ENVIRONMENTAL ASSESSMENT

Rehabilitation of Damaged Flood Control Works, Skagway River Levee

Skagway, Alaska

U.S. Army Corps of Engineers
Alaska District

March 2025

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Introduction

Project Location

The Skagway River levee is located along the southeast bank of the Skagway River starting at the Klondike Highway (23rd Avenue) Bridge in Skagway, Alaska (Figure 1). The Skagway River levee protects public infrastructure as well as residential, commercial, and historical properties from flooding by the Skagway River. Construction of the Skagway River levee was authorized by the Rivers and Harbors Act of June 20, 1938. The Act, as adopted, provided for a rock, brush, and earth levee 6,700 feet long on the east bank of the Skagway River, and a rubble-mound breakwater 1,800 feet long across the tide flats as a prolongation of the levee. The Skagway River levee was constructed between the years 1939—1940.

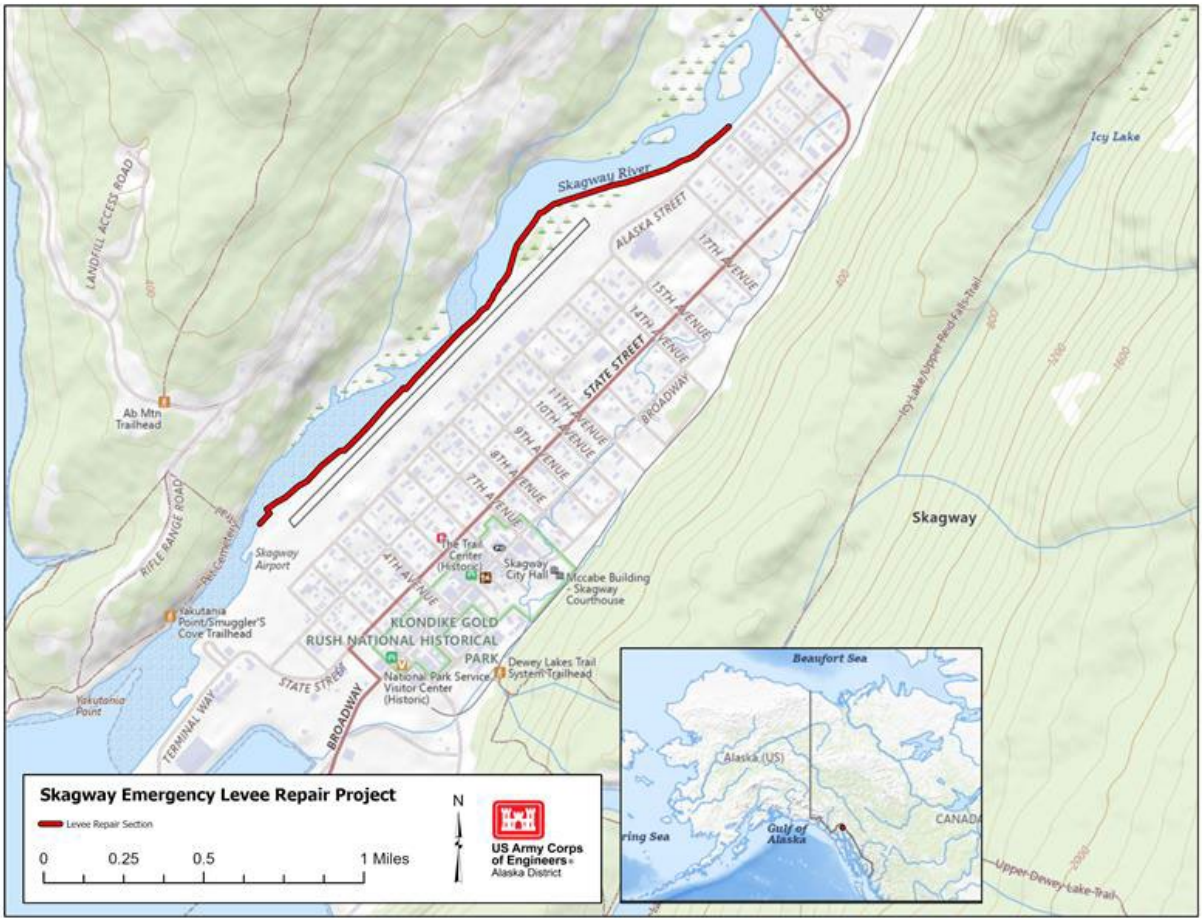

Figure 1. Vicinity map of Skagway, Alaska with the Skagway River levee outlined in red (right). Inset box shows the location of Skagway within Alaska.

Authorization

Rivers and Harbors Act of June 20, 1938 as adopted, provides for a rock, brush, and earth training dike 6,700 feet long on the east bank of the Skagway River, and a rubble-mound breakwater 1,800 feet long across the tide flats as a prolongation of the training dike. The project authorization was subsequently modified by the Flood Control Act of July 24, 1946. This Act, as adopted, provided for (1) restoration of the existing breakwater (1,800 feet) to the original project cross-section, construction of a 300-foot extension thereto, and the addition of two groins on the river side, (2) reconstruction and extension of the existing training dike (6,700 feet) adjacent to the city, and (3) reconstruction of the existing training dike at the sanatorium. The training dike was renamed the Skagway River levee in the year 2007.

The Skagway River levee is maintained by the Municipality of Skagway, however the portion of the revetment protecting the Skagway Airport is maintained by the Alaska Department of Transportation and Public Facilities (AKDOT&PF).The expansion of the Skagway Airport in the year 2001 modified a 1,300-foot portion of the Skagway River levee by adding Class III and IV armor stone along the riverward side slopes, which were integrated into the runway. These modifications were submitted through the Section 408 program by AKDOT&PF, and approved by the U.S. Army Corps of Engineers (USACE). The modified structure is considered a Federal levee.

Significant Flood Event

A significant flood event occurred between September 29th, 2022 and October 4th, 2022, which damaged the Skagway River levee. Damages included a severe loss of the levee toe and riverward armor stone. If the levee is not repaired, erosion will continue. The Skagway Airport runway could become unusable, which could result in a potential loss of life. Public infrastructure is at risk of being damaged in areas that occur downstream of the Skagway River levee.

The AKDOT&PF and the Municipality of Skagway (public sponsors) requested Federal assistance (letters dated August 22, 2023 and August 16, 2023, respectively) to rehabilitate the Skagway River levee under Public Law (PL) 84-99, *Emergency Response to Natural Disasters*. PL 84-99 is USACE's authority to provide for emergency activities in support of State and Local governments prior to, during, and after a flood event. Prior to the significant flood event in 2022, the Skagway River levee was determined to be eligible for PL 84-99. A cooperative agreement between the public sponsors and USACE is scheduled to be signed August 15, 2025.

Purpose and Need

The purpose of this project is to rehabilitate the existing Federal structure, the Skagway River levee. In support of emergency activities, USACE will award a contract to construct repairs to rehabilitate the Skagway River levee to prevent flood damages, as authorized under PL 84-99, *Emergency Response to Natural Disasters*. The project is being completed with the signing of the *Skagway River Levee Project Information Report Approval*, dated March 27, 2024.

Proposed Action

The proposed repair to the Skagway River levee will consist of rebuilding the levee toe and damaged armor stone slope (Figure 2). Repairs will consist of Class IV riprap and a 1.5 horizontal (H) to 1 vertical (V) side slope (Figure 3; Figure 4). Approximately 40,000 cubic yards of armor stone and 5,000 cubic yards of quarry run rock would be required to repair the levee. Approximately 15,000 cubic yards of sand would be excavated to allow access to the levee toe. The excavated material would be used to construct sacrificial berms on the sandbars to temporarily divert floodwater away from the levee. The total construction length of the levee will not exceed 6,500 linear feet. A proposed laydown area for rock has been determined within the project area (Figure 5). Contract award for construction is anticipated for December 2025.

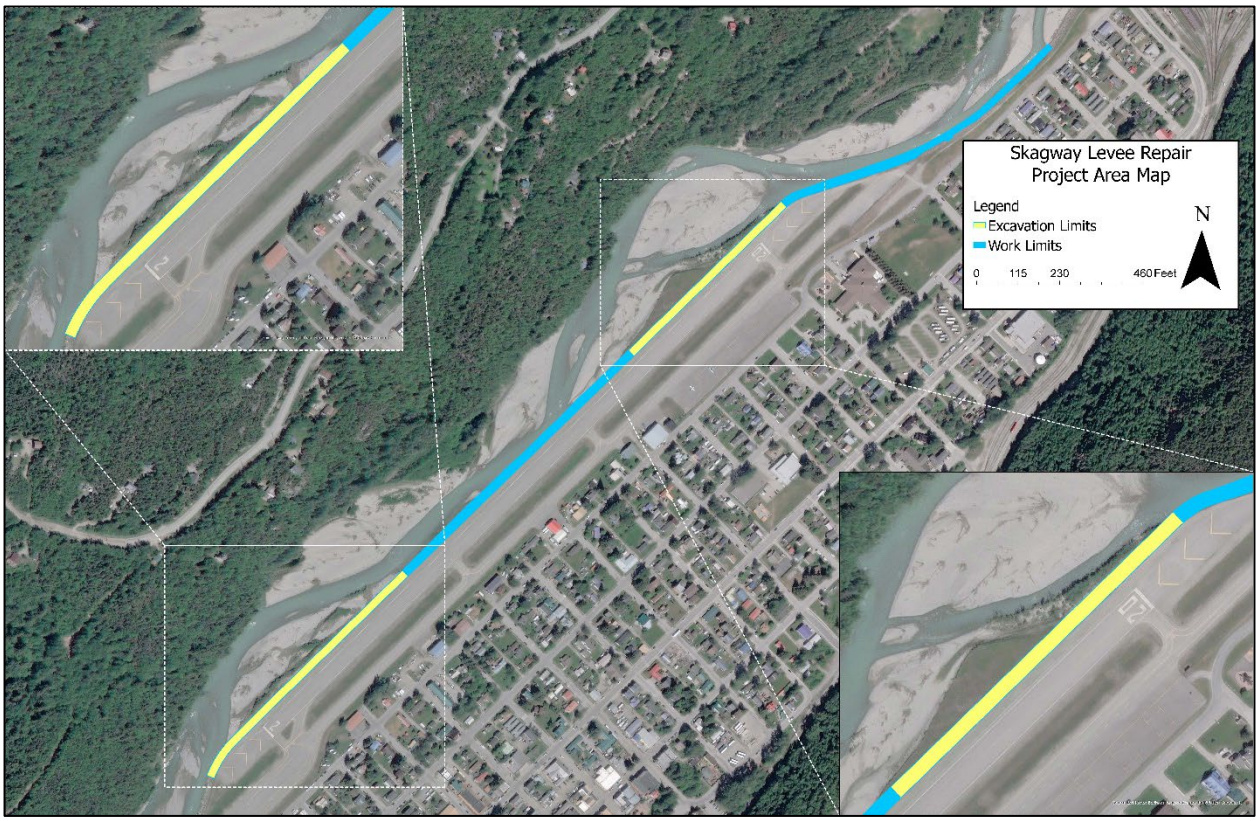

Figure 2. Proposed repairs to the Skagway River levee.

Figure 3. Skagway River levee rehab alignment; C-101 PLAN VIEW.

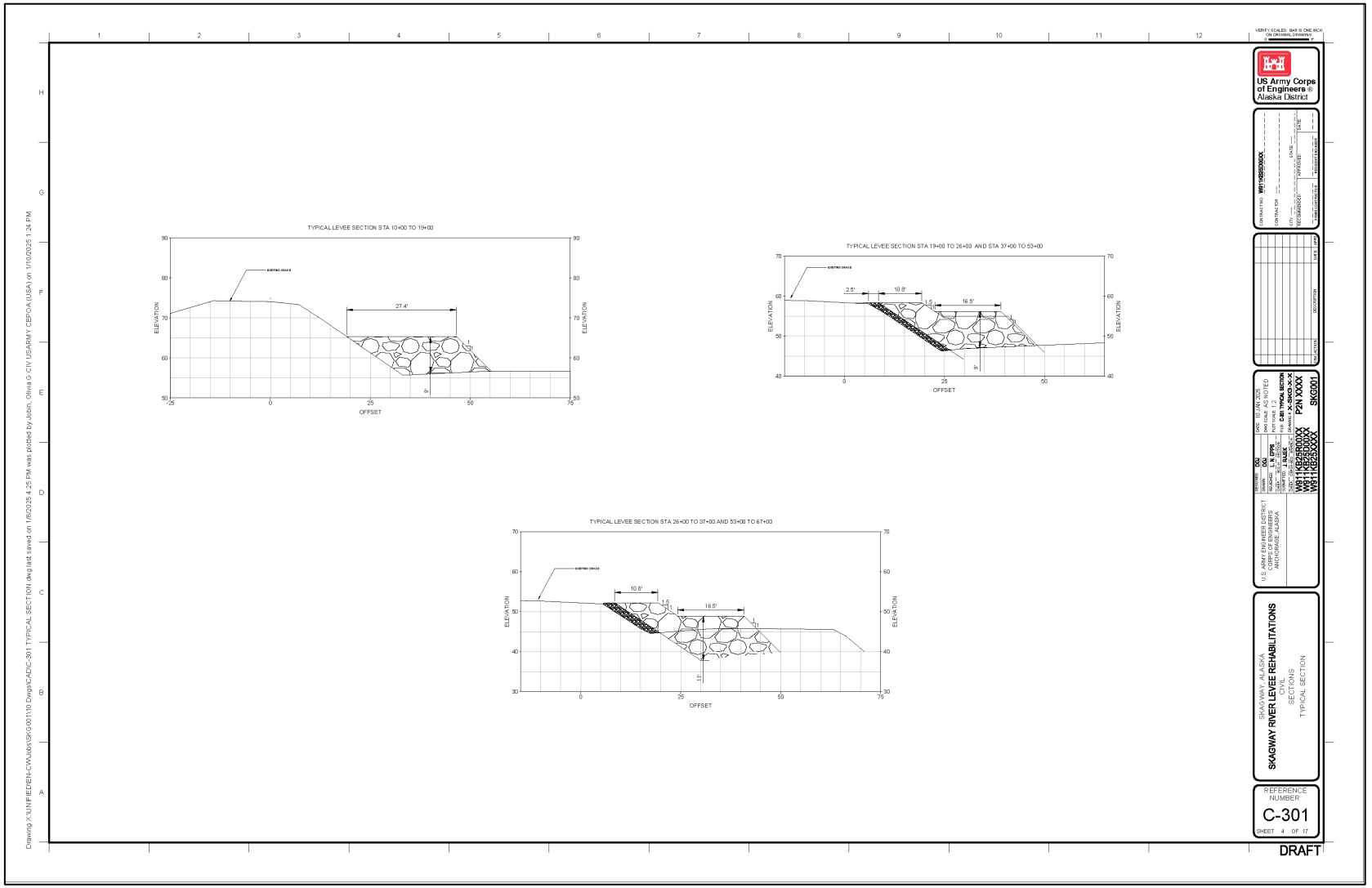

Figure 4. Typical levee cross section; C-301 TYPICAL SECTION.

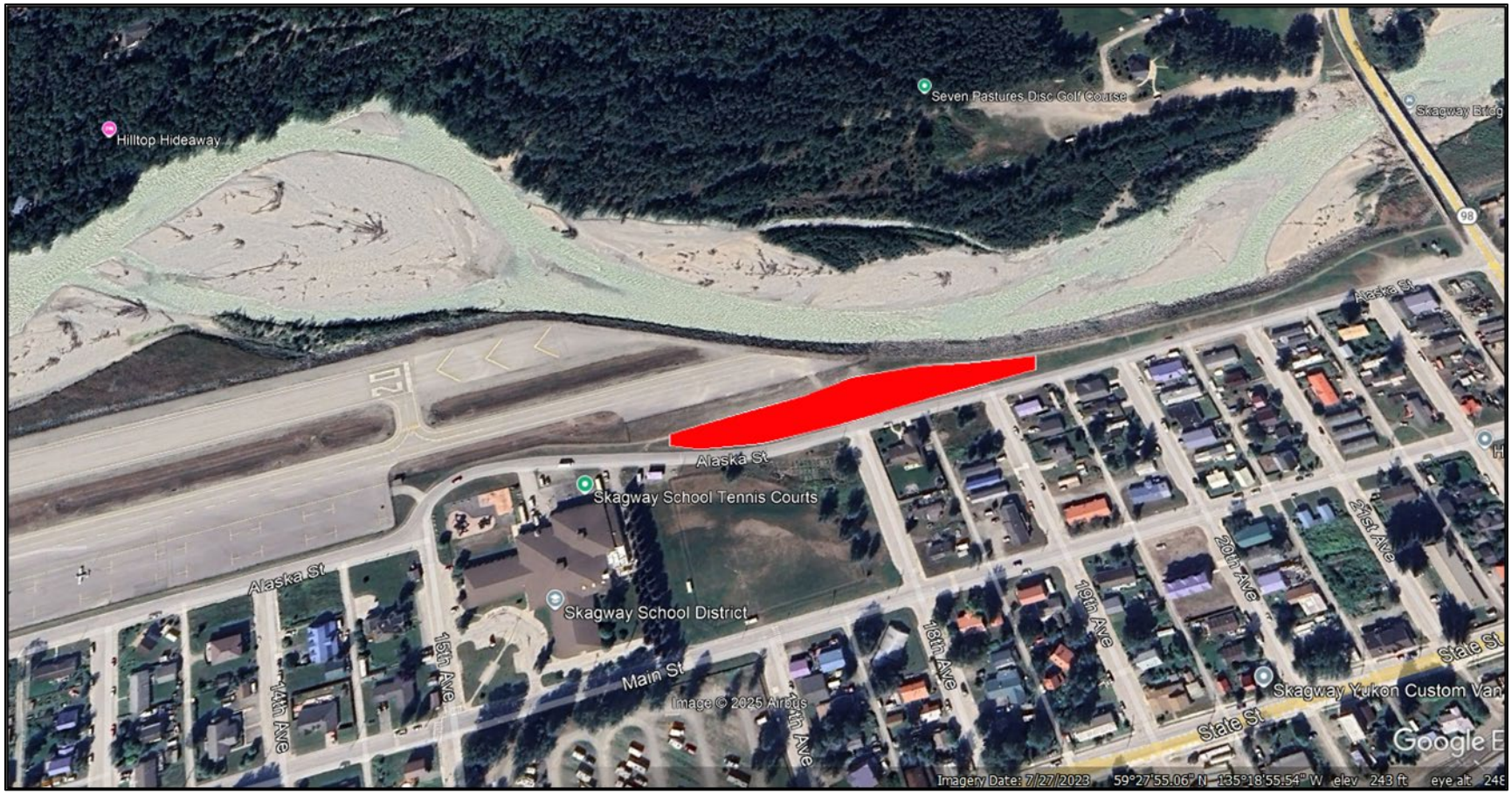

Figure 5. Proposed laydown area for rock (red polygon).

Affected Environment

The Skagway River spans from British Columbia, Canada to the State of Alaska, United States. The Skagway River has three main tributaries that flow from White Pass, Warm Pass, and East Fork; all originate from glaciers in British Columbia. The Skagway River flows southwest and drains into the ocean at the head of Taiya Inlet. The City of Skagway is located at the head of Taiya Inlet, near the mouth of Skagway River (Figure 6).

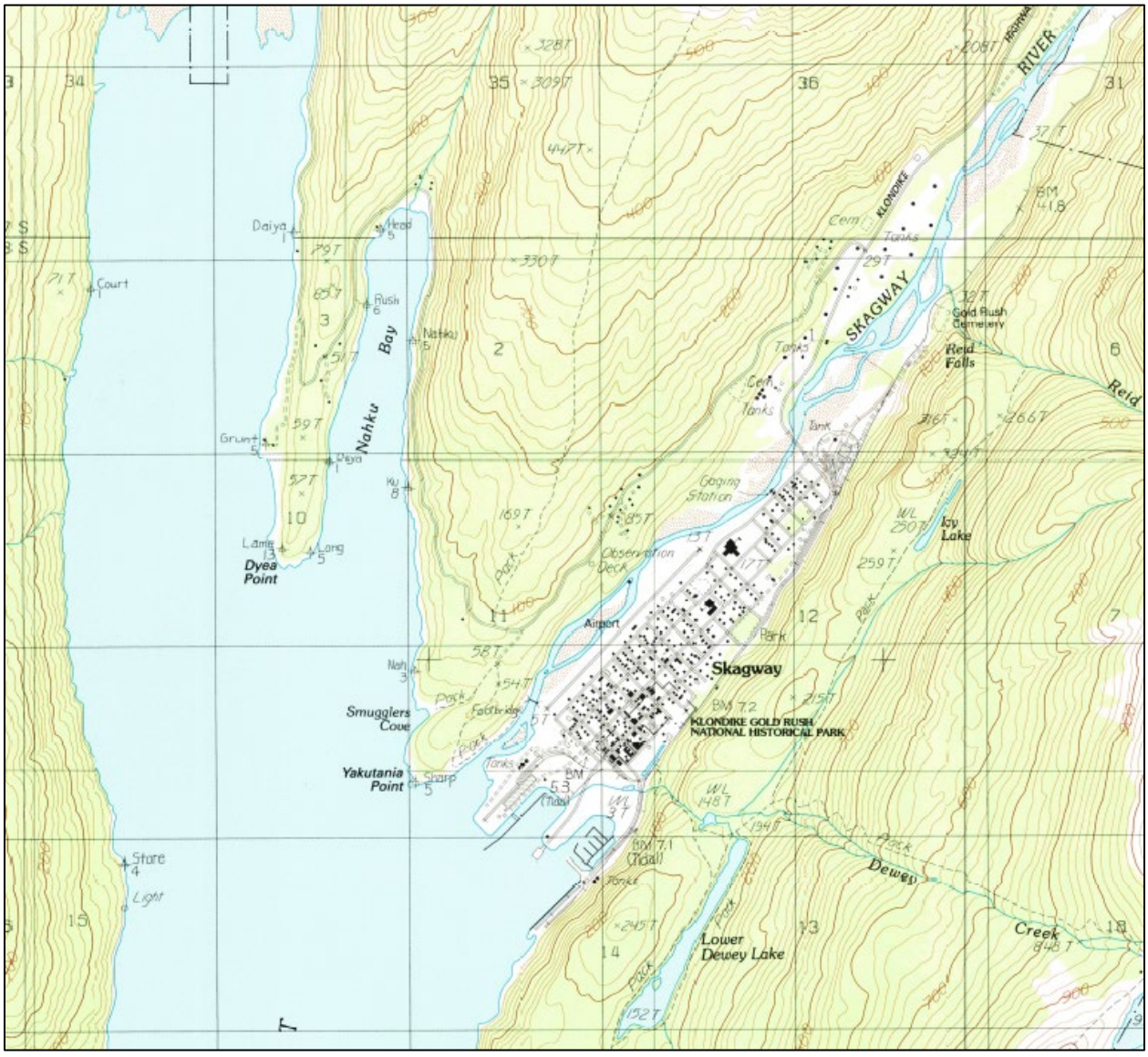

Figure 6. Topographic map of the City of Skagway, with respect to the Skagway River. Skagway (B-1) NW Quadrangle Alaska 1:25 000-Scale Series (Topographic).

A History of the Skagway River (Buzzell, 2004) provides a summary of the existing environmental conditions within the area, which are summarized here. Glaciers in the surrounding mountains and highland terrain significantly influence the discharge of water and sediment. The lower 5 miles of the river is a braided glacial stream which divides occasionally into a multichannel configuration, separated by gravel bars and bounded by terraces. The Skagway River valley is half a mile wide at Skagway and gets narrower upstream. The valley floor is covered with coarse fluvial gravel. During periods of flooding, the gravel bars and terraces are mostly covered by river water. Above the confluence with East Fork, the river is a single channel. The portion of the river near Skagway is a braided channel characterized by episodic events of erosion and deposition. The channel bottom in this area is higher at some points than the City of Skagway, which is protected by a system of dikes, including the Skagway River levee.

The Skagway River levee has been maintained by clearing excess vegetation (Figure 7). Vegetation on the face of the levee is dominated by hardy perennial plants, including fireweed (*Chamaenerion angustifolium*), Nootka lupine (*Lupinus nootkatensis*), and common yarrow (*Achillea millefolium*). Other plants include small saplings of cottonwood (*Populus* spp.) and various soil-binding shrubs, such as alder (*Alnus* spp.) and willow (*Salix* spp.).

There is human activity and subsequent anthropogenic impacts present along the Skagway River levee. There is pedestrian foot traffic on top of the levee and along Alaska Street, which is adjacent to the levee. Pedestrian foot traffic on top of the levee is concentrated in the areas on either end of the Skagway Airport, which is closed to public access. Pieces of scrap metal, trash, and other foreign debris were sporadically found along the length of the levee.

Figure 7. Portion of the Skagway River levee along the Skagway Airport looking northeast at Runway 20, in August 2024.

Natural Resources

Fish and Wildlife

Anadromous Fishes

The 1996 amendments to the Magnuson-Stevens Fishery Conservation and Management Act set forth the essential fish habitat (EFH) requirement to identify and protect important habitats of federally managed marine and anadromous fish species. EFH is defined as those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. The Alaska Department of Fish and Game's (ADFG) Anadromous Waters Catalog (AWC) specifies which streams, rivers and lakes are important to anadromous fish species, which are afforded protection under Alaska Statute (AS) 16.05.871. Streams, rivers, and lakes that are not specified within the AWC are not afforded that protection. To be protected under AS 16.05.871, water bodies must be documented as supporting some life function of an anadromous fish species (i.e., salmon, trout, char, etc.). Anadromous fish must have been seen or collected and identified by a qualified observer.

In August 2024, USACE Alaska District biologists conducted a site visit to assess the presence of fish and anadromous habitat within the area. Three general areas were surveyed: the Skagway River, Pullen Creek, and Black Lake. The Skagway River (AWC code: 115-34-10300) has nominations for Pacific salmon (*Oncorhynchus* spp.), Dolly Varden (*Salvelinus malma*), and Eulachon (*Thaleichthys pacificus*) within the lower reaches (Giefer and Graziano, 2023). Pullen Creek (AWC code: 115-34-10310) is a small creek that has nominations for Pacific salmon and Dolly Varden (Giefer and Graziano, 2023). Black Lake is located on the Klondike Highway, and is not listed as anadromous on the ADFG AWC.

Surveys were conducted using minnow traps (ADFG Aquatic Resource Permit (ARP) No. SF2024-180). Minnow traps had a ~4 millimeter wire mesh, and were baited with approximately 8 ounces of cured salmon roe. Traps were labeled with appropriate ARP permit numbers and contact information per ADFG ARP permit stipulations. After being set, the traps were left to soak for approximately 24 hours later. Catch was sorted, counted, and individuals were identified to the lowest taxon. Data collected included the number of species caught, the total lengths of these individuals to the nearest millimeter, and any incidental notes.

A total of 25 individuals were caught across all sites, representing only three taxa (Figure 8). Of the 10 traps set, only three traps yielded no catch – in which all were located in Black Lake. Given the topography, it is surmised that the outflow of Black Lake is too steep for anadromous access given its location at a high elevation. Dolly Varden (*Salvelinus malma*) were the most common species caught in the Skagway River and Pullen Creek, with a total of 17 individuals. One site on the Skagway River, a side channel near the Skagway River Bridge (Figure 9), yielded seven juvenile coho salmon (*Oncorhynchus kisutch*) and one juvenile chinook salmon (*Oncorhynchus tshawytscha*).

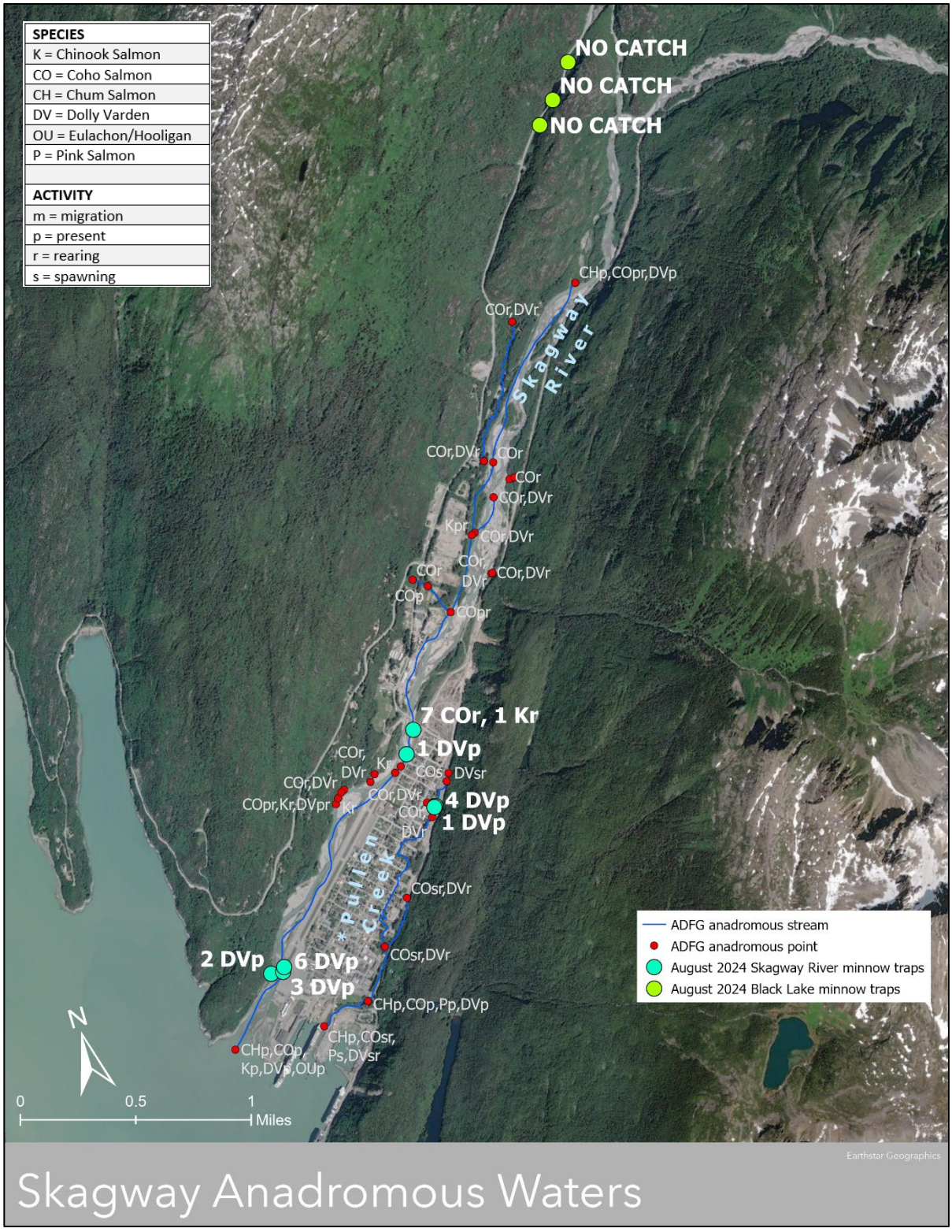

Figure 8. Minnow trap results and anadromous waters within Skagway.

The points in green indicate minnow trap sites during the August 2024 survey, with respective catch and number of individuals labeled in bold. The red points are nominations of species present, obtained from the ADFG AWC. All survey activities were conducted under ADFG ARP No. SF2024-180.

Figure 9. Habitat near Skagway River Bridge with catch that included juvenile salmonids.

This side channel habitat with low flow and vegetative cover provides rearing habitat for juvenile salmonids. This area is not included within the area of the proposed repair.

Wildlife

The Skagway area supports both resident and migratory avian species. Resident species occur in the area year-round, while migratory species seasonally occupy the area during the boreal summer. Ground nesting birds, such as the semipalmated plover (*Charadrius semipalmatus*), spotted sandpiper (*Actitis macularius*), and Arctic tern (*Sterna paradisaea*) may occasionally nest along the Skagway River levee and Skagway Airport. Various species of gull (*Larus* spp.) occupy the riverine and riparian sandbar habitat on the Skagway River and nearshore waters of Taiya Inlet. Bald eagles (*Haliaeetus leucocephalus*) are a common year-round resident in southeastern Alaska, and can be seen along the Skagway River. A diverse array of passerine species of bird may occupy riparian areas and open areas surrounding the Skagway River levee; i.e., bank swallow (*Riparia riparia*), chestnut-backed chickadee (*Poecile rufescens*), dark-eyed junco (*Junco hyemalis*), and common raven (*Corvus corax*).

Wetlands

The U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory maps indicate wetlands present near the Skagway River levee are classified as riverine, and occur within the Skagway River.

Pullen Creek, which is located approximately 0.5 miles southeast of the Skagway River is designated as Impaired Waters by the Environmental Protection Agency (EPA) (Figure 10). Impaired waters are waterbodies not fully supporting their designated uses under the Clean Water Act. Pullen Creek contains contaminated sediments (e.g., arsenic, cadmium, lead, and zinc) from historic mining activity. The Skagway River is not designated as Impaired Waters by the EPA.

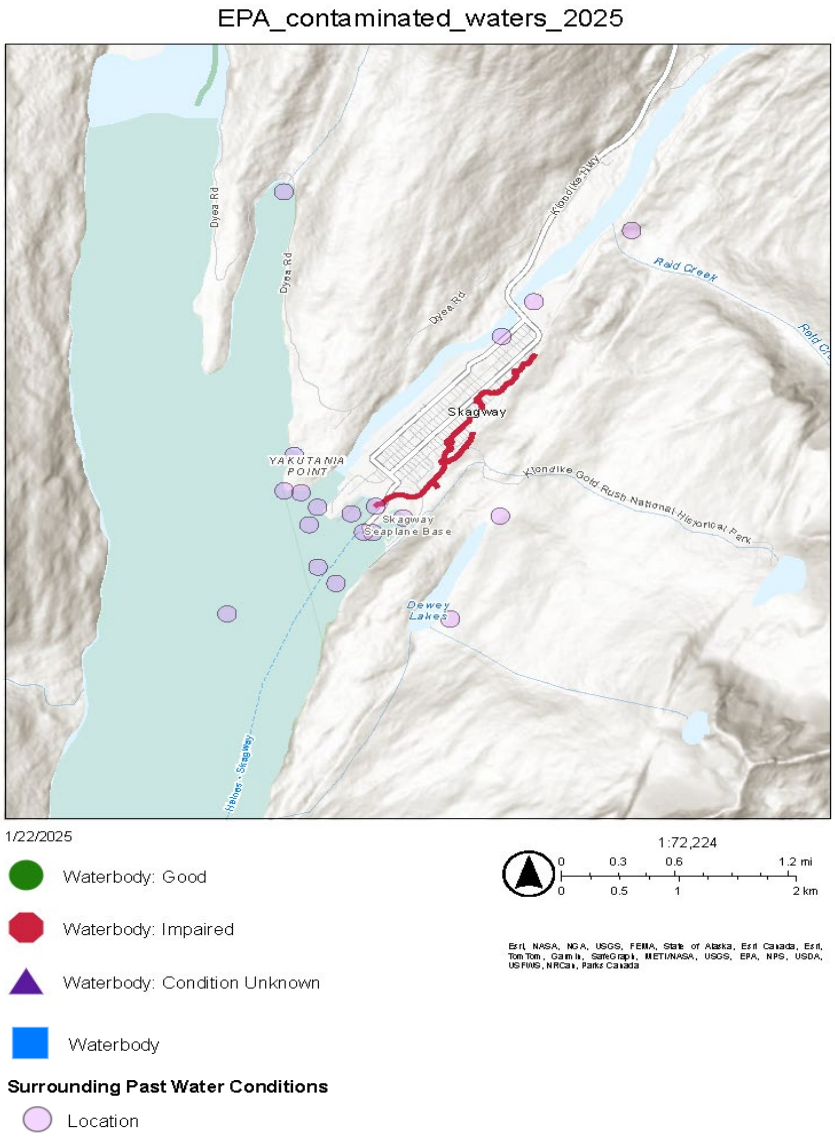

Figure 10. Impaired Waters within Skagway, as designated by the EPA. Accessed January 2025.

Cultural Resources

Precontact

Moss (1998) divided the prehistory of southeast Alaska into an Early Period (10,000 – 5,000 years before present (BP)), a Middle Period (5,000 to 1,500 BP) and a Later Period (1,500 BP to contact). No sites have been discovered to date in southeast Alaska that are older than 10,000 BP. The earliest sites were at Ground Hog Bay 2 in Icy Strait near Juneau, and Hidden Falls on Baranof Island. Both were Northwest Coast Microblade tradition sites, and their artifact assemblage included microblade cores and microblades, bifaces, and choppers (Ackerman, 1996). Rice Creek (CRG-235) on Heceta Island, west of Prince of Wales Island, dated from approximately 9,000 BP. The discovery of 9,700-year-old human remains at PET-408, a cave site on Prince of Wales Island, provided additional information about early adaptations to the region. Watercraft were required 9,000 years ago to reach the island, and carbon isotopic analyses demonstrate that this man got most of his protein from marine foods (Dixon, 1998). Chuck Lake (CRG-237) on Heceta Island was a later site within the Early Period. Locality 1 dates to about 8,200 to 7,300 BP and the artifact assemblage included microblade technology. It had one of the earliest shell-bearing components on the Northwest Coast and was indicative of the early coastal adaptations (Ackerman et al., 1985). Later sites included the upper components of the Chuck Lake site, the Thorne River Site (CRG-177) on Prince of Wales Island, and Irish Creek (PET-160) on Kupreanof Island. Moss (1998) noted that there were no well-described sites between 6,500 and 5,000 BP, making it difficult to understand the transition to the Middle Period.

Moss et al. (1996) used technological similarities since the Middle Period to argue that Tlingit culture developed in southeast Alaska and was not a recent arrival from elsewhere. Moss' (1998) Middle Period is based on Components II and III at Hidden Falls. Wood-stake fishing weirs were introduced during this time. Stakes from the Snoose Creek weir (PET-206) ranged in age from 2340 $\pm$ 50 and 3440 $\pm$ 70 BP, and in Whale Pass one stake was dated to 2910 $\pm$ 70 BP (Putnam, 1995:6). Rosie's Rockshelter (CRG-236) on Heceta Island and Coffman Cove (PET-067) on the east coast of Prince of Wales Island were also Middle Period sites (Ackerman et al., 1985; Reger, 1995). Shell middens, or shell-bearing sites are more common during this time allowing for more environmental and subsistence information from this period. The shell also allowed for better preservation of bone; thus, bone and antler artifacts were also more frequently represented in the archaeological record.

Moss (1998) placed the beginning of the Late Period at 1,500 BP although she does note that there was cultural continuity with sites from the Middle Period and that some sites spanned both periods. Sites from the Late Period were abundant along central Southeast Alaska. In general, there were more fortification sites, which indicated increasing warfare. This was a pattern seen throughout the Northwest Coast during this period and was not unique to southeast Alaska. Houses tended to be larger as did village sites (Davis, 1990). Copper artifacts appeared in these late sites, and were indicative of trade networks connecting the Tlingit to Athabascans living near copper sources in the interior. The Late Period is usually identified with the ethnohistoric cultures of the region.

Post-Contact Period

The Chilkat and Chilkoot Tlingit live in the Lynn Canal area of southeast Alaska (Goldschmidt and Haas, 1998:111). De Laguna (1990) identified them as the Northern Tlingit based on subdialectical differences with their neighbors. The Northern Tlingit also include the Hoonah, Auk, Taku, Sumdum, Sitka, and Hutsnuwu (Angoon). The Chilkat live in more interior areas around the village of Klukwan on the upper Chilkat Inlet, Chilkat River and the upper reaches of Chilkoot River, and into the interior mountains. The Chilkoot occupy the area around Lynn Canal up toward Haines and Skagway and into the interior (Goldschmidt and Haas, 1998). At one time they were one group but appear to have separated since European Contact (Goldschmidt and Haas 1998).

According to Chilkoot oral traditions, there were villages at both Dyea and Skagway. The Skagway area belongs to the Kaagwaantaan Tlingit clan. Paddy Geonette described Skagway as a summer seal hunting camp in addition to being used for fishing. He also remembered one man who lived there year round. A large smokehouse was located on an island “up the Skagway River where a stream comes in from the southeast.” This was called X’wat’héeni (“Trout stream”) and was said to be a good place to hunt mountain goats. He stated that when he was a boy, one man lived there year round (Goldschmidt and Haas, 1998: 108).

The first European contact with the Tlingit in the Lynn Canal area was by Captain George Vancouver in 1794. Most contact afterward was brief, but European trade goods probably made their way to the Chilkat/Chilkoot area from Russian and Hudson’s Bay trading posts elsewhere. Attempts to circumvent the Tlingit monopoly on interior trade were not successful. Within 5 years of its construction, the Tlingit destroyed Fort Selkirk, established by the Hudson’s Bay Company to trade with interior groups in 1852. By the late 1800s, more outsiders began arriving in Lynn Canal and the Tlingit were not able to prevent them from traveling through their lands. Instead, they began hiring out as guides and packers for expeditions and gold prospectors (Sackett, 1979).

Capt. William Moore and his son, Ben, had built a cabin and a wharf in Skagway in 1887. Ben Moore noted that when he and his father built their cabin, no Tlingit groups were living there. The only evidence of any previous occupation was a very old canoe lying under a cover of vegetation with some hunting equipment (Cooper, 1998). They had planned to develop the White Pass trail. Instead, in the summer of 1897 thousands of prospectors bound for the Klondike gold fields overran the homestead. Before they could protest, a town site was surveyed, lots were platted and more permanent buildings were constructed (Spude, 1983; Cooper, 1998). Moore’s Wharf and cabin were the first Euroamerican structures erected in the area. Passenger and supply ships have used it to load and unload since its construction. Its pilings and planking have been periodically replaced (Houston et al., 1989).

In October 1900, the United States Army constructed barracks and established Camp Skagway. Until the troops moved to Fort William H. Seward in 1904, they provided a vital resource to the town’s economy. Despite the sporadic condition of the economy,

Skagway endured as tourism grew and new mines were opened in the interior near Whitehorse and Conrad (Spude, 1983).

During the next 20 years, Skagway grew from a tent city to an established economic and political center for Alaska (Spude, 1983). Skagway was at the head of the White Pass Trail, which offered an alternative route into the interior and the Yukon. In late May 1898, construction began on the White Pass and Yukon Railway (WP&YR). The narrow-gauge railway followed the trail through the pass. Its completion contributed to the downfall of the Chilkoot Trail, which was the primary route to the Yukon since the early 1880s (Houston et al., 1989).

The railway caused Skagway to become the major transshipment point for freight destined for the Yukon. The White Pass and Yukon Railroad was the first to be built in the state. This provided Skagway with an economic base for more than 80 years. The town declined with the end of the gold rush in the early 1900s. This boom period provided Skagway with attractions that now support the town by bringing hundreds of thousands of visitors to the area every year (Spude, 1983).

The introduction of a ferry service in 1948 between Haines, Skagway, and Juneau boosted the town's economy. This service was expanded in 1963 when the system included the major towns in Southeast Alaska (Hakkinen, 1979). The town is at the head of the Klondike Highway, which connects the Alaska State Ferry System with the Alaska Highway. Travelers passing through make a large contribution to the modern economy of Skagway (Alaska Division of Community and Regional Affairs, 2025).

Previous Archaeological Surveys

Several archaeological excavations and surveys were conducted in Skagway in association with building improvements and renovations. These have been limited largely to the area of Skagway Historic District (SKG-00013). Blee (1983) reported the excavation of unstratified deposits dating back to 1898 below the WP&YR Broadway Depot (SKG-00078) and the General Offices Building (SKG-00079). Catholic priest Father Philibert Turnell deposited his household trash in an abandoned privy pit between 1914 and 1918. It was excavated and found to contain a revealing collection of artifacts that shed light on the life of a well-known historic figure in Skagway (Spude et al., 1993).

The Moore cabin (SKG-00080) and house (SKG-00099) on Block 24 in the northeast corner of the historic district were also excavated. More than 4000 artifacts in stratified sheet trash deposits were excavated. These included items associated with the Moores as well as the Kirmses, who occupied the cabin later (Blee, 1988). Near the Moore house and cabin, later excavations revealed that an early dump (SKG-00100) was made in the Mill Creek stream bed. This was believed to be an effort to divert the creek to allow for the construction of a new building. At the Peniel Mission (SKG-00100), also on Block 24, excavations allowed for the reconstruction of early outbuildings and structures associated with the mission (DePuydt et al., 1997).

The excavations on Block 39 in Skagway provided a cross-section of life after 1898. Multiple test excavations and four privies offered more than 10,000 artifacts representing all aspects of life (Cooper, 1998). The contrast between single family living and that of the single, Euroamerican worker in Skagway was examined with more detail than was possible earlier.

A building and resources inventory of Skagway was completed in the 1980's (Spude, 1983). The entire town is included in the Skagway and White Pass National Historic Landmark and is part of the Klondike Gold Rush National Historical Park (Houston et al., 1989; Spude, 1983). There are 152 buildings, six sites, and five structures contributing to the district that date primarily between 1898 and the early twentieth century. This includes the WP&YR railway, White Pass City, the Trail of 1897 and Moore's Wharf.

The 2015 Lynn Canal Fiber-Optic Cable Project conducted survey in Smugglers Cove (SKG-00102) for a fiber-Optic landfall location. 11 Shovel test pits were excavated based on historical photos of Tlingit and Euroamerican log houses (Cooper and Cassell, 2015). Materials in the test pits ranged from historic to modern. No prehistoric deposits were identified.

The 2016 Monitoring report from the Lynn Canal Fiber-Optic Cable Project re located the shell midden at SKG-00102. The construction work did not impact the midden. DOWL reported encountering 35 artifacts all historic or modern in nature that they reburied after documenting (O'Quinn, 2016).

Cultural Resources Near the Project Area

The Skagway & White Pass National Historic Landmark District extends from Skagway Bay to the Alaska and British Columbia, Canada boundary at White Pass summit (Table 1). It is comprised of the original 1897 Skagway townsite and historic resources in the Skagway River Valley. These include the Trail of 1897, the Brackett Wagon Road, White Pass City, and the White Pass and Yukon Railway. The historic district within the Skagway townsite includes outstanding examples of turn-of-the-century workingman's residential architecture and several well-preserved frontier commercial buildings (Table 1). Portions of the Skagway & White Pass National Historic Landmark District and the nearby Chilkoot Trail & Dyea National Historic Landmark District are included within the boundaries of the Klondike Gold Rush National Historic Park. This park was created in recognition of the historical significance of the Klondike Gold Rush (Houston et al., 1989).

Table 1. Alaska Historic Resource Survey (AHRS) table.

AHRS #	Site Name	In APE	NRHP
SKG-00013	Skagway and White Pass NHL District	Yes	Yes
SKG-00042	Case/Mulvhill House	No	Contributing
SKG-00101	Yakutania Site	No	Not Evaluated
SKG-00258	Mulkair House	No	Contributing
SKG-00260	Halverson House	No	Contributing
SKG-00267	Ray Gault House	No	Contributing
SKG-00273	Grim House	No	Contributing
SKG-00284	Lunde/Selmer House	No	Contributing
SKG-00287	Shelby House	No	Contributing

Effect of the Levee Repair Project on Cultural Resources

The Skagway levee was originally built in the 1940s and has undergone multiple repairs and modifications over the years. No buildings or structures within the Skagway Historic District would be affected by the work at the Skagway Levee. The Skagway Historic District ends at Alaska avenue and does not continue across the Airport facility. The Skagway River levee is within the Skagway and White Pass National Historic District National Historic Landmark (SKG-00013), but is a noncontributing feature along with the airport and was constructed outside of the period of significance. The Skagway Levee rehabilitation project is not anticipated to have an adverse effect on historic properties.

Alternatives Considered

In accordance with *Procedures for Implementing NEPA, Emergency Actions* (ER 200-2-2, paragraph 8), when responding to emergency situations to prevent or reduce imminent risk of life, health, property, or severe economic losses, district commanders may proceed without the specific documentation and procedural requirements of other sections of this regulation. Pursuant to ER 200-2-2, only the proposed action and the no action alternative were considered in this Environmental Assessment (EA). This EA evaluates the potential effects from the proposed action. Under the no action alternative, the Skagway River levee would not be repaired, which would not satisfy the purpose and need for the proposed rehabilitation. The Skagway River levee is an existing Federal structure that needs to be repaired and rehabilitated. The no action alternative would result in a continued risk of future flood damages and life safety.

Compliance with Federal Laws and Executive Orders

Endangered Species Act (ESA)

No species listed under the Endangered Species Act (ESA) are anticipated to be impacted by the proposed action, as ESA-listed species that occur within the area are marine mammals. No critical habitat for ESA-listed species has been designated within the project area. The proposed action is anticipated to have no effect on ESA-listed species or ESA Critical Habitat. Construction noise may temporarily disturb wildlife in the area but the effect is anticipated to be short-term and minimal.

ESA-listed species or ESA Critical Habitat in proposed action area:

☐ Yes ☒ No

ESA effects determination:

☒ No Effect ☐ Effect

Magnuson-Stevens Fishery Conservation and Management Act (MSA)

The proposed action may have the potential for short-term, adverse effects on EFH. Other unavoidable impacts to the area during construction include temporary increase in turbidity, noise, and vibration. EFH consultation with National Marine Fisheries Service (NMFS) was initiated on July 2nd, 2024. In consultation with NMFS, implementing appropriate mitigation measures during construction can minimize any potential short term, adverse impacts on EFH. Construction would be accomplished during an established work window to minimize any potential disruption of anadromous fish. Construction is anticipated to occur during the winter months, between October – April. Individuals that may be present within the project area during the construction work window would be temporarily displaced due to disturbance. See *Appendix A: Environmental Mitigation Specifications* for further information.

EFH in the proposed action area:

☒ Yes ☐ No

EFH effects determination:

☐ No Effect ☒ Effect

Marine Mammal Protection Act (MMPA)

No MMPA-listed species are anticipated to be impacted by the proposed action given the inland location, away from the coast of Taiya Inlet. Therefore, the proposed action will have no effect on MMPA-listed species.

MMPA-listed species in the proposed action area:

☐ Yes ☒ No

MMPA effects determination:

☒ No Effect ☐ Effect

Migratory Bird Treaty Act (MBTA)

No adverse impacts to migratory birds are anticipated given the scope of the proposed action. Construction will occur during an established work window (October – April). This construction window during the winter aligns with the standard recommendations from the USFWS to avoid impacts to migratory birds. If construction extends into the summer months (May 1st – July 15th), monitoring may be required under the MBTA. See *Appendix A: Environmental Mitigation Specifications* for further information.

MBTA effects determination:

☒ No Effect ☐ Effect

Bald and Golden Eagle Protection Act (BGEPA)

No adverse impacts to bald eagles are anticipated given the scope of the proposed action. Construction will occur during an established work window (October – April). This construction window during the winter will avoid adverse impacts to nesting bald eagles. If construction extends into the summer months (May 1st – July 15th), and an active bald eagle nest is present within the project area, monitoring may be required under the BGEPA. See *Appendix A: Environmental Mitigation Specifications* for further information.

BGEPA effects determination:

☒ No Effect ☐ Effect

Clean Water Act (CWA) Section 401 Water Quality Certification (WQC)

A CWA Section 401 WQC or waiver is required for any Federal license or permit that authorizes any activity which may result in any discharge from a point source into waters of the United States. The proposed action has the potential to result in discharge into the Skagway River, which is considered waters of the United States. A Section 401 WQC prefiling meeting has been requested as of January 22, 2025. See *Appendix A: Environmental Mitigation Specifications* and the evaluation under Section 404(b)(1) of the CWA for further information.

CWA Section 401 WQC:

☒ Required ☐ N/A

Status of CWA Section 401 WQC:

☐Issued ☐Denied ☒ Included under CWA Section 404/10 Evaluation

CWA Section 404(b)(1)

An evaluation under Section 404(b)(1) of the CWA is required if dredged or fill material is discharged into the Skagway River. Though USACE does not permit itself, USACE conducted an evaluation under Section 404(b)(1) of the CWA, which found that the proposed work is in compliance. See *Appendix A: Environmental Mitigation Specifications* and the evaluation under Section 404(b)(1) of the CWA for further information.

CWA Section 404(b)(1):

☒ Required ☐ N/A

Status of CWA Section 404(b)(1):

☐Issued ☐Denied ☒ CWA Section 404 Evaluation included

Clean Air Act (CAA)

The proposed action is located in Skagway, Alaska. Skagway is not designated as a nonattainment area for any National Ambient Air Quality Standards (NAAQS), as required under the CAA. General conformity regulations are not applicable.

General Conformity, CAA Section 176(c)(4):

☐Yes ☐ No ☒ N/A

Coastal Zone Management Act (CZMA):

By operation of Alaska State law, the federally approved Alaska Coastal Management Program expired on July 1st, 2011, resulting in a withdrawal from participation in the CZMA's National Coastal Management Program. The CZMA Federal consistency provision, section 307, no longer applies in Alaska. In addition, Alaska is no longer eligible for CZMA grants under sections 306, 306A, 308, 309 or 310.

CZMA Permit:

☐Yes ☐ No ☒ N/A

Hazardous, Toxic, and Radioactive Waste (HTRW)

A review of the Alaska Department of Environmental Conservation (ADEC) Database of Contaminated Sites on 15 October 2024, indicated the following active contaminated sites are located near the Skagway River levee boundary, but not within the vicinity of the proposed action:

- *1526.38.023: Skagway Block 15 Lots 11 & 12 (Active)*

The repair and rehabilitation of the Skagway River levee will require compliance with all relevant Federal, state and local environmental laws and regulations, including those pertaining to the release, disposal, and storage of hazardous substances. In the event of any release or threatened release of HTRW, the contractor is to notify USACE. See *Appendix A: Environmental Mitigation Specifications* for further information.

HTRW within the project area:

☐Yes ☒ No ☐ N/A

Executive Order (E.O.) 11988

Under E.O. 11988 *Flood Plain Management*, the action proposed has the potential to result in significant fill within the floodplain and may have an effect on the base floodplain. See *Appendix A: Environmental Mitigation Specifications* for further information.

Proposed action in the base flood plain (area which has a one percent or greater chance of flooding in any given year):

☒Yes ☐ No ☐ N/A

Proposed action adversely affects flooding or water control within the basin:

☐Yes ☒ No ☐ N/A

Section 106 of the National Historic Preservation Act (NHPA)

In accordance with 36 CFR § 800, USACE must, prior to the approval of the expenditure of Federal funds for anything other than nondestructive project planning activities, determine the eligibility of the levee for listing in the NRHP and assess the effect of the proposed undertaking on any historic properties in the Area of Potential Effect (APE) in consultation with its stakeholders. Should the proposed undertaking be found to have an adverse effect on a historic property, the adverse effect will be resolved in accordance with 36 CFR § 800.6.

Known cultural resources within proposed action area:

☒Yes ☐ No ☐ N/A

Cultural resources survey required:

☒Yes ☐ No ☐ N/A

Cultural Resources survey conducted:

June 18th, 2024.

SHPO concurrence on Finding of Effect (FOE):

Pending SHPO concurrence. Project work would not begin until SHPO concurrence is received from the SHPO on the FOE or agreement document.

Coordination with Tribes

The proposed undertaking is within the traditional territories of two federally recognized tribes: Skagway Village and Central Council of the Tlingit & Haida Indian Tribes of Alaska. The undertaking is also within the purview of Sealaska Corporation, a regional Alaska Native Corporation (ANC) created in accordance with the Alaska Native Claims Settlement Act (ANCSA) of 1971.

Coordination with Tribes:

☒Yes ☐ No ☐ N/A

Government to Government (G2G) letters sent to Tribes:

October 10th, 2024. No response to G2G letters. Notifications letters sent to tribes and stakeholders on September 9th, 2024. One response received from the Skagway Traditional Council strongly urging USACE to only conduct construction activities outside of the anadromous fish runs. Additionally, the tribe expressed concern for a Tlingit subcommunity along the southern bank of the Skagway River if the project extends beyond the levee and built-up landform of the airport. USACE responded via phone call and email on November 5th, 2024 addressing the tribes concerns and agreement to keep them informed as the project develops.

Other Resources Not Considered Above?

Transportation

☐Yes ☒ No ☐ N/A

Recreational (trails, bike paths, etc.)

☐Yes ☒ No ☐ N/A

Aesthetics

☐Yes ☒ No ☐ N/A

Previously constructed wetland mitigation or environmental restoration areas

☐Yes ☐ No ☒ N/A

Other Resources

☐Yes ☒ No ☐ N/A

If yes, explain below:

Indirect Impacts Identified?

☐Yes ☒ No ☐ N/A

Cumulative Impacts Identified?

☐Yes ☒ No ☐ N/A

Summary of Environmental Consequences of the Proposed Action

The repairs to the Skagway River levee have the potential for short-term, adverse environmental effects during construction. Construction would be accomplished during an established work window (October – April), to minimize any potential adverse environmental impacts. See *Appendix A: Environmental Mitigation Specifications* for further information.

Does Proposed Action Require a More Detailed EA?

☐Yes ☒ No ☐ N/A

Are Special Conditions Required?

☐Yes ☒ No ☐ N/A

Is Compensatory Mitigation Required to Reduce the Individual and Cumulative Adverse Environmental Effects to a Minimal Level?

☐Yes ☒ No ☐ N/A

Public and Agency Review

This EA was not sent out for public or agency review, as the proposed action is authorized under PL 84-99, *Emergency Response to Natural Disasters*.

Preparers

This EA was prepared by Fern Spaulding (Biologist, CEPOA-PMC-E), Matthew Ferguson (Biologist, CEPOA-PMC-E), with cultural resources and tribal consultation section input provided by Tyler Teese (Archeologist, CEPOA-PMC-E).

Finding of No Significant Impact (FONSI)

This office has assessed the potential environmental impacts of the proposed action and the no action alternative. The proposed action would not cause significant environmental impacts to the project area. No indirect or cumulative adverse environmental impacts were identified. All environmental compliance requirements have been completed for the proposed action. Based on this assessment, a finding has been made that the proposed action would have no significant impact on the human environment and an environmental impact statement will not be prepared.

_____
Date

_____
Michael Rouse
Chief, Environmental Resources Section
USACE, Alaska District

APPENDICES

Appendix A Environmental Mitigation Specifications

Appended in PDF form.

Evaluation under Section 404(b)(1) of the CWA

Appended in PDF form.

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