

Hogazta River Filming

Introduction

Kent Kaiser dba Alaskan Quest has filed an application proposing to film an outdoor adventure on the Hogazta River from Banbantalin Creek to McLane Creek from September 12 — 23, 2015.

Summary

The proposal would include floating the Hogazta River the majority of which is on State lands. Only six (6) miles is on public lands.

Alternatives Considered

The No Alternative Option is the only alternative considered and was not selected as it would not allow Kent Kaiser to film his floating, camping and hunting activities in support of his guiding business.

Decision

I have decided to authorize a permit for filming a floating, camping and hunting trip to Kent Kaiser dba Alaskan Quest from September 12–23, 2015. The applicant and one additional person would film their hunting of moose, wolf, wolverine, black bear and fishing for pike while floating the Hogazta River with a non-motorized raft.

Management Considerations

The Categorical Exclusion and supporting documentation have been prepared consistent with the requirements of various statutes and regulations, including but not limited to:

- Alaska National Interest Lands Conservation Act of 1980 (ANILCA)
- Federal Land Policy and Management Act of 1976 (FLPMA)
- National Environmental Policy Act of 1969 (NEPA)
- National Historic Preservation Act of 1966 (NHPA)

One BLM land use plan applies to the overall project area, the Central Yukon Resource Management Plan.

Public Involvement

It was determined that due to the remoteness of the action, there would be no impact to the general public. Additionally, this document was published to the electronic Central Yukon Field Office NEPA Register on June 30, 2015. No comments have been received as of July 13, 2015.

Appeal or Protest Opportunities:

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, 1150 University Avenue, Fairbanks, Alaska 99709 within 30 days from receipt of this decision. If you decide to file an appeal, you must carefully follow the procedure described on the enclosed form 1842-1. If you don't file your appeal at the locations specified on the form within 30 days, the Board may dismiss

your appeal as untimely without considering its merits. Be sure to send a copy of your notice of appeal to each party named in this decision and to all of the addresses on the enclosed form 1842-1. You may also ask the Board to stay or suspend the effect of this decision while your appeal is pending. If you desire a stay, you must enclose your request for a stay with your notice of appeal. You have the burden of showing a stay is justified. The Board will grant a stay only if you provide sufficient justification based on the following standards:

1. The relative harm to the parties if the Board grants or denies the stay,
2. The likelihood of the success of your appeal on its merits,
3. The likelihood of immediate and irreparable harm if the Board does not grant the stay, and;
4. Whether the public interest favors granting a stay.

Approval from Authorized Official:

Field Office Manager Decision

Having considered a full range of alternatives, associated impacts, and public and agency input, I have decided to adopt and implement the attached Approved Plan in conformance with the Utility Corridor Resource Management Plan.

/s/ Robert Karlen
Signature
for Nichelle W. Jacobson
Field Manager
Central Yukon Field Office

July 17, 2015
Date

— Appendix A — Essential Fish Habitat

NEPA Document No.: DOI-BLM-AK-F030-2015-0027-CX

Prepared by: David G. Parker

Date: 13 July 2015

The proposed action lies within the general range of Dolly Varden (*Salvelinus malma*); arctic char (*S. alpinus*); Lake Trout (*Salvelinus namaycush*); burbot (*Lota lota*); and whitefish (Coregonid spp.). Arctic grayling (*Thymallus arcticus*) and slimey sculpin (*Cottus cognatus*) are ubiquitous throughout the region (ADF&G 1978). The National Marine Fisheries Service (NMFS) recognizes fresh waters cataloged (ADF&G 2012) as being used by salmon under AS 41.14.870 (*Catalog of Waters Important for the Spawning, Rearing or Migration of Anadromous Fishes*) as essential fish habitat (EFH).

The Hogatza River is the area to be used for filming. The river is listed as anadromous stream #334-40-11000-2125-3355 with documented Chinook (*Oncorhynchus tshawytscha*), coho (*O. kisutch*), and chum salmon (*O. keta*) habitat. Because the proposed action described in this Categorical Exclusion is a permit to film a river float and will not disturb stream banks or other aquatic habitat, there will be no anticipated effect on EFH.

Essential Fish Habitat (EFH) Finding: No adverse effect. EFH consultation with NMFS is not required.

References:

State of Alaska, Alaska Department of Fish and Game. 1978. Alaska's Fisheries Atlas. Volume 2. Edited by R. McLean and K. Delaney. Alaska Department of Fish and Game.

State of Alaska, Alaska Department of Fish and Game. 2012. An Atlas to the Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fishes, Resource Management Region V. Alaska Department of Fish and Game, Habitat and Restoration Division.

<http://extra.sf.adfg.state.ak.us/FishResourceMonitor/?mode=awc>

— Appendix B — Wilderness Characteristics Assessment

NEPA Document No.: DOI-BLM-AK-F030-2015-0027-CX

Serial No.: F-96958

Applicant: Kent Kaiser dba Alaskan Quest

Location: Hogazta River and Babantalin and McLane Creeks more particularly described as Tps. 9 N., Rs. 16 E., Kateel River Meridian, Alaska.

Prepared by: Robin Walthour

Date: July 1, 2015

Proposed Action

Kent Kaiser doing business as Alaskan Quest proposes to film (using a camcorder and Nikon camera) a float by raft (15' levitator), camp and hunting trip down the Hogazta River from September 12-23, 2015. He would arrive onsite by float plane where the Babantalin Creek enters the Hogazta River (66°20'11.4" -155°24'14.0") and float down river until he reaches where McLane Creek enters the Hogazta River (66°00'16.2" -155°18'46.2") of which six (6) miles is on public lands. The remaining lands are within the State of Alaska lands, which he has already received approval. Along the way they would fish for pike and hunt for moose, black bear, wolf or wolverine as well as camping. They plan to film approximately two (2) days of the trip for commercial purposes in support of their business as guiders.

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 of 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 majority of the proposed action is on the Hogazta River with the evenings camping on land, preferably sand bars which would not impact the naturalness or solitude.

FINDING

An inventory of lands with wilderness characteristics has been completed for this area and found wilderness characteristics.

The Resource Management Plan for the Yukon Central Planning Area does not address lands with wilderness characteristics. The proposed activities in this area would not impact existing wilderness characteristics in the vicinity of the Hogazta River. If the action is approved, current use should be determined as a baseline and further impacts should be documented. The BLM authorizing official reserves the right to add mitigation stipulations as appropriate.

Type of Assessment/Sources

- Maps: USGS Hughes quadrangle; GIS layers with land status, acreage, townships and HUCs identified
- Personal communications with Central Yukon staff Carl Kretsinger and Bob Karlen
- BLM Alaska GIS maps and aerial photography
- Google Earth Images
- Case file reports and photographs

— Appendix C — Section 810 Assessment

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Serial No.: F-96958

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Location: Beginning where the Banbantalin Creek meets the Hogatza River and ends at McLane Creek.

Township/Range: Tps. 9 N., Rs. 16 E., Kateel River Meridian.

Evaluation by: Erin Julianus and Dave Parker

Date: 7/6/2015 and 7/13/2015

Type of Assessment/Sources:

Review of application materials, subsistence database, local knowledge, interviews with staff knowledgeable about the area and the proposed action.

Effect of the proposal on subsistence uses and needs

Fisheries: The proposed action is a permit to film a rafting float trip on the Hogatza River while fishing and hunting. The proposed action would not alter the distribution, migration, or location of harvestable fisheries resources. Approved mitigation measures would prevent degradation of adjacent water sources and fisheries habitat. The proposed action will not create any legal or physical barriers that would limit access by subsistence users of the fisheries resources.

Wildlife:

The proposed action is located in Game Management Unit (GMU) 24C. Species of wildlife present in the Hogatza River drainage include moose, bears, furbearers, waterfowl, and small game such as snowshoe hare and ptarmigan. The permittees would be targeting moose, black bear, wolf, and wolverine during the fall moose season. While animals may be harvested, the stretch of the Hogatza River they propose to float is located approximately 30 miles from the rural community of Hughes and 40 miles from the community of Huslia. The traditional subsistence use areas of these communities do not include the upper Hogatza River drainage, and will not likely be impacted by the proposed action (Marcotte and Haynes 1985).

Other resources:

The proposed activity will not impact other resources such as water, wood, or berries. Subsistence activities that target these resources are unlikely to be ongoing in the vicinity of the proposed action. Therefore, the proposed action will not significantly affect subsistence uses and needs.

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

Subsistence wildlife species may be harvested as a result of activities associated with the proposed action. However, the proximity to rural communities is great enough that it is unlikely that harvest will impact subsistence resources available to the communities of Hughes and Huslia.

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:

Other lands are available for the proposed action. However, activities associated with the proposed action will not impact the availability, distribution or access to subsistence resources so other lands were not considered.

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

The only alternative that would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes is to not allow or permit any activities on public lands. However, such an alternative is not viable because the BLM manages public lands for multiple uses.

Finding:

The proposed action will not significantly restrict subsistence uses. Access to subsistence resources will not be hampered by the proposed activity. There is no reasonably foreseeable significant decrease in the abundance of harvestable resources and in the distribution of harvestable resources due to the proposed action.

References:

Marcotte, J. R. and T. L. Haynes. 1985. Contemporary resource use patterns in the Upper Koyukuk Region, Alaska. Alaska Department of Fish and Game. Division of Subsistence. Technical Paper No. 93. Fairbanks, Alaska.