



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
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CATEGORICAL EXCLUSION (CX)

A. BACKGROUND

Project Name / Type: Inglutalik River ROW Lease Amendment

NEPA Register Number: DOI-BLM-AK-A010-2015-0010-CX

Case File Number: AA-93583

Location / Legal Description: Kateel River Meridian, Alaska
T. 8 S., R. 10 W., sec. 3 NE ¼ excluding Lot 1 U.S.
Survey 12439 and regional selection application F-21931

Applicant (if any): State of Alaska Department of Fish and Game

Description of Proposed Action:

During the summer 2014 season, the fish counting tower area at Inglutalik River was flooded by a high water event. The State of Alaska has filed an amendment to the existing right-of-way (ROW) lease to allow the components of their fish counting tower to be moved up river approximately one-eighth of a mile to reduce impacts to the tower operations from future anticipated flooding events. The move would still be within the ¼ section authorized in 2014 and be in effect until the existing ROW lease expires on October 31, 2034.

B. LAND USE PLAN CONFORMANCE

Applicable Land Use Plan(s): Kobuk-Seward Peninsula Record of Decision and Approved Management Plan (RMP), September 2008

The proposed action is in conformance with the plan because rights-of-way are addressed in the Kobuk-Seward RMP under Lands and Realty H-1. Goal number 1 is to “Meet public needs for use authorizations such as ROW, leases, and permits while minimizing adverse impacts to other resource values. The proposed action is in conformance with the applicable land use plan, because it is consistent with the following land use plan decisions (objectives, terms, and conditions) and the Goal of the H-1-1:

H. Lands and Realty

H-2: Land Use Authorizations

Land use authorizations include various authorizations and agreements to use BLM lands such as right-of-way grants, temporary use permits under several different authorities; leases, permits, and easements under Section 302 of the Federal Land Policy and Management Act of 1976 (FLPMA); airport leases under the Act of May 24, 1928; and Recreation and Public Purposes (R&PP) leases.

H-2-a: Management Actions (Land Use Authorizations)

6. Rights-of-Way:

- Right-of Way (ROWs) will be located near other ROWs or on already disturbed areas to the extent practical
- Communication site ROWs shall be co-located when feasible
- Public use cabins may be constructed under a ROW reservation

C. CATEGORICAL EXCLUSION

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 the Interior Manual, Part 516, Chapter 11, which provides:

Realty E-13.

Amendments to existing rights-of-way, such as upgrading existing facilities, which entail no additional disturbances outside the right-of-way boundary.

D. EXTRAORDINARY CIRCUMSTANCES

The proposed action must be screened against the Extraordinary Circumstances found in 43 CFR § 46.215 (listed below). Any “yes” finding requires that an Environmental Assessment or Environmental Impact Statement be prepared for the Proposed Action.

EXTRAORDINARY CIRCUMSTANCES	YES/NO
1. Have significant adverse impacts on public health or safety.	No.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.	No.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	No.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	No.
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	No.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	No.
7. Have significant impacts on properties listed, or eligible for listing on the National Register of Historic Places as determined by either the bureau or office.	No.
8. Have significant impacts on species listed, or proposed to be listed, on the List of	No.

Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	
9. Violate Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	No.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	No.
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).	No.
12. Contribute to the introduction, continued existence, or spread of weeds or non-native invasive species known to occur in the area or area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).	No.

E. SIGNATURE

The proposed action is in conformance with the applicable land use plan and is an action that can be categorically excluded. The Proposed Action does not trigger any of the Extraordinary Circumstances found in 516 FM Chapter 2, Appendix 2. I recommend that the Proposed Action be allowed and that no further environmental analysis is required.

/s/ Alan Bittner

9/24/2015

 Alan Bittner
 Anchorage Field Manager

 Date

Attachments

1. Map of proposed ROW Amendment