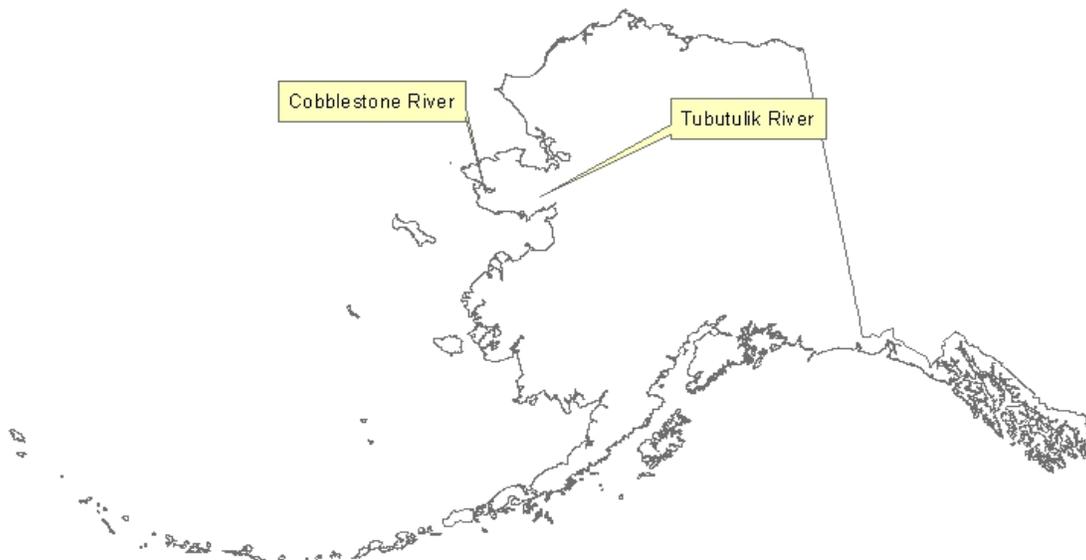




Bureau of Land Management

Anchorage Field Office
Nome Field Station
P.O. Box 925
Nome, AK 99762
<http://www.anchorage.ak.blm.gov>

Environmental Assessment (EA)
Special Recreation Permit (43 CFR 2930)
Ben Rowe, d/b/a Twin Peaks Adventures, LLC
AA-086548
AK-040-06-EA-045



Location:

BLM administered lands along the Tubutulik River within Township 5 South, Range 17 West, K.R.M. and Township 6 South, Range 17 West, K.R.M. and

BLM administered lands along the Cobblestone River within Township 5 South, Range 33 West, K.R.M., Township 5 South, Range 34 West K.R.M. and Township 6 South, Range 34 West, K.R.M.

Prepared By:

Thomas Sparks
Natural Resource Program Coordinator
Nome Field Station
June 7, 2006

I. INTRODUCTION

The applicant, Ben Rowe, b/d/a Twin Peaks Adventures, LLC., proposes to guide as many as six helicopter-supported fishing and camping trips into the Cobblestone and Tubutulik river basins on the Seward Peninsula, Alaska, annually between July 8 and August 25.

A. Purpose and Need for the Proposed Action:

The Anchorage Field Office, Nome Field Station, received an application for a Special Recreation Permit (SRP) from Ben Rowe, d/b/a Twin Peaks Adventures, LLC. Mr. Rowe requested a permit to conduct guided sport fishing on Bureau of Land Management (BLM) administered lands. Guiding services offer the public increased safety while recreating in remote or relatively inaccessible locations on the Seward Peninsula, Alaska.

B. Conformance with the Land Use Plan:

The Proposed Action is in conformance with the Northwest Management Framework Plan (MFP) dated October 5, 1982, activity objective Recreation (R-1). This objective states that BLM will provide recreational opportunities appropriate to the needs of visitors.

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

Use permits are authorized under Sections 302 and 303 of the Federal Land Policy and Management Act¹ and its attendant regulations, 43 C.F.R. §2930. The Alaska National Interest Lands Conservation Act provides that the State of Alaska must provide its concurrence in the issuance of the permit to utilize State selected lands.²

The BLM may waive permit requirements when the use or event begins and ends on non-public lands or related waters, traverses less than 1 mile of public lands or 1 shoreline mile, and poses no threat of significant damage to public land or water resource values.³ The applicant will traverse more than a mile of public lands or more than 1 shoreline mile.

II. PROPOSED ACTION AND ALTERNATIVE

A. Proposed Action:

Mr. Ben Rowe proposes to guide no more than six clients annually on as many as six fishing/camping trips on BLM administered lands within the Cobblestone and Tubutulik River basins annually between July 8 and August 25. The applicant

¹ 43 U.S.C. 1701, *et. seq.*

² ANCSA §906(k)(1)

³ BLM Manual H-2930-1 Recreation Permit Administration, 10/7/03

proposes to provide clients with a two-day fishing trip on the Cobblestone River and a five-day fishing trip on the Tubutulik. The applicant, a pilot with Bering Air, Inc., and his clients will access the river basins by a Robinson 44, "R44" helicopter out of Nome, Alaska. The helicopter will remain on site on the Cobblestone River but not on the Tubutulik River. The helicopter will be fueled and purged in Nome and not in the field. The applicant is proposing occasional short term camping on both rivers. Clients will fish from rafts on the Tubutulik River and by foot along the Cobblestone River. The rafts will be powered by oar only.

Clients will pay Bering Air for access to the fishing/camping sites. The applicant is both the pilot and the guide. The applicant is providing the camping gear for himself and his client.

Once on BLM lands, the applicant will guide clients to suitable fishing spots within the Tubutulik and Cobblestone River drainages. The applicant identified roughly six miles of river corridor on the Cobblestone and approximately ten miles on the Tubutulik River where fishing and short term camping may occur (along with helicopter landings). Exact locations are not known as this is a start up operation. Since this is the first year of the applicant's operation, it may be that the applicant will move up and down the Cobblestone River in search of the most opportune fishing sites. Fishing and camping spots will be based upon the opportunity to catch Arctic Grayling and Dolly Varden. Landing sites for the helicopter are proposed along gravel bars and will be chosen for safety and to get as close to the fishing as possible. No landing spots will be improved. Short term camping will be done by light summer backpack type camping gear and tents. The applicant proposes two days of fishing on the Cobblestone and five days fishing on the Tubutulik. All gear will be removed from each site at the end of each trip. The applicant proposes a primarily catch and release operation.

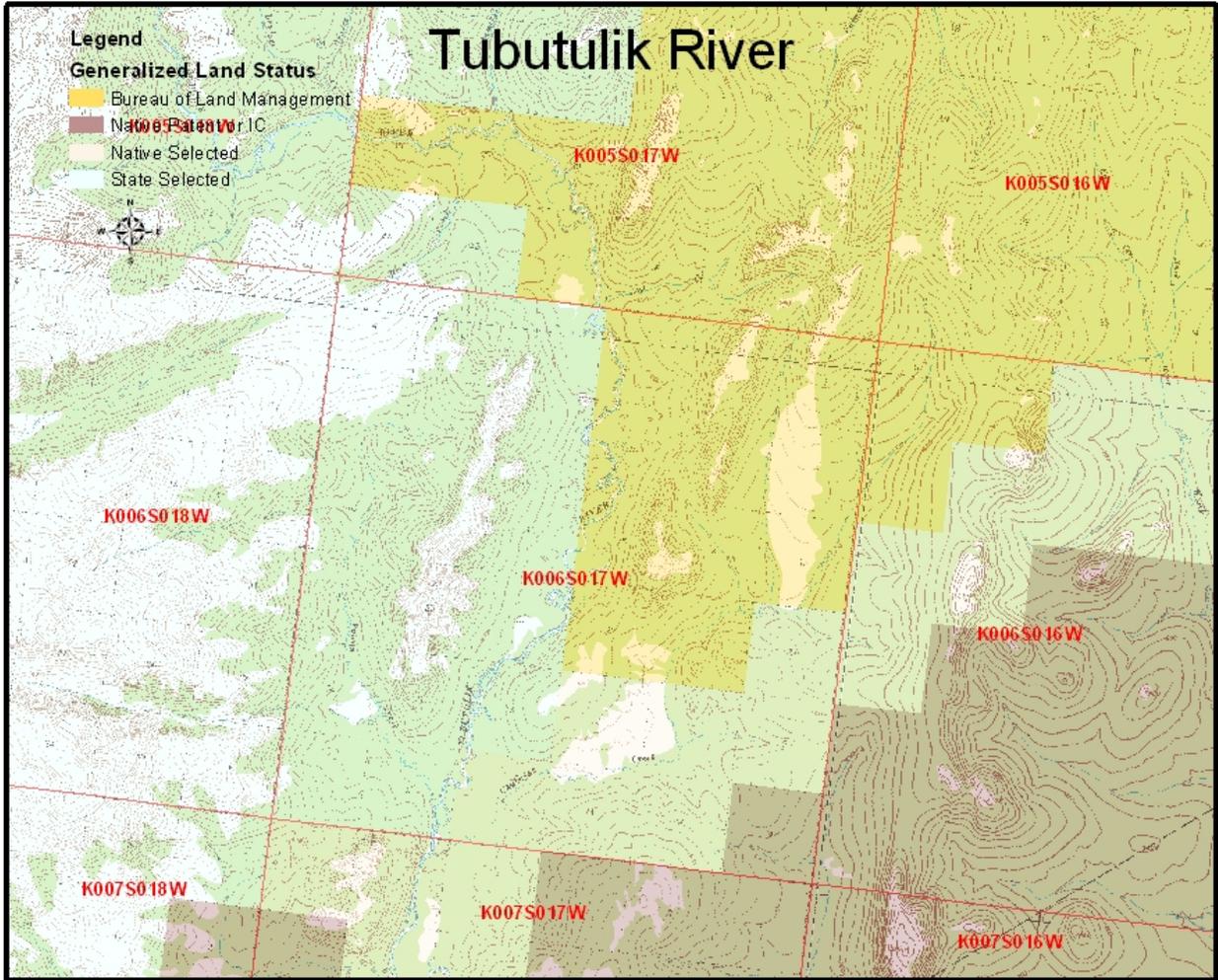


Figure 1.

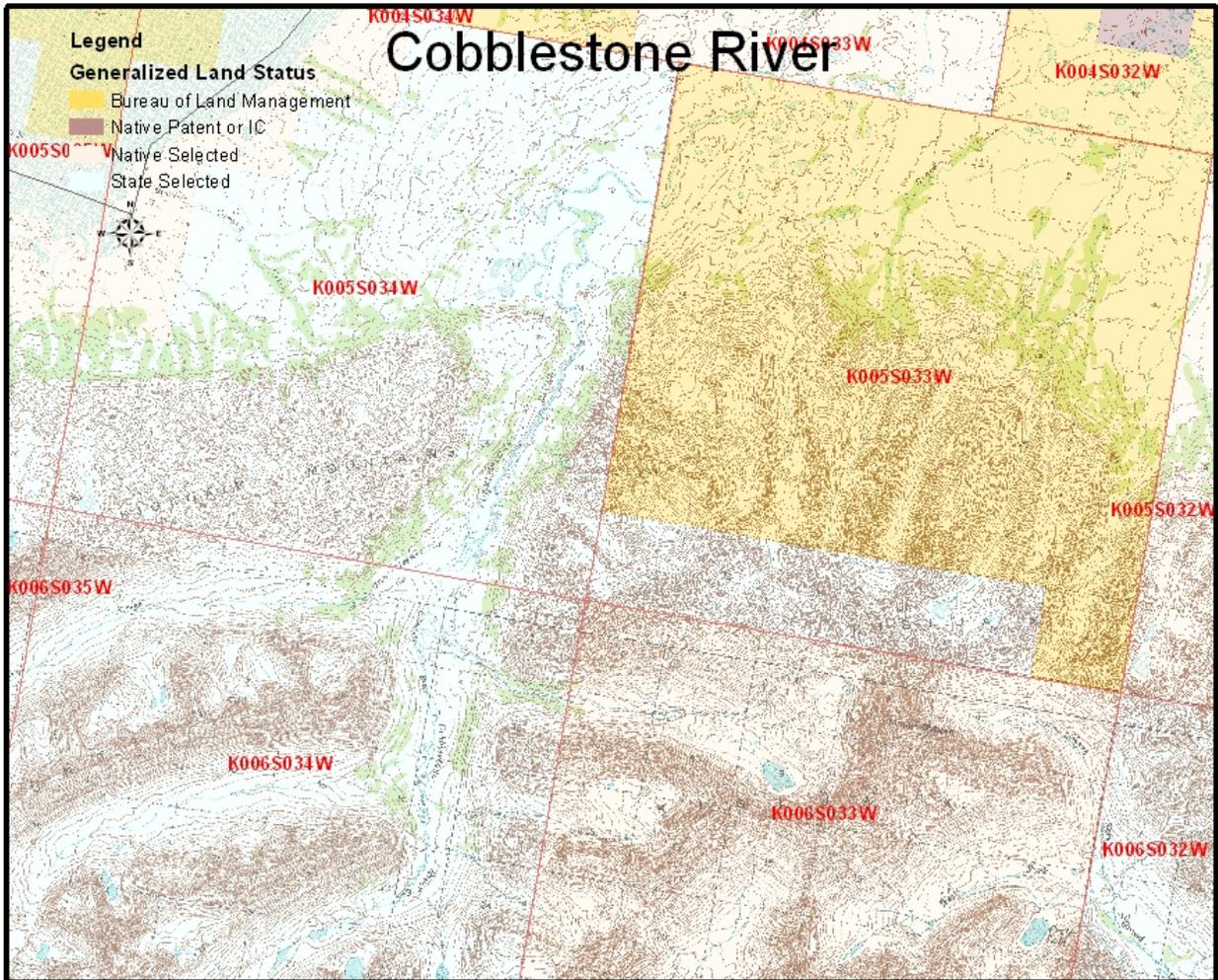


Figure 2



Figure 3

Robinson R 44 Helicopter



Weights

Gross Weight	2,400 lb
Empty Weight Equipped (incl oil & avionics)	1,442 lb
Standard Fuel (30.6 gal)	184 lb
Auxiliary Fuel (18.3 gal)	110 lb
Passengers and Baggage w/standard fuel	774 lb

Performance

Cruise Speed	130 mph (113 kts)
Maximum Range (no reserve)	approx 400 miles
Hover Ceiling IGE @ 2400 lb	6,400 feet
Hover Ceiling OGE @ 2200 lb	5,100 feet
Rate-of-Climb over	1,000 fpm
Maximum Operating Altitude	14,000 feet

B. No Action Alternative:

The No Action Alternative would be to continue present public land management practices in the area. There are no permitted fishing guides on BLM lands on the Seward Peninsula. Existing permitted commercial outfitting and guiding for big game hunting on public lands would continue at current levels. Incidental fishing by big game hunting clients will continue at current levels as well as non guided sport and subsistence fishing. The applicant would be required to seek other areas to conduct his operations either on nearby State of Alaska or Native Corporation owned lands or seek another area of the State of Alaska to conduct his operations.

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:

There are cultural resources in the Kigluaik Mountains north of Nome associated with the mining activities of the early 20th Century. These resources are not within the Cobblestone River.

The possibility exists that there are unreported sites in the Cobblestone or Tubutulik River drainages. Prehistoric and historic sites have been found in adjacent areas where cultural resource surveys have been conducted (the Bendeleben Mountains).

2. Essential Fish Habitat:

For the purposes of this environmental assessment, essential fish habitat means those waters and substrate necessary for salmon for spawning, breeding, feeding, or growth to maturity.⁴ For the purpose of interpreting the definition of essential fish habitat, waters include aquatic areas and

⁴ Magnuson-Stevens Act, 16 U.S.C. 1801 *et seq.*

their associated physical, chemical, and biological properties that are used by salmon and may include aquatic areas historically used by salmon where appropriate; substrate includes sediment, hard bottom, structures underlying the waters, and associated biological communities; necessary means the habitat required to support a sustainable fishery and the managed species' contribution to a healthy ecosystem; and spawning, breeding, feeding, or growth to maturity covers a species' full life cycle.⁵

The Cobblestone River is known to support chum salmon and Dolly Varden and is identified in the State of Alaska, Catalog of Waters Important for the Spawning, Rearing, or Migration of Anadromous Fish as #332-00-10270. The Tubutulik River is known to support Chinook, coho, pink, and chum salmon, Dolly Varden, and whitefish and is identified in the State of Alaska, Catalog of Waters Important for the Spawning, Rearing, or Migration of Anadromous Fish as #333-30-10650.

3. Subsistence:

Residents of Nome, Teller and to a lesser extent Brevig Mission are known to use the Cobblestone River for subsistence purposes. Area residents use the area for hunting grizzly bear, caribou, moose, trapping furbearers, hunting of fur bearers (primarily wolf and wolverine), and for fishing of salmon (all pacific species except for Sockeye) Dolly Varden, Grayling and whitefish. The Tubutulik River and its tributaries are primarily used by residents of Elim for subsistence purposes. Elim residents harvest grizzly bear, caribou, moose, trapping furbearers, hunting of furbearers (primarily wolf and wolverine), fishing of salmon (primarily chum, coho and pink in the lower ends of the river), Dolly Varden and Arctic grayling.

4. 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.

5. Wastes, Hazardous/Solid:

There are no known, hazardous wastes on BLM managed lands in the Cobblestone River or the Tubutulik River area.

B. Land Status:

The **Tubutulik River** flows through Sections 28, 29, 30 and 33 of T. 5 S., R. 17 W., KRM land which was *withdrawn for but not yet selected* by the Native Village of Elim, PL 106-194. It also flows through Sections 3, 10, 15, and 22 of T. 6 S., R. 17 W., KRM, lands which were also *withdrawn* under PL 106-194 *but*

⁵ EFH Interim Final Rule, 62 FR66531

not yet selected by the Native Village of Elim. In addition the River flows through Section 33 of T. 6 S., R 17 W., KRM, a Section of the township that has been Native and State *selected*, F-093274 and F-088797 respectively. Finally, the river flows through Sections 4, 9, 16, 21, 28 and 32 of T. 6 S., R. 17 W., KRM, all of which have been *selected* by the State of Alaska, F-088797, *see* Figure 1, above. The State Selection does not appear on the State's priority selection list for 2006.

The **Cobblestone River** flows through Sections 5, 6 and 7 of T. 5 S., R. 33 W., KRM which have been Native *selected* under application F-014893 – D. While the river flows through T. 5 S., R. 34 W., KRM, the lands were *Tentatively Approved* for conveyance to the State of Alaska on May 4, 2006. The river also flows into T. 6 S., R. 34 W., KRM, which has been *selected* for conveyance by the State of Alaska, F-088802, but does not appear on its 2006 priority conveyance list, *see* Figure 2, above.

The Cobblestone River and portions of the Tubutulik River have been determined to be non-navigable and are subject to BLM management.

C. Recreation:

The Tubutulik River sees little recreational fishing and only occasional recreational hunting. The Cobblestone River sees recreational use from Nome by anglers, hikers and campers. During moose hunting season, there are recreation moose hunters in the area. The Nome Teller Highway provides reasonable access to the Cobblestone River and the area can also be reached by boat from Teller/Brevig Mission via Imuruk Basin or from Nome via the Kuzitrin River. The Tubutulik River is accessible from Elim by boat or by fixed wing or helicopter to a remote landing strip at Boulder Creek.

D. Vegetation:

The riparian corridors of the Tubutulik River drainage 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 white and black spruce. The riparian corridors of the Cobblestone River drainages and its tributaries are characterized by willow, tall and low shrubs. Habitat outside the riparian area is primarily alpine tundra (dwarf shrub, herbaceous perennials, grasses and sedges, lichen, moss).

Douglasia beringensis, is known to be endemic to the north-central Seward Peninsula, the Nulato Hills, and the Kokrines Hills of western Alaska; however, its habitat is mountain summits, at an elevation of 1,000 to 1,800 feet.⁶ There is

⁶ Kelso, Yrtsev, and Murrym, 1994.

no known occurrence of the species in the Cooblestone or Tubutulik River valleys and no surveys of the valleys have occurred.

E. Visual Resources:

The BLM has not formally designated Visual Resource Management (VRM) classes for the proposed areas of use. However, the preferred alternative within the Kobuk-Seward Peninsula Draft RMP/EIS recommends managing these regions under VRM class II objectives.

The objective of this class is to retain the existing character of the landscape. Activities or modifications of the environment should not be evident or attract the attention of the casual observer. Changes should repeat the basic elements of form, line, color, and texture found in the predominant natural features of the characteristic landscape. Changes caused by management activities may be evident but not detract from the existing landscape (Bureau Handbook, H-8410-1, Visual Resource Inventory).

Expansive and scenic views of the Tubutulik River and its tributaries are available from high vantage points. There are a few established camps in the area mostly on Native Allotments/Native Corporation owned lands along the lower Tubutulik River. The areas of the proposed fish guiding and temporary camps are generally not visible from established ground travel routes, but would be visible from the river and the air. The Cobblestone River is part of the Kigluaik Mountain range and this range offers spectacular side canyon views, abrupt peaks, and cirque lakes.

F. Wildlife:

The land covered by the permit application, is located within the Alaska Department of Fish and Game (ADF&G) Game Management Subunit 22D and 22B east and is inhabited by many wildlife species including, but not limited to moose, muskox, 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 temporary nature of the small amount of camping on the Tubutulik River (and to a lesser extent the Cobblestone) are unlikely to involve sufficient surface disturbance as to constitute a serious threat to any cultural remains that may be located in the area. However, care should be exercised to not disturb known cultural resources of the area which may be encountered. Remote helicopter landings with an R44 are unlikely to cause disturbance to any cultural resources.

b. Essential Fish Habitat:

In general, the proposed action has a small potential to impact aquatic habitat by trampling riparian vegetation and hardening stream banks which may decrease stream bank stability. Where possible the applicant should select and establish camps in areas so as to minimize disturbance (e.g. on gravel bars). It is anticipated that clientele will catch sport fish species during their visit. This will result in loss of these fish if seriously injured or retained.

EFH Finding: Based on the density and duration of proposed use, the proposed action is not likely to adversely affect EFH and no further EFH consultation is required.

c. Subsistence:

Subsistence users will see additional helicopters in the Tubutulik River area. Fish guiding operations would increase human activity in the area and low-level aircraft flights may drive subsistence resources further away from areas customarily used by residents of the area. Temporary camps may dislocate some species from the area (primarily ungulates) while it may attract scavengers (bear, fox, wolverine). Temporary camps may displace animals in the immediate vicinity of such camps, but direct impacts would occur only during the short time that camps are in use. Fish guiding operations could interfere with subsistence fishing by the local resident population.

d. 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.

e. Wastes, Hazardous/Solid:

The temporary camps will utilize fuel and other materials which contain oil and/or hazardous substances, such as batteries, oil/grease and pesticides (insect repellent/flashlights). A small amount of human waste and wastewater will be generated on a daily basis as well as non hazardous waste material (trash). No refueling issues other than those of small camp stoves are anticipated however; even improper refueling of these small stoves can lead to contamination of vegetation, soil and water.

There is the potential of harm to the environment from spills or discharges associated with the use of fuel, oil and hazardous materials, and improper management of human waste, wastewater, and trash.

2. Recreation

The Proposed Action would increase the number of temporary camps in both the Cobblestone and the Tubutulik River areas. The Proposed Action will increase the number of recreational users in the area due to the increased level of commercial services available. There may be conflicts between user groups (i.e. subsistence fishermen and hunters, both state and federal; other commercial fishermen and hunters) due to the increased recreational level and perhaps competition over rather limited trophy Arctic Grayling. This competition may result in loss of trophy harvest opportunity, animosity between recreational users and local user groups.

3. Vegetation:

Minor impacts to vegetation are anticipated near temporary camps, helicopter-landing sites, privies and fire pits. These impacts will include cutting, trampling and crushing of vegetation. Due to the use of aircraft and fuels for cooking, and fires for camping, there is a possibility of fires. Short-term camping is not likely to cause any appreciable damage to public land or water resource values.

4. Visual Resources:

The Proposed Action will result in minimal impacts on the visual resources and meets the objectives of a VRM II management class which is the highest level of non-Congressionally-designated land protection for visual resources.

The temporary camps established in support of the proposed action would slightly impact the visual resources and increased air traffic in support of guiding operations may also impact visual resources during active guiding operations. Both effects on the visual resources will be temporary.

5. Wildlife:

Moose may be disturbed by the increased ground and air activity which may influence the moose population and distribution.

Low level flying traffic may affect game movement and stress ungulate populations depending on the amount of use that occurs. Impacts to other wildlife populations will be minor or immeasurable.

At the temporary camp sites, 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 could attract bears and other scavengers if not properly secured. Such encounters may result in the unplanned harvest of bears. There may be a decrease in trophy Arctic Grayling.

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. Essential Fish Habitat:

Limited impacts to essential fish habitat under current management would remain the same. Current users of BLM managed- lands may impact essential fish habitat by clearing, trampling of riparian vegetation, and hardening of pathways in and around the camps.

- c. Subsistence:
Current levels of conflicts between sport; commercially guided, non helicopter supported fishing and hunting; and subsistence hunters and fishermen would remain under the no action alternative. Such conflicts include hunting and fishing competition, competition for camping areas, competition for game resources, and competition for aircraft landing sites and potential changes in game movement patterns.
 - d. 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.
 - e. Wastes, Hazardous/Solid:
Limited impacts to BLM managed lands would continue at present levels.
2. Recreation:
It is anticipated that current recreational use would remain about 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 wildfire will continue due to human use in the area.
 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 will continue to be impacted by current BLM management and other activities. Subsistence and sport/recreation hunting, fishing and trapping will continue on BLM managed lands unless closed by regulatory action.

At campsites, a small amount of wildlife habitat will continue to be trampled or cut to make space for tents or by other camping activities. Impacts to habitat are slight relative to the overall habitat in the area. Camping and the presence of food or harvested game animals at the campsites will continue to attract bears if not properly secured.

C. Cumulative Impacts:

Short-term camp sites will increase the recreation and sport fishing use (user days) in the Cobblestone and Tubutulik River drainages by non residents. Increased aircraft use will be apparent to a few residents and potentially affect ungulate seasonal use areas. On the ground, conflicts between fishermen and hunters may increase in the area. Limited habitat loss will add to the on going losses in the area.

D. Mitigation Measures:

In order to protect *Douglasia beringensis*, from any adverse impact, any camp or landing areas should be moved if this species is found in the area. Human waste and wastewater must be managed to prevent undue impacts. Solid waste should be removed from the public land. Fuel must be contained and measures must be taken to prevent spills to public lands and waters.

Camps and activities associated with the proposed action should be located and conducted in a manner designed to minimize disturbance to riparian vegetation and stream banks. Where possible, camps should be located on open gravel bars. If fish are not retained, proper catch and release practices should be followed in order to minimize the stress on the fish and increase their chance of survival. Retention of fish will be in accordance with Alaska State Law.

Helicopter ingress and egress must be at a minimum of 1500 feet above ground level to minimize effects on game movement and stress on ungulate populations.

Dead and down wood should be used for campfires.

Use of a pit privy in compliance with Alaska Department of Environmental Conservation regulations will prevent the contamination of ground, surface, and drinking water resources.

Proper camp and fishing practices must be implemented to avoid bear encounters.

Repetitive use of the same helicopter landing sites, camp sites and raft launch and pull-out sites, from year to year, is prohibited.; that is, the sites must be different from year to year to facilitate re-vegetation.

V. CONSULTATION AND COORDINATION

- A. Persons and Agencies Consulted:
ADF&G Nome, Kotzebue
Anchorage Field Office

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

VI. BIBLIOGRAPHY/SOURCES

- A. USDA Soil Conservation Service, Range Survey Bendeleben & Solomon Quadrangle
- B. Alaska Wildlife Management Plans, Northwestern Alaska, ADF&G
- C. Persons, K. and P. Bente. 2000. Wolves, Game Management Unit 22. Federal Aid in Wildlife Restoration Management Report. Survey-Inventory Activities July 1996- June 1999. Alaska Department of Fish and Game, Juneau, AK.
- D. Persons, K. and P. Bente. 2000. Moose, Game Management Unit 22. Federal Aid in Wildlife Restoration Management Report. Survey-Inventory Activities 1 July 1997-30 June 1999. Alaska Department of Fish and Game, Juneau, AK.
- E. Persons, K. 2004. Summary of March 2004 Unit 22B and Unit 22C Moose Population Census. Unpublished. ADF&G, Nome, Alaska.
- F. ADF&G 2005 Eastern Unit 22B Moose Recruitment Survey March 20 & 22, 2005
Unpublished report
- G. Jim Menard, Nome ADF&G Personal Communication 6/7/06