



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Steese Travel Management Area

Eastern Interior Field Office

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Decision Record **Steese Travel Management Area** **DOI-BLM-AK- F020-2019-0015-EA, October 11, 2022**

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1 Introduction

This document describes my decision to implement a designated network of roads and trails as part of the Eastern Interior Field Office Steese National Conservation Area (NCA) Travel Management Plan (TMP). My decision is in conformance with:

1. The Federal Land Policy and Management Act (16 U.S.C. 1701 et seq.)
2. The Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.)
3. The Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.)
4. The Eastern Interior Steese Record of Decision and Approved Resource Management Plan.
5. Bureau of Land Management (BLM) policy on Off-Highway Vehicle (OHV) use of public land, as covered under Executive Order 11644 and Code of Federal Regulations (43 CFR 8340.0-5).
6. Bureau of Land Management policy on National Landscape Conservation System Management as covered under BLM Manual 6100 – National Landscape Conservation System.
7. Bureau of Land Management policy on National Conservation Area management as covered under BLM Manual 62320 – National Monuments, National Conservation Areas, and Similar Designations.

My decision is based on a thorough analysis presented in the Environmental Assessment (EA) for this TMP (TMP/EA), consultation with tribes and ANCSA corporations, consideration of public comments, and coordination with cooperating agencies. Appendix A of this document contains the final TMP for the Steese TMA. Appendix B of this document contains the final travel network maps for the TMA. The Administrative Record, including the EA that discusses and analyzes the action and no action alternatives, will be made available for review at the BLM Eastern Interior Field Office at 222 University Avenue, Fairbanks, AK 99709. Please direct questions about this Decision Record/FONSI or the EA to the Eastern Interior Field Office at 907-474-2200 or by submitting your questions to BLM_AK_FDO_EIFO_GeneralDelivery@blm.gov. The EA is also available by searching the following web address for “Steese Travel Management Area”: <https://eplanning.blm.gov>.

2 Background

The Alaska National Interest Lands Conservation Act of 1980 (ANILCA) established a series of conservation system units (CSUs) in order to preserve certain lands with nationally significant environmental values for the benefit, use, education, and inspiration of present and future generations. The stated intent was to preserve unrivaled scenic and geological values; provide for the maintenance of sound populations of, and habitat for, wildlife species of inestimable value; to preserve extensive unaltered ecosystems; to protect resources related to subsistence needs; to protect and preserve historic and archaeological sites, rivers, and lands; to preserve wilderness resource values and related recreational opportunities within large wildlands and freeflowing rivers; and to maintain opportunities for scientific research and undisturbed ecosystems. The Steese NCA is one of the CSUs established by ANILCA, with the specific purpose “to provide for the immediate and future protection of the lands in Federal ownership

within the framework of a program of multiple use¹ and sustained yield and for the maintenance of environmental quality.” Special values identified in ANILCA to be considered in planning and management of the NCA are caribou range and Birch Creek. ANILCA directed that no public lands in the NCA be transferred out of Federal ownership except by exchange. It withdrew the NCA from locatable mineral entry, with allowance for opening some lands if determined suitable provided that mining claims in such areas be, to the maximum extent practicable, managed consistent with the protection of the scenic, scientific, cultural, and other resources of the area.

The Omnibus Public Lands Act of 2009 (PL 111-11) established the National Landscape Conservation System (NLCS) “in order to conserve, protect, and restore nationally significant landscapes that have outstanding cultural, ecological, and scientific values for the benefit of current and future generations,” and added the Steese NCA as a component of the NLCS. PL 111-11 did not “enhance, diminish, or modify” any provisions of ANILCA. However, it made the Steese NCA subject to Bureau policy regarding management of NLCS units. Key components of that policy relevant to travel and transportation planning include: ensuring that conserving, protecting, and restoring the values for which the unit was designated are the highest priorities in the planning for and management of the lands; and locating roads, primitive roads, and trails within the unit to minimize impact to sensitive resources, enhance visitor recreation experiences, and conserve, protect, and restore the values for which the unit was designated.

The clear intent in law and policy is that planning for and management of the Steese NCA be conducted under multiple use framework consistent with protection of the scenic, scientific, and cultural values of the lands, and in which conservation, protection, and restoration of CSU values, environmental quality, Birch Creek, and caribou range are the highest priority.

Birch Creek WSR was designated by ANILCA Section 603. Outstandingly Remarkable Values identified for Birch Creek WSR are scenic, recreation, and fish values (BLM 2016a). Management objectives for Birch Creek include: protecting valid existing rights and future rights granted pursuant to appropriate Federal and State laws; preserving the river and its immediate environment in a natural, primitive condition; preserving its free-flowing condition; protecting water quality; providing a high quality primitive recreational opportunity; providing opportunities for interpretive, scientific, educational, and wildlands oriented uses; assuring protection of historic and ecological values; and maintaining and improving fish and wildlife habitats (BLM 2016a).

¹ Multiple Use, as defined in the Federal Land Policy and Management Act of 1976, “means the management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some land for less than all of the resources; a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and non-renewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values; and harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output.”

The Steese RMP (BLM 2016a) provides a balance between those reasonable measures necessary to protect the existing resource values and the continued public need for use of the BLM public lands within the planning area. In the end, resource use is managed by integrating ecological, economic, and social principles in a manner that safeguards the long-term sustainability, diversity, and productivity of the land (BLM 2016a).

BLM is directed to manage motorized vehicle use on public lands through the Code of Federal Regulations (CFR) under 43 CFR 8342.1. E-bikes are managed with consideration to the BLM final rule for e-bikes 85 FR 69206 and are discussed in more detail in Section 2.4.8. The Steese Record of Decision and Approved Resource Management Plan (ROD/Approved RMP) (BLM 2016a) provides management guidance for BLM-administered land located within the TMA. BLM Manual 6220 – National Monuments, National Conservation Areas, and Similar Designations provides additional guidance on Travel and Transportation Management within NCA’s. These land use planning decisions must be considered in any travel management planning decisions within a NCA. The TMP does not impede ROW permitted access or ROW grants in the future.

National policy for management is set by documents including the Travel and Transportation Handbook (BLM 2012), National Management Strategy for Motorized Off-Highway Vehicle Use on Public Lands (BLM 2001), Land Use Planning Handbook (BLM 2005) and Executive Orders 11644/11989 (Appendix D of the EA) – Off-Road Vehicle Management Policies.

3 Public Involvement

Public outreach and involvement throughout the TMP process was critical to the development of the alternatives. Extensive public input was gathered and documented to develop the TMP/EA. Route management decisions and alternatives were developed and refined through the public involvement process.

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The public was invited to four open house meetings in April 2019 held in Anchorage, Fairbanks, Central, and Fort Yukon, Alaska to engage in conversations about travel and transportation management planning and opportunities. A total of 82 people signed in at the meetings. BLM staff members, resource specialists, and staff from Logan Simpson (BLM’s travel management consultant) were present to respond to public comments and answer questions. Hard copy comment forms were provided to gather public input.

The purposes of the public meetings were to:

- Receive input on the route inventory and criteria used for route evaluation;
- Receive input on the importance of routes to various users;
- Receive input on scoping and issue identification;
- Inform the public on the planning process and RMP guidance;

- Identify needs for new routes; and
- Identify needs for closing routes.

The following subjects were discussed:

- Activities to consider during the evaluation process;
- Issues for consideration;
- OHV use;
- Subsistence, ANILCA, and State lands;
- Llamas and pack animals;
- Access, easements, and ROWs;
- Trails; and
- Curb weight limitation.

A total of 200 individual comments were received through email and at the public meetings. Many comments were recorded anonymously at the public meetings by marking on the large hard copy map. Comments were reviewed prior to and during the evaluation process and incorporated into the GIS route database.

Public Draft EA

The Steese Travel Management Area (TMA) Travel Management Plan (TMP) and Environmental Assessment (EA) was release on July 21, 2021. Release of the Draft TMP EA initiated a public comment period that extended through August 20, 2021. During the public comment period, BLM hosted one virtual public meeting in August 2021. The BLM presented the Draft TMP EA, designation considerations, and provided information for how to comment on the Draft TMP EA. A total of 9 people attended the meeting. In addition to the virtual public meeting, the BLM created an online interactive map that presented a user-friendly visual overview of the alternatives and routes analyzed in the EA.

The BLM received written comments on the Draft TMP EA by email and through the BLM ePlanning project website. A total of 52 unique comment documents were received during the public comment period. Comments expressed a broad range of opinions, recommendations, and concerns. The BLM recognizes that commenters invested considerable time and effort to submit comments on the Draft TMP EA, and therefore developed a comprehensive comment summary and response document to ensure that all substantive comments were considered, as directed by National Policy Act (NEPA) regulations.

A decision was made to do a supplemental analysis of allowing up to 1500 lbs and 64 inch width OHVs in Alternatives B and D as a result of input from the State of Alaska and concerns that the range of alternatives did not sufficiently address a full analysis of that weight/width ratio on all identified routes. A supplemental analysis was conducted and considered as part of the final decision.

4 Government to Government Consultation

Consistent with the Department’s tribal and ANCSA corporation consultation policy in 512 DM 5, BLM sent letters to Alaska Native tribes, village corporations, and ANCSA regional corporations to announce the proposed project and the associated meetings. This letter was sent on March 15, 2019. Additional letters were sent to the following Alaska Native tribes, village corporations, and ANCSA regional corporations on June 25, 2021 with an update on the TMP process:

- Beaver Kwit'chin Corporation
- Beaver Village
- Birch Creek Tribe
- Chalkyitsik Native Corporation
- Chalkyitsik Village
- Circle Tribal Council
- Danzhit Hanlaih Group
- Dinyea Corporation
- Doyon, Limited
- Gwitchyaa Zhee Corporation
- Native Village of Fort Yukon
- Native Village of Stevens.
- Tihteet'aii, Incorporated
- Toghoththele Corporation

Doyon, Limited requested a consultation meeting, which was held on August 25, 2021. BLM did not receive any other response from Tribes or ANCSA corporations.

5 Consultation, Coordination, and Cooperation

The BLM consulted with the State Historic Preservation Office (SHPO) via a letter sent (and received by the SHPO) on July 21, 2021. The BLM received a written response with comments from the SHPO in a letter dated August 13, 2021. BLM addressed all comments received by revising the applicable cultural sections in the EA, or in the Decision Record (DR).

Federal, State, and local agencies were consulted or participated during the development of the TMP/EA. The State of Alaska requested and was approved for cooperator status for the planning process. BLM engaged with the State of Alaska as a cooperating agency in four half-day workshops and six additional working meetings to review the draft EAs and address issues of concern. The State of Alaska provided additional harvest data to inform a supplementary analysis to include a revision to Alternative B and D to analyze for OHV use of up to 1500 lbs and 64 inches. State agencies that participated in the process were the Alaska Department of Natural Resources, the Alaska Department of Fish and Game, and the Alaska Department of Transportation.

6 Alternatives Considered

Three action alternatives and a no action alternative are considered in the TMP/EA analysis. Each alternative (except the No Action Alternative) meets the Purpose and Need, as described in Section 1.2 of the EA. While each action alternative would result in varying route networks and management decisions, they are all in conformance with the prescriptions outlined in the 2016 ROD/RMP. All action alternatives would result in a net reduction in routes for public motorized and mechanized use, as compared to the current conditions (No Action, Alternative A). A brief summary is provided below; however, more detailed summaries are provided in Chapter 2.0 of the EA.

6.1 Alternative A (No Action)

Alternative A would maintain existing interim conditions and management as shown on the Interim Travel Map in the Steese ROD/Approved RMP (BLM 2016a). Alternative A generally reflects interim management and regulation, access, and use patterns (including current allowed uses in Research Natural Areas (RNAs)) under interim management outlined in the RMP and offers minimal restrictions on the type and season of use, and is similar to management and use occurring prior to the implementation of the 2016 Steese ROD/RMP. Alternative A is the least restrictive alternative. No improvements, new limitations, or closures would be implemented, and no new routes are proposed under this alternative. Routes that occur in non-motorized summer use areas would be managed as primitive, non-motorized trails (closed to OHV use). During the winter season, the TMA would be open to limited OHV cross-country use.

However, the interim management is meant to be interim only, as certain decisions in the Steese ROD/Approved RMP preclude some interim management. For example, under the Steese ROD, no OHV cross-country travel would be allowed in crucial caribou and Dall sheep habitat under Alternative A. Non-motorized use would be allowed throughout the TMA in summer and winter use periods.

6.2 Alternative B (Balanced)

Alternative B proposes a route network that seeks to balance protection, restoration, enhancement, and use of resources and services to meet ongoing programs and land uses and comply with the Steese ROD/Approved RMP (BLM 2016a). Alternative B emphasizes multiple-use management by protecting sensitive resources, while continuing to provide recreation and travel opportunities. The most significant change from Alternative A would be that in most of the TMA summer OHV use would be limited to managed routes, as directed in the Steese ROD/RMP. In these areas, summer OHV cross-country travel would not be allowed except for game retrieval. Alternative B would not close any managed routes. It would employ minimization criteria to keep routes open that would otherwise be closed for resource protection. During the winter season, Alternative B would include a limited number of managed winter trails and some proposed winter trails. Federally qualified subsistence OHV use would be subject to the same limitations as other users.

6.3 Alternative C (Resource Conservation)

Alternative C would provide the greatest extent of resource protection, while still allowing route use where resource protection conflicts do not exist. This alternative would reduce the number of managed routes, primarily where soils are poor, and reduce size of OHVs allowed on some routes. This alternative would reduce the potential for impacts to known sensitive resources, such as soils and wildlife habitat. Motorized access would be more restricted than under Alternatives A or B. In some cases, and in some areas, motorized use would be excluded to protect sensitive resources. During the summer use period, Alternative C would provide for increased protection and restoration of sensitive wildlife habitat by implementing limitations on motorized use. During the winter season, Alternative C would include a limited number of managed winter trails and some proposed winter trails. Federally qualified subsistence OHV use would be subject to the same limitations as other users.

6.4 Alternative D (Expanded Subsistence OHV Access)

Alternative D would allow for cross-country subsistence OHV access anywhere, and on any route, on federally accessible lands (i.e. not on state or native selected lands) within the TMA for Federally qualified subsistence users engaging in subsistence activities within the scope of ANILCA Section 803. OHV access for subsistence would be limited to OHVs weighing 1,000 pounds or less curb weight and a maximum width of 50 inches, consistent with the RMP area designation for the TMA.

Alternative D would balance resource protection and public access, similar to Alternative B. For those users who are not Federally qualified subsistence users, OHV area and route management would be identical to Alternative B. As such, area management acres and route miles presented in all tables (Appendix D) throughout this EA for Alternative D are those that apply only to Federally qualified subsistence users engaging in subsistence activities within the scope of ANILCA.

7 Decision

It is my decision to implement the travel management actions and route designations contained in Alternative B for winter management in the Final EA for the Eastern Interior Field Office Steese TMA. It is my decision to implement the travel management actions and route designations contained in Alternative B for summer management in the Final EA for the Eastern Interior Field Office Steese TMA, but with the following changes and mitigation measures for summer management:

- **1500 pound curb weight OHVs allowed on routes in the north portion of the south Steese unit.** In that portion of the South unit of the Steese NCA that is north of the Birch Creek Wild and Scenic River Corridor and is identified as TMZ 2 or TMZ 3 in Alternative B:
 - Those routes identified in Alternative B as “Open to OHVs weighing 1,000 pounds or less Curb Weight and a maximum width of 50-inches. Open to all modes of non-motorized travel” will be open to OHVs weighing up to 1,500 pounds curb weight and up to 64 inches width, as analyzed in the Supplemental Analysis. Those routes will also be open to all modes of non-motorized travel.
 - INCLUDED ROUTES: 271, 280, 276.1, 277, 272, 273.07, 268, 269, 265.1, 266.4, 265.2, 265, 265.3, 264 (ends at WSR corridor), 263 (ends at WSR corridor), 282.3, 282.1, 282.2, 282.4, 282.5, 282.7, 282.6, 282.8, 288 (ends at WSR corridor), 296.3, 296.2 (ends at WSR corridor), 354, 312.06, 312.02, 312.09, 312.03, 312.10, 312.05, 312.07, 312.12, 300.1, 300.4, 300.3, 300.2, 362, 312.11, 298, 312.13, 312.14, 305, 312.15, 306.3, 310, 312.16, 313, 312.17, 312.20, 329 (ends at WSR corridor).
 - In that portion of the area identified as TMZ 2 in Alternative B, no cross-country travel will be allowed, except that off route game retrieval will be allowed as defined in Appendix A, except that up to 3 OHVs up to 1000 pounds curb weight, OR 1 OHV up to 1500 pounds curb weight may participate in the retrieval.
 - In that portion of the area identified as TMZ 3 in Alternative B, cross-country travel will be allowed, limited to vehicles up to 1,000 pounds curb weight and 50 inch width. Off-route game retrieval will be allowed as defined in Appendix A, except that up to 3 OHVs up to 1000 pounds curb weight, OR 1 OHV up to 1500 pounds curb weight may participate in the retrieval.

- Monitoring the condition of these routes will be prioritized and monitoring results will be used to inform adaptive management, including adjusting OHV size limits, maintaining, rerouting, or temporarily closing routes as appropriate.
- **1500 pound curb weight OHVs allowed on boundary routes.**
 - Specific routes along the boundary of the north Steese unit that repeatedly cross from state to federal land will be open to OHVs weighing up to 1500 pounds curb weight and up to 64 inches width. These routes will also be open to all non-motorized uses. Game retrieval off these routes will be allowed as defined in Appendix A, except that up to 3 OHVs up to 1000 pounds curb weight, OR 1 OHV up to 1500 pounds curb weight may participate in the retrieval.
 - Included routes:
 - Routes 225, 225.1, 231.1, 406, 407, 408. Along with routes on the State side of the boundary, these routes make up a trail that approximately follows the Fairbanks North Star Borough boundary and connects the southern end of route 0000 to the southern end of route 237.
 - Routes 259.1, 291.04, 291.03, 291.06, 291.07, 291.08, 291.09, 291.01, 291.02. Along with routes on the State side of the boundary, these routes make up a trail that approximately follows the southern NCA boundary connecting the southern end of route 261 to the terminus of route 291.02.
 - Routes 318.4, 318.1, 318.2, 318.5, 318.3, 318.6, 318.7. These routes provide continuity for routes on State land across the far southeastern corner of the north Steese unit.
 - Mitigation: TMP implementation will include monitoring conditions on these routes. Adverse monitoring results may be addressed through maintenance, improvement, rerouting, or seasonal or temporary closure. Given the nature of these routes passing back and forth between state and federal land, state collaboration and coordination will be sought when implementing measures to address adverse monitoring results.
- **Deferral of motorized use in Preacher Creek (routes 387 and 401).**
 - These routes will be part of the managed route network and open to all non-motorized uses. However, motorized use will be deferred until sustainable routes are identified and developed along this section. Identification and development of a sustainable route to support OHV use along this section of Preacher Creek will be a priority during travel management plan implementation.

In accordance with the Eastern Interior RMP, winter management will apply from October 15 until April 30 each year, unless otherwise approved by the Authorized Officer.

Decisions made in the Eastern Interior RMP prohibit domestic sheep, goats and camelids (including alpaca and llama) in Dall sheep habitat and adjacent lands. The Dall sheep habitat was determined in the Eastern Interior RMP. The adjacent lands within which that restriction applies is decided in this TMP, and is shown on the maps included in Appendix B.

8 Modification and Clarification

8.1 Authorizations

Travel management decisions would not affect valid existing rights for permitted uses, including rights-of-way (ROW) or State roads, locatable minerals, or current easements. Per Section 2.6.3.7 of the

Proposed RMP/FEIS, and Section 2.2.22 of the ROD/Approved RMP, any fire, military, emergency, or law enforcement vehicle used for emergency purposes; and any vehicle whose use is expressly authorized by the AO, or otherwise officially approved are exempt from OHV decisions (BLM 2016a).

Implementation of the TMP would maintain access to lands planned for disposal and access to private inholdings. ROW and land status data were analyzed during the route evaluation process and in some areas were adjusted to accurately identify management decisions and jurisdictional authority.

A travel management plan is not intended to provide evidence, bearing on, or address the validity of any R.S. 2477 assertions. R.S. 2477 rights are determined through a process that is entirely independent of the BLM's planning process. Consequently, TMP did not take into consideration R.S. 2477 evidence. The BLM bases travel management planning on purpose and need related to resource uses and associated access to public lands and waters given consideration to the relevant resources. At such time as a decision is made on R.S. 2477 assertions, the BLM will adjust its travel routes accordingly.

8.2 Electric Bikes (e-bikes)

Riding e-bikes is gaining in popularity among a variety of types of users, including adaptive bicycle users, seniors, and youth. E-bikes demonstrate an advancement in technology that has the potential to increase access to recreation opportunities and areas for a variety of users. Development of e-mountain bikes has enabled some people to access more routes with dirt, rock, or gravel surfaces. Although e-bikes have been observed on the EIFO trails, their use appears to be minimal in the area. Therefore, at this time BLM is not making a blanket determination that e-bikes should be treated the same as non-motorized bicycles as provided for in 43 CFR 8340.0-5(a)(5)(iii).

8.3 Temporary Closures

“Where off-road vehicles are causing, or will cause, considerable adverse effects upon soil, vegetation, wildlife, wildlife habitat, cultural resources, historical resources, threatened or endangered species, wilderness suitability, other authorized uses, or other resources, the affected areas shall be immediately closed to the type(s) of vehicle causing the adverse effect until the adverse effects are eliminated and measures implemented to prevent recurrence” (BLM Travel and Transportation Handbook H-8342-1, page 38, based on 43 CFR 8341.2).

8.4 Emergency Closures

“In the event of an emergency, immediate actions, such as closure or restrictions on uses of the public lands, must be taken to prevent or reduce risk to public health or safety, property, or important resources. Emergencies are unforeseen events of such severity that they require immediate action to avoid dire consequences” (BLM Travel and Transportation Handbook H-8342-1, page 37, referring to BLM NEPA Handbook (H-1790-1), Section 2.3).

The following standard off-highway vehicle exceptions apply to restrictions on motorized travel in limited and closed areas:

- Any non-amphibious registered motorboat;
- Any military, fire, emergency, or law enforcement vehicle while being used for emergency purposes;

- Any vehicle whose use is expressly authorized by the Authorized Officer, or otherwise officially approved;
- Vehicles in official use; and
- Any combat or combat support vehicle when used in times of national defense emergencies (43 CFR 8340.0-5).

9 Rationale for Decision

The Final TMP/EA identifies a system of roads, primitive roads, and trails, as well as the terms for their use and maintenance. Additionally, it provides for the creation of a limited number of new routes, reroutes, and closure of other routes. Limiting motorized and mechanized travel to managed routes would substantially reduce the off-route motorized travel impacts and user-created routes and would provide for development of a defined and manageable travel route network.

There is considerable demand for a full spectrum of travel and transportation opportunities and associated recreational experiences in the NCA. Public comments received during the NEPA process leaned nearly 2:1 in favor of maintaining or increasing OHV limitations. At the same time, there is large demand for motorized access in the NCA and providing such access for hunters helps facilitate the Alaska Department of Fish and Game’s management strategy for the Fortymile Caribou Herd.

Key policy guidance that informed the decision includes:

- Guidance pertaining to management of National Conservation Areas (MS-6220). “In general, use is to be restricted to identified roads, primitive roads, and trails, except for authorized and administrative use and specific exceptions identified in the designating legislation or proclamation.”
- Guidance pertaining to management of the National Landscape Conservation System (MS-6100), “Roads, primitive roads, and trails within NLCS units will be located to minimize impacts to sensitive resources, enhance visitor recreation experiences, and conserve, protect, and restore the values for which NLCS units were designated.”
- Guidance pertaining to Travel and Transportation Management (MS-1626). “Due to the increasing popularity of OHV activities, technological advances in OHVs themselves, and changes in the intensity of management for other public lands resources, the designation or retention of large areas open to unregulated cross-country OHV travel is not a viable landscape-wide management strategy. Open areas ... will be limited to a size that can be effectively managed and geographically identifiable The BLM should not designate expansive open areas without a corresponding, and identified, BLM purpose supporting a user need or demand. The open area designation must address the designation criteria (43 CFR 8342.1) and the goals and objectives identified in the RMP.”
- Guidance pertaining to using a landscape-based management approach to facilitate climate change resilience (523 DM-1; 604 DM-1). “Advance approaches to managing linked human and natural systems that help mitigate the impacts of climate change, including:
 - (a) Protect diversity of habitat, communities and species;
 - (b) Protect and restore core, unfragmented habitat areas and the key habitat linkages among them;

- (c) Anticipate and prepare for shifting wildlife movement patterns;
- (d) Maintain key ecosystem services;
- (e) Monitor, prevent, and slow the spread of invasive species (defined in Executive Order 13112 as alien species whose introduction does or is likely to cause economic or environmental harm or harm to human health); and
- (f) Focus development activities in ecologically disturbed areas when possible, and avoid ecologically sensitive landscapes, culturally sensitive areas, and crucial wildlife corridors.”

Within the range of alternatives analyzed, Alternative B provides the best balance for meeting the diversity of user experiences desired, facilitating BLM and cooperator management objectives, and complying with key policy guidance. Therefore, Alternative B was adopted as the decision for winter management. Alternative B was adopted for summer management, with three specific changes based on the following rationale:

1. **1500 pound curb weight OHVs allowed on routes in the north portion of the south Steese unit.** The State of Alaska expressed concerns about OHV limitations in the SNCA reducing the ability to achieve harvest objectives for the Fortymile Caribou Herd. While not definitive, analysis provided by the state suggests that most of the harvest occurs in the north portion of the south Steese unit and the adjacent state lands between the north and south Steese units. The supplemental analysis of summer OHV limitations suggests that use of 1500 lb. vs 1000 lb. OHVs on managed routes may result in some additional impacts to soils and vegetation, though there is no definitive data to determine the magnitude of difference. It is generally preferable to take a precautionary initial approach and allow for gradual increase in activity based on monitoring when considering potentially impactful activity with uncertainty about the magnitude of impacts. However, in this case there is a definable boundary for the area of consideration, the mitigation measures described in the decision are available to address problem areas in an adaptive fashion, and there is policy guidance, logic, and genuine management interest in collaborating with the State to facilitate harvest management objectives for the Fortymile Caribou Herd.
2. **1500 pound curb weight OHVs allowed on boundary routes.** Routes along the southern boundary of the north Steese unit cross back and forth over the boundary, traversing both federal and state land. Under the state’s Generally Allowed Uses (11 AAC 96.020), use of OHVs up to 1500 pound curb weight is allowed on state lands as long as it does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion. Changing the allowed OHV weight on those routes every time the trail crosses the boundary would create an untenable and confusing situation for public land users. The routes would be administratively fragmented to the point of being effectively unusable. The supplemental analysis of summer OHV limitations suggests that use of 1500 lb vs 1000 lb OHVs on managed routes may result in some additional impacts to soils and vegetation, though there is no definitive data to determine the magnitude of difference. However, these routes do not run into the interior of the NCA and mitigation measures described in the decision can be used to address problem areas in an adaptive fashion.

3. **Deferral of motorized use in Preacher Creek.** Routes 387 and 401 provide connectivity between routes 236.2, 243, and 246.1 along the general course of Preacher Creek between the confluence of American Creek and the confluence of McKinley Creek. Data from overflights and staff observations during the route inventory indicate the route as mapped in the GTLF data set is fragmented and largely undiscernible on the ground, and there is considerable evidence that the actual used trail is the stream channel of Preacher Creek. This area is identified as a Riparian Conservation Area in the Eastern Interior RMP with management goals of maintaining and providing stream channel integrity and ensuring riparian proper functioning conditions. Department policy requires that we avoid adverse impacts in floodplains (520 DM 1) to the extent possible. Bureau policy requires that we protect aquatic habitats and facilitate proper functioning condition of riparian areas (MS-6720). Regulation requires that trail designations be based on protecting resource values and minimizing damage to watersheds (43 CFR 8342.1). While recognizing that a connecting route along the general course of Preacher Creek would increase access opportunities, authorizing use of the stream channel as a designated OHV route is inconsistent with the RMP, regulation, and Bureau and Department policy. As described in the Decision, identification and development of a sustainable route that is able to support OHV use will be a priority in TMP implementation.

Rationale for not choosing Alternative D:

Section 811 of ANILCA requires that “rural residents engaged in subsistence uses shall have reasonable access to subsistence resources on the public lands.”

The Steese ROD/Approved RMP provides:

The BLM would implement restrictions and closures to the use of snowmobiles, motorboats, and other means of surface transportation traditionally employed for subsistence purposes by local rural residents (ANILCA Section 811(b)) only if the Authorized Officer determines that such use is causing or is likely to cause an adverse impact on the following:

- Public health and safety;
- Resource protection;
- Protection of historic or scientific values;
- Subsistence uses;
- Conservation of endangered or threatened species; or
- Other purposes, values, and uses for which the lands are being managed under the Federal Land Policy and Management Act of 1976 (FLPMA) or designated by ANILCA (such as a WSR, NRA, or NCA, if applicable).

Alternative D analyzed a scenario identical to Alternative B except that OHV limitations would not be applied to federally qualified subsistence users engaged in subsistence activities as defined in ANILCA. In effect, this would mean subsistence users could travel cross-country during summer using OHVs up to 1000 pounds curb weight anywhere in the travel management planning area. The analysis indicates the allowance of unrestricted cross-country OHV use by subsistence users creates potential for considerably more adverse impacts to:

- NCA purposes and values, including Birch Creek Wild River, noting that Alternative D is the only alternative that would allow summer OHV use in the wild river corridor;
- Scientific values in Research Natural Areas;
- Resource protection, including impacts to permafrost and sensitive soils, water quality, conservation watersheds, riparian conservation areas, and restoration watersheds, increased probability of invasive species dispersal away from route networks, and increased wildlife habitat fragmentation.

The analysis also indicates these adverse impacts would be expected to accumulate and increase over time through cross-country OHV use by non-subsistence users that follow onto social routes created by subsistence OHV cross-country travel. The potential for increased adverse impacts to NCA purposes and values, Birch Creek Wild and Scenic River, scientific values in RNAs, and protective measures for a variety of resource values is reason for not implementing Alternative D.

The travel management decisions in Alternative B do provide reasonable access to subsistence resources without allowing unmanaged cross-country OHV travel by subsistence users. BLM provided notice and then conducted public hearings in the affected vicinity in August, 2021 specifically to hear concerns related to subsistence access, in addition to the other comment periods included in the planning process. We received no comments related to subsistence access. Subsistence users will have the same access to the area as non-subsistence users. There is little evidence of subsistence use in areas that will not be accessible by OHV on the route network, and access by means other than summer OHV is virtually unrestricted. Alternative B provides for summer OHV access with vehicles up to 1500 pound curb weight, including off-trail game recovery, to the highest caribou harvest unit. Cross country winter access is allowed throughout the travel management planning area. Even with the OHV limitations in Alternative B, subsistence users will have reasonable access to subsistence resources

10 Environmental Analysis and Finding of No Significant Impact

The TMP was analyzed in DOI-BLM-AK- F020-2019-0015-EA and was found to have no significant impacts, thus an EIS is not required. The Finding of No Significant Impact was signed on October 11, 2022.

11 Authorities

The Steese TMA TMP/EA was prepared according to regulations implementing the FLPMA of 1976, as amended, which are located in Title 43 of the Code of Federal Regulations (CFR), Part 1600. The EA was prepared in accordance with the National Environmental Policy Act (NEPA) of 1969 and regulations found in CFR Title 40, Part 1500. Under these rules, management decisions on roads and trails are considered implementation decisions and are subject to Department of the Interior appeal regulations via the Interior Board of Land Appeals.

Within 30 days of receipt of this decision, you have the right of appeal to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with the regulations at 43 CFR Part 4. Appeal and stay procedures are outlined in BLM Form 1842-1, available online at: https://eplanning.blm.gov/public_projects/nepa/100376/163074/199042/BLM_Form_1842-

1_Information_on_Taking_Appeals_to_the_Interior_Board_of_Land_Appeals.pdf. Appeals must reference decision numbers, specific proposed final decision maps, route designations, route identification numbers and/or other travel decisions made in this Decision Record.

12 Approval

The decision is hereby made to approve the attached Eastern Interior Field Office Steese Travel Management Area TMP/EA, as described in Section 6 of this document. This Decision Record serves as the final decision for the decisions in the TMP/EA and the decisions become effective on the date this Decision Record is signed.

Field Office Manager Recommendation

Having considered a full range of alternatives, associated impacts, and public and agency input, I approve the attached TMP/EA as specified in this Decision Record.

APPROVED:

Tim Hammond
Field Manager
Eastern Interior Field Office

DATE