

**Decision for Categorical Exclusion
DOI-BLM-AK-02000-2013-0023-CX
Long Term Campsite SF 13.4L**

Decision

It is my decision to approve the new Long-Term Campsites, subject to existing Terms and Stipulations in the Environmental Assessment, EA No. AK-080-88-010, (see exhibit G) and the attached Special Stipulations (See Exhibits E)

The minimum rental established by Instructional Memorandum AK 2005-028 should be applied. Therefore rent for this proposed activity shall be \$250.

Rationale

1. This action implements Action 6.1 of the Fortymile River Management Plan.
2. Authorizing Long-Term Campsites to suction dredge miners within the river corridor reduces the impacts by having the miners camp above the ordinary high water mark, out of sight to other river users.
3. There are no anticipated impacts to cultural resources.
4. The Proposed Action will not significantly restrict subsistence uses.
5. The proposed action would not impact salmon or habitat known to support salmon and therefore, the proposed action was assigned the EFH determination: *No effect*, and no further EFH consultation is required.

Appeal Procedures

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 Eastern Interior Field Office (at the above address) within 30 days from receipt of this decision.

/s/ Lenore Heppler
Lenore Heppler, Manager
Eastern Interior Field Office

8/24/2013
Date

Contact Person

For additional information concerning this CX review and decision, contact, Kevan Cooper, Realty Specialist, Eastern Interior Field Office, at 907-474-2316.

Exhibit G

Standard Stipulations for Long Term Camping

1. The land use permittee accepts responsibility for existing campsite conditions and will be liable for all identified rehabilitation activities. Refer to the Camp Abandonment Checklist (Attachment G-5).
2. Relocation to a new campsite is not authorized by the attached permit. The permittee must file a new application to occupy a new campsite. Relocation may occur once written authorization is received by the applicant. The permittee shall restore the old campsite within 7 days of the authorization date for the new location.
3. This permit authorizes the non-exclusive use of public land. The use of “No Trespassing,” “Private,” “Keep Out,” and similar signs are only allowed on tent entrances and other personal property.
4. This permit does not authorize mining or excavation on public lands. No judgment is intended nor implied concerning the validity of State or Federal mining claims associated with the campsite.
5. The Authorized Officer may at her discretion require that pets at the campsite be physically restrained at all times, or she may restrict the accommodation of pets entirely. Such requirements will be imposed if animals are left unattended for significant periods or if complaints are received from other land users concerning noise or threatening behavior.
6. Pit toilets are required and must be located at least 200 feet from the ordinary high water mark.
7. The permittee will notify the Authorized Officer or representative no fewer than 10 days prior to abandonment of the permit area. The site will be left in a clean condition, with all nondurables (plastic, trash, food items, etc.) removed.
8. Report to the Alaska Department of Fish and Game, per 5 AAC 92.410 of the Alaska Game Regulations, the taking of bears or other wildlife in defense of life or property.
9. The campsite will be kept in a neat and sanitary condition at all times. Specific written instructions will be provided by the Authorized Officer’s representative should it be required.
10. The permittee shall restore the site to the minimum specifications as defined in the Camp Abandonment Checklist; additional specifications will be attached if required. **If the permittee fails to restore the site in the specified manner, he/she will be held liable for the cost of restoration.**

Recommended Campsite Layout Guidelines

This section introduces accepted camping and management practices that relate to long-term and short-term camps established along river systems. All the points made herein are a result of several years of experience on the river, public participation, and environmental assessments. Many of the guidelines are based on standards set by certain Federal and State regulations.

Boat Launch Area and Suction Dredge Site

1. **Fuel Storage:** Locate drums and other large containers a minimum of 4 feet in elevation above the ordinary higher water line above the brush among the trees. Secure drums to trees using rope or strap. Utilize smaller containers, up to ten gallons, on the beach during daily activities.
2. **Equipment Storage:** Store equipment and supplies in a manner that would prevent loss or contamination of the water column should flooding occur.
3. **Boat/Dredge Anchoring:** When anchoring boats or dredges, do not set anchor cables in a manner creating a hazard to other stream users.

Trail to Campsite

1. Use existing trails whenever possible.
2. Enter vegetation screen at a diagonal proceeding upstream when establishing a new trail.
3. Provide dog leg bend in the trail if length permits.

Camp Location

1. **Minimum Distance:** Locate the camp at least 20 feet from the ordinary high water mark, generally recognized as the natural brush or tree line occurring along the river channel. Attempt to use existing disturbed camp areas and connecting trails.
2. **Vegetation Treatment:** Leave the vegetation screen between your camp and the river. Avoid destroying living trees and limit brush clearing to the area required for the campsite. Nailing and/or notching living trees is not an accepted practice.
3. **Use of Trees:** Locate and use dead trees for camp improvements and tent poles; cut off at ground level. Cutting and using green spruce poles (up to 3" diameter) is generally accepted when taken from a densely populated area and randomly selected. This is not a preferred alternative although sometimes necessary.

Camp Facilities

1. **Pit Toilet and Waste Water Disposal:** Locate the pit toilet and waste water disposal site a minimum of 200 feet from the brush line (mean high water line), guaranteeing a safe distance from the active water column. Use lime or ash with a thin covering of dirt (2 inches) to

reduce odor and flies. Waste water should be disposed of on a permeable surface that allows immediate dissipation.

2. **Pit Cooler:** When constructing a pit cooler (permafrost cooler) consider the pit location for an alternate pit toilet once the cooler becomes ineffective.
3. **Tent and Shelter Placement:** Position tents and other shelters as not to draw attention from the river. Locate temporary shelters of spruce poles and visqueen the furthest from the river; complete screening from the river is desired.
4. **Trash Disposal:** Routinely burn all combustibles to reduce accumulations of these materials; remove to the public dump on a regular basis all cans, glass, plastics and other non-combustible/non-degradable materials. **Do not bury refuse.**

Camp Abandonment

When you plan to abandon the campsite permanently or intend to return for another season, perform the tasks listed in the Camp Abandonment Checklist (Attachment G-5).

1. Properly dispose of all refuse and leave the campsite clean. Do not bury refuse and give the bears a reason to excavate. Caching of food is not advised.
2. Remove plastic sheathing from shelter frames and properly dispose of the plastic; dismantle the frames unless you expect to return next season.
3. Gear storage is allowed, however, consolidate it in one or two locations and completely cover with a brown, dark green or camouflaged tarp so the gear is not noticeable from the river column and it is protected from the elements.
4. Lime and backfill the pit toilet; if the pit remains serviceable (a depth of 2 feet or more), lime and backfill with approximately 2 inches of dirt. Use ash from the fire ring in place of lime.
5. Completely backfill and cover the pit cooler area with moss. If the pit cooler remains serviceable as a cooler or pit toilet (3 foot depth minimum) abandon in a manner that will leave it serviceable and not a threat to public health or safety.

Suction Dredging and Similar Activities

1. **Placer Mining Application:** The State of Alaska requires the filing of an Annual Placer Mining Application for suction dredging and similar activities. This application does not authorize improvements above the ordinary high-water mark. The user is required to obtain a Land Use Permit from Bureau of Land Management that allows camping in certain areas above ordinary high water mark.

The application is available from: State of Alaska
Department of Natural Resources
Division of Mining, Land & Water
3700 Airport Way
Fairbanks, Alaska 99709

2. **Equipment Storage:** Store equipment in a manner that would prevent loss or contamination of the water column should flooding occur. The user is obligated to retrieve materials blown or swept into the water course.
3. **Equipment Placement:** Be cautious of equipment placement; anchors, cables, or dredge tailings may create a hazard or obstruction to other river users.

Maintain a channel sufficient in depth and width to allow passage of watercraft normally using the navigable waterway. Generally, a channel 10 feet wide and 2 feet in depth would be acceptable.

4. **Mining Stream Banks:** Do not mine the stream banks where fine sand and soils have been deposited and may support vegetation. Degradation (eroding of the stream bank above the ordinary high water mark) through mining practices, including hydraulicking and high-banking is strictly prohibited.

5. **Reclamation Practices:**

- a. Reduce the height of tailings to approximate surrounding riverbed surface areas.
- b. Reduce height of submerged tailings within the water column to within no less than 2 feet of the water surface. This may result in a continuous process as the water level drops.
- c. Complete reclamation prior to abandonment of the work area or at the end of each season.

Camp Abandonment Checklist

1. **10 Day Notice:** The permittee is to notify a BLM Field Contact Representative no fewer than 10 days prior to abandonment of the permit area (campsite).

Please notify BLM and advise:

- a. When the site will be abandoned. Date: _____
- b. Yes / No Gear will be cached at the site and/or along the river bank.
- c. Yes / No Will the permittee want to occupy the site next year?

2. **Clean Camp:** The campsite has been left in a clean condition; all trash or refuse has been properly disposed of. *If it doesn't grow there, it doesn't belong there.*
3. **Shelter Frames:** Shelter frames have been dismantled and any sheathing, plastic or other material has been properly disposed of. Note, frames can be left intact if the permittee plans to return to the site next season. Plastic sheathing must always be removed and disposed of.
4. **Pit Toilet:** The pit toilet was properly abandoned; it was completely backfilled and the surrounding shelter and conveniences were properly disposed of.

If the pit toilet remains serviceable (2 feet depth minimum) backfilled with approximately 2 inches of dirt and ash or lime.

5. **Pit Cooler:** The pit cooler was properly abandoned; it was completely backfilled and covered with moss.

If the pit cooler remains serviceable as a cooler, or pit toilet (3 feet depth minimum), abandon in a manner that will leave it serviceable and not a threat to public health or safety.

6. **Gear Storage.** Gear being left by the permittee should be consolidated into one or two locations, protected from the elements and view. Caching of food is not advised; tempting bears may bring undesirable results.

Remedial actions taken by BLM are subject to cost recovery; see G-1 stipulation No. 10.

Exhibit E

Special Stipulations

1. All hazardous materials storage containers must be labeled with the following information: permittee's name, contents of the container (name of the product that you put in the container, if not in the original container from the manufacturer), and date the product was purchased/put in the container. (e.g. John Smith, Diesel Fuel, 2009)
2. All spills shall be contained and cleaned up as soon as the release has been identified. The release of Petroleum, Oils & Lubricants (POL) to any water body is to be reported to the Alaska Department of Environmental Conservation (ADEC) as soon as the person has knowledge of the release (in Fairbanks 457-2121 or 1-800-478-9300 outside normal business hours). Within 48 hours of a spill on public lands the permittee shall contact the Authorized Officer, Lenore Heppler (907-474-2320) or Rebecca Hile (907-474-2371).
3. Transfer of POL to equipment shall be completed in a secure manner to minimize the possibility of contamination to the surrounding environment. At a minimum POL type absorbent pads shall be placed under the location to catch overflow or assist the operator in containing the spill, if one occurs. In the case where refueling cannot be avoided within 100 feet of a water body the permittee should exercise caution while refueling to ensure no release of POL to the water body. Equipment that has been identified as having a fluid leak should have a drip basin under the leak area to ensure no release to the surrounding environment.
4. All solid waste (garbage), including incinerated ash, shall be removed by the permittee from public land and disposed of in an ADEC approved waste disposal facility, unless otherwise specified. Solid waste combustibles may be incinerated in a contained and controlled manner. Burial of garbage on public lands is not authorized.
5. All tents and improvements on campsite should be placed toward the back of the site away from the river, so they are visually screened from the river. Use of a tent platform will provide the distance necessary for adequately screening the camp. All fuel containers, including barrels and propane tanks, will be stored above ordinary high water line, screened from view from the river.
6. All operations shall be conducted in such a manner as not to cause damage or disturbance to any historical or archaeological sites and artifacts. The Antiquities Act (1906), Archaeological Resources Protection Act (1979), Federal Land Policy and Management Act (1976), and general United States property laws and regulations, all prohibit the appropriation, excavation, injury, or destruction of any historic or prehistoric ruin or monument, or any other object of antiquity situated on lands owned or controlled by the United States (16 U.S.C. 470; 16 U.S.C. 432; 43 U.S. 1733(a); 18 U.S.C. 1361; 18 U.S.C. 641; 43 CFR 8365.1). Such items include both prehistoric stone tools and sites, as well as

historic log cabins, remnants of such structures, refuse dumps, and other such features. Should any such site be discovered during the course of field operations, the permittee should avoid impacting such materials and will immediately notify the Authorized Officer, who will contact a qualified cultural resource specialist to evaluate the discovery, take action to protect or remove the resource, and allow operations to proceed.

7. A copy of the Land Use Permit authorization must be kept on site for inspection by the Authorized Officer or agent of the Bureau of Land Management.
8. Gray water that is generated on site is to be filtered of all solids and released more than 100 feet from any water body, without causing erosion to the ground surface. Gray water consists of wash water and is not to be disposed of in a pit privy.
9. All campsites will be kept in a neat and sanitary condition at all times. Each campsite is required to have a pit privy (pit toilet) that will be used for the season. The pit must be a minimum of 200 feet from the water level and not in an area that is subject to flooding. The pit must be filled with a minimum of 2 feet of compacted soil that is mounded slightly to allow for settlement and prevent water from collecting in or around the pit, once the camp is no longer utilized.
10. The permittee will be held financially responsible for any actions or activities that result in a wildland fire. Costs associated with wildland fires include but are not limited to; damage to nation resources and costs associated with any suppression action taken on the fire.
11. Fire protection in the area will be consistent with the approved fire management plan(s). The Federal Government shall not be held responsible for protection of the applicant's structures and other personal property. All gas powered equipment shall be equipped with manufacturer approved and functional spark arrestors.
12. Trails will be developed on an angle starting downstream from the campsite and progressing upstream into the campsite. This allows for the best screening of the trail and its entrance into the vegetation.