

Premier Alaska Tours, Inc.

Decision Record - Memorandum

Compliance

Subject lands are covered under the Utility Corridor Resource Management Plan, which was approved on January 11, 1991; the action has been reviewed for and is in conformance with Chapter Two of the Plan (pages 2-26 and 2-27) and also implementing action #1 under Recreation Program Objective 2 found in Appendix N (page N-19) which states “Process Special Recreational Permit applications for all commercial and competitive events on a case-by-case basis;” and the Recreation Area Management Plan for the Dalton Highway which was approved on October 11, 1991.

These lands and recreation sites are within the Dalton Highway Recreation Management Area (DHRMA) and described in the Dalton Highway Recreation Management Plan (1991).

Selected Action

It is my decision to approve a 2930 Special Recreation Permit for the use of BLM lands by Premier Alaska Tours, Inc., for tours on BLM lands in the Dalton Highway Corridor Management Area from January 1, 2013 through December 31, 2017. Activities will include use of BLM waysides and recreation sites with the primary activity being motor coach tours for sight seeing.

1. Authorizing this Proposed Action will facilitate an acceptable and permitted practice by the BLM and is compatible with the Utility Corridor Resource Management Plan, and is an action that can be categorically excluded. The Proposed Action does not trigger any of the Extraordinary Circumstances found in 43 CFR 46.21 516 DM Chapter 2, Appendix 2. In addition, the decision to process this application as a Categorical Exclusion falls within the guidance provided in Appendix 4 NEPA Handbook Appendix 4, 516 DM 11.9 (H) 1, as described above in ‘Compliance with NEPA’.

Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with the NEPA Handbook Appendix 4, 516 DM 11.9 (H), which states, “Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan.”

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.

Public Involvement:

Unsolicited favorable comments have been received in this office about Premier Alaska Tours, Inc. and their delivery of travel tours to the Dalton Highway area.

Rationale:

1. Authorizing the permit is specifically provided for in the Utility Corridor Resource Management Plan.

2. The action is categorically excluded and does not trigger any of the extraordinary circumstances found in CFR 46.215.
3. There will be no restriction to subsistence use (See attached ANILCA 810 documentation).
4. There will be no adverse impacts to cultural resources (See attached Assessment of Archaeological and Historic Resources Sec. 106 documentation).
5. There will be no impact on Essential Fish Habitat (see attached EFH determination).

Appeal or Protest Opportunities:

If you choose to protest this decision you must do so within 15 days of the receipt of permit determination. The protest must be filed with and received by the CYFO Field Manager within the allotted time. The protest must present any evidence that would show the decision is in error and should be vacated or modified. Within 15 days of receipt of a timely protest the Field Manager will review any evidence provided by you and forward a recommended final decision to the Fairbanks District Manager. The decision of the District Manager will be the final BLM decision, and may be appealed to the Interior Board of Land Appeals.

This decision may be appealed to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with 43 CFR Part 4 and DOI Form 1842-1. The notice of appeal must be filed in the Bureau of Land Management Central Yukon Field Office within 30 days from receipt of this decision.

Authorizing Official:

/s/ Nichelle Jacobson

Nichelle W. Jacobson
Manager, Central Yukon Field Office

4/23/2013

Date

Contact Person

For additional information concerning this Finding, contact.

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1150 University Ave.
Fairbanks, AK 99709
907/474-2242 or email kegger@blm.gov

COMPLIANCE WITH ANILCA SECTION 810

EVALUATION AND FINDING

Applicant: Premier Alaska Tours, Inc.

Serial No.: FF-095449

NEPA document: DOI-BLM-AK-F030-2013-0010-CX

Location: Dalton Highway Corridor Management Area (DHCMA)

Description of Proposed Action:

The commercial tour operator proposes to provide guided tours of the Dalton Highway using recreation areas, public lands and facilities for business and financial gain. The applicant proposes to transport tourist in the DHCMA by motor-coach with travel beginning and ending in Fairbanks. The operator provides tours primarily during the months of May — September but there is a potential for off-season tours. The specific activities are dependent on the season and weather conditions. Advertised activities include sightseeing tours, wildlife viewing, photography (non-commercial), interpretation of natural and living history, and stops at BLM designated and managed waysides. The dates of the proposed action are from January 1, 2013 – December 31, 2017 for a term of five (5) years.

Date: 12 March 2013

Preparers: David Esse and Jennifer McMillan

EVALUATION

Effect of proposed action on subsistence uses and needs

Fisheries:

Arctic Grayling are common and widely harvested by subsistence users throughout the Koyukuk River drainage. The harvest takes place primarily with hook and line gear during the fall as the grayling move from their headwater summer rearing habitat to deeper wintering areas. Fall harvests using these methods can result in individual subsistence fishers taking hundreds of grayling (Anderson et al. 2004). The proposed action would not alter the distribution, migration or location of harvestable fisheries resources. The proposed action will not create any legal or physical barriers that would limit access by subsistence users of the fisheries resource.

Wildlife:

Species of wildlife suitable for subsistence harvest in the area include moose, bears, caribou, Dall sheep, wolves, furbearers and small game. No wildlife habitat will be altered by the proposed activity. The general public has used the Dalton Highway and associated BLM facilities for years. Issuing this permit will not change the affects of the highway or these facilities on wildlife. Therefore, the proposed action will not appreciably reduce harvestable wildlife resources that are available for subsistence taking on BLM administered lands. The proposed action would not alter the distribution, migration or location of harvestable wildlife resources. The proposed action would not create any legal or physical barriers that would limit subsistence harvest and access.

The area is open for both sport and subsistence harvest, as regulated by the State of Alaska and the BLM. If any restrictions are placed on the harvest of wildlife resources for the management of game populations, subsistence is given preference over sport harvest.

Other Resources:

The proposed action will not appreciably change or impact any other harvestable resources such as wood, water, berries or vegetation.

Availability of other lands for the purpose sought to be achieved:

The only highways that head north to the Arctic Circle from Fairbanks are the Elliot and Dalton Highways. Waysides already exist along these highways. Therefore, there are no other lands are available for this use.

Other alternatives which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes:

There is no substantial evidence that would indicate a significant impact on subsistence will result from the proposed action. No other alternatives were evaluated.

FINDING:

The evaluation concludes that the proposed action will not significantly restrict subsistence uses. No reasonably foreseeable and significant decrease in the abundance of harvestable resources or in the distribution of harvestable resources, and no reasonably foreseeable limitations on harvester access have been forecasted to emerge as a function of the action that is analyzed in this document.

LITERATURE CITED

Anderson, D.B., C.L. Brown, R.J. Walker, and K. Elkin. 2004. Traditional ecological knowledge and contemporary subsistence harvest of non-salmon fish in the Koyukuk River drainage, Alaska. Technical Paper No. 282. Alaska Department of Fish and Game, Division of Subsistence, Fairbanks, AK. 164p.

COMPLIANCE WITH THE MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT – ESSENTIAL FISH HABITAT

EVALUATION AND FINDING

Applicant: Premier Alaska Tours, Inc.

Serial No.: FF-095449

NEPA document: DOI-BLM-AK-F030-2013-0010-CX

Location: Dalton Highway Corridor Management Area (DHCMA)

Description of Proposed Action:

The commercial tour operator proposes to provide guided tours of the Dalton Highway using recreation areas, public lands and facilities for business and financial gain. The applicant proposes to transport tourist in the DHCMA by motor-coach with travel beginning and ending in Fairbanks. The operator provides tours primarily during the months of May — September but there is a potential for off-season tours. The specific activities are dependent on the season and weather conditions. Advertised activities include sightseeing tours, wildlife viewing, photography (non-commercial), interpretation of natural and living history, and stops at BLM designated and managed waysides. The dates of the proposed action are from January 1, 2013 – December 31, 2017 for a term of five (5) years.

EVALUATION:

Effect of proposed action on Essential Fish Habitat:

On BLM managed lands, Essential Fish Habitat (EFH) means the aquatic areas and their associated physical, chemical, and biological properties that are used by salmon. The proposed action would involve sightseeing, aurora viewing, wildlife viewing, hiking, bird watching, photography (non-commercial), fishing for Arctic grayling, and interpretation of natural and living history. None of these activities is anticipated to have any effect on essential fish habitat.

Mitigation which would reduce or eliminate the potential for impacting Essential Fish Habitat: The proposed action would not have any effect on essential fish habitat.

Availability of other lands for the purpose sought to be achieved:

The proposal did not result in the identification of any issues related to the protection of essential fish habitat, therefore no other lands were considered for this proposal.

Determination:

As required by the Magnuson-Stevens Act, the effect of the proposed action on Essential Fish Habitat (EFH) was evaluated and assigned the determination: *No Effect*, and no further EFH consultation is required.

Prepared by: /S/ ____

David Esse; Fisheries Biologist 3/13/12

Wilderness Characteristics Assessment

NEPA Document No.:

DOI-BLM-AK-F030-2013-0010-CX

Case File/Serial No.:

FF095449

Applicant(s):

Premier Alaska Tours, Inc.

Location:

Dalton Highway Corridor Management Area

Proposed Action:

The commercial tour operator proposes to provide guided tours of the Dalton Highway using recreation areas, public lands and facilities for business and financial gain. The applicant proposes to transport tourist in the DHCMA by motor-coach with travel beginning and ending in Fairbanks. The operator provides tours primarily during the months of May — September but there is a potential for off-season tours. The specific activities are dependent on the season and weather conditions. Advertised activities include sightseeing tours, wildlife viewing, photography (non-commercial), interpretation of natural and living history, and stops at BLM designated and managed waysides. The dates of the proposed action are from January 1, 2013 – December 31, 2017 for a term of five (5) years.

Evaluation:

The basis for this evaluation is BLM Manual 6310-Conducting Wilderness Characteristics Inventory on BLM Lands, and BLM Manual 6320 - Considering Lands with Wilderness Characteristics in the BLM Land Use Planning Process, which direct offices to conduct and maintain inventories regarding the presence or absence of wilderness characteristics, and to consider identified Lands with Wilderness Characteristics (LWC) in land use plans and when analyzing projects under the National Environmental Policy Act (NEPA).

Effects on wilderness characteristics on BLM lands within the Utility Corridor are evaluated according to the Nonwilderness Assessment, a special project approved by the BLM Director and conducted by the BLM along portions of the Trans-Alaska Pipeline System (TAPS) corridor in 1980. This assessment identified lands under BLM administration that were considered lacking in the wilderness characteristics as defined by the Wilderness Act of 1964. The assessment was conducted in a manner that met the requirements of Section 603 of the Federal Land Policy and Management Act of 1976 (FLPMA).

The Dalton Highway and Trans-Alaska Pipeline parallel each other for the entire length of the Utility Corridor. The pipeline is 48" in diameter and elevated above ground for much of its length so it is highly visible. The Dalton Highway supplies Alaska's arctic oilfields and supports considerable industrial traffic year-round. These man-made features and associated human activities are highly visible and audible. Permitted activities such as gravel- and gold mining

occur throughout the area and have expanded in some locations. These developments are substantially noticeable and alter the natural character of lands in the Utility Corridor.

The action being considered is located within the Yukon, Prospect, Atigun, and Sagavanirktok Segments of the Nonwilderness Assessment, which covered approximately 2,320,000 acres total in 1980. Portions of this segment meet the 5,000 acre minimum size. However it was determined that these segments did not meet the standards for naturalness due to roads, camps, airfields, pipelines, material sites and associated facilities. These disturbances bisect the entire length of the segment.

FINDING:

The proposed action will not occur on lands identified as having wilderness characteristics and therefore will not affect wilderness characteristics.

Type of Assessment/Sources:

- U.S. Department of Interior, BLM, 1980. Nonwilderness Assessment: The Alaska Natural Gas Transportation System, Final Decision. Anchorage, Alaska
- maps, GIS data, Google Earth images

Prepared by: Lisa Shon Jodwalis, Park Ranger-Interpretation

Date: March 19, 2013