

ANNUAL REPORT

**IMPLEMENTATION OF THE PROGRAMMATIC AGREEMENT REGARDING
ALASKA'S HIGHWAY SYSTEM ROADS AFFECTED BY THE FEDERAL-AID
HIGHWAY PROGRAM IN ALASKA**

October 1, 2014 to September 30, 2015

**Alaska Department of Transportation and Public Facilities
Statewide Design and Engineering Services
Environmental Office**

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Implementation of the Programmatic Agreement Regarding Alaska's Highway System
Roads Affected by the Federal-Aid Highway Program in Alaska

October 1, 2014 to September 30, 2015

I. Background

The *Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the Alaska State Historic Preservation Officer, and the Alaska Department of Transportation and Public Facilities Regarding Alaska's Highway System Roads Affected by the Federal-Aid Highway Program in Alaska* (Alaska Roads PA) went into effect on February 23, 2010. This report for federal fiscal year (FFY) 2015 documents the *Alaska Roads PA Stipulation 4 Annual Reporting Requirements*, as amended. In addition to the stipulated reporting, this annual report also provides updates on other aspects of the Alaska Roads PA implementation.

II. Interim Guidance: Summary of FFY2015 Project Reporting

The Alaska Roads PA provides for an efficient, systematic approach for evaluating the National Register of Historic Places (National Register) eligibility of roads through the development of historic context and guidance tools. While these tools are being developed and tested, historic road eligibility and project effects are being considered through Interim Guidance screening procedures.

The Interim Guidance went into effect through the Second Amendment to the Alaska Roads PA on June 8, 2012. The Interim Guidance identifies fifteen roads to be treated as eligible for the National Register (TE List Roads) and provides mechanisms for assessing project effects to these roads. Most projects involving TE List Roads proceed through one of the Department of Transportation and Public Facilities' (DOT&PF's) regular Section 106 review processes, which documents the assessment of project effects to the TE List Road. These projects do not require any additional reporting regarding the TE List Road. However, one provision of the Interim Guidance, Section 5.1, allows certain limited projects to proceed with an internal DOT&PF review by a DOT&PF professionally qualified individual (PQI) staff who meets the Secretary of the Interior Professional Qualifications Standards, when no other historic properties are present in the project's Area of Potential Effect (APE). Under Stipulation 4, the DOT&PF is required to submit an annual report to the State Historic Preservation Officer (SHPO) and the Federal Highway Administration (FHWA) on these Section 5.1 projects for the FFY that has just concluded.

For each project processed under Interim Guidance Section 5.1, the report is to include its federal number, project name, indication of whether the DOT&PF has been assigned FHWA categorical exclusion approval authority under 23 U.S.C. 326 (6004 Program), the type of undertaking, definition of the APE, the identification and evaluation efforts undertaken, and the basis for determination under Section 5.1.

A single project was processed under Interim Guidance Section 5.1 during the current FFY2015 Alaska Roads PA reporting period: the Denali Highway MP 120 River Encroachment, federal #NFHWY00008, in the Northern Region (NR). This project was assigned to the DOT&PF in accordance with the 6004 Program.

The basis for determination under Section 5.1 is documented in project files on the project's Interim Guidance Screening Form (dated July 22, 2015). The project places approximately 2,500 cubic yards of riprap along the bank of the Nenana River to protect the Denali Highway embankment. A 4-foot thick application of riprap backed by erosion control geotextile would be placed on the riverbank with an apron at its toe that would extend 6 feet out on the riverbed. The activities are covered under Appendix 4.2. The APE is an approximately 600-foot long area within the right-of-way along the highway embankment and the Nenana River.

The NR PQI determined that the area had low probability for archaeological remains due to severe erosion up to the road surface. Repeated flooding and erosional events coupled with regular M&O maintenance efforts contributed to the determination that it was unlikely to discover in situ cultural materials at this locale. Since the project scope was limited, the NR identification efforts focused on reviews of the Alaska Office of History and Archaeology's (OHA's) Alaska Heritage Resources Survey (AHRS) database. The TE List Road, Denali Highway HEA-00450, was the only AHRS site within the APE.

III. Alaska Roads PA Accomplishments

1. Interim Guidance Refresher Training

Annual refresher training on the Interim Guidance was provided to DOT&PF PQIs on March 11, 2015. Training focused on this group of practitioners who are the central points of contact for project teams for Section 106 reviews.

2. Historic Roads Context Study and Methodology

According to Alaska Roads PA Stipulations 5.C.1 and 5.B.2, the DOT&PF is to develop a Historic Roads Context Study and Methodology for assessing National Register eligibility of roads. The general tasks of the study and methodology are to prepare: (1) Historic Overview, (2) Methodology for Assessing Eligibility, and (3) Application of Methodology to Specific Roads. Consultant Mead & Hunt, Inc. was under contract through December 31, 2014 for the project. A Project Review Team (with representatives from the FHWA, the DOT&PF, the SHPO, and the National Park Service [NPS]) reviewed draft documents throughout the project.

These deliverables have all been received. The first component was completed in FFY2014 and posted in February 2014 as a stand-alone *Alaska Roads Historic Overview* report on the DOT&PF historic properties website. During FFY 2015, the following components were completed:

- *Alaska Roads Methodology for Assessing National Register of Historic Places Eligibility (Roads DOE Methodology)*¹

¹ DOE: Determination of Eligibility

- *Statements of Significance*, to apply the initial steps in the Roads DOE Methodology to selected roads: Copper River Highway, Council Road, Dalton Highway, Denali Highway, Glenn Highway, Richardson Highway, Seward Highway, Spenard Road, Sterling Highway, Taylor Highway, and Willow-Fishhook Road. The purpose of these reports was to assess whether the subject roads met Road DOE Methodology thresholds for significance under National Register Criteria A or C; they were not designed to address integrity. All but two of these roads --the Copper River Highway and a segment of the Taylor Highway-- met the significance threshold. (The remaining roads with *Statements of Significance* require additional evaluation of integrity prior to submitting DOEs on any segments which are not already Interstate Exempt. That additional work is beyond the scope of the Roads PA's context and methodology development project.)
- Full pilot DOE, *Determination of Eligibility, Elliott Highway*, covering the current Elliott Highway alignment and extant bypassed segments.
- Alaska Heritage Resource Survey (AHRs) site card data for the above roads

As a result of this work, the DOT&PF submitted DOEs to the SHPO which concluded that six bypassed segments of the former Elliott Highway alignment were National Register eligible; and that the current Elliott Highway, the Copper River Highway, and a segment of the Taylor Highway (Milepoint 0 to 111.6), were not eligible. SHPO concurred with these determinations on February 19, 2015.

3. *Planning for Implementation of the Roads DOE Methodology and Transition from Interim Guidance Processing*

During the reporting year, the FHWA, the DOT&PF, and the SHPO began coordinating on the transition from Interim Guidance processing, towards adopting the Roads DOE Methodology for individual project use. In a September 8, 2015 meeting, the FHWA, the DOT&PF, and the SHPO agreed that the context study and the Roads DOE Methodology met the requirements of Stipulations 5.B.2 and 5.C, but recognized that the full Roads DOE Methodology had only been applied on a single pilot road to date; the full application was still untested on a wider scale. The additional testing will occur on selected roads during 2016, through an Alaska Historic Roads Eligibility Planning project.

The parties also recognized that additional guidance was needed for assessing project effects on historic roads, and for incorporating the Roads DOE Methodology into project environmental workflows. Initial concepts for such guidance were discussed by the FHWA, the SHPO, and the DOT&PF during the September 8, 2015 meeting. The parties agreed that the guidance would be best addressed within the existing *Programmatic Agreement... Regarding Implementation of Section 106 of the National Historic Preservation Act for the Federal-Aid Highway Program in Alaska* (Section 106 PA, executed October 14, 2014) as there was an advantage to consolidate Section 106 processing into a single, comprehensive operation document. This approach would also allow for previous Interim Guidance agreement on topics such as assessing effects to be retained and updated.

The FHWA, the DOT&PF, and the SHPO agreed that the Interim Guidance will remain in effect until it is superseded by an amended Section 106 PA, which will include the Roads DOE Methodology guidance (see Section 1V.2 below); anticipated by April 30, 2017.

4. *Alaska Roads PA Third Amendment*

The Third Amendment was executed on July 31, 2015. The Amendment extends the duration of the Alaska Roads PA by two years and allows it to remain in effect until February 23, 2018. The Signatories determined that the Stipulation 6 Alaska Historic Roads Booklet (Booklet) schedule was not realistic due to extensive consultation needed to develop and finalize the deliverable, and that the Booklet schedule would extend beyond the current duration of the Alaska Roads PA. The Signatories agreed that additional time was necessary to successfully complete the Booklet.

5. *Interagency Partnership*

As noted in previous annual reports, the development and processing of the Alaska Roads PA deliverables has involved extensive consultation among the Project Review Team members which strengthened the working relationship amongst the FHWA, the SHPO, and the DOT&PF. This close relationship will continue with the coordination that will occur with the development of the Booklet and the guidance for the transition from the Interim Guidance to the use of the Roads DOE Methodology.

IV. Alaska Roads PA Forthcoming Tasks

1. *Alaska Historic Transportation Route Booklet*

The DOT&PF is setting up a Reimbursable Services Agreement (RSA) with the Department of Natural Resources/OHA for the Booklet to meet the requirements and schedule of the amended Alaska Roads PA Stipulation 6. This also includes a Memorandum of Understanding (MOU) between DOT&PF and OHA to clarify the responsibilities of the Booklet RSA. The OHA will research, write, and design the Booklet. Work will be overseen by a Project Review Team consisting of DOT&PF and OHA staff. The RSA and MOU will be put into effect during FFY2016, and the project will be completed by February 23, 2018, in accordance with the Alaska Roads PA Third Amendment.

2. *Transition from Interim Guidance*

The parties plan to amend the Section 106 PA to include an additional appendix for *Historic Road Consideration in Project Development*, which would incorporate guidance for transitioning to the Roads DOE Methodology and would also consider inclusion of other streamlined processing review for historic roads. It is anticipated that the Section 106 PA amendment for that additional appendix would occur by April 30, 2017.

V. Conclusion

The Alaska Roads PA has been in effect since the end of February of 2010. The strong working partnership that has been developed among the FHWA, the DOT&PF, and the SHPO is fostering good faith efforts to resolve historic road eligibility issues and providing guidance and assistance to assess project effects on historic properties, while promoting successful and expedited delivery of the State's transportation projects. The DOT&PF Statewide Environmental Office looks forward to the successful implementation of the Roads DOE Methodology.