expansion and a 280 foot landmass extension; construction of a partial parallel taxiway through the existing airport lagoon; and construction of a new concrete seaplane pullout ramp in Mermaid Cove. The construction phase of this project is expected to begin in 2010 and is expected to be completed within two years. It will involve approximately 195 barge trips (0-2 trips per day) of construction materials from quarries on Baranof Island, near Wrangell, near Ketchikan, or British Columbia. Barge transport will not occur between March 15 and May 31 when elevated numbers of humpback whales are in the action area during the herring spawning season. The anticipated in-water work window is a 38 week period between early June and mid-March, and may extend over one construction season.

Based on the BA, we understand that the landmass extension would involve the placement of fill material below the high tide line and is expected to result in the loss of 1.93 acres of marine habitat. Up to 3.11 acres of soft-bottom sediment would be converted to rocky bottom habitat and up to 622 feet of linear shoreline would be altered.





The taxiway construction portion of the project has no connection to open water, so is not expected to have impacts to ESA listed species. The seaplane pullout ramp construction would involve excavation and grading of approximately 100 feet of shoreline to prepare the slope for construction, and approximately 0.05 acres of existing bottom would be disturbed by dredging. If the substrate is bedrock, blasting may occur for removal. If this is the case, blasting will only be performed at low tide to minimize sound entering the water column.

### **MITIGATION**

NMFS has reviewed the submitted project description and evaluation of project effects in the BA and concurs with the FAA that the above described work will have *no effect* on sperm whales and fin whales, and is *not likely to adversely affect humpback whales and Steller sea lions, nor modify or adversely affect designated critical habitat*, provided the preferred alternative and the best management practices (BMPs) described in the BA to minimize impact to the marine resources are followed. The BMPs include these precautions to minimize impacts to listed species and their prey:

- Inwater work which could disturb listed species or their prey resources will not be performed during periods of high ecological sensitivity, including seasonal herring spawning and marine mammal concentrations.
- A speed limit of 8 knots for tugs and barges will be required in bringing materials to the site. Due to high humpback whale concentrations, a speed limit of 7 knots will be imposed in central Frederick Sound and Chatham Strait, or whenever an observer spots a whale within 1 kilometer of the vessel.
- A construction oil spill prevention plan will be prepared
- Sediment release will be minimized through the use of “clean” fill materials (cleaned of debris and of invasive species) and the method of “picking and placing” stone and fill materials rather than dumping rock fill directly from barge platforms.
- Transit vessels will not travel within designated Steller sea lion critical habitat (within 3,000 feet of haulouts or rookeries).

### **DISCUSSION/CONCLUSION**

Effects of construction on listed species as a result of this project are expected to be negligible. A primary factor in reducing the risk of impact to listed species is the restriction of in-water work in the spring when elevated numbers of humpback whales and Steller sea lions are in the action area during the herring spawning season. This will minimize disturbance to listed species and their prey, as herring are important forage fish for sea lions and humpback whales. Additionally, barge trips are expected to have minimal risk of vessel collision and noise impact given their low speed of operation (7-8 knots) and their routing outside of critical habitat boundaries. As a result, there is not expected to be adverse impact to sea lion critical habitat at the Lull Point haulout on

Baranof Island. Likewise, although the barge will be transiting up to 195 times across areas known to have high concentrations of foraging humpback whales (Frederick Sound and Chatham Strait), the risk of vessel collision is minimal at the low speeds indicated in the BA.

According to levels presented in the BA, in-water and above-water construction noise (ranging from 72-114 dBA at 50 ft) are not expected to result in adverse impact (behavioral or physiological) to listed species, based on the current data available related to acoustics and marine mammals. No sea lion haulouts or rookeries are present in Sitka Sound, so no disturbance of resting or pupping sea lions would be expected as a result of barge and construction activities. In addition, much of the construction activity involving the placement of fill would take place in shallow littoral areas, as well as riparian and intertidal zones where humpback whale and sea lion occurrence would be expected to be minimal. One portion of construction, for the parallel taxiway, would cross Airport Lagoon which has no open-water connection to Sitka Sound and is not considered habitat for ESA-listed species.

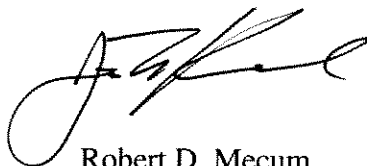
The standard for a 'not likely to adversely affect' determination under the ESA is that the effects of the action are "insignificant, discountable, or entirely beneficial." We believe the effects of the action will be insignificant (meaning that impacts should not reach the scale where take occurs) to humpback whales and Steller sea lions in the action area, or to any critical habitat in the action area. No effect is expected for sperm whales and fin whales. This concurrence is issued with the understanding that the preferred alternative in the BA will be the final action. If any elements of the activities described are modified with the issuance of a final Environmental Impact Statement, the FAA would be expected to reinitiate consultation with NMFS.


Although no take is expected to result from the proposed action, it is important to note that Section 9 of the ESA and Federal regulations pursuant to section 4(d) of the ESA prohibit the take of endangered and threatened species, respectively, without special exemption. Take is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. No incidental take under the ESA authorization is provided here, and incidental take is therefore unlawful. In addition, the Marine Mammal Protection Act (MMPA) specifically prohibits the taking of marine mammals, including harassment, unless the activity is exempted by law or permitted under the Act.

Reinitiation of consultation is required where discretionary Federal agency involvement or control over the action has been retained (or is authorized by law) and if: (1) take of a listed species occurs, (2) new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not considered, (3) the action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not considered, or (4) a new species is listed or critical habitat designated that may be affected by the action. If any of the above conditions occur at any time during the project, the FAA shall immediately reinitiate section 7 consultation under the ESA.

Thank you for your cooperation in protecting threatened and endangered species. If you have further questions or concerns, please contact my staff, Aleria Jensen, in the Protected Resources Division at (907) 586-7248.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Mecum', with a large, stylized initial 'R'.

 Robert D. Mecum  
Acting Administrator, Alaska Region



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Airports Division

Alaskan Region  
222 West 7<sup>th</sup> Ave #14  
Anchorage, Alaska 99513

APR 8 2009

Robert D. Mecum  
Acting Administrator, Alaska Region  
National Marine Fisheries Service  
P.O. Box 21668  
Juneau, AK 99802-1668

### **Sitka Rocky Gutierrez Airport – Endangered Species Act Section 7 Consultation and Effects Mitigation Requirements**

Dear Mr. Mecum:

The Federal Aviation Administration (FAA) is preparing an Environmental Impact Statement (EIS) for the Sitka Rocky Gutierrez Airport. The EIS evaluates a number of proposed actions that will enhance aviation safety and play an important role in future airport development. The National Marine Fisheries Service (NMFS) has participated during preparation of the EIS as a cooperating agency, and FAA has consulted with the Protected Resources Division on a number of occasions concerning the potential for the actions evaluated in the EIS to affect federal protected species.

In accordance with Section 7 of the Endangered Species Act, FAA prepared a Biological Assessment (BA) of the potential influence of the actions on listed species and their critical habitat. NMFS staff reviewed the BA and, on July 30, 2008, provided FAA a letter of concurrence with our findings, provided that "*...the preferred alternative and the best management practices (BMPs) described in the BA to minimize impact to the marine resources are followed.*" NMFS' concurrence letter listed five BMPs to minimize impacts to listed species and their prey (see attached letter from Mecum to Lomen, 7/30/2008).

The fourth BMP in NMFS' letter identifies two activities designed to minimize turbidity increases in marine waters and loss of sediments outside of the runway safety area construction footprint. These activities were consolidated from recommended BMPs identified in the Draft Biological Assessment (page 9), and in Chapter 6 of the Draft EIS. Unfortunately, the second activity in this BMP requires the use of a technique that isn't possible for the Sitka RSA project, and was not included in the avoidance measures identified in the BA.

Mr. Robert D. Mecum  
National Marine Fisheries Service  
April 7, 2009

FAA's concern is with the language requiring "...picking and placing stone and fill materials..." and, more specifically, the inclusion of "fill materials" in this BMP. To illustrate the construction process and constraints I would like to summarize the proposed sequence anticipated for expansion of safety area into the marine environment at the end of Runway 29.

The first step in construction would be to construct a dike of riprap along the perimeter of the RSA fill zone. Riprap to be used for the dike cannot be placed individually; the rock is too small for efficient mechanized handling and the cost for individual placement of this material would be exorbitant. GPS or other precision location techniques would be used to position a barge so that riprap would be deposited in the desired dike configuration. This focus on accurate materials placement is key to efficient, cost effective construction as well as protection of marine water quality and habitat.

The area within the riprap dike would then be filled with "core" rock fill, consisting of variably-sized materials generally averaging about one pound but ranging up to potentially 100-pounds in weight. These materials are much too small for individual placement and would likely be bottom dumped from the barge into the interior of the fill zone. The riprap dike will contain the core rock within the fill zone and substantially help to prevent soft bottom sediments from being released into the water column or pushed out into the surrounding marine habitat. After the core rock has reached the height of the surrounding dike another layer of riprap would be installed to increase the height of the dike. In this manner, the dike and core rock fill would be built up in subsequent layers until the desired height has been reached. Large armor rock would be placed, using heavy equipment such as a clam shell, on the outside (seaward) of the dike to protect the riprap and core rock integrity. I have included with this letter a figure from the EIS that illustrates the construction sequence.

In the Draft EIS and BA we have recognized the importance of turbidity control in and around the construction zone, and suggested construction techniques that could be applied to minimize sediment releases. To some extent these techniques are dependent on the type of barge employed during construction and the on-board equipment used for materials transfer. Nevertheless, we believe the construction sequence using precision location techniques for barge positioning and materials deposition described above represent sound best management practices for sediment control, including containment of bottom sands and fines.

I would like to point out that we also believe the most important aspect in sediment control and minimizing turbidity in marine waters for this project is the use of clean fill materials. This BMP is described in the EIS, BA, and also in the NMFS concurrence letter. Armor rock and riprap will inherently have a very small content of fines. Since the core rock fill will be obtained largely from blasting (to create the

Mr. Robert D. Mecum  
National Marine Fisheries Service  
April 7, 2009

larger armor rock and riprap) it should also be relatively free of fine-grained material.

In summary, I request that NMFS consider modifying the 4<sup>th</sup> (fill installation) BMP identified on page 2 of the July 30, 2008, concurrence letter to reflect the impact minimization measures identified above and described in the DEIS and BA. Revision of the fill installation BMP, in conjunction with the other BMPs identified in NMFS' concurrence letter would not alter the "affect" determinations from the BA, as follows:

- The proposed projects may affect, but are not likely to adversely affect, Steller sea lions or their designated critical habitat.
- The proposed projects may affect, but are not likely to adversely affect, humpback whale.
- The proposed projects would have no affect on fin whale or sperm whale.

FAA understands and concurs with NMFS' need for rigorous review of projects potentially affecting sensitive species. In addition, I believe that our agencies are fully cognizant of a duty to document and publicly disclose our considerations and findings. To complete FAA's documentation record, and ensure that persons undertaking to design and construct the Sitka Airport projects fully understand our obligations to avoid and minimize environmental impacts, I request that NMFS provide a written response to this request for a modification to the fill installation BMP.

On behalf of FAA and the project team, thank you again for your assistance and advice with this project. Please contact Patti Sullivan, FAA Project Manager at (907) 271-5454 should you have any questions or concerns.

Sincerely,

  
Byron K. Huffman, Manager  
Airports Division

Attachment: NMFS Letter to FAA, July 30, 2008  
EIS Figure 4.19.3 – Fill Material Sequence

Cc: NMFS (Kaja Brix, Linda Shaw, Kate Savage)  
ADOT&PF (Pat Carroll, Jane Gendron, Carl Schrader, Verne Skagerberg)

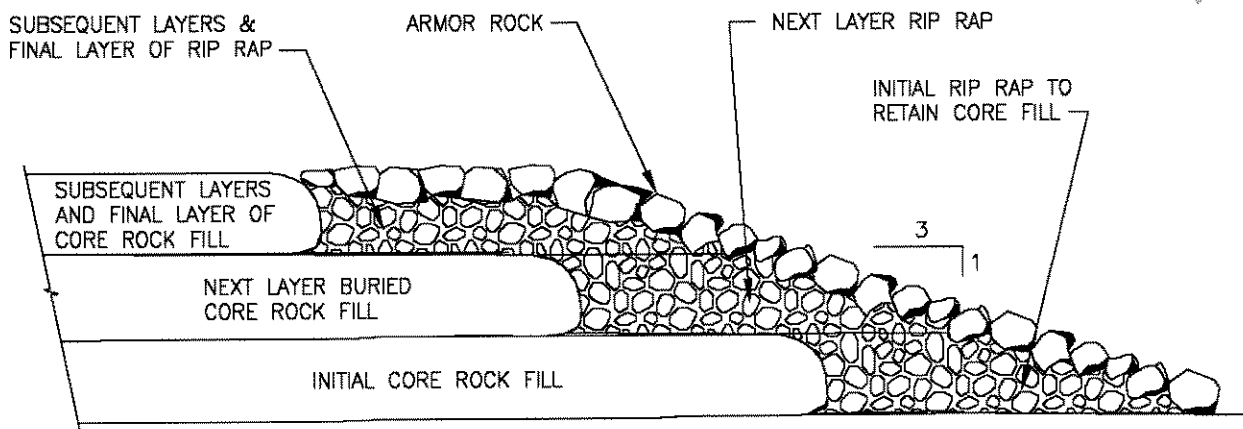


Figure 4.3-19 Fill Material Placement Sequence

Source: Reid Middleton, 2008



**UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration**

*National Marine Fisheries Service  
P.O. Box 21668  
Juneau, Alaska 99802-1668*

April 30, 2009

Mr. Byron K. Huffman  
Airports Division Manager  
U.S. Department of Transportation  
Federal Aviation Administrators  
222 West 7<sup>th</sup> Ave #14  
Anchorage, AK 99513

Re: Sitka Rocky Gutierrez Airport –  
Endangered Species Act Section 7  
Consultation and Effects Mitigation  
Requirements

Dear Mr. Huffman:

The National Marine Fisheries Service (NMFS) received the Federal Aviation Administration (FAA) letter, dated April 8, 2009, requesting a refinement of NMFS' letter of concurrence/response to the Sitka Rocky Gutierrez Airport Improvements Project Biological Assessment (BA). The FAA expressed concern over a disparity between NMFS' description and the BA description of a particular Best Management Practice (BMP) designed to minimize sediment losses and turbidity increases. Because NMFS' concurrence is based upon the BMPs being followed, the FAA wishes to ensure the accuracy of the described action.

On page 9 of the BA, the BMP is described as follows:

- “Construction of the RSA fills in marine habitat could include ‘picking and placing’ of large armor stone and pipe slurry discharge of fill materials onto the seafloor (as opposed to dumping of fill rock directly from the barge platforms).”

On page 2 of the letter of concurrence, NMFS describes the previously mentioned BMP as follows:

- “Sediment release will be minimized through the use of ‘clean’ fill materials (cleaned of debris and of invasive species) and the method of ‘picking and placing’ stone and fill materials rather than dumping rock fill directly from barge platforms”.

NMFS agrees to modify the wording of the BMP to more accurately describe the activity in question. Therefore, please consider the 4<sup>th</sup> BMP on page 2 of NMFS letter of concurrence, dated July 30, 2008, modified as follows:





- Sediment release will be minimized through the use of “clean” fill materials (cleaned of debris and of invasive species), pipe slurry discharge of fill materials and the method of “picking and placing” large armor stone rather than dumping rock fill directly from barge platforms.

Thank you for your cooperation in protecting threatened and endangered species. If you have further questions or concerns, please contact Kate Savage at (907) 586-7312.

Sincerely,



Robert D. Mecum  
Acting Administrator, Alaska Region

Cc: Kaja Brix, NMFS  
Linda Shaw, NMFS  
ADOT&PF



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Airports Division

Alaskan Region  
222 West 7<sup>th</sup> Ave #14  
Anchorage, Alaska 99513

May 21, 2009

Mr. Robert D. Mecum  
Acting Administrator, Alaska Region  
National Marine Fisheries Service  
P.O. Box 21668  
Juneau, AK 99802-1668

Re: Sitka Rocky Gutierrez Airport - Endangered Species Act Section 7  
Consultation and Effects Mitigation Requirements

Dear Mr. Mecum,

In accordance with Section 7 of the Endangered Species Act, Federal Aviation Administration (FAA) prepared a Biological Assessment (BA) of the potential influence of proposed actions at Sitka Airport on listed species and their critical habitat. NMFS staff reviewed the BA and, on July 30, 2008 provided FAA a letter of concurrence with our findings, provided that "...*the preferred alternative and the best management practices (BMPs) described in the BA to minimize impact to the marine resources are followed.*" NMFS' concurrence letter listed five Best Management Practices (BMPs) to minimize impacts to listed species and their prey (see attached letter from Mecum to Lomen, 7/30/2008).

Since preparation of the BA and Draft EIS, FAA has consulted with the Alaska Department of Transportation and Public Facilities (ADOT&PF) and consultants and contractors familiar with marine construction practices. We have determined that one of the possible methods identified in the BA for controlling turbidity and sediment loss, the potential use of pipe slurry discharge to install sub-marine fill for the runway safety area (RSA) expansion, would not be practicable for this application. Accordingly, I request that NMFS agree to removal of one of the BMPs to more accurately reflect the methods of fill placement that FAA and ADOT&PF can require for use in controlling turbidity and sediment loss from the construction zone. The text below lists the BMP as originally identified in the BA, followed by a series of BMPs that FAA proposes to substitute in place of the original.

*Original BMP to be Removed*

Construction of the RSA fills in marine habitat could include "picking and placing" of large armor stone and pipe slurry discharge of fill material onto the seafloor (as

Mr. Robert D. Mecum  
National Marine Fisheries Service  
May 21, 2009

opposed to dumping of fill rock directly from the barge platforms). These actions would help to minimize sediment losses and turbidity increases. Similar practices could be employed for construction in the Airport Lagoon.”

Substitute BMPs for NMFS Concurrence

- Construction contract material specifications would establish quality control measures to ensure armor rock, riprap and core fill material would be “clean” with a small content of fines to minimize turbidity within the water column and sedimentation outside of the RSA fill zone.
- Construction of the embankments would include placement of a riprap dike along the perimeter of the RSA fill zone to contain the core rock fill and substantially help to prevent soft bottom sediments from being released into the water column or pushed out into the surrounding marine habitat. GPS or other precision location techniques would be used to position the barges so that riprap would be deposited in the desired dike configuration. Use of clean rip rap and the focus on accurate materials placement are key to efficient, cost effective construction as well as protection of marine water quality and habitat.
- Core rock fill, consisting of variably-sized materials generally averaging about one pound but ranging up to potentially 100 pounds in weight, would be dumped within the riprap containment dike. After the core rock has reached the height of the surrounding dike another layer of riprap would be installed to increase the height of the dike. In this manner, the dike and core rock fill would be built up in subsequent layers until the desired height has been reached.
- Large armor rock on the outside (seaward) of the RSA fill dike would be placed using heavy equipment such as a “clamshell.”

Since publication of the Draft Environmental Impact Statement (EIS) for the proposed Airport projects, the FAA and our consulting team have continued to consider available measures to avoid or minimize impacts to aquatic resources, including protected species. I believe the new BMPs identified above reflect a better, more realistic approach to sediment containment and turbidity control. As you can see from these measures, our focus is on three primary elements. First, the use of precision location techniques (GPS) for barge positioning and materials deposition will ensure that riprap and fill materials are placed accurately, with minimal loss of materials outside the new runway safety area embankment. Second, the construction sequence – creation of a perimeter dike followed by deposition of core rock – is designed to contain the core fill materials and prevent bottom sediments from being dispersed beyond the safety area footprint.

To some extent the construction methods identified are dependent on the type of barge employed during construction and the on-board equipment used for materials transfer. Nevertheless, we believe the construction sequence using precision location techniques for barge positioning and materials deposition described above

Mr. Robert D. Mecum  
National Marine Fisheries Service  
May 21, 2009

represent sound best management practices for sediment control, including containment of bottom sands and fines.

Our third, and I believe most important, element to controlling sediment loss and minimizing turbidity is our emphasis on the use of clean fill materials. Armor rock and riprap inherently have a very small content of fines. Also, core rock fill obtained largely from blasting (to create the larger armor rock and riprap) would be relatively free of fine-grained material. In fact, the EIS consultants have informed me the core rock fill would consist of variably-sized materials generally averaging about one pound but ranging up to potentially 100-pounds in weight. The sizes and types of materials proposed for use in construction of the RSA embankment indicate that there should be very little sand or silt-sized fragment that would remain suspended in the water column or contribute to turbidity plumes. Finally, as you can see from the first BMP listed above, DOT&PF can prescribe "clean" material specifications in their construction contract to ensure adherence to this conservation measure.


Removal of the BMP concerning pipe slurry discharge, and substitution of the four additional BMPs noted in this letter along with other BMPs identified in NMFS' concurrence letter of July 30, 2008 would not alter the "affect" determinations from the BA, as follows:

- The proposed projects may affect, but are not likely to adversely affect, Steller sea lions or their designated critical habitat.
- The proposed projects may affect, but are not likely to adversely affect, humpback whales.
- The proposed projects would have no affect on fin whales or sperm whales.

On behalf of FAA and the project team, I want to thank Kate Savage and Kaja Brix for continuing to work so cooperatively with us on this project. I apologize for asking you to revise your concurrence documentation, but ultimately I do believe the proposed changes strengthen environmental protections and provide clear direction to the project design and construction personnel.

Please contact Patti Sullivan, FAA Project Manager at 271-5454 or e-mail [patricia.sullivan@faa.gov](mailto:patricia.sullivan@faa.gov) should you have any questions or concerns.

Sincerely,

  
Byron K. Huffman, Manager  
Airports Division

Cc: Kaja Brix, NMFS  
Kate Savage, NMFS  
Patti Sullivan, FAA



**UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration**

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

June 16, 2009

Byron K. Huff  
Airports Division Manager  
U.S. Department of Transportation  
Federal Aviation Administration  
222 West 7<sup>th</sup> Ave #14  
Anchorage, Alaska 99513

Re: Sitka Rocky Gutierrez Airport – Endangered Species Act Section 7 Consultation and Effects Mitigation Requirements

Dear Mr Huff:

In July, 2008, the National Marine Fisheries Service (NMFS) reviewed the Biological Assessment (BA) for the Sitka Rocky Gutierrez Airport Improvement Project. NMFS agreed with the FAA that the project would not adversely affect listed species in the action area and subsequently provided a letter of concurrence. On May 21, 2009, NMFS received a request from the FAA to allow for modifications in the BA regarding certain sediment containment and turbidity control measures. One segment of the Sitka Rocky Gutierrez Airport Improvement Project involves a runway safety area (RSA) expansion via a 280 foot landmass extension, where fill materials will be placed on the soft-bottom substratum and built up to the required level. Relative to this segment of the project, the FAA would like to remove the following original Best Management Practice (BMP):

- Construction of the RSA fills in marine habitat could include ‘picking and placing’ of large armor stone and pipe slurry discharge of fill materials onto the seafloor (as opposed to dumping of fill rock directly from the barge platforms).

The FAA would like to add the following replacement BMPs:

- Construction contract material specifications would establish quality control measures to ensure armor rock, riprap and core fill material would be “clean” with a small content of fines to minimize turbidity within the water column and sedimentation outside the RSA fill zone.
- Construction of the embankments would include placement of a riprap dike along the perimeter of the RSA fill zone to contain the core rock fill and substantially help to prevent soft bottom sediments from being released into the water column or pushed out into the surrounding marine habitat. GPS or other precise location techniques would be used to position the barges so that riprap would be deposited in the desired dike configuration. Use of clean riprap and the focus on accurate materials placement are key to efficient, cost effective construction as well as protection of marine water quality and habitat.



- Core rock fill, consisting of variably-sized materials generally averaging about one pound but ranging up to potentially 100 pounds in weight, would be dumped within the riprap containment dike. After the core rock has reached the height of the surrounding dike another layer of riprap would be installed to increase the height of the dike. In this manner, the height and core rock fill would be built up in subsequent layers until the desired height has been reached.
- Large armor rock on the outside (seaward) of the RSA fill dike would be placed using heavy equipment such as a “clamshell”

The BMPs listed above involve mitigation measures for potential increases in turbidity due to the construction of a runway safety area extension. NMFS agrees that these replacement BMPs will sufficiently serve to address increased turbidity in the water column. Walling off the perimeter of the extension area with riprap prior to adding fill should provide containment and minimize turbidity from disturbance of the bottom substrate. Subsequent layering using the same technique as well as the use of “clean” fill materials containing a small amount of fines should minimize increased turbidity outside the RSA fill zone due to the addition of fill. Therefore, please consider the BA modified as requested and NMFS’ concurrence unchanged.

Reinitiation of consultation is required where discretionary Federal agency involvement or control over the action has been retained (or is authorized by law) and if: (1) take of a listed species occurs, (2) new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not considered, (3) the action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not considered, or (4) a new species is listed or critical habitat designated that may be affected by the action. If any of the above conditions occur at any time during the project, the FAA shall immediately reinitiate section 7 consultation under the ESA.

Thank you for your cooperation in protecting threatened and endangered species. If you have further questions or concerns, please contact Kate Savage at (907) 586-7312.

Sincerely,



Robert D. Mecum  
Acting Administrator, Alaska Region

Cc: Kaja Brix, NMFS  
Linda Shaw, NMFS  
ADOT&PF



U.S. Department  
of Transportation

Airports Division

222 W 7<sup>th</sup> Avenue #14  
Anchorage, Alaska  
99513-7587

**Federal Aviation  
Administration**

MAR 25 2008

Ms. Judith Bittner  
Deputy Alaska State Historic  
Preservation Officer  
550 W. 7th Ave., Suite 1310  
Anchorage, Alaska 99501-3565

RE: Cultural Resources Technical Report for the Sitka Rocky Gutierrez Airport EIS

Dear Ms. Bittner:

In compliance with the implementing regulations (36 CFR 800) of the National Historic Preservation Act, enclosed is a copy of the Section 106 cultural resources technical report prepared by SWCA, Inc. Environmental Consultants (SWCA) as part of the Environmental Impact Statement (EIS) for the Sitka Rocky Gutierrez Airport (the Airport). The EIS assesses five proposed construction projects and one proposed land transfer.

The report describes the study area, summarizes studies undertaken by SWCA to identify historical, architectural, archaeological, and cultural resources that could be impacted by proposed improvements at the Airport, and provides an assessment of the anticipated impacts to such resources from the proposed undertakings. While the study area as described in the attached report is relatively large, the actual area of potential effects (APE) is quite small, being limited to the footprints and immediate surrounding areas for each of the five proposed construction projects and the boundaries of the proposed land transfer. As the entire APE for the proposed construction projects has been previously inventoried for historic properties, SWCA did not conduct any new field inventories but only verified the previous inspections.

The Federal Aviation Administration (FAA) has concluded that all but one of the proposed construction projects would avoid all known historic properties in the APE, resulting in a finding of No Historic Properties Affected for the proposed runway safety area, seawall, partial parallel taxiway, approach light system, and seaplane pullout relocation projects. The proposed full parallel taxiway alternative passes through lands encompassed by the Fort Ray Historic District. However, if this alternative was selected in the FAA's Record of Decision and implemented by the Alaska Department of Transportation and Public Facilities (ADOT&PF), the owner and operator of the Airport, it would result in No Adverse Effect to the Historic District, as no contributing features of the District would be affected.

The proposed land transfer would result in lands currently under the jurisdiction of the Bureau of Land Management being conveyed to the ADOT&PF for airport uses. The transfer would primarily be a paper exercise, as the lands in question were believed to be part of the Airport property until a recent decision was issued by the Solicitor of the Department of the Interior identifying these lands as being retained in federal ownership. A portion of the Sitka Naval Operating Base and U.S. Army Coastal Defenses National Historic Landmark (NHL) and the Fort Ray Historic District would be located within the resulting airport boundary, just as they are today; however, a smaller portion of the NHL would be located on airport property as the airport boundary would be reduced in conjunction with the land transfer. Management of the lands containing the NHL and Historic District would not change from the current situation, and the FAA would be required to issue approvals for all physical changes on airport property before such changes could be made. As such, the FAA has determined that the land transfer would result in a finding of No Adverse Effect on historic properties.

The FAA respectfully requests your concurrence with our findings. Please, feel free to contact me if you have any questions or comments regarding the enclosed materials or require additional information. I can be reached at the address above or at 907-271-5454. You may also contact Sheri Ellis at SWCA. She can be reached via email at [sellis@swca.com](mailto:sellis@swca.com) or via phone at (801) 322-4307.

Sincerely,



Patricia Sullivan  
Airports Division  
Sitka Airport EIS Project Manager

Enclosure

cc: Sheri Murray Ellis (SWCA)  
Brad Rolf (BDC)



# STATE OF ALASKA

**SARAH PALIN, GOVERNOR**

## DEPARTMENT OF NATURAL RESOURCES

**DIVISION OF PARKS AND OUTDOOR RECREATION**

**OFFICE OF HISTORY AND ARCHAEOLOGY**

550 W. 7TH AVENUE, SUITE 1310  
ANCHORAGE, ALASKA 99501-3565  
PHONE: (907) 269-8721  
FAX: (907) 269-8908

April 25, 2008

File No.: 3130-1R FAA

Patricia Sullivan  
Airports Division  
Federal Aviation Administration  
222 West 7th Avenue #14  
Anchorage, AK 99513

Subject: Sitka Rocky Gutierrez Airport EIS

Dear Ms. Sullivan:

This office received your letter on March 27, 2008 concerning the construction projects and land transfer at the Sitka Rocky Gutierrez Airport. We reviewed this undertaking for potential impacts to historic and archaeological resources under Section 106 of the National Historic Preservation Act. We need more information to concur or not concur with your findings.

Please contact the Sitka Historic Preservation Commission (Commission) and provide this office with a summary of their views. During recent conversation between this office and the Commission, the Commission was not aware of this undertaking, but showed interest about the potential impacts to historic resources.

Please contact Doug Gasek at 269-8726 if you have any questions or need further assistance.

Sincerely,



Judith E. Bittner  
State Historic Preservation Officer

JEB:dfg

cc: Laurie Mulcahy, Alaska Department of Transportation  
Peter Gorman, Sitka Historic Preservation Commission



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Alaskan Region Airports Division  
222 West 7<sup>th</sup> Ave #14  
Anchorage, AK 99513

October 27, 2008

Judith E. Bittner  
State Historic Preservation Officer  
Alaska State Historic Preservation Office  
550 W. 7th Avenue, Suite 1310  
Anchorage, AK 99501-3565

RE: File No. 3130-1R FAA  
Sitka Rocky Gutierrez Airport EIS Project

Dear Ms. Bittner:

This letter is in response to your correspondence of April 25, 2008 regarding your office's need for additional information prior to issuing your concurrence with the Federal Aviation Administration's (FAA's) findings for the Sitka Rocky Gutierrez Airport EIS Project, as outlined in the technical report *A Historical, Architectural, Archaeological, and Cultural Resource Assessment for Proposed Improvements to the Sitka Rocky Gutierrez Airport* submitted to your office March 25, 2008. In your letter, you requested that FAA contact the Sitka Historic Preservation Commission (Commission) and provide your office with a summary of their views.

We have contacted the Commission, had several discussions with their appointed representative (Anne Pollnow), and provided additional information to them beyond the copy of the Section 106 technical report provided to them by you. In August we requested that they submit a letter to either FAA or your office summarizing any concerns remaining after our discussions with them. They agreed to do so. FAA has not yet received such a letter, and it is our understanding that your office has received no correspondence either. We have contacted representatives (Ms. Pollnow and Peter Gorman) of the Commission several times the last two months and offered to meet in person with them during a recent visit to Sitka. However, we have received no response from them. Should the FAA receive a comment letter from the Commission we will forward a copy of that letter to your office.

In lieu of a letter directly from the Commission, we are providing you this letter with a summary of our understanding of the concerns raised by the Commission during our discussions. We have also enclosed copies of their most recent Commission meeting notes (July 9 and September 10, 2008), which summarize their discussions about the proposed undertakings at the airport.

The following are the key concerns raised by the Commission and a description of how FAA responded to or addressed those concerns:

- Cumulative Impacts on the Sitka Naval Operating Base and U.S. Army Coastal Defenses National Historic Landmark (NHL)
  - The Commission is/was concerned that the proposed projects, when taken together will all past, present, and reasonably foreseeable future projects in the area of the NHL will have an adverse effect on the Landmark through alteration of the setting and feeling.

- FAA believes that the nature of the proposed undertakings is sufficiently limited that impacts on the NHL would be negligible. The proposed undertakings involving new construction consist of construction of a partial parallel taxiway, relocation of the existing seaplane haulout, and addition of new land mass for the extension of the runway safety area at the southern end of the existing runway. The new landmass would measure 280 feet long and cover approximately 2.65 acres of existing runway armor rock and 4.54 acres of natural sea floor below water. None of these proposed projects would have a direct effect on any part of the NHL. Airport property was specifically excluded from the NHL during its designation, and these projects are located entirely within the boundary depicted on the Airport Layout Plan. The proposed partial parallel taxiway and the relocated seaplane pullout are located in the vicinity of the Fort Ray Historic District, in an area "cleared" several years ago through the Section 106 process by the Alaska Department of Transportation and Public Facilities (ADOT&PF) for a separate undertaking. Indirect effects on the NHL from the proposed undertakings involving construction would consist of negligible changes in setting from very small visual alterations along the landward side of the runway and on the southern end of the runway. These visual changes would not contribute significantly to the overall changes in setting of the NHL resulting from private and state undertakings in the area. The visual changes associated with the identified preferred alternatives at the airport would not contribute significantly to the overall changes in the setting of the NHL.
- Burials on Battery Island could be affected by the proposed approach lighting system
  - Commission members spoke with a member of the Sitka Tribe of Alaska about potential burials on Battery Island and expressed concern that burials that may be present could be impacted by the approach light system project.
    - FAA has identified the No-Action Alternative for the approach light system project as the preferred alternative, meaning that the system would not be constructed. As such, there is no potential for disturbance of burials on Battery Island from any actions associated with the EIS.
- Differences between Federal and State laws regarding cultural resources could result in less protection for such resources if the proposed transfer of lands/waters from the BLM to the ADOT&PF is executed.
  - The Commission voiced concern that less protection would be afforded to cultural resources in areas proposed in the EIS for transfer from the BLM to the State.
    - FAA believes there would be no measurable change in protection for cultural resources as a result of the proposed land transfer. State statutes provide nearly identical consideration of cultural resources to Federal laws. Further, any lands/waters within the Airport Layout Plan (ALP), which would be revised based on the new boundaries resulting from the land transfer, would still be subject to oversight by the FAA. Any changes to the ALP, such as would result from proposed construction of new features or facilities or alterations of existing facilities, would require the approval of the FAA. FAA is required to comply with all Federal laws regarding the consideration of cultural resources when deciding whether or not to approve physical changes to the ALP.

- Historical artifacts located in the waters around the airport could be impacted by the proposed runway safety area project.
  - Ms. Pollnow expressed concern about potential impacts on submerged World War II (WWII) Era artifacts located in the waters surrounding the airport runway. Specifically, she expressed concern of possible impacts from the preferred runway safety area alternative, which would result in the placement of fill in waters off of the southern end of the existing runway. Artifacts surrounding the runway are known to include batteries, storage tanks, miscellaneous equipment, structural remains, and unidentifiable metal objects. These artifacts were dumped into the water by the military when they abandoned their facilities around the present airport site, and the majority of artifacts are located in the waters immediately off the causeway, not the airport itself. However, some artifacts are reportedly present in waters where fill would be placed for the preferred runway safety area alternative.
    - As part of the cultural resource studies conducted for the EIS, FAA did consider the submerged artifacts and included information about them in the Section 106 technical report. FAA determined that the scattered artifacts around the runway, lacking primary context (i.e., these were land-based artifacts randomly dumped into the ocean) and association (i.e., we have no way of knowing where or how they were used by the military given their current locations), do not constitute a site in and of themselves and would not be considered contributing to the overall NHL.
  
- An archaeologist should be present on-site during construction, in case artifacts are uncovered.
  - Commission members would like an archaeologist to be present on-site during construction to respond to any discoveries of human remains or archaeological materials.
    - FAA has already proposed to include real-time archaeological monitoring of construction in high probability areas or areas identified by the Sitka Tribe of Alaska as potentially containing burials. FAA will also require that discovery protocols be included in all construction contracts for the project.
  
- FAA should conduct surveys to clarify the NHL and Fort Ray Historic District boundaries and redo/update the NHL nomination as part of mitigation for impacts from the proposed projects.
  - Members of the Commission, while agreeing in principle that the proposed projects would result in no adverse effect on historic properties, expressed a desire for FAA to conduct additional research into refining the NHL/Fort Ray Historic District boundaries or redoing the NHL/NRHP nomination package as "mitigation" for generalized impacts (e.g., changes in setting and feeling of the NHL—see above) from the proposed projects.
    - FAA has been coordinating with the National Park Service, administrators of NHL, and the Alaska Department of Natural Resources, managers of the newly created historical park on the World War II Era causeway adjacent to the Airport, to more clearly define the NHL boundaries to address current ambiguities. However, based on FAA's finding of No Adverse Effect for the preferred action alternatives, we do not believe mitigation efforts are necessary.

- Possible mitigation for impacts from the proposed projects could include writing a clear statement for SHPO of the exact names and areas of these places.
  - This comment was included in the Commission's meeting minutes from July 9, 2008. This was not discussed with the FAA during any conversations, so no more information is available as to the specifics of the request.
    - As stated above, no adverse effects have been identified. Therefore, FAA does not believe that mitigation is warranted.

In addition to these comments/concerns summarized here, the Commission discussed the EIS projects during several of their meetings. At their July 9 meeting (minutes attached) their discussion, based on information provided prior to the meeting by FAA, appears to have concluded that "the final [projects] plan is contained and doesn't involve sites that HPC would have been concerned about. Potential effects are low on historical sites in the project area." Submerged artifacts around the causeway adjacent to the Airport were discussed at their September 10 meeting (minutes attached), but there was no discussion about such artifacts in waters off of the southern end of the runway. The Commission did apparently coordinate with the STA regarding the Tribe's concerns about the EIS projects, but no further mention of any specific concerns the Commission may have in relation to the STA's position was included in the meeting minutes.

As you may recall from our March 25 letter, the FAA determined that the preferred alternatives would result in *no adverse effect* to historic properties. The justification for this finding was outlined in the technical report submitted along with FAA's March 25<sup>th</sup> letter requesting your concurrence. I look forward to hearing from you and hope that the information provided in this letter is sufficient for your concurrence with our findings.

As always, please, let me know if you have any questions about the information in this letter or require additional clarification. I can be reached via email at [patricia.sullivan@faa.gov](mailto:patricia.sullivan@faa.gov), via phone at (907) 271-5454, or via regular mail at the address on the letterhead.

Sincerely,



Patricia Sullivan  
FAA Project Manager  
Sitka Rocky Gutierrez EIS

Attachments

STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES

DIVISION OF PARKS AND OUTDOOR RECREATION

December 29, 2008 OFFICE OF HISTORY AND ARCHAEOLOGY

DEC 31 2008  
SARAH PALIN, GOVERNOR

550 W. 7TH AVENUE, SUITE 1310  
ANCHORAGE, ALASKA 99501-3565  
PHONE: (907) 269-8721  
FAX: (907) 269-8908

File No.: 3130-1R FAA

SUBJECT: Sitka Rocky Gutierrez Airport EIS Project, Sitka, Alaska

Patricia Sullivan  
Environmental Program Manager  
Airports Division  
222 W. 7th Avenue, Box 14  
Anchorage, AK 99513

Dear Ms. Sullivan

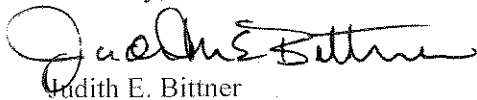
The State Historic Preservation Office has reviewed your additional information regarding the referenced project (received on October 30, 2008) under Section 106 of the National Historic Preservation Act. Upon consideration of the comments by the Sitka Historic Preservation Commission, we have the following comments:

We agree that choosing the No-Action Alternative for the approach lighting system will lower the potential for the project to inadvertently impact human burials; a human remains protocol should still be developed however. We support consultation between Federal Aviation Administration (FAA) and Sitka Tribe of Alaska in defining sensitive areas to be archaeological monitored. The No-Action Alternative will also avoid the adverse effect of increased lighting on the Sitka Naval Operating Base and U. S. Army Coastal Defenses National Historic Landmark (SIT-079).

In regards to the transfer of land from federal to state ownership, we concur that the cultural resources will be subject to protection under *AS 41.35*. It will be important however, for FAA to formally transfer their information of the cultural resources on or near the airport to Department of Transportation and Public Facilities (DOT/PF) with a copy to our office. That way DOT/PF will be able to take these cultural resources into consideration when planning and implementing activities which generally do not receive FAA oversight; these activities may include airport maintenance and operations and issuing permits and leases. Information on the cultural resources will also assist DOT/PF in coordinating with Alaska Department of Parks and Outdoor Recreation in the management of adjacent Fort Rouseau State Park.

Provided that our recommendations implemented, we concur with your finding of no historic properties are adversely affected by this undertaking. Please contact Stefanie Ludwig at 269-8720 if you have any questions or if we can be of further assistance.

Sincerely,



Judith E. Bittner  
State Historic Preservation Officer

JEB:sll



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

---

June 12, 2009

Patricia Sullivan, Sitka EIS Project Manager  
Federal Aviation Administration  
222 West 7<sup>th</sup> Avenue #14  
Anchorage Alaska 99513

Ms. Sullivan:

Please be advised that the proposed airport development projects outlined in the May 2009 Final Environmental Impact Statement for Sitka Rocky Gutierrez Airport are 1) consistent with current and proposed municipal land use plans, and, 2) actions have been taken to restrict adjacent land uses.

The projects are considered to be fully consistent with the Sitka General Code, Sitka zoning ordinance, and the 2007 Sitka Comprehensive Plan land use goals, policies, and recommended land use maps.

Thank you.

  
Wells Williams, AICP  
Planning Director

*Providing for today...preparing for tomorrow*

# STATE OF ALASKA

SARAH PALIN, GOVERNOR

DEPARTMENT OF TRANSPORTATION  
AND PUBLIC FACILITIES  
SOUTHEAST REGIONAL DIRECTOR'S OFFICE

PO Box 112506  
JUNEAU, AK 99811-2506

PHONE: (907) 465-1763  
FAX: (907) 465-2016

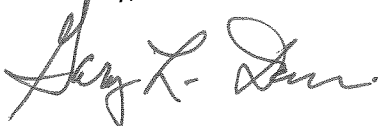
June 15, 2009

Patricia Sullivan  
Federal Aviation Administration  
222 West 7<sup>th</sup> Ave., #14  
Anchorage, Alaska 99513

Dear Ms. Sullivan:

The Alaska Department of Transportation has provided written assurance of having met the requirements of 49 USC 47107(a) for airport sponsors in the attached letter dated April 21, 2005. As stated therein under Sponsor Certification 21, the Department will take appropriate action to the extent reasonable to restrict land uses on or near Sitka Rocky Gutierrez Airport to those compatible with normal airport operations.

Sincerely,



Gary L. Davis  
Regional Director

*"Providing for the safe movement of people and goods and the delivery of state services"*



# STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

STATEWIDE AVIATION

FRANK H. MURKOWSKI, GOVERNOR

4111 AVIATION AVENUE  
P.O. BOX 196900  
ANCHORAGE, ALASKA 99519-6900  
(907) 269-0730 (FAX 907-269-0489)

April 21, 2005

Re: Revised Grant Assurances

Byron Huffman, Manager  
Airports Division  
Federal Aviation Administration  
222 W 7<sup>th</sup> Avenue # 14  
Anchorage, Alaska 99513-7587

Dear Mr. Huffman:

This letter confirms the Alaska Department of Transportation and Public Facilities agrees to abide by the attached revised grant assurances for airport sponsors dated 3/2005. It is our understanding the changes incorporated into the 3/2005 version of the Grant Assurances include minor editing changes to Grant Assurance #31 plus the addition of Grant Assurances #38 and #39.

Sincerely,

  
Kip Knudson  
Deputy Commissioner of Aviation

Attachment: 3/2005 Grant Assurances

Copy:

Mike Barton, Commissioner, DOT&PF  
David Bloom, P.E., Preconstruction Engineer, Northern Region, DOT&PF  
James Cantor, Assistant Attorney General, Department of Law  
Lynn Campbell, Chief, Aviation Leasing & Airport Land Dev, SR, DOT&PF  
Robert Campbell, P.E., Preconstruction Engineer, Central Region, DOT&PF  
Laurie Dilley, Chief, Project Control, Central Region, DOT&PF  
Harvey Douthit, P.E., Aviation Design Chief, Central Region, DOT&PF  
Andy Hughes, Chief, Planning, Southeast Region, DOT&PF  
Ginger Johnson, Chief, Project Control, Southeast Region, DOT&PF  
Gordon Keith, P.E., Regional Director, Central Region, DOT&PF  
Pat Kemp, P.E., Preconstruction Engineer, Southeast Region, DOT&PF  
Pam Lewis, Statewide Chief, Aviation Leasing & Airport Land Dev, DOT&PF  
Roger Maggard, Airport Development Manager, Statewide Aviation, DOT&PF  
Tracy Moore, P.E., Design Group Chief, Southeast Region, DOT&PF  
Patty Miller, P.E., Aviation Design Chief, Northern Region, DOT&PF  
Andrew Niemiec, P.E., Regional Director, Northern Region, DOT&PF  
Robert Norton, Chief, Aviation Leasing & Airport Land Dev, CR, DOT&PF  
Gary Paxton, Regional Director, Southeast Region, DOT&PF  
Mort Plumb, Director, Ted Stevens Anchorage International Airport, DOT&PF  
Jerry Rafson, Chief, Planning & Admin Services, Northern Region, DOT&PF  
Bruce Senkow, Chief, Project Control, Northern Region, DOT&PF  
Carl Siebe, P.E., Airports Engineer, Statewide Aviation, DOT&PF  
John Tolley, Chief, Planning and Admin Services, Central Region, DOT&PF  
Jesse Vanderzanden, Director, Fairbanks International Airport, DOT&PF

## ASSURANCES Airport Sponsors

---

### A. General.

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
3. Upon acceptance of the grant offer by the sponsor, these assurances are incorporated in and become part of the grant agreement.

### B. Duration and Applicability.

1. **Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.** The terms, conditions and assurances of the grant agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.
2. **Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.** The preceding paragraph 1 also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.
3. **Airport Planning Undertaken by a Sponsor.** Unless otherwise specified in the grant agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 30, 32, 33, and 34 in section C apply to planning projects. The terms, conditions, and assurances of the grant agreement shall remain in full force and effect during the life of the project.

### C. Sponsor Certification. The sponsor hereby assures and certifies, with respect to this grant that:

1. **General Federal Requirements.** It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance and use of Federal funds for this project including but not limited to the following:

#### Federal Legislation

- a. Title 49, U.S.C., subtitle VII, as amended.
- b. Davis-Bacon Act - 40 U.S.C. 276(a), et seq.<sup>1</sup>
- c. Federal Fair Labor Standards Act - 29 U.S.C, 201, et seq.

- d. Hatch Act - 5 U.S.C. 1501, et seq.<sup>2</sup>
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C. 4601, et seq.<sup>1 2</sup>
- f. National Historic Preservation Act of 1966 - Section 106 - 16 U.S.C. 470(f).<sup>1</sup>
- g. Archeological and Historic Preservation Act of 1974 - 16 U.S.C. 469 through 469c.<sup>1</sup>
- h. Native Americans Grave Repatriation Act - 25 U.S.C. Section 3001, et seq.
- i. Clean Air Act, P.L. 90-148, as amended.
- j. Coastal Zone Management Act, P.L. 93-205, as amended.
- k. Flood Disaster Protection Act of 1973 - Section 102(a) - 42 U.S.C. 4012a.<sup>1</sup>
- l. Title 49 ,U.S.C., Section 303, (formerly known as Section 4(f))
- m. Rehabilitation Act of 1973 - 29 U.S.C. 794.
- n. Civil Rights Act of 1964 - Title VI - 42 U.S.C. 2000d through d-4.
- o. Age Discrimination Act of 1975 - 42 U.S.C. 6101, et seq.
- p. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- q. Architectural Barriers Act of 1968 -42 U.S.C. 4151, et seq.<sup>1</sup>
- r. Power plant and Industrial Fuel Use Act of 1978 - Section 403- 2 U.S.C. 8373.<sup>1</sup>
- s. Contract Work Hours and Safety Standards Act - 40 U.S.C. 327, et seq.<sup>1</sup>
- t. Copeland Antikickback Act - 18 U.S.C. 874.<sup>1</sup>
- u. National Environmental Policy Act of 1969 - 42 U.S.C. 4321, et seq.<sup>1</sup>
- v. Wild and Scenic Rivers Act, P.L. 90-542, as amended.
- w. Single Audit Act of 1984 - 31 U.S.C. 7501, et seq.<sup>2</sup>
- x. Drug-Free Workplace Act of 1988 - 41 U.S.C. 702 through 706.

#### **Executive Orders**

- Executive Order 11246 - Equal Employment Opportunity<sup>1</sup>
- Executive Order 11990 - Protection of Wetlands
- Executive Order 11998 – Flood Plain Management
- Executive Order 12372 - Intergovernmental Review of Federal Programs.
- Executive Order 12699 - Seismic Safety of Federal and Federally Assisted New Building Construction<sup>1</sup>
- Executive Order 12898 - Environmental Justice

#### **Federal Regulations**

- a. 14 CFR Part 13 - Investigative and Enforcement Procedures.
- b. 14 CFR Part 16 - Rules of Practice For Federally Assisted Airport Enforcement Proceedings.
- c. 14 CFR Part 150 - Airport noise compatibility planning.
- d. 29 CFR Part 1 - Procedures for predetermination of wage rates.<sup>1</sup>
- e. 29 CFR Part 3 - Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.<sup>1</sup>
- f. 29 CFR Part 5 - Labor standards provisions applicable to contracts covering federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act).<sup>1</sup>
- g. 41 CFR Part 60 - Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and federally assisted contracting requirements).<sup>1</sup>
- h. 49 CFR Part 18 - Uniform administrative requirements for grants and cooperative agreements to state and local governments.<sup>3</sup>

- i. 49 CFR Part 20 - New restrictions on lobbying.
- j. 49 CFR Part 21 - Nondiscrimination in federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
- k. 49 CFR Part 23 - Participation by Disadvantage Business Enterprise in Airport Concessions.
- l. 49 CFR Part 24 - Uniform relocation assistance and real property acquisition for Federal and federally assisted programs.<sup>1 2</sup>
- m. 49 CFR Part 26 – Participation By Disadvantaged Business Enterprises in Department of Transportation Programs.
- n. 49 CFR Part 27 - Nondiscrimination on the basis of handicap in programs and activities receiving or benefitting from Federal financial assistance.<sup>1</sup>
- o. 49 CFR Part 29 – Government wide debarment and suspension (non-procurement) and government wide requirements for drug-free workplace (grants).
- p. 49 CFR Part 30 - Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- q. 49 CFR Part 41 - Seismic safety of Federal and federally assisted or regulated new building construction.<sup>1</sup>

#### Office of Management and Budget Circulars

- a. A-87 - Cost Principles Applicable to Grants and Contracts with State and Local Governments.
- b. A-133 - Audits of States, Local Governments, and Non-Profit Organizations

<sup>1</sup> These laws do not apply to airport planning sponsors.

<sup>2</sup> These laws do not apply to private sponsors.

<sup>3</sup> 49 CFR Part 18 and OMB Circular A-87 contain requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation and circular shall also be applicable to private sponsors receiving Federal assistance under Title 49, United States Code.

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in the grant agreement.

## 2. Responsibility and Authority of the Sponsor.

- a. **Public Agency Sponsor:** It has legal authority to apply for the grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
- b. **Private Sponsor:** It has legal authority to apply for the grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this grant agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

**3. Sponsor Fund Availability.** It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under the grant agreement which it will own or control.

**4. Good Title.**

- a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.
- b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

**5. Preserving Rights and Powers.**

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in the grant agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.
- b. It will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in the grant agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of the grant agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this grant agreement.
- c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.
- d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.

- e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.
  - f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance Title 49, United States Code, the regulations and the terms, conditions and assurances in the grant agreement and shall insure that such arrangement also requires compliance therewith.
6. **Consistency with Local Plans.** The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.
  7. **Consideration of Local Interest.** It has given fair consideration to the interest of communities in or near where the project may be located.
  8. **Consultation with Users.** In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.
  9. **Public Hearings.** In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.
  10. **Air and Water Quality Standards.** In projects involving airport location, a major runway extension, or runway location it will provide for the Governor of the state in which the project is located to certify in writing to the Secretary that the project will be located, designed, constructed, and operated so as to comply with applicable air and water quality standards. In any case where such standards have not been approved and where applicable air and water quality standards have been promulgated by the Administrator of the Environmental Protection Agency, certification shall be obtained from such Administrator. Notice of certification or refusal to certify shall be provided within sixty days after the project application has been received by the Secretary.
  11. **Pavement Preventive Maintenance.** With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.
  12. **Terminal Development Prerequisites.** For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project

grant application, all the safety equipment required for certification of such airport under section 44706 of Title 49, United States Code, and all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

**13. Accounting System, Audit, and Record Keeping Requirements.**

- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of the grant, the total cost of the project in connection with which the grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to the grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which the grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

**14. Minimum Wage Rates.** It shall include, in all contracts in excess of \$2,000 for work on any projects funded under the grant agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

**15. Veteran's Preference.** It shall include in all contracts for work on any project funded under the grant agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Veterans of the Vietnam era and disabled veterans as defined in Section 47112 of Title 49, United States Code. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

**16. Conformity to Plans and Specifications.** It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this grant agreement, and, upon approval of the Secretary, shall be incorporated into this grant agreement. Any modification to the approved plans, specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into the grant agreement.

**17. Construction Inspection and Approval.** It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in



accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

**18. Planning Projects.** In carrying out planning projects:

- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
- d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
- f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

**19. Operation and Maintenance.**

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, state and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for-
  - (1) Operating the airport's aeronautical facilities whenever required;
  - (2) Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and

(3) Promptly notifying airmen of any condition affecting aeronautical use of the airport.

Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.

- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

20. **Hazard Removal and Mitigation.** It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

21. **Compatible Land Use.** It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

## 22. Economic Nondiscrimination.

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to-
  - (1) furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
  - (2) charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.
- c. Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
- d. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
- e. Each air carrier using such airport (whether as a tenant, nontenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations,

conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or nontenants and signatory carriers and nonsignatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.

- f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees [including, but not limited to maintenance, repair, and fueling] that it may choose to perform.
- g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.
- h. The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
- i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

**23. Exclusive Rights.** It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport.

It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

**24. Fee and Rental Structure.** It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the

Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

## **25. Airport Revenues.**

- a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. Provided, however, that if covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.
- b. As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.
- c. Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of Section 47107 of Title 49, United States Code.

## **26. Reports and Inspections. It will:**

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;
- c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of the grant agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and
- d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
  - (i) all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and

(ii) all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

27. **Use by Government Aircraft.** It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that-
- a. Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
  - b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied by gross weights of such aircraft) is in excess of five million pounds.
28. **Land for Federal Facilities.** It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.
29. **Airport Layout Plan.**
- a. It will keep up to date at all times an airport layout plan of the airport showing (1) boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto; (2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities; and (3) the location of all existing and proposed nonaviation areas and of all existing improvements thereon. Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.
  - b. If a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property

(or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities.

30. **Civil Rights.** It will comply with such rules as are promulgated to assure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or handicap be excluded from participating in any activity conducted with or benefiting from funds received from this grant. This assurance obligates the sponsor for the period during which Federal financial assistance is extended to the program, except where Federal financial assistance is to provide, or is in the form of personal property or real property or interest therein or structures or improvements thereon in which case the assurance obligates the sponsor or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits, or (b) the period during which the sponsor retains ownership or possession of the property.

31. **Disposal of Land.**

a. For land purchased under a grant for airport noise compatibility purposes, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will, at the discretion of the Secretary, (1) be paid to the Secretary for deposit in the Trust Fund, or (2) be reinvested in an approved noise compatibility project as prescribed by the Secretary, including the purchase of nonresidential buildings or property in the vicinity of residential buildings or property previously purchased by the airport as part of a noise compatibility program.

b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, (1) upon application to the Secretary, be reinvested in another eligible airport improvement project or projects approved by the Secretary at that airport or within the national airport system, or (2) be paid to the Secretary for deposit in the Trust Fund if no eligible project exists.

c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.

d. Disposition of such land under (a) (b) or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

32. **Engineering and Design Services.** It will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services with respect to the project in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949 or an equivalent qualifications-based requirement **prescribed** for or by the sponsor of the airport.
33. **Foreign Market Restrictions.** It will not allow funds provided under this grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.
34. **Policies, Standards, and Specifications.** It will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including but not limited to the advisory circulars listed in the Current FAA Advisory Circulars for AIP projects, dated \_\_\_\_\_ and included in this grant, and in accordance with applicable state policies, standards, and specifications approved by the Secretary.
35. **Relocation and Real Property Acquisition.** (1) It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B. (2) It will provide a relocation assistance program offering the services described in Subpart C and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24. (3) It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.
36. **Access By Intercity Buses.** The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport, however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.
37. **Disadvantaged Business Enterprises.** The recipient shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non discrimination in the award and administration of DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR Part 26, and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801).
38. **Hangar Construction.** If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.
39. **Competitive Access.**
- a. If the airport owner or operator of a medium or large hub airport (as defined in section 47102 of title 49, U.S.C.) has been unable to accommodate one or more requests by an air carrier for access to gates

or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that-

1. Describes the requests;
  2. Provides an explanation as to why the requests could not be accommodated; and
  3. Provides a time frame within which, if any, the airport will be able to accommodate the requests.
- b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date



***Sitka Rocky Gutierrez Airport  
Record of Decision***

**Appendix B –Comments on the Final EIS**

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Appendix B to the Sitka Rocky Gutierrez Airport Record of Decision includes comments to the Final Environmental Impact Statement.

**COMPLETE SHARPENING SERVICE**



S.O.B & THINGS

404 Lake Street, #2E • Box 186  
Sitka, Alaska 99835

**MOBILE SHOP**

**ANSWERING MACHINE**

907-747-3844/Jim Cushing

**COMPLETE SHARPENING SERVICE**



S.O.B & THINGS

404 Lake Street, #2E • Box 186  
Sitka, Alaska 99835

**MOBILE SHOP**

**ANSWERING MACHINE**

907-747-3844/Jim Cushing

Sat. May 30, 2009

Bruce Rolf

Bernard Dunkelbode & Co.

Denver, Co.

Sir,

I just received your

E-I.S. in the mail,

concerning the work on the  
Sitka Airport!

I've lived here all my  
life! I've run Heavy Equip  
ment all over the state  
since the 1960's. I was in  
Jr. High School when the  
original airport was built.  
I worked in the woods, log-  
ging and building logging roads  
and learning about heavy

**COMPLETE SHARPENING SERVICE**



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**MOBILE SHOP**

404 Lake Street, #2E • Box 186  
Sitka, Alaska 99835  
907-747-3844/Jim Cushing

**ANSWERING MACHINE**

Equipment.

I got in the I.U.O.E. when we built the Sitka to Japan Island Bridge in the late 1960's early 1970's. Since then I've run equipment from Ketchikan to Prudhoe Bay!

I've got my union dues paid, I'm vested, but I keep my dues paid, as,

I'm too young to retire!  
Don't want to quit, either!

Sincerely,  
Jim Cushing



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
ECOSYSTEMS, TRIBAL AND  
PUBLIC AFFAIRS

June 19, 2009

Ms. Patricia Sullivan, Project Manager  
Federal Aviation Administration  
Airports Division – Alaskan Region  
222 W. 7<sup>th</sup> Avenue, #14  
Anchorage, Alaska 99513-7504

Subject: **Sitka Rocky Gutierrez Airport, in Sitka, AK**  
**EPA Project Number: 02-085-DOT**

Dear Ms. Sullivan:

The U.S. Environmental Protection Agency (EPA), Region 10, has completed our review of the **Final Environmental Impact Statement (FEIS) for the Sitka Rocky Gutierrez Airport**, in Sitka, Alaska (CEQ No. 20090167) in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

While EPA expressed support for the Federal Aviation Administration (FAA) preferred alternative for each project proposed in the draft EIS, we did identify concerns we had regarding potential impacts to subsistence users, stormwater management, disclosure of total cost for each alternative, and compliance with the Final Mitigation Rule. We believe that the FEIS clearly and adequately addresses our concerns, and provides the information needed to fully inform the public concerning these issues. EPA is particularly pleased with the FAA's commitment to provide funding for the evaluation of airport-wide stormwater management and to identify actions to minimize runoff and improve discharge quality. We also appreciate the commitment FAA has made to the Sitka Tribe to address and mitigate impacts to subsistence users, as well as other tribal concerns.

EPA appreciates the opportunity to provide comments on the Sitka Airport FEIS. If you have any questions regarding these comments, please contact Jennifer Curtis of my staff at (907) 271-6324 or via email at [curtis.jennifer@epa.gov](mailto:curtis.jennifer@epa.gov).

Sincerely,

A handwritten signature in cursive script that reads "Christine B. Reichgott".

Christine B. Reichgott, Manager  
Environmental Review and Sediments  
Management Unit





**Department of Transportation  
Federal Aviation Administration**