

DETERMINATION OF NEPA ADEQUACY (DNA)

**U.S. Department of the Interior
Bureau of Land Management**

OFFICE: Eastern Interior Field Office LLAKFO2000

CASEFILE/PROJECT NUMBER: DOI-BLM-AK-FO20-2012-0027-DNA

LOCATION/LLEGAL DESCRIPTION: BLM Claim No. FF054308, Jack Wade Creek Claim Block, T27N R20E, Section 17, Copper River Meridian

APPLICANT: Five Prospectors LLC

A. Description of the Proposed Action and Any Applicable Mitigation Measures

Five Prospectors LLC has submitted a Plan of Operations requesting authority to suction dredge mine on BLM Claim No. FF054308 located in the Jack Wade Creek Claim Block.

The applicant plans to use two suction dredges, one suction dredge will be comprised of a 5-inch nozzle powered by a 5.5Hp twin engine and a second suction dredge will utilize a 3.5-inch nozzle powered by a 5.5Hp engine. The General Schedule of Operations falls between May and September for 60 days of sluicing with 1 to 30 cubic yards (CY) of material processed daily and 900 to 1,800 CY annually. The total volume of fuel stored in 55 gallon or larger containers is 220 gallons and in most cases fuel will be in 6 gallon containers kept in vehicles or trailers. The fuel will be stored a minimum distance of 100 feet from flowing waters and lined fuel containment berms will be constructed where necessary. The BLM will not require a Monitoring Plan for this sluicing operation because it does not involve the use of settling ponds or a stream by-pass.

The applicants Reclamation Plan proposes conducting reclamation concurrent with mining activity for less than 1 acre of annual disturbance. Access will be by Taylor Highway, old highway alignments, old mine access trails and short newly constructed mine trails. The occupancy will consist of three seasonal travel trailers, several storage trailers and three tents. Campers will be used for sleeping and cooking and trailers will be used for storage. Pit toilets, conforming to all applicable regulations, will be offset from bodies of water by 100 feet minimum and will be temporary, and filled at each end of season's departure from the claim. The BLM does not require an Interim Management Plan for this level of operation because seasonal

shutdown has little to no effect on the environment for the level of mining conducted under this operation.

The proposed Plan of Operations is considered a minor modification to previously authorized activities. The proposed mining will take place on previously disturbed ground and is consistent with the type of activities allowed in the current EA; the only exception is, if approved, this request would exceed the number of operations allowed per season. In examining the entire claim block, the existing disturbance of 15 acres is currently well under the 40 acres/season threshold. One additional acre of disturbance would not significantly increase the potential for undue and unnecessary damage to the environment.

The Decision Record for Environmental Assessment (EA) number Ak-026-02-061 that allows this action limits the number of operations in a season to four and the cumulative number of acres disturbed in a season to 40. Allowing this action would increase the number of approved operations from six to seven and increase the cumulative area disturbed in a season from 15 to 16 acres.

B. Land Use Plan (LUP) Conformance

LUP Name: Fortymile Management Framework Plan (MFP)

Date Approved: 9/8/80

The proposed action is in conformance with the Fortymile MFP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions): The Fortymile MFP addresses developing mineral deposits and access to mineral deposits, but does not specifically address the location of the Jack Wade Creek claim block by name. The MFP was written with the goal of providing the most appropriate management, in accordance with principals of multiple use.

The MFP addresses mining on Jack Wade Creek in general terms as explained under the Activity M-5.1, "Recommendation: When the Surface Management Regulations for mining are finalized, plans of operations and environmental assessment reports will be required on all mining operations which have significant impact on the environment".

C. Identify applicable NEPA documents and other related documents that cover the proposed action.

The following NEPA document(s) cover the proposed action:

Umbrella Environmental Assessment 43 CFR 3809 and 3715 Plan of Operations and Use and Occupancy Wade Creek Claim Block, EA Log Number Ak-026-02-06
Date Approved: 5/30/2002

Fortymile River Placer Mining Final Cumulative Environmental Impact Statement, U.S. Department of the Interior, Bureau of Land Management
Date Approved: 1988

Other documentation relevant to the proposed action (e.g. biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report):

Assessment of Archaeological and Historic Resources
Date: 4/07/04 Robin Mills, Archaeologist BLM

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

The proposed action is similar in nature to those examined in EA Log No. Ak-026-02-061 (hereafter referred to as the existing EA). The project area is Jack Wade Creek which is the area analyzed in the existing EA. The mining methods for this Plan of Operations are consistent with several currently approved operations which were analyzed under the existing EA. Mitigation measures will be consistent with those outlined in the Decision Record for EA Log No. Ak-026-02-061 based on the section Description of Mitigation Measures and Residual Impacts. Additional mitigation measures are not necessary for this request because the potential for impacts beyond those outlined in the existing EA are unlikely.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?

The range of alternatives analyzed in the existing NEPA document is appropriate with respect to the proposed action. The existing EA allows for the proposed type and scale of mining planned by this proposed action. The existing EA did not address other alternatives; however, the small scale suction dredging and sampling to be conducted by this operation is well under the more intrusive types of mining allowed under the existing EA.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

Based on internal review and scoping of the proposed action by BLM resource specialists, there is no new information or circumstances currently recognized that would change the analysis of this proposed action.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

The proposed Plan of Operations is consistent with the type of activities examined in the existing EA. Quantitatively the only exception is, if approved, this request would cause the number of operations allowed to go from 4 to 7 per season. Qualitatively, in examining the entire claim block, the 40 acres/season of disturbance allowed in the EA is well above the current average of 15 acres/season. Adding the proposed 1 acre of disturbance is still far below the 40 acre/season threshold and would result in no significant increase to the potential for undue and unnecessary damages to the environment.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

The public involvement and interagency review associated with the existing EA is adequate. In addition, the proposed action is available to the public for review on the Eastern Interior Field Office NEPA register and the final DNA and Decision Record will also be posted to the NEPA register when completed.

E. Persons/Agencies/BLM Staff Consulted

Name	Title	Resource/Agency Represented
<u>Persons/Agencies Consulted</u>		
Five Prospectors	LLC Owner/Operator	Applicant Public
Ruth Gronquist	Wildlife Biologist	Invasive, Nonnative Species, Vegetative Resources Threatened/Endangered Species, Subsistence, Wildlife/Terrestrial BLM
Jason Post	Fisheries Biologist	Essential Fish Habitat, Wildlife/Aquatic BLM
Kevan Cooper	Realty Specialist	Visual Resources BLM
Robin Mills	Archeologist	Cultural Resources, Native American Religious Concerns BLM
Dianna Leinberger	Realty Specialist	Lands BLM
Ben Kennedy	Hydrologist	Air Quality, Floodplains, Water Quality, Wetlands/Riparian, Soils BLM
Collin Cogley	Outdoor Recreation Planner	Fire Management, Recreation, Travel Management, Wild and Scenic Rivers BLM
Rebecca Hile	Physical Scientist	Wastes, Hazardous or Solid BLM
Matthew Reece	Geologist	Mineral Resources BLM
Holli McClain	Outdoor Recreation Planner	Wilderness Characteristics BLM

*Note: Refer to the EA for a complete list of team members participating in the preparation of the original environmental analysis or planning documents.

F. Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable LUP and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

M Gu For 8/1/2012

Project Lead Date

Patrick Miller

Jeanie Cole 7-31-2012

NEPA Coordinator Date

Jeanie Cole

Michelle Ethun acting for: 7/31/12

Responsible Official Date

Lenore Heppler