



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Anchorage Field Office  
4700 BLM Road  
Anchorage, Alaska 99507-2591  
<http://www.blm.gov/ak>

## CATEGORICAL EXCLUSION (CX)

### A. BACKGROUND

**Project Name / Type:** Alaska Mountain Safaris (Fithian) Special Recreation Permit (2930)

**NEPA Register Number:** DOI-BLM-AK-A010-2013-0035-CX

**Case File Number:** AA-093578

**Location / Legal Description:** BLM unencumbered lands, S030N029W, S029N031W, S029N030W, S029N029W, S029N028W, S028N031W, S028N030W, S028N029W, S027N032W, S027N031W, S027N030W, S027N029W, S027N028W, S026N031W, S026N030W, S026N029W, S025N031W, S025N030W.

**Applicant (if any):** Alaska Mountain Safaris (Robert Fithian)

### Description of Proposed Action:

Alaska Mountain Safaris has applied for a Special Recreation Permit (SRP) to conduct commercial guide-outfitting activities on BLM-managed lands in central Alaska. Alaska Mountain Safaris would access BLM-managed lands from their nearby basecamp on State land within Guide Use Areas 19-07 and 19-08, located between the Middle Fork Kuskokwim River and the Big River (see attached map).

The specific activities to occur on BLM and neighboring State lands include: river float trips, big game hunting, and winter adventure tours via snowmachine. All trips would be scheduled to occur for less than 15 consecutive days on BLM land and waters between September 1 and December 31, 2013. Access would be by foot, all-terrain vehicle on existing trails, fixed-wing aircraft, snowmachine when sufficient snow or ground frost cover exists, or whitewater rafts.

The requested SRP would be subject to the attached Permit Stipulations.

## B. LAND USE PLAN CONFORMANCE

**Applicable Land Use Plan:** Southwest Management Framework Plan, November 1981

The proposed action is in conformance with the applicable land use plan, even though it is not specifically provided for, because it is consistent with the land use plan decisions concerning Lands, Recreation, Visual Resources, and Wildlife. This land use plan pre-dates the SRP process by several decades. However, nothing in the plan is in direct, or even questionable, conflict with the proposed activity.

## C. CATEGORICAL EXCLUSION

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with United States Department of the Interior 43 CFR 46.210 or United States Department of the Interior Manual, Part 516, Chapter 11, which provides:

### H. Recreation Management

1. 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. This CX cannot be used for commercial boating permits along Wild and Scenic Rivers. This CX cannot be used for the establishment or issuance of Special Recreation Permits for “Special Area” management (43 CFR 2932.5).

## D. EXTRAORDINARY CIRCUMSTANCES

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

<b>EXTRAORDINARY CIRCUMSTANCES</b>	<b>YES/NO</b>
1. Have significant adverse impacts on public health or safety.	No
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.	No
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	No
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	No
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	No
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	No

7. Have significant impacts on properties listed, or eligible for listing on the National Register of Historic Places as determined by either the bureau or office.	No
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	No
9. Violate Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	No
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	No
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).	No
12. Contribute to the introduction, continued existence, or spread of weeds or non-native invasive species known to occur in the area or area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).	No

**E. SIGNATURE**

The proposed action is in conformance with the applicable land use plan and is an action that can be categorically excluded. The Proposed Action does not trigger any of the Extraordinary Circumstances found in 516 FM Chapter 2, Appendix 2. I recommend that the Proposed Action be allowed and that no further environmental analysis is required.

*/s/ Alan Bittner*

09/04/2013

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Alan Bittner  
Anchorage Field Manager

Date

**Attachments**

1. Permit Stipulations
2. Map of general SRP use area

**CONDITIONS AND STIPULATIONS**  
**for**  
**SPECIAL RECREATION PERMIT #AA-093578**  
**Robert Fithian – Alaskan Mountain Safaris**

In addition to the terms included on the back of your Special Recreation Application and Permit (SRP) (Form 2930-1), the following conditions and stipulations is a part of this permit and are applicable to BLM-administered lands and water, including State and Native selected areas. Failure to comply with any of these conditions or stipulations knowingly or willfully is a violation of 43 CFR 2932.57, punishable by up to a \$100,000 fine and/or a year in jail.

**Use Limitations**

1. This permit does not authorize the storage of fuel on BLM lands.
2. Long-term and/or winter storage of equipment or gear is prohibited without authorization.
3. Persons authorized to conduct business with BLM concerning this permit in 2013 are:  
Barbara Fithian.
4. This permit authorizes day use or overnight use up to 14 consecutive nights and use of no more than three cumulative staging area (base and spike camps) acres.
6. This permit does not authorize construction of new aircraft landing areas, because actual construction of new landing areas by extensive clearing would require conformance with Federal Aviation Administration guidelines and a long-term authorization. Minor improvements, such as moving rocks or logs, to allow an area to be used for aircraft landing must be conducted under the limitations of 43 CFR 8365.1-5 to limit impacts to vegetation and soils. These limitation state no person shall: Willfully deface, remove or destroy any personal property, or structure, or any scientific, cultural, archaeological or historic resource, natural object or area; willfully deface, remove or destroy plants or their parts, soil, rocks or minerals or cave resources. This permit does not authorize exclusive use of landing areas.
7. Only the use of dead trees for campfires is permitted. This permit does not authorize the cutting of live trees. Permittee shall make their employees and clients aware of responsible low-impact practices and techniques, as outlined in the enclosed Alaska Wildlands Leave No Trace Skills and Ethics booklet.
8. Within 14 days from the completion of the last permitted event, all trash shall be hauled out by the permittee and disposed of in a proper landfill, dumpster, or trashcan. Cans, glass, plastics, batteries and other non-combustible/non-degradable materials shall not be burned. Do not bury refuse. Gray water and human waste shall be disposed of at least 100 feet beyond the ordinary high water mark of any water body. Bury all gray water and human waste. When possible, we encourage the use of portable toilet systems along rivers (e.g. porta-potties such as the PETT Portable Toilet Unit).

## **Vehicles/Aircraft/Gear**

9. For prevention of non-native invasive plant prevention and mitigation, all vehicles, transport equipment used in access, construction, maintenance and operations of project must be thoroughly cleaned **prior to** moving equipment and gear across or onto BLM managed lands. Washing and/or brushing equipment and gear to remove material that can contain weed seeds or other propagates helps to insure equipment that is being transported across or onto BLM managed lands are weed and weed seed free. High pressure washing is recommended to treat the insides of bumpers, wheel wells, undercarriages, inside belly plates, excavating blades, buckets, tracks, rollers, drills, buckets, shovels, any digging tools, boats, boat motors and trailers, etc., to remove potential weeds, seeds, and soil carrying weed propagules, and vegetative material. All gear, tool bags and accessories must be free of any plant debris, mud, and materials that can be the source of non-native invasive plants and pathogens.
10. The use of felt sole wading boots is prohibited.

## **Fuel and Waste Management**

11. Waste water, non-hazardous solid waste, hazardous substance storage containers, and spills shall be managed in accordance with Title 18 Alaska Administration Code (see Attachments 1 and 2).
12. To avoid conflicts with bears, sealed bear proof containers are suggested for food and unburned waste until such waste can be removed from all camps. Meat and animal parts shall be removed from all camps as soon as possible to avoid attracting bears.

## **Federal, State, Local Laws and Regulations**

13. Copies of Alaska Master or Registered Guide/Outfitter license(s) for people authorized to conduct business with BLM concerning the permit shall be submitted to the BLM before authorization or re-authorization is approved for every year the permit is in effect. If applicable, Assistant Guide/Outfitter license(s) are also required.

## **Miscellaneous**

14. A performance evaluation shall be completed by the BLM for all permittees. The purpose of a performance evaluation is to evaluate a permittee's performance and compliance with the terms and stipulations of the permit. The permittee will be given written notice of results of annual performance evaluations after the conclusion of the permittee's operating season, which will include the level of performance and the status of corrections that may be required to retain the permit.

## **General Terms**

15. The permittee shall comply with all Federal, state, and local laws; ordinances; regulations; orders; postings; or written requirements applicable to the area or operations covered by the

SRP. The permittee shall ensure that all persons operating under the authorization have obtained all required Federal, state, and local licenses or registrations. The permittee shall make every reasonable effort to ensure compliance with these requirements by all agents of the permittee and by all clients, customers, participants, or spectators under the permittee's supervision.

16. An SRP authorizes special uses of BLM-managed public lands and related waters and, should circumstances warrant, the permit may be modified by the BLM at any time, including the amount of use. The Authorized Officer (AO) may suspend an SRP, if necessary to protect public resources, health, safety, or the environment, or as a result of noncompliance with permits stipulations.
17. No value shall be assigned to or claimed for the permit, or for the occupancy or use of Federal lands or related waters granted thereupon. The permit privileges are not to be considered property on which the permittee shall be entitled to earn or receive any return, income, price or compensation. The use of a permit as collateral is not recognized by the BLM.
18. Unless expressly stated, the SRP does not create an exclusive right of use of an area by the permittee. The permittee shall not interfere with other valid uses of the federal land by other users. The United States reserves the right to use any part of the area for any purpose.
19. The permittee or permittee's representative may not assign, contract, or sublease any portion of the permit authorization or interest therein, directly or indirectly, voluntarily or involuntarily. However, the AO may approve contracting of equipment or services in advance, if necessary to supplement a permittee's operations. Such contracting should not constitute more than half the required equipment or services for any one trip and the permittee must retain operational control of the permitted activity. If equipment or services are contracted, the permittee shall continue to be responsible for compliance with all stipulations and conditions of the permit. This permit may not be reassigned or transferred by the permittee.
20. All advertising and representations made to the public and the AO must be accurate. Although the addresses and telephone numbers of the BLM may be included in advertising materials, official agency symbols may not be used without written permission by the BLM. The permittee shall not use advertising that attempts to portray or represent the activities as being conducted by the BLM. The permittee may not portray or represent the permit fee as a special Federal user's tax.
21. The permittee must assume responsibility for inspecting the permitted area for any existing or new hazardous conditions, (e.g., trail and route conditions, landslides, avalanches, rocks, changing water or weather conditions, falling limbs or trees, submerged objects, hazardous wildlife, or other hazards) that present risks for which the permittee assumes responsibility.
22. In the event of default on any mortgage or other indebtedness, such as bankruptcy, creditors shall not succeed to the operating rights or privileges of the permittee's SRP.

23. The permittee cannot, unless specifically authorized, erect, construct, or place any building, structure, or other fixture on public lands. Upon leaving, the lands must be restored as nearly as possible to pre-existing conditions.
24. The permit, or copies thereof, shall be kept with the authorized individual(s) and presented to any BLM representative upon request as proof of authorization.
25. The AO, or a duly authorized representative of the BLM, may examine any of the records or other documents related to the permit, the permittee or permittee's operator, employee, or agent for up to 3 years after expiration of the permit.
26. The permittee must submit a completed post-use report, along with appropriate fees by **January 1** of every year the permit is in effect. If the post-use report and fees are not received by the established deadline, the permit will be suspended and/or fines assessed.
27. The permittee shall notify the AO of any accident that occurs while involved in activities authorized by this permit which results in: death, personal injury requiring hospitalization or emergency evacuation, or in property damage greater than \$2,500. Reports shall be submitted within 48 hours in the case of death or injury, or 10 days in accidents involving property damage.