

Environmental Assessment

43 CFR 3809 Plan of Operations Amendment

for

Bill Bayless
Box F
Copper Center, AK 99573

FF091025

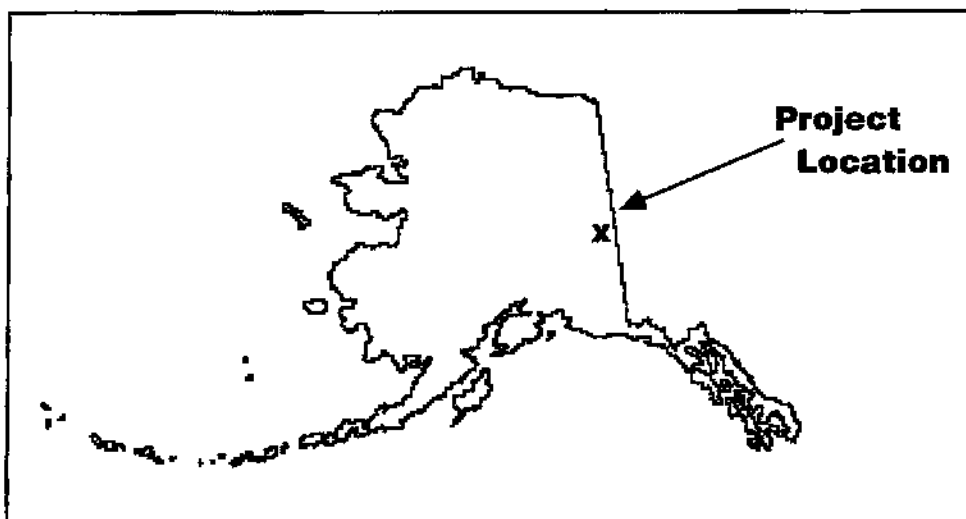
Located in:

Secs. 35 and 36, T. 28N, R. 18E, Copper River Meridian
Franklin Creek

Prepared by:

U. S. Department of the Interior
Bureau of Land Management
Northern District Office
1150 University Avenue
Fairbanks, Alaska 99709-3844

EA Log No. AK-020-98-020



I. INTRODUCTION

A. Purpose and Need

The applicant, Bill Bayless, has filed a plan of operations amendment (Attachment 1) as required by the 43 CFR 3809 regulations, as amended. The applicant proposes to construct a new access located within the corridor of the Franklin Creek designated scenic segment of the Fortymile Wild and Scenic River System. The above regulations require that mining operations on specially designated areas must be processed as plans of operations, and BLM is required to prepare an environmental analysis prior to plan approval. This analysis is tiered to EA-AK-080-94-001 which covers the applicant's approved plan of operations.

II. ALTERNATIVES INCLUDING THE PROPOSED ACTION

A. Alternatives (Routes "A", "C" and "D" in Attachment #2)

Routes "A" and "D" were approved as part of the 1994 plan of operations. Route "A" was for summer 4-wheeler use and route "D" was for winter transport of equipment and fuel. As it turned out, route "A" had become impassable due to melting ice lenses and erosion, and the lower part of route "D" was too narrow. Route "C" was examined by BLM personnel and the applicant during the 1996 field season and found to be too steep and wet.

B. Proposed Action (Route "B" in Attachment #2)

Bill Bayless now proposes to move equipment and fuel on the ice of the South Fork to the mouth of Franklin Creek, and then construct a new overland trail 10 feet wide along Franklin Creek for 1.5 miles to the claim block. Trees and brush would be cut at ground level leaving the roots undisturbed. The proposed trail would be used to transport heavy equipment and fuel when the ground is frozen. Summer use would be biweekly trips with one or two 4-wheelers. The applicant also proposes placing a gate near the mouth of Franklin Creek to prevent trail damage by hunters or other users.

The proposed route was examined and flagged on 6/18/97 by Bill Bayless (applicant), Darrell Nielson (BLM - Civil Engineer), and Dave Mickelson (BLM - NRS). Jon Kostohrys (BLM - Hydrologist) examined the route later. The Franklin Creek drainage is narrow and the proposed route would require approximately 15 creek crossings to follow the benches above the floodplain. Where streambanks are too steep for equipment, ramp approaches would be cut in those banks and excess material stockpiled on the benches.

III. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

This site-specific analysis will only identify changes from EA-AK-080-94-001.

A. Cultural, Historical and Paleontological Resources

Refer to Attachment 3.

B. Fisheries

Environmental Consequences - Proposed Action: Aquatic habitat would be altered at the creek crossings, which would total 150 linear feet of the streambed.

C. Floodplains/Wetlands

Affected Environment: Creek crossings would lie within the floodplain of Franklin Creek.

In accordance with the BLM Manual, Part 7221, Floodplain Management, a public notice was published in the Anchorage Daily News.

Environmental Consequences - Proposed Action: Approximately 300 feet of streambank riparian area and associated floodplain functions would be destroyed at the crossings. After reclamation, it may take 10 to 15 years for natural revegetation to establish a tall shrub community and restore floodplain functions.

D. Soil Resources

Affected Environment: Approximately $\frac{1}{4}$ mile of the proposed route at the mouth of Franklin Creek would follow an existing 4-wheeler trail located on tailings from 1930's mining. The remainder is undisturbed except for an old camp area and occasional tailings from hand mining.

Environmental Consequences - Proposed Action: Construction of ramp approaches at some creek crossings would disturb those soils and possibly lead to accelerated erosion. The extent of auefis formation in Franklin Creek is unknown but elsewhere in the Fortymile drainage it has diverted flows to adjacent trails creating a new channel.

E. Subsistence Resources

Refer to Attachment 4 for the ANILCA 810(A) Subsistence Evaluation and finding.

F. Vegetative Resources

Affected Environment: Streambank vegetation consists of willows and alder, and the benches support aspen, birch and spruce.

Environmental Consequences - Proposed Action: Approximately 2 acres of mostly undisturbed vegetation would be destroyed. The number of years the trail would be used is unknown, but after it is reclaimed, natural revegetation should establish a tall shrub community within 10 to 15 years.

G. Visual Resources

Affected Environment: The proposed trail would follow the existing 4-wheeler trail at the Mouth of Franklin Creek. River users view only the beginning of the trail where it goes through the South Fork riverbank vegetation.

Environmental Consequences - Proposed Action: The width of the existing trail would be increased from 4 feet to 10 feet.

H. Water Resources

Environmental Consequences - Proposed Action: Proposed biweekly trips with one or two 4-wheelers would cause short-term increases in turbidity during creek crossings.

I. Wild and Scenic Rivers

Affected Environment: The proposed action lies within the corridor of the Franklin Creek designated scenic segment of the Fortymile National Wild and Scenic River. The wild and Scenic River designation was conferred subject to valid existing rights.

Environmental Consequences - Proposed Action: The proposed action is protected as a valid right (reasonable access) of the claimant that existed at designation, and continues to exist. While the trail will not meet overall management objectives for the area, it is not required to do so. Four-wheeler use will occasionally cause negative short-term impacts to water quality when equipment is in the creek. The trail will also cause impacts to lands within the river corridor that exceed guidelines for human activity in that area. After reclamation and revegetation, impacts will be consistent with management objectives for the river corridor.

J. Wildlife Resources

Environmental Consequences - Proposed Action: Approximately 2 acres of riparian and upland wildlife habitat would be destroyed. After final reclamation, natural vegetative succession to reach a stage suitable for moose browse could potentially occur within 10 years.

K. Endangered or Threatened Species

Affected Environment: The peregrine falcon is present in the Fortymile River watershed. Plant species of concern have been identified in the region but are generally confined to steep, south facing, dry, treeless slopes at low elevations.

Environmental Consequences - Proposed Action: The nearest peregrine falcons are on the South Fork one mile downstream from the mouth of Franklin Creek.

No suitable habitat for plant species of concern exists along the proposed trail and no species are known to exist in the area, so impacts are very unlikely (Attachment 5).

L. Wastes, Hazardous or Solid

Affected Environment: There is no suspected or documented soil, air, or water contamination within the vicinity of the proposed trail. The production of hazardous materials/toxic substances, as defined by EPA (i.e. used oils/petroleum products, junk batteries etc.), would be a direct result of operations. Other solid wastes may also be produced.

Environmental Consequences - Proposed Action: Negative human health impacts resulting from hazardous or toxic materials contamination is not anticipated. Handling and disposal of hazardous materials/toxic substances would be in accordance with EPA and ADEC guidelines.

All garbage, refuse or waste would be either removed, disposed of, or treated to minimize, so far as practicable, its impact on the lands (BLM Administrative Stipulation).

IV. MITIGATION MEASURES

No mitigation measures were identified in addition to those incorporated in the proposed action.

V. RESIDUAL IMPACTS

Two acres of potential moose winter browse would be lost. After final reclamation, natural vegetative succession to reach a suitable browse stage could potentially occur within 10 years.

The access scar would be evident to visitors during the life of the mine, which is unknown, and for decades after final reclamation.

VI. CUMULATIVE IMPACTS

Proposed activities with mitigating measures fall within the scope of cumulative impacts identified in the Fortymile EIS. The Fortymile EIS (page 4-24) projected that 148 acres could be disturbed by federal trails from 1988 through 1997. Only one acre was disturbed during that period. However, altering the streambanks at 15 crossings may accelerate bank erosion and increase the loss of riparian habitat over a long period of time.

VII. CONSULTATION AND COORDINATION

A. Persons and Agencies Consulted

1. Bill Bayless, Operator

Bureau of Land Management Specialists (Northern District)

1. Dave Mickelson, Natural Resource Specialist, EA Team Leader
2. Bob Burritt, Natural Resource Specialist, Tok
3. Kathy O'Reilly Doyle, Realty Specialist
4. Keith Woodworth, Natural Resource Specialist
5. Mike Kunz, Archaeologist
6. Ruth Gronquist, Wildlife Biologist
7. Ingrid Kacher, Fisheries Biologist
8. Jon Kostohrys, Hydrologist
9. Darrel Nielson, Civil Engineer
10. Susan Flora, Environmental Scientist

B. Public Input

A notice of this proposal was published in the Anchorage Daily News. No comments were received.

F979088

ACCESS

EASIE A-2

Fairbanks Mend. T85

Copper River Meridian

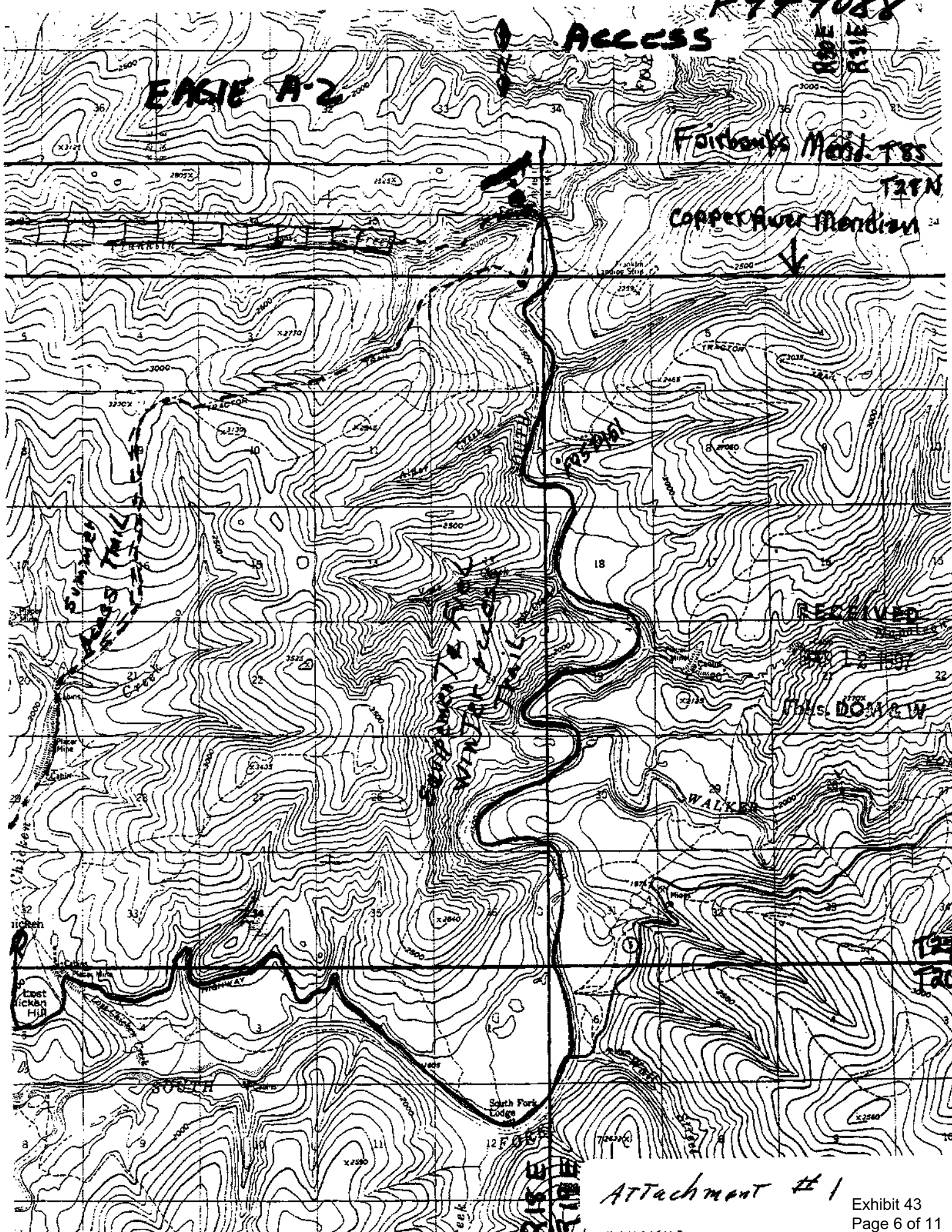


RECEIVED

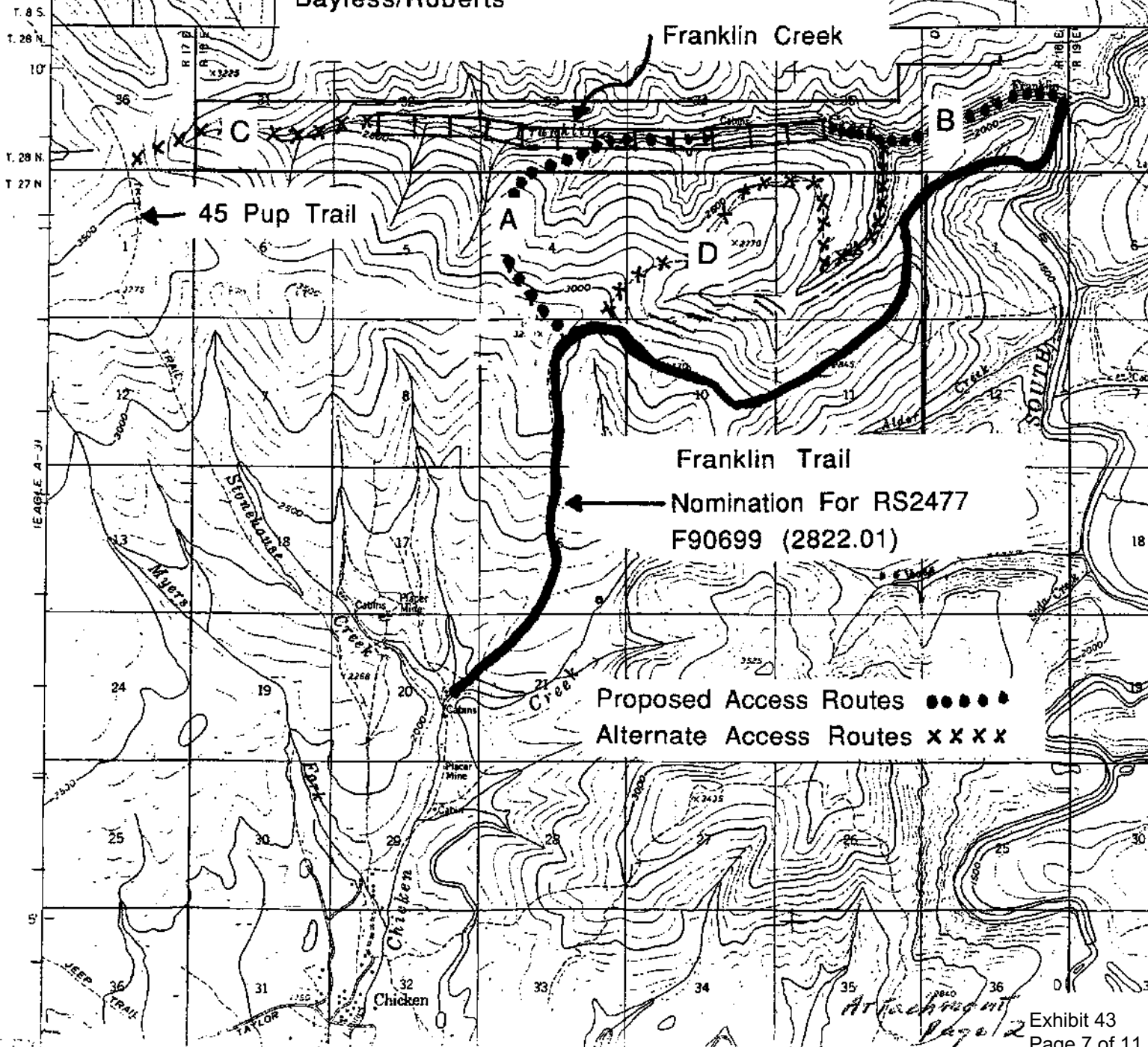
THIS DOCUMENT

1979
FEB

Attachment #1



Federal Mining Claims F62053 - F62064 (12)
Bayless/Roberts



**Assessment of Resources
Archaeological, Historic and Paleontological**

Case file: F-91025 **Ea #:** AK-080-94-001
Date: January 30, 1998

Applicant: Bill Bayless Alice Bayless
3605 Arctic Blvd #1476 Drawer F
Anchorage, AK 99503 Copper Center, AK 99753

Action: Remove vegetation to create a 10 foot wide overland trail along Franklin Creek for 1.5 miles between the mouth and the claim block.

Location: Franklin Creek. Copper River meridian, T28N, R18E, sec 35 & 36

Results: This action may proceed.

Inventory Class: III **Acreage:** 1.2 ac. **Inspection Type:** Literature search

Date(s) of insp: January 16-26, 1998

Inspector: Charles Adkins

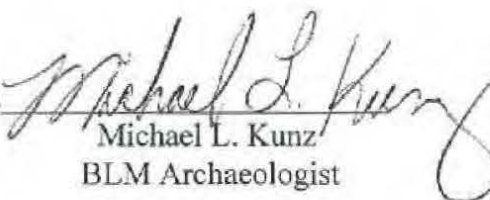
Comments: There are historic, prehistoric and paleontological resources in the area and this action may adversely impact historic structures. These remains are within the 40 Mile Wild and Scenic River Corridor and every effort should be made to avoid impact to them. In the event that impact is unavoidable, it should not exceed the level necessary to accomplish the proposed action. The proposed action must avoid impact to the Alaska Heritage Resources Survey (AHRs) site # EAG-003 and EAG-054 at the mouth of Franklin Creek.

Eligibility of Site: This action will impact the remains of several historical structures 1.25 miles upstream from the mouth of Franklin Creek, a tributary of the South Fork of the Forty Mile River, Alaska. The remains of three structures, may be impacted to the extent that recovery of information will be impaired. This locale is not listed on the Alaska Heritage Resources Survey and does not appear to be National Register eligible.

Evaluation of Site: None

Time Spent: 11.0 hr.

Signed


Michael L. Kunz
BLM Archaeologist

Attachment #3

**COMPLIANCE WITH
ANILCA SECTION 810**

EVALUATION AND FINDINGS

CASE FILE: FF-091025

EA Number AK-020-98-020

APPLICANT: Bill Bayless, 3605 Arctic Blvd. #1476, Anchorage, AK 99503

LOCATION: Sections 32-36, T 28N, R 18E, Copper River Meridian, Franklin Creek, Alaska

PROPOSED ACTION: Amendment to plan analyzed by AK-080-94-001. Access would be permitted to claims FF062053 through FF062064 on Franklin Creek over the ice on the South Fork to the mouth of Franklin Creek, and then via a newly constructed 1.5 mile long trail along Franklin Creek. Total disturbance for access is approximately 2 acres. Franklin Creek is a designated scenic segment of the Fortymile National Wild and Scenic River and a tributary of the South Fork of the Fortymile River.

FINDING: This 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 no reasonably foreseeable limitations on harvester access will result from the proposed action.

PREPARED BY: Ruth M. Gronquist **DATE:** 23 January 1998
Ruth M. Gronquist

FISHERIES:

1. EXPECTED REDUCTION, IF ANY, IN HARVESTABLE RESOURCES.

Other than possibly contributing to the cumulative impact of placer mining related activities on Franklin Creek and the South Fork of the Fortymile River drainage, the proposed action will have no significant effect on area streams/fisheries.

2. EXPECTED REDUCTION, IF ANY, IN AVAILABILITY OF RESOURCES DUE TO ALTERATIONS IN RESOURCE DISTRIBUTION, MIGRATION, OR LOCATION.

Subsistence fishing in the Fortymile River drainage is thought to be limited. It is unknown whether the absence of subsistence fishing is due to the absence of fish populations preferred by subsistence users or the proximity of the Tanana and Yukon Rivers to subsistence communities. It is also unknown whether fish populations have been impacted by turbidity and sediment loads associated with mining or if populations were low prior to the occurrence of placer mining in the drainage (Fortymile River Placer Mining Final Cumulative EIS, 1988.) Page 3 of the EA addresses fisheries resources in Franklin Creek.

WILDLIFE:

1. EXPECTED REDUCTION, IF ANY, IN HARVESTABLE RESOURCES.

The proposed action should have no significant effect on harvestable wildlife resources.

2. **EXPECTED REDUCTION, IF ANY, IN AVAILABILITY OF RESOURCES DUE TO ALTERATIONS IN RESOURCE DISTRIBUTION, MIGRATION, OR LOCATION.**

There would be no significant impact on wildlife from this action. Trail construction and use will affect wildlife only in the actual disturbed area and possibly within an area affected by noise from the operation.

OTHER RESOURCES:

1. **EXPECTED REDUCTION, IF ANY, IN HARVESTABLE RESOURCES**

The proposed action will not significantly impact any other harvestable resources.

2. **EXPECTED REDUCTION, IF ANY, IN AVAILABILITY OF RESOURCES DUE TO ALTERATIONS IN RESOURCE DISTRIBUTION OR LOCATION.**

The proposed action will not significantly impact resource distribution or location.

ACCESS:

1. **EXPECTED LIMITATIONS, IF ANY, IN ACCESS OF SUBSISTENCE USERS RESULTING FROM THE PROPOSED ACTION.**

Access will be as described in proposed action. A gate will be located at the mouth of Franklin Creek to prevent trail damage by other users, including hunters. This may limit some access, however this area does not appear to receive significant subsistence use or provide access to use areas.

AVAILABILITY OF OTHER LANDS, IF ANY, FOR THE PURPOSES TO BE ACHIEVED BY THE PROPOSED ACTION:

There is no other location suitable for this proposed action.

OTHER ALTERNATIVES:

Other route alternatives have been found to be impassable.

OTHER COMMENTS:

Currently the level of subsistence activity in the immediate area of the proposed action is thought to be low. The proposed action should have no significant effect upon the availability of subsistence resources or level of subsistence activity.

OFFICE: AK-220

DATE: 1/26/98

ENDANGERED SPECIES CONSULTATION RECORD/REQUEST
(Sec. 7, Endangered Species Act)

I. PROPOSED BLM ACTION Franklin Creek 401ers,
EA-AK-020-98-020, FFC 91025

II. LOCATION:

Acres: 2

Township: 28 N

Geographical Place Name: Franklin Creek

Range: 18 E CAM

USGS QUAD: Edgk A-2

III. INVENTORY:

Conducted: Yes No: _____ Date: _____

Completed: Yes No: _____ Date: _____

Literature Review (Source): _____

On the Ground: Yes: No: _____

IV. ENDANGERED SPECIES PRESENT: PEREGRINE FALCON - 020

2.16 from mouth of Franklin Creek.

Confirmed: Suspected: _____ None:

V. ADVERSE IMPACT POTENTIAL:

None: Slight: _____ Significant: _____ Unknown: _____

VI. FORMAL CONSULTATION WITH USFWS REQUESTED:

Yes: _____ No:

Signature: [Handwritten Signature]

Title: REALTY SPECIALIST

Attachment 5
OF-AK6840-1