

Decision Record - Memorandum

Prepared by
U.S. Department of the Interior
Bureau of Land Management

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Chapter 1. Project Name

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1.1. Compliance

The proposed action is in conformance with the approved Bureau of Land Management Utility Corridor Resource Management Plan approved January 11, 1991. The project has been considered in the context of public health, safety and consistency with regards to Federal, State and local laws.

1.2. Selected Action

The State of Alaska, Division of Geological and Geophysical Surveys proposes to conduct research on frozen debris lobes located between mile posts 208 (Dietrich Camp) and 231 (Chandalar Shelf) off the Dalton Highway. They seek a three (3) year permit.

1.3. Compliance with NEPA: 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 or United States Department of Interior Manual, Part 516, Chapter 11 which provides:

11.9 E (Realty)

(19) Issuance of short-term (3 years or less) rights-of-way or land use authorizations for such uses as storage site, apiary sites, and construction sites where the proposal includes rehabilitation to restore the land to its natural or original condition.

1.4. Public Involvement:

It was determined that no public involvement was needed due to the remoteness of the action.

1.5. Rationale:

The proposed action is consistent with the use of public lands under the authority of Title III of the Federal Land Policy and Management Act and the regulations found in 43 CFR 2800. All concerns are appropriately addressed in the DOI-BLM-AK-F030-2013-0039-CX. This includes cultural resources and subsistence concerns (see attached ANILCA 810 findings, boundary and wilderness characteristic assessments and essential fish habitat finding.

1.6. Appeal or Protest Opportunities:

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, 1150 University Avenue, Fairbanks, Alaska 99709 within 30 days from receipt of this decision. If you decide to file an appeal, you must carefully follow the procedure described on the enclosed form 1842-1. If you don't file your appeal at the locations specified on the form within 30 days, the Board may dismiss your appeal as untimely without considering its merits. Be sure to send a copy of your notice of appeal to each party named in this decision and to all of the addresses on the enclosed form 1842-1.

You may also ask the Board to stay or suspend the effect of this decision while your appeal is pending. If you desire a stay, you must enclose your request for a stay with your notice of appeal. You have the burden of showing a stay is justified. The Board will grant a stay only if you provide sufficient justification based on the following standards:

1. The relative harm to the parties if the Board grants or denies the stay,
2. The likelihood of the success of your appeal on its merits,
3. The likelihood of immediate and irreparable harm if the Board does not grant the stay, and;
4. Whether the public interest favors granting a stay.

1.7. Authorizing Official:

/s/ Nichelle W. Jacobson
Nichelle W. Jacobson
Field Manager, Central Yukon Field Office

June 12, 2013
Date

1.8. Contact Person

For additional information concerning this Finding, contact.

Robin Walthour, Realty Specialist
Central Yukon Field Office
1150 University Avenue
Fairbanks, Alaska 99709
(907) 474-2304 or rwalthour@blm.gov

Appendix A. — Essential Fish Habitat Assessment

NEPA Document No.: DOI-BLM-AK-F030-2013-0039CX

Prepared by: Robert Karlen

Date: 6/5/2013

Essential Fish Habitat (EFH) Finding:

References:

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Appendix B. — Wilderness Characteristics Assessment

NEPA Document No.: DOI-BLM-AK-F030–2013–0039CX

Case File/Serial No.: F-96574

Applicant(s): State of Alaska, Division of Geological and Geophysical Surveys

Location: The location of the proposed action covers over 69,000 acres in multiple townships and ranges in both the Fairbanks and Umiat Meridians, from mile post 208 (Dietrich Camp) to 231 (Chandalar Shelf) off the Dalton Highway.

Prepared by: Lisa Shon Jodwalis

Date: June 10, 2013

Proposed Action

Between MP 208 and MP 231 off the Dalton Highway is a series of frozen debris lobes (FDLs) that present potential geologic hazards to existing infrastructure. The State of Alaska, Division of Geological and Geophysical Surveys, proposes to use a crew of 7 geologists and helicopter pilot to gather GPS data in order to record the rate and movement of the FDL. They propose to survey 6 to 12 different lobe sites (see map below). The initial field work would begin June 20 through July 1, 2013. At that time they propose to install steel rebar rods (1/2" x 4'), with yard sticks attached to the top, into the ground using a hammer along a series of transects parallel and perpendicular to the FDL. They anticipate 1–4 transects per FDL and approximately 100 rods would be spaced 300 feet apart. The location would then be recorded with GPS and a second survey would be conducted between September 1–15, 2013, to record the location of the rods to determine rate of movement. The rods would remain in place as long as possible, three years with this permit, in order to record movement. The crew would utilize a Hughes 500 helicopter which would be based out of Wiseman. All refueling would be at the base camp. In August and September 2013 a second crew would evaluate the geologic character of the FDLs and other potential geologic hazards. Work would include identifying materials present and determining depth of permafrost. Natural exposures would be examined, described and they would use shovels to dig small pits (approximately 12) through the soil to identify underlying materials. The pit would be 3-4 feet wide by 3 feet deep. The soil would be placed on a tarp and then backfilled upon completion, smoothed, and the organic mat replaced. Additionally they would use a thin frost probe to poke through the unfrozen ground to measure depth to frozen ground. They would collect soil and bedrock samples on and near FDLs. When absolutely necessary they may need to trim some vegetation for landing zones so helicopter can pick up crew members.

BLM Purpose and Need

Between MP 208 and MP 231 off the Dalton Highway are a series of frozen debris lobes (FDLs) that present potential geologic hazards to existing infrastructure. The State of Alaska, Division of Geological and Geophysical Surveys, proposes to use a crew of 7 geologists and helicopter pilot to gather GPS data in order to record the rate and movement of the FDL. They propose to survey 6 to 12 different lobe sites (see map below). The initial field work would begin June 20

through July 1, 2013. At that time they propose to install steel rebar rods (1/2" x 4'), with yard sticks attached to the top, into the ground using a hammer along a series of transects parallel and perpendicular to the FDL. They anticipate 1–4 transects per FDL and approximately 100 rods would be spaced 300 feet apart. The location would then be recorded with GPS and a second survey would be conducted between September 1–15, 2013, to record the location of the rods to determine rate of movement. The rods would remain in place as long as possible, three years with this permit, in order to record movement. The crew would utilize a Hughes 500 helicopter which would be based out of Wiseman. All refueling would be at the base camp. In August and September 2013 a second crew would evaluate the geologic character of the FDLs and other potential geologic hazards. Work would include identifying materials present and determining depth of permafrost. Natural exposures would be examined, described and they would use shovels to dig small pits (approximately 12) through the soil to identify underlying materials. The pit would be 3-4 feet wide by 3 feet deep. The soil would be placed on a tarp and then backfilled upon completion, smoothed, and the organic mat replaced. Additionally they would use a thin frost probe to poke through the unfrozen ground to measure depth to frozen ground. They would collect soil and bedrock samples on and near FDLs. When absolutely necessary they may need to trim some vegetation for landing zones so helicopter can pick up crew members.

BLM Decision

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 Atigun Segment of the Nonwilderness Assessment, which covered approximately 528,000 acres total in 1980. Portions of this segment meet the 5,000 acre minimum size. However it was determined that the Atigun Segment 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

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Appendix C. — Section 810 Analysis

NEPA Document No.: DOI-BLM-AK-F030–2013–0039CX

Applicant(s): State of Alaska, Division of Geological and Geophysical Surveys

Case File/Serial No.: F-96574

Proposed Action:

Between MP 208 and MP 231 off the Dalton Highway are a series of frozen debris lobes (FDLs) that present potential geologic hazards to existing infrastructure. The State of Alaska, Division of Geological and Geophysical Surveys, proposes to use a crew of 7 geologists and helicopter pilot to gather GPS data in order to record the rate and movement of the FDL. They propose to survey 6 to 12 different lobe sites (see map below). The initial field work would begin June 20 through July 1, 2013. At that time they propose to install steel rebar rods (1/2" x 4'), with yard sticks attached to the top, into the ground using a hammer along a series of transects parallel and perpendicular to the FDL. They anticipate 1–4 transects per FDL and approximately 100 rods would be spaced 300 feet apart. The location would then be recorded with GPS and a second survey would be conducted between September 1–15, 2013, to record the location of the rods to determine rate of movement. The rods would remain in place as long as possible, three years with this permit, in order to record movement. The crew would utilize a Hughes 500 helicopter which would be based out of Wiseman. All refueling would be at the base camp. In August and September 2013 a second crew would evaluate the geologic character of the FDLs and other potential geologic hazards. Work would include identifying materials present and determining depth of permafrost. Natural exposures would be examined, described and they would use shovels to dig small pits (approximately 12) through the soil to identify underlying materials. The pit would be 3-4 feet wide by 3 feet deep. The soil would be placed on a tarp and then backfilled upon completion, smoothed, and the organic mat replaced. Additionally they would use a thin frost probe to poke through the unfrozen ground to measure depth to frozen ground. They would collect soil and bedrock samples on and near FDLs. When absolutely necessary they may need to trim some vegetation for landing zones so helicopter can pick up crew members.

Location: The location of the proposed action covers over 69,000 acres in multiple townships and ranges in both the Fairbanks and Umiat Meridians, from mile post 208 (Dietrich Camp) to 231 (Chandalar Shelf) off the Dalton Highway

Township/Range: Tps 33, 34, 35, 36 and 37 N., Rs. 9 and 10 W., Fairbanks Meridian and Tps. 16 and 17 S., Rs. 10 E., Umiat Meridian

Evaluation by: Jennifer McMillan

Date: Jun 12, 2013

Type of Assessment/Sources:

Effect of the proposal on subsistence uses and needs

Fisheries: The study sites may occur in the floodplain, and hillsides and benches, adjacent to the Dietrich River. Disturbance to aquatic and riparian habitat and floodplains from installation of rebar rods is not anticipated. Erosion of soil from the pit sites is anticipated to be minimal

given that each test hole will be backfilled and that very few holes are being excavated. No crossing of, or excavation within the Dietrich River is anticipated. As a result, this action is not likely to adversely affect fish or their habitat in the Dietrich River drainage. Subsequently, the proposed action will not significantly reduce harvestable fisheries resources that are available for subsistence use. The proposed action will not alter the distribution, migration or location of harvestable fisheries resources or create any legal or physical barriers that would limit access by subsistence users of the fisheries resource.

Wildlife: Moose (*Alces alces*), Dall sheep (*Ovis dalli*), caribou (*Rangifer tarandus*), wolves (*Canis lupus*), black and brown bears (*Ursus americanus* and *U. arctos*, respectively), furbearers and small game all inhabit the general area. Alyeska Pipeline Service Co. (2002) has identified the area as a subsistence use area and Scott (1993) identified the greater area as a subsistence use area. While caribou sometimes occur in the area, moose, sheep, wolves, bears, furbearers like marten (*Martes americana*) and lynx (*Lynx canadensis*) and small game like snowshoe hare (*Lepus americanus*) and ptarmigan (*Lagopus* sp.) are the most likely subsistence species to occur at the site of proposed activity. Moose and brown bears occur at low population densities (< 1.0 moose/mi² and .033/mi², respectively) in the general area (Central Yukon Field Office Field files, Reynolds 1989). The proposed project locations are situated close to Snowden Mt. Area of Critical Environmental Concern (ACEC). This ACEC was established in the Utility Corridor Resource Management Plan (RMP) to protect Dall sheep habitat and known sheep mineral licks (USDI/BLM 1989). Dall sheep use this ACEC year round. No estimates of black bear, wolf or furbearer numbers are available for the area. The proposed action may temporarily alter the distribution, migration and/or location of harvestable wildlife resources. However, operation will not appreciably reduce forage for harvestable wildlife resources at a landscape scale. 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 harvest of wildlife resources for the management of game populations, subsistence is given preference over sport harvest.

Other resources: The proposed action is not anticipated to change or impact any other harvestable resources such as wood, water, berries or vegetation because the applicant would be working within a previously developed material site that has existing access.

Expected limitation, if any, in the access of subsistence users resulting from the proposal:

None. Fish and wildlife resources may temporarily avoid the project area while the permittee and associates are present. However, there is no expected reduction in the availability of resources due to alteration in resource distribution, migration, or location.

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

None. No other lands were considered for this use because the proposal is to explore the movement patterns of specific frozen debris lobes located near the Dalton Highway.

Other alternatives, if any, 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 resources would result from the proposed action. No other alternatives were evaluated.

Findings:

Through the evaluation it is concluded 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.

References

Alyeska Pipeline Service Co. 2002. Environmental Atlas of the Trans Alaska Pipeline System, second edition. Alyeska Pipeline Service Co. Anchorage Alaska. 25 pp and appendices.

Reynolds, H. V. 1989. Units 24, 25B, 25D, and 26B and 26C brown/grizzly bear. Pages 174-184 in S. O. Morgan, editor. Brown/grizzly bear management report of survey-inventory activities. Part V. Volume XIX. Alaska Department of Fish and Game. Study 4.0. Juneau, Alaska USA.

Scott, C. P. 1993. Continuity and Change in the Wiseman area of Alaska. MS thesis, University of Alaska, Fairbanks, Alaska. 268 pp.

USDI/BLM. 1989. Utility Corridor Proposed Resource Management Plan and Final Environmental Impact Statement. USDI/Northern Field Office. Fairbanks, Alaska.