

## Decision Record

### DOI-BLM-AK-02000-2013-0009-CX

Land Use Permit renewal, FF095659, for Alaska Department of Fish and Game to continue storing aviation fuel at the Joseph airstrip.

Decision: It is my decision to authorize the State of Alaska, Department of Fish and Game to store up to 200 gallons of fuel on Bureau of Land Management-managed land adjacent to the Joseph airstrip as proposed in the Categorical Exclusion.

Rationale:

The environmental effects of this action were considered in DOI-BLM-AK-02000-2013-0009 and were found to have no significant impacts, thus an Environmental Impact Statement is not required.

1. The proposed action is in compliance with Fortymile Management Framework plan and consistent with the use of public lands under the authority of the Federal Land Policy and Management Act of 1976 and the regulations found in 43 CFR 2920.
2. The proposed action would not impact salmon or habitat known to support salmon and therefore, the proposed action was assigned the Essential Fish Habitat (EFH) Determination: *No effect*, and no further EFH consultation is required.
3. There are no anticipated impacts to cultural resources by the proposed action. An "Assessment of Archaeological and Historic Resources" has been completed for this project.
4. The evaluation and finding done to comply with Section 810 of the Alaska National Interest Lands Conservation Act found no significant restrictions to subsistence use.

**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.

/s/ Lenore Heppler  
Manager, Eastern Interior Field Office

12/18/12  
Date