



National Park Service
U.S. Department of the
Interior

Gates of the Arctic
National Park and Preserve
Alaska



Finding of No Significant Impact

Chandler Lake Mitigation Project Access

June 2013

Recommended: *Greg A. Sullivan* *June 17, 2013*
Superintendent, Gates of the Arctic National Park and Preserve Date

Approved: *Joel Hard* *for* *6/20/2013*
Regional Director, Alaska Date

FINDING OF NO SIGNIFICANT IMPACT

Chandler Lake Mitigation Project Access Gates of the Arctic National Park and Preserve, Alaska June 2013

The National Park Service (NPS) will be issuing a right-of-way certificate of access (RWCA) to Ms. Mabel Burris of Anaktuvuk Pass for access through Gates of the Arctic National Park to her Native allotment to base activities for removal of abandoned Department of Defense (DOD) debris from lands owned by the Arctic Slope Regional Corporation and individual Alaskan natives around the Chandler Lakes area within park boundaries. An environmental assessment (EA) was prepared to evaluate potential impacts to cultural and natural resources associated with the proposed access project, a no-action alternative and a third alternative. The completed application for access from Ms. Burris requested permits to authorize two 8-wheeled Argo all-terrain vehicles to travel over NPS lands between Anaktuvuk Pass Village and the Burris allotment and project cleanup sites in the area during the summers of 2013 and 2014. Other members of clean-up crews will fly to base camp at the Burris allotment on Little Chandler Lake from which to stock-pile and bundle debris at seven sites in the area. Bundles of debris will be removed by snowmobiles and sleds across NPS lands during spring (March-April) of 2014 and 2015. The project is funded by the Native American Land Environmental Mitigation Program (NALEMP) through a cooperative agreement (CA) between DOD and the village of Anaktuvuk Pass, a federally recognized Alaska Native tribe. The U.S. Army Corps of Engineers manages the CA. The NPS selected Alternative 2 (*Proposed Access Project*), which is the NPS Preferred Alternative in the EA.

Access will be across about 20 miles of non-wilderness park lands between the John River and Chandler Lake over the Kollutarak Creek drainage and pass. Residents of Anaktuvuk Pass are authorized to use 6 or 8-wheeled Argo ATVs in the area for subsistence purposes pursuant to a land exchange agreement, and snowmobiles are authorized for subsistence and traditional activities in the area, but the proposed debris removal project does not fit the definition of subsistence. The access route would follow an existing ATV trail that has existed in the area for decades. The route crosses the John Morry Native allotment in the Kollutarak Creek valley. If access across this allotment is denied, then Argos will follow a new route around the allotment. Snowmobiles would travel only when and where there is adequate protective snow cover on the land and vegetation to minimize or eliminate impacts.

The NPS RWCA authorizes inholder access under Section 1110(b) of the Alaska National Interest Lands Conservation Act (ANILCA) and its implementing regulations at 43 CFR 36, while protecting park resources and values with certain limits on the access and use methods. Six parties commented on this EA via letter, email, and/or postings to the NPS Planning, Environment, and Public Comment (PEPC) web site during a 30-day public comment period from May 1 to May 31, 2013.

ALTERNATIVES

Three alternatives were evaluated in the EA.

Alternative 1 – No Action (*Environmentally Preferred Alternative*)

This alternative would not result in issuance of a RWCA for motorized access across the park to stockpile and remove military debris from park lands. This alternative could result in no removal actions or the transport of Argo ATVs around a longer more difficult northern route, or the sole use of aircraft to transport workers and debris to and from the clean-up sites. Overland access across park lands to move equipment and personnel for the proposed clean-up project would not be authorized under this alternative. This alternative was identified as the environmentally preferred alternative because the least damage to park resources would occur because no increase in Argo ATV or snowmobile traffic across park lands would result from this alternative.

Alternative 2 – Proposed Access for Summer Access with Argos and Spring Snowmobile Transits (*NPS Preferred Alternative*)

This alternative would result in the removal of abandoned military debris from the area across NPS lands and the potential employment of several local residents in the removal activities. Under Alternative 2 the NPS would issue a RWCA to Ms. Mabel Burris for access to her Native allotment for purposes of staging DOD materials by Anaktuvuk Pass residents and their contractors and removing DOD debris from seven sites on Native allotments and Native corporation lands in the Chandler Lake Project area. The RWCA would authorize on park lands the following activities requested by the inholders and their contractor:

- Up to four roundtrip transits with two 8-wheeled Argos for each trip could occur over NPS lands along the Kollutarak Creek between Nunamiut Corporation Lands along the John River and Native lands around Chandler Lake. Up to two round trips would occur in summer of 2013 and two round trips in summer of 2014. From the southeast shores of Chandler Lake the Argos would be loaded into a boat and moved to seven sites with scattered DOD debris on Native allotments and Native corporation lands in the area. The DOD materials would be cleaned or over-packed as necessary, cut, bound, and stacked in loads approximating 300 pounds each. An extra trip across NPS lands each summer with the Argos would be authorized for emergency to transport a worker or to obtain emergency equipment or supplies when weather prevents access with an airplane.
- Up to 20 roundtrip snowmachine trips would occur each spring of 2014 and 2015 in late March or April (total of 40 RTs or 80 one-way transits) along a suitable route along the Kollutarak Creek, given adequate protective snow cover and frozen ice on lakes and creeks. Local Native snowmachine operators with experience travelling in the area would drive to the staging sites around Chandler Lake, load the sleds, and return to Anaktuvuk Pass to unload sled loads of debris for appropriate disposal.

Alternative 3 – Summer Access with Argos and Spring/Summer Removals of debris with Aircraft

This alternative would result in the removal of abandoned military debris from the area and the potential employment of a few local residents in the activities. The NPS would issue a RWCA to Ms. Mabel Burris for access to her Native allotment for purposes of staging DOD materials by Anaktuvuk Pass residents and their contractors at seven sites on Native allotments and Native corporation lands in the Chandler Lake Project area. Alternative 3 would be similar to alternative 2 for the first part of the access project, except that access along Kollutarak Creek may include a route around the John Morry Allotment if access across the private property is not obtained before the project begins. This route variation would entail about one mile of access around the subject allotment on gravel bars and open dry tundra, which would be determined in consultation with park personnel to avoid unnecessary impacts. The RWCA would authorize on park lands the following activities requested by the inholders:

- Up to two roundtrip transits with two 8-wheeled Argos each time would be authorized over NPS lands along the Kollutarak Creek between Nunamiut Corporation Lands along the John River and Native lands around Chandler Lake. One round trip would occur in summer of 2013 and one round trip would occur in summer of 2014 to move the Argos to the Chandler Lake Project area from Anaktuvuk Pass and back at the end of each season. From the southeast shores of Chandler Lake the Argos would be loaded into a boat and moved for access to seven sites with scattered DOD debris on Native allotments and Native corporation lands in the area. The DOD materials would be cleaned or over-packed as necessary, cut, bound, and stacked in loads for subsequent removal. Other supplies and personnel would be transported with floatplanes for the summer time access, including for emergencies.
- Debris removal operations would be conducted with airplanes, either floatplanes during the summer season or ski planes during frozen winter/spring season. Snowmobiles with sleds would not be authorized over GAAR lands for this project.

PUBLIC INVOLVEMENT

The EA was issued for public review and comment from May 1, 2013 to May 31, 2013. The EA was mailed to about 40 parties, including state and federal agencies, federally recognized tribes in the area, Native corporations, local communities, organizations, and individuals, and it was posted on the NPS PEPC website. A press release announced the availability of the EA for public review and comment.

Comments on the EA were received from the State of Alaska (ANILCA Implementation Program and Citizens Advisory Committee on Federal Lands), National Parks Conservation Association (NPCA), the project manager, and two individuals. The NPS identified a few substantive comments that either raised a new issue not fully addressed in the EA, suggested a reasonable new alternative, suggested additional mitigation measures, or provided new information or facts that have bearing on the decision. Most of the comments pointed out errors in the EA, which are corrected in the attached errata. NPCA suggested authorizing the fewest ATV transits possible and future restoration of degraded parts of the ATV trail. Responses to

these comments are attached to this FONSI in Appendix A. Changes to the EA are indicated in the attached Errata in Appendix B.

DECISION

The NPS decision is to select Alternative 2 (Proposed Access for Summer Access with Argos and Spring Snowmobile Transits - *NPS Preferred Alternative*) along with mitigating measures.

The following mitigating measures will be incorporated into the RWCA:

Vegetation and Soil: To assure impacts to vegetation are minimized, the summer OHV traffic will be restricted to existing trails where vegetation has already been disturbed by previous (subsistence) traffic. The NPS will work with the project team to avoid the most sensitive vegetation types and wetland areas during summer transits with Argos. Winter traffic will take place after snow cover is deep enough that no vegetation is exposed either before or after a snowmachine pass. Preferred winter routes are the existing summer trail, and ice- or snow-covered water and gravel bars. The NPS will assist the project team in selecting the best routes and measure key aspects of snow such as depth, hardness, and water content. The ground should be frozen at least to a depth of one foot in this project area in late spring, which condition prevents crushing of plant roots and the overlying substrate. Adequate snow depth should be at least six to 12 inches or more, depending on the vegetation type.

Wildlife and Habitat: Food, garbage, and other bear attractants will not be stored on park lands. No food will be left unattended on park lands. Snowmobile transits will be completed before most bears emerge from dens, which will minimize impacts to these animals when they are most stressed physically. Travelers will avoid caribou or moose congregations on park lands and give them wide berth (1/4 mile) so as not to disturb them unnecessarily, especially during spring calving or fall mating periods.

Fish and other Aquatic Resources: Argos will use existing stream crossings so as to not cause new areas of disturbance. Fuel transported over water bodies will be secured to vehicles and boats in such a manner that they will not be lost or leak.

Cultural Resources: Because archeological sites are located in the vicinity, these sites are protected under federal law and collecting or otherwise disturbing these features is strictly prohibited pursuant to regulations at 40 CFR Parts 36.10 and 36.9. NPS can direct access to avoid sensitive cultural sites so long as the access will be adequate and feasible for inholder needs. If ATV access is not authorized across the Morry allotment along Kollutarak Creek, NPS would survey a temporary route around the allotment to avoid impacts to previously unknown cultural resources and to minimize adverse impacts to vegetation and water resources.

Subsistence and Recreation: A local dog team owner would be apprised of the schedule for snowmachine backhauls.

RATIONALE for the DECISION

Applications for access to inholdings are evaluated under the provisions of 43 CFR 36.10(e)(1), which provide that the requested (applied for) access is to be authorized by the NPS unless the requested access would exceed one or more of four criteria described in the regulation. As documented in the EA: i) the route or method of access would not cause significant adverse impacts on natural or other values of the area; ii) the route or method of access would not jeopardize public health and safety in the area and the removal of debris may improve health and safety in the affected area; iii) the route or methods of access are consistent with the park management plans, decisions in the land exchange LEIS, and employ methods of access traditionally used by residents of Anaktuvuk Pass for subsistence in the area; iv) and limited use of Argo ATVs and snowmachines are needed to accomplish the applicant's land use objective to clean up their property. It has been determined that those thresholds would not be exceeded by the access requested by Ms. Burris, and therefore the requested access is the NPS preferred alternative in the EA. Additionally, Alternative 2 (Proposed Access for Summer Access with Argos and Spring Snowmobile Transits (NPS Preferred Alternative)) satisfies the purpose and need for the project better than the no-action alternative or alternative 3 because it provides for reasonable access across NPS lands to remove abandoned DOD debris by methods and means already used for subsistence activities in the area. Incorporation of the mitigating measures described in the decision would ensure that any adverse impacts to park resources from access activities across NPS lands would be kept at a minimum. The no-action alternative (*environmentally preferred*) does not provide adequate and feasible access to the project area to complete the clean-up project on Native lands within the external boundaries of Gates of the Arctic National Park. Alternative 3 would provide for access to complete the clean-up project, but the use of aircraft only to remove the debris would be comparably expensive to the use of snowmachines in spring, and the NALEMP funds would mostly benefit an aircraft company to transport the debris and not the local community mostly affected by the debris.

SIGNIFICANCE CRITERIA

The preferred alternative will not have a significant effect on the human environment. This conclusion is based on the following examination of the significance criteria defined in 40 CFR Section 1508.27.

(1) Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

The EA evaluated the effects of Alternatives 1 through 3 on vegetation (including wetlands), wildlife and habitat, fish and aquatic habitat, cultural resources, subsistence, and recreational use and enjoyment. As documented in the EA the effects of the selected alternative will be mostly short-term (temporary) minor and adverse or beneficial, depending on the impact topic. There will be no significant impacts to any of these resources and values and no significant restriction of ANILCA Title VIII subsistence uses.

(2) The degree to which the proposed action affects public health or safety.

Removal of debris which can be hidden by snow cover during the snow seasons would improve conditions for safe over-snow travel. Some local subsistence users have complained about hitting angled metals objects in the snow with snowmobiles when travelling in the area. Furthermore, small amounts of contamination from residual range organics and asbestos would be removed from the area. Therefore, small gains in securing public health and safety in the area will be realized.

(3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetland, wild and scenic rivers, or ecologically critical areas.

The proposed action will reduce the visual impacts of debris in the wild and otherwise pristine arctic and alpine valley in the heart of the Brooks Range and surrounded by designated wilderness within Gates of the Arctic National Park. Archeological sites and important historic and ongoing Native subsistence uses will be protected in the area.

(4) The degree to which effects on the quality of the human environment are likely to be highly controversial.

This project is not likely to be controversial, and it is likely to enjoy broad public support, as indicated from the public comments and media coverage.

(5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The effects of the selected alternative do not involve unique or unknown risks because site assessments have been conducted and additional soil samples will confirm whether additional precautions are needed before removing fuel containers and other debris safely.

(6) The degree to which the action may establish a precedent of future actions with significant effects or represents a decision in principle about a future consideration.

This action will not set a precedent because similar barrel removal projects have been conducted elsewhere on NPS lands in Alaska.

(7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

The use of two Argo ATVs for access to the removal project would result in minor or no additional impacts to vegetation and soil as compared to the use of Argo ATVs over the same route for the last several decades. The NPS may remove similar abandoned DOD debris from

NPS lands in the project area in the future, but this would be a small subset of the proposed removal actions and would not be cumulatively significant.

(8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

The selected alternative would not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. Existing reports have captured the scientific information obtained from the Chandler Lakes Project research.

(9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

The U.S. Fish and Wildlife Service (FWS) Fairbanks Field Office for Endangered Species Act Section 7 consultation concurred that no threatened or endangered species were known to occur in the project area.

(10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The selected alternative would not violate any Federal, State, or local law.

FINDINGS

The levels of adverse impacts to park resources anticipated from the selected alternative will not result in an impairment of Alaska NPS area resources that fulfill specific purposes identified in the establishing legislation or that are essential to the natural or cultural integrity of Gates of the Arctic National Park and Preserve (Appendix C).

The selected alternative complies with the Endangered Species Act, the National Historic Preservation Act, and Executive Orders 11988 and 11990. There will be no significant restriction of subsistence uses as documented by the Alaska National Interest Lands Conservation Act, Title VIII, Section 810(a) Summary Evaluation and Findings.

The National Park Service has determined that the selected alternative does not constitute a major federal action significantly affecting the quality of the human environment. Therefore, in accordance with the National Environmental Policy Act of 1969 and regulations of the Council on Environmental Quality (40 CFR 1508.9), an environmental impact statement is not needed and will not be prepared for this project.

APPENDIX A

Responses to Comments on Chandler Lake Mitigation Access EA

In response to the environmental assessment, the NPS received comment from six parties during the public comment period, May 1 to 31, 2013. Described below are the substantive comments and the NPS responses. Substantive comments are those which raise important new issues, suggest new viable alternatives, suggest mitigating measures, or correct or add factual information that may have bearing on the impacts or decision at hand. The following parties submitted comments that the NPS judged to be substantive, and their comments are organized and numbered with the NPS responses following immediately after. A comment similar to or identical to a comment made by another party may be referred to the NPS response to the first such comment addressed.

Government to Government:

SOA-AIP - State of Alaska, ANILCA Implementation Program

Non-governmental Organizations (NGOs):

NPCA - National Parks Conservation Association

Individuals:

RL-APV: Ron Lynn, Project Manager for Anaktuvuk Pass Village

SOA-AIP1: Page 1-1, First paragraph in Purpose and Need states that the staging area will be Ms. Burris's Native allotment on the shores of Chandler Lake, while figure 1.1 locates it on Round Lake and Figure 1.2 locates it on Little Chandler Lake. We recommend fixing Figure 1.1 and making the following edit to the Purpose and Need, "Ms. Burris has a Native allotment on the shores of Little Chandler Lake, which she proposes to be used as a staging area"

NPS Response: *The NPS will make the corrections suggested by the State, which will be included in the errata in appendix B.*

SOA-AIP2: EA Appendix B, ANILCA Section 810 Evaluation and Findings, Page B-4, first sentence: While general access for subsistence harvest is guaranteed by Section 811, it is subject to reasonable regulations, and other entities have authorities to impose some limits; e.g. the Alaska Board of Game might seasonally restrict motorized use for hunting big game. This sentence is more accurate if "all" is removed. ~~All~~ Rights of general access for subsistence harvest on NPS lands

NPS Response: *The NPS will make the change in the errata. NPS recognizes other authorities may affect the uses of motorized equipment used for subsistence access in specific areas in addition to ANILCA Section 811 such as the Land Exchange Agreement between the National*

Park Service and the residents of Anaktuvuk Pass Village, Federal Subsistence Board findings for customary and traditional practices, and other applicable, non-conflicting State regulations.

NPCA1: We do not understand why Alternative B (the proposed alternative) uses twice the number of ATV trips as Alternative C (16 transits over 2 summers compared to 8 transits over 2 summers), table 2.1 on page 2-4. If the project can be completed with half of the trips, why is that not the allotted number?

NPS Response: *The NPS accepts the possibility that an emergency of some sort could develop in the Chandler Lake Mitigation Project area such that periodic (generally planned as biweekly) access with aircraft for crew changes and resupplies would not be adequate or flying conditions would not be possible for several days. The applicant requested an additional round trip with one or two Argo ATVs between the work area and Anaktuvuk Pass to address an emergency, such as for health and human safety. Though authorized, it would be entirely possible that such transits would not be used. It is much quicker and potentially safer to travel by aircraft than Argo ATV. Rather than address an emergency request for access during the work period, the NPS finds it prudent to authorize an extra round trip in advance as a contingency for an unforeseen emergency situation.*

RL-APV1: Figure 1.1: The Burriss allotment should be on the NE side of Little Chandler Lake.

NPS Response: *The NPS will correct the discrepancy between figures 1.1 and 1.2, the latter which correctly locates the Burriss allotment. See response to SOA-AIP1 for corrections.*

RL-APV2: Page 3-8, Recreational fishermen. According to Brooks Range aviation and Bettles Lodge staff, they can't remember the last time they flew anyone out to Chandler Lake to fish. I am not sure then that there would be any disturbance to this particular recreational user.

NPS Response: *The map on page 73-74 of Summer Recreational Use and Access in the GMP for Gates of the Arctic National Park and Preserve (NPS 1986) shows low recreational use (5-15 parties per year) along the Kollutarak Creek route and Chandler Lake and undeveloped air access to the southern end of Chandler Lake, presumably for fishing, hiking, and camping trips. Though recent air charter trips have not been recorded, there is nothing preventing private floatplanes from landing in the area for sport fishing or other recreational activities. The Final EIS for the All-Terrain Vehicles for Subsistence Use (NPS 1992) also indicates an amphibious airplane is sometimes available from Anaktuvuk Pass for charters. Though recreational use in the area is low, it is still possible that the project could result in disturbance to a small number of recreational backpackers and sport fishermen in the area.*

RL-APV3: Page 4-8 Conclusions: Would an NPS archeologist survey a route ahead of time if access across the John Morry allotment is not secured by the time the project is to commence and access around the allotment is needed?

NPS Response: *Should a route be needed around the John Morry Native allotment be needed, then the NPS will determine whether more information is needed to avoid potential adverse impacts to cultural and other resources along that segment of the route.*

RL-APV4: Page 4-11, First sentence about skiing and dog sledding. The Council and staff are not aware of anyone skiing along the proposed route. One resident just started a dog sled pack. Prior to this, no one has used a dog sled for as long as anyone can remember.

NPS Response: *The Council may be correct. The Final EIS for the All-Terrain Vehicles for Subsistence Use (NPS 1992) states that cross-country skiing, snowshoeing, and dog sledding are uncommon in the study area. Several parties have skied and mushed dogs between Anaktuvuk Pass and Bettles, but we are unaware of anyone recently mushing dogs or skiing up Kollutarak Creek to the Chandler Lakes area. It is conceivable, however, that winter recreational uses could occur in the area.*

APPENDIX B

Errata to the EA on the Chandler Lake Mitigation Project Access

1. Page 1-1, First paragraph, second sentence in Purpose and Need: is changed to state:

“Ms. Burris has a Native allotment on the shores of Little Chandler Lake, which she proposes to be used as a staging site for Anaktuvuk pass residents and contractors to remove military debris from the Chandler Lake area.”

2. Figure 1.1, attached, is modified to show the Burris allotment on the NE shore of Little Chandler Lake, not Round Lake.

3. Map Figure 3.5 in the EA, attached, is corrected to show the land status near the junction of Kollutarak Creek and the John River, which is Native Corporation lands south of section 36 on the figure.

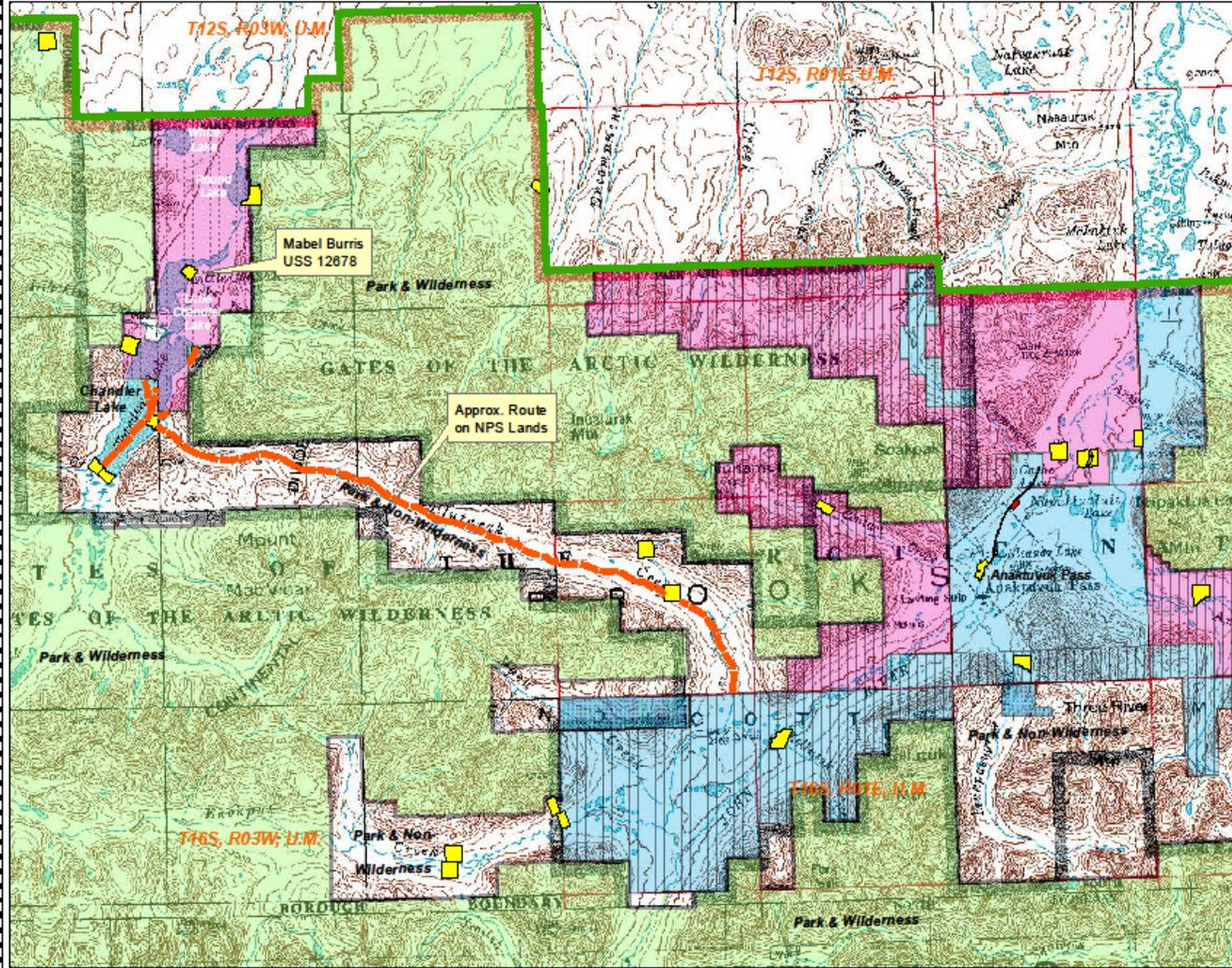
4. Appendix B, ANILCA Section 810 Evaluation and Findings, Restriction of Access, Page B-5, first sentence: This sentence is changed as follows:

~~All~~ Rights of general access for subsistence harvest on NPS lands are granted by Section 811 of ANILCA and the 1996 Anaktuvuk Pass Land Exchange Agreement for specific tracts of land surrounding the community.

Figure 1.1- Chandler Lake Project Location and Access Route

Gates of the Arctic National Park and Preserve

Alaska Region
National Park Service
U. S. Department of the Interior



Legend

- Park Exterior Boundary
- Townsite Parcels & Borough Road Easement
- Native Allotments
- ADRC Surface & ADRC Subsurface w/ Public Access Easement
- Nunamut Surface & ADRC Subsurface w/ Public Access Easement
- Nunamut Surface & ADRC Subsurface
- Development Rights Owned by USA (Surface & Subsurface)
- Development Rights Owned by USA (Subsurface only)
- Approx. Route on NPS Lands

Notes:

1. Beds of navigable water bodies are state owned except in areas north of the continental divide. Navigability determinations are not final at this time.
2. Acquired (small) federal tracts are not shown.

National Park Service
Alaska Regional Office
Land Resources Program Center

0 1.25 2.5 5 7.5 Miles



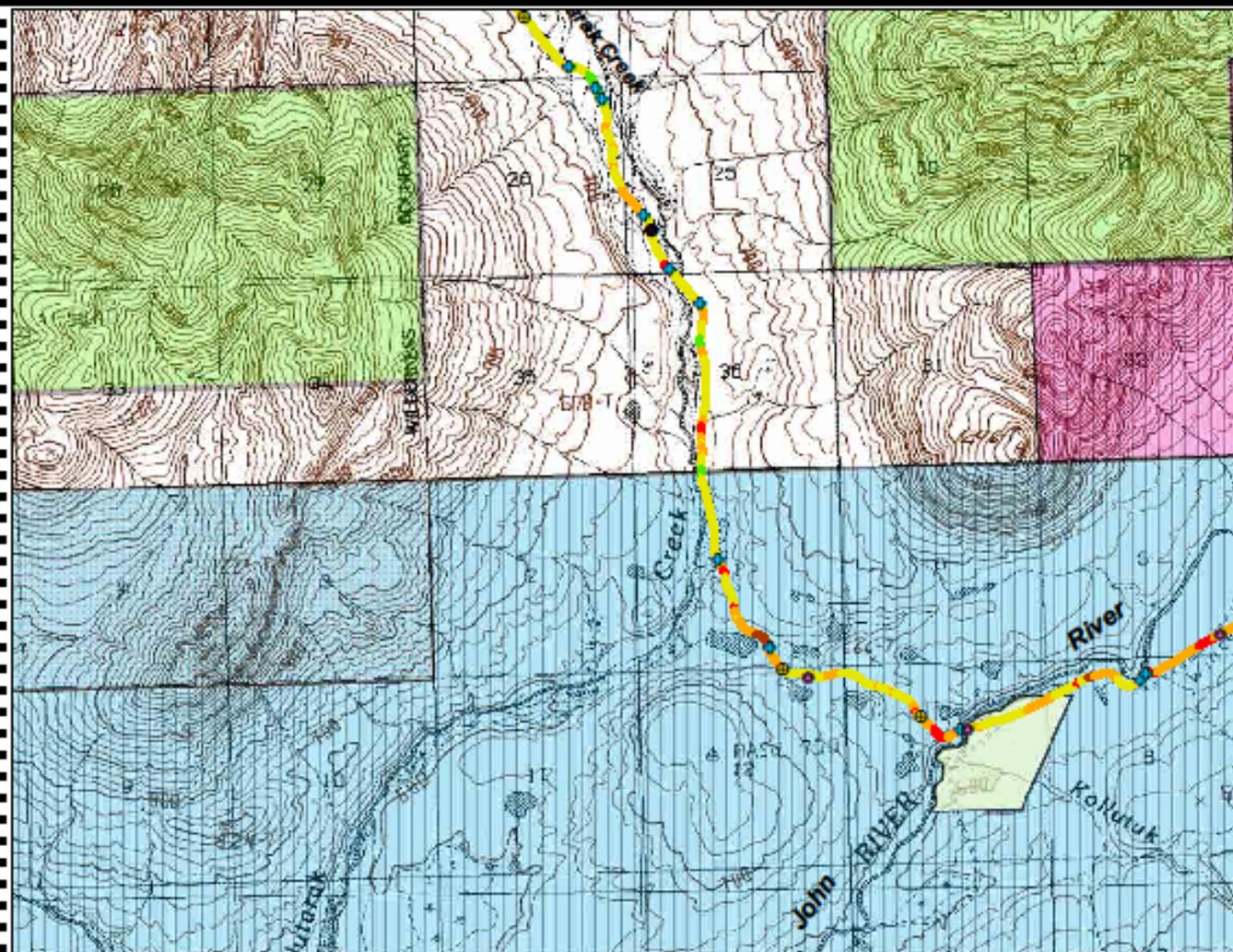
Created Jan 25, 2013, Revised Mar 15 & April 15, 2013 by Land Resources Program Center, Alaska Regional Office, Anchorage

Kollutarak Creek ORV Trail Assessment

Gates of the Arctic National Park and Preserve

Figure 3.5

Alaska Region
National Park Service
U. S. Department of the Interior



Legend

ORV Trail Features	ORV Trail Condition 2006-07
⊕ GPS Reference	Green Good
⚠ Water or Erosion Problem	Yellow Fair
⚠ Hazard, Vehicle	Orange Degraded
⚠ Structure	Red Very Degraded
⊕ Intersect Point, Vehicle	Brown Extremely Degraded
⊕ Stream Crossing	
Land Owner Types	
Green Park & Designated Wilderness	
Light Green Park & Non-Wilderness	
Yellow Private	
White Development Rights Owned by USA Surface & Subsurface	
Purple ABRC Surface & ABRC Subsurface with Public Access	
Blue National Corp Surface & ABRC Subsurface with Public Access	
Light Blue National Corp Surface & ABRC Subsurface	

Note: Subsurface and subsurface scales (ft) not shown.

National Park Service
Alaska Regional Office
Land Resources Program Center

0 0.25 0.5 1 1.5 Miles



Created Feb 13, 2013 by Land Resources Program Center, Alaska Regional Office, Anchorage

APPENDIX C

DETERMINATION OF NON-IMPAIRMENT

A determination of non-impairment is made for each of the impact topics carried forward and analyzed in the environmental assessment (EA) for the National Park Service (NPS) selected alternative, except those topics for which an impairment finding is not needed. The NPS selected alternative is alternative B in the EA, which would authorize up to 8 Argo ATV transits across NPS lands in Gates of the Arctic National Park between the John River and Chandler Lake during the summer of 2013 and the summer of 2014 along an existing ATV trail, and up to 40 snowmachine transits along a similar route during April of 2014 and 2015. These motorized tips would be used to stage equipment and personnel to remove abandoned Department of Defense debris left in the Chandler Lakes area during the 1940s and 1950s. Park purposes and significance (as presented in ANILCA Section 201(4) and other sections, and the area's Foundation Statement (NPS 2009) are presented in Chapter 1 of the EA and were used as a basis for determining if a resource is:

- Necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the affected NPS areas in Alaska, or
- Key to the natural or cultural integrity of the NPS areas in Alaska or to opportunities for enjoyment of the areas, or
- Identified in the NPS area general management plan or other relevant NPS planning documents as being of significance.

Impairment findings are not necessary for visitor use and enjoyment, subsistence use opportunities, socio-economics, public health and safety, environmental justice, land use, and park operations because impairment findings relate back to park resources and values. These impact areas are not generally considered to be area resources or values according to the Organic Act, and cannot be impaired the same way that an action can impair park resources and values. For this EA the NPS area resources and values subject to the impairment analyses are: vegetation and wetlands, wildlife and their habitat, aquatic resources and fish, and cultural resources.

IMPACT TOPICS

Vegetation, Wetlands, and Soil

Pursuant to ANILCA Section 201(4), Gates of the Arctic National Park is to be managed to maintain the wild and undeveloped character of the area and the natural environmental integrity and scenic beauty of the mountains, forelands, rivers, lakes, and other natural features. The park's foundation statement further indicates the area protects a functioning arctic, mountain ecosystem in its entirety and provides habitat of world importance for naturally occurring plant and animal populations. The proposed action would result in minor new impacts to vegetation, soils and wetlands from the addition of up to 8 Argo ATV transits in summer of 2013 and again in summer of 2014 and up to 40 snowmachine transits with sleds to remove military debris from Native lands around the Chandler lakes. Uses of Argo ATVs are already authorized in the subject area for subsistence purposes as are snowmachines. The small new effects from the proposed action would barely be perceptible and would not result in impairment of the area.

Wildlife/Habitat

Pursuant to ANILCA Section 201(4), Gates of the Arctic National Park is to be managed to protect habitat for and populations of fish and wildlife, including, but not limited to, caribou, grizzly bears, Dall sheep, moose, wolves, and raptorial birds. The Foundation Statement further specifies that the park provides for: seasonal annual movements of three major caribou herds (Western, Teshepuk, and Central Arctic); breeding habitat for a variety of migratory bird species; habitat to support significant arctic wildlife predator/prey populations and a substantial portion of the world's habitat for Dall's sheep. The EA concluded that the proposed action would result in temporary minor adverse disturbances to wildlife, but that the long-term effects from removal of the debris would be beneficial to habitat for area wildlife and their movements. The proposed action would not result in impairment to habitat for and populations of wildlife in the project area.

Aquatic Resources and Fish

As noted above, Gates of the Arctic National Park is to be managed to protect habitat for and populations of fish The Foundation Statement further specifies that the park protects a range of habitats that support a diversity of plants, fish, and wildlife. The EA concludes that the proposed action would result in minor direct adverse impacts on fish and wildlife in the access corridor from the addition of a few Argo ATV transits, but the indirect beneficial effects of removing the debris and contaminated materials in the area may outweigh the any adverse effects. The proposed action would not result in impairment to habitat for and populations of fish and aquatic resources in the project area.

Cultural Resources

ANILCA Section 201(4) does not specifically call out for the protection of cultural resources in Gates of the Arctic National Park; however, ANILCA Title I describes Congressional intent for the preservation of cultural values and the protection of historical and archeological sites.

Archeological sites are known to occur in the project area; however, the proposed action for additional Argo ATV transits along an existing ATV trail are expected to have negligible, if any, adverse impacts on cultural resources along the access corridor or in the project area. The U.S. Army Corps of Engineers will conduct archeological and historical surveys of the project sites before any ground disturbance would occur. The NPS does not expect any direct or indirect effect on cultural resources from implementation of the proposed action. The proposed action would not result in impairment of any historical or archeological resources in the project area.