

**UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT**

**Anchorage Field Office  
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Anchorage, AK 99507  
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**DECISION RECORD**

**TerraSond, Ltd.  
Case File Number: AA-092890  
DOI-BLM-AK-010-2011-0017-CX**

I. Decision:

It is my decision to authorize a Short-Term Tidal Survey Right-of-Way Permit to TerraSond, Ltd., Case File Number: AA-092890, for a period of 1 year. Mitigation measures and stipulations and conditions are attached.

II. Proposed Action:

The proposed action is to authorize a Short-Term Tidal Survey Right-of-Way Permit to TerraSond, Ltd. for research of tidal influence for maritime useage within the Carter Bay watershed for the National Oceanic and Atmospheric Administration (NOAA) from spring 2011 to fall 2011. The permit would be authorized under the authority of Title III of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1732). The proposed action is in conformance with the Ring of Fire Resource Management Plan, Approved: March, 2008.

III. Rationale for the Decision:

The rationale for the decision is based on the need of the applicant to conduct research for the NOAA while traversing Bureau of Land Management administered lands as part of a larger study being conducted by NOAA.

The proposed action is in conformance with the Ring of Fire Resource Management Plan, Approved: March, 2008. The area of the proposed activity is not within a critical subsistence use area and no serious wildlife problems are anticipated.

IV. ANILCA Section 810 Compliance:

The proposed action will not significantly restrict subsistence uses. No reasonably foreseeable and significant decrease in the abundance of harvestable resources or in the distribution of harvestable resources, and nor reasonably foreseeable limitations on harvester access will result from the proposed action.

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. Lands With Wilderness Characteristics:

In conformance with Secretarial Order 3310 the proposed action has been reviewed for affect on lands with the following Wilderness Characteristics. The lands are anticipated to contain the wilderness characteristics listed below:

- 1) Size-roadless areas of over 5000 acres of contiguous BLM lands.
- 2) Naturalness-affected primarily by the forces of nature, with the works of humans substantially unnoticeable to the average visitor.
- 3) Outstanding opportunities for solitude or a primitive and unconfined type of recreation.
- 4) Supplemental values-if size, naturalness, and solitude/outstanding opportunities are met, then consider if the area contains ecological, geological, or other features of scientific, educational, scenic, or historical value. Supplemental values are not required to be present in order to classify an area as Lands with Wilderness Characteristics.

Though the lands contain the above Wilderness Characteristics the proposed action is a transitory action and would have no permanent effect on the wilderness characteristics of the land.

VII. Consultation and Coordination:

Public participation was accomplished through the development of the Ring of Fire Resource Management Plan which anticipated routine land authorizations in accordance with Title V of FLPMA. Adequate measures to protect public lands through stipulations and required operating procedures are in place. Internal scoping was conducted by AFO staff and included threatened and endangered species, cultural clearances and ANILCA 810 analysis.

VIII. Compliance and Monitoring Plan:

Compliance and monitoring of this authorization will be conducted by the BLM Anchorage Field Office. Inspection will be made prior to the applicant's use and after the applicant reclaims the land.



Matthew S. Varner  
Anchorage Field Manager, Acting

5/23/11  
Date

Attachments: Terms and Stipulations



**U.S. Department of the Interior  
Bureau of Land Management**

Anchorage Field Office  
4700 BLM Road  
Anchorage, Alaska 99507  
(907) 267-1246

<http://www.blm.gov/ak/st/en/fo/ado.html>

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**Categorical Exclusion  
Short-Term Tidal Survey Right-of-Way**

**Applicant: TerraSond Limited  
Case File Number: AA-92890  
DOI-BLM-AK-010-2011-0017-CX**



**Location:**

Seward Meridian, Alaska, T. 9 S., R. 75 W.,  
Section 29, NW $\frac{1}{2}$ NW $\frac{1}{2}$  and Section 32, NW $\frac{1}{2}$ NW $\frac{1}{2}$

**Prepared By:**

**Anchorage Field Office**

**March 2011**

**CATEGORICAL EXCLUSION**

**A. Background**

BLM Office: Anchorage Field Office      Lease/Serial/Case File No: AA-92890

Environmental Document No: DOI-BLM-AK-A010-2011-0017-CX

Proposed Action Title/Types: Short-Term Permit

Location of Proposed Action:

Seward Meridian, T. 9 S., R. 75 W., Sections 29, NW $\frac{1}{2}$ NW $\frac{1}{2}$  and Section 32, NW $\frac{1}{2}$ NW $\frac{1}{2}$ ;  
Goodnews Bay Quadrangle B-8

Description of Proposed Action:

TerraSond, Limited would be authorized a short-term land use permit under Title III of The Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1732), as amended (FLPMA) to conduct a charting survey of tidal influence in the Carter Bay area for maritime use for the National Oceanic and Atmospheric Administration. If approved the project would begin in the spring of 2011 and the research would conclude in the fall of 2011. The research would be conducted along the coastline in an area with a stable bank and would encompass an area 20' x 20' (0.009 acres). The project would be to install two (2) submersible type gauges that would be on anchors two (2) miles off shore. In addition, five benchmarks would be installed 60 centimeters apart that consist of steel rods that are hand driven into the ground until they cannot be driven any further. A small segment of PVC pipe (2-3 feet in length) is inserted around the top of the rod to hold the cap which is marked with the survey information. Shore observations would occur every week and consist of 2-3 personnel with survey equipment measuring the tide levels. No equipment would be left on site for these operations. A GPS base station that includes a GPS unit, Radio Transmitter and Antenna with a power supply system typically made up of a bank of sealed gel cell batteries charged by solar panels and/or a wind generator. Access to the project site would be by small boat to install the equipment and to remove it once the project is completed. There would be no ground disturbance during the equipment installation and removal.



TerraSond, Ltd. project Kuskokwim River GPS Station



Submersible style gauge



USGS stype benchmarks

Applicant (if any): TerraSond Limited.

**B. Land Use Plan Conformance 43 CFR 1610.5-3(a)**

Land Use Plan Name: Bay Record of Decision and Approved Management Plan

Date Approved: March 2008

The proposed action is in conformance with plan because it is specifically provided for in the following planning decisions:

**I-2-C: FLPMA Permits**

*“The BLM may issue land use permits if it is determined that the use conforms to agency plans, policies and programs, local regulations, and other requirements, and will not cause appreciable damage or disturbance to the public lands, their resources or improvements.”*

The proposed action is in conformance with the plan even though it is not specifically provided for because it is clearly consistent with the following planning decisions (objectives, terms, and conditions):

**C. NEPA Compliance**

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with United States Department of the Interior 43 CFR §46.210 or United States Department of Interior Manual, Part 516, Chapter 11 which provides:

**NEPA Handbook H-1790-1**

**E. Realty**

19. Issuance of short-term (3 years or less) rights-of-way or land use authorizations for such uses as storage sites, apiary sites, and construction sites where the proposal includes rehabilitation to restore the land to its natural or original condition.

**D. Extraordinary Circumstances**

The following Departmental List of Extraordinary Circumstances applies to individual actions. Departmental instructions mandate that environmental documents must be prepared for actions which may:

	YES	NO
1. Have significant adverse impacts on public health or safety.	_____	_____ X
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.	_____	_____ X
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	_____	_____ X
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	_____	_____ X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	_____	_____ X
6. Have a direct relationship to other actions with individually	_____	_____ X

insignificant but cumulatively significant environmental effects.

- |     |   |       |                |
|-----|---|-------|----------------|
| 7.  | Have significant impacts on properties listed, or eligible for listing on the National Register of Historic Places as determined by either the bureau or office.  | _____ | _____ <u>X</u> |
| 8.  | Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.  | _____ | _____ <u>X</u> |
| 9.  | Violate Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.   | _____ | _____ <u>X</u> |
| 10. | Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).  | _____ | _____ <u>X</u> |
| 11. | Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).   | _____ | _____ <u>X</u> |
| 12. | Contribute to the introduction, continued existence, or spread of weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112). | _____ | _____ <u>X</u> |

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances in 43 CFR §46.215 are pertinent.

**E. Lands with Wilderness Characteristics**

In conformance with Secretarial Order 3310 the proposed action has been reviewed for affect on lands with the following Wilderness Characteristics. The lands are anticipated to contain the wilderness characteristics listed below:

- 1) Size-roadless areas of over 5000 acres of contiguous BLM lands.
- 2) Naturalness-affected primarily by the forces of nature, with the works of humans substantially unnoticeable to the average visitor.
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- 4) Supplemental values-if size, naturalness, and solitude/outstanding opportunities are met, then consider if the area contains ecological, geological, or other features of scientific, educational, scenic, or historical value. Supplemental values are not required to be present in order to classify an area as Lands with Wilderness Characteristics.

Though the lands contain the above Wilderness Characteristics the proposed action would have no permanent effect on the wilderness characteristics of the land.

**F. Signature**

The proposed action is in conformance with a management framework plan or a resource management plan, 43 C.F.R. § 1610.8(a)(3) (2006). The Department of the Interior has determined and found that the proposed action is within a category of actions that do not individually or cumulatively have a significant effect on the human environment and that neither an environmental assessment nor an environmental impact statement is required, 40 C.F.R. §1508.4 (2006).

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.

It is therefore my decision to implement the action, as described, with appropriate mitigation measures or stipulations.

Mitigation Measures/Stipulations: (See Attached)

Authorized Official:  Date: 5/23/11