

DECISION RECORD
AND
FINDING OF NO SIGNIFICANT IMPACT

Recommendation: Pursuant to Title V of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1761-1771), and the regulations thereunder (43 C.F.R. 2800), It is my recommendation that a right-of-way, as described in Alternative A, and contained in the attached environmental assessment, be granted to the State of Alaska, Department of Transportation, for those lands legally described within Sec. 6 T. 12 N., R. 1 W., Copper River Meridian.

The term of the right-of-way shall be 5 years and may be renewed. The right-of-way shall be subject to the terms and conditions in 43 CFR 2800, and rental payments as determined by 43 CFR 2803.1-2. Pursuant to these regulations no rental shall be collected where the holder is a Federal, State, or local government. The right-of-way shall also be subject to the environmental protection procedures set forth in the application, as well as the BLM stipulations attached to this report.

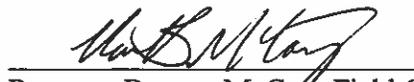
Rationale for the Recommendation: The proposed action does not conflict with any land use planning. The lands within AA-85437 along the Denali Highway have been conveyed to the State of Alaska. The Richardson Highway is a vital land link between Fairbanks and the Port of Valdez, and Alternative A will facilitate a critical annual maintenance need. It will create no significant amount of impact with the greatest benefit to the public and the environment. It is in the best interest to issue the right-of-way AA-85438 as proposed. The right-of-way as described will cause no significant restrictions on subsistence uses or needs under section 810 of ANILCA.


David Mushovic, Realty Specialist

5/18/04
Date

Decision: The recommendation and its rationale are adopted as my decision.

Finding of No Significant Impact: Based on the analysis of potential environmental impacts, and mitigating measures contained in the attached environmental assessment, I have determined that impacts are not expected to be significant and an environmental impact statement is not required.


Ramone Baccus McCoy, Field Office Manager

5/19/04
Date



United States Department of the Interior
Bureau of Land Management
Glennallen District May 4, 2004

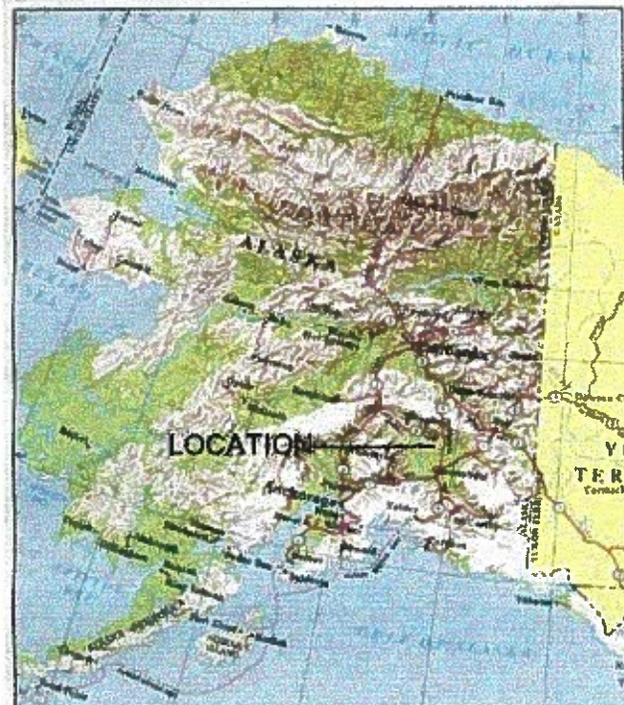


Glennallen District Office
Mile 186.5 Glenn Highway
Post Office Box 147
Glennallen, Alaska 99588

Environmental Assessment

AK-050-EA-04-027

State of Alaska, Department of Transportation, Material Stock Piling Site
Right-of-Way, Dick Lake, Alaska



File Number: AA-85438

ENVIRONMENTAL ASSESSMENT

Legal Description

Type of Action: Right-of-Way 2890.04

Serial Number: AA-85437

AA-85438

EA No. Ak 050-EA-04-027

Applicant: State of Alaska
Address: Dept Trans & Pub Facilities
2301 Pagar Road
Fairbanks, Alaska 99709

District: Glennallen AK 050

Planning Unit: Southcentral

Borough: N/A

Date of Exam: N/A

Prepared by: David Mushovic

Title: Realty Specialist

LANDS INVOLVED

Township	Range	Meridian	Section	Subdivision	Acres
21 S	11 E	Fbx	22.	N1/2 NE1/4	8.2 - State nd
12 N	1 W	CR	6	NE1/4NE1/4	2.5
					10.7

Land Report

I. BACKGROUND AND PROPOSED ACTION:

On April 5, 2004, the State of Alaska, Department of Transportation and Public Facilities, filed two right-of-way applications AA-85437 and AA-85438, for stockpile/storage sites for highway materials located approximately in Sec. 22 T. 21 S., R. 11 E., Fairbanks Meridian, and Sec. 6 T. 12 N., R. 1 W., Copper River Meridian respectively. The applications were filed pursuant to title V of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1761-1771), and the regulations thereunder (43 C.F.R. 2800).

The subject lands were once part of existing pits for the DOT on the Denali Highway, F-027394, and a material sale for the construction of the Trans Alaska Oil Pipeline. Both sites have existing access directly from the Denali and Richardson Highways.

Conformance to Land Use Plans: The Glennallen District is still operated under the Southcentral Management Framework Plan approved March 1980, as amended May 1983, and July 1985. The proposed action has been reviewed and determined to be in compliance with the amendments to this plan which contains a broad commitment to provide for this type of authorization for transportation systems and development pursuant to 501 of the Federal Land Policy Management Act.

The proposed action has been reviewed and determined to be in compliance with the Copper River Basin Area Plan for State Lands, December 1986.

Proposed Action: Issue two 5 year renewable right-of-ways for stock pile sites to the State of Alaska. The state proposes to use only areas which are already developed and which they have used in the past with authorization from the BLM. DOT would stockpile between 5,000-10,000 cy of material at each site, in existing disturbed/developed areas only, for summer repairs over a one- two year period. The materials would be crushed and processed at a different location and the stockpiles would be replenished as needed. No further excavation or removal of vegetation shall occur. Due to legal restraints this action shall not be analyzed further.

Alternative A: Issue a single 5 year renewable right-of-way for a stock pile site to the State of Alaska as described above for AA-85438. The subject lands encompassed by AA-85437 have been conveyed to the State of Alaska under TA F-028812. Therefore, the application for AA-85437 shall be rejected.

Alternative B: No action-deny the application. This alternative maintains the status quo and shall not be analyzed further.

II. AFFECTED ENVIRONMENT

Access: Alternative B is located adjacent to Richardson Highway.

Vegetation: The affected environment includes wetlands described as Palustrine, scrub shrub, emergent, and saturated, which are found in some of the area surrounding the proposed action. Vegetation consisting of sedges, scattered willows and dwarf birch have started to re-emerge in the previously disturbed areas, with the existing pit surrounded by mixed stands of black and white spruce.

Wildlife: The proposed action is within PLO 5180 which is currently open to federal subsistence hunting and it is prime habitat for Moose, Caribou, and Brown Bear, as well as migratory waterfowl

Soil: is typical of alluvial features. These soils are formed in very gravelly and stony colluvium or glacial drift. Although the mean annual soil temperature is below freezing, the soils do not usually retain enough moisture for the formation of lenses of clear ice.

Visual: The proposed action is in a semi developed rural setting close to a developed lodge at Meyers Lake and several DOT material sites already located along the Richardson Highway. Visually the area is surrounded by a variety of terrain and vegetation providing a mix of scenery.

Water quality: is considered very high.

Air Quality: is considered very high.

III. ENVIRONMENTAL CONSEQUENCES

Alternative A:

Access: There are no ATV restrictions within the area. Access would continue to be allowed by the general public to existing trails and for temporary camping.

Vegetation: While some of the recovering sedges, scattered willows and dwarf birch will be effected, Vegetative cover loss is insignificant since the area is in an existing pit area and no new surface disturbance will occur.

Wildlife: use the general area for food and cover and likely pass through the area. Regular human presence will only disrupt the wildlife in the immediate area. Due to the small area involved it is anticipated that wildlife use patterns will adjust with no perceptible harmful effects. No additional vegetation loss, is expected. The food value of the browse will not be destroyed by the operation of the proposed facilities, and will not significantly affect the wildlife. The human activity is limited primarily to hunting. There are no known eagle nest within ½ mile of the site. The bald eagle in Alaska is a special status species only and the US Fish and Wildlife Service doesn't set a protection radius around nest trees. The minimum recommended distance for camping or other disturbance is 500 meters from the nest.

Soils: may be subject to compaction from heavy equipment. There will be no bank destabilization from these activities. Since there will be no other surface disturbing activities, there will be no increase in erosion or runoff affecting either the soils, vegetation or water resources.

Mandatory Items: Apply to the proposed action and alternatives except as discussed above.

Air quality - No significant impact

ACEC - There are none designated in the area.

Cultural, Paleontological res. - No impact. The activities are taking place in locations where previous human disturbance has modified the landscape so intensively that the likely hood of finding cultural resources is negligible. On May 6, 2004, a section 106 review of the National Historic Preservation Act was completed and is contained in the casefile. National Historic Programmatic Agreement Appendix 2 exceptions to further review # 6 would apply. The attached stipulations are sufficient to protect any unknown cultural resources. No cultural or historic resources shall be affected.

Prime or unique farmlands -None in the area

Floodplain - Proposed action will have no adverse impacts

Nat Amer Rel Conc- None known

T&E species - None present.

Waste, Haz/Solid- None

Water Quality and Quantity - Proposed action will have no significant impact.

Wetlands- Proposed action will have no impact.

W&SR - None in the area.

Wilderness- Proposed action will have no impact.

Visual resources - The site is already disturbed and may already be easily seen from the air or highway. The proposed action will not increase impact to visual resources.

Unique resources - None known

Invasive Nonnative Species: None known

Environmental Justice: Proposed action will have no impact

The use of the area for a stock piling site will have little or no adverse effect on the long term productivity of the area.

The proposed action will cause no irreversible and irretrievable commitment of resources.

IV. MITIGATING MEASURES OF RESIDUAL IMPACTS

The standard BLM stipulations and following mitigating measures will reduce or avoid some or all of the adverse impacts (see stipulations Exhibit B).

Stock piling will be limited to 10 foot heights in an already disturbed area.

Drip basins or absorbent diapers will be placed under all non-dry disconnect-type fuel line or lubricating couplings and valves of all unattended equipment on site. No fueling or maintenance work will be conducted on site.

Upon identification and approval of the AO, the actively used area may be signed no parking or camping by the State of Alaska, for the protection of the public, and to ensure adequate operating space by the State.

Activity will be suspended within 500 meters of any active eagle nest or swan nest.

V. LIST OF PREPARERS

David Mushovic, Realty Specialist

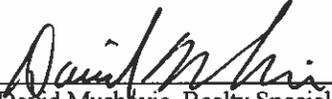
VI. CONSULTATION AND COORDINATION

See attached NEPA review record

VII. DECISION FACTORS

Compliance with Section 810, ANILCA is contained in the May 4, 2004, report in the casefile, which states that there is no detrimental effect on the subsistence values, or uses on these lands resulting from the proposed action.

The subject lands are topfiled by the State of Alaska, but the selection has been determined to have no affect


David Mushovic, Realty Specialist

5/18/04
Date

United States Bureau of Land Management
Glennallen District

Checklist for Interdisciplinary Review of NEPA Documents

Environmental Assessment (EA) Title: R/W Material Stockpile site
 EA Number: AK-050-EA-04-027 Case File Number: AA-85437, AA-85438
 Lead Preparer Name and Title: David Mushovic, Realty Specialist Due Date: 05/07/04

Interdisciplinary Review

Potentially Affected Resource	Staff Specialist	Comments Provided		Surname	Date
		Yes	No		
ACECs	Not Available				
Air Quality	Mike Sondergaard		✓	ms	5-13-04
Wildlife, ANILCA Section 810	Kari Rogers Elijah	✓		EW	5/4/04
Cultural Heritage	John Jangala	✓		JJ	5/6/04
Fire Management	John Rego	✓	✓	J Rego	10 May 04
Forestry	Travis Calderwood		✓	TC	10 May 04
Hazardous Materials	Mike Sondergaard		✓	ms	5/13/04
Lands & Rights-of-Way	Dave Mushovic/Brenda Becker				
Law Enforcement	Rohn Nelson				
Minerals	John Rego		✓	J Rego	10 May 04
Operations/Maintenance	Kurt Sorenson				
Paleontology	John Jangala	✓		JJ	5/6/04
Range	Travis Calderwood		✓	TC	10 May 04
Reclamation	John Rego		✓	J Rego	10 May 04
Recreation & WSR	KJ Mushovic/Marcia Butorac	✓		KJ Mushovic	5/17 5/13/04
Riparian & Wetlands	Mike Sondergaard		✓	ms	5/13/04
Soils	Mike Sondergaard		✓	ms	5/13/04
T & E Animals	Kari Rogers		✓	Kari	11 May 2004
T & E Plants	Not Available				
Visual Resources	KJ Mushovic				
Water Quality	Mike Sondergaard		✓	ms	5/13/04
Wilderness & WSAs	unavailable				
Fisheries	Elijah Waters		✓	EW	5/4/04
Other:					

Review Recommended For (check Y)

BLM State Office	Other Affected BLM Districts	Native Corporations	State Agencies	Affected Public	Other Affected Agencies

Environmental Coordinator Review:  Date: 5/17/04

Compliance with ANILCA Section 810 Summary

E.A. No.: AK-050-EA-04-027

Applicant(s): Alaska Department of Transportation and Public Facilities

Proposed Action: material stockpile

Location: Denali Highway, milepost 6; Richardson Highway, MP 172.7

Township/Range: T21S, R11E, sec 22, FM, and T12N, R1W, Sec 6, CRM

Map: Mt. Hayes A-4, Gulkana D-3

Evaluation by: Elijah Waters

Discretionary Action?: yes

Categorical Exclusion?: no

Type of Assessment/Sources: Prior knowledge of area, field visits.

Effect of the proposal on subsistence uses and needs: None. The proposed use is unlikely to have any impacts on subsistence uses or needs.

Expected reduction, if any, in the availability of resources due to alternations in resource distribution, migration, or location: None. The proposed action occurs in an area that is open to federal subsistence users. However, the proposed action reauthorizes something that has been an existing practice for years, therefore no additional alterations are expected.

Also, there probably will not be any reduction on any of the non-game subsistence resource distribution or location either due to the fact that the proposed action only reauthorizes an existing practice.

Expected limitations, if any, in the access of subsistence users resulting from the proposal: None. The proposed action does not prevent subsistence users from using the existing access areas, on or off of federally managed public lands. Subsistence users would still have the same opportunities to access federal public lands if they so desire.

Availability of other lands, if any, for the purpose sought to be achieved: There are other lands in the area that would suit the need of the proposed action. However, considering that the proposed action reauthorizes existing material stockpiles, the other areas would be no less impact to subsistence users and resources. The proposed location is the most logical and feasible location for the proposed action.

Other alternatives, if any, which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes: None, other than the no action alternative. The proposed action, approved or not, has little to no affect on federal subsistence users, resources, or available lands.

Finding: This alternative would not restrict subsistence uses. No reasonably foreseeable and significant decrease in the abundance of harvestable resources, no reasonably foreseeable alteration in the distribution of harvestable resources, and no reasonably foreseeable limitations on harvester access would result from this proposal.

Elijah Waters
Elijah Waters

4 May 04
Date

Assessment of Undertakings Not Subject to Further Section 106 Review Glennallen Field Office

GDO Document No. GFO-04-15

BLM Serial No. AA-85437, AA-85437

Environmental Assessment No. AK-050-EA-04-027

Class of Inventory: No Further Section 106 Review

Dates of Inspection: 5/6/2004

Inspector: John Jangala

Maps: Gulkana (D-3), Mt Hayes (A-4)

Applicant: Alaska Department of Transportation

Location: There are two separate project areas. The first is located northwest of Paxson Lake along the Denali Hwy. at milepost 6.5. The second is located north of Meiers Lake and South of Paxson Lake along the Richardson Hwy. at milepost 172.7. Only the material site along the Richardson Hwy. is on BLM managed lands and is immediately southwest of Dick Lake in the NE ¼ of the NE ¼ of Section 6, T.12N., R.1W., CRM. While the material source along the Denali Hwy. is on state lands and in the N ½ of the NE ¼ of Section 22, T.21S., R.11E., FM.

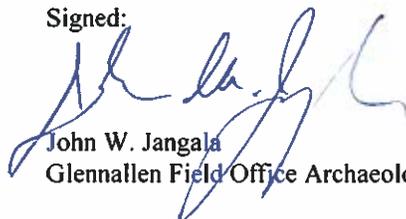
Project Description: The Bureau of Land Management proposes to grant the State of Alaska's Department of Transportation a right of way at previously used material source along the Richardson Hwy for the purpose of material stockpiling for road maintenance. Approximately 5,000 to 10,000 cubic yards of gravel or crushed rock will be stored at the location for summer highway repairs for a one to two year period. This area has been previously used as a material source and is heavily disturbed; the proposed stockpiling area and work pad will be placed only on previously disturbed portions of the material sites. Heavy equipment will be used to place and remove material, while material will be crushed and processed at a different location.

Acreage: 10.7 Acres

Recommendations: According to the Protocol for Managing Cultural Resources on Lands administered by the Bureau of Land Management in Alaska, between the Bureau of Land Management and the State Historic Preservation Officer, signed April 17, 1998, this undertaking is not subject to further Section 106 review (Appendix 2: Category Six). This project will take place at a previously disturbed material source and will not affect surrounding undisturbed areas. No new road construction will result from the issuance of this permit.

The following stipulations should be attached to the permit: "There shall be no disturbance of any archaeological or historical sites, including graves and remains of cabins, and no collection of any artifacts whatsoever. Also, collection of vertebrate fossils, including mammoths and mastodon bones, tusks etc., is strictly prohibited. If historic resources are encountered then all artifacts will be respectfully left in place and the Glennallen Field Office's cultural resources staff will be notified immediately."

Signed:



John W. Jangala
Glennallen Field Office Archaeologist (AK-050)