



**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  
Right-of-Way, gravel road  
Applicant: Gateway Homeowner's Association  
Case File Number: AA-092886  
DOI-BLM-AK-A010-2011-0020-CX**



**Location:**

Seward Meridian, Alaska

T. 13 N., R. 1 E.,  
Secs. 9;  
Sec. 10; and  
Sec. 15 (within).

**Prepared By:**  
Anchorage Field Office  
June, 2011

**CATEGORICAL EXCLUSION**

**A. Background**

BLM Office: Anchorage Field Office      Lease/Serial/Case File No: AA-092886

Environmental Document No: DOI-BLM-AK-A010-2011-0020-CX

Proposed Action:

The proposed action is to grant a right-of-way (ROW) renewal to an existing gravel road previously authorized by Bureau of Land Management (BLM) (case file AA-58525) to the Gateway Home Owners' Association for a period of twenty (20) years to access private homes. No new construction would take place on the proposed ROW. The ROW is twenty feet wide and approximately 3,106.03 feet long, containing 1.43 acres.

Location:

Approximately 12 miles south of Eagle River, near the Eagle River Visitor Center on BLM managed public lands within the boundaries of Chugach State Park, Anchorage A-7 Quadrangle:

Seward Meridian, Alaska

T. 13 N., R. 1 E.,  
Secs. 9;  
Sec. 10, and  
Sec. 15 (within).

Description:

The existing ROW expired on September 20, 2010, after a twenty year grant was approved by BLM to provide legal access to certain inholders within Chugach State Park. The applicant wishes to renew the ROW. The lands are selected by the State of Alaska and are scheduled to be conveyed to the State in the near future. The ROW grant would help facilitate the land transfer.

Applicant: Gateway Home Owners' Association

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

Land Use Plan Name: Ring of Fire

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."

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 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**

9. Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.

**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:

		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

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| 4.  | Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.   | _____ | <u>  X  </u> |
| 5.  | Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.   | _____ | <u>  X  </u> |
| 6.  | Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.   | _____ | <u>  X  </u> |
| 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 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. 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.

**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).

Authorized Official: \_\_\_\_\_

*[Handwritten Signature]*  
Acting F.M.

Date: \_\_\_\_\_

*6/24/11*

UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

Anchorage Field Office  
4700 BLM Road  
Anchorage, AK 99507  
Phone: (907)267-1246  
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**DECISION RECORD**

**Categorical Exclusion**  
**Right-of-Way, gravel road**  
**Applicant: Gateway Homeowner's Association**  
**Case File Number: AA-092886**  
**DOI-BLM-AK-A010-2011-0020-CX**

I. **Decision:**

It is my decision to authorize a Right-of-Way (ROW) to Gateway Homeowner's Association Case File Number: AA-092886, for a period of approximately twenty (20) years. Stipulations and conditions are attached.

II. **Proposed Action:**

The proposed action is to grant a right-of-way (ROW) to an existing gravel road previously authorized by BLM (case file AA-58525) to the Gateway Home Owners' Association for a period of twenty (20) years to access private homes. No new construction would take place on the proposed ROW.

III. **Rationale for the Decision:**

The rationale for the decision is based on the need of the applicants to have legal access to their residences and to expedite conveyance of the lands to the State of Alaska.

The proposed action is in conformance with the Ring of Fire, 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

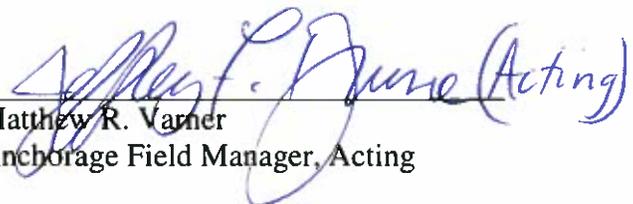
development. The action will not have an adverse direct or indirect impact on energy development, production or distribution. The preparation of a Statement of Adverse Energy Impact is not required.

VI. 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.

VII. 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.

 (Acting) \_\_\_\_\_  
Matthew R. Varner  
Anchorage Field Manager, Acting

\_\_\_\_\_ 6/24/11  
Date

Attachments: Terms and Stipulations