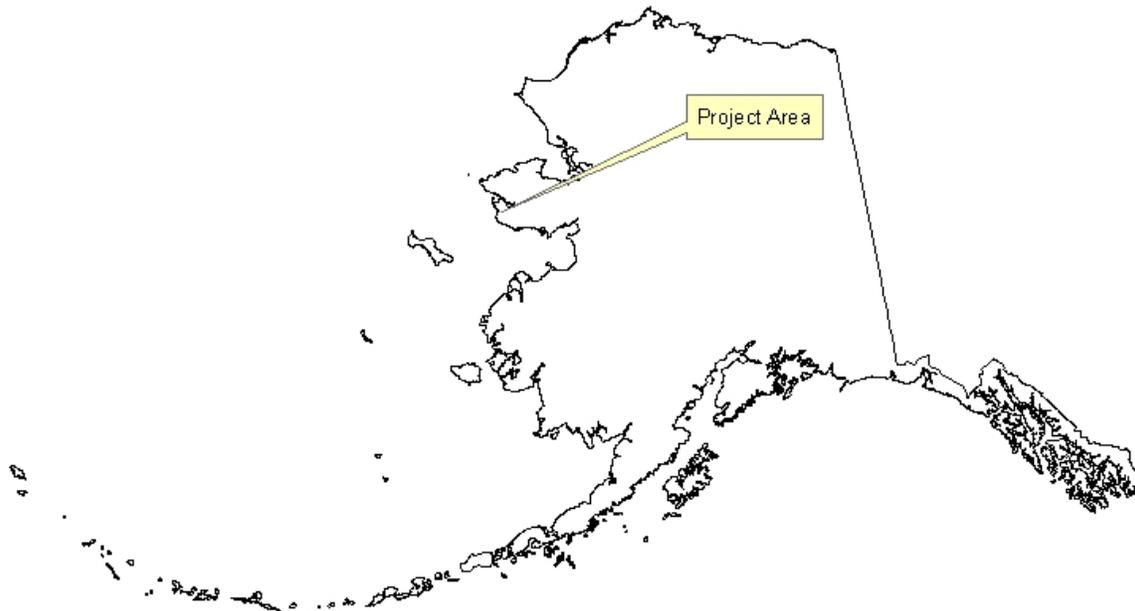




**Bureau of Land Management**  
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P.O. Box 925  
Nome, AK 99762  
<http://www.anchorage.ak.blm.gov>

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**Environmental Assessment (EA)**  
Free Use Permit for Mineral Materials, 43 CFR §3604  
Kawerak Inc.  
AA-086690  
AK-040-07-EA-004



**Location:**  
S1/2S1/2NW1/4, N1/2N1/2SW1/4, Section 15 Township 7 South, Range 37 West, Kateel River  
Meridian

**Prepared By:**  
Thomas Sparks  
Natural Resource Program Coordinator  
Nome Field Station  
January 9, 2007

## I. INTRODUCTION

Kawerak Inc., a non-profit corporation providing services to Native Villages in the Bering Straits Region, maintains Woolley Lagoon road, a gravel road off the Nome Teller Highway that provides access to the coast of the Bering Sea. The corporation needs gravel for maintenance of the road and has applied for a free use permit to obtain gravel from public lands.

A. Purpose and Need for the Proposed Action:

Kawerak Inc. receives limited road maintenance funds from the Bureau of Indian Affairs and desires a free use permit to extract gravel from public lands thereby maximizing its ability to maintain roads in the Bering Straits Region of Alaska. In this instance, Kawerak, Inc. needs gravel to maintain Woolley Lagoon Road. Woolley Lagoon Road provides access to Woolley Lagoon on the Bering Sea, a traditional subsistence area of the King Island Native Community.

B. Conformance with the Land Use Plan:

The action is in conformance with the Bureau of Land Management, Fairbanks District Office's Northwest Plan dated October 5, 1982:

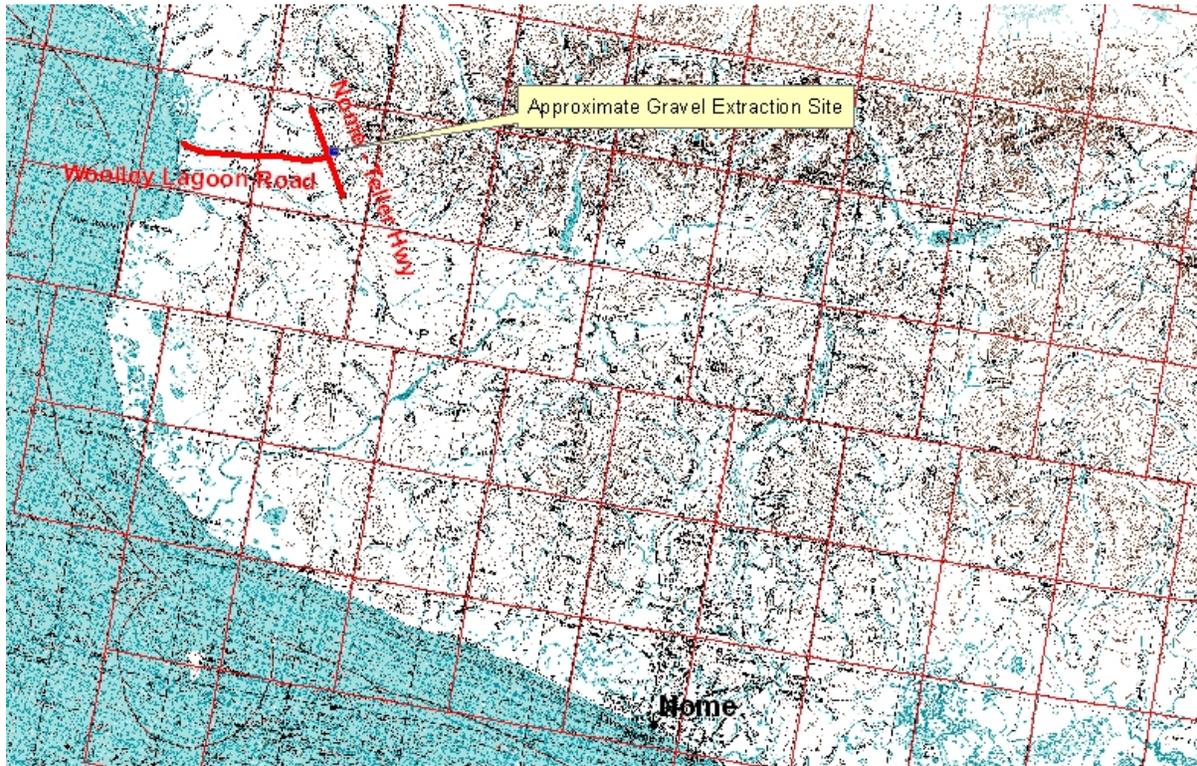
Recommendation M 2.5, Permit the sale of materials; such as gravel, rock, building stone, etc.

C. Relationship to Statutes, Regulations, Policies, Plans or Other Environmental Analyses:

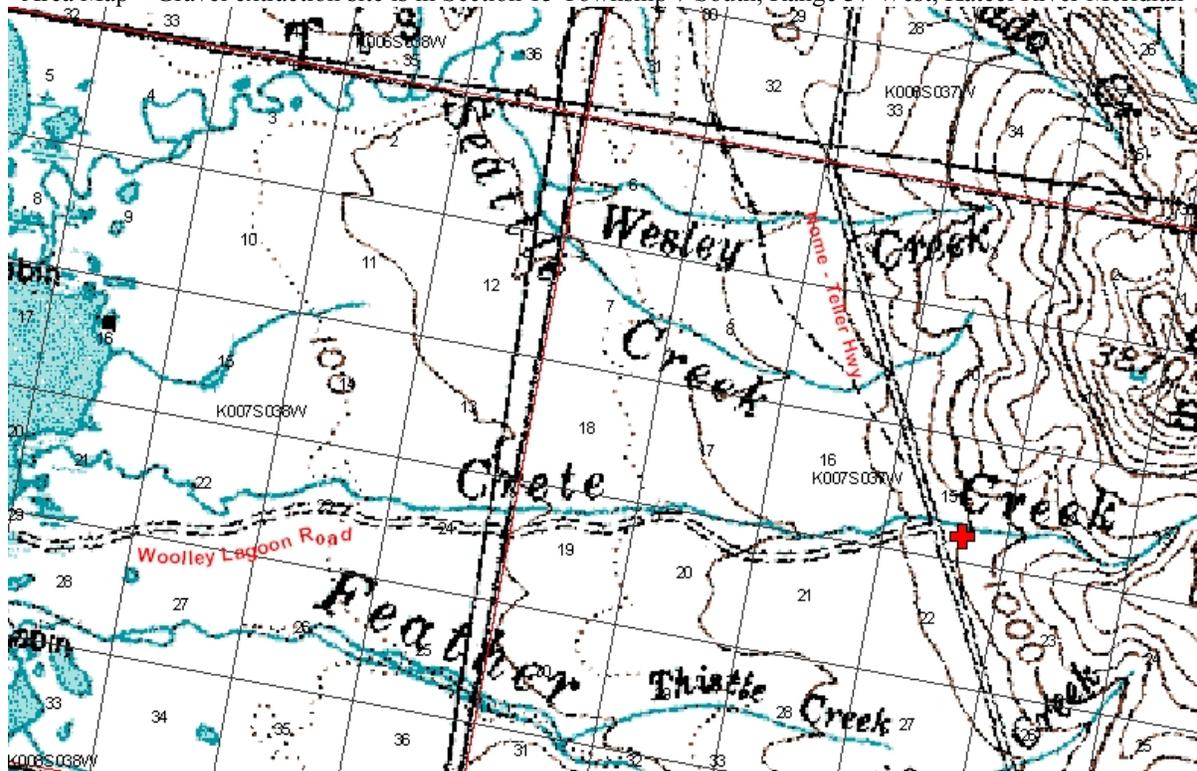
The Federal Land Policy and Management Act of 1976 directs the Secretary of the Interior to regulate the use, occupancy, and development of the public lands and resources, 43 USC §1732(b). The Materials Act of July 31, 1947 grants the Secretary the authority to allow a non-profit organization to take gravel, without charge, from the public lands, 30 USC §601. The Code of Federal Regulations provides for the issuance of a free use permit to a non-profit organization for up to 5,000 cubic yards of gravel in a twelve-month period, 43 CFR §3604.12(b).

D. Land Status:

The gravel pit and proposed gravel extraction site is located in the S1/2S1/2NW1/4, N1/2N1/2SW1/4, Section 15 of Township 7 South, Range 37 West, Kateel River Meridian. These lands are selected by the State of Alaska for conveyance, F-086860.



Area Map – Gravel extraction site is in Section 15 Township 7 South, Range 37 West, Kateel River Meridian





Google View

## II. PROPOSED ACTION AND ALTERNATIVE

### A. Proposed Action:

The proposed action is to permit Kawerak Inc. to take up to 5,000 cubic yards of gravel from a gravel pit on public lands along the Nome Teller Highway. The permit may be renewed pursuant to 43 CFR §3604.21(b).

The project proponent will subcontract the operations for removal of the gravel resource. Extraction operations will employ a Caterpillar D-7 or D-8 for ripping material, a 960 Caterpillar front end loader (or equivalent) and a ten yard end dump truck. Disturbed acres will be less than five. Pre-existing access from the Nome Teller Highway, less than a ¼ of a mile in length and no more than 20 feet in width, will be improved to accommodate the movement of trucks to and from the gravel extraction site. A tanker truck from Nome will deliver all fuel (diesel) necessary for heavy equipment operations. It is anticipated that 3-5 people will be necessary for operations. All trash will be disposed of in Nome at the municipal landfill.

### B. No Action Alternative:

Under the No Action Alternative, the Bureau of Land Management (BLM) would not grant Kawerak, Inc. a permit to extract gravel from public lands. Kawerak,

Inc. would be required to secure an alternative gravel source. The costs associated with maintaining Woolley Lagoon road may increase. The ability of Kawerak, Inc. to provide for the transportation needs of the Native Villages in the Bering Straits Region may diminish.

### III. AFFECTED ENVIRONMENT

#### A. Critical Elements of the human environment:

1. It has been determined that the following Critical Elements of the human environment are either not present or would not be affected by the Proposed Action or the No Action Alternative:

- a. Air Quality
- b. Areas of Critical Environmental Concern
- c. Environmental Justice
- d. Farm Lands (prime or unique)
- e. Floodplains
- f. Invasive, non-native species
- g. Native American Religious Concerns
- h. Water Quality, Surface/Ground
- i. Wild and Scenic Rivers
- j. Wilderness
- k. EFH Finding:

Essential Fish Habitat classification only applies to the habitat of Pacific salmon. The proposed action would occur near Crete Creek which is only known to support Dolly Varden; therefore no further EFH consultation is required.

#### l. Cultural Resources:

The Alaska Heritage Resources Survey (AHRS) files were consulted as well as files for the area formerly maintained by the BLM Central Yukon Field Office. No cultural resources are known or expected for the Area of Potential Effect. With stipulation No. 3 regarding discovery of unexpected cultural resources, no further consultation is necessary under section 106 of the National Historic Preservation Act.

#### m. Subsistence:

The gravel extraction site has been selected for conveyance by the state under the Alaska Statehood Act (F-086860). Consequently, the land does not meet the definition of "public lands" under Section 102 (3)(A) of the Alaska National Interest Lands Conservation Act; therefore, the proposed

action is not subject to the subsistence provisions of Title VIII of the Alaska National Interest Lands Conservation Act.

The Nome Teller Highway provides access to subsistence resources located in the Kigluaik Mountains, the western coastal areas near Cape Woolley and near Teller Alaska.

n. Threatened & Endangered Species:

There is no reason to believe that:

1. an endangered or a threatened species is present in the area affected by the proposed action;
2. implementation of the proposed action will jeopardize the continued existence of an endangered or threatened species;
3. implementation of the proposed action will result in the destruction or adverse modification of critical habitat of such species;
4. implementation of the proposed action will jeopardize the continued existence of any species proposed to be listed as endangered or threatened;
5. implementation of the proposed action will result in destruction or adverse modification of critical habitat proposed to be designated for such species;

therefore, no consultation with the U.S. Fish and Wildlife Service is considered necessary pursuant to Section 7 of the Endangered Species Act of 1973, 16 U.S.C. §1536.

2. It has been determined that the following Critical Elements of the human environment are either not present or would be affected by the Proposed Action or the No Action Alternative:

a. Waste, Hazardous/Solid:

There are no known solid wastes, hazardous or non-hazardous, within the affected area. The proposed gravel pit is adjacent to Crete Creek.

b. Water Quality, Surface/Ground:

Although it is presumed that the ground and surface water within the area of the proposed action is of excellent quality and meets all of the State's regulatory requirements identified for the various use classes (18 AAC 70), there is insufficient data to verify this.

c. Wetlands/Riparian Zones:

The riparian corridors of Crete Creek are classified by USDA Soil Conservation Service as ecological site 21, over story vegetation consists mainly of a dense cover of diamond leaf willow and the under story classified by grasses and sedges, and lichen.

Gravel extraction at this site has occurred in the past. Specific data concerning the current condition and trend of the riparian-wetland habitat within the area proposed for use is not available; however, it is anticipated that riparian – wetland habitat has been impacted. Because of this it is recommended that any additional gravel extraction be located outside of the flood-prone area adjacent to the stream, as well as, outside of the riparian zone.

B. Non-Critical Elements of the human environment:

It has been determined that the following Non-Critical Elements of the human environment may be affected by the proposed action or the no action alternative:

1. Fisheries:

Crete Creek is listed by the State of Alaska as important to the rearing of Dolly Varden (333-10-10400-2003).

2. Land fragmentation by infrastructure and wildlife displacement:

The Nome Teller Highway and Woolly Lagoon Road provide access to Teller and Woolly Lagoon from Nome. There is little infrastructure along these road systems. At Woolly Lagoon, seasonal subsistence campsites occur along the oceanfront. There are scattered cabins used for recreational purposes as well as some for mineral exploration and development along the Nome Teller Highway. Wildlife populations seem healthy (moose, grizzly bear, reindeer) within State game management units 22C and 22D.

3. Noise:

Traffic on the Nome Teller Highway is common during the summer and fall months. There are commercial taxi operators that provide daily service from Teller to Nome. Given the small populations of Teller (263, DCCED 2005 Certified Population) and Nome (3508, DCCED 2005 Certified Population), the traffic is limited.

4. Other or competing Uses:  
Reindeer, under grazing permits, are often visible from the Nome Teller Highway. Reindeer may be visible from the proposed gravel extraction site.
5. Recreation  
Recreation activities in the area of the proposed action generally consists of hunting activity conducted by individuals from the local area associated with Spring bear hunts and Fall moose hunts. Small numbers of hunters utilize the access road and current gravel extraction location for the parking of highway vehicles and the unloading of ATV's and snow machines as a launching point for hunting trips into the adjacent backcountry.
6. Visual Resources:  
The proposed gravel extraction will occur at a site that has been used for similar activities in the past and exists as a visual scar adjacent to the access road. The site is one of a number of talus slopes located along the access road that have been used for gravel extraction which generally exist on state land. The scars of these previously used sites stand out as areas of lighter color and less fine texture compared to the surrounding mat of tundra species and low shrubs.

Expansive and scenic views of the Bering Sea coast are prominent near the proposed gravel extraction site. The western flanks of the Kigluaik Mountains are also visible from the site. The contrast of color between the disturbed and naturally vegetated ground, although localized, are most noticeable from the air, as is the access road leading in from the coast and along the string of existing gravel extraction sites. Ground-based observers are less likely to view these sites than aerial-based observers that are most frequent in the summer and early fall.

#### IV. ENVIRONMENTAL CONSEQUENCES

##### A. Impacts of the Proposed Action:

##### 1. Critical Elements of the human environment:

##### a. Waste, Hazardous/Solid:

Use of heavy construction equipment and occupation of the site by workers presents potential for pollution caused by their activities. Spills of oil will occur at the site from normally expected equipment malfunctions. Most of these releases are expected to be small spills from engine leaks, hydraulic lines leaking or breaking,

and incidental releases of fuel during refueling. Larger releases could occur from actions such as vandalism, complete loss of fuel from leaking fuel tanks on parked equipment during periods of inactivity such as weekends, or catastrophic failure from the fuel tanker-truck while on-site. The proposed gravel pit is adjacent to Crete Creek, which flows directly to the sea approximately 7.5 miles west. Small amounts of oil released to the creek would have a significant negative impact on the creek and/or shoreline as oil and fuel components such as benzene for example, are toxic. Under federal regulation, the owner/operator of the fuel truck must have and implement a Spill Prevention, Control, and Countermeasures Plan (SPCCP) if the truck storage capacity exceeds 1,320 gallons of oil. Release of oil to the land without a permit is prohibited by State law, release of oil to water without a permit is prohibited by State and Federal law.

Workers at the site will generate human waste, and some household type trash from meals, insect repellants, etc. Human waste and trash are attractants to wildlife and are regulated pollutants by State and Federal law.

b. Water Quality, Surface/Ground:

Removing the vegetative cover, altering the natural topsoil, or changing the shape of the slope can increase the potential for erosion, increase runoff; and create more sediment in water bodies. Significant increases in sediment yield can lead to alteration of stream channel morphology, substrate composition, and surface-ground water interaction; decreased survival of fish in the egg and young-of-the-year stages; changes in macro invertebrate community structure; and decreased primary production.

c. Wetlands/Riparian Zones

The removal of streamside riparian-wetland vegetation during mining would result in loss or degradation of aquatic habitat until proper functioning condition could be re-established. In general, the time required for riparian-wetland areas to attain proper functioning condition would be dictated by natural processes and may require decades to centuries before it approximates the structure and function of the original aquatic habitat (NCSU 1998; BLM and Montana Dept. of Environ. Quality 1996; BLM 1988).

2. Non-critical Elements of the human environment:

a. Fisheries:

Without adequate preventative measures, the proposed action has the potential of adversely impacting fisheries and aquatic habitat through the loss of riparian vegetation and increased sedimentation.

b. Land fragmentation by infrastructure and wildlife displacement:

There will be heavy equipment use and a human presence in the field for a period of one to two years. Wildlife will be displaced through natural avoidance instincts.

c. Noise:

There will be increased noise from heavy equipment use in the vicinity and daily human activity.

d. Other or competing uses:

A Reindeer permit issued to Julia Lee of Teller, Alaska is the only competing BLM authorization in the vicinity. A minor amount of reindeer forage would be unavailable during construction and until the vegetation has recovered. As the gravel extraction site is along a highway corridor through an open range, it is unlikely that the increased presence of motorized activity will effect grazing in the area.

e. Recreation:

Temporary impacts to recreational users may occur during the actual extraction activities as these individuals will be unable to park and unload their OHV's in the extraction site during active operations. These individuals will need to seek alternative sites to launch their hunting activities from during daily operations. Access for these users during non-operations times should be maintained.

Access for recreational users will be enhanced upon closure of the site as the reclamation plan requires leveling the bottom of the site, which will expand and enhance parking opportunities. This may result in less long-term impacts to adjacent roadside sites as users will be drawn to the improved parking located at the extraction site.

f. Visual Resources:

The proposed action would double the area of existing disturbance from somewhat over two acres to a maximum extent of five acres. Improvements to the access road would also add minimally to the visual signature of the existing landscape. The greatest impact to visual resources would occur in the summer and fall and as seen by observers in low flying aircraft due to the heightened color and texture contrast between the site and surrounding natural landscape. Impacts to ground-based observers will be minimal due to the remote location of the site and its small size. Local observers may notice impacts to visual resources during construction due to increased dust and equipment exhaust. After construction, the landscape will be modified due to the access road proposed. The proposed action requires a reclamation and pit closure plan that will result in re-contouring the area of extraction and seeding of the disturbed area.

A VRM field inventory was conducted by BLM (Dilts and Westcott 2004) in connection with the draft Kobuk-Seward Peninsula Resource Management Plan. The area of the proposed action is proposed as an VRM Inventory Class III in the Alternative D, the preferred alternative, in the yet to be final RMP. The objective of a VRM Class III is to partially maintain the existing character of the landscape. The level of change to the characteristic landscape should be moderate and management activities may attract attention but should not dominate the view of a casual observer.

The proposed action is consistent with the defined characteristics of a VRM Management Class III.

B. Impacts of the No Action Alternative:

1. Critical Elements of the human environment:

a. Waste, Hazardous/Solid:

There are no known wastes, hazardous/solid present at the site of the proposed action.

b. Water Quality Surface/Ground:

There are no anticipated changes to water quality from the no action alternative.

- c. Wetlands/Riparian:  
There would be no further impacts to wetlands and the riparian habitat.
2. Non-critical Elements of the human environment:
  - a. Fisheries:  
There would be no impacts to Dolly Varden rearing habitat.
  - b. Land fragmentation by infrastructure and wildlife displacement:  
Although there would be no further land fragmentation or wildlife displacement as a consequence of not approving the proposed action, it may occur from development of a previously undisturbed and alternate gravel extraction site.
  - c. Noise:  
It is anticipated that noise levels will remain the same as currently occurring.
  - d. Other or competing uses:  
There are no anticipated effects on competing resource uses as a result of not approving the proposed action.
  - e. Recreation:  
The no-action alternative would have no impact on recreation and recreational use would remain the same unless the proponent is unable to secure gravel for the maintenance of the road, which could result in limiting access to recreational opportunities.
  - f. Visual Resources:  
The no-action alternative would result in no apparent effect on visual resources; however, one can anticipate that the proponent may locate an alternate source of gravel along the highway on adjacent state land resulting in the same effects as if BLM approved the action. Moreover, the proposed gravel site has been used for such purposes in the past. Denial of the permit could result in the disturbance of a previously undisturbed site. Then again, the proponent may be able to secure gravel from one of the other previously disturbed sites along the highway.
- C. Cumulative Impacts:  
The gravel site and related construction equipment during development will negatively affect visual resources. Given the large expanses of the Kigluaik

Mountains and Bering Sea Coastal areas from the Nome Teller Highway, these impacts are considered minor and short term. The pit area will add another fragmentation of the scenic landscape which cumulatively has been eroding over time from the development of the Nome Teller Highway and the Woolly Lagoon Road as well as the numerous gravel pits located along these roads to build and maintain the roads. Minor habitat loss and displacement of game may occur in the immediate gravel pit area. Cumulatively, wildlife habitat loss from road development and maintenance of the roads, including the proposed gravel pit will be permanent and long lasting. Increased human access is a result of improved roads. This access will bring more people into wildlife habitat. The increase of human activity will cause wildlife displacement.

D. Mitigation Measures:

Risk of adverse impact to the environment from hazardous waste release can be minimized by adherence to permit stipulations that include the requirements that no hazardous materials be stored on-site, all fueling and parking of vehicles/equipment and any toilet facility be located at least 100 feet from any water body, all waste be properly disposed off-site at a hazardous waste disposal or recycling facility, that all spills of fuel or oil be properly cleaned-up in accordance with applicable State and Federal regulations. Reclamation should include stockpiling of surface material and recontouring the surface to match the surrounding landscape followed by seeding with Alaska seed and fertilization.

In addition to the above, the applicant is required to comply with all Federal, State and local laws and regulations and in particular Alaska Statute 41.14.870.

No excavation shall occur within 300 feet of any bank of Crete Creek and silt fencing shall be installed at the edge of any excavation to prevent the deposit of material into Crete Creek.

V. CONSULTATION AND COORDINATION

- A. Persons and Agencies Consulted:  
BLM Anchorage Field Office  
State of Alaska DNR  
King Island Native Community  
King Island Native Corporation  
State of Alaska DOT/PF Nome  
Kate Persons ADF&G Nome  
City of Nome  
Sitnasuak Native Corporation  
Nome Eskimo Community  
Bering Straits Native Corporation

Kawerak Inc.

- B List of Preparers:  
Thomas Sparks, Lead Preparer, AFO Nome Field Station

VI. BIBLIOGRAPHY/REFERENCES

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- D. North Carolina State University. 1998. Successful Mitigation. Internet website at <http://h20sparc.wq.ncsu.edu/info/wetlands/>. Raleigh, NC: North Carolina State University Cooperative Extension Service, Department of Biological and Agricultural Engineering.