



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Anchorage Field Office  
4700 BLM Road  
Anchorage, Alaska 99507-2591  
<http://www.blm.gov/ak>

## **Unicom Incorporated, TERRA Yukon Broadband Telecommunications Project**

### *Six Microwave Repeater Tower Sites*

Environmental Assessment, DOI-BLM-AK-A010-2014-0004-EA

Case Files FF-096748, FF-096749, FF-096750, FF-096750, FF-096751, FF-096752, FF096753,  
FF-096920, FF-96921

## **DECISION RECORD**

### **Background**

The Bureau of Land Management (BLM) has prepared an Environmental Assessment (EA) (DOI-BLM-AK-A010-2014-0004-EA) to analyze the effects of six remote repeater sites operated by Unicom Incorporated, a subsidiary of GCI, on lands managed by the Anchorage Field Office (AFO) and the Central Yukon Field Office (CYFO). One site is north of Kotzebue and five are located east of the Seward Peninsula/Nulato Hills area from Buckland south to Koyukuk. The six repeaters are part of a larger project to bring broadband internet to northwest Alaska and the Norton Sound and Kotzebue Sound communities. The Terra Yukon project would complete a ring network around western Alaska, connecting Kotzebue to Nenana and the Fairbanks-Mat-Su fiber optic lines. Completing this circuit will improve Unicom's ability to maintain and reroute broadband services across the network in the event of outages of existing and planned repeaters. The EA considered a no action alternative and the proposed action (six repeater sites to be authorized on BLM-managed lands).

Under the Proposed Action alternative (EA, Alternative 2), five of the repeater towers would be constructed on mountaintops with helicopter-support only. However, the Igichuk Hills Tower is sited near the Noatak River and is less than three miles away. An overland winter move is proposed at this site to haul tower components to the site and helicopter-supported construction would occur once the components of the site have been staged. Unicom would be granted six 20 year leases, one construction right-of-way authorization for a three year period to allow construction and another right-of-way authorization to conduct geotechnical studies to ensure rock competency at the tower sites prior to construction.

A programmatic Agreement (PA) is being developed to complete Section 106 of the National Historic Preservation Act (NHPA) for all six tower sites as well as connected actions on State of Alaska and private lands. A Notice to proceed to develop the proposed BLM towers and all connected actions will not be issued until the PA and Section 106 of NHPA is completed.

The following assessment of significance pertains only to the six tower sites on BLM-managed lands and does not include the barge landing site nor overland move route.

## **Decision**

National Historic Preservation Act (NHPA), Section 106, compliance is not yet complete for the proposed action. A programmatic Agreement (PA) is being developed to complete Section 106 of the National Historic Preservation Act (NHPA) for all six tower sites as well as connected actions on State of Alaska and private lands. A Notice to proceed to develop the proposed BLM towers and all connected actions will not be issued until the PA is signed.

Given that the NHPA compliance is not complete for the six tower sites on BLM-managed lands, and because of the time consuming process of completing the PA given the number of tribes to consult and connected actions on State of Alaska and private lands, I have decided to authorize the six tower sites so as not to delay the overall project schedule. However, Unicom will not be given a notice to proceed to develop any tower site on BLM lands nor the connected actions on State of Alaska and private lands until I ensure that the NHPA Section 106 process has been completed.

I have decided to implement *Alternative 2 – Proposed Action Consisting of Six Repeater Sites* (EA, p. 2-1), hereinafter referred to as the “selected alternative,” subject to the attached permit stipulations and the project design features identified in Table 2-10 (Section 2.4 of the EA (both attached)). This decision is based on site-specific analysis in the Project EA, the supporting project record, as well as management decisions contained in the Kobuk-Seward Resource Management Plan (RMP) Record of Decision (2008) and the Central Yukon Resource Management Plan (RMP) Record of Decision (1986).

The Project’s Finding of No Significant Impact (FONSI) indicates that the selected alternative has been analyzed in an EA and has been found to have no significant environmental effects (attached). Therefore, an Environmental Impact Statement is not required and will not be prepared.

My decision to authorize rights-of-way to Unicom is summarized as follows (refer to EA, p. 2-5 through 2-7 for more detail):

- 1) Issuance of six long-term (20-year) communications use leases for case files FF-96921, FF-96920, FF-96753, FF-96752, FF-96751, FF-96750, for the five communication towers (Igichuck Hills, Totson, Hunt, Triplet, Nogahabara, and Rain). No construction activity is authorized until a Notice to Proceed has been issued; and

- 2) Issuance of a short-term (three-year) construction right-of-way grant until May 31, 2018 for case file FF-96749. The short-term right-of-way grant will encompass construction activities at all six repeater sites. No construction activity is authorized until a Notice to proceed has been issued; and
- 3) Issuance of a short-term (three-year) geotechnical right-of-way grant until May 31, 2018 for case file FF-96748. The short-term right-of-way grant will encompass drilling and pre construction activities to ensure subsurface competency of the repeater site locations. No activity is authorized until a Notice to proceed has been issued.

The construction and maintenance activities for the communication sites would affect a temporary footprint under the construction grant of 5.17 acres per site (31.02 acres total) and a long-term lease area of 0.69 acres per site (4.14 acres total). The project design features to achieve required operating procedures (ROPs) and stipulations of the rights-of-way are attached (Table 2-10, EA, pp. 2-17 through 2-20 for ROPs). Additionally, Unicom's Plan of Development for the project is included as Appendix B of the EA.

The selected alternative entails siting and construction of six microwave repeater towers on BLM lands and one tower on private land owned by NANA regional corporation ("No Name Mountain"). However, the BLM does not have jurisdiction over the specific location of the tower on private land. Under the selected alternative, six tower sites will be constructed on BLM-managed land.

### **Rationale for the Decision**

The rationale for the decision is based on the environmental impacts to public lands versus the greater public benefits of bringing broadband internet services to western Alaska communities and households.

The No Action Alternative (Alternative 1) was not chosen as it would not offer public health, safety, and educational improvements to western Alaska communities and households. When comparing the remaining alternatives, consideration was given to the potential impacts of each and the ability to accomplish the proposed project goals.

Alternative 2 would accomplish the mission goals of the project and have low environmental impacts.

### **Laws, Authorities, and Land Use Plan Conformance**

The EA 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)

Two BLM land use plans apply to the overall project area, the Kobuk-Seward Resource Management Plan (RMP) Record of Decision (2008) and the Central Yukon Resource Management Plan (RMP) Record of Decision (1986). All actions and activities associated with the selected alternative are in conformance with the Kobuk-Seward RMP and Central Yukon RMP.

### **Public Involvement, Consultation, and Coordination**

The BLM initiated public involvement for this EA with public notices for Town Hall meetings held in the winter of 2014. The BLM led two Town Hall meetings on November 13<sup>th</sup> in Galena and November 14<sup>th</sup> in Koyukuk. The Town Hall meetings provided an introduction to the project in the two communities nearest to the affected federal lands, and solicited input from local residents on issues and concerns associated with the project. The Town Hall meetings revealed public interest in the project and potential benefits, as well as concern with a variety of issues regarding the project design, alternatives, and potential impacts. The BLM used the public comments to identify issues for consideration in the EA (EA, pp. 1-4 & 1-5).

Consistent with Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, the BLM identified tribal governments potentially affected by the project. Letters were sent to tribal governments in June 2, 2014 inviting them to consult on this project. The tribes contacted included:

- Native Village of Galena
- Native Village of Ruby
- Native Village of Tanana

As of July 2015, there had been no response to BLM's invitations to enter into government-to-government consultation.

Internal scoping within the Anchorage Field Office allowed an interdisciplinary team of resource specialists to identify concerns related to the proposed repeater sites and associated activities. Each resource specialist was provided the opportunity to review the plan of development before the EA was prepared. Each specialist identified issues that they determined critical to evaluate further and also provided feedback and ideas for activities identified in the proposed plan of development.

Additionally, on September 28, 2015, the EA was circulated for a 30-day public review. No comments were submitted.

### **Additional Information**

### *ANILCA Section 810 Compliance*

The proposed action will not significantly restrict subsistence uses. No reasonably foreseeable significant decrease in the abundance of harvestable resources or in the distribution of harvestable resources is anticipated and no reasonably foreseeable limitations on harvester access will result from the proposed action.

### *Adverse Energy Impact Compliance*

This action has been analyzed as required by Washington Office Instruction Memorandum 2002-053 to determine if it will cause an adverse impact on energy development. The Anchorage Field Office has determined that the action will not have an adverse direct or indirect impact on energy development, production or distribution. The preparation of a Statement of Adverse Energy Impact is not required.

### *Compliance and Monitoring Plan*

Compliance and monitoring of these authorizations will be conducted by the BLM Anchorage Field Office in conjunction with the Central Yukon Field Office. Inspections will be made prior to the applicant's use, during construction, and operation, and after the applicant reclaims the land upon termination of the authorizations.

### **Appeal Opportunities**

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR § 4. To appeal you must file a notice of appeal at the BLM Anchorage Field Office, 4700 BLM Road, Anchorage, Alaska 99507, within 30 days from receipt of this decision. The appeal must be in writing and delivered in person, via the United States Postal Service mail system, or other common carrier, to the Anchorage Field Office as noted above. *The BLM does not accept appeals by facsimile or email.* The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR § 4.21 (58 FR 4939, January 19, 1993) for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. Except as otherwise provided by law or other pertinent regulation, a petition for a stay of decision pending appeal shall show sufficient justification based on the following standards: (a) The relative harm to the parties if the stay is granted or denied, (b) The likelihood of the appellant's success on the merits, (c) The likelihood of immediate and irreparable harm if the stay is not granted, and (d) Whether the public interest favors granting the stay.

Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (see 43 CFR § 4.413); Office of the Regional Solicitor, Alaska Region, U.S. Department of the

Interior, 4230 University Drive, Suite 300, Anchorage, Alaska 99508; at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

/s/ Doug Ballou for Alan Bittner

12/22/2015

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Alan Bittner  
Anchorage Field Manager

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Date

/s/ Timothy J. La Marr

1/13/2016

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Timothy J. La Marr  
Central Yukon Field Manager

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Date

### **Attachments**

1. Finding of No Significant Impact, including attachments, for DOI-BLM-AK-A010-2014-00304-EA
2. Special Stipulations, including (Table 2-10, EA, pp. 2-17 through 2-20 for ROPs). Additionally, Unicom's Plan of Development for the project is included as Appendix B of the EA.