

**U.S. Department of the Interior
Bureau of Land Management
Central Yukon Field Office
1150 University Avenue
Fairbanks, Alaska 99709
(907) 474-2200**

**ENVIRONMENTAL ASSESSMENT
DOI-BLM-AK-03000-2012-0049-EA**

Cruz Construction
Staging/Storage Area of Heavy Equipment in Preparation for Loading/Unloading
Off Barge for Various Projects in Communities along the Yukon River
F-96479 (2920)



Location:
NE¹/₄SE¹/₄, Sec. 7, T. 12 N., R. 10 W., Fairbanks Meridian

Prepared by:
Central Yukon Field Office

November 2012

A. Introduction

Background

The proposed staging/storage area is located on a portion of public lands that was leased to Sukakpak, Incorporated for a restaurant, gas station and hotel. The current lease expired April 2012 and Sukakpak, Inc. is in the process of renewing their lease. For the past ten (10) months the applicant has been staging/storing their heavy equipment on the eastern side of the lease with permission of the lessee. They are currently using public lands without authorization.

B. Purpose and Need for the Proposed Action

The proposed action would authorize a permit for three (3) years to Cruz Construction for staging/storing their heavy equipment in preparation for loading onto the barge and for staging/storing heavy equipment coming off the barge. The heavy equipment is used for various projects for communities located along the Yukon River.

Decision to be Made

BLM will decide whether to authorize or reject the proposed actions. If authorized, the decision will include necessary mitigation to protect the public resources and prevent unnecessary degradation to public lands.

C. Conformance with Land Use Plan

The proposed action is within the Utility Corridor Resource Management Plan and Final Environmental Impact Statement approved January 11, 1991.

The proposed actions are in conformance with the plans because they are specifically provided for in the following planning decision (objectives, terms, and conditions):

Utility Corridor Plan, Appendix N Lands Program Objectives (page N 7- 9)

7. Process applications for land use authorizations from the general public, Federal and State agencies and research organizations on a case-by-case basis.

D. Relationship to Statutes, Regulations or Other Plans

Section 302 of the Federal Land Policy and Management Act provides for the issuance, amendment, and renewal of permits for uses not specifically authorized under other laws or regulations and not specifically forbidden by law, including industrial and commercial uses.

E. Proposed Action and Alternatives

Proposed Action

Cruz Construction proposes to use an area approximately two (2) acres (see map) in size to stage and store their heavy equipment such as front end loaders, dozer push cats, excavators, highway haul trucks, motor graders, pickup trucks and off road dump trucks. This staging area is needed to store their equipment until the barge arrives to load and unload. There would be no fueling of equipment onsite. All equipment is either brand new or relatively new and well maintained so the chance of leakage is very small. A spill kit would be maintained onsite.

Alternative #1

This alternative would require Cruz Construction to stage and store their heavy equipment across the highway from the proposed action on the BLM Administrative Site (see map). When it is time to load or off-load their heavy equipment they would just have to cross the highway to the barge area. Having to cross the Dalton Highway could be a safety issue with the increased traffic in the spring/summer.

No-Action Alternative

The no alternative would result in the application being rejected and the applicant would be required to remove all their heavy equipment and personal property from the lease site.

F. Affected Environment

General Setting

The subject area is described as NE¹/₄SE¹/₄, Sec. 7, T. 12 N., R. 10 W., Fairbanks Meridian as depicted on USGS Quad Livengood D-6. The location of the staging/storage area is on level ground with a dirt surface. The area is only partially vegetated due to historic and recent disturbances. In this area, a common invasive plant species, white sweet clover is abundant. White sweet clover is a primary target species for control efforts by the BLM. The staging area is leased to Sukakpak, Incorporated and the applicant has permission from the lessee to stage/store their equipment onsite.

Invasive Plant Species

The area is only partially vegetated due to historic and recent disturbances. In this area, a common invasive plant species, white sweet clover is abundant. White sweet clover is a primary target species for control efforts by the BLM Central Yukon Field Office.

G. Environmental Effects

Impacts of the Proposed Action

Invasive Plant Species

Direct effects: The most common invasive plant species in the Dalton Corridor area, white sweet clover and bird vetch, are best adapted to disturbed areas with bare substrate such as roadsides, pull-offs, and trails. Roadways, such as the Dalton Highway, are primary corridors for the spread of invasive plant species because seeds can 'hitchhike' on vehicles, equipment, clothing and shoes and into disturbed areas. Transport of seeds via any of these vectors is likely to lead to new areas of invasive plant establishment.

Invasive plants, particularly white sweet clover, are well-established and abundant at the Yukon River crossing area. Mowing invasive plants here is a BLM management tool employed to minimize the transport of the species away from the infested area. Mowing the existing plants will not remove the invasive species from the area. However, if timed correctly, mowing can prevent the existing invasive plants from setting seed thus minimizing the potential for invasive plant seeds to 'hitchhike' away from the Yukon Crossing.

Indirect effects:

Management of invasive plants at the Yukon Crossing is of particularly high importance for two primary reasons. First, the area is a heavily used pull-off along the Dalton Highway, therefore there is a high potential for seeds to spread from this area and north up the Dalton Highway on vehicles. The BLM is making a concerted effort to slow or halt the rapid spread of invasive plants up the Dalton Highway. Second, the area is in close proximity to the Yukon River. This since waterway intersections with travel corridors are of concern since it is possible that invasive plants could spread along bare substrate (river bars) down river corridors and therefore into natural, undisturbed areas along waterways. Invasive species, particularly white sweet clover, have been shown to spread down waterways in other areas in Alaska. Mowing treatment of the Yukon Crossing staging area, including the proposed Cruz Construction staging area, will help minimize the spread of invasive species via multiple vectors, including Cruz Construction vehicles.

Cumulative effects:

If invasive plants are allowed to spread unchecked by management actions, there is the potential for these species to move away from human disturbed areas and into natural, undisturbed vegetation communities. Introduction of invasive species to natural plant species can lead to displacement of native vegetation and shifts in animal habitat.

Issuance of this permit without specifying that mowing will be conducted, requiring the temporary removal of Cruz Construction equipment, would increase the chance that invasive plants would spread away from the currently infested areas and into natural

communities along the Dalton Highway and Yukon River as well as other connected roads and waterways in the area.

Impacts of Alternative #1

Invasive Plant Species

The impacts of issuing the requested permit using Alternative #1 would be largely the same as those employed under the proposed action.

Impacts of No Action Alternative

The No Action alternative would require BLM to reject the application which would require the applicant to remove all heavy equipment and personal property from the lease site.

Mitigation Measures for Proposed Action

When and if requested by BLM, Cruz Construction will be required to move all the heavy equipment in the staging area so the vegetation/foilage can be mowed by a BLM employee. Mowing is conducted by the BLM as a part of a larger control effort dedicated to slowing the spread of invasive plants. The BLM will give Cruz Construction 14 day advanced notice.

Residual Impacts

No residual impacts have been identified.

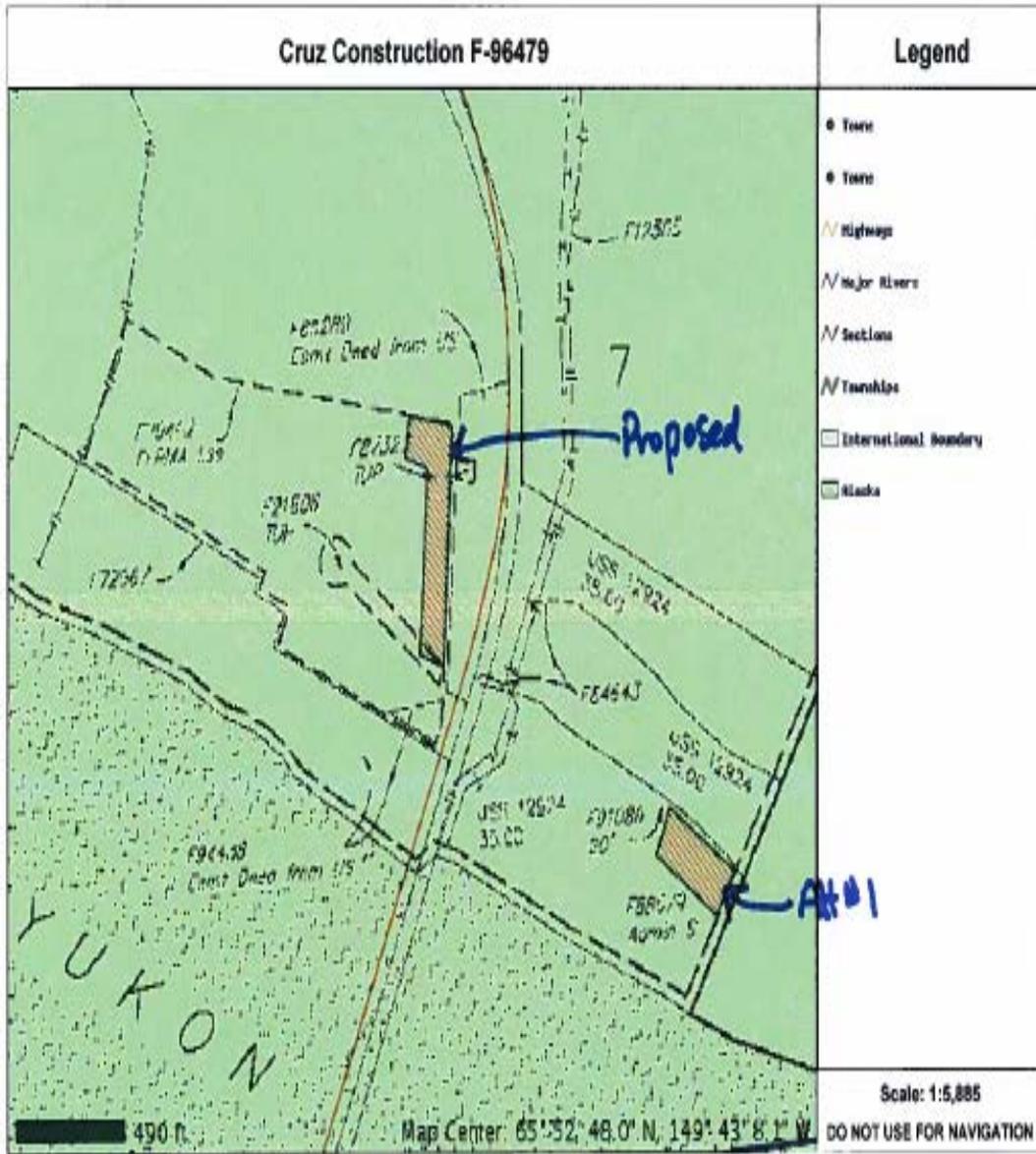
H. Consultation and Coordination

List of Preparers

Merben Cebrian, Wildlife Biologist
Jennifer McMillan, Ecologist
Gary Foreman, Chief, Lands and Recreation
Shelly Jacobson, Field Manager
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Bob Karlen, Fisheries Biologist
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Michael Schoder, Alaska Cadastral Survey Chief
Lisa Shon Jodwalis, Interpretive Park Ranger

I. Attachments

1. Assessment of Archeological, Historical and Paleontological Resources
2. Compliance with ANILCA Section 810 Evaluation and Findings
3. Boundary Risk Assessment
4. Wilderness Characteristics Assessment
5. Essential Fish Habitat



FINDING OF NO SIGNIFICANT IMPACT/DECISION RECORD

Background:

The purpose of this action is to issue a permit for three (3) years for a staging/storing area of heavy equipment for loading and offloading on the barge to Cruz Construction. The heavy equipment is used for various projects in the communities along the Yukon River.

Finding of No Significant Impact:

Permit (2920) application F-96479

Permit to Cruz Construction for three (3) years for a staging/storage area at Yukon Crossing on the Dalton Highway.

I have reviewed Environmental Assessment DOI-BLM-AK03000-2012-0049 and have concluded that the impacts of the permit for three (3) years have been adequately addressed. There are no impacts that approached the threshold of significance. Therefore, I have determined that a Finding of No Significant Impact is appropriate and an environmental impact statement is not required.

Nichelle W. Jacobson
Field Manager, Central Yukon Field Office

January 29, 2013
Date

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Central Yukon Field Office
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**DECISION RECORD
Permit to Cruz Construction for 3 years
F-96479
DOI-BLM-AK-03000-2012-0049-EA**

Decision:

It is my decision to authorize a three (3) year permit F-96479 to Cruz Construction for a staging/storage area of heavy equipment at Yukon Crossing on the Dalton Highway pursuant to the regulations in 43 CFR 2920 and Title III of the Federal Land Policy and Management Act of 1976.

The proposed action described in the Environmental Assessment mentioned below is the selected alternative. A three (3) year permit F-96479 will be issued to Cruz Construction which will authorize their use of a staging/storage area at Yukon Crossing. This staging/storage area is for heavy equipment which will be loaded/unloaded on the barge to facilitate construction projects for villages along the Yukon River. The following mitigating measure which was identified in the EA will be incorporated in the stipulations of the permit:

1. When and if requested by BLM, Cruz Construction will be required to move all the heavy equipment in the staging/storage area so the vegetation/foilage can be mowed by a BLM employee. Mowing is conducted by the BLM as a part of a larger control effort dedicated to slowing the spread of invasive plants. The BLM will give Cruz Construction 14 day advanced notice.
2. No fuel staging will be conducted onsite and only staging construction equipment will be storage, no other storage containers. Drip pans will be utilized under all construction equipment.

Mitigation measures, stipulations and conditions are attached.

Rationale for the Decision:

1. The proposed action is consistent with the use of public lands under the authority of Title III of the Federal Land Policy and Management Act and the regulations found in 43 CFR 2920.
2. All concerns are appropriately addressed in the EA DOI-BLM-AK-03000-2012-0049. This includes cultural resources and subsistence concerns (see attached NHPA Section 106, ANILCA 810 findings, boundary risk and wilderness characteristic assessments and essential fish habitat.

The project has been considered in the context of public health and safety and consistency with regards to Federal, State, and local laws.

Appeal Procedures

This decision may be appealed to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with 43 CFR Part 4 and DOI Form 1842-1. The notice of appeal must be filed in the Bureau of Land Management Central Yukon Field Office (at the above address) within 30 days from receipt of this decision.

If you decide to file an appeal, you must carefully follow the procedure described on the enclosed form 1842-1. If you don't file your appeal at the locations specified on the form within 30 days, the Board may dismiss your appeal as untimely without considering its merits. Be sure to send a copy of your notice of appeal to each party named in this decision and to all of the addresses on the enclosed form 1842-1.

You may also ask the Board to stay or suspend the effect of this decision while your appeal is pending. If you desire a stay, you must enclose your request for a stay with your notice of appeal. You have the burden of showing a stay is justified.

The Board will grant a stay only if you provide sufficient justification based on the following standards:

- a. The relative harm to the parties if the Board grants or denies the stay,
- b. The likelihood of the success of your appeal on its merits,
- c. The likelihood of immediate and irreparable harm if the Board does not grant the stay, and;
- d. Whether the public interest favors granting a stay.

Nichelle W. Jacobson
Manager, Central Yukon Field Office

January 25, 2013
Date

Contact Person:

For additional information concerning this decision, contact Robin Walthour, Realty Specialist, Central Yukon Field Office, 1150 University Avenue, Fairbanks, Alaska 99709 or by telephone at (907) 474-2304.