Deadhorse Airport Improvements Draft Environmental Assessment

Threatened and Endangered Species Section 7 Consultation

Appendix C Threatened and Endangered Species Section 7 Consultation

Project Number: NFAPT00549



# United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE Northern Alaska Fish and Wildlife Field Office 101 12<sup>th</sup> Avenue, Room 110 Fairbanks, Alaska 99701 July 29, 2022



Keith Gordon Environmental Protection Specialist Federal Aviation Administration Alaska Region 222 West 7<sup>th</sup> Ave, #14 Anchorage, AK 99513

Re: Deadhorse Airport Improvements

Dear Mr. Gordon:

This letter is in response to your request for consultation pursuant to section 7 of the Endangered Species Act of 1973 (ESA), as amended. The U.S. Fish & Wildlife Service (Service) has reviewed the Proposed Action to determine if it would adversely affect listed species under our jurisdiction. Three species listed as threatened under the ESA may occur in the project area: spectacled eiders (*Somateria fischeri*), Alaska-breeding Steller's eiders (*Polysticta stelleri*), and polar bears (*Ursus maritimus*). Although designated critical habitat for the polar bear occurs nearby, it does not occur within the Action Area. Therefore, effects to designated critical habitat are not discussed further herein.

### PROPOSED ACTION

We understand the Alaska Department of Transportation and Public Facilities (DOT&PF) proposes airport improvements at Deadhorse Airport, Deadhorse, Alaska (Figure 1). The Deadhorse Airport Improvements Project is FAA funded through the Airport Improvement Program (AIP). The Proposed Action would include the following elements:

- 1) Construct drainage improvements at Deadhorse Airport, Deadhorse Way and East Lake Colleen Drive; replace existing airport and highway pavements, and taxiway lighting, as necessary for drainage improvements; rehabilitate existing airport drainage ditches as necessary (Figure 2).
- 2) Relocate known utilities affected by drainage improvements.
- Re-grade and/or place fill in select infield locations to aid in drainage and wildlife control (Figure 2).
- 4) Construct an airport perimeter wildlife fence and associated gates for access control, a fence maintenance service road, and fence security features to exclude large mammals from accessing active airport surfaces (Figure 3).

5) Construct a permanent material source access road between the southern portion of the new fence maintenance service road to a point on the Dalton highway near the southeastern extent of airport property (Figure 3).

Fill to construct the fence embankment and new access road would impact 31.2 acres (0.13 km<sup>2</sup>; Figure 3) of wetlands. Re-grading or filling of infield areas would fill 42.9 acres (0.17 km<sup>2</sup>; Figure 2), although these areas have already experienced impacts or are substantially filled.

Material for all construction would be sourced from a local, private, permitted material site and hauled to the project on existing roads or the constructed access road (Figure 4). The contractor would be responsible for acquiring all necessary permits and clearances for material sourcing. Work is expected to begin in the summer of 2025 and conclude in the fall of 2026.

#### **Minimization measures**

The FAA and DOT propose the following mitigation measures to avoid, minimize, or mitigate potential adverse effects of the project on polar bears and listed eiders. These measures include:

- A polar bear interaction plan would be developed as required by USFWS.
- Where possible, vegetation clearing, site preparation, and construction activities will adhere to the recommended periods to avoid vegetation clearing (USFWS 2022):
  - Forest/Woodland: 1 May 15 July
  - Shrub/Open: 10 May 20 July
    - Raptors may nest 2+ months earlier than other birds.
    - Black scoter are known to nest through August 10.
  - Seabird Colonies: 20 May 15 September
  - Eagles: 1 March 31 August
- High-disturbance project activities would be avoided where practicable during the nesting and peak migration window.

#### ACTION AREA

The Action Area would include the vicinity of the Deadhorse Airport (Figure 1), proposed perimeter fence and access road (Figure 3) as well as the contractor permitted material source (Figure 4).

#### EFFECTS OF THE ACTION ON LISTED SPECIES

This section includes an analysis of the effects of the Proposed Action on listed species. Effects of the Action are all consequences to listed species or critical habitat that are caused by the Proposed Action, including the consequences of other activities that are caused by the Proposed Action. A consequence is caused by the Proposed Action if it would not occur but for the Proposed Action and it is reasonably certain to occur. Effects of the Action may occur later in time and may include consequences occurring outside the immediate area involved in the Action.

#### **Listed Eiders**

The Service listed the spectacled eider on May 10, 1993 (58 FR 27474) and the Alaska-breeding population of the Steller's eider as threatened on June 11, 1997 (62 FR 31748). Both species nest within the Action Area and across the North Slope of Alaska, however densities are low, and Steller's eiders nest almost exclusively in the vicinity of Utqiaġvik. Both species can occur in coastal areas around Deadhorse as they migrate during summer and fall months.

Direct effects are those that occur when there is an immediate effect on listed species or habitat (e.g., placement of gravel fill on wetland habitat). Indirect effects are caused by or result from the proposed action and may occur outside the directly affected area (e.g., disturbance resulting in nest abandonment<sup>1</sup>). The proposed wetland fill would result in permanent loss of up to 0.13 km<sup>2</sup>) of tundra wetlands. Additionally, although a portion of disturbance area (i.e., zone of influence) associated with the new infrastructure would be subsumed by the existing zone of influence for the Deadhorse Airport, we estimate disturbance associated with long-term use of the new infrastructure (i.e., fence embankment and access road) would impact roughly 1.94 km<sup>2</sup>. We would not expect the infield areas proposed for fill (Figure 2) to be suitable nesting habitat for listed eiders because: 1) these areas are surrounded by active runways or taxiways and are therefore subject to existing, frequent, and intense disturbance, and 2) the Deadhorse airport actively hazes birds from infield areas to prevent avian collisions with aircraft and protect human and wildlife safety. Therefore, the area of infield fill, 0.17 km<sup>2</sup>, is not included in our analysis of potential impacts to nesting habitat.

Aerial survey data from multiple years suggest the project area may be occupied by up to 0.006 spectacled eiders/km<sup>2</sup> (USFWS 2015). To estimate the likelihood of eiders occurring within the area of disturbance, we multiplied the maximum estimated density of spectacled eiders in the region (0.006 eiders/km<sup>2</sup> or 0.003 nests/km<sup>2</sup>) by the total impacted area (2.07 km<sup>2</sup>):

 $0.003 \text{ nests/km}^2 \times 2.07 \text{ km}^2 \times 30^2 \text{ years} = 0.19 \text{ nests lost}$ 

This approach estimates a negligible impact to nesting spectacled eiders adjacent to the proposed gravel infrastructure. Additionally, appreciable impacts to nesting Steller's eiders are not expected because nesting Steller's eiders occur at a much lower density than do spectacled eiders.

Furthermore, existing disturbance associated with current activities at the Deadhorse Airport likely discourages eiders from nesting within the Action Area. Therefore, impacts of habitat loss to nesting listed eiders would be insignificant. Similarly, we expect disturbance to migrating listed eiders in habitat adjacent to the Proposed Action would be minor and temporary because eiders can respond to human presence or disturbance by moving away to a safe distance. Therefore, we expect collective effects of the Proposed Action to nesting and migrating listed eiders would be insignificant.

<sup>&</sup>lt;sup>1</sup> We estimate indirect habitat loss via disturbance occurs within a 200 m (656.2 ft.) zone of influence surrounding new development from maintenance activities and long-term road operations.

<sup>&</sup>lt;sup>2</sup> The life of gravel infrastructure on the North Slope is assumed to be 30 years.

#### **Polar Bears**

The Service listed the polar bear as a threatened species under the ESA on May 15, 2008 (73 FR 28212). Polar bears may occasionally pass through or den near the project area, although their density is low and encounters are expected to be infrequent. Transient (non-denning) bears entering the project area could be disturbed by the presence of humans or equipment noise. However, we expect disturbance would be minor and temporary (i.e., limited to changes in behavior that would not be biologically significant) because transient bears would be able to respond to human presence or disturbance by departing the area. Furthermore, FAA would develop a Polar Bear Interaction Plan for personnel to follow in the unlikely event a polar bear is encountered during the proposed activities.

Female polar bears may occasionally den near the project area. However, preferred denning habitat is characterized by steep, stable slopes that accumulate snow, whereas topographic relief in the project area is minor and does not represent characteristic denning habitat. Additionally, given the proximity of the project to existing infrastructure and human activity at the Deadhorse Airport, it is very unlikely that polar bears would den in the Action Area. Therefore, impacts to denning polar bears would be discountable.

In summary, we expect collective effects of the Proposed Action on polar bears would be insignificant because 1) the density of polar bears in the Action Area is low, 2) encounters with polar bears are expected to be rare, 3) behavioral effects to transient bears would not be biologically significant, 4) the project area does not include characteristic denning habitat, and 5) the FAA's Polar Bear Interaction Plan would further serve to avoid and minimize potential impacts in the unlikely event transient polar bears are encountered.

#### CONCLUSION

The Proposed Action would result in loss of nesting habitat for listed eiders. However, due to the low density of nesting listed eiders in the Action Area, we expect effects from loss of nesting habitat would be insignificant. The Proposed Action could also temporarily disturb listed eiders and polar bears in the project area. However, due to low densities of these species and minimization measures in place (i.e., implementation of a Polar Bear Interaction Plan), we expect the effects of disturbance to be insignificant. Therefore, the Service concurs the Proposed Action is not likely to adversely affect listed eiders or polar bears. Preparation of a Biological Assessment or further consultation under section 7 of the ESA is not necessary. Thank you for the opportunity to comment on this project. If you need further assistance, please contact Kaithryn Ott at Kaithryn Ott@fws.gov.

Sincerely,

Kaithryn Ott Lead Section 7 Biologist

#### LITERATURE CITED

- USFWS. 2015. 2012-2015 ACP aerial breeding pair waterbird survey. Waterfowl Branch, Migratory Bird Management, U.S. Fish and Wildlife Service, Anchorage, Alaska.
- U.S. Fish and Wildlife Service (USFWS). 2022. Nesting Birds: Timing Recommendations to Avoid Land Disturbance & Vegetation Clearing. Available at: <u>https://www.fws.gov/alaska/pages/nesting-birds-timing-recommendations-avoid-land-disturbance-vegetation-clearing</u>. Accessed: February 2022



Figure 1. Location of FAA's proposed airport improvement project in Deadhorse, Alaska.



Figure 2. Detail of the proposed culvert and infield drainage area improvements at the Deadhorse Airport.

![](_page_8_Figure_0.jpeg)

Figure 3. Proposed perimeter wildlife fence (red dash) and service access road (green) at the Deadhorse Airport.

![](_page_9_Figure_0.jpeg)

Figure 4. Location of the contractor permitted material site that would support the proposed Deadhorse Airport improvements project.

From:	Ott, Kaithryn
То:	Gordon, Keith (FAA)
Cc:	Sexton, William J (DOT)
Subject:	Re: [EXTERNAL] FW: NFAPT00549 - Deadhorse Airport Improvements USFWS Sec 7 Consultation - Request for
	Sec 7 Consultation Initiation
Date:	Friday, July 29, 2022 4:45:29 PM
Attachments:	ESA sec 7.Deadhorse Airport Improvements.FAA.pdf

**CAUTION:** This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Keith,

Thank you for providing the additional information requested. Please find the attached letter in response to your request for consultation pursuant to section 7 of the Endangered Species Act of 1973, as amended. As an aside, we no longer recommend pre-construction nesting surveys for listed eiders as a measure to reduce potential impacts of proposed activities. Therefore, we have omitted nesting surveys from the list of proposed minimization measures in our letter.

Please let me know if you have any questions or concerns.

Kaiti

Kaithryn Ott (she/her) Fish and Wildlife Biologist U.S. Fish & Wildlife Service Northern Alaska Field Office 101 12th Avenue, Room 110 Fairbanks, AK 99701

Currently Teleworking, best number: 907-987-2213 Office Phone (907) 456-0277

From: Gordon, Keith (FAA) <keith.gordon@faa.gov>
Sent: Wednesday, July 27, 2022 11:25 AM
To: Ott, Kaithryn <Kaithryn\_Ott@fws.gov>
Cc: Sexton, William J (DOT) <william.sexton@alaska.gov>
Subject: [EXTERNAL] FW: NFAPT00549 - Deadhorse Airport Improvements USFWS Sec 7
Consultation - Request for Sec 7 Consultation Initiation

Kaithryn,

Please let me know if the attached does not answer the fill footprint question.

Please note that it includes "apron infield and Deadhorse Road area fills too, even though they just asked for fence and access road acreage".

Thanks

Keith Gordon Environmental Protection Specialist Federal Aviation Administration Alaska Region 222 West 7<sup>th</sup> Avenue, #14 Anchorage, AK 99513-7587 Desk – 907-271-5030 Fax – 907-271-2851 
 From:
 Sexton, William J (DOT)

 To:
 Karczmarczyk, Paul

 Subject:
 FW: [EXTERNAL] FW: NFAPT00549 - Deadhorse Airport Improvements USFWS Sec 7 Consultation - Request for Sec 7 Consultation Initiation

 Date:
 Monday, September 26, 2022 8:06:22 AM

 Attachments:
 image001.png

From: Ott, Kaithryn <Kaithryn\_Ott@fws.gov>
Sent: Wednesday, July 20, 2022 4:13 PM
To: Gordon, Keith (FAA) <keith.gordon@faa.gov>
Cc: Sexton, William J (DOT) <william.sexton@alaska.gov>
Subject: Re: [EXTERNAL] FW: NFAPT00549 - Deadhorse Airport Improvements USFWS Sec 7
Consultation - Request for Sec 7 Consultation Initiation

Hi Keith,

Apologies for coming back with another question. While processing this request, we realized we'll need to know the approximate footprint for the perimeter fence and service road.

Since this project will involve wetlands impacts I'm guessing there will be a future 404 permit through USACE. Is there a point of contact at USACE I should cc on our letter so they're aware consultation for the project has already been completed?

Thanks for your help with this additional information,

Kaiti

Kaithryn Ott (she/her) Fish and Wildlife Biologist U.S. Fish & Wildlife Service Northern Alaska Field Office 101 12th Avenue, Room 110 Fairbanks, AK 99701

Currently Teleworking, best number: 907-987-2213 Office Phone (907) 456-0277

From: Gordon, Keith (FAA) <<u>keith.gordon@faa.gov</u>>
Sent: Friday, July 15, 2022 10:04 AM

 To: Ott, Kaithryn <<u>Kaithryn\_Ott@fws.gov</u>>
 Cc: Sexton, William J (DOT) <<u>william.sexton@alaska.gov</u>>
 Subject: FW: [EXTERNAL] FW: NFAPT00549 - Deadhorse Airport Improvements USFWS Sec 7 Consultation - Request for Sec 7 Consultation Initiation

Kaithryn,

DOT timing response is below.

thanks

Keith Gordon Environmental Protection Specialist Federal Aviation Administration Alaska Region 222 West 7<sup>th</sup> Avenue, #14 Anchorage, AK 99513-7587 Desk – 907-271-5030 Fax – 907-271-2851

From: Sexton, William J (DOT) <<u>william.sexton@alaska.gov</u>>
Sent: Tuesday, July 5, 2022 10:37 AM
To: Gordon, Keith (FAA) <<u>keith.gordon@faa.gov</u>>
Subject: RE: [EXTERNAL] FW: NFAPT00549 - Deadhorse Airport Improvements USFWS Sec 7
Consultation - Request for Sec 7 Consultation Initiation

Hey Keith,

Looks like my original response regarding project timing fell through the cracks. We're anticipating work to begin Summer of 2025 and to end in Fall of 2026.

Thanks. Bill Sexton Environmental Impact Analyst II Alaska DOT&PF 2301 Peger Road / Fairbanks, AK 99709 Office (907)451-2605

![](_page_13_Picture_9.jpeg)

From: Ott, Kaithryn <<u>Kaithryn\_Ott@fws.gov</u>>
Sent: Tuesday, July 5, 2022 9:32 AM
To: Sexton, William J (DOT) <<u>william.sexton@alaska.gov</u>>

**Subject:** Fw: [EXTERNAL] FW: NFAPT00549 - Deadhorse Airport Improvements USFWS Sec 7 Consultation - Request for Sec 7 Consultation Initiation

Hi Bill,

Thanks for following up. I haven't heard anything since our request, but I did get the May 5 reply from Keith below which he may have meant to cc you on, or perhaps he meant to forward it to a different Bill?

Thanks again for touching base, we should be able to complete this quickly with that additional information about the schedule.

Kaiti

Kaithryn Ott (she/her) Fish and Wildlife Biologist U.S. Fish & Wildlife Service Northern Alaska Field Office 101 12th Avenue, Room 110 Fairbanks, AK 99701

Currently Teleworking, best number: 907-987-2213 Office Phone (907) 456-0277

From: Gordon, Keith (FAA) <<u>keith.gordon@faa.gov</u>>
Sent: Thursday, May 5, 2022 5:43 AM
To: Ott, Kaithryn <<u>Kaithryn\_Ott@fws.gov</u>>
Subject: RE: [EXTERNAL] FW: NFAPT00549 - Deadhorse Airport Improvements USFWS Sec 7 Consultation - Request for Sec 7 Consultation Initiation

Bill,

Do you have a response re the schedule?

Thanks

**Keith Gordon** 

Environmental Protection Specialist Federal Aviation Administration Alaska Region 222 West 7<sup>th</sup> Avenue, #14 Anchorage, AK 99513-7587 Desk – 907-271-5030 Fax – 907-271-2851

From: Ott, Kaithryn <<u>Kaithryn\_Ott@fws.gov</u>>
Sent: Wednesday, May 4, 2022 4:45 PM
To: Gordon, Keith (FAA) <<u>keith.gordon@faa.gov</u>>
Cc: Sexton, William J (DOT) <<u>william.sexton@alaska.gov</u>>; Nelson, Brett D (DOT)
<<u>brett.nelson@alaska.gov</u>>; Stellrecht, Neesha NS <<u>neesha\_stellrecht@fws.gov</u>>
Subject: Re: [EXTERNAL] FW: NFAPT00549 - Deadhorse Airport Improvements USFWS Sec 7
Consultation - Request for Sec 7 Consultation Initiation

Hi Keith,

Thank you for requesting consultation pursuant to section 7 of the Endangered Species Act of 1973 (as amended). We've reviewed the attached documentation and just have one minor question regarding the project schedule.

What is the anticipated start date and approximate duration of the proposed work?

Thanks for your help with this additional information. I'll be on leave starting Thursday May 5<sup>th</sup> through May 16<sup>th</sup> so please include Neesha Stellrecht (cc'd) on any response in the meantime.

Thanks again,

Kaiti

Kaithryn Ott (she/her) Fish and Wildlife Biologist U.S. Fish & Wildlife Service Northern Alaska Field Office 101 12th Avenue, Room 110 Fairbanks, AK 99701

Currently Teleworking, best number: 907-987-2213 Office Phone (907) 456-0277 From: Gordon, Keith (FAA) <keith.gordon@faa.gov>
Sent: Wednesday, May 4, 2022 1:46 PM
To: Ott, Kaithryn <Kaithryn\_Ott@fws.gov>
Cc: Sexton, William J (DOT) <william.sexton@alaska.gov>; Nelson, Brett D (DOT)
<brett.nelson@alaska.gov>
Subject: [EXTERNAL] FW: NFAPT00549 - Deadhorse Airport Improvements USFWS Sec 7
Consultation - Request for Sec 7 Consultation Initiation

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Kaithryn,

If you need this Sec 7 consultation initiation request in a different form or through a different process please let me know.

Bill,

I don't have Paul's current email. Please forward to him or send me his email and I will.

Thanks

Keith Gordon Environmental Protection Specialist Federal Aviation Administration Alaska Region 222 West 7<sup>th</sup> Avenue, #14 Anchorage, AK 99513-7587 Desk – 907-271-5030 Fax – 907-271-2851

From: Sexton, William J (DOT) <<u>william.sexton@alaska.gov</u>>
Sent: Wednesday, May 4, 2022 11:49 AM
To: Gordon, Keith (FAA) <<u>keith.gordon@faa.gov</u>>
Cc: Nelson, Brett D (DOT) <<u>brett.nelson@alaska.gov</u>>
Subject: RE: NFAPT00549 - Deadhorse Airport Improvements USFWS Sec 7 Consultation

Good catch, changed it from "at least compensatory" to "similar".

![](_page_17_Picture_0.jpeg)

U.S. Department of Transportation

Federal Aviation Administration AIRPORTS DIVISION

222 W. 7th Avenue, Box 14 Anchorage, Alaska 99513-7587

May 4, 2022

Kaithryn Ott U.S. Fish and Wildlife Service – Alaska Region 101 12<sup>th</sup> Avenue Fairbanks, AK 99701

Re: Deadhorse Airport Improvements Project Numbers (State/Federal): NFAPT00549 / AIP TBA Subject: Section 7 Consultation – ESA

Dear Kaithryn Ott,

The Alaska Department of Transportation and Public Facilities (DOT&PF) proposes airport improvements at Deadhorse Airport, Deadhorse, Alaska. The Deadhorse Airport Improvements Project is FAA funded through the Airport Improvement Program (AIP).

The Deadhorse Airport is located on the north coastal plain of Alaska at the northern end of the Dalton Highway, approximately 5 miles south of Prudhoe Bay and approximately 380 air miles north of Fairbanks. Proposed airport improvements are located approximately at 70.20° North Latitude and 148.46° West Longitude (Sections 24, 25, 26, and 36, Township 10 N, Range 14 E; and Sections 19, 30, and 31, Township 10 N, Range 15 E; Umiat Meridian; United States Geological Survey Quadrangle Beechey Point A-3 NE). Project location, vicinity, and the airport property boundary are provided on Figures 1 and 2.

The purpose of the proposed project is to remedy Deadhorse Airport deficiencies, address safety concerns, improve drainage, and help bring the airport into compliance with current FAA design standards and criteria identified in the Alaska Statewide Transportation Plan (ASTP) and Alaska Aviation System Plan (AASP). The Deadhorse Airport, with a single, paved runway designated as Runway (RW) 6-24, serves as a key regional aviation hub in arctic Alaska which is owned and operated by the DOT&PF. The Deadhorse Airport provides daily freight and passenger service between Deadhorse and Anchorage, Fairbanks, and Utqiagvik; commercial fixed-wing and helicopter flight services; support for oilfield and Trans-Alaska Pipeline System logistics and operations; and various regional air services that provide daily critical travel, shipping, and medevac air links to surrounding villages that are not connected to the road system.

The Deadhorse Airport has a history of wildlife conflicts with aircraft operations, including recorded strikes with mammals and birds. Recorded ground and air strikes with wildlife species considered potentially catastrophic to aircraft include caribou (*Rangifer tarandus*) and numerous avian species of varying sizes that travel through and/or use the area in and around the airport. Caribou and other large mammals are of particular concern, and have caused aborted aircraft

takeoffs and landings, near misses, and other disruptions of airfield and airspace operations. Measures to exclude large mammals from accessing active airport surfaces are needed to reduce this hazard.

Large flocks of birds cause similar concerns, as most wildlife strikes reported at Deadhorse Airport involve birds, with waterfowl making up 91% of all recorded on-airport hazing efforts from 2017 to 2019. As habitat management is one of the most effective long-term measures for reducing wildlife hazards on or near airports, measures to reduce open water habitat in the airport infield areas are needed.

Drainage structures (culverts) at Deadhorse Airport and along Deadhorse Way and East Colleen Lake Road, have either failed or are of insufficient capacity. Culverts on the airport property are subjected to substantial ice jacking that causes them to no longer function and their adjacent pavement areas to become deficient. Drainage and associated improvements are needed to improve drainage and comply with FAA design standard criteria in these areas. To address existing airport deficiencies and safety concerns as described in the project purpose and need, DOT&PF has considered several project alternatives and determined the Proposed Action would result in the fewest potential environmental and human impacts of alternatives evaluated.

The Proposed Action would include the following elements:

- 1) Construct drainage improvements at Deadhorse Airport, Deadhorse Way and East Lake Colleen Drive; replace existing airport and highway pavements, and taxiway lighting, as necessary for drainage improvements; rehabilitate existing airport drainage ditches as necessary (Figure 3).
- 2) Relocate known utilities affected by drainage improvements.
- 3) Re-grade and/or place fill in select infield locations to aid in drainage and wildlife control (Figure 3).
- 4) Construct an airport perimeter wildlife fence and associated gates for access control, a fence maintenance service road, and fence security features to exclude large mammals from accessing active airport surfaces (Figure 4).
- 5) Construct a permanent material source access road between the southern portion of the new fence maintenance service road to a point on the Dalton highway near the southeastern extent of airport property (Figure 4).

Material for all road construction would be sourced from a local, private, permitted material site and hauled to the project on existing roads or the constructed material source access road. The contractor would be responsible for acquiring all necessary permits and clearances for material sourcing. The anticipated contractor furnished material source is shown on Figure 5.

An overview of the proposed project components and proximate USFWS polar bear critical habitat is provided in Figures 6 and 7. To identify any potential residual project effects and not jeopardize the continued existence of a federally listed species or destruction or adverse modification of

designated critical habitat, we are consulting with the U.S. Fish and Wildlife Service (USFWS) to comply with requirements mandated in Section 7 of the *Endangered Species Act* (ESA). Given the project location, project activities, and review of the species information available, it is anticipated that no adverse effects on any ESA-listed species or designated critical habitat would occur.

The proposed project area lies nearby designated critical habitat for polar bear (*Ursus maritimus*; 75 FR 76086 76137) (Figures 6 & 7); and though it overlaps migratory ranges for Spectacled Eider (*Somateria fischeri*) and Steller's Eider (*Polysticta stelleri*), it does not overlap with designated critical habitat for either eider species (USFWS 2002, 2010). A description of occurrence and potential project effects to polar bear, Spectacled Eider, and Steller's Eider is provided below.

#### **Polar Bear**

#### Occurrence of Polar Bear and its Critical Habitat

Polar bear distribution is circumpolar, varying with sea-ice extents and prey availability (Schliebe et al. 2006). Two polar bear populations occur in Alaska: the Beaufort Sea population and the Chukchi Sea population (Schliebe et al. 2006). For the Beaufort Sea polar bear population, maximum movement rates occur in winter and early summer. In May, June, July, and August bears in the southern Beaufort Sea (SBS) move north, then move south in October. Northern Beaufort Sea (NBS) bears move north in June, and south in March and September. In the NBS, movements were largest in summer and smallest in winter, with the northerly net movement in June and the southerly net movement in September coinciding with the pattern of ice retreat and advance (Amstrup et al. 2002). Home range sizes of SBS polar bears have greatly increased with declines in summer sea ice. This has been accompanied by northward home range shifts for bears summering on sea ice that encounter more open water and less preferred sea ice habitat. Summer land use has likely enabled some bears to remain in proximity to near-shore hunting habitats, which, along with access to supplemental food resources, has facilitated smaller annual home ranges relative to bears remaining on summer sea ice. Continued declines in summer sea ice are likely to challenge SBS polar bears to either further increase their home ranges or move to land in the summer. Consequently, management of terrestrial habitats along the Beaufort Sea coast is likely to have greater relevance as polar bears respond to further declines in summer sea ice (Pagano et al. 2021). Neither polar bear feeding nor denning critical habitats currently overlap with the proposed project area at Deadhorse (Figures 6 & 7) (75 FR 76086 76137).

#### Project Effects on Polar Bear and its Critical Habitat

Project effects are not anticipated to negatively impact polar bears or their denning, barrier island or feeding critical habitats. There is no barrier island habitat at the proposed Deadhorse Airport project area, and the southern extent of critical onshore denning habitat is located approximately 0.4 miles north of the project area. Current disturbance in the area includes the large-scale oilfield and transportation infrastructure of Prudhoe Bay along with the frequent presence of low flying commercial aircraft of all types (jet, propeller driven, helicopter). As construction and/or activity at the proposed project location would create additional noise that may disturb transient polar bears passing through the area, substantial existing industry-generated noise is currently present. A polar bear interaction plan would be developed to avoid, minimize, or mitigate disturbance to polar bears transiting the area (see Actions to Reduce or Remove Project Effects, below).

#### **Spectacled Eider**

#### Occurrence of Spectacled Eider and its Critical Habitat

Spectacled Eider occur throughout marine habitats in Alaska and are typically found within coastal waters 1 to 28 miles from shore. Molting eiders are found in eastern Norton Sound and Ledyard Bay mid-July through December and wintering birds congregate in small groups near St. Lawrence Island. In northern Alaska, Spectacled Eider breed in coastal habitats along the Beaufort Sea (above 70°N) from Demarcation Point to Barrow, and from Barrow to Wainwright. Typical breeding habitats include archipelagoes of islands associated with river deltas; large, wind-oriented thaw lakes; freshwater and brackish ponds; drained-lake basins; seasonally flooded wetlands; and saline wet meadows. Pingos and polygon ridges are common. Wetland communities include wet sedge (*Carex* spp.) meadows, moist sedge–dwarf willow meadows, and emergents (sedges [*Carex* spp.] and pendant grass [*Arctophila fulva*]) along edges of lakes and ponds. (Petersen et al. 2000).

The Spectacled Eider is listed under the ESA as Threatened. Population declines are primarily attributed to alteration or destruction of habitat, contaminant exposure, and predation (USFWS 2010). Critical habitat for Spectacled Eider has been designated for molting sites in Norton Sound and Ledyard Bay, for breeding on the Yukon-Kuskokwim Delta, and for wintering south of St. Lawrence Island (USFWS 2010). The proposed project area does not overlap with any designated critical habitat for this species.

#### Project Effects on Spectacled Eider and its Critical Habitat

Spectacled Eider breed along peninsulas, pond shorelines, or wet meadows dominated by sedges (Petersen et al. 2000). Construction of the Proposed Action may result in some minor loss or alteration of pond shorelines or wetland habitats potentially suitable for Spectacled Eider breeding proximate to Deadhorse airport and its industrial areas, which currently present visual, noise and other anthropogenic disturbances. However, regionally ubiquitous availability of like, less disturbed suitable habitats across the adjacent landscape would provide similar, if not more suitable, areas for Spectacled Eider breeding, both quantitatively and qualitatively.

The noise associated with project construction would cause an increase in disturbance for a relatively short period of time, resulting in only temporary, localized displacement of aquatic birds. The project would implement several avoidance, minimization, or mitigation measures to limit potential residual adverse effects of the project (see Actions to Reduce or Remove Project Effects, below).

#### Steller's Eider

#### Occurrence of Steller's Eider and its Critical Habitat

The Steller's Eider is listed under the ESA as Threatened. Reasons for population declines are poorly understood but potential threats include oil or contaminant exposure, predation, and hunting pressures (USFWS 2002). Critical habitat for Steller's Eider has been designated for breeding habitat on the Yukon-Kuskokwim Delta, and molting sites in Kuskokwim Bay, Izembek Lagoon, Nelson Lagoon, and Seal Islands (USFWS 2002).

Steller's Eider breed primarily along the Alaskan Arctic Coastal Plain, primarily between Wainwright and Prudhoe Bay, with a notable concentration near Utqiagvik (formerly Barrow). A

smaller population nests on the Yukon-Kuskokwim Delta. Eiders molt throughout southwest Alaska mid-July through December, primarily along the north side of the Alaska Peninsula, Izembek Lagoon, Nelson Lagoon, Port Heiden, and Seal Islands. Wintering birds congregate in shallow, sheltered waters along the south side of the Alaska Peninsula (Frederickson, L.H 2001; USFWS 2002; USFWS 2014).

There are no known records of Steller's Eider occurring within the proposed project area, which does not overlap with any designated critical habitat for this species.

#### Project Effects on Steller's Eider and its Critical Habitat

Steller's Eider breed in open tundra or within shrubby willow or birch stands in close proximity to coastal areas (Frederickson, L.H. 2001; USFWS 2002). Construction of the project would result in some loss or alteration of tundra or shrub habitats or wetlands, as described above for Spectacled Eider, as well as construct an above ground structure (fence) encompassing the perimeter of the airport. While Steller's eider density is very low near areas that have been developed for oil and gas activities, Steller's eiders can collide with manmade structures located on the tundra breeding grounds, along migration routes, and in wintering areas. Areas with human development, such as near Prudhoe Bay, currently have more structures and overhead power lines; therefore, birds that use those areas during breeding season have a greater risk of exposure (USFWS 2019). Noise impacts, as also described above for Spectacled Eider, could also potentially impact Steller's Eider. The project would implement several avoidance, minimization, or mitigation measures to limit residual adverse effects of the project (see Actions to Reduce or Remove Project Effects, below).

#### Actions to Reduce or Remove Project Effects

Proposed mitigation measures to avoid, minimize, or mitigate potential residual adverse effects of the project on polar bear, Spectacled Eider and Steller's Eider are recommended based on state or federal regulations and policies, management practices and guidelines, and relevant peer-reviewed literature. Measures include:

- A polar bear interaction plan would be developed as required by USFWS.
- Where possible, vegetation clearing, site preparation, and construction activities will adhere to the recommended periods to avoid vegetation clearing (USFWS 2022):
  - Forest/Woodland: 1 May 15 July
  - Shrub/Open: 10 May 20 July
    - Raptors may nest 2+ months earlier than other birds.
    - Black scoter are known to nest through August 10.
  - Seabird Colonies: 20 May 15 September
  - Eagles: 1 March 31 August
- If vegetation clearing, site preparation, and construction occurs within these periods, preconstruction nest surveys would be conducted by qualified personnel and appropriate mitigation developed in consultation with the USFWS.
- High-disturbance project activities would be avoided where practicable during the nesting and peak migration window.

We respectfully request your review of the project and concurrence that the proposed project is not likely to adversely affect any Federally listed species, proposed species, candidate species, nor their critical habitat. Thank you for your attention to this request, if you have any questions regarding the proposed project, you may contact me at (907) 271-5453 or Jack.gilbertsen@faa.gov.

Sincerely, Keith Gordon

Keith Gordon FAA, Alaska Region Environmental Protection Specialist

Enclosures: Figure 1 – Location & Vicinity Map
 Figure 2 – Proposed Project Site and Airport Boundary
 Figure 3 – Proposed Drainage Improvements and Infield Fill
 Figure 4 – Proposed Fence, Fence Service Road and Material Site Access Road
 Figure 5 – Proposed Material Site
 Figures 6 & 7 – USFWS Critical Polar Bear Habitats

cc: Jack Gilbertsen, Environmental Program Manager, FAA, Alaska Region Jonathan Hutchinson, P.E. Project Manager, DOT&PF Brett Nelson, Northern Regional Environmental Manager, DOT&PF William Sexton, Environmental Analyst, DOT&PF

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![](_page_25_Figure_0.jpeg)

![](_page_26_Picture_0.jpeg)

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![](_page_31_Figure_0.jpeg)

![](_page_32_Picture_0.jpeg)

# United States Department of the Interior

FISH AND WILDLIFE SERVICE Fairbanks Fish And Wildlife Conservation Office 101 12th Avenue Room 110 Fairbanks, AK 99701-6237 Phone: (907) 456-0203 Fax: (907) 456-0208

![](_page_32_Picture_3.jpeg)

February 12, 2022

In Reply Refer To: Project Code: 2022-0006919 Project Name: Deadhorse Airport Improvements

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

#### http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

**Migratory Birds**: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/ executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

## Attachment(s):

Official Species List

# **Official Species List**

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

#### Fairbanks Fish And Wildlife Conservation Office

101 12th Avenue Room 110 Fairbanks, AK 99701-6237 (907) 456-0203

## **Project Summary**

Proiect Code:	2022-0006919
Event Code:	None
Project Name:	Deadhorse Airport Improvements
Project Type:	Airport - Maintenance/Modification
Project Description:	The Alaska Department of Transportation and Public Facilities (DOT&PF), in cooperation with the Federal Aviation Administration (FAA), proposes to construct airport improvements at the Deadhorse Airport (FAA Airport Code: SCC), in Deadhorse, Alaska. The Deadhorse Airport Fence Installation Project (State Project No. NFAPT00549) is federally funded through FAA's Airport Improvement Program (AIP).
	The Deadhorse Airport is located on the north coastal plain of Alaska at the northern end of the Dalton Highway, approximately 5 miles south of Prudhoe Bay and approximately 380 air miles north of Fairbanks. Proposed airport improvements are located approximately at 70.20° North Latitude and 148.46° West Longitude (Sections 24, 25, 26, and 36, Township 10 N, Range 14 E; and Sections 19, 30, and 31, Township 10 N, Range 15 E; Umiat Meridian; United States Geological Survey Quadrangle Beechey Point A-3 NE). Project location, vicinity, and the airport property boundary are provided on Figures 1 and 2.
	Purpose and Need
	The Deadhorse Airport has a history of wildlife conflicts with aircraft operations, including recorded strikes with mammals and birds. Recorded ground and air strikes with wildlife species considered potentially catastrophic to aircraft include caribou (Rangifer tarandus) and numerous avian species of varying sizes that travel through and/or use the area in and around the airport. Caribou and other large mammals are of particular concern, and have caused aborted aircraft takeoffs and landings, near

misses, and other disruptions of airfield and airspace operations. Measures to exclude large mammals from accessing active airport surfaces are needed to reduce this hazard.

Large flocks of birds cause similar concerns, as most wildlife strikes reported at Deadhorse Airport involve birds, with waterfowl making up 91% of all recorded on-airport hazing efforts from 2017 to 2019. As habitat management is one of the most effective long-term measures for reducing wildlife hazards on or near airports, measures to reduce open water habitat in the airport infield areas are needed.

Drainage structures (culverts) at Deadhorse Airport and along Deadhorse Way have either failed or are of insufficient capacity. Culverts on the airport property are subjected to substantial ice jacking that causes them to no longer function and their adjacent pavement areas to become deficient. Drainage and associated improvements are needed to improve drainage and comply with FAA design standard criteria in these areas.

To address existing airport deficiencies and safety concerns as described in the project purpose and need, DOT&PF has considered several project alternatives and determined the Proposed Action would result in the fewest potential environmental and human impacts of alternatives evaluated. The Proposed Action would include the following elements :

 Construct drainage improvements at Deadhorse Airport, Deadhorse Way and East Lake Colleen Drive; replace existing airport and highway pavements, and taxiway lighting, as necessary for drainage improvements.
 Relocate known utilities affected by drainage improvements.
 Re-grade and/or place fill in select infield locations to aid in drainage and wildlife control.
 Construct an airport perimeter wildlife fence and associated gates for

access control, a fence maintenance service road, and fence security features to exclude large mammals from accessing active airport surfaces.5) Construct a permanent material source haul route between the southern portion of the new fence maintenance service road to a point on the Dalton highway near the southeastern extent of airport property.

Material for all road construction would be sourced from a local, private, permitted material site and hauled to the project on existing roads and the newly constructed material haul road. The contractor would be responsible for acquiring all necessary permits and clearances for material sourcing.

#### Project Location:

Approximate location of the project can be viewed in Google Maps: <u>https://www.google.com/maps/@70.1771995,-148.47149333680062,14z</u>

![](_page_37_Figure_8.jpeg)

Counties: North Slope County, Alaska

## **Endangered Species Act Species**

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

#### Mammals

NAME	STATUS
<ul> <li>Polar Bear Ursus maritimus</li> <li>There is final critical habitat for this species. The location of the critical habitat is not available.</li> <li>This species is also protected by the Marine Mammal Protection Act, and may have additional consultation requirements.</li> <li>Species profile: <a href="https://ecos.fws.gov/ecp/species/4958">https://ecos.fws.gov/ecp/species/4958</a></li> </ul>	Threatened
Birds	
NAME	STATUS
Spectacled Eider Somateria fischeri There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <u>https://ecos.fws.gov/ecp/species/762</u>	Threatened
Steller's Eider <i>Polysticta stelleri</i> Population: AK breeding pop. There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <u>https://ecos.fws.gov/ecp/species/1475</u>	Threatened
Critical habitats	

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

## **IPaC User Contact Information**

Name:Paul KarczmarczykAddress:475 Riverstone Way, Unit 3 Fairbanks, Alaska 99709City:FairbanksState:AKZip:99709Emailpaul.karczmarczyk@stantec.comPhone:9073719607