

Decision Record - Memorandum

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

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Chapter 1. Dan Suprak, dba — Three Bears Outfitters

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1.1. Compliance

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’

1.2. Selected Action

It is my decision to approve the permitting of Three Bears Outfitters request for conducting commercial hunting and guiding operations on BLM lands in the Selawik Hills, Upper Kauk and Mangoak rivers. The approved dates of operation are August 30 through September 20, 2013 — 2015.

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) 1, which states, “Issuance of 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.”

1.4. Public Involvement:

No public comment was received on this application.

1.5. Rationale:

1. Authorizing the permit is specifically provided for in the Kobuk/Seward Peninsula 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).

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 BLM's 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:

/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 99709
907/474-2242 email: kegger@blm.gov

Appendix A. Essential Fish Habitat Assessment

NEPA Document No.: DOI-BLM-AK-F030-2013-042-CX

Prepared by: David Esse

Date: 6/26/13

Essential Fish Habitat (EFH) Finding: No anadromous species are present in the Kauk or Mangoak Rivers within the project area (ADF&G 2013). Thus the proposed action will not have an adverse effect on EFH. Therefore, 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>.

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Appendix B. Wilderness Characteristics Assessment

NEPA Document No.: DOI-BLM-AK-F030-2013-0042-CX

Case File/Serial No.: FF096553

Applicant(s): Dan Suprak, dba Three Bears Outfitters

Location: BLM lands north of the Selawik Hills on the Upper Kauk and Mangoak Rivers, drainages, and uplands.

Prepared by: Lisa Shon Jodwalis

Date: June 14, 2013

Proposed Action

The applicant has applied to use BLM lands for commercial purposes in support of his hunting and outfitting business. Operation would be for hunts up to 10 days for two clients in pursuit of grizzly/black bears and moose.

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).

An inventory of lands with wilderness characteristics was completed for this area and found wilderness characteristics (Area Unique Identifier CYFO-Baldwin Peninsula-001). Because the entire region is extremely vast and remote, there are outstanding opportunities for solitude and primitive recreation such as hunting.

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, backpacking, and river-running 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."

Bureau of Land Management, 2007. Kobuk-Seward Peninsula Proposed Resource Management Plan and Final Environmental Impact Statement, Volume 1.

Maps: USGS Selawik, AK quadrangle

GIS layers with land status, acreage, townships, and HUCs identified

Appendix C. 810 Analysis

NEPA Document No.: DOI-BLM-AK-F030-0042-CX

Applicant(s): Dan Suprak, dba Three Bears Outfitters

Case File/Serial No.: FF096553

Proposed Action: The applicant has applied to use BLM lands for commercial purposes in support of his hunting and outfitting business. Operation would be for hunts up to 10 days for two clients in pursuit of grizzly/black bears and moose. The proposed action is for the Central Yukon Field Office of the Bureau of Land Management (BLM) to issue a new special recreation permit to a commercial hunting guide and outfitter doing business on BLM -managed lands in Game Management Unit 23, Guide Use Area 23-05.

Location:BLM lands north of the Selawik Hills on the Upper Kauk and Mangoak Rivers, drainages, and uplands.

Evaluation by: Jennifer McMillan and David Esse

Date: 6/26/13

Type of Assessment/Sources:

Effect of the proposal on subsistence uses and needs

Fisheries: The Kauk and Mangoak rivers do not have anadromous subsistence fish species present (ADF&G 2013). The proposed action will not affect the populations of resident fish within the project area. 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: Local residents of Selawik and Buckland, as well as surrounding villages, hunt moose in the Kauk and Mangoak River areas. Moose density is low in the greater Selawik drainage, estimated to be .32 moose/mi² in 2007 (Westing 2010). The calf:adult ratio at this time was estimated to be 18 calves per 100 adults in 2008 (Westing 2010).

Sport harvest, is not considered a significant factor limiting the moose population. Moose hunting for non-residents in Guide Use Area 23-05 is limited by guidelines presented in Moose Drawing Permit Hunts DM875 and DM885. Twelve guided non-residents are allowed to take a single bull (with >50 inch rack) between September 1-20; an additional 12 non-guided non-residents are also allowed take of a single bull during this time. Residents may harvest one bull (with >50 inch antlers) between September 1-20.

Since 1992, 3 types of brown bear hunts have existed in Unit 23: 1) two nonresident drawing permit hunts (DB78 fall; DB791 spring); 2) a general season hunt for resident hunters; and 3) RB700 a subsistence registration permit hunt for resident hunters. Since the early 1990s, brown bear hunting regulations have been incrementally liberalized in Unit 23 to increase hunting opportunity and reduce predation on moose. Brown bear populations are considered stable in the region (Westing 2011).

Based on current known population estimates and harvest data, it is not likely that populations of important subsistence species, such as caribou and moose, will be reduced as a result of hunters brought into the area.

The proposed action will not 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.

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:

None

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

None

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

The proposed action is for the guide/outfitter to obtain a SRP in the Guide Use Area 23–05, 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

Alaska Department of Fish and Game (ADF&G). 2013. Fish distribution database. Internet website at: <http://www.sf.adfg.state.ak.us>.

Westing, C. 2010. Unit 23 moose management report. Pages 551–571 in P. Harper, editor. Moose management report of survey and inventory activities 1 July 2007–30 June 2009. Alaska Department of Fish and Game. Project 1.0. Juneau, Alaska.

Westing, C. 2011. Unit 23 brown bear management report. Pages 280–298 in P. Harper, editor. Brown bear management report of survey and inventory activities 1 July 2008–30 June 2010. Alaska Department of Fish and Game. Juneau, Alaska.