



FAA
Alaska Region
Office of Airports

FINDING OF NO SIGNIFICANT IMPACT & RECORD OF DECISION

Hydaburg (Higdáa Gándlaay) Seaplane Facility Refurbishment
Project No. SFAP00328



Rodney Clark, Acting Director

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
Alaska Region, Office of Airports
222 West 7th Avenue
Anchorage, Alaska 99513-7587
907.271.5443

July 30, 2024

Page Intentionally Left Blank

WHAT IS IN THIS DOCUMENT? This document is the Federal Aviation Administration’s (FAA) Finding of No Significant Impact (FONSI)/Record of Decision (ROD) (FONSI/ROD) for the proposed Hydaburg Seaplane Facility Refurbishment project, located in Hydaburg, Alaska. This document includes the agency determinations and approvals for the proposed Federal actions described in the Final Environmental Assessment dated May 2024. This document discusses alternatives considered by FAA in reaching its decision, summarizes the analysis used to evaluate the alternatives, and briefly summarizes the potential environmental consequences of the Proposed Action and No Action alternatives. This document also identifies applicable and required mitigation.

WHAT SHOULD YOU DO? Read the FONSI/ROD to understand the actions that FAA intends to take relative to the proposed rehabilitation at the Homer Airport.

WHAT HAPPENS NEXT? The Alaska Department of Transportation & Public Facilities (DOT&PF) may begin to implement the Proposed Action.

Page Intentionally Left Blank

1. Introduction

The National Environmental Policy Act of 1969 (NEPA) (42 United States Code §4321 et seq.) requires federal agencies to consider the potential environmental impacts prior to undertaking a course of action. NEPA is implemented through regulations promulgated by the Council on Environmental Quality (CEQ; 40 Code of Federal Regulations (CFR) §§1500–1508). Supplemental requirements exist under FAA Order 1050.1F and FAA Order 5050.4B.

The Federal Aviation Administration (FAA) issued its Final Environmental Assessment in May 2024.

This document is the Federal Aviation Administration’s (FAA) Finding of No Significant Impact (FONSI)/Record of Decision (ROD) (FONSI/ROD) for the proposed project. This document includes the agency determinations and approvals for the proposed Federal actions described in the Final Environmental Assessment. This document discusses alternatives considered by FAA in reaching its decision, summarizes the analysis used to evaluate the alternatives, and briefly summarizes the potential environmental consequences of the Proposed Action and No Action alternatives. This document also identifies applicable and required mitigation.

2. Purpose and Need of the Proposed Action

The purpose of this project is to re-establish strength, longevity, and safety at the Hydaburg Seaplane Facility (facility) for its continued use. Deterioration of the facility is mainly due to several factors including: larger than predicted wave heights at the facility, float design details now performing under capacity due to the larger wave forces, and a gangway roller bearing detail at the float interface that prematurely seized and caused additional lateral forces on the float structure and support piling. The proposed action will replace the existing float with a new float designed for the wave environment in Hydaburg, as well as refurbish the gangway bearing components with a modern design that will minimize friction and prevent damage to the float.

This seaplane facility is the only seaplane base providing access to the remote City of Hydaburg. The City’s location on the Prince of Wales Island means it is only accessible via ferry or aircraft, although a road system exists on Prince of Wales Island to additional communities with seaplane base facilities. The remote location means the seaplane bases essential to timely, safe, and convenient community access. Rebuilding will make it a safe and reliable air transportation hub for its residents to utilize for many decades.

3. Description of Proposed Action

The project would reconfigure the seaplane float and rehabilitate the remaining facility with a new single float. The Facility would be temporarily closed for three months during construction and community transportation needs would be met by the existing road system. The proposed project would: Refurbish the existing concrete approach;

- Refurbish the existing steel gangway and bearings;

- Remove and dispose of the existing cantilevered piles (4 total) and timber floats (2 total);
- Install a new 60 feet x 80 feet seaplane float;
- Install two (2) new 24-inch diameter vertical piles and cap-beam for the gangway shoreward bearings;
- Install one (1) new float restraint structure with four (4) new 24-inch diameter vertical piles and two (2) new 24-inch diameter batter piles;
- Install rock sockets at all vertical piles; and
- Install tension anchors at two (2) vertical piles, and two (2) batter piles at the float restraint-structure.
- Confirm the conditional approval of the Airport Layout Plan upon implementation of the proposed action.

4. Alternatives Considered

Alternative 1 – Proposed Action (Preferred Alternative)

The Proposed Action would improve the current facility by refurbishing the existing seaplane base at the current location. Improvements would include replacing the existing facility with a new float that is designed for the wave environment in Hydaburg and refurbishing the gangway bearing components with a modern design that will minimize friction and prevent damage to the float. The new float will be replaced with a pipe-pile frame which has more strength and durability. These refurbishments to the existing facility would re-establish strength, longevity, and safety for its continued use as the only seaplane base serving Hydaburg. The Proposed Action would meet FAA Standards while minimizing environmental impacts and keeping the project's cost within available funding limits.

Alternative 2 – No Action Alternative

Under the No-Action alternative, there would be no amendment to the ALP and the facility would not be refurbished. The No Action Alternative would result in continued structural deterioration and eventually render the facility unsafe and unfit for use by the public.

The totality of the circumstances presented, and consideration of other alternatives that were considered but not advanced, supports the reasonable alternative analysis presented in Section 2.0 of the Final Environmental Assessment (Final EA).

Alternative Dismissed from Further Consideration

DOT&PF considered an alternative location inside of the existing boat harbor in Hydaburg where the seaplane facility would be more protected from wave action. After discussion with the facility users, it was determined that relocating the seaplane facility within the harbor would not allow for enough room for pilots to navigate the planes safely during windy conditions and not ensure the safe operation of a seaplane base to the community of Hydaburg.

5. Summary of Environmental Impacts

Section 3 and Table 5.1 of the Final EA contain an environmental impact analysis, which discloses the project's potential impacts to resource categories defined in FAA Order 1050.1F. The Proposed Action will adhere to all federal, state, and local laws and would result in no significant impacts to any of the FAA-defined resource categories, including those resources that are protected under special purposes laws and requirements such as Section 7 of the Endangered Species Act (ESA) or Section 106 of the National Historic Preservation Act (NHPA). Table 5-1 of the Final EA provides a summary table of environmental impacts.

The environmental impact categories considered but found to have no impact from the Proposed Action are discussed in Section 3.2.1 of the Final EA and include: Air Quality; partial Biological Resources consisting of Bald and Golden Eagles, Vegetation, and Wetlands; Section 4(f) of the U.S. Department of Transportation Act; farmlands; Hazardous and Toxic Materials and Waste; Land Use; Natural Resources and Energy; Noise; Socioeconomic Impacts, Environmental Justice, and Children's Environmental Health and Safety risks; Visual Resources; partial Water Resources consisting of Private Drinking Waters, Impaired Waters, Wild and Scenic Rivers; and Airspace.

The FAA has considered the analysis presented in the Final EA and concurs with the findings.

Biological Resources

The Proposed Action may have temporary adverse impacts to biological resources including fish, threatened and endangered species, and other marine mammal species because many species are found in the project area and are ubiquitous across the waters of Sukkwan Strait where the facility is located.

DOT&PF consulted with the National Marine Fisheries Service (NMFS), Habitat Conservation Division (HCD) on the Proposed Action Alternative on July 29, 2022 for temporary impacts to Essential Fish Habitat (EFH) due to in-water noise during pile driving and the potential to introduce or release contaminants into the marine environment during construction. NMFS HCD determined that the Proposed Action Alternative would not have adverse individual or cumulative effects to EFH for salmon or groundfish.

On December 29, 2022, the FAA and DOT&PF initiated formal consultation with NMFS Office of Protected Resource (OPR) and submitted a Biological Assessment (BA), which addressed potential impacts to ESA species under NMFS jurisdiction. The BA provides proposed mitigations to ensure a less than significant impact to listed protected species under Section 7 of the ESA.

On March 16, 2023, NMFS proposed listing the sunflower sea star (*Pycnopodia helianthoides*) as threatened under the ESA. The sunflower sea star was included in the consultation as a proposed threatened species as it could potentially be found within the project area. Any construction impacts to the sunflower sea star would likely result from direct injury or disturbance due to pile

installation and removal. Based on the estimated density of sunflower sea stars in the action area and recent nearby surveys of sunflower sea stars attached to piles, we expect that 15 sunflower sea stars will be taken. Therefore, for the sunflower sea star, DOT&PF's recommended effect determination is likely to adversely affect the species.

DOT&PF submitted an application on June 17, 2022 for an Incidental Harassment Authorization (IHA) to NMFS OPR for incidental take for small numbers of marine mammals, excluding sea otters which are managed by USFWS, during construction for the Proposed Action Alternative.

On December 19, 2023, NMFS issued an ESA Section 7(a)(2) Biological Conference Opinion (BiOp), which concluded the ESA Section 7 consultation process and provided supporting opinion to the preliminary findings and mitigations identified within the FAA and DOT&PF's BA.

The Final IHA was issued to DOT&PF January 2, 2024, and authorized the incidental harassment from September 15, 2024 to September 14, 2025 under a set of conditions, mitigations and monitoring requirements.

Climate

Construction/Temporary Impacts: The proposed action alternative's Greenhouse Gas (GHG) emissions inventory and analysis for the project was conducted by licensed professional civil engineers (structural and construction). Inventory and analysis methods incorporated available data regarding equipment, fuel consumption rates, and best estimates of equipment operation and practices factored into a deterministic or bottom-up approach. Types of GHGs analyzed were: carbon dioxide, methane, and nitrous oxide. To estimate CO₂ emissions, the following factors were used: diesel; one gallon burned emits 10.21 kilograms (kg) of CO₂ (EPA 2023); one gallon burned emits 6.41 grams (g) of CH₄ (EPA 2023); one gallon burned emits 0.17 g of N₂O (EPA 2023); gasoline – One gallon burned emits 8.78 kg CO₂ emitted (EPA 2023); and Production of steel – Production of one metric ton of steel emits 1.27 metric tons of CO₂ (IEA 2020). Sources of emissions included in the analysis were: 230-ton crawler crane (pile driving/removal, drilling); generators; weld machines; gasoline-powered skiffs; diesel impact hammer (pile driving); diesel vibratory hammer with power generator; and barge operations (mobilization/demobilization).

Construction for the project is assumed to take 36 working days, with most equipment being operational each day of construction. Using the Environmental Protection Agency (EPA) conversions of gasoline and diesel to CO₂ emissions listed above in Section 2.1, total fuel consumption during construction will result in 89.5 metric tons of CO₂ emissions. This is equivalent to the emissions from 19.9 gasoline-powered vehicles being driven for a year (EPA 2023).

Indirect effects considered included steel production and transport of materials (barging). Steel production for the project would result in 114.6 metric tons of CO₂ emissions. This is equivalent to energy use of 14.4 homes for one year (EPA 2023), or 10 percent of the population for the

City of Hydaburg. Seattle, Washington is approximately 750 miles (652.2 nautical miles) southeast from Hydaburg. Two roundtrips (four one-way trips total) are estimated to be required: one roundtrip for equipment and one roundtrip for materials. Each barge trip will take an estimated 108.7 hours with an average fuel consumption of 43 gal of diesel per hour (Calculator Academy 2023). Total fuel consumption is estimated to be 19,565 gal for all four trips. A five percent contingency was added for unaccounted weight which would lead to a decrease in estimated fuel efficiency, resulting in a total fuel consumption of 20,543 gal. In addition to CO2 emissions from diesel, CH4 and N2O were accounted for in the mobilization and demobilization analysis (i.e., transportation) through CO2e4. In other aspects of the GHG analysis CH4 and N2O emissions are negligible and discounted from GHG inventory. The transport of materials and equipment emissions will result 214.08 metric tons CO2e. This is equivalent to the energy use for 27 homes for one year (EPA 2023), or 18.6 percent of the population for the City of Hydaburg.

The analysis determined that the proposed action alternative would cause a measurable net-increase in GHG emissions for the 2024 construction year due to steel production, transport, and operation of heavy machinery during construction.

Operational/Ongoing Impacts: Due to the project not expanding seaplane capacity and the nature of the refurbishment to continue current operations, no change is expected to long term sustained GHG emissions. Climate factors such as sea level change, water quality, and severe weather events are an increasing hazard for the seaplane base infrastructure.

The Social Cost of Greenhouse Gases (SC-GHG), similarly referred to as the Social Cost of Carbon (SC-CO2), is a widely used method to convert emissions into familiar metrics to help federal agencies with regulating the negative and positive impact to society through a cost-benefit analysis (IWG 2021). In 2009, the Interagency Working Group (IWG) was established to incorporate the best available science to generate a consistent US dollar (USD) value for use across all federal agencies. In 2010, the IWG published *Social Costs of SC-CO2*, developed from three integrated assessment models (IAMs). In short, the SC-CO2 translates abstract metric tons of emissions into the familiar unit of USD allowing for a cost-benefit analysis. These values are important not just for the public or reader to understand the extent of impact, but also decision makers to weigh the cost of a proposed action.

The IWG provides the SC-CO2 across multiple discount rates and has published rates at five-year intervals, from 2020 to 2050. Construction of the Hydaburg Seaplane Base refurbishment is planned to begin in 2024. To most closely reflect this timeframe 2025 SC-CO2 rates were used in the analysis and determination of SC-CO2 in USD.

Discount Rate	SC-CO2 per metric ton	Total SC-CO2 (USD)
5% average	\$17 USD	\$7,109.06
3% average	\$56 USD	\$23,418.08
2.5% average	\$83 USD	\$34,708.94
3%, 95 th percentile	\$169 USD	\$70,672.42

2025 SC-CO2 rates at four discount rates and total equivalent USD amount based on emissions analysis.

In summary, the potential monetary damages are estimated to be between \$7,109.06 and \$70,672.42. Additional consideration would be needed to identify the discount rate most applicable in this context, however additional consideration is not warranted at this scale of emissions.

Floodplains

The Proposed Action Alternative would encroach into the coastal floodplain but would not have impacts because it would neither create nor increase the flood risk to the welfare of the community. There has been no Federal Emergency Management Agency (FEMA) documented coastal floodplain mapping or assessment done to determine the extent of the flooding (storm surge elevations) and/or wave action at this location caused by coastal storm events. Flood elevations are determined by the wave action seen during a coastal storm event of statistical significance (typically the 100-year storm, or those with an annual exceedance probability of 1%). Flood elevations during a storm of this magnitude are typically only influenced by a significant coastal structure as they are designed to stop wave action and dissipate the energy generated during those events, resulting in a change in wave patterns seen on the shoreline (example: large dikes, levees, or sea walls beginning at the shoreline and extending from the sea floor to the surface for a great length). Smaller structures such as the proposed one would have a no effect on floodplain elevations during these storms as they are not designed to dissipate energy, and wave action of any significance would pass through the structure unaffected. Due to the nature of seaplane facilities being in the ocean, encroaching into the coastal floodplain is unavoidable.

Cultural Resources

The Proposed Action Alternative would have no adverse effects because the project is an in-kind replacement that would not involve the historic properties adjacent the area of direct impact. Consequently, there is no potential for any indirect effects to the surrounding community of Hydaburg (CRG-00027) or the former Hydaburg Cannery (CRG-00668). The State Historic Preservation Officer (SHPO) concurred with this determination.

6. Permits and Approvals

The following permits and approvals will be required prior to construction of the Proposed Action:

- United States Army Corps of Engineers (USACE), Section 404 Clean Water Act (CWA) Individual Permit or Nationwide Permit; and
- National Marine Fisheries Service (NMFS) Incidental Harassment Authorization – obtained.

Current approvals through completed consultation:

- The Alaska State Historic Preservation Officer (SHPO), local Indian Tribes, and Alaskan Native Villages, under the National Historic Preservation Act;
- NMFS Section 7 Endangered Species Act Consultation; and
- NMFS Essential Fish Habitat Consultation.

7. Environmental Mitigation Measures

The construction of the Proposed Action will include measures to avoid, minimize, and mitigate potential environmental impacts through standard operating procedures and best management practices. The following mitigations that arose from coordination with regulatory agencies are required for compliance and will be incorporated and formalized in a mitigation monitoring plan. In addition to the environmental mitigations, the Proposed Action will adhere to all permit stipulations that may arise during the permitting process. The DOT&PF is responsible for implementing the mitigations formalized in a mitigation monitoring plan and reporting on the implementation and close-out of each mitigation as it is undertaken within the Proposed Action Alternative’s construction process to the FAA.

Summary of Mitigations

Environmental Resource		Proposed Action Alternative
Biological Resources	Fish	<p>Piles would be removed and installed with a vibratory hammer to the extent practicable.</p> <p>The Contractor would be required to develop a Hazardous Materials Control Plan (HMCP) and provide and maintain absorbent boom materials on-site at all times to contain any potential hydrocarbon releases. Equipment on-site would be kept clean and well maintained.</p> <p>Avoid activities that disturb subsurface vegetation.</p> <p>To the maximum extent possible, DOT&PF will orient the long axis of the docks within degrees of north-south to minimize shading and promote aquatic vegetation growth which serves as nursery areas for juvenile fishes.</p>
	Marine Mammals	<p>Mitigation measures are outlined in the Protected Species Monitoring and Mitigation Plan (PSMMP) in Appendix D of the Final EA- Endangered Species Act Consultation.</p> <p>Northern sea otters: There will be Protected Species Observers (PSO) on-site during construction that will watch for and report on marine mammals including sea otters. Work will only occur when visibility is sufficient for observations.</p>

		<p>A vibratory hammer would be used rather than an impact hammer to reduce the amount of underwater noise produced to the extent practicable.</p> <p>Before commencing pile driving, the designated PSO(s) should ensure no otters are within the exclusion zone, or the area where underwater noise produced by pile driving is likely to result in take of otters. The exclusion zone is a circle centered on the activities, and it can have a much smaller radius if vibratory pile driving is used (15 meters (m)) versus impact pile driving (265 m).</p> <p>The exclusion zone should be observed by the PSO(s) for 30 minutes prior to starting pile driving and pile driving should not commence if any otters are present in the exclusion zone at the end of this pre-work observation period. If an otter enters the exclusion zone during pile driving, pile driving should cease until the otter leaves on its own.</p> <p>Ramp-up procedures should be used when initiating pile driving so any otters in the area can move away from the sound source when noise levels are relatively low.</p> <p>For impact pile driving, contractors should provide an initial set of three strikes from the hammer at 40 percent energy, followed by a 30-second waiting period, then two subsequent three-strike sets. For vibratory pile driving, sound should be initiated for 15 seconds at reduced energy followed by a one-minute waiting period. This procedure should be repeated two additional times.</p>
	<p>Threatened and Endangered Species</p>	<p>Mitigation measures are outlined in the PSMMP in Appendix D of the Final EA- Endangered Species Act Consultation. This includes some of the following measures:</p> <p>Before impact or DTH pile installation begins, the Contractor will employ a soft start or ramp-up procedure.</p> <p>During pile installation and removal, various shutdown zones will be implemented to avoid the potential for humpback whales to be exposed to injurious underwater noise.</p> <p>Vessels used in the construction of the Project will follow established transit routes and will travel at slow speeds (less than 10 knots) while in the action area. Additionally, all vessels will avoid marine mammals by at least 10 meters (32.8 feet) and cease operations to the extent safely practicable when a marine mammal approaches within 10 meters. The Project will also abide by the Humpback Whale Approach Regulations (81 FR 62018) and not approach humpback whales within 91.4 meters (100 yards). Therefore, the potential for humpback</p>

		whales to be struck by vessels is so unlikely as to be discountable. Pre-construction surveys will monitor for sunflower sea stars in the construction footprint and surrounding areas. Bi-weekly surveys throughout the season will be conducted to prevent direct injury to sunflower sea stars.
Biological Resources – Other from Agency Scoping		Install anti-perching devices on facilities/equipment where birds may commonly nest or perch. Cap pipes and cover/seal all small dark spaces where birds may enter and become trapped. A bald eagle survey will be conducted and a bald eagle disturbance permit will be obtained if work occurs within the nesting season (March 1 – August 31).
Other Temporary Construction Impacts	Noise Impacts	Pile driving activities would occur only during the day. The Contractor would share a project schedule with the community prior to beginning work.
	Water Quality Impacts	The Contractor would follow a HMCP and follow Best Management Practices (BMPs) to ensure the potential to leak hydrocarbons or hydraulic fluids into marine waters is minimized.

The sponsor’s consultation with NMFS Protected Resources Division (PRD) is documented in the Final EA and the Final EA appendices. Actions related to threatened and endangered species have been reviewed and accepted by NMFS PRD. Therefore, the authority having jurisdiction has defined and recognized a state of conditional compliance under which the project has the legal authority to proceed. The FAA recognizes and accepts that authority and notes the sponsor’s agreement to adhere to the conditions set forth in the PSMMP.

8. Public & Agency Participation

In accordance with FAA Order 1050.1F and Order 5050.4B, the FAA provides the public opportunities to participate in the NEPA process to promote open communication and to improve the decision-making process. FAA has a community involvement policy that recognizes community involvement as an essential part of FAA programs and decisions. All persons and organizations having potential interest in the Proposed Action are encouraged to participate in the environmental analysis process.

Public and agency coordination for the proposed project included a public notice posted at the following locations on April 22, 2022: City Hall; Hydaburg Post Office; Hydaburg Cooperative Association; Haida Market; and SEARHC. An online public notice was posted on April 27, 2022. A poster was also sent to the Hydaburg Cooperative Association. No

comments were received.

A mailer was sent on November 6, 2023, to all residents and businesses within approximately 0.25 miles of the project site notifying them of the upcoming project and temporary noise impacts during construction.

The formal opportunity to comment involved a 30-day period of public review of the Final EA. A Notice of Availability of the Final EA has been published in the Ketchikan Daily News and copies of the documents have been distributed to the City of Hydaburg and at the Hydaburg Tribal Library and Hydaburg School Library. The Final EA is available on the project website: <https://dot.alaska.gov/sereg/projects/hydaburg-seaplane-base/>. A Notice of Availability soliciting public comment for the Final EA was posted on the State's Online Public Notice system on May 25, 2024, through June 25, 2024, and published in the Ketchikan Daily News on May 25, 2024, with a comment deadline of June 25, 2024. Three hardcopies of the Environmental Assessment were sent to the City of Hydaburg and placed at the Tribal Library, school, and the Post Office.

The Notice of Availability for the Final Environmental Assessment was also sent to the following agencies and Tribal organizations:

- City of Hydaburg
- USACE
- EPA
- NMFS Habitat Conservation Division
- NMFS Protected Resources Division – Alaska Region
- DEC – Water Quality
- DEC – Air Quality
- SHPO
- Hydaburg Cooperative Association
- Haida Corporation
- Sealaska
- Sealaska Heritage
- Central Council of the Tlingit and Haida Indian Tribes of Alaska

Sealaska Heritage and DEC submitted comments for the FAA's review and consideration. The comments—also set out in Appendix A of this FONSI—and the FAA's consideration and resolution of them, are summarized below:

Table FONSI-1. Summary of Final EA Comments and Responses

Commenter	Topic	Summary	Response
ADEC	Air Quality	The proposed project is not located within the PM2.5 non-attainment area or the CO maintenance area for air quality under the Clean Air Act. Therefore, it does not require an applicability analysis under the General Conformity regulations.	An applicability analysis under the General Conformity regulations was not implemented, pursuant to the requirements of the Clean Air Act.
ADEC	Air Quality	Any construction activities should follow all reasonable precautions in accordance with 18 AAC 50.045(d) to prevent particulate matter from being emitted into the ambient air.	The reasonable precautions (such as the application of water to reduce dust generated by moving construction vehicles) that may be implemented in accordance with the reference regulation are a standard operating procedure for airport construction projects conducted by ADOT&PF. As such, this consideration is addressed through the standard construction practices that would be implemented during the execution of the proposed action.
Sealaska Heritage	Archaeological Resources	Sealaska Heritage requested the original Section 106 letters and maps/figures. They also asked if there were consultations and what the result was.	The Section 106 process was completed pursuant to the National Historic Preservation Act of 1966 (NHPA), as Amended (54 U.S.C. § 300101) et seq., the Archaeological Resources Protection Act (ARPA) of 1979 (16 U.S.C. §470aa.) and the Alaska Historic Preservation Act (AHPA), Alaska Statute 41.35. Section 106

			correspondence was provided to Seaalaska on May 31, 2024. The Section 106 consultation process occurred between October 19, 2022 and March 31, 2023, and is documented within Chapter 3, Section 3.6 of the Final EA. FAA determined the project would have No Adverse Effect, as documented in the Section 3.6 of the Final EA.
--	--	--	--

Inter-Agency Coordination

In accordance with FAA Order 1050.1F and Order 5050.4B, agency scoping letters were sent on August 21, 2019 (Appendix B of the Final EA) to provide notice of the preparation of an Environmental Assessment and solicit agency comments. No objections were expressed concerning this project at that time. Agency consultation initiated during the scoping period for the Proposed Action Alternative applied to applicable permitting and consultation processes needed for the proposed action. The agency consultation milestones were:

- DOT&PF submitted an application on June 17, 2022 for an Incidental Harassment Authorization (IHA) to NMFS Office of Protected Resources (OPR) for incidental take for small numbers of marine mammals, excluding sea otters which are managed by USFWS, during construction for the Proposed Action Alternative. NMFS OPR declared the application complete and adequate on March 13, 2023. NMFS and DOT&PF coordinated on the monitoring zone sizes which led to OPR publishing the draft IHA in the Federal Register Notice on July 17, 2023.
- DOT&PF consulted with the National Marine Fisheries Service (NMFS), Habitat Conservation Division (HCD) on the Proposed Action Alternative on July 29, 2022 (Appendix C of the Final EA) for temporary impacts to Essential Fish Habitat due to in-water noise during pile driving and the potential to introduce or release contaminants into the marine environment during construction. NMFS HCD determined that the Proposed Action Alternative would not have adverse individual or cumulative effects to EFH for salmon or groundfish.
- During the agency scoping period for the proposed action the USFWS recommended five standard measures for protection of fish during construction. DOT&PF agreed to three of the recommendations. The measures are listed in Section 3.2.2.3 of the Final EA.
- On December 29, 2022, the FAA and DOT&PF initiated formal consultation with NMFS OPR and submitted a Biological Assessment (BA), which addressed potential impacts to ESA species under NMFS jurisdiction. The BA is provided in Appendix D

of the Final EA and provides preliminary findings on the impact of the proposed action. The BA also provides proposed mitigations to ensure a less than significant impact to listed protected species under Section 7 of the ESA.

- On March 16, 2023, NMFS proposed listing the sunflower sea star (*Pycnopodia helianthoides*) as threatened under the ESA. The sunflower sea star was included in the consultation as a proposed threatened species as it could potentially be found within the project area. Any construction impacts to the sunflower sea star would likely result from direct injury or disturbance due to pile installation and removal. Therefore, for the sunflower sea star, DOT&PF's recommended effect determination is likely to adversely affect.
- On March 31, 2023, the FAA made a finding that there would be no adverse effects to historic properties by the Proposed Action Alternative. The finding letter was sent to the following consulting parties: State Historic Preservation Office; Hydaburg Cooperative Association; Haida Corporation; Central Council of the Tlingit and Haida Indian Tribes of Alaska; Sealaska Corporation; Sealaska Heritage Institute; and City of Hydaburg. The State Historic Preservation Officer concurred with the finding of No Historic Properties Adversely Affected on April 27, 2023. No other responses were received.
- On December 19, 2023, NMFS issued an ESA Section 7(a)(2) Biological Conference Opinion (BiOp), which concluded the ESA Section 7 consultation process and provided supporting opinion to the preliminary findings and mitigations identified within the FAA and DOT&PF's BA. The BiOp is provided in Appendix D of the Final EA.
- The Final IHA was issued to DOT&PF January 2, 2024, and authorized the incidental harassment from September 15, 2024 to September 14, 2025 under a set of conditions, mitigations and monitoring requirements. The IHA can be found in Appendix D of the Final EA.

9. Reasons for Determination that the Proposed Action will have No Significant Impact

The Final EA examines each of the various environmental resources that were determined to be present at the project location or had the potential to be impacted by the Proposed Action. Analysis provided in the Final EA determined that the Proposed Action would not cause any environmental impacts which would exceed any thresholds of significance as defined by FAA Orders 1050.1F and 5050.4B. Based on the information contained in the Final EA, the FAA has determined that the Proposed Action meets the purpose and need for the Proposed Action, would not cause any environmental impacts that cannot be mitigated below the level of a significant impact, all practical means were used to avoid or minimize environmental harm, and is the most reasonable, feasible, and prudent alternative. The proposed action is consistent with community planning as the project is located entirely within the DOT&PF Right-of-Way that has been designated as a seaplane facility and thus does not present land use conflicts and is consistent with community planning. Accordingly, the FAA has decided to approve the Proposed Action as it is described in Section 3 of this FONSI/ROD.

The Proposed Action does not exceed significance thresholds for threatened and endangered species:

ESA-Listed Species	Status	Is the Action Likely to Adversely Affect Species?	Is the Action Likely to Adversely Affect Critical Habitat?	Is the Action Likely to Jeopardize the Species?	Is the Action Likely to Adversely Modify Critical Habitat?
Humpback Whale, Mexico DPS (<i>Megaptera novaeangliae</i>)	Threatened	Yes	No	No	No
Sunflower Sea Star (<i>Pycnopodia helianthoides</i>)	Proposed	Yes	N/A	No	N/A

The Proposed Action does not exceed significance thresholds for Cultural Resources. Factors to consider when making significance determination include a finding of *Adverse Effect* through the Section 106 process. On March 31, 2023, DOT&PF made a finding with FAA’s agreement that there would be no adverse effects to historic properties by the Proposed Action Alternative. The finding letter was sent to the following consulting parties: State Historic Preservation Office; Hydaburg Cooperative Association; Haida Corporation; Central Council of the Tlingit and Haida Indian Tribes of Alaska; Sealaska Corporation; Sealaska Heritage Institute; and City of

Hydaburg. The SHPO concurred with the finding of No Historic Properties Adversely Affected on April 27, 2023. No other responses were received.

Temporary noise impacts may result from the operation of heavy equipment, the presence of construction crews, and other associated construction activities. Abatement methods such as proper maintenance of construction equipment would help reduce these impacts. Construction of the Proposed Action will not require alteration of local vehicle traffic or air traffic patterns, nor are long-term increases to traffic volume due to operations anticipated. Therefore, noise impacts related to such changes are not anticipated.

The Proposed Action does not exceed significance thresholds for light emissions or visual resources/character defined as creating annoyance or interference with normal activities from light emissions; affecting the visual character of the area, including the importance, uniqueness, and aesthetic value of the affected visual resources; contrast with the visual resources and/or visual character in the study area; and blocking or obstructing the views of visual resources, including whether these resources would still be viewable from other locations. Light emissions already exist in the area and the addition of the Proposed Action is not expected to interfere with normal activities. The Proposed Action is consistent with the land uses in the surrounding area.

The Proposed Action does not exceed significance thresholds for wetlands as there are no jurisdictional wetlands and a USACE permit would be obtained for work in Waters of the U.S.

10. Federal Finding and Approval

Based on the information in this FONSI/ROD and supported by detailed discussion in the Final EA, the FAA has selected the Proposed Action as the Selected Alternative. The FAA must select one of the following choices:

- Approve agency actions necessary to implement the Proposed Action, or
- Disapprove agency actions to implement the Proposed Action.

Approval signifies that applicable federal requirements relating to the proposed airport rehabilitation and planning have been met. Approval would allow DOT&PF to proceed with implementation of the Proposed Action to refurbish the existing facility and confirm the ALP amendments that identify the Proposed Action. Disapproval would prevent DOT&PF from confirming its ALP amendments and implementation of the Proposed Action.

Under the authority delegated to me by the Administrator of the Federal Aviation Administration, I find that the project is reasonably supported. I, therefore, direct that action be taken to carry out the Hydaburg Seaplane Base Refurbishment project and DOT&PF's actions outlined in Section 3 of this FONSI/ROD. As a condition of this FONSI/ROD, DOT&PF shall implement all the environmental commitments identified in the Final EA.

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action is consistent with existing national environmental policies and

objectives as set forth in Section 101 of NEPA and other applicable environmental requirements and will not significantly affect the quality of the human environment or otherwise include any condition requiring the consultation pursuant to Section 102(2)(C) of NEPA.

Approved:

July 30, 2024

Rodney Clark

Date

**Division Director, Acting
Airports Division, Alaska Region**

RIGHT OF APPEAL

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to exclusive judicial review under 49 USC 46110 by the U.S. Circuit Court of Appeals for the District of Columbia or the U.S. Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate U.S. Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC 46110.