



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Joint Pipeline Office
411 West 4th Avenue
Anchorage, Alaska 99501
<http://www.ak.blm.gov>

Documentation of NEPA Adequacy (DNA) and Land Use Plan Conformance

Right-of-Way Modification To Authorize Land Use for The Repair of an Existing Channel Plug Adjacent to Sagavanirktok River

DNA-AK-993-028

A. BLM Office: Joint Pipeline Office (JPO)

BLM Case File No. FF012505

Applicant: Alyeska Pipeline Service Company, P.O. Box 196660, MS 502, Anchorage, Alaska 99519-6660

Proposed Action Summary: Alyeska Pipeline Service Company (Alyeska), as operator of the Trans-Alaska Pipeline System (TAPS) has submitted an application for a modification to the mainline Right-of-Way (ROW) to authorize federal land use outside of the TAPS ROW for the purpose of repairing an existing channel plug near the former Sagwon Airstrip and incorporating this facility into the mainline TAPS ROW.

Purpose and Need of Action: The purpose of this project proposal is to repair an existing and serviceable channel plug adjacent to the Sagavanirktok (Sag) River near PLMP 66.

Location and Legal Land Descriptions of Proposed Action: The location of the proposal is at TAPS PLMP 66 adjacent to the TAPS, near the Sag River within the former Sagwon Airstrip airport lease area. The legal description of the project site is T. 1 S., R. 14 E., Section 15, NE1/4, Umiat Meridian, Alaska. The application area is on land under BLM jurisdiction.

Description/Scope of Work for Proposed Action: This project is in accordance with Alyeska's rivers and floodplains program and maintenance of the TAPS. Alyeska has applied for a modification to the ROW with the Joint Pipeline Office, Bureau of Land Management for a channel plug repair near the Sagwon Airstrip. Alyeska has also applied for a Temporary Water Use Permit for water to be used in constructing an ice road from the TAPS Workpad to the channel plug in order to provide access over the tundra without affecting the surface vegetation.

The channel repair project at PLMP 66 will occur within 1,200 feet of the TAPS right-of-way. The project requires a temporary use area outside of the TAPS right-of-way and consists of three potential access routes from the TAPS ROW. Much of the project will take place in areas previously impacted by TAPS original construction and is not expected to impact soils undisturbed by original construction. A total of about 2,000 feet of ice road will be built over existing vegetation. A work area will then be established along the top of the channel plug.

Access to the site will be via an ice bridge across the Sag River at PLMP 68 and then by three 350' wide access corridors from the pipeline ROW to the channel plug. Breaches in the channel plug will be filled with approximately 2,700 CY of unclassified gravel.

All project activities will be conducted so as to minimize impacts to existing vegetation to prevent thermal degradation. Some disturbance to vegetation will occur on the top of the plug to provide a safe work area for the project.

The project is expected to take 15 days to complete. Equipment to rebuild the channel plug will include rock trucks, bulldozers, loaders, backhoes and generators.

Authorities: The Trans-Alaska Pipeline Authorization Act of 1973 (TAPAA) (43 U.S.C. § 1652) and Section 28 of the Mineral Leasing Act, as amended, 30 U.S.C. § 185; 43 Code of Federal Regulations 2880 Rights-of-Way Under the Mineral Leasing Act; National Environmental Policy Act (NEPA) of 1969; and the Renewal of the Federal Agreement and Grant of Right-of-Way for the Trans-Alaska Pipeline System and Related Facilities.

B. Conformance with Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans

The project activity will occur on federal lands managed by BLM Alaska, which were withdrawn as a utility corridor under Public Land Order 5150, December 31, 1971. The proposed action is in conformance with the applicable land use plans as required by 43 CFR 1610.5, although this project is not specifically addressed, because it is clearly consistent with the objectives, terms and conditions with the following Land Use Plan decisions:

- 1) *BLM Utility Corridor Resource Management Plan (RMP)*, approved January 11, 1991.

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

List by name and date all applicable NEPA documents that cover the proposed action.

- 1) *Final Environmental Impact Statement, Utility Corridor Proposed Resource Management Plan*, U.S. Bureau of Land Management, Arctic District Office, Alaska, September 1989, BLM-AK-PT90-002-1610-060. BLM completed a Final Environmental Impact Statement (FEIS) that identified and analyzed the probable direct, indirect, and cumulative environmental impacts associated with the land use planning process of the Utility Corridor Planning Area that encompasses the Trans-Alaska Pipeline Right-of-Way on federal lands. The proposed plan was designed to provide for multiple use of planning area resources while also providing resource protection. The plan priority was to preserve the Utility Corridor for the transportation of energy minerals. The Utility Corridor was withdrawn by Public Land

Order 5150 December 30, 1971 to protect the route of the Trans-Alaska Pipeline System. The Record of Decision was signed January 11, 1991.

- 2) *Final Environmental Impact Statement, Proposed Trans-Alaska Pipeline*, Prepared by a Special Interagency Task Force for the Federal Task Force on Alaskan Oil Development, U.S. Department of the Interior, 1972. The U.S. Department of Interior completed a Final Environmental Impact Statement (FEIS) that identified and analyzed the probable direct, indirect, and cumulative environmental impacts associated with the construction, operation and maintenance of the Trans-Alaska Pipeline System for the first 30-year term of the Right-of-Way Grant. The Record of Decision stated there were no probable significant adverse environmental impacts from the TAPS Right-of-Way authorization and continued operation and maintenance along TAPS. This was the first comprehensive NEPA analysis document completed for the Trans-Alaska Pipeline System and the first EIS completed after passage of the National Environmental Policy Act in 1969.

List by name and date other documentation relevant to the proposed action.

- 1) The Renewal of the Agreement and Grant of Right-of-Way for the Trans-Alaska Pipeline and Related Facilities, January 2003.

D. NEPA Adequacy Criteria

1. Are the current proposed actions substantially the same actions or part of those actions as previously analyzed?

The proposed actions are part of the actions that were previously analyzed in the *Final Environmental Impact Statement, Renewal of the Federal Grant for the Trans-Alaska Pipeline System Right-of-Way*, U. S. Department of the Interior, Bureau of Land Management Joint Pipeline Office, BLM-AK-PT-03-005-2880-990, November 2002, Section 4.21.2.5.3.

2. Is the range of alternatives analyzed in the existing NEPA documents appropriate with respect to the current proposed actions, given current environmental concerns, interests, resource values, and circumstances?

Yes, the range of alternatives analyzed in the existing NEPA documents is appropriate with respect to the current proposed action. This proposed activity was previously analyzed in the *Final Environmental Impact Statement, Renewal of the Federal Grant for the Trans-Alaska Pipeline System Right-of-Way*, BLM-AK-PT-03-005-2880-990, November 2002, and the first TAPS NEPA analysis, the *Final Environmental Impact Statement, Proposed Trans-Alaska Pipeline 1972*. Both documents analyzed rivers and floodplains activities. No adverse environmental impacts are expected to occur as the result of the proposed action.

3. Is the existing analysis adequate and are the conclusions adequate in light of any new information or circumstances, for example, most recent Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species and most recent BLM lists of sensitive species? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action?

The Record of Decision for the TAPS Renewal FEIS states:

“Pursuant to the Endangered Species Act, the Fish and Wildlife Coordination Act, the Marine Mammal Protection Act and Essential Fish Habitat provision of the Magnuson-Stevens Fishery Conservation and Management Act, the BLM initiated consultation with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Under Section 7 of the Endangered Species Act, the BLM prepared the Biological Evaluation of the Effects of Right-of-Way Renewal for the Trans-Alaska Pipeline System on Threatened and Endangered Species and Designated Critical Habitat (Biological Evaluation), dated June 2002. The Biological Evaluation identified five species of concern within the action area: spectacled eider, Steller’s eider, humpback whale, fin whale, and Steller sea lion. It found there was no designated critical habitat within the action area for the TAPS renewal. The Biological Evaluation concluded that the proposed action was not likely to adversely affect the five species or any critical habitat. The National Marine Fisheries Service and the Fish and Wildlife Service each concurred with BLM’s determination that the proposed action would not adversely affect the species of concern. BLM prepared an Essential Fish Habitat analysis. The National Marine Fisheries Service concurred that the Essential Fish Habitat consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act have been satisfied and further concurred with BLM’s determination that any short-term adverse effects on Essential Fish Habitat can be adequately avoided, minimized and mitigated by the conservation measures associated with the proposed action.”

4. Does the methodology and analytical approach used in the existing NEPA documents continue to be appropriate for the current proposed actions?

The methodology and analytical approaches used in the existing NEPA documents are appropriate for the current proposed action. All of the documents addressed the aspects of the affected environment and environmental consequences for soils, permafrost, sand and gravel; surface water and groundwater resources, air quality, noise, terrestrial vegetation, wetlands and riparian zones; fish, birds, mammals, threatened and endangered species, land use, economy, subsistence, environmental justice, cultural resources, recreational and visual resources, transportation, hazardous materials and waste management, and oil spill contingency plans. The TAPS Renewal EIS of November 2002 systematically addressed cumulative impacts, mitigation and other NEPA considerations. The repair of the existing channel plug is a mitigation measure to protect the environment in event of a TAPS oil spill as caused by a major flood event in the Sag River at this location.

5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA documents? Do the existing NEPA documents sufficiently analyze site-specific impacts related to the current proposed action?

The direct and indirect impacts of the current proposed action do not deviate from the impacts identified in the existing NEPA documents. Site-specific impacts related to the current proposal were sufficiently analyzed in the previous EISs.

6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action are substantially unchanged from those analyzed in the existing NEPA documents?

The cumulative impacts from the proposed action have not changed from the impacts analyzed in the 2002 TAPS FEIS for Right-of-Way Renewal. The FEIS contains an extensive discussion of the cumulative effects of TAPS operations for the 30-year renewal period.

7. Are the public involvement and interagency reviews associated with existing NEPA documents adequate for the current proposed actions?

The public involvement and interagency review associated with the existing NEPA documents are adequate for the current proposed action due to the following:

1) Public Involvement. The TAPS FEIS for Renewal underwent an exhaustive public involvement process. BLM enlisted all interested stakeholders in the renewal process, including government-to-government involvement with Alaska tribes, state and federal agencies that regulate TAPS activities, and special interest groups affected by TAPS activities. The entire renewal process, including all public hearings and meetings received extensive coverage by newspaper, television and radio media.

2) Interagency Review. During the TAPS Renewal EIS process, BLM coordinated closely with the State of Alaska, as well as all JPO State and Federal stakeholder agencies and other Federal land management agencies, including the U.S. Forest Service and the National Park Service. The TAPS FEIS for Renewal contains interagency reviews by the National Marine Fisheries Service and U.S. Fish and Wildlife, Alaska Region, which concurred with the BLM finding that any short-term effects can be adequately avoided, minimized, and mitigated by the conservation measures associated with the proposed action.

E. Interdisciplinary Analysis. Identify those team members consulted or participating in the preparation of this document.

1. N/A

F. OTHER NEPA CONSIDERATIONS

1. Cultural Resources

“According to the Protocol for Managing Cultural Resources on Lands administered by BLM Alaska, between BLM and the State Historic Preservation Officer, signed April 17, 1998, this undertaking is not subject to further Section 106 review (Appendix 2: Category Six). The project will involve excavations within areas previously impacted by construction of the pipeline and are unlikely to contain intact heritage resources. As long as the applicant adheres to the attached stipulations, the applicant may proceed as proposed in the application. However, if heritage or paleontological resources are encountered during implementation of the project, the project will cease and the Northern Field Office cultural resource staff shall be notified.”

2. ANILCA Section 810 Subsistence Evaluation

The TAPS Renewal Record of Decision signed January 8, 2003 contained the following:

BLM determined that the effect of the proposed action on subsistence would not significantly restrict subsistence uses. BLM undertook a series of public hearings to review the effects of the TAPS on subsistence and published a notice in the Federal Register, July 5, 2002, that cumulative impacts may significantly restrict subsistence uses. BLM held public hearings throughout Alaska in Cordova, Valdez, Glennallen, Anchorage, Fairbanks, Minto, and Barrow, between July 26 and August 9, 2002. Based on the hearings and the Section 810 evaluation, BLM concluded:

- 1) TAPS Renewal would not significantly affect the subsistence rights of rural Alaskans. Some small or slight impacts might occur under a renewal for thirty years. The subsistence impacts likely related to the TAPS potentially would be (1) limited reduced access to portions of subsistence use areas and (2) possible disruptions to the movement of game. It is likely that the magnitude of these consequences would be very small, and would not significantly restrict subsistence uses.
- 2) Since the TAPS is constructed and is an operational system, there is no other land available to accomplish the purpose sought to be achieved. The proposed actions will involve the minimal amount of public lands necessary to accomplish the purpose of renewing TAPS.
- 3) There is no other alternative that would reduce or eliminate the use of public lands needed for subsistence purposes and accomplish the public purpose.

3. Mitigation Measures

1. The Right-of-Way Grant shall be subject to the terms, conditions and stipulations of the Agreement and Grant of ROW for the Trans-Alaska Pipeline between the United States of America and Amerada Hess Corporation, et al., dated January 8, 2003, which became effective on January 24, 2004.

PART 1: PLAN CONFORMANCE REVIEW

This proposed action is within the Utility Corridor Resource Management Plan and Final Environmental Impact Statement approved by Record of Decision January 11, 1991. This action has been reviewed for and is in conformance with the Utility Corridor RMP, Appendix N, Lands Program Objective 1, Implementing Action 7(a), found on page N-8: "Approve use authorization applications with emphasis given to previously disturbed sites, including rights-of-way for access roads, pipelines, power lines, utilities, railroads, etc."

Prepared by: Stanley E. Brown Realty Specialist 10-12-06
Signature Title Date

PART 2: NEPA REVIEW AND COMPLIANCE

This proposed action is within the scope of the Final Environmental Impact Statement, (FEIS) Renewal of the Agreement and Grant of Right-of-Way for the TAPS, BLM-AK-PT-03-005-2880-990, approved by Record of Decision January 8, 2003, and therefore does not require the preparation of an EA or an EIS.

Prepared by: Stanley E. Brown Realty Specialist 10-12-06
Signature Title Date

PART 3: DECISION

I have reviewed the proposed action and determined it is in conformance with the approved land use plan and will not have a significant effect on the quality of the human environment. No further environmental analysis is required. It is my decision to implement the proposed action as described based on the review documented above and in accordance with the requirements of the National Environmental Policy Act (NEPA). I conclude that the existing NEPA documentation fully covers the proposed actions and that these proposed actions are within the scope of the Final Environmental Impact Statement, Renewal of the Federal Grant for the Trans-Alaska Pipeline System Right-of-Way, BLM-AK-PT-03-005-2880-990, approved by Record of Decision January 8, 2003.

Wafar Health deputy 13 Oct 2006
Signature Authorized Officer Title Date