United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Eastern Interior Field Office
1150 University Avenue
Fairbanks, Alaska 99709-3844
http://www.blm.gov/ak

In Reply Refer To: FF-093982

CATEGORICAL EXCLUSION /PLAN CONFORMANCE DOCUMENTATION AND DECISION
For Long Term Campsite FM36.0R

DOI-BLM-AK-02000-2012-0019-CX

Proposed Action: Renewable Minimum Impact Land Use Permit (43 CFR 2920.06)

Date of Proposed Action: May 1, 2012 through April 30, 2015

Location: SE1/4/SE1/4, Sec.20 T7S. R34E FM (36.0R)

Applicant: Rudd VanDyne
P.O. Box 110
Eagle, AK 99738

Serial Number: FF093982

Description of Proposed Action:
Rudd Vandyne submitted an application requesting a Long-Term Campsite (LTC) on the Main Stem of the Fortymile River. The site is located at36.0 river miles downstream of the headwaters of the Main Stem on the right bank. The site is an improved LTC and has been used in the past by suction dredge miners for camping to support their state riverbed mining operations.

The site is described as SE1/4/SE1/4, Sec.20 T7S. R34E FM (36.0R) on the right bank of the Main Stem of the Fortymile River facing downstream. The site is less than one acre in size.

An alternative site is described as SW1/4, Sec.19, T7S. R32E FM (FM 13.0R) on the right bank of the Main Stem of the Fortymile River facing downstream. The site is less than one acre in size and has been used in the past as a Long-Term Campsite.

An alternative site is described as SE1/4SW1/4,Sec.19 T7S. R34E FM (FM 35.0R) on the right bank of the Main Stem of the Fortymile River facing downstream. The site is less than one acre in size and has been used in the past as a Long-Term Campsite.

The applicant will use one of the sites for camping and equipment storage, limit occupancy of the site to three people, and have a tent for cooking, tents for sleeping, a pit toilet, and a pit cooler. Access will be by watercraft from the Fortymile River Bridge.

Land Use Plan Conformance

This proposed action has been determined to be in conformance with the following land use plans:

- Fortymile River Management Plan
  Date Approved/Amended: 10/11/1983.

  The proposed action is in conformance with Item 6 (pp.49-50) "Long term camping in the river corridor will be authorized by permit. Camping will be subject to such provisions as necessary to protect scenic, recreational, fish and wildlife and other values of the river area".

- Land Use Plan Name: Fortymile Management Framework Plan
  Date Approved/Amended: 9/08/1980.

  The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP objective under Lands-(1), "Make lands available for intensive use and public purposes".

- The preferred alternative in the Draft Easter Interior Field Resource Management Plan, February 2012 Indicates the BLM's likely future management direction for authorizing campsites for suction dredge mining in the Fortymile. The draft RMP directs the BLM to, "Allow Long-term camping for commercial purposes (such as camping in association with mining on state mining claims) in the "scenic" and "recreational " segments of the Fortymile WSR, but not the "wild" segments."

Compliance with NEPA:
This proposed action qualifies as a categorical exclusion under 516 Departmental Manual (DM), 11.9, Appendix 4, E (16), BLM Handbook H-1790-1,which states "Acquisition of easements for an existing road or issuance of leases, permits, or rights-of-way for the use of existing facilities, improvements, or sites for the same or similar purposes". None of the exceptions in 516 DM Chapter 2, Appendix 2, apply, as reviewed here:

The proposed action must be screened against the extraordinary circumstances found in 43 CFR 46.215 and listed below. Any "yes" finding requires that an Environmental Assessment or Environmental Impact Statement be prepared for the Proposed Action.

EXTRAORDINARY CIRCUMSTANCES	YES/NO
1) May have significant impacts on public health or safety.	No
2) May have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.	No
3) May have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.	No
4) May have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	No
5) Might establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	No
6) May have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	No
7) May have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.	No
8) May have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	No
9) Might violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	No
10) May have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	No
11) Might limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).	No
12) Could contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).	No

Recommendation

I have found that the Proposed Action is compatible with the Fortymile RMP and MFP, and is an action that can be categorically excluded. The Proposed Action does not trigger any of the Extraordinary Circumstances found in 43 CFR 46.215. I recommend that the Proposed Action be allowed and that an Environmental Assessment or Environmental Impact Statement is not needed.

/s/ Kevan Cooper 5/18/2012
Kevan J. Cooper, Realty Specialist Date
Eastern Interior Field Office

Concurrence
I concur that the above action is in conformance with the Fortymile MFP, does not meet any of the extraordinary circumstances, and qualifies as a Categorical Exclusion.

/s/ Lenore Heppler 6/11/2012
Lenore Heppler Date
Field Manager
Eastern Interior Field Office

Contact Person

For additional information concerning this CX review, contact Kevan J. Cooper, Realty Specialist Eastern Interior Field Office, at 907-474-2316.