



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: Granite Construction
Case File Number: AA-93075
DOI-BLM-AK-A020-2011-0024-CX



Location:
Section 24, T. 9 N., R. 2 W., Copper River Meridian

Prepared By:
Brenda Becker
Realty Specialist
September 20, 2011

PART II - NEPA REVIEW

CATEGORICAL EXCLUSION

A. BACKGROUND

BLM Office: Glennallen Field Office

Lease/Serial/Case File No: AA-93075

Environmental Document No: DOI-BLM-AK-A020-2011-0024-CX

Proposed action Title/Types: Granite Construction Water Draw Site – Minimum Impact Permit

Location of Proposed Action: Section 24, T. 9 N., R. 2 W., Copper River Meridian. The proposed water draw site would be located just north of the Sourdough Campground off of a Pipeline Access road that accesses the Gulkana River. This site is located approximately ¼ mile off the Richardson Highway.

Description of Proposed Action:

On August 16, 2011, an application was submitted to the BLM to set a water pump for drawing water from the ponds along the pipeline access road mentioned above, to be used for dust control while doing road construction along the Richardson Highway. There will be no impacts to this area, as this is along the existing access road that Alyeska, and others, use to gain access to the pipeline in this area. Granite Construction has received permits from the State of Alaska for drawing this water. A letter of non-objection has been received from Alyeska for this request. This area is also used by hunters for access to a parking area. This site is already in place and will be removed at the end of the 2012 season

Applicant (if any): Granite Construction

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

Land Use Plan Name: East Alaska Resource Management Plan Date Approved: Sept. 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; 19. – Issuance of short-term (3 years or less) rights-of-way or land use authorizations for such uses as storage sites, apiary sites, and construction sites where the proposal includes rehabilitation to restore the land to its natural or original condition.

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: 1/23/12

E. Signature

Authorizing Official: s/s Elizabeth Maclean Date: 1/23/12

Name: Elizabeth Maclean

Title: Field Manager

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: Granite Construction
Case File Number: AA-93075
DOI-BLM-AK-A020-2011-0024-CX**

I. DECISION

It is my decision to authorize the minimum impact permit for Granite Construction to continue to have a pump, for drawing water from the ponds, along an existing access road in Section 24, T. 9 N., R. 2 W., Copper River Meridian for a term of no longer than 2 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 Elizabeth Maclean
Beth Maclean
Field Manager

2/1/12
Date

Attachments:
Terms and Stipulations

Stipulations for Granite Construction, Water draw site
January 11, 2012

1.0 Definitions

- 1.1 The Glennallen Field Manager or designated representative is the Authorized Officer (AO), as defined by 43 CFR 2920.0-5(c).
- 1.2 “Grantee” means Granite Construction, and any and all assignees that may be of record, including all agents, contractors, subcontractors, and employees.
- 1.3 “Grant” means the license, lease, permit, or other permission granted by the United States to the grantee for the use of public lands and resources.

2.0 General

- 2.1 The grantee will address all matters to the Glennallen Field Manager, P.O. Box 147, Glennallen, Alaska 99588.
- 2.2 In case of change of address, the grantee shall immediately notify the AO.
- 2.3 Any modifications to the proposed activities must be approved in writing by the AO.
- 2.4 This grant is subject to all prior valid and existing rights, and the United States makes no representations or warranties whatever, either expressed or implied, as to the existence, or nature of such valid existing rights.
- 2.5 The right to grant additional rights-of-way or permits for compatible use on, over, under, or adjacent to the land involved in this grant is reserved to the AO.
- 2.6 It is the responsibility of the grantee to ensure that field party members are familiar with and adhere to these stipulations.
- 2.7 The holder, in exercising the privileges granted under this grant shall comply with the regulations of the Department of the Interior and all Federal, State, Borough and Municipal laws, ordinances, or regulations, which are applicable to the area or operations covered by this grant.
- 2.8 The grantee may be requested by the AO to furnish transportation and quarters for designated field representatives or observers while inspecting operations.
- 2.9 In the advent of a disagreement of the interpretation or implementation of these stipulations the grantee agrees that the AO shall have the final say in how these stipulations are interpreted and implemented.
- 2.10 Grantee shall defend 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 connections with and as a direct result of grantee’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.
- 2.11 This grant may not be encumbered, hypothecated, assigned, subleased, or transferred without prior written approval by the AO.
- 2.12 The AO may revoke or terminate this grant in whole, or in part, upon a determination by the AO that the terms, conditions, or stipulations of the grant have been violated, or by determination by the AO that the grantee’s actions pose a threat to human health or safety, or irreparable harm to the surrounding environment.

- 2.13 The grantee shall not enclose or obstruct 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 grant.
- 2.14 This grant does not authorize the permittee to take from the public lands any mineral or vegetative material, including timber, without securing authorization under 30 USC 601 et seq.
- 2.15 This grant does not authorize any other use of the public lands or improvements belonging to the US Government.
- 2.16 Grantee shall comply with Title VI of Civil Rights Act of 1964 (42 U.S.C. 2000 et seq.) and the regulations of the Secretary of the Interior issued pursuant thereto.

3.0 Environmental

- 3.1 All operations will be conducted in such a manner as not to cause damage or disturbance to any fish or wildlife, or to impede rural residents from pursuing their traditional subsistence activities (ANILCA, P.L. 96-487).
- 3.2 Grantee will not intentionally harass or harm migratory birds or interfere with their nesting and brood rearing activities.
- 3.3 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.
- 3.4 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 or 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 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 grantee 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.
- 3.6 The grantee shall conduct all activities associated with the construction, operation, and termination of the right-of-way within the authorized limits of the right-of-way. If any scarring or damage occurs outside of approved areas as a result of the holder's operations, the areas shall be repaired and reseeded, or otherwise corrected as necessary to the satisfaction of the Authorized Officer.
- 3.7 The grantee will do everything reasonable, both independently and/or upon request of the authorized officer to prevent and suppress fires on or near the lands occupied under the right-of-way.
- 3.8 Petroleum products or by-products shall not be used for dust suppression.
- 3.9 Any revegetation will be with native species only.

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 mammoths and mastodon bones, tusks etc., is strictly prohibited. If historic resources are encountered then all artifacts will be respectfully left in place and the Glennallen Field Office's cultural resources staff will be notified immediately.

- 4.2 Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the Grantee, or any person working on his behalf, on public or Federal lands shall be immediately reported to the Authorized Officer. Grantee shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the AO to determine appropriate actions to prevent the loss of significant cultural or scientific values. The Grantee will be responsible for the cost of evaluation and the Authorized Officer will make any decision as to proper mitigation measures after consulting with the Grantee.
- 4.3 All waste generated during operation, maintenance, and termination activities under this authorization shall be removed or otherwise disposed of as required by state and federal law. In this case the waste must be dumped in a DEC approved landfill site. Waste in this sub-paragraph means all discarded matter, including but not limited to, human waste, trash garbage, refuse, and oil drums, petroleum products, ashes and discarded equipment.
- 4.4 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.
- 4.5 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.
- 4.6 Recovered spill fluids will be removed and incinerated in approved receptacles.
- 4.7 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.
- 4.8 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 grantees name, product type, and year filled.
- 4.9 The grantee shall protect all Survey Monuments. In the advent of obliteration or disturbance of a survey monument, the grantee shall immediately notify the AO. The grantee will be financially responsible to re-establish the survey monuments to the Bureau standards.
- 4.10 No hazardous materials shall be transported or disposed within the area of authorized use.
- 4.11 Prior to abandonment of any portion of the facilities authorized by this grant, the grantee shall contact the Authorized Officer, and if the situation warrants, to arrange a joint inspection of the right-of-way. The inspection will be held to agree on an acceptable rehabilitation plan. The Authorized Officer must approve the plan in writing prior to the grantee commencing any abandonment and/or rehabilitation activities.
- 4.12 The grantee shall at his expense, perform all maintenance and repairs, including exterior painting, structural maintenance and repairs, and maintenance of the ground necessary to keep the premises in first class order, repair, and safe condition throughout the term of the lease. The grantee waives the right to make repairs at the expense of the United States Government.
- 4.13 All construction, maintenance, painting, etc., shall be done utilizing natural earth tone colors/materials, approved by the AO.
- 4.14 Any further ground disturbance will be done after approval by the Authorized Officer.
- 4.15 The grantee shall maintain above the doorway to the structure a sign identifying the BLM lease number.

