

**DECISION RECORD
and
FINDING OF NO SIGNIFICANT IMPACT**

I. Decision:

It is my decision to authorize a 1,351 ft long by 15 ft wide Right-of-way (ROW) for the use of an existing dirt trail by Joseph Oswald Sr. allowing ingress and egress access to Mr. Oswald's private in-holding, located in the Friday Creek area of the Knik River Basin, for non-commercial purposes. This authorization will also allow Mr. Oswald to perform minimal maintenance as described in the ROW grant to prevent unnecessary or undue degradation of the lands.

II. Rationale for the Decision:

The Federal Land Policy and Management Act directs the Secretary of the Interior to manage the public lands under principles of multiple use and sustained yield through the issuance of permits or other appropriate legal instruments while preventing unnecessary or undue degradation of the lands, 43 U.S.C. §1732(b).

The proposed action is authorized under section 501 of the Federal Land Policy and Management Act (FLPMA) of 1976, 43 U.S.C. § 1761, and the regulations found at 43 CFR Part 2800, which allow for the Secretary of the Interior to grant rights-of-ways over and upon BLM lands for roads and trails.

The lands being affected by this proposed action are within the Ring of Fire Management Plan, dated March 2008. Under the management goal I-1, BLM "[p]rovide[s] a balance between land use (Right-of-Way . . .) and resource protection which best serves the public at large. . . ." Specifically, under the management objective, I-2n, the plan allows BLM to issue ROWs for roads and trails so long as stipulations developed during the proposal's evaluation includes the criteria enumerated under I-2n.

The purpose of this action is to provide Mr. Oswald legal trail access under Title V of FLPMA to existing public access easements. This will allow Mr. Oswald to gain legal access to his private parcel of land and provide for the use and enjoyment of his private parcel. Currently, Mr. Oswald does not have legal access to his private parcel of land. Mr. Oswald's parcel of land is surrounded by BLM lands with mountainous terrain to the north and low lying wetlands to the west; therefore, he has no other practical access road intersecting/adjoining his land. The existing trail is the only viable legal access for Mr. Oswald.

III. Finding of No Significant Impact (FONSI):

The proposed action is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of the National Environmental Policy Act of 1969 (NEPA).

This authorization will not cause any new surface disturbing activities on BLM lands and will not cause any additional impact to rural residents and the resources upon which they rely.

Furthermore, based on the analysis of potential environmental impacts contained in the attached environmental assessment, it is my determination that the proposed action does not constitute a major Federal action significantly affecting the quality of the human environment and that an environmental impact statement is not required.

IV. ANILCA Section 810 Compliance:

The proposed action will not significantly restrict Federal subsistence uses, decrease the abundance of federal subsistence resources, alter the distribution of federal subsistence resources, or limit qualified Federal subsistence user access.

V. Adverse Energy Impact Compliance:

This action has been analyzed as required by Washington Office Instruction Memorandum 2002-053 to determine if it will cause an adverse impact on energy development. The action will not have an adverse direct or indirect impact on energy development, production or distribution. The preparation of a Statement of Adverse Energy Impact is not required.

VI. Compliance and Monitoring Plan: Monitoring and compliance of this ROW will be in accordance with standard ROW grant terms and any additional mitigation measures identified in the environmental assessment. These mitigation measures are incorporated into the terms, conditions, and stipulations attached to the ROW grant (see attachment A) authorizing Joseph Oswald Sr. to use an existing dirt trail as legal access to his in-holding.

/S/

Rodney Huffman
Acting Anchorage Field Manager

September 24, 2008

Date