

**U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

Anchorage Field Office
4700 BLM Road
Anchorage, Alaska 99507
(907) 267-1246

Haines Highway MP7 Dump Site
DOI-BLM-AK-010-2012-0022-CX

DECISION RECORD

A. Decision

It is my decision to contract with an environmental engineering company to remove non-hazardous solid waste (household trash and shooting targets) that has been dumped on the Haines Highway Milepost 7 site, enclose the subject area with a chain-link fence to deter further unauthorized dumping and target shooting, and to conduct a Site Characterization IAW pursuant to Title 18 Alaska Administrative Code, Chapter 75, Oil and Hazardous Substance Pollution Control.

I have reviewed the proposal to ensure that the appropriate Categorical Exclusion has been correctly applied. I have reviewed the plan conformance statement(s) and have determined that the proposed activity is in conformance with the applicable BLM land use plan(s). It is my determination that no further environmental analysis is required.

B. Proposed Action

The BLM Anchorage Field Office proposes to remove non-hazardous solid waste (household trash and shooting targets) that has been dumped on the site, enclose the subject area with a chain-link fence to deter further unauthorized dumping and target shooting, and to conduct a Site Characterization IAW pursuant to Title 18 Alaska Administrative Code, Chapter 75, Oil and Hazardous Substance Pollution Control. The purpose of the Site Characterization is to determine if any hazardous materials (mainly lead) have been released on the site in sufficient quantity to require remedial action. The Site Characterization will include soil sampling using hand tools and motorized auger, and a non-intrusive subsurface geo-physical investigation using electronic instruments such as ground penetrating radar to determine if buried waste, such as drums, is present. The total proposed Affected Environment for this project is approximately 0.75 acres.

C. Rationale for the Decision

The rationale for the decision is based on the need to clean-up hazardous wastes and to deter future dumping at the site. Environmental impacts associated with this clean-up effort are limited.

The Proposed Action is in conformance with the terms and the conditions of the Approved Resource Management Plan for the Public Lands Administered by the BLM, the Ring of Fire Approved Resource Management Plan (RMP) and Record of Decision (ROD), March 2008.

D. Compliance with the Energy Policy Act of 2005

This action has been analyzed as required by Washington Office Instruction Memorandum 2002-053 to determine if it will cause an adverse impact on energy development. The action will not have an adverse direct or indirect impact on energy development, production or distribution. The preparation of a Statement of Adverse Energy Impact is not required.

E. Persons and Agencies Consulted

Cultural Resources

The BLM Anchorage Field Office archaeologist has reviewed this undertaking, and determined that, based upon previous surveys, and because this project occurs in a previously heavily disturbed area, the potential for encountering intact cultural resources is extremely low. The BLM Anchorage Field Office has determined that there is *no effect on historic properties* and that there is no need for further Section 106 review.

Threatened and Endangered Species

The impact of the proposed action on threatened and endangered plants and animals and their habitats has been evaluated in accordance with the Endangered Species Act of 1973, as amended. Based on currently available information, the proposed action would not affect any threatened or endangered species or their habitats. Therefore, no consultation with the U.S. Fish and Wildlife Service is considered necessary pursuant to Section 7 of the Act and none will be undertaken.

Subsistence Resources

The proposed action occurs on Federal lands within Game Management Unit 1D that are State selected. These lands do not meet the ANILCA sec 102 (3) definition of Federal Public Lands under the Federal Subsistence Program. Validly patented, conveyed, or tentatively approved lands fall under the authority of the State of Alaska for the management of fish and game. The proposed action will not significantly restrict subsistence uses. As a result of the proposed action, there are no reasonably foreseeable significant decreases in the abundance or distributions of subsistence resources and no reasonably foreseeable limitations to subsistence access.

F. Administrative Review or Appeal Opportunities

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR § 4. To appeal you must file a notice of appeal at the BLM Anchorage Field Office, 4700 BLM Road, Anchorage, Alaska 99507, within 30 days from receipt of this decision. The appeal must be in writing and delivered in person, via the United States Postal Service mail system, or other common carrier, to the Anchorage Field Office as noted above. *The BLM does not accept appeals by facsimile or email.* The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR § 4.21 (58 FR 4939, January 19, 1993) for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. Except as otherwise provided by law or other pertinent regulation, a petition for a stay of decision pending appeal shall show sufficient justification based on the following standards: (a) The relative harm to the parties if the stay is granted or denied, (b) The likelihood of the appellant's success on the merits, (c) The likelihood of immediate and irreparable harm if the stay is not granted, and (d) Whether the public interest favors granting the stay.

Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (see 43 CFR § 4.413); Office of the Regional Solicitor, Alaska Region, U.S. Department of the Interior, 4230 University Drive, Suite 300, Anchorage, Alaska 99508; at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

G. Contact Person

For additional information concerning this decision, contact:

Larry Beck
Environmental Protection Specialist
Anchorage Field Office
4700 BLM Road
Anchorage, AK 99507
907-267-1226
lbeck@blm.gov

/s/ James M. Fincher

06/29/2012

James M. Fincher
Anchorage Field Manager

Date

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CATEGORICAL EXCLUSION

A. Background

BLM Office: Anchorage Field Office

Lease/Serial/Case File No: AA-084223

Environmental Document No.: DOI-BLM-AK-A010-2012-0022-CX

Proposed Action Title/Types: Petroleum Contamination Removal

Location of Proposed Action:

Copper River Meridian, Alaska, T. 30 S., R. 58 E. Sec. 14, Lot 3 USS 906

Description of Proposed Action:

The BLM Anchorage Field Office proposes to contract with an environmental engineering company to remove non-hazardous solid waste (household trash and shooting targets) that has been dumped on the site, enclose the subject area with a chain-link fence to deter further unauthorized dumping and target shooting, and to conduct a Site Characterization IAW pursuant to Title 18 Alaska Administrative Code, Chapter 75, Oil and Hazardous Substance Pollution Control. The purpose of the Site Characterization is to determine if any hazardous materials (mainly lead) have been released on the site in sufficient quantity to require remedial action. The Site Characterization will include soil sampling using hand tools and motorized auger, and a non-intrusive subsurface geo-physical investigation using electronic instruments such as ground penetrating radar to determine if buried waste, such as drums, is present. The total proposed Affected Environment for this project is approximately 0.75 acres.

The proposed action is located in Game Management Unit 1D within a 14.88 acre rectangular shaped parcel of BLM managed land surrounded by State of Alaska and Alaska Native Corporation lands. The Haines Highway runs parallel to a long side of the site; the first 60 feet of the site is within the highway right-of-way. The site is thought to have originated as a borrow area during construction of the Haines Highway in the 1940s. The site experiences heavy use by persons and vehicles such that vegetation is prevented from growing back across an

approximately ¾ acre area where recreational shooting and trash dumping is most prevalent. The BLM has opened two Unauthorized Occupancy cases for this property since 2000.

It is standard practice and included in the contract statement of work that all equipment and materials be properly cleaned/decontaminated before mobilizing to the Site and at demobilization from the Site to prevent spread of noxious and invasive weeds. Any grass seed used to promote revegetation will be of the appropriate type for the location and certified weed-free, as per standard practice for hazmat projects.

Applicant (if any): n/a

B. Land Use Plan Conformance

1. Land Use Plan Name:
Ring of Fire Record of Decision and Approved Management Plan
Date Approved: March 2008
2. The proposed action is in conformance with plan because it is provided for in Hazardous Materials Goals and Management Actions. Specifically:

G-2.1: “Adverse effects resulting from past hazardous materials management on BLM-managed lands within the planning area will be mitigated subject to the availability of funds.”

C. NEPA Compliance

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with United States Department of the Interior 43 CFR 46.210 or United States Department of the Interior 516 DM 11.9, which provides:

“J. Other

(3). Conduction preliminary hazardous materials assessments and site investigation, site characterization studies and environmental monitoring.”, AND

(10). Removal of structures and materials of no historic value, such as abandoned automobiles, fences, and buildings, including those built in trespass and reclamation of the site when little or no surface disturbance is involved.

D. Extraordinary Circumstances

The following Departmental List of Extraordinary Circumstances applies to individual actions. Departmental instructions mandate that environmental documents must be prepared for actions which may:

1. Have significant adverse impacts on public health or safety.

2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.
7. Have significant impacts on properties listed, or eligible for listing on the National Register of Historic Places as determined by either the bureau or office.
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.
9. Violate Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).
12. Contribute to the introduction, continued existence, or spread of weeds or non-native invasive species known to occur in the area or area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

This categorical exclusion is appropriate because there are no extraordinary circumstances that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances in 43 CFR §46.215 are pertinent.

E. Lands with Wilderness Characteristics

The proposed action has been reviewed for the following Wilderness Characteristics and found to not contain one or more of the characteristics:

- 1) Size: Roadless areas of over 5000 acres of contiguous BLM lands.
- 2) Naturalness: Affected primarily by the forces of nature, with the works of humans substantially unnoticeable to the average visitor
- 3) Outstanding opportunities for solitude or a primitive and unconfined type of recreation.
- 4) Supplemental values: If size, naturalness, and solitude/outstanding opportunities are met, then consider if the area contains ecological, geological, or other features of scientific, educational, scenic, or historical value. Supplemental values are not required to be present in order to classify an area as Lands with Wilderness Characteristics.

F. Adverse Energy Impact Compliance

This action has been analyzed as required by Washington Office Instruction Memorandum 2002-053 to determine if it will cause an adverse impact on energy development. The action will not have an adverse direct or indirect impact on energy development, production or distribution. The preparation of a Statement of Adverse Energy Impact is not required.

G. Signature

The proposed action is in conformance with a management framework plan or a resource management plan, 43 C.F.R. § 1610.8(a) (3) (2006). The Department of the Interior has determined and found that the proposed action is within a category of actions that do not individually or cumulatively have a significant effect on the human environment and that neither an environmental assessment nor an environmental impact statement is required, 40 C.F.R. §1508.4 (2006).

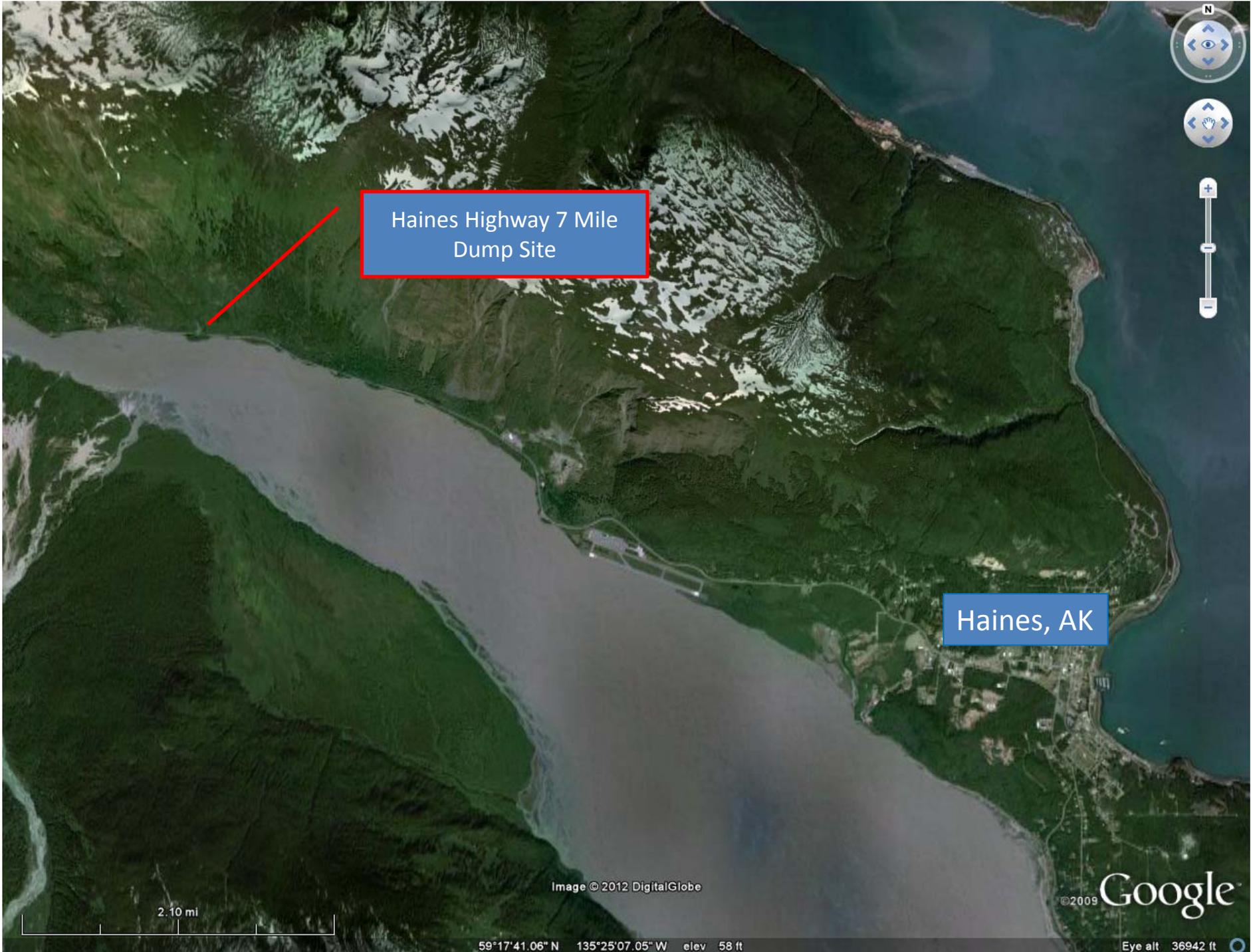
/s/ James M. Fincher

06/29/2012

James M. Fincher
Anchorage Field Manager

Date

Attached: Map and Site Photos



Haines Highway 7 Mile
Dump Site

Haines, AK

2.10 mi

Image © 2012 DigitalGlobe

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59°17'41.06" N 135°25'07.05" W elev 58 ft

Eye alt 36942 ft

Approx boundary of Lot 3 USS 906 (State Selected)

Haines 7 mile Dump & Rec Shooting Area

ROW Boundary

Haines 7 miles

Mt Ripinsky Trailhead

Sealaska Corp patent 50 91 0246

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346 ft

59°15'59.94" N 135°36'17.56" W elev 69 ft

Eye alt 1295 ft





Photo from Haines Hwy entrance, 2008



Photo from impact area looking back at Haines Hwy, 2008

High angle of impact area, assume most bullets do not ricochet off near vertical surface. Assume 6 12" deep.

Approx 55'W x 57'L

Approx 60'W x 120'L

Low angle of fire impact area, assume most bullets ricochet off surface due to presence on bedrock. Assume 1 4" deep.

140'W x 100'L x 1"D

Line of Boulders marks ROW/ Shooting Line. Assume no lead contaminated soil needs removal on Hwy/Parking side.

[Redacted area]



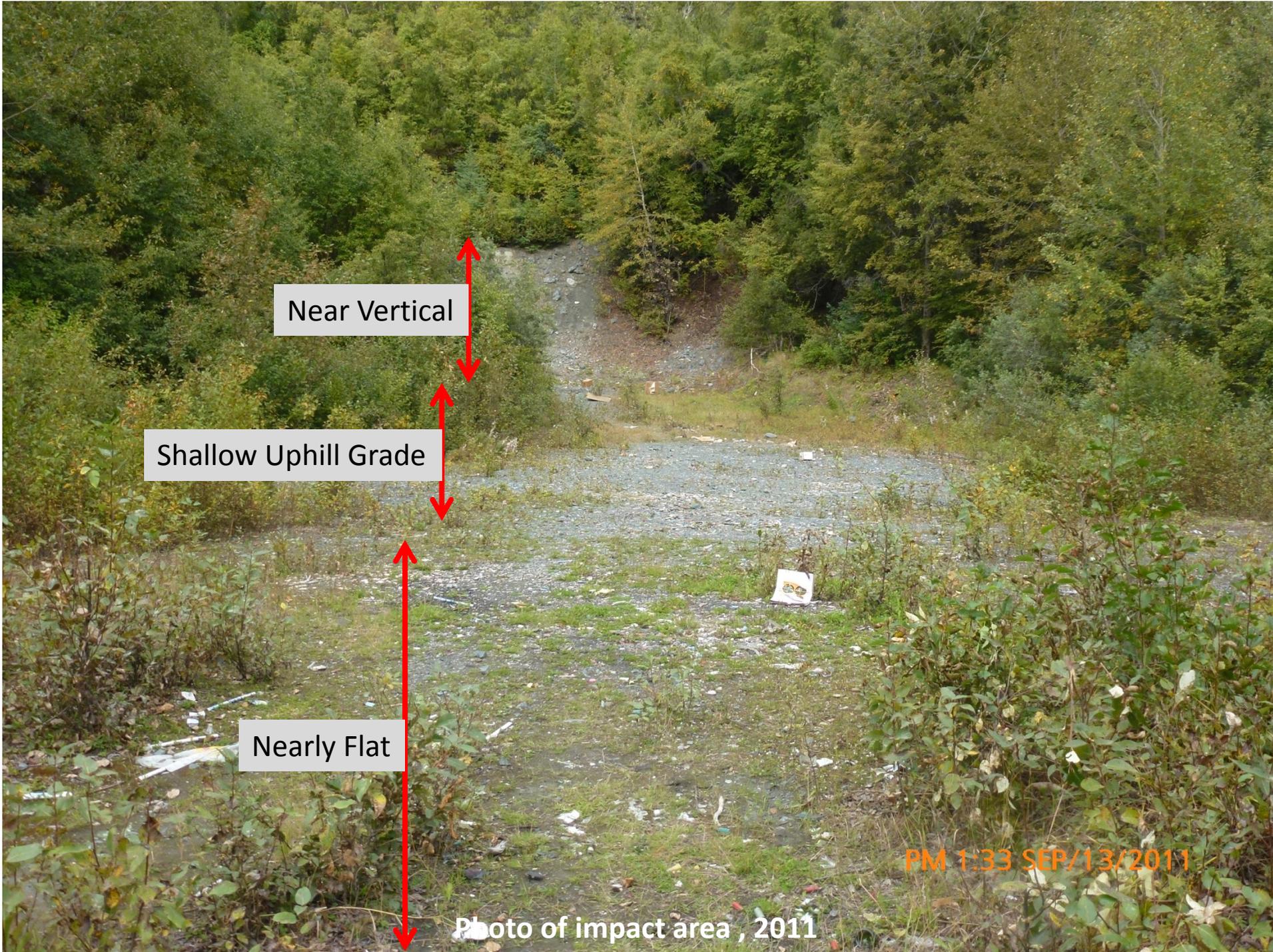
122 ft

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59°15'59.99" N 135°36'19.51" W elev 73 ft

Eye alt 508 ft



Near Vertical

Shallow Uphill Grade

Nearly Flat

PM 1:33 SEP/13/2011

Photo of impact area , 2011



CRT among target debris, 2008.
Large volume of visible cartridge cases and number of holes in targets indicates level of shooting at this site..

Middle of flat impact area, 2008.
Note: bullet ricochet /skip marks indicate possible bedrock at surface (significance? Less contaminated soil to be removed).



Trash dumped inside ROW, 2011

