

Decision Record

Jack Wade Creek Stream Reclamation Project

DOI-BLM-AK-F020-2015-0008-EA

FF096939

Decision:

I have selected the proposed action alternative as described in Environmental Assessment (EA) DOI-BLM-AK-F020-2015-0008. A Finding of No Significant Impact (FONSI) has been completed and a determination was made that the proposed action will not have a significant effect on the human environment and an environmental impact statement is not required.

It is my decision to authorize a stream reclamation demonstration project affecting roughly 1600 feet of lower Jack Wade Creek (JWC) as described in the Proposed Action. This decision also incorporates selected mitigation measures to reduce impacts to the environment from the project.

Public Comments:

The Bureau of Land Management (BLM) made the draft EA and FONSI for the Jack Wade Creek Stream Reclamation Project available for public review and comment for a total of 39 days between 4 March and 11 April, 2015. The only comments received were from the Fortymile Miners Association and are listed below:

1. 43 CFR 3809.420 Performance Standards, sets the miners' reclamation requirements. It states reclamation will be performed "at the earliest feasible time" and that reclamation shall include "reshaping the area disturbed application of topsoil and re-vegetation of disturbed areas where reasonably practicable". It is the Districts' opinion that any reclamation project should be confined to the existing standards, using equipment and tools currently being used by placer miners.
2. In the Proposed Action section, BLM calls for up to five (5) acres of riparian vegetation be transplanted to the project area and that "excavated areas used would be fertilized and seeded to promote recovery". The District strongly opposes any use of fertilization and reseeded in a reclamation project or any form of vegetation that is not natural and adjacent to the immediate reclamation area.
3. Under Purpose and Need for Action the following is stated, "Proposed project will utilize natural stream bank stabilization techniques". Then we read "Trees and large rock would be harvested from areas near the project area". What defines near? A reclamation project that is to be a "classroom" for miners must use existing available materials, not those trucked in from miles away!

4. In the Transplant Source Areas, section “additional sources of transplant material may be located farther south of the project, if targeted transplant areas aren’t suitable or from commercial vendors”. Once again, the District strongly opposes any reclamation project that does not use local vegetation from the immediate area and certainly any form of a vegetative mat supplied by a commercial vendor.
5. In the Mitigation Measures section, a proposed action calls for the following: “Avoid leaving any developed pull-outs off the Taylor Hwy beyond 200’ of centerline to encourage compliance of the camping restrictions”. The area of the reclamation project encompasses the Jack Wade Recreational Panning Area. This is one of the very few accessible areas that people can recreationally pan on for free. The Jack Wade Recreational Panning Area draws tourists, journalists, metal detectorists and miners from near and far. The District feels the BLM should be encouraging developed pull-outs in this area, for the benefit and safety of the recreational users.

Response to Public Comments:

1. The BLM agrees that any reclamation project should be confined to the existing standards, using equipment and tools currently being used by placer miners. The 43 CFR 3809.420 Performance Standards also require the revegetation of disturbed areas and the rehabilitation of fisheries and wildlife habitats. This project is designed to accelerate the recovery of habitats using resources and equipment typically available at placer mine sites around the Fortymile Mining District as well as other mining district’s across the state.
2. The EA states that the BLM would consider using the transplant areas as experimental treatment areas to evaluate different methods of revegetation. The Yukon Revegetation Manual (Matheus and Omtzigt 2013) recommend using active revegetation techniques and fertilizer based on site specific conditions. Our analysis of the soil properties suggests that fertilizer should be applied; however given the traditional approach of using natural vegetation recovery, the BLM is incorporating several methods to evaluate success over time at reducing erosion and accelerating vegetation recovery. Specifically the EA states that BLM could employ an option “to use the transplant source areas as test plots for applying different approaches to re-establishing vegetation (e.g., fertilizing only, fertilizing/seeding, seeding only, and control plots). A monitoring plan would be developed prior to project construction to evaluate the recovery of source areas as well as areas treated with fertilizer and/or seeding”.
3. Although this project is specific to Wade Creek, the incorporation of multiple techniques to construct stream meanders is essential to having a well-rounded demonstration project that benefits miners across Alaska. BLM operators often have trees and cobble size rocks, as well as riparian vegetation available on their mining claim. Since we are not mining the site, we have limited ability to sort large rock from finer gravels. The project is planning to haul in a minor amount of rock from the AK DOT stockpile a few miles

down the road. The demonstration project seeks to incorporate these naturally occurring resources into the aspects of the project so that a wide range of miner's touring the project can benefit.

4. See previous response.
5. The project does not discourage leaving developed pullouts in general, only that no developed pullouts be permanently established beyond 200ft from the centerline of the Taylor Highway as part of this project. Separate from this project, the BLM is actively working with the Alaska Department of Transportation on a comprehensive plan to create developed and maintain pull-outs and other enhancements for the benefit and safety of visitor's to this area.

Rationale for Decision:

1. The proposed action is consistent with the use of public lands under the authority of the Federal Land Policy Management Act.
2. There are no anticipated impacts to cultural resources.
3. The proposed action will not significantly restrict subsistence uses.
4. The proposed action will not impact salmon or habitat known to support salmon and therefore, the proposed action was assigned the Essential Fish Habitat (EFH) determination: No effect and no further EFH consultation is required.
5. The environmentally preferred alternative was selected in accordance with Section 101 of the National Environmental Policy Act (1969) and the regulations, policies, and guidelines issued by the Council on Environmental Quality at 40 CFR 1500. Among other factors, the environmentally preferred alternative helps to:
 - a. Enhance stream functions and our understanding of natural channel design techniques and their application in Alaska.
 - b. Promote the creation of an outdoor classroom for miners, consultants, agency staff, and the public focusing on stream reclamation planning, construction, and techniques in Alaska.

Adopted Mitigation Measures:

Recreation & Travel Management

1. Avoid leaving any developed pull-outs off the Taylor Highway beyond 200 feet-of centerline to encourage compliance of the camping restrictions.

Wildlife Aquatic

1. Prior to completely de-watering sections of the existing stream channel and routing the stream into the newly constructed channel, fish would be captured in the de-watered channel with nets and placed into the active stream channel to prevent their mortality.

Wildlife Terrestrial

1. Conduct nest surveys in the project area between June 7 and July 15 to quantify nest densities and project-related nest loss. Site-specific nest avoidance could potentially also be employed and monitored for effectiveness using this approach.

Invasive Non-native Species

1. All vehicles washed at their point of departure before coming to the site.
2. To the extent practicable, ensure that all staging areas are weed free before parking/storing equipment or materials there.
3. Use native materials for revegetation in as far as they are available.
4. Use Alaska certified weed free seed and other materials as practicable. Deviations from certified weed free products will be approved by the authorizing officer.
5. Deviations from the seeding, fertilizing and planting specifications at revegetation site will be approved by the authorizing officer.

Wastes, Hazardous/Solid

1. Transportation and storage of petroleum, oil and lubricants (POLs) shall be handled in a manner to ensure the products minimize the effects to the environment and human health. Gasoline, diesel, oils, greases and hydraulic fluids are a few of the most common POLs. Containers that are transferred to remote locations for everyday operations are to be stored within secondary containment. The containment area should be lined with a compatible impermeable liner material which is free of cracks or gaps and sufficiently impervious to contain leaks or spills. The containment area must be largest enough to store the capacity of the largest container stored, plus water from a 24 hour storm event.
2. A site Spill Prevention Control and Countermeasure Plan (SPCC) shall be written for the site if the aggregate aboveground storage capacity exceeds 1,320 gallons. The plan will be submitted to the Authorized Officer for record prior to the storage of petroleum products greater than 1,320 gallons.
3. Transfer of POLs to equipment shall be completed in a secure manner to minimize the possibility of contamination to the surrounding environment. At a minimum secondary containment shall be placed under the location to catch overflow or assist the operator in containing a spill, if one occurs. Equipment that has been identified as having a fluid leak should have a drip basin under the leak area to ensure no release to the surrounding environment.
4. Equipment repair by the permittee is allowed on the basis of the necessity to operate equipment on the site located within this permit. Equipment repair that has the potential to release fluids should be completed over an impermeable liner to ensure fluid migration to the environment does not occur.
5. All spills shall be contained and cleaned up as soon as the release has been identified. The release of POLs to any water body is to be reported to the Alaska Department of Environmental Conservation (ADEC) as soon as the person has knowledge of the release.

(in Fairbanks 457-2121 or 1-800-478-9300 outside normal business hours) Within 48 hours of a spill on public lands the demonstration project manager shall contact the Authorized Officer, Lenore Heppler (907-474-2320) or Rebecca Hile (907-474-2371)

6. All hazardous materials storage containers must be labeled with the following information: Name of the entity who owns and/or uses the hazardous material on the project site, contents of the container (name of the product that you put in the container, if not in the original container from the manufacturer), date the product was purchased/put in the container. (e.g. Northern Guides, Diesel Fuel, 2009).
7. All solid waste generated from the Proposed Action shall be containerized and stored on the project site until it can be transported to the closest permitted landfill for disposal. Any solid waste placed in the landfill shall meet the definition of municipal solid waste. Any asbestos containing material associated with this demonstration project shall be disposed of in the closest approved landfill.

Boundary Risk Assessment

1. Research if there are updated location positions for the corners of FF-054304 from Field Office compliance inspections. If so, the project lead will submit to the information to the BLM-AK Cadastral Program for re-evaluation.
2. If possible, contact the mining claimant and inquire if they know where the claim corners are, inform them of the proposed activities and schedule, and suggest a site meeting prior to, or at the time of construction to identify location of the claim corners.
3. If no response or additional information about the claim location can be acquired, make an attempt to locate the claim corners prior to ground disturbance activities on the northern (upstream) area of the proposed activities.
4. If claimant corners cannot be found on site, consider limiting activity on the northern (upstream) end of the proposed project area, to provide a buffer to potential conflict with the mining claim. Be cautious to look for evidence of the claim corners while doing any vegetation removal or earth movement in the northern area of the project area.

Adopted Monitoring Requirements:

Hydrology and Water Quality

1. Continuous water quality monitoring at the top and bottom of the project reach, as well as near the confluence of Wade Creek and Walker Fork would occur throughout the project construction and post construction phases in accordance with the monitoring plan and Alaska Department of Environmental Conservation and Alaska Department of Fish and Game permit requirements.

Wetland-Riparian & Floodplains

1. A monitoring plan would be developed prior to construction to improve BLM's understanding of vegetation recovery rates in interior Alaska.

Appeal Provisions:

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 with the Bureau of Land Management, Eastern Interior Field Office, 1150 University Avenue, Fairbanks, Alaska 99709-3844 within 30 days from receipt of this decision. Appeals from administrative decisions issued by BLM-Alaska must be filed in writing in the office of the deciding official, either by mail or hand delivery. Notices of appeal transmitted by electronic means, such as facsimile or e-mail will not be accepted as timely filed.

Chel Ethun Acting For _____

5/5/2015

Lenore Heppler

Date

Manager, Eastern Interior Field Office

Contact Person

For additional information concerning this decision, contact Matthew Varner at the Bureau of Land Management Alaska State Office, 222 West 7th Avenue #13, Anchorage, Alaska, 99513, or by telephone at 907-271-3348.