UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Arctic Field Office
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Fairbanks, AK 99709
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FINDING OF NO SIGNIFICANT IMPACT

Colville River Special Area Management Plan
Environmental Assessment
Environmental Assessment AK-023-08-01

Based upon a review of the EA and the supporting documents, I have determined that the Proposed Action will not have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance as defined at 40 CFR 1508.27. Therefore, an environmental impact statement is not required. We reviewed the context of the Proposed Action and found that it would not result in any significant effects to resources and values in NPR-A, or surrounding lands. The Proposed Action would provide new benefits to the arctic peregrine falcon because there would be added protections compared to the current situation and the geographic range of these protections would be extended into the CRSA in South NPR-A. In addition, the Proposed Action would not add substantially to incremental impacts in the CRSA and outlying lands. In fact, the protections would offset some of the effects of increased development and human activity in and near the CRSA. Any negative effects from the Proposed Action would be negligible. We also reviewed the effects of the Proposed Action in the context of the North Slope area, and found that the effects would not be significant

The following intensity factors have been considered in evaluating significance for this proposal (40 CFR 1508.27):

1. Impacts that may be both beneficial and adverse: The beneficial effects of the CRSAMP include the conservation of habitat for the arctic peregrine falcon in the CRSA and reduction in disturbance to nesting arctic peregrine falcons. Additional indirect benefits to other birds, moose, fish and fish habitat, and subsistence would occur. There are no impacts anticipated to subsistence hunting and fishing and environmental justice. The CRSAMP would have a negligible impact to certain recreational uses requiring BLM permits. Some adverse impacts could occur to scientific research and monitoring activities such as wildlife and fish surveys, and paleontological or cultural resources excavations.

2. Degree of effect on public health and safety: The Proposed Action, to implement the CRSAMP, would have no effect on public health and safety.

3. Unique characteristics of the geographic area such as proximity to cultural or ecologically critical areas: The CRSA provides a variety of important cultural and ecological values. Primarily, the CRSA has been designated as an area to protect nesting and foraging habitat of the arctic peregrine falcon in NPR-A. The Proposed Action implements protections to benefit the arctic peregrine falcon population and habitat in the CRSA. The protections covered by the Proposed Action will negligibly affect paleontological research activities, but would not affect cultural or paleontological resources. Although the Colville River is not designated as Wild or Scenic, the Proposed Action would be compatible with any future designations. The Proposed Action would not impact park lands, prime farmlands, or wetlands.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial: There is no scientific controversy over the nature of the environmental impacts of the Proposed Action in the CRSA.

5. Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risk: No highly uncertain or unknown risks to the human environment were identified.

6. Degree to which the action may establish a precedent for future actions with significant effect: The Proposed Action was considered within the context of past, present, and reasonably foreseeable actions and no significant cumulative effects are expected to result from implementation of the CRSAMP. In fact, the incremental impact of protections designed for the arctic peregrine falcon will be beneficial or negligible to resources and values in the CRSA.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts: No individually or cumulatively significant impacts were identified for the Proposed Action. The cumulative effects are analyzed in Section 4.3 of the EA.

8. Degree to which the action may adversely affect district, sites, highways, structures, or other objects listed on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural or historical resources. The Proposed Action will not adversely affect any historic, cultural, or scientific resources in the CRSA. There are no districts, sites, highways, structures or other objects listed on the National Register of Historic Places in the CRSA.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat: Section 7 ESA informal consultation with the US Fish and Wildlife Service was conducted, regarding Steller's and spectacled eiders and the USFWS concurred with the BLM's "no effect" determination on April 18, 2008. The USFWS was also contacted regarding potential impacts to the newly listed polar bear,

and USFW confirmed that the Proposed Action would have no effect on polar bears (Ted Swem USFWS, personal communication, May 15, 2008).

10. Whether the action threatens a violation of federal, state, local or tribal law, regulation or policy imposed for the protection of the environment, where non-federal requirements are consistent with federal requirements: The Proposed Action does not violate any known federal, state, local, or tribal law or requirement imposed for the protection of the environment.

APPROVED:

Lon Kelly 7/18/2008

Lon Kelly
Arctic Field Office Manager

Date

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DECISION RECORD

Colville River Special Area Management Plan Environmental Assessment Environmental Assessment AK-023-08-01

INTRODUCTION

The Bureau of Land Management (BLM) has conducted an environmental analysis (EA Number AK-023-08-01) to evaluate the effects of implementation of the Colville River Special Area Management Plan (CRSAMP), which is located within the National Petroleum Reserve – Alaska (NPR-A).

The CRSAMP builds upon the protections for the arctic peregrine falcon provided in the Records of Decision (RODs) for the Northeast NPR-A Supplemental Integrated Activity Plan (IAP)/EIS (2008) and the Northwest NPR-A EIS (2004). It also includes additional management actions to protect arctic peregrine falcons that were developed from the NPR-A Raptor Workshop and were not covered in the two NPR-A IAP/EISs. New protections are associated with requirements for permittees and other authorized users. The CRSAMP applies protections for the arctic peregrine falcon for the CRSA lands within the South NPR-A, which does not have a current integrated activity plan that defines specific protections as contained in the CRSAMP.

The EA considered two alternatives: the No Action Alternative and the Proposed Action, which is the alternative recommended by the cooperating parties.

PLAN CONFORMANCE AND COMPLIANCE

The action is in conformance with multiple management objectives of the RODs of the Northeast NPR-A Supplemental EIS/IAP and Northwest NPR-A IAP/EIS. The Proposed Action complies with all laws, regulations, and policies.

DECISION TO IMPLEMENT THE PROPOSED ACTION ALTERNATIVE

It is my decision to authorize implementation of the CRSAMP Proposed Action as outlined in the Colville River Special Area Management Plan Environmental Assessment (EA AK-023-08-01). The Proposed Action is found in Section 2.1. The Proposed Action is a compilation of protection measures designed to protect the arctic peregrine falcon in the CRSA. The CRSAMP includes implementation of nine protective measures that would apply consistently throughout the South, Northwest and Northwest planning units in the CRSA. Specifically these Protections include: 1)1 mile setback prohibiting construction of permanent facilities, 2) considerations for 15 mile foraging area, 3) aircraft flight restrictions, 4) minimize campsite disturbance, 5) minimize authorized cliff site visits, 6) minimize construction and clean up impacts near nest sites, 7) minimize impacts from motorized ground-vehicles, 8) minimize impacts from power lines, and 9) minimize effects from sand/gravel extraction.

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Based upon a review of the EA and the supporting documents, the Proposed Action will not have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. Therefore, an environmental impact statement is not required. See FONSI for more information.

PUBLIC INVOLVEMENT

Public involvement during the development of this management plan and EA included discussions and coordination with the U.S. Fish and Wildlife Service, Alaska Department of Fish and Game (ADF&G), Alaska Department of Natural Resources (ADNR), the Arctic Slope Regional Corporation (ASRC), the North Slope Borough (NSB), federally-recognized tribes, several non-governmental organizations, industry, the Alaska Resource Advisory Council, as well as interested individuals. Announcements were made available on the Arctic Field Office Planning web page beginning in January 2008. Preliminary versions of the CRSAMP and EA were provided to these organizations and available to the public on June 2, 2008, and comments were received through June 27, 2008. In addition the availability of the documents was included in the "Spotlight" section of Alaska BLM webpage. Comments on the preliminary documents were received from the Peregrine Fund, North Slope Borough, Center for Biological Diversity, Alaska Audubon (also representing The Wilderness Society, Northern Alaska Environmental Center, and Natural Resources Defense Council), the State of Alaska DNR, and the U.S. Fish and Wildlife Service.

Comments and responses are included in Appendix E of the EA. Any changes to the CRSAMP and EA as a result of the comments are described in Appendix E. BLM reviewed a total of 95 itemized comments from the six letters received. We responded to 95 comment , and 38 of these responses led to chances to the CRSAMP or EA.

RATIONALE FOR THE DECISION

The Proposed Action meets the Purpose and Need of the EA (see Section 1.2); the No Action Alternative was not selected because it would not meet the purpose and need. The No Action alternative does not provide for consistent protections for arctic peregrine

falcons within CRSA, oil and gas leasing would not be allowed in the Northwest NPR-A; and the mandate to prepare a management plan for the CRSA, as stated in the Northeast Supplemental NPR-A ROD (2008), would not be fulfilled.

The Proposed Action is consistent with the IAP/EIS Records of Decision for the Northeast and Northwest NPR-A. The public has been involved with the planning process, and many substantial comments have been considered. No significant adverse impacts to resources and values have been identified.

APPEAL PROVISIONS

This decision shall take effect immediately upon the date it is signed by the authorized officer, July 18, 2008, and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)). Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a notice of appeal must be filed in the office of the authorized officer at: Arctic Field Office, 1150 University Avenue, Fairbanks AK 99709. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the authorized officer. If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards: (1) The relative harm to the parties if the stay is granted or denied, (2) The likelihood of the appellant's success on the merits, (3) The likelihood of irreparable harm to the appellant or resources if the stay is not granted, and (4) Whether the public interest favors granting the stay. If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the authorized officer. A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Solicitor, U.S. Department of the Interior, 4230 University Drive Suite 300, Anchorage, AK 99508, not later than 15 days after filing the document with the authorized officer and/or IBLA.

Approved: _____ 7/18/2008

Arctic Field Office Manager Date