United States Department of the Interior

BUREAU OF LAND MANAGEMENT
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Documentation of NEPA Adequacy (DNA) and Land Use Plan Conformance

Right-of-Way Grant to Authorize Land Use for Oil Discharge Prevention and Contingency Plan Containment Sites along the Trans-Alaska Pipeline System from OMS 83-2 southerly to the Hess Creek Area

DNA AK-993-07-002

A. BLM Office: Joint Pipeline Office (JPO) **BLM Case File No.** FF094975

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

Proposed Action Summary: BLM proposes to grant a right-of-way to Alyeska Pipeline Service Company (Alyeska), operator of the Trans-Alaska Pipeline System (TAPS), to authorize long-term land use outside of the TAPS Right-of-Way for the purpose of establishing and maintaining twelve oil discharge prevention and contingency plan containment sites on lands adjacent to water bodies southerly from OMS 83-2 to the Hess Creek area, all on federal lands.

Purpose and Need of Action: The purpose of the proposed action is to authorize land use for Alyeska to establish and maintain oil discharge prevention and contingency plan containment sites on lands adjacent to water bodies along TAPS. The underlying need for the proposed action is BLM's requirement for pipeline operator compliance with the Renewal of the Agreement and Grant of Right-of-Way for the Trans-Alaska Pipeline and Related Facilities, Stipulation 2.14, Contingency Plans, and Stipulation 3.11, Containment of Oil Spills. Alyeska's *Trans-Alaska Pipeline System Pipeline Oil Discharge Prevention and Contingency Plan* (CP-35-1, Ed. 4, Rev. 1, 12/31/03) specifies that Alyeska be prepared for quick response in event of an oil spill from the pipeline system. In accordance with the Renewal of the Agreement and Grant of Right-of-Way for the TAPS and Related Facilities, BLM reviews and approves Alyeska's oil spill contingency plan (C-Plan) on an annual basis. Alyeska's ability to respond in the event of an oil spill is part of the C-Plan review and approval. The oil spill containment sites are an integral part of the C-Plan.

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Location and Legal Land Descriptions of Proposed Action: The 12 oil discharge prevention and contingency plan containment sites areas will be located on lands along the Trans-Alaska Pipeline extending from Operations Material Site (OMS) 83-2 southerly to the Hess Creek Area as they pertain to Federal lands. The sites are located along various tributaries and water bodies that include the Ray River and Yukon River systems. These sites reside within Area 3 of the C-Plan and are on lands under the jurisdiction of the BLM Fairbanks District Office. The location and legal land descriptions of the 12 sites are:

1. 5-15 – Ray River, Approximately 3 miles west of the Yukon River Bridge (PLMP 353) along the Ray River-Fairbanks Meridian, T. 12 N., R. 11 W., Sec. 10, NW1/4NE1/4.

2. 5-16 – N. Fk. Ray River (No Name Creek), Approximately 2 miles west of PLMP 336 on the N. Fk. Ray River just up stream from the junction with the Ray River-Fairbanks Meridian, T. 14 N., R. 13 W., Sec. 24, NW1/4NE1/4.

3. 5-17 - N. Fk. Ray River (No Name Creek),Located just up stream of the Dalton Highway crossing of the N. Fk. Ray River at DHMP 78.7- Fairbanks Meridian, T. 15 N., R. 12 W., Sec. 19, NW1/4NE1/4.

4. 5-18 – Fort Hamlin Hills Creek, Located just up stream of the Dalton Highway crossing of Fort Hamlin Hills Creek at DHMP 72.5- Fairbanks Meridian, T. 14 N., R. 12 W., Sec. 17, SW1/4SE1/4 and Sec. 20, NW1/4NE1/4.

5. 5-19 - N. Fk. Ray River (No Name Creek), Located approximately 1.5 miles west of PLMP 335 along the N. Fk. Ray River- Fairbanks Meridian, T. 14 N., R. 13 W., Sec. 12, NE1/4SW1/4.

6. 5-20 – Fort Hamlin Hills Creek, Located approximately 1.5 miles west of PLMP 336.5 near the mouth of Ft. Hamlin Hills Creek along the Ray River- Fairbanks Meridian, T. 14 N., R 12 W., Sec. 19, NW1/4SE1/4

7. 5-22 – Unnamed Creek No. 6, Located approximately 1.5 miles west of Remote Gate Valve No. 59 found at PLMP 343 along the Ray River- Fairbanks Meridian, T. 13 N., R. 12 W., Sec. 11, SW1/4SW1/4.

8. 5-24 – Unnamed Creek No. 9, Located near the confluence of Unnamed Creek #9 and the Ray River about 2 miles west of the Five Mile construction camp- Fairbanks Meridian, T. 13 N., R. 11 W., Sec. 32, NE1/4NE1/4.

9. 5-25 – Woodchopper Creek, Located along the Dalton Highway at Milepost 58.3 where Woodchopper Creek crosses the Dalton Highway- Fairbanks Meridian, T. 12 N., R. 11 W., Sec. 2, NE1/4NE1/4.

10. 5-26 – Burbot Creek, Located along the Dalton Highway at Milepost 57.3 where Burbot Creek crosses the Dalton Highway- Fairbanks Meridian, T. 12 N., R. 11 W., Sec. 1, SE1/4SE1/4.

11. 6-2 – Isom Creek, Located at the mouth of Isom Creek at its intersection with the Yukon River- Fairbanks Meridian, T. 11 N., R. 11 W., Sec. 26, S1/2SE1/4NW1/4 and N1/2NE1/4SW1/4.

12. 6-11C – Hess Creek, Located about 3 miles up stream of the Yukon River along the north bank of Hess Creek- Fairbanks Meridian, T. 10 N., R 10 W., Sec. 19, NW1/4NE1/4.

Description/Scope of Work for Proposed Action:
The proposed activity will occur in an area previously and extensively modified by human use. The activity will be light surface use and is expected to have minimal impact in the land use area. Stipulation 2.14 of the Renewal of the Agreement and Grant of Right-of-Way for the TAPS requires Alyeska to have a Contingency Plan (C-Plan) that addresses how to proceed in the event of an oil spill. The C-Plan includes detailed information for reconnaissance, response, and containment actions in the event of an oil spill along the pipeline. One aspect of the C-Plan is the designation of containment sites on BLM-managed lands for the placement of emergency oil spill containment equipment. Agency and Alyeska planners worked together to identify approximately 220 containment sites, half of which are on Federal land. Over time, Alyeska's oil spill exercise program expanded and many of the sites were used for training. During the summers of 2004 and 2005, the containment sites were resurveyed and detailed drawings were made for the sites to include staging areas, landing zones, and detailed response strategies for each site. Some sites contain helicopter landing zones, portable anchors, storage Conexes for spill response equipment, and/or culvert staging kits.

For oil spill response, Alyeska divided the pipeline into regions, contingency areas, and segments. These divisions are based on water drainage systems. The region boundaries are major river drainages that TAPS intersects, resulting in five regions. Each region plan is divided into contingency areas. A contingency area generally covers a distinct drainage pattern. The contingency areas are further subdivided into segments for containment actions, access and environmental information. The 12 sites in this Right-of-Way Grant proposal fall within Area 3.

According to the C-Plan, the specific contingency area plans include primary containment sites and containment zones which are designed to minimize damage to sensitive areas. Dependent on the magnitude of the spill and environmental conditions, on-scene initial responders may be required to devise additional containment measures and locations. For example, where feasible, an additional containment site to recover as much oil as possible will be established farther downstream at the leading edge of the spill.

Approximately every three years, or on an as-needed basis, the containment sites are brushed according to the Typical Containment Site Standby Grooming Plan to ensure quick access in the event of a spill. The grooming activities are performed with hand tools and do not disturb the soil cover or root systems of plants. No gravel or other imported material is placed on the sites.

The grooming involves a small number of people and a limited amount of time – only enough to touch up the brushing and ensure access still exists.

Alyeska holds oil spill drills every three to five years. The drills take place at the containment sites, depending on the location of the drill. During a drill, a large number of people are deployed to the site ranging from a few hours to several days. In the event of an oil spill, a containment site may be occupied by twenty people for several months, depending on progress in containing the oil and cleanup after the spill.

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 Agreement and Grant of Right-of-Way for the TAPS and Related Facilities; 40 CFR 112, "Oil Pollution Prevention."

B. Conformance with the 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 28, 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. The *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, 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. The BLM completed a Final Environmental Impact Statement (FEIS) that identified and analyzed the probable direct, indirect, and cumulative environmental impacts associated with renewal of the TAPS Right-of-Way. The FEIS and 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 for an additional 30 years.

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.

3) Programmatic Environmental Assessment for TAPS Pipeline Maintenance Activities, EA No. AK-993-04-001, March 26, 2004. This EA analyzed impacts of Alyeska's routine maintenance and protection of the TAPS, including the location and maintenance of oil spill contingency plan sites, and updated a Programmatic EA No. 96-002, completed January 4, 1996. The Finding of No Significant Impact (FONSI) found that no significant environmental impact resulted from the location, maintenance, and access to oil spill contingency plan containment sites along the Trans-Alaska Pipeline System.

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

1. *The Trans-Alaska Pipeline System Pipeline Oil Discharge Prevention and Contingency Plan*, CP-35-1, Ed. 4, Rev. 3, December 5, 2005.
2. The Renewal of the Agreement and Grant of Right-of-Way for the Trans-Alaska Pipeline and Related Facilities, January 8, 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 3.1-14, Oil Spill Emergency Response. The FEIS states:

> "The TAPS is required to comply with the TAPS Oil Discharge Prevention and Contingency Plan (CP-35-1) approved every three years by multiple federal and state agencies. The plan covers the following: (1) equipment and resources and field training for spill responders; (2) electronic leak detection capabilities; (3) improved leak detection and leak prevention alarm systems for pump station tanks*; (4) more than 220 sites along the pipeline ROW designated as oil spill equipment staging and deployment areas*, and dedicated oil spill contingency plan buildings and equipment at each pump station; (5) mutual aid agreements with villages near the pipeline to use residents and equipment in the event of a spill; (6) 12 spill scenarios covering a variety of terrain, oil products, spill volumes, and seasonal conditions; and (7) aerial photographs of the pipeline to aid in spill response planning."

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 oil spill response activities and environmental concerns about oil spill response preparedness. The C-Plan requires Alyeska to conduct oil spill drill and exercise activities to be prepared in the event of an oil spill from TAPS. No adverse environmental impacts are expected to occur as the result of conducting drills for emergency oil spill response exercises. No surface disturbance will occur. Alternative No. 12 of the FEIS discussed oil spill response capabilities.

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 oil spill response practice drills and exercises are a mitigation measure to protect the environment in event of a TAPS oil spill.

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. Patricia Perry, Realty Specialist, BLM
2. Lois Simenson, Realty Specialist, BLM
3. Stan Bronczyk, Realty Specialist, BLM
4. Rebecca Lewis, Environmental Specialist, Alaska Department of Environmental Conservation
5. Mike Wrabetz, Environmental Protection Specialist, BLM
6. Bonnie Friedman, Oil Spill Response and Prevention, BLM Contractor
7. Howard Smith, Archaeologist, BLM Fairbanks District Office (FDO)
8. William H. Hedman, Archaeologist, BLM FDO, Central Yukon Field Office

F. OTHER NEPA CONSIDERATIONS

1. Cultural Resources

The Assessment of Archaeological and Historic Resources, Fairbanks District Office report, dated September 14, 2006, prepared by the district office archaeologist, organized the various containment sites into four groups and provided recommendations for each group. The recommendations for all groups assume an archaeologist will be present in the event of an oil spill and that additional efforts may be necessary at that time to avoid or mitigate impacts to cultural resources.

The first group consists of containment sites located adjacent to the highway or pipeline where it is logical to assume past archaeological survey for pipeline construction would have discovered any historic or prehistoric sites. Also included are containment sites in the vicinity of the Ray River and the Yukon River Drainages where extensive archaeological inventory has been completed. The following sites are included in this group and require no additional inventory: 5-17, 5-18, 5-25, and 5-26.

The second group consists of containment sites for which on-the-ground inventory is not recommended based on examination of high-level and low-level aerial photographs, as well as photographs taken at ground surface. The following containment sites are included in this group and require no additional inventory:, 5-15, 5-16, 5-19, 5-20, 5-22, 5-24, and 6-11C.

The third group consists of a containment site for which additional inventory is recommended due to the potential of conflict with cultural resources. The following containment site is included in this group: 6-2. After further consultation with a second Fairbanks District Office archaeologist, additional stipulations were agreed to which state that the containment sites in question will undergo field inventory in 2007. Until the field inventories are completed, no surface-disturbing activity will take place on this site.

2. ANILCA Section 810 Subsistence Evaluation

The TAPS Renewal Record of Decision signed January 8, 2003 contained the following conclusion: 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 activities 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 action 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.

Environmental Impacts – The January 2003 Record of Decision for TAPS Renewal authorized renewal of the right-of-way under the administration of the Department of the Interior with the understanding that the monitoring and mitigation that is currently required and operative shall be followed as directed by the Authorized Officer. Mitigation measures include those covered by technical, environmental, and general stipulations of the Federal Agreement and Grant of Right-of-Way. The FEIS stated:

> *"The unavoidable adverse impacts under the renewal of the Grant for another 30 years are small and may be mitigated or offset by the positive aspects of the actions. There would be continued localized impacts to the environment as a result of operation, construction, and maintenance activities, such as soil and vegetation disturbances, the use of surface and groundwater resources, and air emissions. However, such impacts are readily mitigated through measures already in place."*

3. Mitigation Measures

1. The Right-of-Way Grant shall be subject to the terms, conditions and stipulations of the Renewal of the Agreement and Grant of Right-of-Way for the Trans-Alaska Pipeline and Related Facilities between the United States of America and Amerada Hess Corporation, et al., dated January 8, 2003, which became effective on January 24, 2004. It shall be provided, however, that in the event of a conflict, either express or implied, between any provisions of

the Federal Agreement for TAPS and any provision of this ROW Grant, such conflict shall be resolved in favor of this ROW Grant.

2. No surface-disturbing activity will take place at containment site 6-2 prior to archaeological field inventory, which we expect to be completed by mid-summer 2007.
3. Upon expiration or termination of use, the land area shall be restored to the satisfaction of the Authorized Officer and in accordance with 43 CFR 2885.11(b) Terms and Conditions of Use.
4. Primary access shall be limited to the work pad and existing roads, unless specifically authorized in writing.
5. The Grant area limits shall be staked prior to commencement of any Conex placement activities.
6. If the natural vegetation is disturbed as a result of the permittee's activities, the disturbed areas shall be returned to their original or normal physical condition and natural productivity and diversity with re-establishment of native plant species, as soon as practicable, to the satisfaction of the Authorized Officer, as stated in writing.
7. Land use activity, including any construction, shall be conducted to minimize disturbance to existing vegetation.
8. Fuel storage is not allowed within the Grant area.
9. Temporary trash storage is not allowed in the Grant area. Waste materials will be removed from the Grant area to appropriate facilities on a regular basis.
10. The Authorized Officer may require that his authorized representative be onsite during operations conducted under this Grant.
11. The permittee shall inform and ensure compliance with these stipulations by its agents, employees, and contractors (including subcontractors at any level).
12. This Grant applies to lands under jurisdiction of the Bureau of Land Management.
13. There shall be no damage to or disturbance of any archaeological or historical sites and artifacts, including prehistoric stone tools and sites, historic log cabins, remnants of such structures, refuse dumps, and graves, and no collection of any artifacts whatsoever. In addition, collection of vertebrate fossils, including mammoths and mastodon bones, tusks, etc., is strictly prohibited. If historic or archaeological resources are encountered, the procedures as outlined in the *Programmatic Agreement Regarding Consideration and Management of Historic Properties Affected by Operations and Maintenance Activities Along the Trans-Alaska Pipeline System*, dated September 2005, will be followed.

PART 1: PLAN CONFORMANCE REVIEW

This proposed action is in conformance with the *BLM Utility Corridor Resource Management Plan* (RMP), approved January 11, 1991.

Prepared by: Stanley R Sumyk — Realty Specialist — 3-8-07

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 R Sumyk — Realty Specialist — 3-8-07

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.

Signature — Authorized Officer — 4-4-07

Title — Date