

# Eastern Interior Resource Management Plan/ Environmental Impact Statement

Proposed New Areas of Critical Environmental Concern – presentation to the Alaska Miners Association  
1/21/15



*White Mountains NRA*



# What is the definition of “critical” as used in determining whether an ACEC is warranted?

## 43 CFR 1601.0–5 Definitions.

“As used in this part, the term:

(a) *Areas of Critical Environmental Concern* or *ACEC* means areas within the public lands where special management attention is required (when such areas are developed or used or where no development is required) **to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes**, or to protect life and safety from natural hazards. The identification of a potential ACEC shall not, of itself, change or prevent change of the management or use of public lands.”

Emphasis added

## **43 CFR 1610.7–2 Designation of areas of critical environmental concern.**

“Areas having potential for Areas of Critical Environmental Concern (ACEC) designation and protection management shall be identified and considered throughout the resource management planning process (see §§ 1610.4–1 through 1610.4–9).

(a) The inventory data shall be analyzed to determine whether there are areas containing resources, values, systems or processes or hazards eligible for further consideration for designation as an ACEC. **In order to be a potential ACEC, both of the following criteria shall be met:**

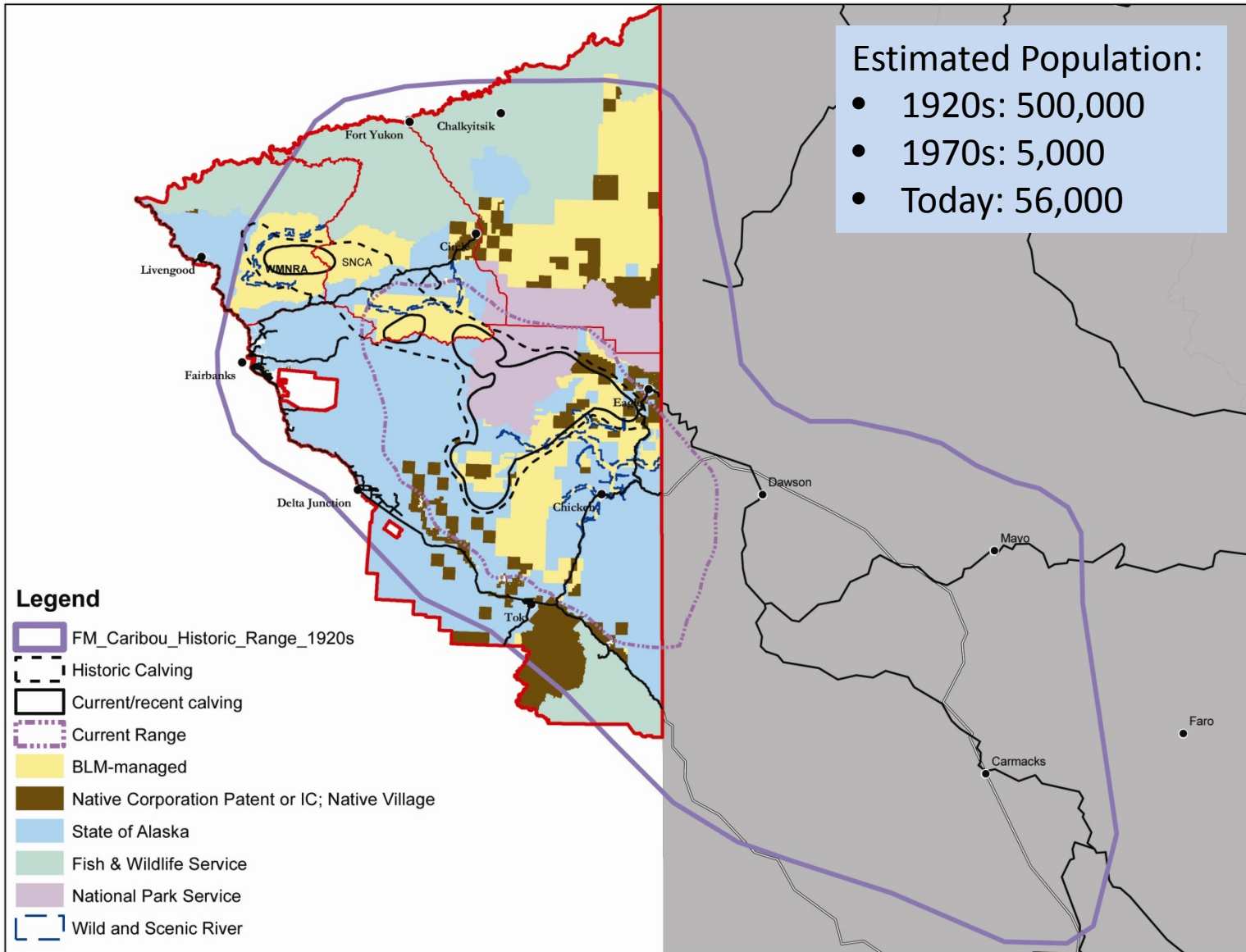
**(1) *Relevance.*** There shall be present a significant historic, cultural, or scenic value; a fish or wildlife resource or other natural system or process; or natural hazard.

**(2) *Importance.*** The above described value, resource, system, process, or hazard shall have substantial significance and values. This generally requires qualities of more than local significance and special worth, consequence, meaning, distinctiveness, or cause for concern. A natural hazard can be important if it is a significant threat to human life or property.

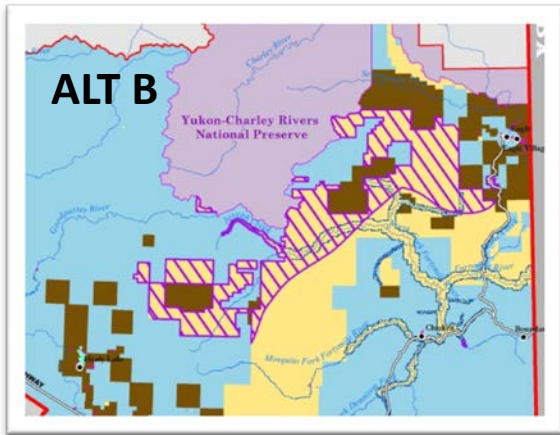
**(b) The State Director, upon approval of a draft resource management plan, plan revision, or plan amendment involving ACECs, shall publish a notice in the FEDERAL REGISTER listing each ACEC proposed and specifying the resource use limitations, if any, which would occur if it were formally designated.** The notice shall provide a 60-day period for public comment on the proposed ACEC designation. The approval of a resource management plan, plan revision, or plan amendment constitutes formal designation of any ACEC involved. The approved plan shall include the general management practices and uses, including mitigating measures, identified to protect designated ACEC.”

Emphasis added

# Fortymile Caribou Herd

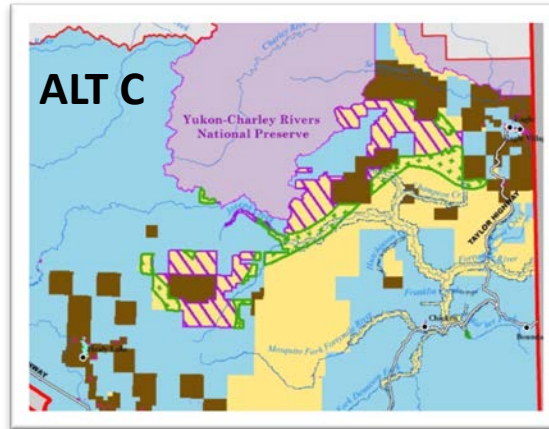


# Fortymile ACEC in Draft RMP/EIS



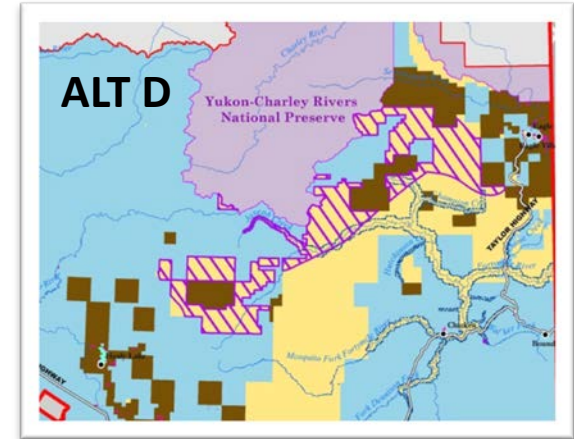
## ALT B

- 732,000 acres
- All recommended closed to mineral entry
- Closed to mineral leasing
- Additional restrictions
- Within 1 mile of mineral licks: with seasonal limits on activities from May 10 – Aug 31



## ALT C

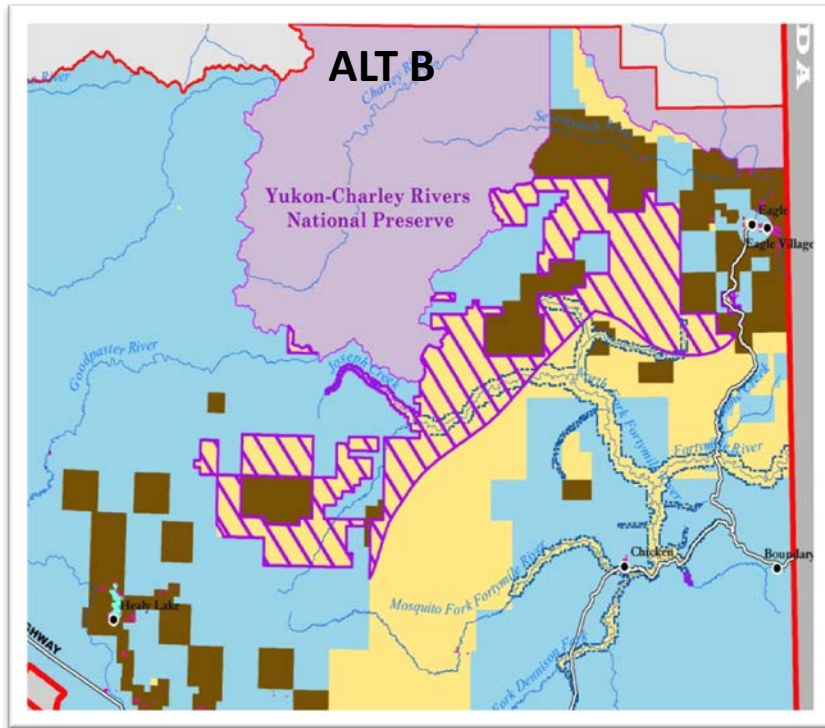
- 547,000 acres total
- 360,000 acres recommended closed to mineral entry and closed to mineral leasing
- Rest of ACEC would require Plan of Operations, no surface occupancy for leasing
- Within 1 mile of mineral licks: recommended closed to mineral entry, and seasonal limits



## ALT D

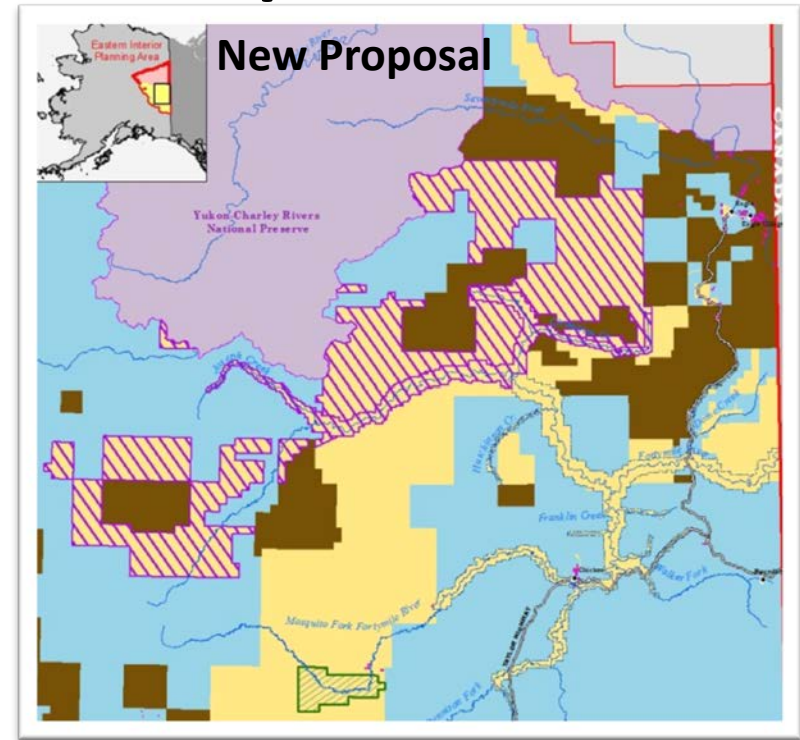
- 546,000 acres
- Recommend open to mineral entry, require a PoO
- w/in 1 mile of mineral licks recommended closed to mineral entry, seasonal limits

# Draft Alternative B and New Proposal



## ALT B

- 732,000 acres
- All recommended closed to mineral entry
- All closed to leasing
- Additional restrictions



## New Proposal – ALT E

- 685,000 acres (some lands have been conveyed since draft)
- All recommended closed to mineral entry
- All closed to leasing
- Additional restrictions

# Proposed Management for Fortymile ACEC

In RMP:

- Administratively designate this area as an ACEC to protect essential habitats including caribou calving and post-calving habitat and mineral licks for caribou and Dall sheep.
- Area is designated as “limited” for OHV use. Some restrictions for casual use (e.g. weight/width, season)
- Recommends closed to mineral entry, subject to valid existing rights
- Closed to mineral leasing
- Places a seasonal limitation on uses within one mile of mineral licks
- Apply protective measures to permitted activities

Travel Management Plan: deferred

- Will determine what restrictions to casual use of OHVs
- Could determine routes
- Will be a public process and will follow procedures outlined in ANILCA and 43 CFR 36

# Mineral Licks

- Provide important nutrients for several ungulate species (Dall sheep, caribou – particularly important for pregnant cows)
- Management Prescription for ACEC:
  - Sets the goal of protecting this habitat
  - The BLM will conduct site-specific analysis for proposed activities within one mile of mineral licks to determine if activity could proceed without detriment to wildlife population.
  - Will be taken under consideration in the development of the Travel Management Plan for the area.
- In Draft RMP/EIS considered and analyzed the greater restrictions within both ½-mile and 1-mile of mineral licks.
- Identification/Locations: Mineral licks identified in draft RMP/EIS were also identified in DNR's Upper Yukon Area Plan of 2003.
- DNR's Upper Yukon Area Plan of 2003: gives greater protection within a one-mile radius of mineral licks



# How will the designation of the Fortymile ACEC affect access to Doyon and State lands?

## ANILCA Section 1323(b)

“Notwithstanding any other provision of law, and subject to such terms and conditions as the Secretary of the Interior may prescribe, **the Secretary shall provide such access to nonfederally owned land surrounded by public lands** managed by the Secretary under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701-82) as the Secretary deems adequate to secure to the owner the reasonable use and enjoyment thereof: *Provided*, That such owner comply with rules and regulations applicable to access across public lands.”

**Emphasis added**

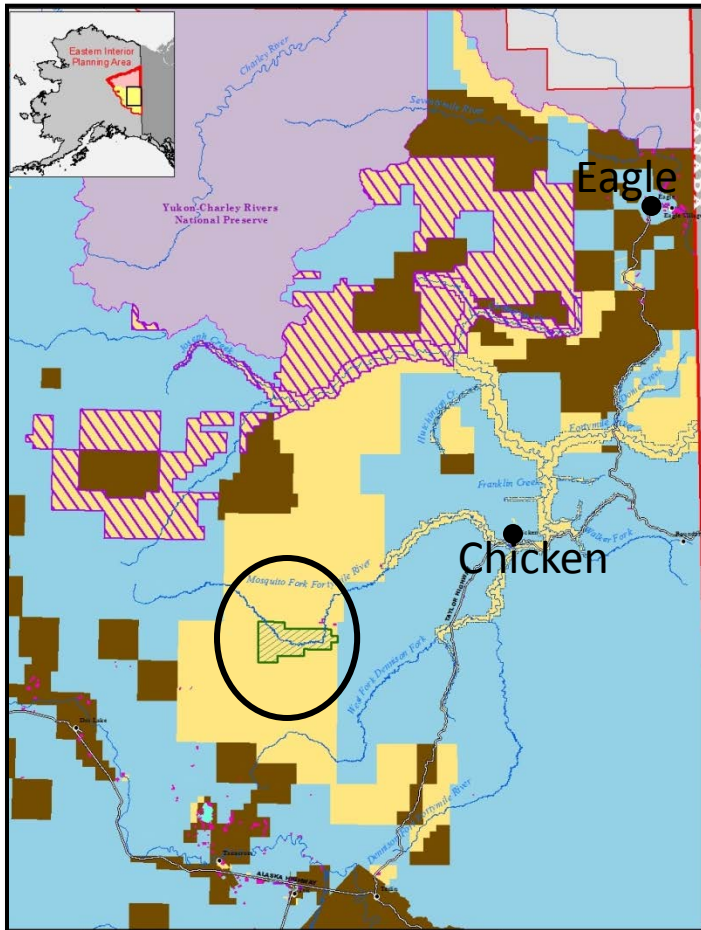
## ANILCA Title XI - Transportation and Utility Systems in and Across, and Access Into, Conservation System Units:

- Applies to the Fortymile Wild and Scenic River Corridor
- Covers roads, pipelines, transmission lines, communication transmission and more
- Describes a process for applying for a right-of-way, processing applications, decision making and appeals.

# Mosquito Flats ACEC

*To protect resources: moose calving and trumpeter swan nesting, floating bog wetlands*

*To protect a natural system: low-relief wetland with sand beds (low in organics)*



New proposal – Not in Draft/RMP  
Size: 30,000 acres



# Mosquito Flats ACEC

- Nominated by two members of the public as comments to the draft RMP/EIS
- Nomination language in the packet: for the wetlands and the animals it supports, particularly moose calving habitat and it's fragility.
- BLM Review: meets relevance and importance criteria for
  - Wetlands: unique – distinct sand beds (habitat diversity)
  - Wildlife: important moose calving, and two BLM sensitive species (trumpeter swans and short-eared owls)
  - Vegetation: only large wetland complex on BLM lands in planning area



# Proposed Management for Mosquito Flats ACEC

In RMP:

- Administratively designate this area as an ACEC to protect wetland and aquatic habitat
- Area is designated as “limited” for OHV use.
- Recommends closed to mineral entry, subject to valid existing rights
- Closed to mineral leasing
- No summer use by OHVs unless by permit
- Apply protective measures to permitted activities

Travel Management Plan: deferred

