

## CATEGORICAL EXCLUSION /PLAN CONFORMANCE DOCUMENTATION

### DOI-BLM-AK-F020-2013-0010-CX

#### A. Background

Proposed Action: Renew the Land Use Permit for 40-Mile Air LTD to store aviation fuel at the Joseph airstrip.

Date of Proposed Action: December, 2012

Location: Adjacent to the Joseph airstrip near the Middle Fork of the Fortymile River within S1/2 SE1/4 Sec. 19, T. 6S., R.4E., Fairbanks Meridian.

Applicant: 40-Mile Air LTD

Serial Number: FF095612

#### Description of the Proposed Action

40-Mile Air LTD has requested renewal of their current Land Use Permit which authorizes them to store fuel on Bureau of Land Management (BLM)-managed land. They have stated that there will be "no changes from the current permit". Their current permit authorizes storage of up to 100 gallons of aviation fuel in two (2) 55 gallon drums. The 55 gallon drums are placed inside a secondary containment berm.

#### B. Land Use Plan Conformance

LUP: Fortymile Management Framework Plan

Date Approved/Amended: September 8, 1980

The Proposed action is in conformance with the LUP, even though not specifically provided for, because it is clearly consistent with the following LUP decisions(s), objective(s):

Lands Objective 4: "Provide lands for transportation systems."

Management Action 2.2: Airstrips are considered a transportation system under ANILCA Section 1102 (4) (B).

#### C. Compliance with NEPA

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 (E)(9) which states:

*"Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations."*

The proposed action must be screened against the extraordinary circumstances found in 43 CFR 46.215 and listed below. Any “yes” finding requires that an Environmental Assessment or Environmental Impact Statement be prepared for the Proposed Action.

<b>EXTRAORDINARY CIRCUMSTANCES</b>	<b>YES/NO</b>
1) May have significant impacts on public health or safety.	No
2) May 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.	No
3) May have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.	No
4) May have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	No
5) Might establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	No
6) May have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	No
7) May 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.	No
8) May 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.	No
9) Might violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	No
10) May have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	No
11) Might 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).	No
12) Could contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the 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).	No

## **Recommendation**

I have found that the proposed action is compatible with the Fortymile Management Framework Plan, and is an action that can be categorically excluded. The Proposed Action does not trigger any of the Extraordinary Circumstances found in 516 DM Chapter 2, Appendix 2. I recommend that the Proposed Action be allowed and that an Environmental Assessment or Environmental Impact Statement is not needed.

/s/ Victor Wallace  
Vic Wallace, Realty Specialist  
Eastern Interior Field Office

12/21/2012  
Date

## **Concurrence**

I concur that the above action is in conformance with the Fortymile Management Framework Plan, does not meet any of the extraordinary circumstances, and qualifies as a Categorical Exclusion.

/s/ Michael Gibson Acting For  
Lenore Heppler  
Field Manager  
Eastern Interior Field Office

12/21/2012  
Date

## **Contact Person**

For additional information concerning this CX review, contact Vic Wallace, Realty Specialist, Eastern Interior Field Office, at 907-474-2363