

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

**Anchorage Field Office
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DECISION RECORD

**Applicant: Norton Sound Economic Development Corporation (NSEDC)
Case File Number: AA-092900
DOI-BLM-AK-A010-2011-0021-CX**

1. Decision:

It is my decision to authorize a short term land use permit (permit) to Norton Sound Economic Development Corporation (NSEDC) Case File Number: AA-092900, for a period of approximately three years (Until October 1, 2013). Terms and stipulations are attached.

2. Proposed Action:

The proposed action is to grant a temporary land use permit (permit) to the Norton Sound Economic Development Corporation (NSEDC) for a period of approximately 3 years (until October 1, 2013) to construct, maintain, and remove a fish counting operation.

The operation will consist of two temporary weather port type tents placed on a plywood platform, a storage shed, and an outhouse. A fish counting tower will also be erected for employees to stand/sit and count fish as they pass over a "flash pan" placed on the bottom of the Inglutalik River. The weather port tents will be used to house employees (2-4) during the salmon runs and will be broken down and stored over winter on site as well as the counting tower. The equipment will be taken to the site using boats and/or helicopter. Trash will be taken off site.

3. Rationale for the Decision:

The rationale for the decision is based on the need of the applicant to obtain base line salmon population data on the Inglutalik River. This data will help BLM in future management decisions.

The proposed action is in conformance with the Kobuk-Seward Peninsula Resource Management Plan, Approved September 2008. The area of the proposed activity is not within a critical subsistence use area and no serious wildlife problems are anticipated.

4. 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.

5. 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.

6. Lands with Wilderness Characteristics:

The proposed action has been reviewed for the following Wilderness Characteristics and found to contain one or more of the characteristics:

- 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.

The proposed action is located in a township that is within a block of BLM managed land encompassing more than 5,000 contiguous acres. The Inglutalik River area offers outstanding opportunities for solitude and primitive and unconfined recreation for boating, hiking, and hunting. The area is difficult to access as the only means of reaching the destination is by boat out of Koyuk, Alaska or by helicopter from Nome (the helicopter would require refueling in Koyuk and delivery of Jet A fuel as no commercial fuel is available for helicopters in Koyuk, Alaska). The action approved activities would not affect the wilderness characteristics of the area.

Several certificated Native allotments lie within the township of the proposed action, the township to the north, and along the Inglutalik River. One historical site applied for the by Bering Straits Native Corporation also exists adjacent to the proposed action (within

the same Section). Although these private holdings occur within fairly close proximity to the proposed action, the area represents an opportunity for solitude and naturalness where works of humans are largely unnoticed. As one proceeds up river from the proposed action, the area is largely unaffected by any human works. While a fish counting tower and temporary camp may detract from the visual and solitude feeling of visitors, the camp location is adjacent to a certificated Native Allotment which is used primarily during the summer salmon runs by local Native inhabitants of the village of Koyuk, Alaska to procure salmon for winter use. This use, combined with the proposed action's temporary nature leaves future opportunities for solitude and primitive recreational opportunities largely undisturbed. Given the vast tracts of BLM lands located upriver from the proposed action which are largely pristine, the public's continued opportunity for solitude and primitive recreational opportunities will remain. Also, the proposed action will give managers of the salmon runs an indication of the strength of the all pacific salmon species that inhabit the Inglutalik River. This base line data will help the Alaska Department of Fish and Game manage the salmon resource for sustained use by future generations for of people for recreation, personal and subsistence use and well as maintaining the ecological importance of the salmon runs.

7. Consultation and Coordination:

Public participation was accomplished through the development of the Kobuk-Seward Peninsula 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.

8. 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.

/s/

5/23/2011

Matthew S. Varner
Anchorage Field Manager, Acting

Date

Attachments: Terms and Stipulations



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

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

**Categorical Exclusion
Land Use Permit, Short Term
Applicant: Norton Sound Economic Development Corporation (NSEDCC)
Case File Number: AA-092900
DOI-BLM-AK-A010-2011-0021-CX**



Location:

Kateel River Meridian, Alaska,

T. 8 S., R. 10 W.,
sec. 3, NE $\frac{1}{4}$ (within)

Prepared By:

Anchorage Field Office
April 2011

CATEGORICAL EXCLUSION

A. Background

BLM Office: Anchorage Field Office Lease/Serial/Case File No: AA-092900

Environmental Document No: DOI-BLM-AK-A010-2011-0021-CX

Proposed Action:

The proposed action is to grant a temporary land use permit (Permit) to the Norton Sound Economic Development Corporation (NSEDC) for a period of approximately 3 years (until October 1, 2013) to construct, maintain, and decommission a fish counting operation.

Location:

Kateel River Meridian, Alaska,

T. 8 S., R. 10 W.,
sec. 3, NE¼ (within)

Description:

The fish counting operation would consist of two temporary weather port type tents placed on a plywood platform (each approximately 10x15 feet), one storage shed (approximately 8x10 feet), and an outhouse (approximately 4x4 feet). Only the outhouse would require ground disturbance. A fish counting tower would also be erected for employees to stand/sit and count fish as they pass over a “flash pan” placed on the bottom of the Inglutalik River. The weather port tents would be used to house employees (2-4) during the salmon runs and would be broken down and stored over winter on site as well as the counting tower. The equipment would be taken to the site using boats and/or helicopter. Trash would be taken off site.

Applicant: NSEDC

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

Land Use Plan Name: Kobuk-Seward Peninsula Approved: September, 2008

The proposed action is in conformance with plan because it is specifically provided for in the following planning decisions: Under Lands and Realty I-2n Rights of Way:

It states “The BLM may issue rights-of-way for a variety of uses including but not limited to: roads, water pipelines, electric lines and communication sites under the authority of Title V of FLPMA.”

C. NEPA Compliance

The proposed action for the short term right-of-way 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, and the BLM NEPA Handbook H-1790-1, Appendix 4 p. 152 which provides:

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 apply to individual actions. Departmental instructions mandate that environmental documents must be prepared for actions which may:

1. Have significant adverse impacts on public health or safety.
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.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

6. Have a direct relationship to other actions with individually 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.
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.
9. Violate Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).
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).
12. Contribute to the introduction, continued existence, or spread of weeds or non-native invasive species known to occur in the area or 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).

This categorical exclusion is appropriate because there are no extraordinary circumstances 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

The proposed action has been reviewed for the following Wilderness Characteristics and found to contain one or more of the characteristics:

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.

The proposed action is located in a township that is within a large block of BLM managed land encompassing more than 5,000 contiguous acres. The Inglutalik River area offers outstanding opportunities for solitude and primitive and unconfined recreation for boating, hiking, and hunting. The area is difficult to access as the only means of reaching the destination is by boat out of Koyuk, Alaska or by helicopter from Nome (the helicopter would require refueling in Koyuk and delivery of Jet A fuel as no commercial fuel is available for helicopters in Koyuk, Alaska). The proposed activity would not alter the scenic or recreational nature of the area or affect the wilderness characteristics of the area.

F. 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.

G. 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).

Authorized Official: /s/ Matthew S. Varner, Acting Date: 5/23/2011