

# **Decision Record - Memorandum**

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

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# Table of Contents

<b>1. AT&amp;T Fiber Optic Cable Line .....</b>	<b>1</b>
1.1. Compliance .....	1
1.2. Selected Action .....	1
1.3. Compliance with NEPA: .....	1
1.4. Public Involvement: .....	1
1.5. Rationale: .....	2
1.6. Appeal or Protest Opportunities: .....	2
1.7. Authorizing Official: .....	2
1.8. Contact Person .....	4
<b>Appendix A. — Essential Fish Habitat Assessment .....</b>	<b>5</b>
<b>Appendix B. — Wilderness Characteristics Assessment .....</b>	<b>7</b>
<b>Appendix C. — Section 810 Analysis .....</b>	<b>9</b>

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# **Chapter 1. AT&T Fiber Optic Cable Line**

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## 1.1. Compliance

This proposed action is within the Utility Corridor Resource Management Plan and Final Environmental Impact Statement approved January 11, 1991. The proposed action is in conformance with plan because it is specifically provided for in the following planning decision (objectives, terms, and conditions):

Appendix N Lands Program Objectives (page N 7- 9)

7. Process applications for land use authorizations from the general public, federal and state agencies, and research organizations on a case-by-case basis.

## 1.2. Selected Action

My decision to authorize rights-of-way and a permit to AT&T Alascom is summarized as follows:

1. Issuance of a (3) three year permit for crew camps and crew construction camps.
2. Issuance of a twenty (20) year site right-of-way grant for the regeneration site.
3. Issuance of a twenty (20) year right-of-way grant for the fiber optic cable line.

The construction and maintenance activities for the fiber optic line footprint would be 218.18 acres, for the regeneration site the footprint would be 0.122 acre. The project design features to achieve required operating procedures and stipulations for all three (3) authorizations is attached.

## 1.3. Compliance with NEPA:

The Environmental Assessment and supporting documentation have been prepared consistent with the requirements of various statutes and regulations, including but not limited to:

- Alaska National Interest Lands Conservation Act of 1980 (ANILCA)
- Federal Land Policy and Management Act of 1976 (FLPMA)
- National Environmental Policy Act of 1969 (NEPA)
- National Historic Preservation Act of 1966 (NHPA)

One BLM land use plan applies to the overall project area, the Utility Corridor Resource Management Plan.

## 1.4. Public Involvement:

Due to the remoteness of the area and the fact that this fiber optic cable line is for private use versus public use, it was determined that scoping was not necessary.

Internal scoping within the Central Yukon Field Office allowed an interdisciplinary team of resource specialists to identify concerns related to the proposed installation of the fiber optic line and regeneration site and associated activities. Each resource specialist was provided the opportunity to review this EA multiple times, once in a face to face meeting with the applicant

and contractor of the EA. Each specialist identified issues that they determined critical to evaluate further and also provided necessary mitigations.

## **1.5. Rationale:**

1. The proposed action is consistent with the use of public lands under the authority of Titles III and V of the Federal Land Policy and Management Act and the regulations found in 43 CFR 2920 and 2800.
2. All concerns are appropriately addressed in the EA DOI-BLM-AK-03000-2013-0048. This includes cultural resources and subsistence concerns (see attached NHPA Section 106, ANILCA 810 findings, boundary risk and wilderness characteristic assessments and essential fish habitat.

The project has been considered in the context of public health and safety and consistency with regards to Federal, State, and local laws. It is my decision to authorize a right-of-way grant, case file number F-96588 for the installation of a fiber optic cable line and regeneration site from the Yukon Crossing to Coldfoot, Alaska. Additionally we will authorize a short term permit for temporary camp sites for the crew case file number F-96661. Mitigation measures and stipulations are attached.

The No Action Alternative was not chosen as it would not allow AT&T Alascom to install a fiber optic cable line to provide a new telecommunications “transmission line” between the AT&T central offices or hub locations.

## **1.6. Appeal or Protest Opportunities:**

If you believe this decision is in error, you may file an appeal with the Interior Board of Land Appeals (Board), Office of the Secretary, within 30 days of your receipt of this decision. In deciding whether to file an appeal, you have the burden of showing this decision is in error. 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 doesn't grant the stay, and
4. Whether the public interest favors granting a stay.

## **1.7. Authorizing Official:**

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Nichelle W. Jacobson  
Field Manager, Central Yukon Field Office

January 28, 2014

## **1.8. Contact Person**

For additional information concerning this Finding, contact.

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# **Appendix A. — Essential Fish Habitat Assessment**

**NEPA Document No.:** DOI-BLM-AK-F-0300-2013-0048-EA

**Prepared by:** Bob Karlen

**Date:** 1/8/2014

**Essential Fish Habitat (EFH) Finding:**

**References:**

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# Appendix B. — Wilderness Characteristics Assessment

**NEPA Document No.:** DOI-BLM-AK-F-0300-2013-0048-EA

**Case File:** F-96588

**Applicant(s):** AT&T Alascom, Incorporated

**Location:** Yukon Crossing, mile post 56 to Coldfoot, mile post 175 on the Dalton Highway, Alaska.

**Prepared by:** Lisa Shon Jodwalis

## Proposed Action

AT&T Alaska (AT&T), through its registered agent, New Horizons Telecom, Inc (NHTI) proposes to install a buried fiber optic cable line along the Dalton Highway from the Yukon River to Coldfoot, Alaska. This fiber optic cable is being installed to provide a new telecommunications “transmission line” between AT&T central offices or hub locations. Similar to an electrical transmission line, as opposed to a distribution line, this line would not be providing “drops” for service along the corridor, with the possible exception of making connections to the Trans-Alaska Pipeline System (TAPS) Pump Stations and/or State of Alaska Department of Transportation and Public Facilities (ADOT&PF) maintenance facilities along the route. The installation of this line may also serve the purpose of providing a backbone infrastructure system for future expansion of telecommunications along this corridor by local providers, if that need develops, and to provide connection to any future constructed cellular sites. No new local telecom service is planned by AT&T along this route at this time. This project would be installed within the existing ADOT&PF ROW when feasible. The fiber optic line would operate year round providing telecommunication with a minimum life expectancy of 25 years. AT&T would be responsible for any and all maintenance. They also propose to install a regeneration site and propose use of temporary camp sites for their crew.

## 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 action being considered is located within the Yukon and Prospect Segments of the Nonwilderness Assessment, which covered approximately 1,280,000 acres total in 1980. Portions of this segment meet the 5,000 acre minimum size. However it was determined that the lands where the proposed action will occur did not meet the standards for naturalness due to roads, camps, airfields, pipelines, material sites and associated facilities.

## **FINDING**

The proposed action will occur on lands identified as lacking 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

USGS topographic maps, GIS data, Google Earth images

Personal knowledge of the area and 2013 aerial survey

## Appendix C. — Section 810 Analysis

**NEPA Document No.:** DOI-BLM-AK-F-0300-2013-0048-EA

**Prepared by:** Erin Julianus and Bob Karlen

**Date:** 01/09/2014

Type of Assessment / Sources:

Review of application materials, subsistence database, local knowledge, and interviews with staff knowledgeable of the area and the proposed action.

Effect of the proposal on subsistence uses and needs:

Fisheries:

Small quantities of grayling are taken by subsistence users living in Wiseman, Nolan and the surrounding area (Scott 1993). Neither fish habitat nor water quality are expected to diminish in an important way where the fiber optic line crosses streams given the proposed plan of operation and attached mitigation. As a result, the proposed action is not expected to significantly reduce harvestable fisheries resources. Similarly, the proposed action should not alter the distribution, migration or location of harvestable fisheries resources in any of the drainages crossed by the fiber optic cable. 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 effects 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.

Expected reduction, if any, in the availability of resources due to alternation in resource distribution, migration, or location:

None.

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

None.

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

The only highway that heads north to Coldfoot from the Yukon River is the Dalton Highway. Fiber optic lines already exist along the Right of Way for this highway. There are no other lands available for this use.

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 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.

**Essential Fish Habitat (EFH) Finding:**

**References:**

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