



U.S. Department of the Interior
Bureau of Land Management
Glennallen Field Office
P.O. Box 147
Glennallen, Alaska 99588
<http://www.blm.gov/ak/st/en/fo/gdo.html>

Categorical Exclusion

Applicant: State of Alaska, Telecommunications Systems

Case File Number: FF084967

DOI-BLM-AK-A020-2012-0011-CX



Location:

Section 33, T. 15 S., R. 9 E., Fairbanks Meridian

Prepared By:

**Brenda Becker
Realty Specialist**

PART II - NEPA REVIEW
CATEGORICAL EXCLUSION

A. BACKGROUND

BLM Office: Glennallen Field Office

Lease/Serial/Case File No: FF084967

Environmental Document No: DOI-BLM-AK-A020-2012-0011-CX

Proposed action Title/Types: Renewal of Communication Site Right-of-Way

Location of Proposed Action: Within Sec. 33, T. 15 S., R. 9 E., Fairbanks Meridian, on Mt. Pillsbury. This site is approximately 4.5 air miles west of the Richardson Highway.

Description of Proposed Action: on August 22, 1985, the State of Alaska Department of Highways, was issued a communication site right-of-way grant for a 2.5 acre parcel on Mt. Pillsbury. The grant is due to expire on February 12, 2012, and the State of Alaska Enterprise Technology Services is requesting a renewal of this right-of-way grant for a period of 5 years until the new path from the Trims Passive through Black Rapids and Donnelly Dome is operational.

Applicant (if any): State of Alaska, Enterprise Technology Services.

B. Land Use Plan Conformance 43 CFR 1610.5-3(a)

Land Use Plan Name: East Alaska Resource management Plan

Date Approved: September 2007

The proposed action is in conformance with the plan even though it is not specifically provided for because it is clearly consistent with the following planning decisions:

The proposed action is in conformance with the plan even though it is not specifically provided for because it is clearly consistent with the following planning decisions (objectives, terms, and conditions):

I. LANDS AND REALTY

I-1 Goals

Provide a balance between land use (rights-of-way, land use permits, leases and sales) and resource protection that best serves the public at large.

I-2: Land Use Authorizations

Land use authorizations include various authorizations and agreements to use BLM lands such as right-of-way grants, road, temporary use permits under several different authorities; leases, permits, and easements under section 302 of the Federal Land Policy and Management Act of 1976 (FLPMA); airport leases under the Act of May 24, 1928; and Recreation and Public Purposes (R&PP) leases.

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 Section 46.210 or United States Department of Interior Manual, Part 516, Chapter 11 which provides:

BLM Categorical Exclusions: E. Realty; 9. – Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.

D. Extraordinary Circumstances

The following Departmental List of Extraordinary Circumstances apply to individual actions.

Departmental instructions mandate the environmental documents must be prepared for actions which may:

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

Yes _____ No X_____

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.

Yes _____ No X_____

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

Yes _____ No X_____

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Yes _____ No X_____

5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

Yes _____ No X_____

6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

Yes _____ No X_____

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.

Yes _____ No X_____

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.

Yes _____ No X_____

9. Violate Federal law or a State, local or Tribal law or requirement imposed for the protection of the environment.

Yes _____ No X_____

10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

Yes _____ No X_____

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 site (Executive Order 13007).

Yes _____ No X_____

12. Contribute to the introduction, continued existence, or spread of weeds or non-native invasive species known to occur in the actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

Yes _____ No X_____

I certify that none of the Departmental Extraordinary Circumstances listed in the above Part B (516 DM 2, Appendix 2) apply to this action.

Remarks: None.

Preparer(s): s/s Brenda Becker Date: 2/16/2012

E. Signature

Authorizing Official:
Name: s/s Elizabeth Maclean
Title: Field Manager

Date:
2/16/12

Contact Person

For additional information concerning this CX review, contact Brenda Becker, Realty Specialist, Glennallen Field Office, P.O. Box 147, Glennallen, Alaska 99588, (907) 822-3217.

**DECISION RECORD AND FINDING OF NO SIGNIFICANT IMPACT FOR
Environmental Assessment**

**Applicant: State of Alaska Enterprise Technology Services
Case File Number: FF084967
DOI-BLM-AK-A020-2012-0011-CX**

I. DECISION

It is my decision to renew the existing communication site right-of-way for State of Alaska Enterprise Technology Services located in Sec. 33, T. 15 S., R. 9 E., Fairbanks Meridian for a term of 5 years. Stipulations and conditions are attached.

II. RATIONALE FOR THE DECISION

The analysis addresses issues resulting from the Proposed Action. This action will help to meet recreational needs and support overall objectives of the Glennallen Field Office.

The decision to allow the Proposed Action does not result in any known, undue, or unnecessary environmental degradation.

III. FINDING OF NO SIGNIFICANT IMPACT

Based on the analysis of potential environmental impacts contained in the attached environmental analysis, I have determined that impacts are not expected to be significant and an environmental impact statement is not required.

IV. ANILCA SECTION 810 (A) SUMMARY

The proposed action will not restrict subsistence uses. No reasonably foreseeable decrease in the abundance of harvestable resources and no limitation on harvester access to subsistence species will result from the Proposed Action.

s/s Beth Maclean
Beth Maclean
Field Manager

2/16/12
Date

Attachments:
Terms and Stipulations

1.0 Definitions

- 1.1 The Glennallen Field Office Manager or its designees is the Authorized Officer (AO), as defined by 43 CFR 2920.0-5(c).
- 1.2 “Lessee” means State of Alaska, Enterprise Technology Services., and any and all assignees that may be of record, including all agents, contractors, subcontractors, and employees.
- 1.3 “Lease” means the license, lease, lease, or other permissions leased by the United States to the lessee for the use of public lands and resources.

2.0 General

- 2.1 This lease is subject to all prior valid and existing rights, and the United States makes no representations or warranties whatever, neither expressed nor implied, as to the existence, or nature of such valid existing rights.
- 2.2 Any modifications to the proposed activities must be approved in writing by the AO.
- 2.3 It is the responsibility of the lessee to ensure that field party members are familiar with and adhere to these stipulations.
- 2.4 These provisions do not relieve the lessee of any responsibilities or provisions required by any applicable State or Federal law and regulations.
- 2.5 The lessee may be required by the AO to furnish transportation and quarters for designated field representatives or observers while inspecting field operations.
- 2.6 In the advent of a disagreement of the interpretation or implementation of these stipulations the lessee agrees that the AO shall have the final say in how these stipulations are interpreted and implemented.
- 2.7 Lessee shall defend, indemnify and hold the United States, its assigns, agents, employees, representatives and successors in interest harmless from and against any and all actions, fees, for injury to or death of any person, persons, or property arising in connection with and as a direct result of lessee’s activities, included but not limited to United States negligence, if any in failing to recognize or remedy a hazardous condition existing on public lands.
- 2.8 Lessee shall comply with Title VI of the Civil Rights act of 1964 (42 U.S.C. 2000 et seq) and the regulations of the Secretary of the Interior issued pursuant thereto.
- 2.9 This lease may not be encumbered, hypothecated, assigned, subleased, or transferred without prior written approval by the AO.
- 2.10 The AO may revoke or terminate this lease in whole, or in part, upon a determination by the AO that the terms, conditions, or stipulations of the lease have been violated, or by determination by the AO that the lessee’s actions pose a threat to human health or safety, or irreparable harm to the surrounding environment.
- 2.11 The lessee shall not enclose in any manner, or erect or maintain any signs or structures on roads or trails commonly used for public travel or access to public lands surrounding the lease unless directed to do so by the AO.
- 2.12 This lease does not authorize the lessee to take from the public lands any mineral or vegetative material, including timber, without securing authorization under 30 USC 601 et seq.
- 2.13 This lease does not authorize any other use of the public lands or improvements belonging to the U.S. Government.

- 2.14 Fire suppression or protection shall not be provided by the government. The lessee shall be responsible for taking reasonable precautions to prevent and suppress brush, grass and other fire hazards within the authorized area, extinguishing all fires before departing the premises.

3.0 Environmental

- 3.1 All operations will be conducted in such a manner as not to cause damage or disturbance to any fish wildlife, or to impede rural residents from pursuing their traditional subsistence activities (ANILCA, PL 96-487).
- 3.2 All activities shall be conducted so as to avoid or minimize disturbance to vegetation. If it becomes necessary to remove vegetation, prior approval by the AO is required.
- 3.3 The lessee, as described in stipulation 1.2 will do everything reasonable, both independently and/or upon request of the authorized officer to prevent the introduction and/or spread of invasive non-native plants (“weeds”) on BLM managed lands. Permittee will employ techniques to prevent transporting infested mineral materials from source to the Tangle Lakes Campground access road. Noxious weeds in Alaska are listed under Alaska Statute 11 AAC 43.020.
- 3.4 All operations shall be conducted with due regard for good resource management and in such a manner as not to block any stream, or drainage system, or cause the pollution of siltation of any stream or lake.
- 3.5 Use of pesticides or herbicides shall comply with the applicable Federal and State laws. Pesticides or herbicides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides or herbicides, the lessee shall obtain from the AO written approval of a plan showing the type and quantity of materials to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the AO. Emergency use of pesticides or herbicides shall be approved in writing by the AO prior to such use.

4.0 Operational

- 4.1 There shall be no disturbance of any archaeological or historical sites, including graves and remains of cabins, and no collection of any artifacts whatsoever. Also, collection of vertebrate fossils, including mammoth and mastodon bones, tusks, etc, is strictly prohibited. Any cultural or Paleontological resources discovered by the holder, or any person working on behalf of the holder, shall be immediately reported to the AO. The holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the AO. The lessee shall not occupy or otherwise disturb any cultural sites including historical cabins. The holder will be responsible for the cost of any evaluation and mitigating measures determined necessary by the AO.
- 4.2 All solid wastes shall be removed from the public lands to an Alaska State DEC approved solid waste disposal facility.
- 4.3 Areas of operation shall be left clean of all unauthorized foreign objects. This shall include, but is not limited to; wires, pins, flags and reflectors.
- 4.4 All fuel or lubricant spills will be cleaned up immediately, taking precedence over all other matters, except the health and safety of personnel. Spills will be cleaned up utilizing absorbent pads or other Alaska State DEC approved methods. Any such spill sites will be documented so that they can be located during the compliance check.
- 4.5 Recovered spill fluids will be removed and incinerated in approved receptacles.
- 4.6 As soon as possible, but not later than 24 hours, notice of any such discharge as defined in Alaska Statute Title 18, Chapter 75, Article 2 will be given to the AO and any other Federal and State Officials as are required by law.
- 4.7 All State and Federal safety standards and regulations for fuel transportation and handling will be followed. Only fuel products and amounts specifically authorized shall be stored on site, and

- shall be located at least 100 feet away from any source of water. All fuel containers, including barrels and propane tanks, shall be marked with the lessee's name, product type and year filled.
- 4.8 The lessee shall protect all Survey Monuments. In the advent of obliteration or disturbance of a survey monument, the lessee shall immediately notify the AO. The lessee will be financially responsible to re-establish the survey monuments to the Bureau standards.
- 4.9 No hazardous materials shall be transported or disposed within the area of authorized use.
- 4.10 The lessee shall ensure that a copy of the lease and stipulations is present on site at all times.
- 4.11 The Lessee shall notify the AO 7 (seven) days prior to removal of personal property and abandonment of the area, and shall be responsible for any rehabilitation of the site deemed necessary by the AO. At minimum all disturbed areas shall be recontoured and revegetated using native species.
- 4.12 The holder shall have a representative available to accompany the Bureau's field representative during any compliance inspection, and shall provide the AO with documentation of all work performed. This shall include a description of the work, photographs and maps or charts depicting the specific sites where operations were conducted.

Lessee Signature

Date

Department of the Interior
Bureau of Land Management
Glennallen Field Office

NEPA Interdisciplinary Review

Project Name: State of Alaska Telecommunications ROW Renewal

Casefile Number: FF084967

NEPA Document Number: DOI-BLM-AKA-020-2012-0011-CX

NEPA Preparer: Brenda Becker

Please return to preparer by: January 27, 2012

Staff Specialist	Resource Area	Comments Provided Yes / No	Date Reviewed
Brenda Becker	Lands and Realty		
Marcia Butorac	Recreation and Facilities	No	1/18/2012
Wildlife Specialist	ANILCA, Section 810		
Wildlife Specialist	T&E Animals		
Wildlife Specialist	T&E Plants		
Wildlife Specialist	Wildlife		
Heath Emmons	Wild and Scenic Rivers	No	1/11/2012
Marnie Graham	Public Affairs	yes	1/12/12
Denton Hamby	Special Recreation Use		
Denton Hamby	Visual Resources		
Brad Honerlaw	Law Enforcement		
Alysia White	Law Enforcement	No	1/12/2012
John Jangala	Cultural Heritage		
John Jangala	Paleontology		
Cory Larson	Travel Management	No	1/11/12
James Whitlock	Minerals		
Ben Seifert	Fire Management	No	1/11/12
Ben Seifert	Forestry	No	1/11/12
Ben Seifert	Invasive Weeds	No	1/11/12
Mike Sondergaard	Soils	No	1/11/12
Mike Sondergaard	Air Quality	No	1/11/12
Tim Sundlov	Riparian & Wetlands		
Mike Sondergaard	Water Quality	No	1/11/12
Tim Sundlov	Fish Biology		
Joseph Hart	Hazardous Materials		
Elijah Waters	Branch Chief – Resources	No	2/22/12

Authorized Officer Review: s/s Elijah Waters

Date: 2/22/12