U.S. Department of the Interior
Bureau of Land Management
Eastern Interior Field Office
1150 University Ave
Fairbanks, Alaska 99709

ENVIRONMENTAL ASSESSMENT

Gordon and Kathy Moore
Travel with Tracked Vehicle across BLM-Managed Lands on an Established Public Use Trail

DOI-BLM-AK-F020–2012–0021–EA

Located in:

Copper River Meridian, Township 24 North, Range 16 East, sections 1 and 2
Copper River Meridian, Township 24 North, Range 13 East, sections 1 and 2
Copper River Meridian, Township 25 North, Range 13 East, sections 34, 35 and 36

Mitchels Ranch Trail
Fortymile Area, Alaska

Prepared by:

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1. Introduction

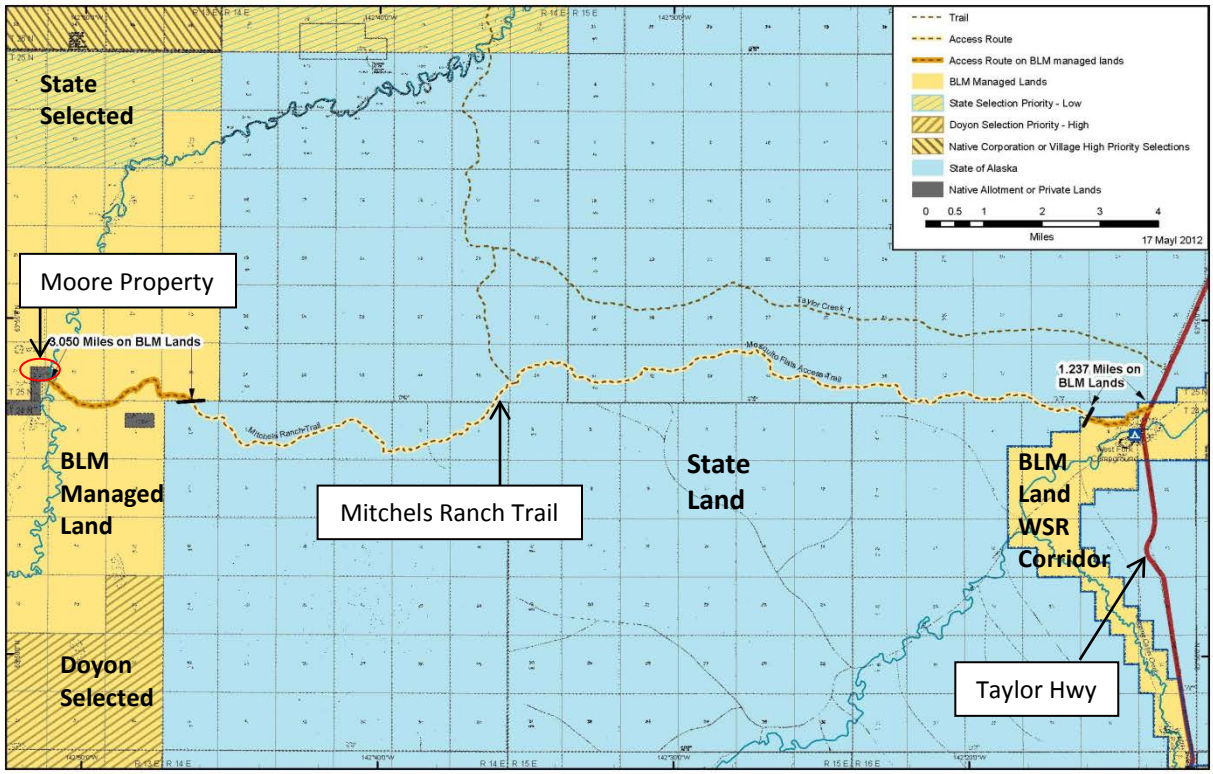
1.1. Background, Location, Land Status, and Land Use Plan Conformance

1.1.1 Background

Gordon and Kathy Moore own a remote parcel near the Mosquito Flats area. Their intent is to build a structure for year-round residency on this parcel. The applicants propose to use their tracked vehicle, a Nodwell, to take in construction material and supplies. While they plan to transport material primarily in the winter, they also want the ability to travel with the tracked vehicle in the summer. They will also use ATVs for travel, so not all travel will be with the tracked vehicle. They have been working with the BLM since early 2011 to obtain an authorization, though it was not until January 2012 that they provided the specific information regarding the tracked vehicle. The State of Alaska issued a land use permit for travel over the portion of the trail on state land. Summer travel is limited to two round trips per month from April 1st to October 31st; winter travel is unlimited. The trail is utilized by other private property owners in the area and is the primary access to the Mosquito Flats during hunting season. There have been reports that there are other tracked vehicle users.

1.1.2. Location

The proposed action is located on an existing public use trail that begins at approximately milepost 49 of the Taylor Highway and extends approximately 24 miles westward to the applicant's property, U.S. Survey 11243. The trail is commonly referred to as the Mitchels Ranch Trail. Only 1.2 miles at the beginning and 3 miles at the end of the trail are on BLM-managed lands. The remainder of the access route is located on state land. The specific BLM-managed lands affected are: CRM T24N R16E sec. 1 and 2; CRM T24N R13E sec. 1 and 2; and CRM T25N R13E sec. 34, 35 and 36.



1.1.3. Land Status

The subject lands within CRM T24N R16E, sec. 1 and 2, at the beginning of the trail, are within the Fortymile Wild and Scenic River corridor along the West Fork Dennison Fork segment of the Fortymile River. The subject lands within CRM T24N R13E, sec. 1 and 2, and CRM T25N R13E, sec. 34, 35 and 36, the end of the trail, were withdrawn by Public Land Order (PLO) 5173 in March 1972 to reserve them for selection by Native corporations. That PLO was later amended in 1980 by Public Law 96-487 Sec 906(e) which allowed the State of Alaska to "top file" for future selections. The Moore property is not located within selected lands.

1.1.4. Conformance with Land Use Plan

The proposed action is located within an area that is covered by the Fortymile River Management Plan, approved 10/11/1983, and the Fortymile Management Framework Plan (MFP), approved 9/8/1980.

Per the Fortymile River Management Plan, Management Action 1.5, off-road vehicle (ORV) use, other than vehicles of less than 1500 pounds Gross Vehicle Weight (GVW), will be prohibited without a permit or approved plan of operations. The plan states that the manager will give such rights as may be necessary to assure adequate and feasible surface transportation and access to state or privately owned land, subject to reasonable regulations to protect the natural and other values of the river corridor (ANILCA Section 1110). The proposed action is consistent with the action that allows for access to state and privately owned land.

In the Fortymile MFP, in the Summary of Land Use Decisions and Management Directions, it states that winter use of ORVs weighing less than 6000 pounds GVW will be unrestricted and heavier vehicles will require a permit, except on existing roads and trails, and the use of vehicles off of existing trails in the summer will be limited. While Recreation Activity Objective 4 is "to develop and implement a program for the regulated use of ORVs within the Fortymile resource area," no program has been developed at this time. Although the proposed action is not specifically provided for, it is consistent with Lands Activity Objective 1, which states, "Make lands available for intensive use and public purposes." The proposed action is for a member of the public to use an existing public trail on BLM-managed lands to access private property.

1.2. Purpose and Need

1.2.1. Applicant's Purpose and Need for Proposed Action

The applicant owns a remote parcel with limited access. There is not a runway nearby for access by airplane, nor is the property accessible by boat. The area is accessed by trails from the Taylor Highway that lead west towards the Mosquito Flats area. There are three trails, the Mitchels Ranch Trail and two winter trails further north. The Mitchels Ranch Trail is aligned along a ridge for approximately the first 17 miles, so while still susceptible to vegetative damage, it is better suited to year round travel than the two winter trails. The Moores need to use the Mitchels Ranch trail to access their parcel, and in order to construct a year-round residence they need to take in construction materials and supplies. This cannot be done with an ATV, which would be considered casual use. The tracked vehicle is

needed to haul building materials and supplies. According to the applicant, the tracked vehicle would also provide the applicant with a more reliable means of transportation during varying conditions throughout the year. The applicant's purpose is to obtain a right-of-way grant from BLM to access their private property with a tracked vehicle in order to haul in material.

1.2.2. BLM's Purpose and Need

The purpose for action is for BLM to issue a right-of-way grant to Gordon and Kathy Moore to travel with a tracked vehicle across BLM-managed land along an existing public use trail to haul construction material and supplies to their private property in a manner that protects the natural resources of public lands and prevents unnecessary or undue degradation. The BLM manages and administers the use of federal public lands and resources in the Eastern Interior of Alaska and is obligated to respond to applications for legitimate use of those lands and resources. The need for action is established under the authority of Title V of the Federal Land Policy and Management Act (FLPMA) of 1976 and the regulations found in 43 CFR 2800. In accordance with Sec. 505 of FLPMA and the regulations found in 43 CFR 2800, it is BLM's objective to grant rights-of-way to any qualified individual, business or government entity and to direct and control the use of rights-of-way on public lands in a manner that protects the natural resources associated with the public lands and adjacent lands, and in a manner that prevents unnecessary or undue degradation to public lands. Gordon and Kathy Moore have filed an application for a right-of-way grant to authorize their travel with a tracked vehicle along an existing public use trail on public lands. The BLM needs to respond to the application under the authority of Section 1110 of the Alaska National Interest Lands Conservation Act of 1980, Title V of the Federal Land Policy and Management Act of 1976 and the regulations found in 43 CFR 2800.

1.2.3. BLM Decision to be Made

The BLM will make a decision whether or not to issue Gordon and Kathy Moore a right-of-way grant to authorize their use of a tracked vehicle on an existing trail where it crosses BLM-managed lands. The BLM will also determine the mitigation measures necessary to prevent undue and unnecessary degradation of the resources and to protect the natural and other values of such lands.

1.3. Scoping Issues (Potential Issues)

1.3.1. Internal Scoping

Internal scoping involved the Eastern Interior Field Office Interdisciplinary Team. The Valued Environmental Components (VEC) matrix was used to identify issues for analysis. The following components were evaluated: access/travel management; air quality; areas of critical environmental concern; cultural resources; environmental justice; essential fish habitat; farm lands; fire management; floodplains; invasive, nonnative species; mineral resources; Native American religious concerns; recreation; socioeconomic; soils; subsistence; threatened or endangered species; vegetative resources; visual resources; wastes, hazardous or solid; water quality, surface or ground; wetlands/riparian zones; wild and scenic rivers; wilderness characteristics; aquatic wildlife; and terrestrial wildlife. Of the components evaluated, the following components were identified for analysis: access/travel management and recreation. See Section 4, Environmental Effects, for analysis of impacts identified and mitigation measures proposed.

Internal scoping identified 12 components where travel with a tracked vehicle would have a negligible impact. These areas were discussed during the interdisciplinary team process and determined to not warrant further analysis for this action.

1.3.2. External Scoping

The proposed action is not likely to cause any public concern or controversy given the established use of this trail by a variety of users; therefore, no external scoping was conducted beyond posting on the BLM NEPA Register and notifying the State of Alaska, Department of Natural Resources (DNR) that a right-of-way grant application had been received by the BLM. DNR has already issued an authorization to Gordon and Kathy Moore for travel across state managed lands with a tracked vehicle.

2. Proposed Action and Alternatives

2.1. Proposed Action

The proposed action is for BLM to issue a right-of-way grant, with the appropriate mitigation measures, to Gordon and Kathy Moore to travel with a tracked vehicle across BLM-managed land along an existing public use trail to haul construction material and supplies to their private property. The use of a tracked vehicle, which exceeds 1500 pounds Gross Vehicle Weight Rating (GVWR), on an existing trail on BLM-managed land is beyond the scope of casual use and requires an authorization. The Moores propose traveling with their tracked vehicle from mile 49 of the Taylor Highway west along the Mitchels Ranch Trail to their private property located just north of Mitchels Ranch along the Mosquito Fork. The initial portion of the trail (1.2 miles) and the last section of trail (3.0 miles) are on land managed by the BLM. The remainder of the trail (approximately 20 miles) is on state managed land. They will need to cross the Mosquito Fork near their property. Minimal trail maintenance to include brush clearing and the laying of logs over wet conditions may be authorized in the future after consultation with the BLM. While they initially proposed year-round, unlimited travel, they later changed the proposed action to two trips per month during the summer, from April 1 through October 31. This would correspond with the terms of the permit they received from the state. Their tracked vehicle is a Nodwell Tracked Carrier, Model RN110, Series II. The specifications are as follows: weight 11,650 lbs. with a load capacity of 11,000 lbs. for a total weight of 22,650 lbs.; ground pressure loaded 2.1 PSI; width with tracks 109 inches; height 106 inches; and length 231 inches. They would like to travel as soon as they are able to receive an authorization. The right-of-way grant would be issued for 5 years.

2.2. No Action Alternative

The no action alternative would result in the applicant not being able to access their private property using this travel corridor with a vehicle of such size that would allow them to transport construction materials or supplies. This would not meet the applicant's purpose and need, nor would this meet the purpose and need for BLM, which has the objective of granting rights-of-way to any qualified individual, business, or government entity.

2.3. No Summer Travel Alternative

The no summer travel alternative would prohibit summer travel with the tracked vehicle. Travel would be unlimited from November 1st through March 31st or when 6 inches of snow and 12 inches of ground frost exist.

2.4. Alternatives Considered but not Analyzed in Detail

Alternate routes. There are two other possible routes that could be used. There is an old trail north of the Mitchels Ranch Trail identified as a winter trail on the USGS topographical map. The trail is primarily located within unnamed creeks that drain east into the West Fork Dennison Fork and west into the Mosquito Fork. This area would be more susceptible to damage due to soils and vegetation located in low wetlands. The trail also does not go directly to the Moore property and therefore would require off trail cross-country travel which would have additional impacts.

The other route would utilize the historical Ketchumstuk Winter Trail which is also identified as a winter trail on the USGS topographical map. This trail is north of the previously mentioned trail. According to state records it was a portion of the trail along the Washington-Alaska Military Telegraph System, built by the U.S. military. The route was used as an access and supply route for Ketchumstuk and mining activities in the area. This trail is also partially located within a river drainage, Taylor Creek which flows into the West Fork Dennison Fork. While the west half of the trail is located on a ridge, its terminus is at the Mosquito Fork. The applicant would then need to travel south approximately 13 miles along another trail, the Tanacross-Ketchumstuk Trail which generally follows the Mosquito Fork. According to state records the Ketchumstuk-Tanacross Trail was a part of the Valdez-Fort Egbert Trail. This alternative is the least direct route and involves travel along the Mosquito Fork. While this section of the Mosquito Fork is not within the Wild and Scenic river corridor, it would still involve travel within wetlands and riparian areas which are more sensitive to disturbance. This alternate route would result in additional impacts beyond those of the proposed route.

Both alternate routes, which are considered winter trails, would be significantly impacted by the proposed summer use and it would be difficult to identify mitigation measures, beyond denying summer access, that would prevent undue and unnecessary degradation of the resources; therefore the alternative routes will not be analyzed further.

3. Affected Environment

3.1. Proposed Action

3.1.1. Recreation

The Mitchell Ranch Trail is one of the more popular motorized trails in the lower Fortymile area. The trail offers an excellent opportunity for motorized hunters and trappers to venture off the highway system with their hunting and trapping endeavors. There is virtually no non-motorized use occurring on this trail. Nearly 90% of the summer motorized use occurs during hunting season; the last week of August/first two weeks of September and the trail may receive as many as 20 passes per day. Winter use is generally by typical snowmachine type vehicle and averages two-three passes per week.

3.1.2. Travel Management

As mentioned in 3.1.1., the Mitchell Ranch Trail is one of the more popular motorized trails in this area. The first section on BLM managed lands is well established and on generally very suitable soils for trail establishment. The last three miles of the proposed action ending at the in-holding is generally not on as suitable soils for trail purposes. This section of the trail appears to be located more on perma-frost type soils. Typical characteristics of trails in these types of conditions are evident on this section including standing water on the trail and braided or multiple trails in some of the worst sections.

4. Environmental Effects

4.1. Proposed Action

4.1.1. Travel Management

4.1.1.1. Indirect and Direct Effects

Overall both the direct and indirect effects should not be significant with a slight increase in use and by this type of vehicle proposed. Minor effects that may occur will likely be on the last three miles of the trail managed by BLM. These effects could occur during the early part of the summer season. During this time thaw depths are typically very shallow with thin highly saturated soil and vegetation on top. This leads to significant hydraulic action in this layer which can result in displacement of soil and vegetation and wave action that can widen the impact.

4.1.1.2. Cumulative Effects

Cumulative effects of this action could lead to a further increase in use of this trail and ultimately a closure if damages reach a certain threshold or increased maintenance needs if BLM chooses to do so.

4.1.1.3. Mitigation and Residual Effects

Mitigating measures include a Spring Avoidance Period of May 15 to June 15; and possibly during periods of high precipitation in the area, as needed and communicated with the applicant. Avoidance of the known wet periods and conditions of high precipitation will reduce any residual effects to a negligible level.

4.1.2. Recreation

4.1.2.1. Indirect and Direct Effects

The indirect effect of this action on recreation would be to have vehicles larger than the allowed use limitations using the trail. This permitted use of the trail by larger vehicles could lead to the unintended and un-authorized use of other large vehicles on the trail. Other users seeing this Nodwell may assume that larger vehicles are allowed and not realize a permit is required.

Direct effects to recreation are not anticipated to be significant. Some widening and compacting of the trail may occur improving the trail and the development of additional muddy sections and unevenly aligned “rut” formations may occur negatively impacting the condition of the trail.

4.1.2.2. Cumulative Effects

The Cumulative effects of this action to recreation are not expected to be significant. A small increase in over-all use is expected. This may lead to an over-crowded feeling during hunting season and an expansion of the current undeveloped trail system in the area.

4.1.2.3. Mitigation and Residual Effects

Recommended mitigation for indirect impacts to recreation include the requirement that larger permitted vehicles clearly display a copy of the authorization that they are allowed to be there. This should clearly convey the message (to anyone who has an interest) that use of larger vehicles requires a permit and reduce the effects of other unauthorized users traveling along the trail.

4.2. No Summer Travel Alternative

4.2.1. Travel Management

4.2.1.1. Indirect and Direct Effects

This alternative would have no impacts on Travel Management.

4.2.1.2. Cumulative Effects

Same as 4.2.1.1

4.2.1.3. Mitigation and Residual Effects

No mitigation necessary.

4.2.2. Recreation

4.2.2.1. Indirect and Direct Effects

With no summer use allowed, no impacts are anticipated for recreation.

4.2.2.2. Cumulative Effects

Same as 4.2.2.1

4.2.2.3. Mitigation and Residual Effects

No mitigation or Residual effects are anticipated.

4.3. No Action Alternative

4.3.1. Travel Management

4.3.1.1. Indirect and Direct Effects

No impacts are anticipated for Travel Management.

4.3.1.2. Cumulative Effects

Same as 4.3.1.1

4.3.1.3. Mitigation and Residual Effects

No mitigation or Residual effects are anticipated.

4.3.2. Recreation

4.2.2.1. Indirect and Direct Effects

No impacts are anticipated for recreation.

4.2.2.2. Cumulative Effects

Same as 4.2.2.1

4.2.2.3. Mitigation and Residual Effects

No mitigation or Residual effects are anticipated.

5. Tribes, Individuals, Organizations, or Agencies Consulted

Gordon and Kathy Moore, Applicant

AJ Wait, State of Alaska, Department of Natural Resources
Division of Mining, Land and Water – Lands Section, Permits & Easements

Jeff Gross, State of Alaska, Department of Fish & Game

6. List of Preparers

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List of Attachments

Attachment A – Stipulations Generated by Environmental Assessment
Attachment B – Assessment of Archeological, Historical, and Paleontological Resources
Attachment C – Compliance with ANILCA Section 810 Evaluation and Findings

/s/ Vic Wallace _____ August 22, 2012
Vic Wallace Date
Realty Specialist, Preparer