

FINDING OF NO SIGNIFICANT IMPACT and  
DECISION RECORD  
for the  
REVISION of the 1983 GULKANA RIVER  
MANAGEMENT PLAN

*AK-050-EA-03-001*

I. Decision and Decision Rationale..... 2  
A. Decision ..... 2  
B. Applicable Laws, Regulations and Policy ..... 3  
    i) ANILCA Section 810 Findings..... 4  
C. Alternatives Considered ..... 4  
D. Decision Rationale ..... 4  
E. Public Involvement ..... 7  
F. Changes made between the Draft EA and the Final EA..... 7  
II. Finding of No Significant Impact..... 8  
III. Appeal ..... 9

## I. DECISION AND DECISION RATIONALE

### A. Decision

Three sets of decisions will be made as a part of this Decision Record. First, the Bureau of Land Management's Glennallen Field Office will adopt the indicators, standards, management actions, and monitoring described in the Proposed Action (Alternative 2) of the Final Environmental Assessment for the Revision of the 1983 Gulkana River Management Plan (Final EA), with some exceptions as follows:

- Implementing a group size limit of 12 will be moved from a Phase II to a Phase I action.
- BLM will not adopt a regulation requiring Off Highway Vehicles to park out of sight of the river.
- BLM will not recommend a powerboat closure 17 miles up the West Fork.
- BLM will recommend a seasonal closure (5/15 – 8/15) to airboats on all segments of the river within the Gulkana Wild and Scenic River corridor.

Rationale for these exceptions is described below under section D (Decision Rationale). Effects of these decisions were considered and described within the range of alternatives considered in the Final Environmental Assessment.

Second, the BLM will adopt the outstandingly remarkable values described in the Proposed Action (part 1). Third, the BLM will update management actions as discussed in Chapter 2 of the Environmental Assessment under "Actions Common to all Alternatives". Effects of implementing these decisions were analyzed in the final Environmental Assessment for Revision of the 1983 Gulkana River Management Plan. The decisions are described in detail in the Revised Gulkana River Management Plan attached to this Decision Record. This Decision Record serves as the approval of the Revised Gulkana River Management Plan.

The Bureau of Land Management (BLM) has worked cooperatively with the State of Alaska (Department of Natural Resources and Alaska Department of Fish and Game) in generating the proposals that were analyzed within the Final EA. **For actions that are designed to occur within the ordinary high water mark, BLM recommends adoption by the State in a Special Use Land Designation (SULD) for the Gulkana River.** In the spirit of cooperation, BLM has waited two years for the State to complete a SULD. Once the Special Use Land Designation is complete, the BLM will work with the State on a cooperative management agreement to assist in implementation.

For the Lower River portion, BLM worked with Ahtna Native Corporation and the State of Alaska to develop proposed indicators, standards, management actions, and monitoring. These are attached as Appendix A to the Final EA. BLM has no authority within the Lower River portion other than to manage the three 17(b) easements that provide access between public lands and waters across private (Ahtna) land within that segment. BLM will continue to cooperate with Ahtna Native Corporation and the State of Alaska to the extent possible on implementation or monitoring of items in Appendix A.

## B. Applicable Laws, Regulations and Policy

The Southcentral Planning Area Management Framework Plan of March 1980 as amended and the Federal Land Policy and Management Act (FLPMA) provide the overall long-term management direction for the Glennallen Field Office. The Management Framework Plan and FLPMA are the decision documents and legal basis for the integrated long-term resource planning on Glennallen Field Office lands. They establish the direction and goals to follow in the implementation of the Management Framework Plan. These decisions are consistent with the current Management Framework Plan and FLPMA. These decisions are also consistent with goals, objectives, and allowable uses identified in the pending East Alaska Resource Management Plan. This Resource Management Plan, due out in September of 2006, will replace the Southcentral Management Framework Plan.

More specifically, BLM's management of the Gulkana National Wild River corridor must be consistent with the *National Wild and Scenic Rivers Act (NWSRA) and ANILCA*. Interpretation and management direction of the NWSRA for BLM is provided through *Wild and Scenic Rivers—Policy and Program Direction for Identification, Evaluation, and Management manual (1993)*. The *Alaska National Interest Lands Conservation Act (ANILCA)* established the Gulkana River as a component of the National Wild and Scenic Rivers System and amended the NWSRA to provide guidance for management issues specific to Alaska, such as subsistence. All decisions are consistent with the *1983 Gulkana River Management Plan*.

The BLM recognizes the State's management authority on the Gulkana River between the ordinary high water marks of the river, consistent with the protection of resource values identified for the river. The decisions are consistent with the *Memorandum of Understanding (MOU) Between U.S. Department of the Interior, Bureau of Land Management, Alaska State Office, Alaska and State of Alaska, Juneau, Alaska on the Management of the Gulkana National Wild River and Surrounding Area (1985)*. As stated in the 1985 MOU, the State of Alaska (ADF&G) retains responsibility for the management of fish and game populations within or adjacent to the Gulkana.

The decisions related to Off Highway Vehicles are consistent with ANILCA, Section 1110(a) and specifically the BLM's implementing regulations described in 43CFR 36.11 (Special Access). Section 36.11(b) allows the use of snowmachines, motorboats and non-motorized means of surface transportation traditionally used by rural residents engaged in subsistence activities. Section 36.11(g) specifically addresses Off Highway Vehicles and prohibits their use (in Conservation System Units) in locations other than established roads and parking areas, except on routes or in areas designated by the appropriate Federal agency. Section 36.11(g)(2) states that OHV use must be compatible with the purposes and values for which the area was established. Closures of non-designated trails are consistent with closure procedures under 43 CFR Part 36.11(h).

The decisions related to Off Highway Vehicles are also consistent with ANILCA, section 811, which states that “the Secretary shall permit on the public lands appropriate use for subsistence purposes of snowmobiles, motorboats, and other means of surface transportation traditionally employed for such purposes by local residents, subject to reasonable regulation.” The decisions related to Off Highway Vehicles are also consistent with 43 CFR 8342.1 and the pending East Alaska Resource Management Plan, which states that the Gulkana corridor would be designated as “limited” to OHVs and identifies specific trails in the Gulkana corridor for designation. This decision and Revised Gulkana River Management Plan serve as the implementation level plan for the Gulkana corridor. This Decision Record/FONSI and Revised Gulkana River Management Plan will be followed by a notice in the Federal Register identifying the specific trails within the corridor to be designated, as described in the proposed action.

There are no known federally listed threatened or endangered species of plants and animals, or plant and animal species proposed for federal listing, within the project area.

### **i) ANILCA Section 810 Findings**

The BLM is required by ANILCA to consider potential impacts to subsistence activities, resources, or access to subsistence activities from proposals. For the actions as described above, it was found that “the proposed use is unlikely to have any impacts on subsistence uses or needs.”

## **C. Alternatives Considered**

Three alternatives to the proposed action were considered. Alternative 1 (No Action) describes existing management on the river. While current levels of management and administration have been somewhat effective at mitigating user impacts, this alternative was not chosen because it does not address increasing levels of use on the river. Alternative 3 proposed less regulation and more development of dispersed sites (installation of more outhouses, fire rings, etc). This alternative was not chosen because it is inconsistent with BLM policy for management of a river classified as “wild” within the Wild and Scenic River system. Alternative 4 proposed more regulation in order to actively protect resources as well as protect or maintain recreation experiences. While this alternative rated high at maintenance or enhancement of resource values on the river, implementation would be problematic. Several proposed management actions rated low in public acceptability, according to 1999 survey data.

## **D. Decision Rationale**

Alternative 2 presents a balanced approach for long-term management of the Gulkana National Wild River and best meets the purpose and need of establishing levels and distribution of recreational river use. It does this by establishing standards that are based on river user’s tolerances for different impacts on the river, based on 1999 user

survey data. Monitoring and non-compliance with standards will drive the implementation of most management actions, and in most cases less restrictive measures will be phased in prior to taking the most restrictive action.

Some decisions, however, will be implemented immediately after this Decision Record is signed. Generally, these are decisions that were made in the 1983 Management Plan and never implemented. These include:

- Designation of Off-Highway Vehicle (OHV) trails. The 1983 Management Plan calls for OHVs to stay on “existing” trails within the corridor. Existing trails were never defined or marked on the ground and consequently more trails have developed. To be consistent with the 1983 plan as well as ANILCA section 1110(a), specific trails will be designated for OHV use. Specific trails chosen were based on traditional use and on protection of the outstandingly remarkable values of the river. These trails provide access to a federal subsistence hunting area and to the Alphabet Hills beyond the corridor. They were also chosen because they can be maintained to prevent impacts to fisheries, to minimize encounters with river floaters and boaters, and because they do not parallel the river in sight or sound of the river. This plan may be amended in the future to include vehicle weight limitations or seasonal closures on specific trails, consistent with protection of resource values and based on current and traditional use of trails.
- Recommendation to the State to adopt, in their SULD, a powerboat closure on the main stem of the Gulkana 1 mile above it’s confluence with the West Fork. The river would be closed to powerboat use above this point, with the exception of access to private land, administrative use, or emergency use. This is a decision that was made in the 1983 Management Plan and was never implemented as a formal regulation. It remains in place as a BLM recommendation. BLM has worked closely with the State of Alaska, Department of Natural Resources (DNR), during this planning process to encourage that their Special Use Land Designation (SULD) for the river be consistent with this management action. If DNR does not adopt this measure in their SULD, it will remain in place as a BLM recommendation. This decision is necessary to protect the outstandingly remarkable values, specifically a wild and undeveloped environment.

The decision to designate trails for OHVs and not allow cross-country OHV use is necessary to protect outstandingly remarkable values on the river, specifically water quality, a wild and undeveloped environment, and habitat for fish species. This decision is also necessary to comply with the Wild and Scenic Rivers Act as well as BLM’s 8351 manual for management of Wild and Scenic Rivers, which states “motorized travel on land or water could be permitted but it is generally not compatible with this river classification. Normally, motorized use will be prohibited in a wild river area.” ANILCA, however, makes provisions for motorized use in Conservation System Units to allow for traditional activities and access to subsistence resources. The Gulkana National Wild River corridor is a federal subsistence hunting area and it provides the only feasible route for overland access to millions of acres of State and State-selected lands. BLM

will continue to provide motorized access, managed to minimize impacts to the river experience.

Some decisions deviate from the proposed action and these are described below:

- Moving a group size limit of 12 from a Phase II to a Phase I action. BLM has seen a recent (past five years) influx of larger groups (20-40) using the river. These groups, even if sensitive to minimum impact camping techniques, can impact dispersed campsites. Most dispersed sites are not large enough to accommodate a large group. Consequently, dispersed sites develop social trails and satellite sites. Encountering a large group on the river, either while camping or boating, is not consistent with maintaining the wild and undeveloped character of the river. The 1999 Gulkana User Survey showed wide support for this management measure.
- Not implementing a regulation to require Off Highway Vehicle users to park out of sight of the river. Trail management in the corridor will encourage parking out of sight of the river by developing OHV parking areas and campsites out of sight of the river. OHV parking and use in sight of the river will be discouraged by closing non-designated routes that access or parallel the river.
- Not recommending a seasonal powerboat closure 17 miles up the West Fork. This decision is based on the current level of powerboat use above this point, which is light and not anticipated to change in the next 10-15 years. Factors that contribute to the current light levels of powerboat use include: a) low king salmon run; and b) low water and meandering river channel, making access seasonally difficult with a powerboat. These factors will not change over time.
- Recommending to the State a seasonal (5/15 – 8/15) closure to airboats on all segments of the river within the Gulkana National Wild River corridor. This recommendation is based on the strength of public comments supporting such a measure, as well as the results of the 1999 River Users survey, which showed wide support for this measure. Airboats can be heard for miles on the river, and as they get closer to a floater or powerboater, noise levels become deafening. Use of these boats is clearly inconsistent with management for a wild classification and does not maintain the wild and undeveloped character of the river.

Part B of the Alternatives chapter of the Environmental Assessment describes actions common to all alternatives which will be adopted by this Decision Record and included in the revised management plan. In general, these actions are non-controversial or represent minimal change from the management prescribed in the 1983 Gulkana River management plan. Any changes from the 1983 management were made to strengthen protection of the outstandingly remarkable values. Effects are described in Chapter 4 of the Environmental Assessment.

In general, this Decision Record and revised Gulkana River Management Plan represent a balance between more restrictive measures and a “hands off” approach that would result in negative impacts to the outstandingly remarkable values. The balance has been achieved through intensive public involvement, the river survey, and very

close coordination with the State of Alaska. Implementation of this decision through revision of the 1983 Gulkana River Management Plan will continue to require close coordination with the State and with Ahtna Native corporation. The BLM is committed to developing a cooperative management agreement with the State to assist in implementation of the revised Gulkana Plan and the State's Special Use Land Designation.

## **E. Public Involvement**

Public involvement has been extensive and is described in detail in the Final EA. Eleven comments were received on the Draft EA. Nine were supportive of the management actions proposed. Four of the nine felt that stronger measures should be taken to protect outstandingly remarkable values on the river, including a ban on airboats. The two comments opposing proposed actions focused on powerboat restrictions.

## **F. Changes made between the Draft EA and the Final EA**

A Draft Environmental Assessment was made available for public review and comment in January of 2004. Changes were made to the Draft based on comments from the public, the State of Alaska, and BLM specialists. Changes are highlighted in the Final EA in red text. Major changes include:

- Eventual removal of pit toilets, once human waste standards are consistently being met.
- Replacing a voluntary registration system with a voluntary camp reservation system in Phase I management actions. This change was based on the registration system being problematic to implement and anticipated low participation in a voluntary registration system.
- Changes were made to emphasize water quality monitoring.
- Designation of specific trails for OHV use. This change was made in order to immediately implement designation of trails and thus comply with ANILCA and the Wild and Scenic Rivers Act (and BLM's 8351 Manual).
- Additions to Chapter 4 (Environmental Effects) to emphasize effects from designation of specific OHV trails.
- Editorial comments to clarify or emphasize certain points.

## II. FINDING OF NO SIGNIFICANT IMPACT

Based on the analysis of potential environmental impacts contained in the Environmental Assessment, I have determined that impacts are not expected to be significant and therefore, an environmental impact statement is not required.

Specifically, analysis within the Environmental Assessment concluded the following for the proposed action's effects on outstandingly remarkable values on the river:

- **Water quality:** The proposed action would designate OHV trails to eliminate unauthorized river crossings; implement a system for rehabilitation of heavy and moderate use campsites; require packing out of human waste (if necessary based on monitoring of standards); and limit powerboat use in some areas. Together, these actions would improve water quality over existing conditions and there would be no significant impact to water quality from implementation of these actions.
- **A wild and undeveloped environment:** The proposed action would designate OHV trails in order to minimize exposure of river floaters to OHVs. It would implement a permit system, if necessary, based on monitoring of standards, that would reduce encounters on the river, particularly at campsites. It would take measures through education to reduce litter on the river. It would minimize recreation facilities and eventually remove two pit toilets from the upper river. Together, these actions would maintain the existing primitive, semi-primitive, or semi-primitive motorized experiences on the river and would not have a significant impact on the wild and undeveloped character of the river.
- **Fish habitat for anadromous and resident species:** See the actions listed above for water quality. In addition, by managing and rehabilitating some dispersed campsites and by potentially limiting floater numbers in the future, the proposed action presents an improvement over existing conditions, protects quality of fish habitat, and would have no significant impact on fish habitat.
- **Diversity of experiences:** By designating OHV trails and recommending the limiting of powerboat use on some segments of the river, the proposed action maintains a diversity of recreation experiences on the river without significantly or unreasonably restricting access.
- **By minimizing construction of recreational facilities and managing the river corridor as a Visual Resources Management Class I,** the proposed action will ensure protection of scenic values on the river. There would be no significant impact to scenic resources from the proposed action.

July 21, 2006

---

Ramone Baccus McCoy  
Field Manager

Date

### III. APPEAL

This decision may be appealed to the Board of Land Appeals, Office of Hearings and Appeals, Office of the Secretary, in accordance with the regulations in Title 43, Code of Federal Regulations (CFR), Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (Bureau of Land Management, P.O. Box 147, Glennallen, Alaska 99588) within 30 days of the receipt of this decision. The appellant has the burden of showing that the decision appealed is in error.

If you wish to file a petition (pursuant to regulation 43 CFR 4.21) for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

#### Standards for Obtaining a Stay:

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant's success on the merits;
3. The likelihood of the immediate and irreparable harm if the stay is not granted,  
and
4. Whether the public interest favors granting the stay.