



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Anchorage Field Office
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<http://www.blm.gov/ak>

DETERMINATION OF NEPA ADEQUACY (DNA) WORKSHEET

Proposed Action Title/Type: Sitka Trail Works, Fort Rousseau Causeway Repair – New Landing Site

NEPA Register Number: DOI-BLM-AK-A010-2013-0028-DNA

Case File Number: AA-93208

Location / Legal Description: Fort Rousseau State Historical Park (State Park) located within lots 85A, 84A, 75A, 78A, 80A, U.S. Survey 3926, Section 3, Township 56 South, Range 63 East, Copper River Meridian, Alaska.

Applicant (if any): Sitka Trail Works, Inc.

A. DESCRIPTION OF THE PROPOSED ACTION

The applicant has proposed to restore four causeways outside of Sitka, Alaska (Lot 84A, 75A, 78A, and 80A of U.S. Survey 3926). The four causeways were built during World War II (WWII) and have since deteriorated. In March 2013, an Environmental Assessment (EA) was completed on this proposed action (DOI-BLM-AK-020-2012-0026-EA). The BLM determined that the proposed action would not have significant environmental impacts and, subsequently, the BLM authorized the requested right-of-way and a barge landing site(s) on the south side of the causeways, in Sitka Harbor (see Attachment 1).

In June 2013, the applicant amended their application to include a portion of Lot 85A of U.S. Survey 3926 on the north side of the causeway in Whiting Harbor. This amendment was necessary as the landing areas on the south side of the causeway, identified by the applicant in the original Plan of Development (POD), had insufficient draft for the barge landing craft to transport rock material for the project. In the amended POD, the applicant has added a portion of Lot 85A as a proposed barge landing site and intends to land the barge craft to off-load rock at the junction of Lot 85A and Virublennoi Island in Whiting Harbor. No other changes have been made to the POD. (The original and amended PODs are on file at the Anchorage Field Office.)

In addition to the newly requested Lot 85A landing site, the proponent still intends to use several other landing sites on the both Sitka Harbor and Whiting Harbor sides of the causeway. Their requested Sasedni Island landing site is on State land and is therefore beyond the BLM's

jurisdiction. The Sitka Harbor landing sites (south-side of causeway) have been previously approved by the BLM (see Attachment 1).

The March 2013 EA disclosed environmental protection measures; these measures will be included with the right-of-way grant as stipulations (see Attachment 2). The map of the excluded vessel traffic (an exhibit to the Stipulations) has been revised; it now reflects the new barge landing site as well as the no vessel zone area (see Attachments 3 and 4).

B. LAND USE PLAN CONFORMANCE

The proposed action is in conformance with the applicable land use plan, even though it is not specifically provided for, because it is clearly consistent with the following land use plan decisions (objectives, terms, and conditions):

BLM-managed lands in the project area are subject to the Ring of Fire Approved Resource Management Plan and Record of Decision (March 2008), which allows for making public lands available for the issuance of right-of-way within the planning area (I-2n: Rights-of-Way). The selected alternative is therefore consistent with the applicable land use plan.

C. IDENTIFY APPLICABLE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) DOCUMENTS AND OTHER RELATED DOCUMENTS THAT COVER THE PROPOSED ACTION.

This DNA is based on *Right-of-Way Authorization to Upgrade Eroding Fort Rousseau Causeway*, Environmental Assessment, DOI-BLM-AK-A020-2012-0026-EA (March 2013) (see Attachment 1).

A Finding of No Significant Impact (FONSI) and Decision Record was signed on April 19, 2013 (see Attachment 1).

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?

Yes. The current proposed action is essentially similar to the Proposed Action analyzed in the 2013 EA, DOI-BLM-AK-020-2012-0026-EA. The project area is the same, but the requested barge landing site to off-load the rock material for causeway repair is different. No *Didemnum vexillum* (D. Vex) is known to occur on the new barge landing area. The new landing area is on the north side of Whiting Harbor at the confluence of Lot 85A and Virublennoi Island.

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?*

Yes. The range of alternative is appropriate. The proponent will avoid all known areas of D. Vex.

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?*

Yes. The existing analysis is valid. There is no new information as to the location of D. Vex. The new proposed landing area will avoid known D. Vex location and the locations to be avoided are part of the right-of-way grant stipulations.

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 direct, indirect and cumulative effects of the new proposed action were analyzed in the EA. The known locations of D. Vex will be avoided. The following additional stipulations will be included to prevent additional D. Vex-related impacts:

- Vessels used for transporting fill materials and all vessels associated with the construction of this project will not travel within the no vessel zone attached as Figure 3-2, Local distribution of *Didemnum vexillum* in Sitka, Alaska (Revision 1, May 2013)
- Proponent will contact the Alaska Department of Fish and Game (Attention Tammy Davis, Invasive Species Program, Lead at 907-465-6183 or cell at 907-209-2492) prior to barge landing within Whiting Harbor and supply GPS coordinates (in decimal degrees) of the landing area and the area where the barge operates after work in Whiting Harbor. This is to track any potential *Didemnum vexillum* from spreading to a new location.
- Vessels used for offloading material in Whiting Harbor shall be limited to operations during high tide to avoid and minimize impacting *Didemnum vexillum*.

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

The EA was posted for public review for 30 days. The Sitka Tribe was contacted as part of the government to government consultation. No public comment was received. The March 2013 EA and public involvement is adequate for the proposed action.

E. PERSONS, AGENCIES, AND BLM STAFF CONSULTED

The interdisciplinary team from the BLM is listed on Table 4-1 of the March 2013 EA. Also, personal communications with the Alaska Department of Fish and Game as well as the Sitka Tribe is documented in the March 2013 EA.

The Alaska Department of Fish and Game was consulted in July 2013 regarding the new barge landing site. A copy of this communication is on file at the Anchorage Field Office.

F. CONCLUSION

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation identified in Part C of this DNA Worksheet fully covers the proposed action and constitutes BLM’s compliance with the requirements of the NEPA.

/s/ Alan Bittner

July 5, 2013

Signature of the Responsible Official

Date

Note: The signed Conclusion on this worksheet is part of an interim step in the BLM’s internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR § 4 and the program-specific regulations.

Attachments

1. *Right-of-Way Authorization to Upgrade Eroding Fort Rousseau Causeway*, Environmental Assessment, DOI-BLM-AK-A020-2012-0026-EA (March 2013) and Finding of No Significant Impact (FONSI) and Decision Record, April 19, 2013.
2. Grant Stipulations, AA-93208
3. Map showing proposed landing sites (“Figure 2-1”)
4. Map showing areas where vessel traffic exclusion areas (“Figure 3-2”)

ATTACHMENT 1

Right-of-Way Authorization to Upgrade Eroding Fort Rousseau Causeway, Environmental Assessment, DOI-BLM-AK-A020-2012-0026-EA (March 2013) and Finding of No Significant Impact (FONSI) and Decision Record, April 19, 2013.

(See DOI-BLM-AK-A020-2012-0026-EA as separate entry in the BLM's ePlanning system.)

ATTACHMENT 2

Grant Stipulations, AA-93208

**Stipulations on Right-of-Way AA-93208
Sitka Trail Works**

- 1) During construction, operation, maintenance, and termination of the project you must:
 - a. Comply with all existing and subsequently enacted, issued, or amended federal laws and regulations and state laws and regulations applicable to the authorized use;
 - b. Rebuild and repair roads and established trails destroyed or damaged by the project;
 - c. Do everything reasonable to prevent and suppress wildfires on or in the immediate vicinity of the area;
 - d. Not discriminate against any employee or applicant for employment during any phase of the project because of race, creed, color, sex, or national origin. You must also require subcontractors to not discriminate;
 - e. When the state standards are more stringent than federal standards, comply with state standards for public health and safety, environmental protection, and siting, constructing, operating, and maintaining any facilities and improvements on the lands;
 - f. Immediately notify all federal, state, tribal, and local agencies of any release or discharge of hazardous material reportable to such entity under applicable law. You must also notify BLM at the same time, and send BLM a copy of any written notification you prepared;
- 2) Non-Hazardous Solid Waste (trash/refuse/wood debris) will be back hauled removed from the public lands and disposed in an approved waste disposal site;
- 3) In order to minimize impacts to the subsistence harvest of herring, no in water activity shall take place from March 15 through May 15 of any calendar year;
- 4) No hazardous materials will be stored at the site. No refueling will take place on the public lands. All spills of fuel will be reported to the Alaska Department of Environmental Conservation (ADEC) and cleaned-up in accordance with 18 AAC 75. BLM shall be notified of all reportable spills. Absorbent material shall be stored on site for any fuel spills and used in refueling of equipment;
- 5) All operations shall be conducted in such a manner as to avoid damage or disturbance to any prehistoric or historic sites or modern camp sites. The Archaeological Resource Protection Act prohibits the excavation, removal, damage, or disturbance of any archaeological resource located on public lands. Violation of this law could result in the imposition of both civil and criminal penalties of the violator. Should any historic or prehistoric site be located during the course of operations under this permit, the applicant shall immediately cease activities and notify the BLM authorized officer;
- 6) The holder shall submit a plan of development that describes in detail the construction, operation, maintenance, and termination of the right-of-way and its associated improvements and/or facilities. The plan shall include drawings in sufficient detail in enable a complete evaluation of all proposed structures, facilities, and landscaping to ensure compliance with the requirements of the grant and to ensure visual compatibility with the site. These drawings shall

be the construction documents and must show dimensions, materials, finishes, etc. to demonstrate compliance with the requirements. The plans will be reviewed and, if appropriate, modified and approved by the authorized officer. An approved plan of development shall be made a part of the right-of-way grant;

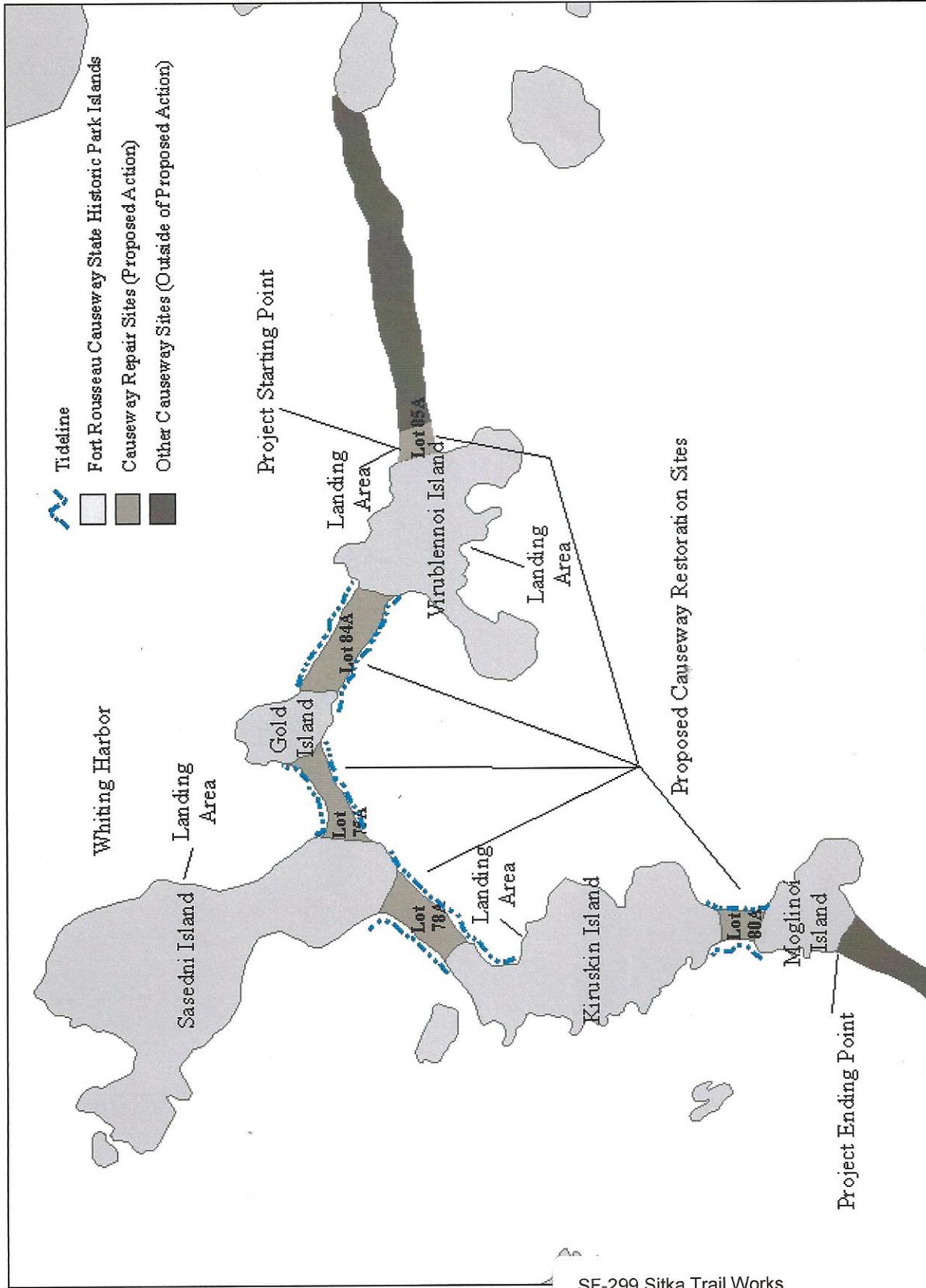
- 7) A detailed reclamation and closure plan shall be submitted and approved by BLM prior to closer of the site;
- 8) In order to prevent invasive species spread, all vehicles, and equipment used in conjunction with the permit must be thoroughly cleaned prior to moving equipment across or onto BLM managed lands. Washing and/or brushing equipment to remove material that can contain weed seeds or other propagates helps insure equipment is weed and weed seed free. High pressure washing is recommended to treat the insides of bumpers, wheel wells, undercarriages, inside belly plates, excavating blades, buckets, tracks, rollers, drills, buckets, shovels, any digging tools, etc., to remove potential weeds, seeds, and soil carrying weed propagules, and vegetative material;
- 9) All construction materials brought on site for the project must be certified weed-free products. This includes mulch, straw, hay, gravel, top soil and any other materials that have potential to transport and propagate non-native invasive plant species;
- 10) Should any area used under the Grant have non-native invasive plant infestations, you must confer with the authorized officer to reduce and monitor the spread by contacting: Laurie Thorpe by telephone at 907-267-1208 or by e-mail at lthorpe@blm.gov;
- 11) All equipment, personal property, and improvements must be removed within thirty (30) days after permit expiration date or as directed by the authorized officer;
- 12) 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 will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder;
- 13) The holder shall protect all survey monuments found within the right-of-way. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the holder shall immediately report the incident, in writing, to the authorized officer and the respective installing authority if known. Where General Land Office of Bureau of Land Management right-of-way monuments or references are obliterated during operations, the holder shall secure the services of a registered land surveyor or a Bureau cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the

Manual of Surveying Instructions for the Survey of the Public Lands in the United States, latest edition. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monument, the holder shall be responsible for the survey cost;

- 14) The holder shall comply with the construction practices and mitigating measures established by 33 CFR 323.4, which sets forth the parameters of the “nationwide permit” required by Section 404 of the Clean Water Act. If the proposed action exceeds the parameters of the nationwide permit, the holder shall obtain an individual permit from the appropriate office of the Army Corps of Engineers and provide the authorized officer with a copy of same. Failure to comply with this requirement shall be cause for suspension or termination of this right-of-way grant. Activities in wetlands will comply with federal and state permit requirements for alteration of wetlands;
- 15) Operations requiring vegetation removal will avoid the migratory bird nesting period of April 15 to July 15, if activities cannot avoid the April 15-July 15 time frame, you must confer with the authorized officer prior to beginning work by developing a plan to mitigate the impacts to nesting birds by contacting: Bruce Seppi 907-267-1282 or by e mail at bseppi@blm.gov;
- 16) Vessels used for transporting fill materials and all vessels associated with the construction of this project will not travel within the no vessel zone attached as Figure 3-2, Local distribution of *Didemnum vexillum* in Sitka, Alaska (Revision 1, May 2013);
- 17) Proponent will contact the Alaska Department of Fish and Game (Attention Tammy Davis, Invasive Species Program, Lead at 907-465-6183 or cell at 907-209-2492) prior to barge landing within Whiting Harbor and supply GPS coordinates (in decimal degrees) of the landing area and the area where the barge operates after work in Whiting Harbor. This is to track any potential *Didemnum vexillum* from spreading to a new location;
- 18) Vessels used for offloading material in Whiting Harbor shall be limited to operations during high tide to avoid and minimize impacting *Didemnum vexillum*.

ATTACHMENT 3

Map showing proposed landing sites (“Figure 2-1”)

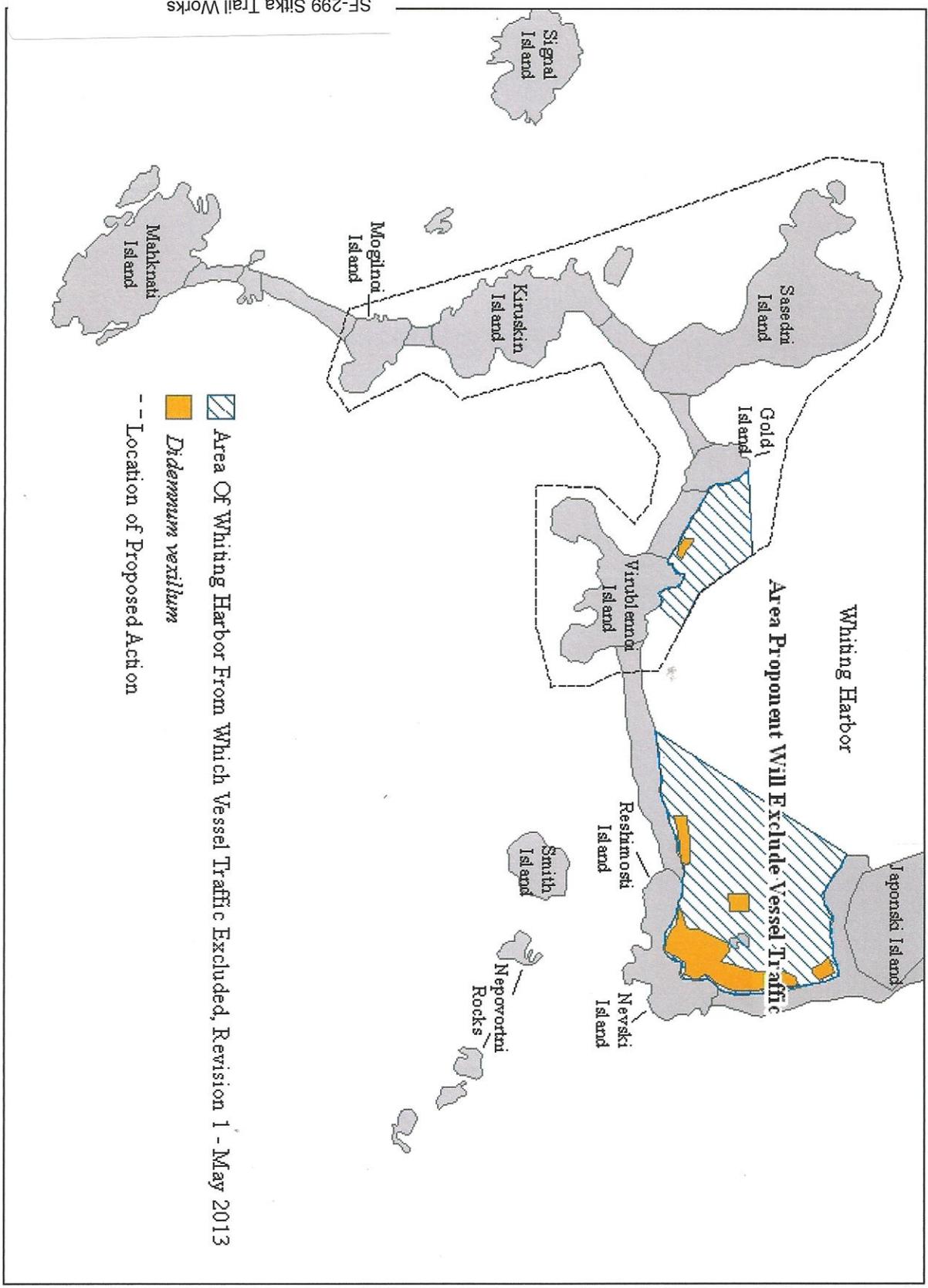


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Figure 2-1 Proposed Action Depicting Causeway Repair Sites Within BLM Right-of-Way and Landing Area (Revision 1 - June 2013)

ATTACHMENT 4

Map showing areas where vessel traffic exclusion areas (“Figure 3-2”)



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Figure 3-2 Local Distribution of *Didemnum vexillum* in Sitka, Alaska (Revision 1, May 2013)