

# **Decision Record - Memorandum**

**Prepared by**  
**U.S. Department of the Interior**  
**Bureau of Land Management**

,

This page intentionally  
left blank

# Table of Contents

<b>1. Jason Wallace, dba — Rugged Rock Guide Service .....</b>	<b>1</b>
1.1. Compliance .....	1
1.2. Selected Action .....	1
1.3. Compliance with NEPA: .....	1
1.4. Public Involvement: .....	1
1.5. Rationale: .....	1
1.6. Appeal or Protest Opportunities: .....	2
1.7. Authorizing Official: .....	2
1.8. Contact Person .....	3
<b>Appendix A. Essential Fish Habitat Assessment .....</b>	<b>5</b>
<b>Appendix B. Wilderness Characteristics Assessment .....</b>	<b>7</b>
<b>Appendix C. Compliance with ANILCA Section 810 .....</b>	<b>9</b>

This page intentionally  
left blank

# **Chapter 1. Jason Wallace, dba — Rugged Rock Guide Service**

This page intentionally  
left blank

## 1.1. Compliance

Subject lands are covered under the Utility Corridor Resource Management Plan, which was approved on January 11, 1991; the action has been reviewed for and is in conformance with Chapter Two of the Plan (pages 2-26 and 2-27) and also implementing action #1 under Recreation Program Objective 2 found in Appendix N (page N-19) which states “Process Special Recreational Permit applications for all commercial and competitive events on a case-by-case basis;” and the Recreation Area Management Plan for the Dalton Highway which was approved on October 11, 1991.

## 1.2. Selected Action

It is my decision to approve a 2930 Special Recreation Permit for the use of BLM lands in Guide Use Area 25-03 for Jason Wallace, dba — Rugged Rock Guide Service for commercial hunting activities on BLM lands in the Dalton Highway Corridor Management Area from January 1, 2013 through December 31, 2017. Activities will include use of BLM lands for big games hunting of Dall Sheep, Grizzly Bear, and Caribou for up to four clients per year on 1:1 hunts.

Authorizing this Proposed Action will facilitate an acceptable and permitted practice by the BLM and is compatible with the Utility Corridor Resource Management Plan, and is an action that can be categorically excluded. The Proposed Action does not trigger any of the Extraordinary Circumstances found in 43 CFR 46.21 516 DM Chapter 2, Appendix 2. In addition, the decision to process this application as a Categorical Exclusion falls within the guidance provided in Appendix 4 NEPA Handbook Appendix 4, 516 DM 11.9 (H) 1, as described above in ‘Compliance with NEPA.

## 1.3. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with the NEPA Handbook Appendix 4, 516 DM 11.9 (H), which states, “Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan.”

The proposed action must be screened against the extraordinary circumstances found in 43 CFR 46.215 and listed below. Any “yes” finding requires that an Environmental Assessment or Environmental Impact Statement be prepared for the Proposed Action.

## 1.4. Public Involvement:

Due to the location of this operation, local community members have not voiced any concerns over this type of activity.

## 1.5. Rationale:

1. Authorizing the permit is specifically provided for in the Utility Corridor Resource Management Plan.

2. The action is categorically excluded and does not trigger any of the extraordinary circumstances found in CFR 46.215.
3. There will be no restriction to subsistence use (See attached ANILCA 810 documentation).
4. There will be no adverse impacts to cultural resources (See attached Assessment of Archaeological and Historic Resources Sec. 106 documentation).
5. There will be no impact on Essential Fish Habitat (see attached EFH determination).

The proposed action must be screened against the extraordinary circumstances found in 43 CFR 46.215 and listed below. Any “yes” finding requires that an Environmental Assessment or Environmental Impact Statement be prepared for the Proposed Action.

## **1.6. Appeal or Protest Opportunities:**

If you choose to protest this decision you must do so within 15 days of the receipt of permit determination. The protest must be filed with and received by the CYFO Field Manager within the allotted time. The protest must present any evidence that would show the decision is in error and should be vacated or modified. Within 15 days of receipt of a timely protest the Field Manager will review any evidence provided by you and forward a recommended final decision to the Fairbanks District Manager. The decision of the District Manager will be the final BLM decision, and may be appealed to the Interior Board of Land Appeals.

## **1.7. Authorizing Official:**

This decision may be appealed to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with 43 CFR Part 4 and DOI Form 1842-1. The notice of appeal must be filed in the Bureau of Land Management Central Yukon Field Office within 30 days from receipt of this decision.

---

/s/ Tim Hammond for  
Nichelle W. Jacobson  
Manager, Central Yukon Field Office

Date 7/11/13

## **1.8. Contact Person**

For additional information concerning this Finding, contact.

Kelly Egger, Natural Resource Specialist  
Central Yukon Field Office  
1150 University Ave.  
Fairbanks, AK 99703  
907-474-2242; kegger@blm.gov

This page intentionally  
left blank

# **Appendix A. Essential Fish Habitat Assessment**

NEPA Document No.: DOI-BLM-AK-F030-2013-0035-CX Prepared by: David Esse Date: 5/28/13 Essential Fish Habitat (EFH) Finding: There are no anadromous fish present in the proposed project area (ADF 2013). Therefore, the proposed action cannot have an adverse effect on EFH. The proposed action is assigned the EFH determination: No effect. EFH consultation with NMFS is not required. References: Alaska Department of Fish and Game. 2013. Fish distribution database. Internet website at: <http://www.sf.adfg.state.ak.us>.

This page intentionally  
left blank

# Appendix B. Wilderness Characteristics Assessment

**NEPA Document No.:** DOI-BLM-AK-F030-2013-0035-CX

**Case File/Serial No.:** FF093895

**Applicant(s):** Jason Wallace, dba-Rugged Rock Guide Service

**Location:** Dalton Highway. BLM lands within Game Management Unit 25-03

## **Proposed Action:**

This is a renewal of this commercial hunting guide permit operating on BLM lands in Guide Use Area 25-03 in the Your Creek drainage. The applicant has a base camp on State of Alaska lands and accesses the area by float plane. Hunts are 9-12 days and are 1:1 hunts with up to four hunters per year.

## **Evaluation:**

The basis for this evaluation is BLM Manual 6310-Conducting Wilderness Characteristics Inventory on BLM Lands, and BLM Manual 6320 - Considering Lands with Wilderness Characteristics in the BLM Land Use Planning Process, which direct offices to conduct and maintain inventories regarding the presence or absence of wilderness characteristics, and to consider identified lands with wilderness characteristics in land use plans and when analyzing projects under the National Environmental Policy Act (NEPA).

The location for the proposed action is an area not yet inventoried for wilderness characteristics. However, the BLM has determined that, if a project or activity does not negatively affect wilderness characteristics, the permitting process may proceed as usual, regardless of whether an inventory of wilderness characteristics has been completed (Chris Barns, 2012).

## **FINDING:**

The proposed activities in this area do not significantly impair the size or naturalness of this area, or the opportunities for solitude and recreation of a primitive and unconfined nature. BLM Manual 6310 includes hunting, hiking, and backpacking as examples of primitive and unconfined recreation. The stipulations attached to this permit will further minimize the effects of human activities.

The proposed action will not impair existing wilderness characteristics.

## **Type of Assessment/Sources:**

- Chris Barns, BLM Representative, Arthur Carhart National Wilderness Training Center, 9 September 2012. "Wilderness Characteristics Guidance for the BLM. Training Module IIID – LWCs and Proposed Projects.

- maps, GIS data, Google Earth images

**Prepared by:** Lisa Shon Jodwalis, Park Ranger-Interpretation

**Date:** 31 May 2013

# Appendix C. Compliance with ANILCA Section 810

**NEPA Document No.:**

**Applicant(s):** Jason Wallace, dba — Rugged Rock Guide Service

**Case File/Serial No.:** FF093895

**Proposed Action:** This is a renewal of this commercial hunting guide permit operating on BLM lands in Guide Use Area 25-03 in the Your Creek drainage. The applicant has a base camp on State of Alaska lands and accesses the area by float plane. Hunts are 9-12 days and are 1:1 hunts with up to four hunters per year.

**Location:** Dalton Highway. BLM lands within Guide Use Area 25–03

**Township/Range:**

**Evaluation by:** Jennifer McMillan and David Esse

**Date:** 6/13/13

**Type of Assessment/Sources:**

## Effect of the proposal on subsistence uses and needs

Fisheries: The proposed action would not alter the distribution, migration or location of harvestable fisheries resources. The proposed action will not create any legal or physical barriers that would limit access by subsistence users of the fisheries resource.

Wildlife: Participants will practice localized avoidance of large game, except for the purposes of hunting activity related to the harvest of game as designated in this proposed action. Small game species and birds would not be significantly affected by the proposed action. Participants are advised to avoid harassing birds, particularly during the breeding season, during the conduct of the proposed actions. Therefore, the activities will not significantly affect subsistence uses and needs.

Other resources:

The proposed action would not appreciably impact any other harvestable resources such as wood, water, berries or vegetation.

## Expected reduction, if any, in the availability of resources due to alteration in resource distribution, migration, or location:

The proposed action will not significantly alter the distribution, migration or location of harvestable wildlife resources, nor would it create any legal or physical barriers that would limit subsistence harvest and access. The area is open for both sport and subsistence harvest, as regulated by the State of Alaska and the BLM. If any restrictions are placed on harvest of wildlife resources for the management of game populations, subsistence is given preference over sport harvest.

**Expected limitation, if any, in the access of subsistence users resulting from the proposal:**

None. Access to resources by subsistence users will not be limited by the proposed action.

**Availability of other lands, if any, for the purpose sought to be achieved:**

The proposed action is for the permittee to obtain a SRP in the Squirrel River SRMA, therefore, no other lands are appropriate.

**Other alternatives, if any, which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes:**

There is no substantial evidence that would indicate a significant impact as a result of the proposed action. No other alternatives were evaluated.

**Findings:**

This proposed action will not significantly restrict subsistence uses. No reasonably foreseeable and significant decrease in the abundance of harvestable resources or in the distribution of harvestable resources, and no reasonably foreseeable limitations on harvester access will result from the proposed action.

**References**

-