



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Anchorage Field Office  
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Anchorage, Alaska 99507-2591  
<http://www.blm.gov/ak>

## CATEGORICAL EXCLUSION (CX)

### A. BACKGROUND

**Project Name / Type:** Seldovia 17(b) Easement Marking

**NEPA Register Number:** DOI-BLM-AK-010-2013-0005-CX

**Case File Number:** AA-6701-EE

**Location / Legal Description:** T. 9 S., R. 14 W., and T. 10 S., R. 14 W.,  
Seward Meridian

**Applicant (if any):** N/A

**Description of Proposed Action:** The Bureau of Land Management proposes to post up to twelve metal easement signs either on trees or carsonite posts at strategic helicopter accessible locations along a six-mile easement, EIN 19 C5. The easement runs alongside the Seldovia River to Seldovia Lake.

### B. LAND USE PLAN CONFORMANCE

**Applicable Land Use Plan:** Ring of Fire Resource Management Plan, March 21, 2008

The proposed action is in conformance with plan because it is specifically provided for in the following planning decisions:

**The Proposed Action is addressed by I-2l: FLPMA Easements which states:**

Each easement will be subject to case-by-case evaluation per 43 CFR 2920.7 and would contain terms and conditions mitigating impacts and protecting the environment and public health and safety.

#### 1. 17(b) Easements

The BLM will continue to manage 17(b) easements reserved in patents and interim conveyances to ANCSA corporations. The BLM will transfer administration of 17(b) easements to the National Park Service and the U.S. Forest Service when those easements access Conservation System Unit (CSU) lands or when the easements are wholly within

the boundaries of the CSU. The BLM will continue to identify, sign, monitor and map, and realign 17(b) easements with priority based on:

- Easements accessing lands permanently managed by the BLM or important to BLM programs
- Easements receiving high public use
- Easements required to implement an activity plan
- Easements where the land owner supports the activity allowed by the easement
- Easements where signing and education would mitigate damage to the easement or to BLM-managed lands

**C. CATEGORICAL EXCLUSION**

ANCSA 17(b) easements are considered eligible for inclusion in the land use plan or transportation plan.

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with United States Department of the Interior 43 CFR 46.210(j) or United States Department of the Interior Manual, Part 516, Chapter 11, which provides:

G. Transportation

2. Installation of routine signs, markers, culverts, ditches, waterbars, gates, or cattleguards on/or adjacent to roads and trails identified in any land use or transportation plan, or eligible for incorporation in such plan.

**D. EXTRAORDINARY CIRCUMSTANCES**

The proposed action must be screened against the Extraordinary Circumstances found in 43 CFR § 46.215 (listed below). Any “yes” finding requires that an Environmental Assessment or Environmental Impact Statement be prepared for the Proposed Action.

<b>EXTRAORDINARY CIRCUMSTANCES</b>	<b>YES/NO</b>
1. Have significant adverse impacts on public health or safety.	No.
2. 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. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	No.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	No.
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	No.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	No.

7. 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. 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. Violate Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	No.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	No.
11. 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. Contribute to the introduction, continued existence, or spread of weeds or non-native invasive species known to occur in the area or 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.

The following stipulations are included in order to protect potential cultural resources in the area:

- Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery shall be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder shall be responsible for the cost of evaluation and any decision as to proper mitigation measures shall be made by the authorized officer after consulting with the holder.
- If in connection with operations under this authorization, any human remains, funerary objects, sacred objects or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (P.L. 101-601; 104 Stat. 3048; 25 U.S.C. 3001) are discovered, the holder shall stop operations in the immediate area of the discovery, protect the remains and objects, and immediately notify the authorized officer. The holder shall continue to protect the immediate area of the discovery until notified by the authorized officer that operations may resume.

#### **E. SIGNATURE**

The proposed action is in conformance with the applicable land use plan and is an action that can be categorically excluded. The Proposed Action does not trigger any of the Extraordinary Circumstances found in 516 FM Chapter 2, Appendix 2. I recommend that the Proposed Action be allowed and that no further environmental analysis is required.

/s/ Nikki Moore

November 13, 2012

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Nikki Moore  
Anchorage Field Manager, Acting

Date