



**Bureau of Land Management**  
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**Environmental Assessment (EA)**  
Right of Way for a communication site (43 CFR 2800)  
Norton Sound Economic Development Corporation  
AA-86370  
AK-040-06-EA-028

**Location:**  
BLM administered lands within Section 24 Township 9 South, Range 21 West, Kateel River  
Meridian

**Prepared By:**  
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Natural Resource Program Coordinator  
Nome Field Station  
March 8, 2006

## I. INTRODUCTION

This Proposed Action involves permitting the use of public lands for a communication site with two antennas (repeaters) mounted on one enclosure for a period of twenty (20) years. One repeater would be strictly used for Search and Rescue (SAR) operations and the other for communications for safety and operational efficiencies for a commercial King Crab fishery off the coastal waters of Norton Sound. The applicant, Norton Sound Economic Development Corporation (NSEDC), applied for a right-of-way grant under 43 CFR 2800 regulations

### A. Purpose and Need for the Proposed Action:

The Anchorage Field Office, Nome Field Station, received an application for a right of way grant for communication purposes from the applicant to place two repeater antennas on BLM lands east of the community of Golovin. This type of communication (repeaters) is needed to provide an increased level of SAR operations for the residents of White Mountain, Golovin and Nome as well as increase operational safety and economics of the King Crab small boat fishery within Norton Sound. One repeater frequency is anticipated to be licensed to the City of White Mountain who will be responsible for primary SAR operations in the vicinity of the Bendeleben and Darby Mountains and well as McCarthy Marsh, areas heavily used for subsistence purposes by residents of the region. The other repeater frequency will be licensed to NSEDC for operations associated with the King Crab fishery.

### B. Conformance with the Land Use Plan:

This Proposed Action is in conformance with the Northwest Management Framework Plan (MFP) dated October 5, 1982, activity objective Lands L 2.1 and L 2.3. Objective L 2.1 states that leases may be granted on a case by case basis where there would be no adverse impacts on subsistence resources. Objective L 2.3 states that High peaks which have the potential for communication sites would be protected for such use. The mountain top proposed by the applicant meets the criteria within the MFP.

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

A Right of Way Grant for transmitting or receiving electronic signals on public lands is required under regulations contained in 43 CFR 2800, which implement the Federal Land Policy and Management Act (Pub. L. 94-579 of October 21, 1976) Section 501 (a) (5). Final Rules and regulations relating to CFR Part 2800 grants were published in the Federal Register on April 22, 2005.

II. PROPOSED ACTION AND ALTERNATIVE

A. Proposed Action:

The proposed action would grant NSEDC the right to construct and maintain a communication site with two repeaters on public lands for a period of twenty (20) years.

B. No Action Alternative:

The No Action Alternative would be to continue present public land management practices in the area. Existing permitted activities on public lands would continue at current levels. The applicant would need to find an alternative to their communication and safety needs.

III. AFFECTED ENVIRONMENT

A. Critical Elements:

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:

- Air Quality
- Areas of Critical Environmental Concern
- Environmental Justice
- Farm Lands (prime or unique)
- Floodplains
- Invasive, Non Native Species
- Native American Religious Concerns
- Water Quality, Surface/Ground
- Wetlands/Riparian Zones
- Wild and Scenic Rivers
- Wilderness

1. Cultural Resources:

No cultural resources are known for this area; however, this area has not yet been inventoried for cultural resources. The possibility exists that there are unreported sites in the area. In adjacent areas within the Bendeleben Mountains where cultural resource surveys have been conducted, clusters of sites have been found which range from the historic period to prehistoric sites several thousand years old.

A review of the Alaska Heritage Resource Survey for the following townships within the Kateel River Meridian (KRM) was conducted:

***T. 9 S., R. 21 W., K.R.M.***

There are no known historical sites on BLM lands in the area of the Proposed Action based upon review of the Alaska Heritage Resource Survey.

2. Subsistence:

Residents of Golovin, White Mountain and Nome visit the general area in pursuit of subsistence resources such as moose, caribou and small game. During the winter months caribou from the Western Arctic Herd frequently use the Darby Mountains and may be found on Mountain 2211. The site is characterized by lichen granitic slopes and is suitable for caribou range due to lichen availability (although sparse). The wind blown slopes of the mountain tops would be potentially snow free and lichen therefore would be readily available.

3. Threatened & Endangered Species:

There are no T&E animal species known to occur in this region. There is no designated critical habitat for any T&E animal species.

4. Wastes, Hazardous/Solid:

There are no known waste sites, solid or hazardous, on the subject lands.

B. Land Status:

The public lands that would be affected by the Proposed Action are managed by BLM and are selected by the State of Alaska under application number F-44510.

C. Recreation:

Views from Mountain 2211 include the riparian habitat of the Kachauik River and its major tributaries and the lower stretches of Fish River as well as the coast of Norton Sound. These views include expanses of willow, tussock tundra, and black spruce. Most of these areas are inaccessible during the snow free season except by fixed-wing or rotary wing aircraft and boat travel on the coast or rivers. The relative inaccessibility combined with the lack of trails to these areas limits the amount of recreation use that occurs during the summer months. Most of the recreational hunting and fishing occurs on within the lower reaches of the riparian habitat of the Kachauik River and its major tributaries and the lower stretches of Fish River and its tributaries. Significant amounts of boating and rafting occur on the Fish River and its tributaries, especially during the salmon migration and during fall hunting season. Some climbing, hiking, camping, and hunting occur in the high areas above timberline but these uses usually rely on winter access by snowmobile or by fixed wing aircraft.

There are no permitted hunting guides within the vicinity of the proposed action.

D. Vegetation:

The riparian corridors of the Kachauik River and Fish River drainages and its tributaries are characterized by willow, birch and alder, plus some white and black spruce trees. Habitat outside the riparian area is primarily a mix of wet and dry tundra (dwarf shrub, herbaceous perennials, grasses and sedges, lichen, moss, and sparse black spruce), with scattered stands of black spruce. The elevation of the area varies from near sea level to over 3,000 feet in the Darby Mountains, north of the repeater site. The area is bounded on the north by the Darby Mountains south by the Kwikhtalik Mountains. The rocky peaks of the Darby Mountains are sparsely vegetated.

E. Visual Resources:

There has not been a visual resource inventory (VRI) completed for the area. No VRI classes have been established. Expansive and scenic views of the coast of Norton Sound, the Fish River and its tributaries are available from high vantage points on Mountain 2211. There are a few established camps in the area mostly on Native Allotments along the Fish River, and on the Kachauik River. The community of Golovin can be seen from the proposed repeater site. The site is not visible from the community.

F. Wildlife:

The land covered by the permit application, located within the Alaska Department of Fish and Game (ADF&G) Game Management Subunit 22B, is inhabited by many wildlife species including, but not limited to moose, grizzly bear, caribou, wolf and wolverine.

Resident and migrant land birds nest and feed in shrub (alder and willow) and forest habitats. Cliffs and bluffs in the region may provide nesting habitat for raptors including rough-legged hawk, bald eagle, golden eagle, and peregrine falcon and gyrfalcon.

IV. ENVIRONMENTAL CONSEQUENCES

A. Impacts of the Proposed Action:

1. Critical Elements:

a. Cultural Resources:

The proposed communication site is on BLM administered lands within Section 24 Township 9 South, Range 21 West, Kateel River Meridian. The proposed site is unlikely to involve sufficient surface disturbance as to constitute a serious threat to any cultural

remains that may be located in the area.

b. Subsistence:

The proposed action is located in the lower reaches of the Darby Mountains where caribou are known to be present in the winter months. The specific area of the communication site would not significantly impair subsistence resources or access to these resources. In the winter months caribou from the Western Arctic Herd frequently use the Darby Mountains and may be found on Mountain 2211. . It is not expected that a communication site will adversely affect caribou range patterns or limit access to caribou by local residents for subsistence purposes.

c. T&E Species:

The impact of the Proposed Action on T&E plants and animals and their habitats has been evaluated in accordance with the Endangered Species Act of 1973, as amended. Based upon current information available, the Proposed Action would not affect any T&E species or their habitats. Therefore, no consultation with the U.S. Fish and Wildlife Service is considered necessary pursuant to section 7 of the Act.

d. Wastes, Hazardous/Solid:

Hazardous waste will be generated by this activity. The repeaters are powered by rechargeable NiCad batteries which will be replaced periodically as they wear out (fail to hold a charge) or become damaged while in use (overheating, over-charging, etc.). The batteries contain toxic metals and corrosive electrolytes. Batteries are characterized as hazardous waste by the Resource Conservation and Recovery Act. Pollution of the environment would be caused either by spills of electrolyte outside the repeater's housing or dumping of waste batteries. Inadequate maintenance of the repeater housing could allow rain/snow melt water to accumulate inside the built-in spill containment floor. If an electrolyte spill were to occur when there is standing water/ice on the floor, or when the floor has cracked from ice expansion, it could overflow outside the housing.

2. Recreation  
There is no adverse impact anticipated on recreation. The near unrestricted access on BLM lands (limit of 1500 pound OHV use) and no camping limits will continue.
3. Vegetation:  
Some impacts to vegetation at the communication site are expected. Some species (lichen primarily) will die due to decreased sun light and the crushing impacts of a repeater base. These impacts are considered short term as regrowth will occur once the communication site is removed from the public lands.
4. Visual Resources:  
The communication site would slightly impact visual resources especially in winter months and as seen from the air (mainly from small fixed wing aircraft). Impacts to ground-based observers are minimal due to the remote location of the site and the configuration of the mountain top. Summer and fall impacts are considered slight as the mountain top is difficult to see from areas with boat or ATV access. Increased air traffic in support of mobilization, demobilization and maintenance may also temporarily impact visual resources.

Although a VRM inventory has not been completed, the area of the proposed action would likely be managed as a VRM Class III or VRM Class IV. A VRM Class IV allows projects that significantly modify the existing character of the landscape and the objective of a VRM Class III is to partially maintain the existing character of the landscape. This action falls well within either a VRM III or IV management objective.

5. Wildlife:  
Low level flying may affect game movement and stress ungulate populations depending on the amount of flying that occurs to install and maintain the repeater station. Impacts to other wildlife populations will be minor or immeasurable.

At the repeater base site, a very small amount of wildlife habitat would be impacted by being trampled, cut to make space for the support base, and a lack of sunlight from the facility will also affect habitat. Impacts to habitat would be slight in relation to the overall habitat in the area.

B. Impacts of the No Action Alternative:

1. Critical Elements:

a. Cultural Resources:

Limited impacts to cultural resources occurring under current management would remain the same. Present users of BLM managed lands may impact cultural resources from illegal removal, alteration of sites through camping and other uses of the lands.

b. Subsistence:

Conflicts between sport and subsistence hunters would remain under the no action alternative. Such conflicts include hunting competition, competition for camping areas, competition for game resources and potential changes in game movement patterns. Under the No Action Alternative the number of communication sites in the area would stay at the current use level.

c. T&E Species:

Impacts to T&E species occurring under current management would remain the same. There is a possibility that current human use of the lands (camping, hunting, hiking, OHV use, aircraft landings, etc.) may be impacting *Douglasia beringensis* by killing or damaging individual plants. There are no T&E species within the area.

d. Wastes, Hazardous/Solid:

There would be no effect on the present state of the environment should the no-action alternative be selected.

2. Recreation:

It is anticipated that current recreational use would remain the same.

3. Vegetation:

Impacts to vegetation currently occurring from public use would remain the same. These impacts include cutting, trampling and crushing of vegetation. The possibility of forest fires will continue due to use of human use in the area. Fires for camps that may get out of control or non intentional fires may be set.

4. Visual Resources:

Visual resources would continue to be impacted under current BLM management from the establishment of temporary camps, air traffic, and other uses of lands managed by BLM which may impact visual resources.

5. Wildlife:

Wildlife would continue to be impacted by current BLM management and other activities. Population levels of moose would likely remain at current levels for the foreseeable future depending on State regulatory actions. Subsistence and sport/recreation hunting, fishing and trapping would continue on BLM managed lands unless closed by regulatory action.

At campsites used by recreationists and hunters a very small amount of wildlife habitat would be impacted by being trampled or cut to make space for tents or by other camping activities. Impacts to habitat would be slight in relation to the overall habitat in the area. Camping and the presence of food or harvested game animals at the campsites could attract bears if not properly secured. While unlikely, if such encounters occur, it could result in the unplanned taking of bears.

C. Cumulative Impacts:

The repeater site and related structures to assist in the applicant's commercial fishing and increased SAR ability will negatively affect visual resources. Given the large expanses of the Darby Mountains, this impact is considered minor. Increased aircraft use would be apparent to a few residents. On the ground conflicts between the applicant and Thomas Gray may occur. Minor limited habitat loss and caribou displacement may occur over the area but would be negligible. There is a potential for solid waste and hazardous materials related to the operation and maintenance of the facility. There is a potential harm to humans from radio frequencies. Overall, the impacts to most resources from the proposed action when added to similar impacts over the general area would not be measurable.

D. Mitigation Measures:

In order to protect *Douglasia beringensis*, from any adverse impact, the communication site should be moved if this species is found at the site.

Risk of adverse impact to the environment from hazardous waste release can be minimized by adherence to lease stipulations that include the requirements that; no hazardous materials other than the in-use batteries for powering the repeater be used or stored on-site; all waste batteries be properly disposed off-site at a hazardous waste disposal or recycling facility, that all spills of electrolyte from batteries be properly cleaned-up in accordance with RCRA and State of Alaska regulation 18 AAC 75, and that any/all water that accumulates in the repeater housing spill containment basin be removed prior to annual freeze-up.

V. CONSULTATION AND COORDINATION

A. Persons and Agencies Consulted:

BLM Anchorage Field Office

B. List of Preparers:

Thomas Sparks, Lead Preparer, AFO Nome Field Station

Larry Beck, AFO Hazardous Materials Management Coordinator

VI. BIBLIOGRAPHY/REFERENCES

A. USDA Soil Conservation Service, Range Survey Candle Quadrangle

B. Alaska Wildlife Management Plans, Northwestern Alaska, ADF&G

**Terms and Stipulations for Right of Way Grant AA--86370**  
**Norton Sound Economic Development Corporation (NSEDC)**

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- I. General Terms: During construction, operation, maintenance, and termination of the project you must:
  - (a) To the extent practicable, comply with all existing and subsequently enacted, issued, or amended Federal laws and regulations and state laws and regulations applicable to the authorized use;
  - (b) Rebuild and repair roads, fences, and established trails destroyed or damaged by the project;
  - (c) Build and maintain suitable crossings for existing roads and significant trails that intersect the project;
  - (d) Do everything reasonable to prevent and suppress wildfires on or in the immediate vicinity of the right-of-way area;
  - (e) Not discriminate against any employee or applicant for employment during any phase of the project because of race, creed, color, sex, or national origin. You must also require subcontractors to not discriminate;
  - (f) Pay monitoring fees and rent (if applicable) as described in 43 CFR §2805.16 and 43 CFR 2806 ;
  - (g) If BLM requires, obtain, and/or certify that you have obtained, a surety bond or other acceptable security to cover any losses, damages, or injury to human health, the environment, and property in connection with your use and occupancy of the right-of-way, including terminating the grant, and to secure all obligations imposed by the grant and applicable laws and regulations. If you plan to use hazardous materials in the operation of your grant, you must provide a bond that covers liability for damages or injuries resulting from releases or discharges of hazardous materials. BLM may require a bond, an increase or decrease in the value of an existing bond, or other acceptable security at any time during the term of the grant;
  - (h) Assume full liability if third parties are injured or damages occur to property on or near the right-of-way as specified in 43 CFR §2807.12;
  - (i) Comply with project-specific terms, conditions, and stipulations, including requirements to:

- (1) Restore, revegetate, and curtail erosion or conduct any other rehabilitation measure BLM determines necessary;
- (2) Ensure that activities in connection with the grant comply with air and water quality standards or related facility siting standards contained in applicable Federal or state law or regulations;
- (3) Control or prevent damage to:
  - (i) Scenic, aesthetic, cultural, and environmental values, including fish and wildlife habitat;
  - (ii) Public and private property; and
  - (iii) Public health and safety;
- (4) Protect the interests of individuals living in the general area who rely on the area for subsistence uses as that term is used in Title VIII of Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 3111 *et seq.*);
- (5) Ensure that you construct, operate, maintain, and terminate the facilities on the lands in the right-of-way in a manner consistent with the grant;
- (6) When the state standards are more stringent than Federal standards, comply with state standards for public health and safety, environmental protection, and siting, constructing, operating, and maintaining any facilities and improvements on the right-of-way; and
- (7) Grant BLM an equivalent authorization for an access road across your land if BLM determines the reciprocal authorization is needed in the public interest and the authorization BLM issues to you is also for road access;
- (j) Immediately notify all Federal, state, tribal, and local agencies of any release or discharge of hazardous material reportable to such entity under applicable law. You must also notify BLM at the same time, and send BLM a copy of any written notification you prepared;
- (k) Not dispose of or store hazardous material on your right-of-way, except as provided by the terms, conditions, and stipulations of your grant;
- (l) Certify your compliance with all requirements of the Emergency Planning and Community Right-to-Know Act of 1986, 42 U.S.C. 11001 *et seq.*, when you receive, assign, renew, amend, or terminate your grant;

(m) Control and remove any release or discharge of hazardous material on or near the right-of-way arising in connection with your use and occupancy of the right-of-way, whether or not the release or discharge is authorized under the grant. You must also remediate and restore lands and resources affected by the release or discharge to BLM's satisfaction and to the satisfaction of any other Federal, state, tribal, or local agency having jurisdiction over the land, resource, or hazardous material;

(n) Comply with all liability and indemnification provisions and stipulations in the grant;

(o) As BLM directs, provide diagrams or maps showing the location of any constructed facility; and

(p) Comply with all other stipulations that BLM may require.

## II. Stipulations:

- A. No cutting of live vegetation (trees) is allowed and must be left in its natural state. However, minor trimming, pruning, and removing of vegetation for operational and maintenance of the right-of-way or facility shall be permitted;
- B. Wastewater must be managed in accordance with Title 18 Alaska Administrative Code, Chapter 72, (18 AAC 72) Wastewater Disposal. Wastewater is defined as Human Waste (sewage), and Gray Water (water which has been used for personal hygiene, washing clothing or equipment, or sanitizing cooking and eating materials). If the standards for Pit Privies found at 18 AAC 72.030 cannot be met, all wastewater must be collected and transported to a state approved disposal facility. Upon closure of the campsite the Pit Privy must be completely back-filled with the surface area covered and re-graded to approximate original appearance;
- C. Non-Hazardous Solid Waste (trash/refuse) will be back hauled from the area and disposed in an approved waste disposal site;
- D. No hazardous materials will be used or stored at the site other than in-use batteries for powering the radio repeater. All batteries removed from operation of the repeater shall be properly disposed or recycled off-site. All spills of electrolyte will be reported to the Alaska Department of Environmental Conservation (ADEC) and cleaned-up in accordance with 18 AAC 75. All standing water will be removed from the repeater housing spill containment basin prior to seasonal freezing. The spill basin is to be inspected annually for leaks, cracks, or potential breaches of integrity; damage will be

immediately repaired. Any spill of hazardous materials outside the spill containment basin will be immediately reported to the BLM in addition to the ADEC;

- D. All operations shall be conducted in such a manner as to avoid damage or disturbance to any prehistoric or historic sites or modern camp sites. The Archaeological Resource Protection Act prohibits the excavation, removal, damage, or disturbance of any archaeological resource located on public lands. Violation of this law could result in the imposition of both civil and criminal penalties of the violator. Should any historic or prehistoric site be located during the course of operations under this Right of Way Grant, the applicant shall immediately cease activities and notify the BLM authorized officer;
- E. In order to protect *Douglasia beringensis*, from any adverse impact, the communication site should be moved if this species is found at the site;
- F. The public access to the area shall be restricted by a locked fence and signage regarding safety if humans are exposed to potentially unsafe Radio Frequency safety limits as determined by the Authorized Officer;
- G. BLM has the authority to inspect exterior and interior of communications facilities on public lands to ensure compliance with terms and condition of the Right of Way Grant;
- H. If new frequencies are proposed for the site, holder shall provide 30-day notice to all users at the site, as well as the BLM. A technical sheet must be sent with the 30-day notice to allow for comment of potential interference;
- I. The United States shall retain all rights stated in 43 CFR 2805.15.