

**ENVIRONMENTAL ASSESSMENT
and
DECISION RECORD
for**

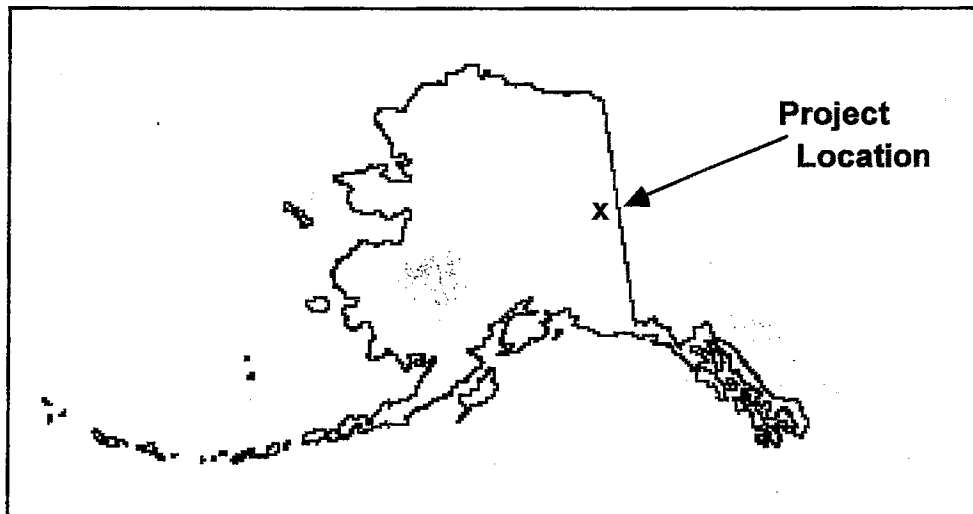
Hutchinson Creek Access Right-of-Way Proposal
from
Sheldon Maier
276 Eagle Ridge Road, Fairbanks, Alaska 99712

F-095384

EA Log No: AK-024-08-016

Location:

T.7 S., R.27 E., Fairbanks Meridian
Sec. 11, SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 14, E $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$; and Sec.23, E $\frac{1}{2}$
Hutchinson Creek, tributary to the Middle Fork of the Fortymile River



Prepared by:

U. S. Department of the Interior
Eastern Interior Field Office
Bureau of Land Management
1150 University Ave.
Fairbanks, AK 99709

May 2008

(corrected
Exhibit placement
6/27/08)

Standard Stipulations

1. Transportation or storage of fuel and other petroleum products that can reach waters of the United States shall require a Spill Prevention Control and Countermeasures (SPCC) Plan in accordance with 40 CRF 112. A copy of the SPCC Plan shall be provided to the Authorized Officer's representative. Fuel storage areas within the Right-of-Way shall have secondary containment volume of at least 110 percent of the stored volume. The secondary containment shall be compatible with the stored product and capable of remaining impermeable during typical weather extremes expected throughout the storage period.
2. Fueling transfer areas shall be lined or have impermeable protection to prevent fuel migration to the environment due to overfills and spills. The storage area shall be located as close as safely feasible to the refueling source, but shall be at least 100 feet from any water body.
3. All equipment, storage, and petroleum products containers, including barrels and propane tanks, shall be marked with Permittee's name. Petroleum products containers shall also be marked with product type, and year filled or purchased (e.g. Company Name, Hydraulic Fluid, 1995).
4. Sorbant pads shall be stored and used at all fueling points and maintenance areas. Drip basins and/or sorbant pads will be placed under all non dry-disconnect-type fuel line couplings and valves. Drip basins shall be placed under stored vehicle oil pans.
5. All fuel spills should be controlled and cleaned up immediately. Spills shall be reported to the Alaska Department of Environmental Conservation (1-800-478-9300) as soon as possible (Alaska Statute Title 18, Chapter 75, Article 2). Then, within 48 hours of discovery, notice shall be given to the Authorized Officer, Lenore Heppler (907-474-2320) or the BLM Northern District Hazmat Coordinator, Susan Flora (work 907-474-2303).
6. Attracting wildlife to food and garbage is prohibited. The permittee shall keep garbage or other wildlife attractants secured while awaiting their use or incineration.
7. All trash generated by the holder shall be removed from the public lands. Solid waste combustibles may be incinerated. All non-combustible solid waste including ash from incineration and fuel drums shall be removed for approved disposal. There will be no burial of garbage.
8. The Holder would be held financially responsible if any of the Holder's actions or activities cause a wildfire. Costs associated with wildfires include but are not limited to damage to natural resources and costs associated with any suppression action taken on the fire.
9. The Holder is required to obtain all applicable federal and state permits prior to commencement of operations and comply with all pertinent federal and state laws..

Site Specific Stipulations

1. The realignment and improvement of the trail will be completed within 5 years and follow the contour to reduce straight line construction. The Holder will give the Authorized Officer a

construction plan prior to the start of yearly construction activities. If practical, the Holder should begin construction on the southern section of the ROW.

2. The ROW width will not exceed 30 feet and the trail width will not exceed 12 feet in order to decrease the footprint and soil damage in permafrost/wetland soil types.
3. Good drainage along the trail needs to be maintained to minimize the impounding of water. These maintenance measures should be ongoing for the term of the ROW.
4. All heavy equipment moves and hauling of bulk fuel in any vehicle other than the ARDCO should be done in winter conditions where the stream channels are frozen, there is six inches of snow on the ground, and twelve inches of ground frost. Overland moves must be completed prior to April 15, or when BLM determines that conditions will no longer support the use. The dozer blade may be used to plow or remove snow and to construct snow ramps where needed. The Holder will cease operations if damage is occurring to the soils or vegetative mat.
5. Stockpile the unused overburden in such a manner as to control erosion into nearby surface water. The BLM, working with the Holder, will locate borrow sites if there is not enough material within the ROW for the construction and realignment. No blading or material removal will occur within the creek bed.
6. If necessary, borrow sites should be identified in advance and approved by the BLM. Where possible, borrow areas should be located outside the immediate viewshed of the creek. No blading or material removal should occur within the creek bed without prior approval from BLM.
7. Given that aufeis is common in the area, the Holder will, where practical, cap fine-grained material with coarse material.
8. If fill or soil is brought in from another site, it must be free of weed seed and propagative plant parts. Any proposed revegetation must have a developed plan approved by the BLM authorizing officer.
9. The Holder shall not block the access route to recreational or other trail users except during active repair operations. This includes using signs like "No Trespassing", "Private", and "Keep Out" that are meant to discourage use by the public.
10. The Holder shall purchase a BLM-approved performance bond for a minimum of \$3,000 to cover BLM costs if the applicant discontinues the Proposed Action and does not complete required reclamation of the affected land.

Action will be taken against the bond only if the reconstruction is not completed or restoration is required. Two-thirds of the refundable portion will be returned to the right-of-way holder upon completion of the reconstruction of the trail after a BLM site inspection is made and approval given. The remainder would be released or refunded less any needed restoration costs.

11. The Holder will submit a yearly report describing the construction activities that occurred and the number of trips made using the ARDCO. A maximum of eight (8) moves per summer field season utilizing the ARDCO CR-14 will be allowed in the FNWSR corridor
12. The Authorized Officer will suspend the grant if a performance bond has not been received and approved before commencing any moves or trail repairs.
13. Cultural Resources:

The applicant will not disturb the following four cultural sites. Their locations are described relative to the creek and the existing ROW trail.

a. Confederate Creek Cabin Ruin (EAG-00607): A 4-5 log high cabin ruin and associated features. Located at the confluence of Confederate and Hutchinson creeks, 60 feet northwest of Confederate and 115 feet southwest of Hutchinson. The existing ROW trail proceeds right by this cabin ruin, a few feet away. No deviation from the existing ROW trail should be made in the vicinity of this site, unless it is further AWAY from the cabin ruin.

b. Hutchinson Creek Cabin 2007-1 (EAG-00609): 1-2 log high cabin outline. The site is found along Hutchinson Creek about 1.5 mi downstream from the Confederate confluence, on the left/West bank, about 12 feet from the creek edge. The existing ROW trail proceeds on the OPPOSITE side of the creek (right/East bank) in this vicinity, and should remain on this opposite creek side at this point on the trail.

c. Hutchinson Creek Cabin 2007-2 (EAG-00610): 1 log high cabin outline. The site is found along Hutchinson Creek about 1.8 mi downstream from the Confederate confluence, on the left/West bank, a few 100 ft upstream from the mouth of Montana, and located only a few feet from Hutchinson's erosion edge. The existing ROW trail is present about 75 feet further to the west on well-drained ground, prior to its entering the Montana Creek tributary. This cabin ruin will not be affected by the new ROW application, so long as the applicant does not alter the present course of the trail in this vicinity.

d. Montana Creek Boiler Site (EAG-00611): Boiler, sled, mining shaft and windlass, mining adit and tailings field. The site is found on Montana Creek about 0.25 mi upstream from its confluence with Hutchinson, on the left/North bank, and located up on an undisturbed bench overlooking Montana Creek, about 75 feet from the creek. The existing ROW trail is present down alongside Montana Creek in highly disturbed, previously-mined ground. This boiler site will not be affected by the new ROW application, so long as the applicant does not alter the present course of the trail in this vicinity.

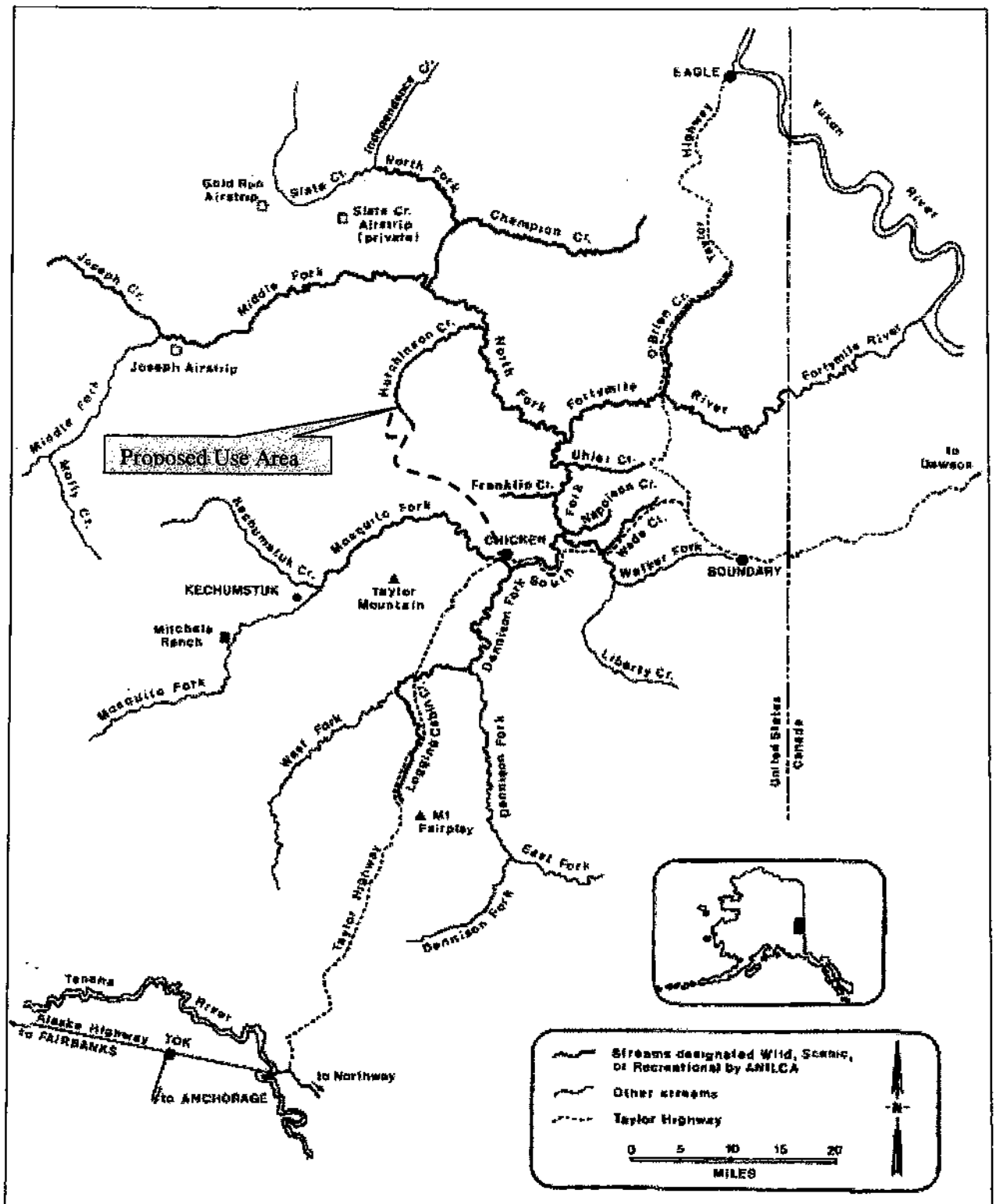


Exhibit A - Fortymile River Watershed Location Map