



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Anchorage Field Office
4700 BLM Road
Anchorage, Alaska 99507-2591
<http://www.blm.gov/ak>

Noxapaga Cabin Site Fuel-Oil Spill Removal Categorical Exclusion, DOI-BLM-AK-A010-2013-0022-CX

Case File, AA-86884

DECISION RECORD

Decision

It is my decision to implement the proposed action on BLM-managed lands as described in the attached Categorical Exclusion documentation, DOI-BLM-AK-A010-2013-0022-CX.

Specifically, the BLM will contract for removal of a small oil spill near an unauthorized occupancy cabin site located adjacent to confluence of the Kuzatrin and Noxapaga rivers, approximately 70 miles northeast of Nome, Alaska. All removed materials will be properly treated and/or disposed, and the impacted area will be reclaimed according to applicable regulations.

Rationale for the Decision

The proposed action is in conformance with the Kobuk-Seward Peninsula Approved Resource Management Plan (2008) management goals and decisions pertaining to Abandoned Mining Sites and Hazardous Materials. The cleanup of this property is necessary so that the BLM can convey the land to the State of Alaska.

The proposed action has been reviewed by Anchorage Field Office staff and appropriate Project Design Features, as specified, will be incorporated during project implementation. Based on the attached Categorical Exclusion review, I have determined that the proposed action involves no significant impact to the human environment and no further analysis is required.

Appeal Opportunities

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR § 4. To appeal you must file a notice of appeal at the BLM Anchorage Field Office, 4700 BLM Road, Anchorage, Alaska 99507, within 30 days from receipt of this decision. The appeal must be in writing and delivered in person, via the United States Postal Service mail system, or other common carrier, to the Anchorage Field Office as noted above. *The BLM does not accept appeals by facsimile or email.* The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR § 4.21 (58 FR 4939, January 19, 1993) for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. Except as otherwise provided by law or other pertinent regulation, a petition for a stay of decision pending appeal shall show sufficient justification based on the following standards: (a) The relative harm to the parties if the stay is granted or denied, (b) The likelihood of the appellant's success on the merits, (c) The likelihood of immediate and irreparable harm if the stay is not granted, and (d) Whether the public interest favors granting the stay.

Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (see 43 CFR § 4.413); Office of the Regional Solicitor, Alaska Region, U.S. Department of the Interior, 4230 University Drive, Suite 300, Anchorage, Alaska 99508; at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

/s/ Alan Bittner

August 6, 2013

Alan Bittner
Anchorage Field Manager

Date

Attachments

Noxapaga Cabin Site Fuel-Oil Spill Removal, Categorical Exclusion, DOI-BLM-AK-A010-2013-0022-CX