

Marion Creek Campground and Administrative Site

Introduction

On June 3, 1994, the area encompassed by these two sites were withdrawn from settlement, sale, location or entry under the general land laws and from location and entry under the United States mining laws but not from mineral leasing for a period of 20 years under Public Land Order (PLO) No. 7057. This PLO will expire on June 3, 2014. On December 6, 1991, a 20 year site right-of-way was issued for the Marion Creek Campground which expired on December 31, 2011. On October 16, 1992 a site right-of-way was issued for the Marion Creek Administrative site for 20 years which expired on December 31, 2012. In order to protect this site the Bureau of Land Management, Central Yukon Field Office must issued perpetual rights-of-way for both sites as well as a linear right-of-way for access to the sites from the Dalton Highway.

Summary

The Bureau of Land Management proposes to renew their right-of-way grants for the Marion Creek public campground and Marion Creek Administrative Site as well as access roads to both sites located at mile posts 180 and 180.5 off the Dalton Highway in perpetuity.

Alternatives Considered

The No Alternative Option is the only alternative considered and was not selected as it would not allow the Bureau of Land Management to retain these two sites for the public campground and administrative site.

Decision

I have decided to authorize rights-of-way for the Marion Creek Campground and Administrative site as well as access roads to both sites from the Dalton Highway to continue to operate these facilities in perpetuity.

Management Considerations

The Categorical Exclusion 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.

Public Involvement

It was determined that due to the remoteness of the action, there would be no impact to the general public. Additionally, this document was published to the electronic Central Yukon Field Office NEPA Register on May 27, 2014. No comments have been received as of June 2, 2014.

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.

Approval from Authorized Official:

Field Office Manager Decision

Having considered a full range of alternatives, associated impacts, and public and agency input, I have decided to adopt and implement the attached Approved Plan in conformance with the Utility Corridor Resource Management Plan.

/s/ Nichelle W. Jacobson
Signature
for Nichelle W. Jacobson
Field Manager
Central Yukon Field Office

June 2, 2014
Date

Essential Fish Habitat

NEPA Document No.: DOI-BLM-AK-F030-2014-0039-CX

Prepared by: Bob Karlen

Date: 5/29/2014

Essential Fish Habitat (EFH) Finding: There are salmon species catalogued as present by the State of Alaska in the area to be used or impacted by this action. However, the proposed action is not anticipated to have an adverse effect on EFH for salmon. Therefore, the proposed action is assigned the EFH determination: No affect. EFH consultation with NMFS is not required.

References: Alaska Department of Fish and Game. 2014. Fish distribution database. Internet website at: <http://www.sf.adfg.state.ak.us>

Wilderness Characteristics Assessment

NEPA Document No.: DOI-BLM-AK-F030-2014-0039-CX

Serial Nos.: F-87167 and F-87168

Applicant: Bureau of Land Management, Central Yukon Field Office

Location: Mile posts 180 and 180.5 off the Dalton Highway more particularly described as Secs. 23, 24 and 26, T. 29 N., R. 12 W., Fairbanks Meridian, containing 72.62 acres.

Prepared by: Karen Deatherage

Date: June 2, 2014

Proposed Action

The Bureau of Land Management (BLM), Central Yukon Field Office proposes to renew their site right-of-way for the Marion Creek Campground and Administrative Site located at mile posts 180 and 180.5 off the Dalton Highway more particularly described as being with Secs. 23, 24 and 26, T. 29 N., R. 12 W., Fairbanks Meridian, Alaska, containing approximately 72.62. Current improvements located on the public campground site are 27 campsites with picnic tables and fire rings, 4 outhouses, 4 bear proof trash receptacles, parking area, trailhead, information and interpretive displays, campground host wooden storage shed with black water tank underneath and a water well. As funding becomes available additional improvements and upgrades would be completed within the existing footprint. Heaviest use period of this facility is May through September yearly.

The administrative site is designated for the operation and maintenance of year round housing, seasonal housing, office space, shop and warehouse, RV trailer pad and vehicle parking for three agencies — BLM, NPS and FWS employees. Current facilities onsite are fuel storage tanks containing gasoline (7,000 gallons), fuel oil (10,000 gallons) and propane (1,000 gallons) in dikes, fenced yard for storage, enclosed unheated storage area, and a physical plant building housing generator, wellhead and pump. A utility building which houses showers and laundry on one side and a generator and battery bank on the other side is currently being constructed. The main power source would be solar panels with a propane generator back up. The gray water would drain into a leach field and a new well would be installed to provide water. The majority of use for this facility is May through September with occasional winter use as well. As funding becomes available additional improvements and upgrades would be completed within the existing footprint.

Evaluation

The evaluation of effects on wilderness characteristics on BLM lands within the Utility Corridor includes lands identified in 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 Dalton Highway and Trans-Alaska Pipeline parallel each other for the entire length of the Utility Corridor. The pipeline is 48” in diameter and elevated above ground for much of its length so it is highly visible. The Dalton Highway supplies Alaska’s arctic oilfields and supports considerable industrial traffic year-round. These man-made features and associated human activities are highly visible and audible. Permitted activities such as gravel- and gold mining occur throughout the area and have expanded in some locations. These developments are substantially noticeable and alter the natural character of lands in the Utility Corridor.

The action being considered is located within the Atigun Segment of the Nonwilderness Assessment, which covered approximately 528,000 acres total in 1980. Portions of this segment meet the 5,000 acre minimum size. However it was determined that these segments did not meet the standards for naturalness due to roads, camps, airfields, pipelines, material sites and associated facilities. These disturbances bisect the entire length of the segment.

The location for the proposed action may include areas within the Utility Corridor that are outside the nonwilderness. The BLM has determined that, if a project or activity does not negatively affect wilderness characteristics, the permitting process may proceed as usual, regardless of whether an inventory of wilderness characteristics has been completed (Chris Barns, 2012).

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

- Chris Barns, BLM Representative, Arthur Carhart National Wilderness Training Center, 9 September 2012. “Wilderness Characteristics Guidance for the BLM. Training Module IIID – LWCs and Proposed Projects

— USGS topographic maps, GIS data, Google Earth images

Section 810 Assessment

NEPA Document No.: DOI-BLM-AK-F030-2014-0039-CX

Applicant: Bureau of Land Management, Central Yukon Field Office

Serial No.: F-87167 and F-87168

Proposed Action: The Bureau of Land Management (BLM), Central Yukon Field Office proposes to renew their site right-of-way for the Marion Creek Campground and Administrative Site located at mile posts 180 and 180.5 off the Dalton Highway more particularly described as being with Secs. 23, 24 and 26, T. 29 N., R. 12 W., Fairbanks Meridian, Alaska, containing approximately 72.62. Current improvements located on the public campground site are 27 campsites with picnic tables and fire rings, 4 outhouses, 4 bear proof trash receptacles, parking area, trailhead, information and interpretive displays, campground host wooden storage shed with black water tank underneath and a water well. As funding becomes available additional improvements and upgrades would be completed within the existing footprint. Heaviest use period of this facility is May through September yearly.

The administrative site is designated for the operation and maintenance of year round housing, seasonal housing, office space, shop and warehouse, RV trailer pad and vehicle parking for three agencies — BLM, NPS and FWS employees. Current facilities onsite are fuel storage tanks containing gasoline (7,000 gallons), fuel oil (10,000 gallons) and propane (1,000 gallons) in dikes, fenced yard for storage, enclosed unheated storage area, and a physical plant building housing generator, wellhead and pump. A utility building which houses showers and laundry on one side and a generator and battery bank on the other side is currently being constructed. The main power source would be solar panels with a propane generator back up. The gray water would drain into a leach field and a new well would be installed to provide water. The majority of use for this facility is May through September with occasional winter use as well. As funding becomes available additional improvements and upgrades would be completed within the existing footprint.

Location: Mile posts 180 and 180.5 off the Dalton Highway

Township/Range: Secs. 23, 24 and 26, T. 29 N., R. 12 W., Fairbanks Meridian, containing 72.62 acres.

Evaluation by: Erin Julianus and Bob Karlen

Date: 5/29/2014

Type of Assessment/Sources:

Effect of the proposal on subsistence uses and needs

Fisheries:

Species of fish found in Marion Creek that are suitable for potential subsistence harvest include grayling. 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 in Marion creek downstream of the campground and administration site is expected to diminish in an important way as a result of renewing this Right of Way. 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 this or other drainages. The proposed action will not create any legal or physical barriers that would limit access by subsistence users of the fisheries resource.

Wildlife:

The proposed action is located in Game Management Unit (GMU) 24A. Species of wildlife that are used for subsistence harvest in the area include moose, sheep, bears, furbearers, and small game. These species may temporarily avoid the area when activities associated with the permitted action are occurring, but the activity will not permanently impact their distribution in the area. Although subsistence activity occurs throughout the area, the proposed action will not significantly affect subsistence uses and needs.

Other resources:

The proposed activity will not significantly impact other resources such as berries, willows, and spruce roots. Subsistence activities that target these resources occur in a much broader area than where the proposed action is to take place. Therefore, the proposed action will not significantly restrict subsistence uses and needs.

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

The proposed action would not alter the distribution, migration, or location of subsistence resources.

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

None. Access to resources by subsistence users will not be limited by the proposed action.

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

The proposed action is to renew a permit for existing structures and facilities on public lands. Therefore, no alternative sites were proposed.

Other alternatives, if any, which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes:

The only alternative that would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes is to not allow or permit any activities on public lands. However, such an alternative is not viable because the BLM manages public lands for multiple uses.

Findings:

The proposed action will not significantly restrict subsistence uses. Access to subsistence resources will not be hampered by the proposed activity. There is no reasonably foreseeable significant decrease in the abundance of harvestable resources and in the distribution of harvestable resources due to the proposed action.

References

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