

Wiseman Access Road

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 and safety and consistency with regards to Federal, State, and local laws.

Selected Action

The proposed action described in the Category Exclusion mentioned below is the selected action. A twenty (20) year right-of-way grant case file F-43687 to renew the existing access road to the town of Wiseman for the townspeople at milepost 188.6 on the Dalton Highway.

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)

(9) Renewals and assignments of leases, permits, or rights-of-way

Public Involvement:

The people of Wiseman concur with the renewal of the access road to their town. It was determined that due to the remoteness of the action, the general public would not be impacted.

Rationale:

The proposed action is consistent with the use of public lands under the authorities of Title V 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-F030-2013-0055-CX. This includes cultural resources and subsistence concerns (see attached ANILCA 810 findings, boundary fish and wilderness characteristic assessments and essential fish habitat).

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.

Authorizing Official:

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

November 6, 2013
Date

Contact Person

For additional information concerning this Finding, contact.

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— Essential Fish Habitat Assessment

Essential Fish Habitat Assessment

NEPA Document No.: BLM—DOI—AK—F030—2013—0055CX

Prepared by: Carl Kretsinger

Date: 24 October 2013

Essential Fish Habitat (EFH) Finding: 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.

— Wilderness Characteristics Assessment

NEPA Document No.: BLM—DOI—AK—F030—2013—0055CX

Serial No.: F-43687

Applicants: State of Alaska, Department of Transportation and Public Facilities

Location: MilePost 188.6 Dalton Highway, more particularly described as Sec. 7, T. 30 N., R. 11 W., Fairbanks Meridian, Alaska, encompassing approximately 4.59 acres.

Prepared by: Lisa Shon Jodwalis

Date: 24 October, 2013

Proposed Action

The State of Alaska, Department of Transportation and Public Facilities proposes to renew their right-of-way grant for an existing access road to the community of Wiseman from the Dalton Highway. The road is composed of gravel and measures 100 feet wide (50 feet each side of the centerline) and 2,000 feet in length. This road was originally constructed in 1982 and was realigned in 1991 and provides year round access to the town of Wiseman. The State of Alaska is responsible for all maintenance.

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). Wilderness characteristics are defined in Section 2(c) of the Wilderness Act of 1964 and include sufficient size, naturalness, and outstanding opportunities for either solitude or primitive and unconfined recreation and may also include supplemental values.

On BLM lands within the Utility Corridor, the effects of proposed projects on wilderness characteristics are evaluated in accordance with the Nonwilderness Assessment, a special project inventory approved by the BLM Director and conducted by the BLM along portions of the Trans-Alaska Pipeline System (TAPS) corridor in 1980. The assessment complied with the wilderness review requirement in Section 603 of the Federal Land Policy and Management Act of 1976 (FLPMA).

The action being considered is located along the Dalton Highway within the Atigun Segment of the Nonwilderness Assessment, which covered approximately 528,000 acres. It was determined that 223,000 acres of this segment, primarily in proximity to the North Slope Haul Road (Dalton Highway) and Trans-Alaska Pipeline, lacked naturalness and outstanding opportunities for solitude and primitive, unconfined types of recreation and thus did not meet the criteria contained in the Wilderness Act

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 (Wiseman Quadrangle), GIS data, Google Earth images

— Section 810 Analysis

NEPA Document No.: BLM—DOI—AK—F030—2013—0055CX

Applicant: State of Alaska, Department of Transportation and Public Facilities

Serial No.: F-43687

Proposed Action:

Location: Mile Post 188.6 Dalton Highway, near Wiseman, Alaska

Township/Range: Sec. 7, T. 30 N., R. 11 W., Fairbanks Meridian, encompassing approximately 3.66 acres.

Evaluation by: Jennifer McMillan and Carl Kretsinger

Date: October 21, 2013 and October 24, 2013

Type of Assessment/Sources:

Effect of the proposal on subsistence uses and needs

Fisheries: The proposed action is to renew the right-of-way (ROW) for the existing Wiseman access road and no change of the road alignment or additional construction is being proposed. The renewal of the ROW is not anticipated to alter the existing aquatic habitat characteristics, use of the habitat, or population structure of the fish species inhabiting the Middle Fork Koyukuk River in the vicinity of the Wiseman access road. Furthermore, the proposed action is not anticipated to restrict subsistence opportunities in respect to the harvest of fishery resources.

Wildlife: The proposed action is for the renewal of an existing right-of-way lease allowing for continued use and maintenance of a road that cuts from the Dalton Highway, through BLM lands, to the community of Wiseman. This access has been in existence for an extended time period; little or no change in use or maintenance activity related to the lease renewal is anticipated. It follows that little to no additional impacts to subsistence wildlife species are expected as a result of the proposed action. Therefore, the proposed action will not have a significant effect on subsistence uses and needs.

Other resources:

The proposed action will not appreciably further 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 alteration 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:

No other lands were considered for this use because the proposed action involves use of the most direct route to the community of Wiseman along an existing road

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 that a increase in the impact to subsistence resources as a result of the proposed action. No other alternatives were evaluated.

Findings:

The proposed action will not significantly restrict subsistence uses. No foreseeable and significant decrease in the abundance of harvestable resources or changes in the distribution of harvestable resources are anticipated to emerge as a function of the action that is analyzed in this document.

References