

Decision Record Memorandum

Frozen Debris Lobe Research

Introduction

Summary

Margaret Darrow through the University of Alaska at Fairbanks proposes to conduct research at eight (8) frozen debris lobes located between mile posts 212 – 231 along the Dalton Highway to measure the rates of movement to assess their geohazard potential. They would collect and monitor data from three (3) automated data acquisition systems including ground temperature measurements, ground movement measurements and weather data. Surface marker pins are already in place authorized by a previous permit. They propose to take surface measures each year in the summer and request a 20 year authorization. Access to all sites is by vehicle on the Dalton Highway and then by foot.

Decision

I have decided to issue a 20 year right-of-way authorization to the University of Alaska at Fairbanks (Margaret Darrow) to conduct frozen debris lobe research at eight (8) locations within mile posts 212-231 off the Dalton Highway. All access is by vehicle on the Dalton Highway and then by foot. See terms and conditions attached to the authorization.

Management Considerations

The Categorical Exclusion and supporting documentation have been prepared consistent with the requirements of various applicable 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 area there would be no impact to the general public. Additionally, this document was published to the electronic Central Yukon Field Office NEPA Register on June 21, 2016. No comments have been received as of July 1, 2016.

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, 222 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 do not 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 Recommendation

Having considered a full range of alternatives, associated impacts, and public and agency input, I recommend the adoption and implementation of the attached Approved Plan as per the Utility Corridor Resource Management Plan.

/s/ Timothy J. La Marr
Timothy J. La Marr
Field, Manager, Central Yukon Field Office

July 7, 2016
Date

Appendix A - Essential Fish Habitat Determination

NEPA document: DOI-BLM-AK-F030-2016-0036-CX

Case File No.: F-97122

Title: Frozen Debris Lobe Research

Prepared by: David G Parker

Date: 6/22/2016

EFH Determination:

The proposed action lies within the general range of Dolly Varden (*Salvelinus malma*); arctic char (*S. alpinus*); Lake Trout (*Salvelinus namaycush*); burbot (*Lota lota*); and whitefish (Coregonid spp.). Arctic grayling (*Thymallus arcticus*) and slimey sculpin (*Cottus cognatus*) are ubiquitous throughout the region (ADF&G 1978). Northern pike (*Esox lucius*), Alaska blackfish (*Dallia pectoralis*), longnose sucker (*Catostomus catostomus*) and ninespine stickleback (*Pungitius pungitius*) are also found in select streams and lakes in the area (BLM 2010 and Mecklenberg et al. 2002). Chinook (*Oncorhynchus tshawytscha*), coho (*O. kisutch*), and chum salmon (*O. keta*) are listed as present in adjacent watersheds. The National Marine Fisheries Service (NMFS) recognizes fresh waters cataloged (ADF&G 2014) as being used by salmon under AS 41.14.870 (Catalog of Waters Important for the Spawning, Rearing or Migration of Anadromous Fishes) as essential fish habitat (EFH).

Adherence to the terms and conditions listed in this CX will limit any negative impacts on downstream anadromous water courses. Therefore, there is no anticipated deleterious direct or indirect effect on EFH. Accordingly, the proposed action is assigned the EFH determination: *No adverse effect*. Consultation with NMFS is not required.

David G. Parker
Fish Biologist
Central Yukon Field Office

References

- Mecklenburg, Catherine W., T. Anthony Mecklenberg, and Lyman K. Thorsteinson, 2002. Fishes of Alaska. American Fisheries Society. Bethesda, Maryland. 1037 p.
- State of Alaska, Alaska Department of Fish and Game. 1978. Alaska's Fisheries Atlas. Volume 2. Edited by R. McLean and K. Delaney. Alaska Department of Fish and Game.
- State of Alaska, Alaska Department of Fish and Game. 2014. An Atlas to the Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fishes, Resource Management Region V. Alaska Department of Fish and Game, Habitat and Restoration Division.

<http://extra.sf.adfg.state.ak.us/FishResourceMonitor/?mode=awc>

Appendix B - Wilderness Characteristics Assessment

NEPA Document No.: DOI-BLM-AK-F030-2016-0036-CX

Applicant: University of Alaska at Fairbanks (Darrow)

Serial No.: F-97122

Location: Between mile posts 212-231 off the Dalton Highway, Alaska

Township/Range: Sec. 1, T. 33 N., R. 10 W., Secs. 3, 4, 14 and 36, T. 34 N., R. 10 W., Secs. 17, 33 and 34, T. 35 N., R. 10 W., and Sec. 2, T. 36 N., R. 10 W., Fairbanks Meridian.

Evaluation by: Robin Walthour

Date: June 22, 2016

Proposed Action: Margaret Darrow through the University of Alaska at Fairbanks proposes to conduct research at eight (8) frozen debris lobes located between mile posts 212 – 231 along the Dalton Highway to measure the rates of movement to assess their geohazard potential. They would collect and monitor data from three (3) automated data acquisition systems including ground temperature measurements, ground movement measurements and weather data. Surface marker pins are already in place authorized by a previous permit. They propose to take surface measures each year in the summer and request a 20 year authorization. Access to all sites is by vehicle on the Dalton Highway and then by foot.

Evaluation: The basis for this evaluation is BLM Manual 6310-Conducting Wilderness Characteristics Inventory on BLM Lands, and BLM Manual 6320 - Considering Lands with Wilderness Characteristics in the BLM Land Use Planning Process, which direct offices to conduct and maintain inventories regarding the presence or absence of wilderness characteristics, and to consider identified Lands with Wilderness Characteristics (LWC) in land use plans and when analyzing projects under the National Environmental Policy Act (NEPA). An inventory of Lands with Wilderness Characteristics was conducted for the area of the proposed action in February 2012. Wilderness characteristics on BLM lands within the Utility Corridor are evaluated according to 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 primarily located within the Atigun Segment (223,000 acres) of the Nonwilderness Assessment. BLM management authority in these segments occurs along the Dalton Highway and extends to the east/west limits of BLM-managed land. Portions of this segment meet the 5,000 acre minimum size. However it was determined that the Atigun Segment 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 in an area that does not have wilderness characteristics and therefore will have no impact on wilderness characteristics.

Type of Assessment/Sources:

The proposed action will occur in an area that does not have wilderness characteristics and therefore will have no impact on wilderness characteristics.

- U.S. Department of Interior, BLM, 1980. Nonwilderness Assessment: The Alaska Natural Gas Transportation System. Final Decision. Anchorage, Alaska
- Lands with Wilderness Characteristics Inventory, CYFO-Gold Creek- Linda Creek
- GIS maps and topographic map: Chandalar C-6

Appendix C - Compliance with ANILCA Section 810

NEPA Document No.: DOI-BLM-AK-030-2016-0036-CX

Applicant: University of Alaska at Fairbanks (Darrow)

Case File No.: F-97122

Proposed Action: Margaret Darrow through the University of Alaska at Fairbanks proposes to conduct research at eight (8) frozen debris lobes located between mile posts 212 – 231 along the Dalton Highway to measure the rates of movement to assess their geohazard potential. They would collect and monitor data from three (3) automated data acquisition systems including ground temperature measurements, ground movement measurements and weather data. Surface marker pins are already in place authorized by a previous permit. They propose to take surface measures each year in the summer and request a 20 year authorization. Access to all sites is by vehicle on the Dalton Highway and then by foot.

Location: Between mile posts 212-231 off the Dalton Highway, Alaska within Sec. 1, T. 33 N., R. 10 W., Secs. 3, 4, 14 and 36, T. 34 N., R. 10 W., Secs. 17, 33 and 34, T. 35 N., R. 10 W., and Sec. 2, T. 36 N., R. 10 W., Fairbanks Meridian.

Evaluation by: David G. Parker and Erin Julianus

Date: 06/22/2016

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

Effect of the proposal on subsistence uses and needs

Fisheries:

The proposed action would not alter the distribution, migration, or location of harvestable fisheries resources. Approved mitigation measures would prevent degradation of adjacent water sources and fisheries habitat. The proposed action will not create any legal or physical barriers that would limit access by subsistence users of the fisheries resources.

Wildlife:

The proposed action will not alter the distribution, migration and/or location of harvestable wildlife resources along the Dalton Highway. The proposed action would not create any legal or physical barriers that would limit subsistence harvest and access.

Other resources:

The proposed activity will not significantly impact other resources such as water, wood, or berries. Subsistence activities that target these resources occur in a much broader area than where the proposed action is to take place.

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

None.

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

None.

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

None.

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

There is no substantial evidence that would indicate a significant impact on subsistence will result from the proposed action. No other alternatives were evaluated.

Finding:

The proposed action will not significantly restrict subsistence uses. No reasonably foreseeable and significant decrease in the abundance of harvestable resources or in the distribution of harvestable resources, and no reasonably foreseeable limitations on harvester access have been forecasted to emerge as a function of the proposed action.