

A. Background

BLM Office: Arctic Field Office LLAKF010

Lease/Serial/Case File No.: FF096818

Applicant: BEM-Bay West Joint Venture, LLC.
John Jones
310 K Street, Suite 200
Anchorage, AK 99501

Dates of Proposed Activity: July 1, 2014 – October 1, 2014

Proposed Action Title/Type: Restoration Activity/NPR-A Permit

Description of Proposed Action: On June 17, 2014, BEM-Bay West Joint Venture, LLC (BEM) applied for a NPR-A Permit to conduct land-spreading activities at the former Wainwright Short Range Radar Station (WSRRS) at Wainwright, Alaska (Figure 1). The proposed activity is a continuation of restoration activities started in 2010 by Olgoonik Specialty Contractors LLC (OSC) under contract to the US Air Force (USAF). The current activity has been contracted to BEM who has hired OSC to conduct the work.

The objective of the proposed 2014 and 2015 landspreading activities is to use mechanical landspreading measures to treat the petroleum, oil- and lubricant-contaminated soil and gravel previously excavated and transported to the landspread area that is located adjacent to the aircraft landing strip. The landspread area is “L” shaped with the northwest-southeast trending section measuring approximately 90 feet wide by 435 feet long and the southwest-northeast trending section of the dogleg measuring approximately 95 feet wide by 225 feet long (See Figure 2). The work is following an Alaska Department of Environmental Conservation (ADEC) approved plan.

The work crew would consist of two samplers and two equipment operators. They would travel to the site by watercraft or All-Terrain Vehicle (ATV) during the summer field season. If ATVs are used the route would be along the shoreline between the village of Wainwright and the WSRRS. Contaminated soil that was previously placed on a gravel pad adjacent to the landing strip in 2013 would be spread using physical mechanism to treat the soil. Treatment would be promoted by periodically spreading the soil for shallow aeration and mixing. There would be three or four land-spreading events, with each event lasting two days. The goal of the landspreading is to mix and aerate the soil while minimizing compaction. Landspreading performance sampling would be conducted before and after each 2014 and 2015 season. The work would be conducted according to ADEC Underground Storage Tanks Procedures Manual. Orange stakes have been placed along the perimeter of the landspread area to identify the horizontal boundaries of the treatment footprint. Heavy equipment such as a backhoe or tractor-mounted tiller has been previously mobilized to the site.

Personnel would stay at the village of Wainwright; there would be no camping on-site. Anticipated fuel use for the equipment is 200 gallons of diesel. The drums were staged in a lined berm on-site during the demolition activity last year. Disposal of human waste is not anticipated for this project. A porta-potty would travel with the ATV/water craft. The emergency response plan is to use a cell phone to call the Wainwright NSB Search and Rescue.

Prior to the start of activity, OSC would require staff to conduct inspections and implement activities to prevent eider ducks or other migratory birds from nesting at the landsread project area, in accordance with their approved wildlife mitigation plan for this project. In addition, the activity would not start until the work plan is approved by ADEC and the BLM. This is anticipated to be early July 2014. OSC anticipates conducting the tilling of the material three times each year (June/July, August and September) during each field season. The soil would be sampled two times during the 2014 and 2015 treatment seasons. Surface water sampling would be done once each season with five water samples. Equipment would be decontaminated by pressure-washing prior to activity and between locations. Tools would be scrubbed and rinsed with distilled or deionized water. Solid wastes would be visually inspected for signs of contamination, sealed in heavy construction-grade garbage bags, and transported to the local solid waste landfill for disposal.

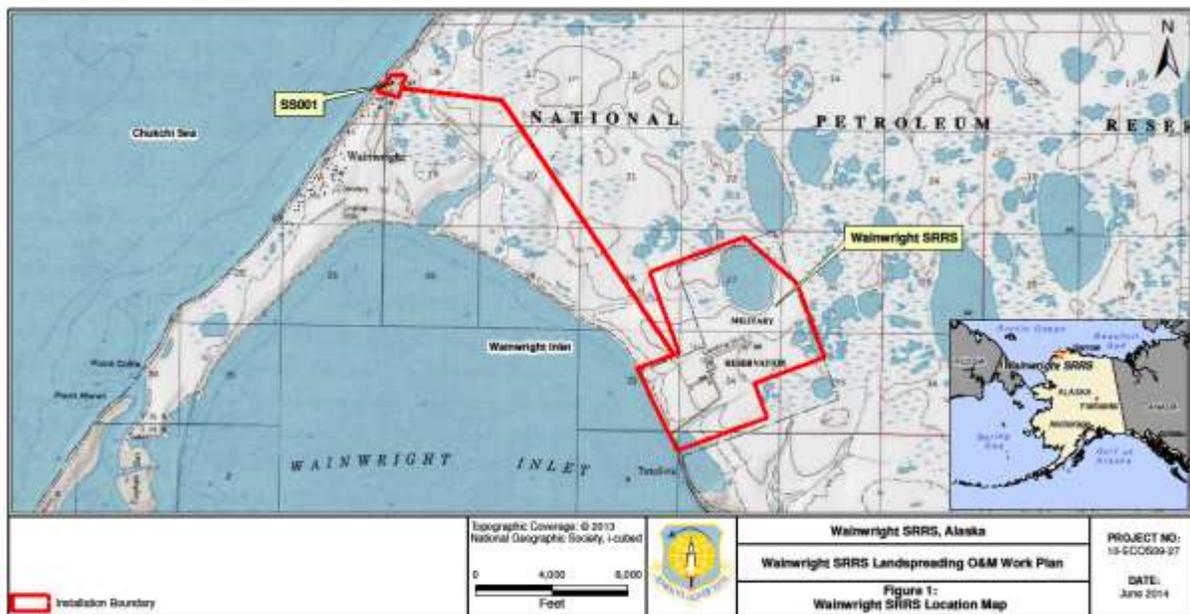


Figure 1: Applicant Supplied Map of WSRRS



Figure 2: Applicant Supplied Figure Showing Landspread Area

Legal Description (All Umiat Meridian):

Township	Range	Section
15 North	31 West	26-28, 33-35 (excluding private land)
14 North	31 West	3, 4 (Excluding Private Land)

B. Land Use Plan Conformance Review

The proposed action is in conformance with the following planning document: National Petroleum Reserve-Alaska Integrated Activity Plan/Environmental Impact Statement (IAP/EIS) dated November 2012 and associated Record of Decision dated February 2013.

The proposed action is in conformance with the Naval Petroleum Reserves Production Act, which allows for the authorization of uses consistent with the purposes of the Act.

C. Compliance with NEPA

The IAP/EIS Record of Decisions for the NPR-A developed stipulations and best management practices applicable to all activities in NPR-A. The stipulations and best management practices applicable to the proposed action will be provided, along with project-specific mitigation, to the applicant and are entitled: “FF096818 BEM Wainwright SRRS Landspreading 2014-2015”.

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, or 516 DM 11.9,

Specifically, the proposed action meets the criteria for a categorical exclusion under 516 DM 11.9, BLM H-1790-1 National Environmental Policy Act Handbook Appendix 3 Departmental Categorical Exclusions.

“Nondestructive data collection, inventory (including field, aerial, and satellite surveying and mapping), study, research, and monitoring activities.”

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

The proposed action has been reviewed to determine if any of the exceptions described in 43 CFR 46.210 and 46.215, apply.

The proposed action will not meet any of the extraordinary circumstances listed below.

Extraordinary Circumstances	Yes	No
2.1 Have significant impacts on public health or safety.		X
2.2 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.		X
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2) (E)].		X
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
2.7 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.		X
2.8 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.		X
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
2.11 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 sites (Executive Order 13007).		X

2.12 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).		X
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D. Approval and Contact Information

I considered the proposed action and have determined that there is no potential for significant impacts.

/s/Lon Kelly
Authorized Officer, Arctic Field Office

July 8, 2014
Date

Contact Person:

For additional information concerning this CX review, contact:

Donna Wixon
Natural Resource Specialist
Bureau of Land Management
Arctic Field Office
1150 University Avenue
Fairbanks, Alaska 99709

Phone: 907-474-2301
Email: dwixon@blm.gov

FF096826 ADFG Dau Summer Stipulations 2014

Project Specific Stipulations:

This project falls within the constraints of the 2014 United States Fish & Wildlife Programmatic Biological Opinion for the Bureau of Land Management Summer Activities in 2014 in Undeveloped Areas of the National Petroleum Reserve-Alaska. As such the permittee is required:

1. Permittee will maintain an aircraft log of the following information **for each take off and landing** (which shall be turned in to BLM in **electronic** format in an excel spreadsheet with each item below listed in a separate column No Later Than **1 November**):

Type of Aircraft
Aircraft N number
Date
Time
Decimal Degree Format – latitude of takeoff location
Decimal Degree Format – longitude of takeoff location
Date
Time
Decimal Degree Format – latitude of landing location
Decimal Degree Format – longitude of landing location

2. Permittee must use “bear-resistant” containers that are approved and certified by the Interagency Grizzly Bear Committee as “bear-resistant.” Information about certified containers can be found at <http://www.igbconline.org/html/container.html>.
3. The permittee will abide by the following documents: Required Conduct near Possible Nests of Raptors (Eagles, Hawks and Falcons) in the National Petroleum Reserve-Alaska and Polar Bear Interaction Guidelines.

ARCTIC FIELD OFFICE NON OIL AND GAS PERMIT STIPULATIONS

[This is a subset of the 2013 National Petroleum Reserve-Alaska Integrated Activity Plan Record of Decision, Utility Corridor Resource Management Plan/Final Environmental Impact Statement, and the Colville River Special Area Management Plan. Stipulations and Best Management Practices from these documents along with frequently utilized resource-specific stipulations are incorporated. Special Recreation Permit holders meet most requirements by following the guidelines in Leave No Trace, Alaskan Tundra.]

I. AUTHORIZED OFFICER

The Authorized Officer (AO) is the Manager, Arctic Field Office.

II. AIR & WATER

- A. All operations shall comply with applicable Air and Water Quality Standards of the State of Alaska.
- B. Grey wash water and kitchen waste water may be filtered to remove the solids and the liquid discharged to the land surface, provided the disposal area is a minimum of 100 feet from any water body or stream.

III. AIRCRAFT

- A. Hazing of wildlife by aircraft is prohibited. Pursuit of running wildlife is hazing. If wildlife begins to run as an aircraft approaches, the aircraft is too close and must break away.
- B. Aircraft shall maintain an altitude of at least 1,500 above ground level (AGL) when within ½ mile of cliffs identified as raptor nesting sites from April 15 through August 15 and within ½ mile of known gyrfalcon nest sites from March 15 to August 15, unless doing so would endanger human life or violate safe flying practices. Permittees shall obtain information from BLM necessary to plan flight routes when routes may go near falcon nests.
- D. Use of aircraft, near known subsistence camps and cabins, and along rivers or during sensitive subsistence hunting periods (spring goose hunting and fall caribou and moose hunting) should be kept to a minimum.
- E. Aircraft used for permitted activities shall maintain an altitude of at least 2,000 feet AGL (except for takeoffs and landings) over the Utukok River Uplands Special Area (Map 1) from May 20 through August 20, unless doing so would endanger human life or violate safe flying practices.

V. CULTURAL/PALEONTOLOGICAL RESOURCES

- A. In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal or disturbance of archeological or historic artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical, recent, ethnological, or archaeological specimens or artifacts is prohibited. Such items include both prehistoric stone tools and sites, as well as historic log cabins, remnants of such structures, refuse dumps, and other such features. The disturbance, excavation and collection of vertebrate paleontological (fossil) remains is also prohibited.
- B. Any cultural or Paleontological resource discovered by the holder, or any person working on his behalf, situated on lands owned or controlled by the United States shall be promptly

reported to the AO. Discoveries must be left in place to allow for an examination by BLM cultural or paleontological specialists. GPS Coordinates of any discovered cultural resources should be obtained if possible and reported to the AO.

VI. FIRE

- A. The BLM, through the AO, reserves the right to impose closure of any area to operators in periods when fire danger or other dangers to natural resources are severe.
- B. The authorized user shall be financially responsible for any damage done by a wildfire caused by its operations. Costs associated with wildfires include but are not limited to, damage to natural resources and costs associated with any suppression action taken on the fire.

VII. OPERATIONS

- A. It is the responsibility of the authorized user to ensure that all individuals brought to the project area under its auspices adhere to these stipulations. Authorized users of the planning area shall provide all employees, contractors, subcontractors, and clients with a briefing regarding stipulations applicable to the lease and/or permit.
- C. The provisions of this permit do not relieve the Permittee of any responsibilities or obligations required by the laws or regulations of the State of Alaska Department of Fish and Game or the U.S. Fish and Wildlife Service, or other applicable regulations related to this permit
- D. The authorized user shall protect all survey monuments and be responsible for survey costs if remonumentation is required as a result of the user's actions.
- E. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coast and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments.
- F. In the event of obliteration or disturbance of any of the survey monuments above, the Permittee shall promptly report the incident, in writing, to the Authorized Officer and the respective installing agency, if known. Where General Land Office or Bureau of Land Management right-of-way monuments or references are obliterated during operations, the Permittee shall secure the services of a registered land surveyor or a Bureau Cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of Public Lands of the United States, latest edition. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monuments, the Permittee shall be responsible for survey costs.

IX. SUBSISTENCE

- A. The permittee will take no action that interferes with subsistence activities of rural users or restricts the reasonable access of subsistence users to public lands. This may include but is not limited to disturbance of wildlife and their movements near subsistence hunters, and damage to cabins, trails, traditional campsites or caches used by subsistence users. The permittee must familiarize themselves, their team, and their pilots with any subsistence camps and cabins located near their project site (map available upon request) and, when using aircraft, make all reasonable efforts to avoid disturbing hunters.
- B. The Arctic Field Office will determine on an application-by-application basis what level of consultation will be required in order to provide adequate notification to communities, including whether the project merits application of the complete H-1 (Subsistence) Best Management Practice from the 2013 NPR-A EIS/IAP Record of Decision. Determination will be based on Arctic Field Office experience and on communication with representatives of the BLM NPR-A Subsistence Advisory Panel. Permittee will respond to questions and any reasonable requests for consultation that tribes and/or communities may have. Information on permits will be included on the NPR-A Permitted Projects spreadsheet that is distributed to tribal governments and North Slope communities. Permittee is encouraged to correspond with Arctic Field Office anthropologist/subsistence specialist if they have any questions or concerns: Stacey Fritz: (907) 474-2309, sfritz@blm.gov

XI. WASTE

A. HUMAN WASTES

1. Toilet paper: Toilet paper must be packed out, or a natural alternative used. Natural options for toilet paper include snow, smooth stones or sticks, leaves and moss. Natural TP options should be disposed of the same as the human waste. Feminine hygiene products and diapers must also be packed out.
2. Urine: Urine can attract animals seeking salt: avoid urinating on plants that can be defoliated by animals attracted to the salt residue. Urinate 200 feet away from camps and trails on rock, bare ground, or water sources.
3. Recommended human excreta disposal in riparian areas: Packing out human excreta is the most eco-friendly means of waste disposal and the toilet can be located wherever is most appropriate. This method helps areas that receive high-levels of use retain their naturalness, and preserves pristine areas. Disadvantages include: it incurs cost and requires logistical considerations.

The WAG (Waste Alleviation and Gelling) Bag has become the overall term for any pack-it-out bag system. It generally involves one bag with which holds the excrement and another sturdier, sealable bag. Commercial vendors of waste bag kits, powders and supplies include ReStop, Biffy Bags, and Cleanwaste.

B. GARBAGE

1. Attracting wildlife to food and garbage is prohibited.
2. Burial of garbage is prohibited. Burial of human waste is prohibited except as authorized by the AO. [Special Recreation Permit holders meet all requirements by following the guidelines in Leave No Trace, Alaska Tundra.]
3. Areas of operation shall be left clean of all debris.

C. FUEL

1. Notice of any spill shall be given to the AO as soon as possible or to the BLM Arctic Field Office Hazmat Coordinator, Susan Flora (work/message 907-474-2303). Other Federal, State, and NSB entities shall be notified as required by law.
2. All spills shall be cleaned up immediately and to the satisfaction of the AO and all agencies with regulatory authority over spills, including the Alaska Department of Environmental Concerns (ADEC),(1800-478-9300) (Alaska Statute Title 18, Chapter 75, Article 2).

D. PESTICIDES

Use of pesticides without the specific authority of the AO is prohibited.

II. WILDLIFE

B. The feeding of wildlife is prohibited and will be subject to non-compliance regulations.

G. With the exception of authorized guide hunting trips, hunting and trapping by permittee's employees, agents, and contractors are prohibited when persons are on "work status." Work status is defined as the period during which an individual is under the control and supervision of an employer. Work status is terminated when the individual's shift ends and he/she returns to a public airport or community (e.g., Fairbanks, Barrow, Nuiqsut, or Deadhorse). Use of permittee facilities, equipment, or transport for personal access or aid in hunting and trapping is prohibited.