

DETERMINATION OF NEPA ADEQUACY (DNA)

U.S. Department of the Interior Bureau of Land Management

OFFICE: Eastern Interior Field Office (AKF020)

TRACKING NUMBER: DOI-BLM-AK-F020-2012-0028-DNA

CASEFILE/PROJECT NUMBER: FF095613

LOCATION/LEGAL DESCRIPTION: Molly Creek Airstrip located within sections 20 and 21 of Township 27 North, Range 11 East, Copper River Meridian.

APPLICANT: 40-Mile Air Ltd.

A. Description of the Proposed Action and any applicable mitigation measures:

40-Mile Air Ltd. has submitted an application to store approximately 110 gallons of aviation fuel, in 55 gallon drums, at the Molly Creek airstrip. Fuel storage is needed there to support their commercial flying operations and serve as source of fuel in emergency situations. Fuel will be stored in secondary containment such as an over-pack container similar to the one the applicant uses at Joseph airstrip, or containment berm.

BLM will decide whether or not to authorize the proposed use by issuing a Land Use Permit for a period of 3 years.

B. Land Use Plan (LUP) Conformance

LUP Name: Fortymile Management Framework Plan

Date Approved: September 8, 1980

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

Lands Objective 4: "Provide lands for transportation systems"

Lands Objective 7: "Terminate and prevent unauthorized use on public lands in the Resource Area"

C. Identify applicable NEPA documents and other related documents that cover the proposed action.

DOI-BLM-AK-02000-2012-0010-EA approved June 19, 2012 for Land Use Permit (FF095636) to Alaska Department of Fish and Game for storage of fuel at Molly Creek airstrip.

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Yes. The current proposed action to store aviation fuel on a year-round basis is substantially the same action as analyzed in DOI-BLM-AK-02000-2012-0010-EA. The only difference is the amount of fuel to be stored is up to 110 gallons rather than up to 220 gallons.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?

Yes. The DOI-BLM-AK-02000-2012-0010-EA analyzed the proposed action and a no action alternative which are appropriate for the current proposed action. The current environmental concerns, interests, resource values and circumstances do not differ substantially from those considered in the EA.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

Yes. Based on internal review and scoping of the proposed action by BLM resource specialists, there is no new information or circumstances currently recognized that would change the analysis of the proposed action. There are not threatened, endangered, proposed, or candidate species and no new BLM sensitive species in the vicinity of the proposed action. No changes

have been made to resource-related plans of State, local or tribal governments or other Federal agencies that would affect the current proposal.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Yes. No direct, indirect or cumulative impacts were identified in DOI-BLM-AK-02000-2012-0010-EA. The potential impacts (or lack thereof) for this proposed action are essentially unchanged. The potential impacts of storing approximately 110 gallons of additional fuel at the Molly Creek airstrip are negligible.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Yes. Internal review by an interdisciplinary team was determined to be sufficient for the referenced EA. The current proposed action creates no new concerns that would require public involvement or interagency review. The internal scoping process and the interdisciplinary team analysis of DOI-BLM-AK-02000-2012-0010-EA continue to be adequate for the current proposed action.

E. Persons/Agencies/BLM Staff Consulted

<u>Name</u>	<u>Title</u>	<u>Resource/Agency Represented</u>
Leif Wilson	Owner	40-Mile Air Ltd.
Rebecca Hile	Physical Scientist	Hazardous Wastes and Materials
Robin Mills	Archaeologist	Archaeology, Paleontology
Ruth Gronquist	Wildlife Biologist	Wildlife, Vegetative Resources and invasive, non-native species
Ben Kennedy	Hydrologist	Soil, Water and Air
Holli McClain	Outdoor Rec. Planner	Wilderness Characteristics
Jason Post	Fisheries Biologist	Essential Fish Habitat
Collin Cogley	Outdoor Rec. Planner	Recreation

Decision Record

Land Use Permit for 40-Mile Air, Ltd., FF095613

Decision: It is my decision to authorize the storage of up to 110 gallons of aviation fuel on BLM managed lands at the Molly Creek airstrip. Fuel that is stored there will be used to support commercial flying operations and will be stored in secondary containment such as an over-pack container or containment berm.

Rationale: The environmental effects of this action were considered in DOI-BLM-AK-F020-2012-0028 DNA and were found to have no significant impacts, thus an environmental impact statement is not required. Both the assessment required by NHPA Section 106 and the findings required by ANILCA Section 810 have been completed.

The proposed action is in compliance with the Fortymile Management Framework Plan of 1980 and consistent with the use of public lands under the authority of Section 302 of the Federal Land Policy Act and the regulations found in 43 CFR 2920.

Appeal Provisions:

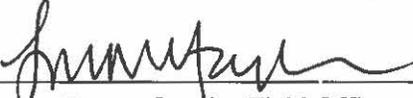
This decision shall take effect immediately upon the date it is signed by the authorized officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)).

Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a notice of appeal must be filed in the office of the authorized officer at Eastern Interior Field Office, 1150 University Avenue, Fairbanks Alaska 99709. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the authorized officer. If you wish to file a petition for stay of the effectiveness of this decision pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and must show sufficient justification based on the following standards: (1) The relative harm to the parties if the stay is granted or denied, (2) The likelihood of the appellant's success on the merits, (3) The likelihood of irreparable harm to the appellant or resources if the stay is not granted, and (4) Whether the public interest favors granting the stay. If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the authorized officer. A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Solicitor, U.S. Department of the Interior, 4230 University

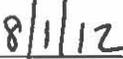
Drive Suite 300, Anchorage, AK 99508, not later than 15 days after filing the document with the authorized officer and/or IBLA.

Contact Person

For additional information concerning this decision, contact Vic Wallace at the Eastern Interior Field Office, 1150 University Avenue, Fairbanks, Alaska, 99709, or by telephone at 907-474-2363.



Manager, Eastern Interior Field Office



Date

Contact Person: For additional information concerning this decision, contact Vic Wallace at the Eastern Interior Field Office, 1150 University Avenue, Fairbanks, Alaska, 99709, or by telephone at (907) 474-2200.