

A. Background

BLM Office: Arctic Field Office LLAKF01000

Lease/Serial/Case File No. FF095144

Applicant: Jim Campbell
Carol Kasza
DBA: Arctic Treks
P.O. Box 73452
Fairbanks, Alaska 99707

Proposed Action Title/Type: Special Recreation Permit

Dates of Proposed Activity: June 1-August 31, 2014

General Location of Proposed Action: Nigu River, Colville River, Kokolik River, Utukok River & Etivluk River

Description of Proposed Action:

The applicants, Jim Campbell and Carol Kasza, of Arctic Treks have requested to renew their authorization for a special recreation permit to conduct wildlife viewing operations on Bureau of Land Management (BLM) lands within the NPR-A. They established their business in 1979, and have had a BLM authorization to conduct this type of activity continuously since 2007.

The proposed action would authorize a renewal of a Special Recreation Authorization to Arctic Treks to conduct commercial rafting trips on the Utukok, Nigu, Etivluk, Kokolik and Colville Rivers. The rafting trips would be similar in nature to those permitted the past four by BLM. Arctic Treks uses 12-foot rafts. Arctic Treks would like to conduct 3 trips this year. The trips would take place between the dates of June 1 and August 31, 2014.

The first trip proposed would take place on the Utukok June 10 - 17. Arctic Treks is requesting authorizations for two Utukok routes, one being a backup route if the preferred route does not work out. They anticipate having a maximum of 6 clients and 2 guides for this trip, with 2 fixed wing flights in and 2 out.

The second trip proposed would take place on the Kokolik River from June 17 -23. They anticipate having a maximum of 9 clients and 3 guides for this trip, with 3 fixed wing flights in and 3 out.

The third trip proposed would start on the Nigu River, rafting into the Etivlik River, to its junction with the Colville and would take place August 1 -10. They anticipate having a maximum of 6 clients and 2 guides for this trip, with 2 fixed wing flights in and 2 out.

The groups would fly by charter air service in a wheeled Beaver that can carry 4 people plus gear, and be dropped off and picked up on gravel bars. Arctic Trek guides have 9 to 30+ years of wilderness guiding experience. Guides are trained Wilderness First Responders and trained in Whitewater Safety/Rescue and Bear Safety. They carry satellite phones, handheld VHF radios and are equipped with survival gear. Emergencies would be dealt with using private companies or established search and rescue resources depending on the nature of the emergency and the prevailing conditions and resources available at that time.

Arctic Trek would practice self-contained, expedition style camping and implement Leave No Trace practices. They would carry out all trip garbage. Arctic Trek would not use fuel or gear caches.

Legal Description:

Utukok River Preferred Route

<u>Township</u>	<u>Range</u>	<u>Meridian</u>	<u>Section</u>
6 N	39 W	UM	11-14
6 N	38 W	UM	17, 18, 20-27, 36
6 N	37 W	UM	30, 31
5 N	37 W	UM	3-6, 9-11, 13, 14, 24-26, 36
5 N	36 W	UM	19, 30-33
4 N	37 W	UM	1, 2, 12, 25
4 N	36 W	UM	7, 8,19,30,31
3 N	36 W	UM	5, 6, 8-11, 13-16, 23, 24(Excluding Private Land)
3 N	35 W	UM	10, 11, 13-21
3 N	34 W	UM	15-18, 21-23, 25, 26, 36(Excluding Private Land)
3 N	33 W	UM	31
2 N	33 W	UM	5, 6, 8,17,20,21,28,29,32
1 N	33 W	UM	5, 8,17,19,20,28,29,33
1 S	34 W	UM	1,2,12
1 S	33 W	UM	14, 23, 25,26,35,36(Excluding Private Land)

Alternative Utukok River

<u>Township</u>	<u>Range</u>	<u>Meridian</u>	<u>Section</u>
7 S	39 W	UM	3, 10-13
6 S	39 W	UM	4, 5,8,9,16,21,28,33,34(Excluding Private Land)
5 S	39 W	UM	25, 26, 32-35
5 S	38 W	UM	3, 4, 8, 9, 17-20, 30
4 S	37 W	UM	1, 3-5, 8, 17, 20, 29-31
3 S	37 W	UM	33-36
4 S	36 W	UM	6
3 S	36 W	UM	3,4,9,10,15,16,20,21,28,29,31-33
2 S	36 W	UM	25-27, 33-36
2 S	35 W	UM	25-30, 32-36
2 S	34 W	UM	13, 14, 22, 23, 27-31
2 S	33 W	UM	1, 2, 10, 11, 14-19, 21, 22
1 S	33 W	UM	14, 23, 25,26,35,36 (Excluding Private Land)

Kokolik River

<u>Township</u>	<u>Range</u>	<u>Meridian</u>	<u>Section</u>
2 S	41 W	UM	13,14, 22-27
2 S	40 W	UM	3-5, 7-9, 17,18
1 S	40 W	UM	13, 22-24, 26-28, 33-34
1 S	39 W	UM	5-7, 18
1 N	39 W	UM	1,2,11-14, 23-26, 35-36
2 N	39 W	UM	1, 2, 12, 25
2 N	38 W	UM	19
2 N	40 W	UM	1,2,11-14
3 N	40 W	UM	6-9, 15,16,21-23, 26-27, 34-35
3 N	41 W	UM	1

Nigu Route

<u>Township</u>	<u>Range</u>	<u>Meridian</u>	<u>Section</u>
32 N	12 E	KM	3, 4
33 N	12 E	KM	29, 30, 32
33 N	11 E	KM	5, 6, 8, 14-17, 23, 24
34 N	11 E	KM	7, 17-20, 29,30,32,33
12 S	19 W	UM	5-8, 17-19, 29, 30
11 S	19 W	UM	6, 7, 18, 19, 29-32
11 S	20 W	UM	1
10 S	20 W	UM	36
10 S	19 W	UM	1, 2, 11, 14, 15, 20-22, 30, 31
9 S	19 W	UM	1, 12, 13,24,25,36
9 S	18 W	UM	19, 30, 31
8 S	18 W	UM	3,9,10,15,16,20,21,28,29,32
7 S	18 W	UM	2,11,14,15,21,22,27,28,33,34
6 S	18 W	UM	24-26, 35, 36
6 S	17 W	UM	17-20 (only lands within NPR-A)

B. Land Use Plan Conformance

The proposed action is subject to the following planning documents:

National Petroleum Reserve-Alaska Integrated Activity Plan/Environmental Impact Statement (IAP/EIS) 2012

The proposed action is also in conformance with the Naval Petroleum Reserves Production Act which allows for the authorization of uses consistent with the purposes of the Act.

C. Compliance with NEPA

The IAP/EIS Record of Decision for the NPR-A developed stipulations and best management practices applicable to all activities in NPR-A. The stipulations and best management practices applicable to the proposed action will be provided, along with project-specific mitigation, to the applicant and are entitled: “FF095144 Arctic Treks 2014 Summer Stipulations” and “United States Department of the Interior Bureau of Land Management Commercial Land Based Special Recreation Permit Stipulations.”

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, or 516 DM 11.9,

Specifically the proposed action meets the criteria for a categorical exclusion under 516 DM 11.9, BLM H-1790-1 National Environmental Policy Act Handbook Appendix 4(F-10) BLM Categorical Exclusions.

“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 categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

Extraordinary Circumstances	Yes	No
2.1 Have significant impacts on public health or safety.		X
2.2 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.		X
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2) (E)].		X
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
2.7 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.		X
2.8 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.		X
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
2.11 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).		X
2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the 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).		X

D. Approval and Contact Information

I considered the proposed action and have determined that there is no potential for significant impacts.

Lon Kelly
Authorized Officer, Arctic Field Office

Date

Contact Person:

For additional information concerning this CX review, contact:

Donna Wixon
Natural Resource Specialist
Bureau of Land Management
Arctic Field Office
1150 University Avenue
Fairbanks, Alaska 99709

Phone: 907-474-2301
Email: dwixon@blm.gov

FF095144 Arctic Treks 2014 Summer Stipulations

Permit Specific Stipulations:

1. Climbing of cliffs containing raptor nests is prohibited.
2. An aircraft log of the following information will be kept **for each take off and landing** (which shall be turned in to BLM in **electronic** format in an excel spreadsheet with each item below listed in a separate column No Later Than **1 November 2014**):

Type of Aircraft

Aircraft N number

Date

Time

Decimal Degree Format – latitude of takeoff location

Decimal Degree Format – longitude of takeoff location

Date

Time

Decimal Degree Format – latitude of landing location

Decimal Degree Format – longitude of landing location

3. Permittee must use “bear-resistant” containers that are approved and certified by the Interagency Grizzly Bear Committee as ‘bear-resistant.’ Information about certified containers can be found at <http://www.igbconline.org/html/container.html>.
4. The permittee will abide by the following documents: Required Conduct near Possible Nests of Raptors (Eagles, Hawks and Falcons) in the National Petroleum Reserve-Alaska.

ARCTIC FIELD OFFICE NON OIL AND GAS PERMIT STIPULATIONS

[This is a subset of the 2013 National Petroleum Reserve-Alaska Integrated Activity Plan Record of Decision, Utility Corridor Resource Management Plan/Final Environmental Impact Statement, and the Colville River Special Area Management Plan. Stipulations and Best Management Practices from these documents along with frequently utilized resource-specific stipulations are incorporated. Special Recreation Permit holders meet most requirements by following the guidelines in Leave No Trace, Alaskan Tundra.]

I. AUTHORIZED OFFICER

The Authorized Officer (AO) is the Manager, Arctic Field Office.

II. AIR & WATER

- A. All operations shall comply with applicable Air and Water Quality Standards of the State of Alaska.

- B. Grey wash water and kitchen waste water may be filtered to remove the solids and the liquid discharged to the land surface, provided the disposal area is a minimum of 100 feet from any water body or stream.

III. AIRCRAFT

- A. Hazing of wildlife by aircraft is prohibited. Pursuit of running wildlife is hazing. If wildlife begins to run as an aircraft approaches, the aircraft is too close and must break away.
- B. Aircraft shall maintain an altitude of at least 1,500 above ground level (AGL) when within ½ mile of cliffs identified as raptor nesting sites from April 15 through August 15 and within ½ mile of known gyrfalcon nest sites from March 15 to August 15, unless doing so would endanger human life or violate safe flying practices. Permittees shall obtain information from BLM necessary to plan flight routes when routes may go near falcon nests.
- D. Use of aircraft, near known subsistence camps and cabins, and along rivers or during sensitive subsistence hunting periods (spring goose hunting and fall caribou and moose hunting) should be kept to a minimum.
- E. Aircraft used for permitted activities shall maintain a altitude of at least 2,000 feet AGL (except for takeoffs and landings) over the Teshekpuk Lake Caribou Habitat Area (Map 2) and the Utukok River Uplands Special Area (Map 1) from May 20 through August 20, unless doing so would endanger human life or violate safe flying practices.

IV. CAMPS

- A. The Permittee accepts responsibility for their campsite conditions and will be liable for identified rehabilitation activities.
- B. Permittee shall provide BLM with a detailed map of all camp locations and trails used located accurately on a USGS quadrangle map of the 1:63,360 scale. Please include the dates of the trip, the number of people who camped at each site, and GPS location (with datum noted).
- C. Tent camps shall be situated on gravel bars, sand, or other durable substrates, if any exist in the vicinity of the desired location. If no such substrates exist nearby, tents may be pitched on tundra vegetation for up to two weeks.

V. CULTURAL/PALEONTOLOGICAL RESOURCES

- A. In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal or disturbance of archeological or historic artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical, recent, ethnological, or archaeological specimens or artifacts is prohibited. 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. The disturbance, excavation and collection of vertebrate paleontological (fossil) remains is also prohibited.

- B. Any cultural or Paleontological resource discovered by the holder, or any person working on his behalf, situated on lands owned or controlled by the United States shall be promptly reported to the AO. Discoveries must be left in place to allow for an examination by BLM cultural or paleontological specialists. GPS Coordinates of any discovered cultural resources should be obtained if possible and reported to the AO.

VI. FIRE

- A. The BLM, through the AO, reserves the right to impose closure of any area to operators in periods when fire danger or other dangers to natural resources are severe.
- B. The authorized user shall be financially responsible for any damage done by a wildfire caused by its operations. Costs associated with wildfires include but are not limited to, damage to natural resources and costs associated with any suppression action taken on the fire.

VII. OPERATIONS

- A. It is the responsibility of the authorized user to ensure that all individuals brought to the project area under its auspices adhere to these stipulations. Authorized users of the planning area shall provide all employees, contractors, subcontractors, and clients with a briefing regarding stipulations applicable to the lease and/or permit.
- B. A copy of applicable stipulations will be posted in a conspicuous place in each work site and campsite.
- C. The provisions of this permit do not relieve the Permittee of any responsibilities or obligations required by the laws or regulations of the State of Alaska Department of Fish and Game or the U.S. Fish and Wildlife Service, or other applicable regulations related to this permit
- D. The authorized user shall protect all survey monuments and be responsible for survey costs if remonumentation is required as a result of the user's actions.
- E. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coast and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments.
- F. In the event of obliteration or disturbance of any of the survey monuments above, the Permittee shall promptly report the incident, in writing, to the Authorized Officer and the respective installing agency, if known. Where General Land Office or Bureau of Land Management right-of-way monuments or references are obliterated during operations, the Permittee shall secure the services of a registered land surveyor or a Bureau Cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of Public Lands of the United States, latest edition. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monuments, the Permittee shall be responsible for survey costs.

VIII. STREAMS

- A. All operations shall be conducted with due regard for good resource management and in such a manner as not to block any stream, or drainage system, or change the character or course of a stream, or cause the pollution or siltation of any stream or lake.

IX. SUBSISTENCE

- A. The permittee will take no action that interferes with subsistence activities of rural users or restricts the reasonable access of subsistence users to public lands. This may include but is not limited to disturbance of wildlife and their movements near subsistence hunters, and damage to cabins, trails, traditional campsites or caches used by subsistence users. The permittee must familiarize themselves, their team, and their pilots with any subsistence camps and cabins located near their project site (map available upon request) and, when using aircraft, make all reasonable efforts to avoid disturbing hunters.
- B. The Arctic Field Office will determine on an application-by-application basis what level of consultation will be required in order to provide adequate notification to communities, including whether the project merits application of the complete H-1 (Subsistence) Best Management Practice from the 2013 NPR-A EIS/IAP Record of Decision. Determination will be based on Arctic Field Office experience and on communication with representatives of the BLM NPR-A Subsistence Advisory Panel. Permittee will respond to questions and any reasonable requests for consultation that tribes and/or communities may have. Information on permits will be included on the NPR-A Permitted Projects spreadsheet that is distributed to tribal governments and North Slope communities. Permittee is encouraged to correspond with Arctic Field Office anthropologist/subsistence specialist if they have any questions or concerns: Stacey Fritz: (907) 474-2309, sfritz@blm.gov

X. VEGETATION

- A. All activities shall be conducted to avoid or minimize disturbance to vegetation. The clearing of vegetation for camps or aircraft landing areas is prohibited.

XI. WASTE

- A. HUMAN WASTES
 - 1. Toilet paper: Toilet paper must be packed out, or a natural alternative used. Natural options for toilet paper include snow, smooth stones or sticks, leaves and moss. Natural TP options should be disposed of the same as the human waste. Feminine hygiene products and diapers must also be packed out.
 - 2. Urine: Urine can attract animals seeking salt: avoid urinating on plants that can be defoliated by animals attracted to the salt residue. Urinate 200 feet away from camps and trails on rock, bare ground, or water sources.
 - 3. Recommended human excreta disposal in riparian areas: Packing out human excreta is the most eco-friendly means of waste disposal and the toilet can be located wherever is most

appropriate. This method helps areas that receive high-levels of use retain their naturalness, and preserves pristine areas. Disadvantages include: it incurs cost and requires logistical considerations.

The WAG (Waste Alleviation and Gelling) Bag has become the overall term for any pack-it-out bag system. It generally involves one bag with which holds the excrement and another sturdier, sealable bag. Commercial vendors of waste bag kits, powders and supplies include ReStop, Biffy Bags, and Cleanwaste.

B. GARBAGE

1. Attracting wildlife to food and garbage is prohibited.
2. Burial of garbage is prohibited. Burial of human waste is prohibited except as authorized by the AO. [Special Recreation Permit holders meet all requirements by following the guidelines in Leave No Trace, Alaska Tundra.]
3. Areas of operation shall be left clean of all debris.

D. PESTICIDES

Use of pesticides without the specific authority of the AO is prohibited.

XII. WILDLIFE

- B. The feeding of wildlife is prohibited and will be subject to non-compliance regulations.
- C. Camp sites shall be located at least 500 meters from any known arctic peregrine falcon nest site.
- G. With the exception of authorized guide hunting trips, hunting and trapping by permittee's employees, agents, and contractors are prohibited when persons are on "work status." Work status is defined as the period during which an individual is under the control and supervision of an employer. Work status is terminated when the individual's shift ends and he/she returns to a public airport or community (e.g., Fairbanks, Barrow, Nuiqsut, or Deadhorse). Use of permittee facilities, equipment, or transport for personal access or aid in hunting and trapping is prohibited.