

# **Decision Record - Memorandum**

**Prepared by**  
**U.S. Department of the Interior**  
**Bureau of Land Management**

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# Table of Contents

<b>1. Assignment of Old Visitor’s Center from NPS to FWS .....</b>	<b>1</b>
1.1. Compliance .....	1
1.2. Selected Action .....	1
1.3. Compliance with NEPA: .....	1
1.4. Public Involvement .....	1
1.5. Rationale .....	1
1.6. Appeal or Protest Opportunities: .....	2
1.7. Authorizing Official: .....	3
<b>Appendix A. Essential Fish Habitat .....</b>	<b>5</b>
<b>Appendix B. Wilderness Characteristics Assessment .....</b>	<b>7</b>
<b>Appendix C. Section 810 Assessment .....</b>	<b>9</b>

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# **Chapter 1. Assignment of Old Visitor's Center from NPS to FWS**

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## 1.1. 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.

## 1.2. Selected Action

The proposed action described in the Categorical Exclusion mentioned below is the selected action. A right-of-way grant case file F-81271 to assign the Old Visitor's Center from National Park Service to the Fish and Wildlife Service, Kanuti National Wildlife Service located in Coldfoot, Alaska including all improvements (cabin, gravel pad, pit privy and wellhead and fuel tank) and is described as Lot 2, U.S. Survey No. 13175, Alaska located in Sec. 15, T. 28 N., R. 12 W., Fairbanks Meridian, containing 4.6 acres. The FWS has agreed to all the existing terms and conditions.

## 1.3. 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

## 1.4. Public Involvement

It was determined that due to the remoteness of the action, the general public would not be impacted.

## 1.5. Rationale

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.

## **1.6. 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.

### **1.7. Authorizing Official:**

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

Nichelle W. Jacobson

Field Manager

Central Yukon Field Office

March 5, 2015

Date

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# Appendix A. Essential Fish Habitat

**NEPA Document No.:** DOI-BLM-AK-F030-2015-0001-CX

**Prepared by:** David A. Esse

**Date:** 11/19/14

**Essential Fish Habitat (EFH) Finding:** There are no waterbodies in the project area that are known to contain anadromous fish species (ADF&G 2014). Based on this fact, the effects of the action on EFH are expected to be nonexistent in the area encompassed by this permit. It is also unlikely the impacts downstream of the project area will be significant. Based on these assumptions, the proposed action is assigned the EFH determination: *No effect*. No further EFH consultation is required.

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

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# Appendix B. Wilderness Characteristics Assessment

**NEPA Document No.:** DOI-BLM-AK-F030-2015-0001-CX

**Serial No.:** F-81271

**Applicant:** National Park Service

**Location:** Lot 2, U.S. Survey No. 13175, containing 4.6 acres in Coldfoot, Alaska

**Prepared by:** Karen Deatherage

**Date:** 11/3/14

## Proposed Action

The National Park Service proposes to assign their right-of-way for the Old Visitor Center Building in Coldfoot Alaska to the Fish and Wildlife Service (FWS). The FWS has agreed to all the terms and conditions

## 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 Prospect Segment of the Nonwilderness Assessment, which covered approximately 555,000 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.

## **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 IID – LWCs and Proposed Projects.

— USGS topographic maps, GIS data, Google Earth images

## Appendix C. Section 810 Assessment

**NEPA Document No.:** DOI-BLM-AK-F030-2015-0001-CX

**Applicant:** National Park Service

**Serial No.:** F-81271

**Proposed Action:** The National Park Service proposes to assign their right-of-way for the Old Visitor Center Building in Coldfoot Alaska to the Fish and Wildlife Service (FWS). The FWS has agreed to all the terms and conditions

**Location:** Lot 2, U.S. Survey No. 13175, containing 4.6 acres in Coldfoot, Alaska

**Township/Range:** T. 28 N., R 12 W, Sec. 15 Fairbanks Meridian

**Evaluation by:** Erin Julianus and David A. Esse

**Date:** 11/4/2014 and 11/19/14

**Type of Assessment/Sources:** Review of application materials, subsistence database, local knowledge, and interviews with staff knowledgeable of the area and the proposed action.

### Effect of the proposal on subsistence uses and needs

Fisheries: There is no known subsistence use of fisheries resources within the proposed project area. The proposed action would not significantly reduce harvestable fisheries resources since this activity will occur near non-fish bearing streams. Though streams in the permitted area flow into fish bearing waters, adequate protections are stipulated to minimize impacts to water, fish habitat and ultimately fish species. Therefore, the proposed action would not alter the distribution, migration or location of harvestable fisheries resources. 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 24A. Species of wildlife that are used for subsistence harvest in the broader area include moose, caribou, bears, furbearers, and small game. The communities of Coldfoot and Wiseman are most proximate to the proposed action; Coldfoot being directly adjacent to the proposed action and Wiseman being approximately 15 miles north of the proposed action. The proposed action is not anticipated to increase activity associated with existing facilities at the site, nor are additional facilities anticipated to be constructed on the site. The proposed action will occur in an area where concentrated human activity is already present, and is not anticipated to adversely affect subsistence resources or resource use. Subsistence activities occur in a much broader area and are focused elsewhere.

Other resources: The proposed activity will not significantly impact other resources such as water, berry harvest, or wood. 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:**

None. Temporary avoidance may be observed when the applicants are in the area. However, there is no expected reduction in the availability of resources due to alteration in resource distribution, migration, or relocation.

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

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

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

The proposed action is to transfer administrative responsibility of existing 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.