United States Department of the Interior

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

TAKE PRIDE IN AMERICA

Determination of NEPA Adequacy (DNA)

Temporary Use Permit to Authorize Land Use for Integrity Investigation of the Trans-Alaska Pipeline at Milepost 121.29

DOI-BLM-AK-9940-2010-0006-DNA

BLM Office: Office of Pipeline Monitoring

Tracking Number: DOI-BLM-AK-9940-2010-0006-DNA

BLM Case File No. FF 95661

Proposed Action Title: Temporary Use Permit to Authorize Land Use for Integrity Investigation of the Trans-Alaska Pipeline at Milepost 121.29.

Location and Legal Land Descriptions of Proposed Action: The site is located along the Trans-Alaska Pipeline System (TAPS) at pipeline milepost (PLMP) 121.29 in T. 9 S., R. 12 E., Sec. 12 Umiat Meridian, Alaska.

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

A. Description of the Proposed Action and any applicable mitigation measures:
BLM proposes to issue a Temporary Use Permit (TUP) to allow the use of land along the TAPS to complete an integrity investigation of approximately 2.9 acres of the buried 48" pipeline at PLMP 121.29.

Activities will include excavation around and fully expose the buried pipeline, buried at a below-ground animal crossing of the Trans-Alaska Pipeline to conduct a comprehensive integrity assessment of the entire circumference of this section of the pipeline.
ice road and pad construction, temporary dewatering, water quality monitoring, and other short-term, non-intrusive activities related to the excavation. Off-Right-of-Way access to the site will be via foot, passenger vehicles, and small, rubber-tired or tracked equipment and include the placement of hoses and other small portable equipment.

Mitigation Measures:

1. The Temporary Use Permit (TUP) shall be subject to the terms, conditions and stipulations of the Agreement and Grant of Right-of-Way 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. It shall be provided, however, that in the event of a conflict, either express or implied, between any provisions of the Agreement and any provision of the TUP, such conflict shall be resolved in favor of this TUP.

2. Primary access shall be limited to the work pad and existing roads, unless specifically authorized in writing.

3. The TUP area limits shall be staked prior to commencement of surface disturbing activities.

4. The TUP area shall be restored according to the satisfaction of the Authorized Officer, as stated in writing.

5. Construction activities shall be conducted to minimize disturbance to existing vegetation.

6. Fuel storage is not allowed within the TUP area.

7. Temporary trash storage is not allowed in the TUP area. Waste materials will be removed from the TUP area to appropriate facilities on a regular basis.

8. The Authorized Officer may require that his authorized representative be on site during operations conducted under this TUP. The TUP holder will notify the Supervisory Program Administrator of the Valdez Field Station at 907-787-6701 during regular business hours at least 48 hours before beginning work on the project.

9. Alyeska shall inform and ensure compliance with these stipulations by its agents, employees, and contractors (including subcontractors at any level).

10. This TUP applies to lands under jurisdiction of the Bureau of Land Management.

11. If excavation dewatering is required, such activities shall prohibit permanent changes to natural drainage systems, avoid pollution or sedimentation of waters used by fish, and the site shall be restored to pre-project conditions.

12. There shall be no disturbance of any archaeological or historical sites, including graves and remains of cabins, and no collection of any artifacts whatsoever. Also, collection of vertebrate fossils, including mammoths and mastodon bones, tusks, etc. is strictly prohibited. If historic resources are encountered then all artifacts will be respectfully left in place and the AO, the BLM Fairbanks Central Yukon Field Office cultural resource staff , and the SHPO will be immediately notified.

13. Any tundra travel off of established roads will require a minimum of 12 inches of frozen ground and the average snow cover is a depth of 6 inches. To prevent surface disturbance, tracked vehicles shall not execute tight turns by locking one track. All turns must be made using a wide radius. Any visible damage to vegetation or if imprints on the traversed area are found, the permittee must call the Supervisory Program Administrator of the OPM Fairbanks Field Office at (907) 474-2383.

B. Land Use Plan (LUP) Conformance

Utility Corridor Resource Management Plan, U.S. Department of the Interior, Bureau of Land Management, January 1991.

1. The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

Issuance of rights-of-way for oil and natural gas pipelines and related facilities are dealt with specifically on page 2-24 of the Utility Corridor RMP, "FLPMA leases on federal lands would be considered where environmentally feasible and compatible with management objectives" and on page 2-23 the issuance of rights-of-way for oil and natural gas pipelines and related facilities is referred to under the heading Rights-of-Way.

2. The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

N/A

C. Identify applicable NEPA documents and other related 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.*

In 2002, the U.S. Department of Interior, Bureau of Land Management (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. The FEIS also stated that excavations of buried pipe would result in reductions and prevention of corrosion to the mainline pipe, and that an estimated 15 digs would occur each year, potentially increasing to 20 per year by 2034.

2. *Programmatic Environmental Assessment for TAPS Mainline Activities, U.S. Department of the Interior, BLM Joint Pipeline Office - AK-993-04-001, March 23, 2004.*

An environmental assessment was completed to analyze and document activities that are frequently and routinely proposed by Alyeska to repair, protect, or inspect TAPS along the entire pipeline system. These activities are routine in nature, and do not typically pose impacts that

require specific environmental assessment documentation. The EA resulted in a Finding of No Significant Impact (FONSI) that concluded an environmental impact statement was not required and the impact to the physical environment was not expected to be significant. The FONSI stated that routine pipeline maintenance activities that occurred within the existing right-of-way that require additional workspace off the right-of-way, but within the original temporary construction zone of the pipeline would not present an adverse environmental impact. This includes temporary activities to protect pipeline integrity, such as excavations for investigation and repair. The proposed action was not expected to result in undue or unnecessary environmental degradation and would not restrict subsistence activity or resources. The environment would benefit by protecting the integrity and safety of the existing pipeline system and related facilities from corrosion and potential erosive forces.

3. *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.*
In 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.

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA documents? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA documents? If there are differences, can you explain why they are not substantial?

The proposed action is essentially similar to or the same action 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.* All documents concluded no long term adverse environmental impacts would be expected to occur as the result of the proposed project. The TAPS Renewal EIS of November 2002 stated that excavations of buried pipe would result in reductions and prevention of corrosion to the mainline pipe, and that an estimated 15 digs would occur each year, potentially increasing to 20 by the end of 2034.

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

The range of alternatives is appropriate with respect to the current proposed action in all of the previously prepared NEPA documents listed above. The TAPS Renewal EIS resulted in a Record of Decision signed January 8, 2003 that stated the FEIS fully analyzed three alternative actions and that BLM also considered additional alternatives set forth in the EIS. The ROD authorized the renewal of the federal TAPS right-of-way for another 30 years, and the FEIS specified that excavations of pipe for corrosion investigations would also continue for this duration.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, and updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new 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. "*

Two species were listed as threatened after the referenced NEPA documents were published. In August 2005, the southwest Alaska distinct population segments (DPS) of the northern sea otter, Enhydra lutris kenyoni, and in May 2008, the polar bear, ursus maritimus, were listed as a threatened species by the U.S. Fish and Wildlife Service. Critical habitat has not been designated for either species. Habitat for the Alaska DPS of the northern sea otter is Aleutian Islands, Alaska Peninsula, and Kodiak Island. Habitat for the polar bear is on polar ice and in coastal areas along the northern and northwestern coasts of Alaska. The proposed action is outside the habitat areas for both species, so will not adversely affect either species.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA documents?

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 EIS's.

5. 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:

a. 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.

b. 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.

E. Persons/Agencies/BLM Staff Consulted

1. Diann Rasmussen, Realty Specialist, BLM Office of Pipeline Monitoring
2. Casey Reeves, Realty Specialist, BLM Office of Pipeline Monitoring
3. Interdisciplinary Team, Yukon Field Office, Fairbanks, AK
4. Janine Schneider, Preparer, Realty Specialist, BLM Office of Pipeline Monitoring

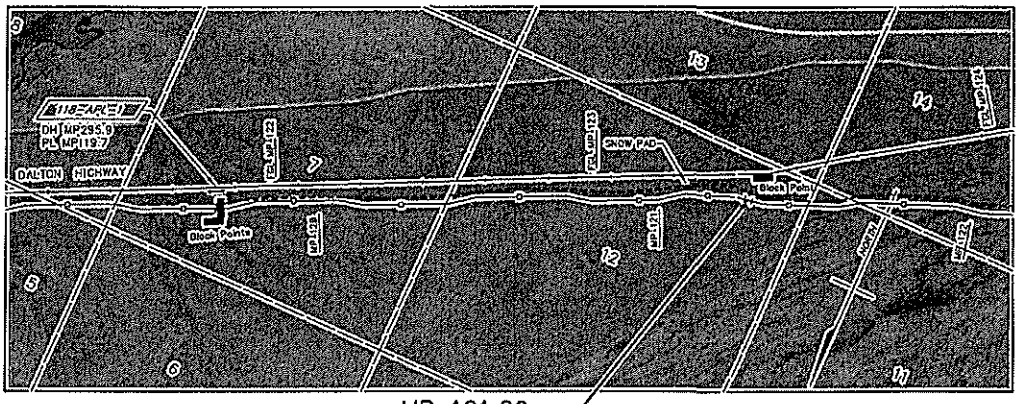
Note: Refer to the EA/EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

CONCLUSION

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

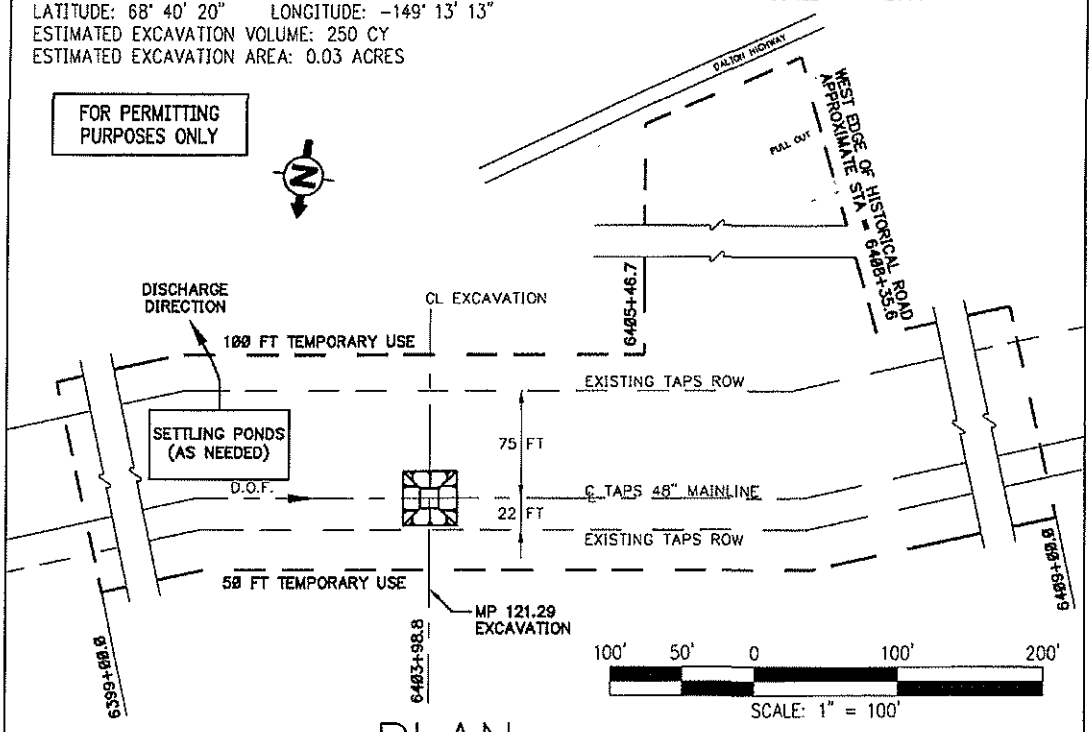
Signature	Realty Specialist, BLM Title	2/9/10 Date
Signature	Authorized Officer, BLM Title	2-11-10 Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.



G100 ALIGNMENT SHEET 22 & 23
LAND OWNER: USA
MERIDAN: UMIAT TOWNSHIP: T9S R12E, SECTION: 12
LATITUDE: 68° 40' 20" LONGITUDE: -149° 13' 13"
ESTIMATED EXCAVATION VOLUME: 250 CY
ESTIMATED EXCAVATION AREA: 0.03 ACRES

FOR PERMITTING PURPOSES ONLY



PLAN

X510 – 2010 MAINLINE INTEGRITY INVESTIGATIONS MP 121.29 PERMIT INFORMATION				ALYESKA PIPELINE SERVICE CO.	
				TRANS ALASKA PIPELINE SYSTEM	
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DATE: 01-14-10
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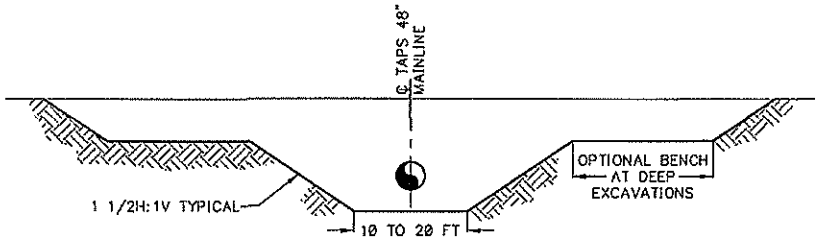
FILENAME: PER12129_R1



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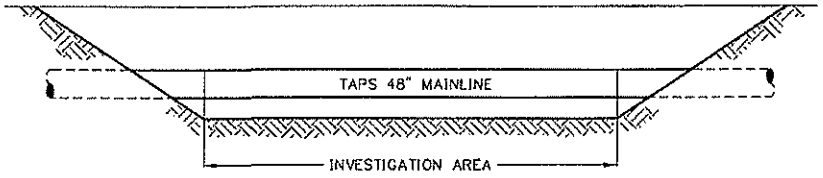
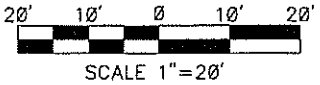


PROFILE



SCALE 1"=20'

X510 – 2010 MAINLINE INTEGRITY INVESTIGATIONS TYPICAL EXCAVATION				ALYESKA PIPELINE SERVICE CO.	
				TRANS ALASKA PIPELINE SYSTEM	
				DATE: 11-30-09	A-00-X510-C2
REV. 0	DWN. GSH	CKD. PWK	APPR. JAN	SCALE: 1"=20'	SHEET --- OF ---

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DATE: 11-30-09
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