

Winter access ROW Specific Stipulations

1. The applicant will file weekly progress reports to the Arctic Field Office detailing their surface use of public lands. These reports may be e-mailed to: [Donna Wixon@ak.blm.gov](mailto:Donna.Wixon@ak.blm.gov), or faxed to 907-474-2386.

2. Each year prior to the start of winter activity the applicant will notify BLM of their plans for the season on BLM managed lands. After the requested information is received BLM will determine, in consultation with the U.S. Fish and Wildlife Service, if the proposed project requires the applicant to obtain a Letter of Authorization (LOA) under the Incidental Take Regulations administered by the U.S. Fish and Wildlife Service's Marine Mammal Protection Act. If an LOA is determined to be required that document must be obtained by the applicant and must be submitted to the BLM prior to work starting on the ground in NPR-A. BLM may also have more requirements based on the information submitted.

Information requested:

- a. Name of client
- b. Project type (e.g. village fuel delivery, scientific research support, oil industry support, etc.)
- c. Dates of activity (approximate start and end)
- d. Approximate route to be used (e.g. inland, coastal, on sea ice, etc.) – electronic (ESRI shapefile or GPS route/track), if possible
- e. Latitude and Longitude of point of entry onto NPR-A lands
- f. Location of final destination
- g. Type of equipment to be used (e.g. rollogon, steiger, etc.), number of each type, and estimated number of trips
- h. Ice road or snow trail?
- i. Location of water source lakes, use for water or ice chips, and ADF&G Fish Habitat Permit Number

3. The applicant shall follow the 12 stipulations contained in the attached document entitled "Polar Bear Stipulations for Winter Authorizations in NPR-A".

4. The applicant shall submit the following materials to the BLM within 30 days of ending each seasonal field operations:

- a. As-built of all snow/ice roads and trails, and as-built corner locations of ice pads. The as-builts shall be submitted in digital format on a CD or from an accessible internet location (such as an ftp site) – or as otherwise requested by the BLM) as follows:
 1. digital GPS file(s) referencing WGS Datum of 1984 (WGS84) with a defined projection; and
 2. digital ESRI shapefile(s) or geodatabase(s) feature referencing the North American Datum of 1983 (NAD83) with a defined projection and supplementary metadata (text or .xml file).

- b. Water use information
 - 1. Lake location
 - 2. Volume of water utilized
 - 3. State of Alaska Fish Habitat Permit number for the lake
 - 4. Specific project associated with the water use

5. Required Operating Procedure from the [Northeast \(NE\)](#) NPR-A Supplemental Integrated Activity Plan Record of Decision, C-2:

Objective: Protect stream banks, minimize compaction of soils, and minimize the breakage, abrasion, compaction, or displacement of vegetation.

Requirement/Standard:

a. Ground operations shall be allowed only when frost and snow cover are at sufficient depths to protect the tundra. Ground operations shall cease when the spring snowmelt begins (approximately May 5 in the foothills area where elevations reach or exceed 500 feet and approximately May 15 in the northern coastal areas). The exact dates will be determined by the [Authorized Officer \(AO\)](#).

b. Only low-ground-pressure vehicles shall be used for on-the-ground activities off ice roads or pads. A list of approved vehicles can be obtained from the AO. Limited use of tractors equipped with wide tracks or “shoes” will be allowed to pull trailers, sleighs or other equipment with approved undercarriage. Note: This provision does not include the use of heavy equipment such as front-end loaders and similar equipment required during ice road construction.

c. Bulldozing of tundra mat and vegetation, trails, or seismic lines is prohibited; however, on existing trails, seismic lines or camps, clearing of drifted snow is allowed to the extent that the tundra mat is not disturbed.

d. To reduce the possibility of ruts, vehicles shall avoid using the same trails for multiple trips unless necessitated by serious safety or superseding environmental concern. This provision does not apply to hardened snow trails for use by low-ground-pressure vehicles such as Rolligons.

e. The location of winter ice roads shall be designed and located to minimize compaction of soils and the breakage, abrasion, compaction, or displacement of vegetation. Offsets may be required to avoid using the same route or track in the subsequent year.

f. Motorized ground-vehicle use within the CRSA associated with overland moves, seismic work, and any similar use of heavy equipment shall be minimized within the Colville River Raptor, Passerine, and Moose Area from April 15 through August 5, with the exception that use will be minimized in the vicinity of gyrfalcon nests beginning March 15. Such use will remain ½ mile away from known raptor nesting sites, unless authorized by the AO.

6. Required Operating Procedure from the NE NPR-A Supplemental Integrated Activity Plan Record of Decision, C-1:

Objective: Protect grizzly bear, polar bear, and marine mammal denning and/or birthing locations.

Requirement/Standard:

- a. Cross-country use of heavy equipment and seismic activities is prohibited within ½ mile of occupied grizzly bear dens identified by the ADFG unless alternative protective measures are approved by the AO in consultation with the ADFG.
- b. Cross-country use of heavy equipment and seismic activities is prohibited within 1 mile of known or observed polar bear dens or seal birthing lairs. Operators shall consult with the USFWS and/or NOAA Fisheries, as appropriate, before initiating activities in coastal habitat between October 30 and April 15.

ARCTIC FIELD OFFICE NON OIL AND GAS PERMIT STIPULATIONS

[This is a subset of the Northeast National Petroleum Reserve-Alaska Supplemental Integrated Activity Plan/ Final Environmental Impact Statement Record of Decision Required Operating Procedures, the Northwest National Petroleum Reserve-Alaska Integrated Activity Plan/ Final Environmental Impact Statement Record of Decision Required Operating Procedures, Utility Corridor Resource Management Plan/Final Environmental Impact Statement, The Colville River Special Area Management Plan, and the Final Environmental Impact Statement on Oil and Gas Leasing in The National Petroleum Reserve in Alaska and Record of Decision approved 5/1983.]

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.

C. WINTER ONLY:

- 1) Water withdrawal from rivers and streams during winter is prohibited.
- 2) Compaction of snow cover or snow removal from fish-bearing water bodies shall be prohibited except at approved ice road crossings, water pumping stations on lakes or areas of grounded ice.

D. NORTHEAST SPECIFIC

- 1) Lakes that are ≥ 7 feet with sensitive fish (any fish except ninespine stickleback or Alaska blackfish), water available for withdrawal is limited to 15% of calculated volume deeper than 7 feet; lakes that are between 5 and 7 feet with sensitive fish, water available for withdrawal would be calculated on a case by case basis.
- 2) Lakes that are ≥ 5 feet with only non-sensitive fish (i.e., ninespine stickleback or Alaska blackfish), water available for withdrawal is limited to 30% of calculated volume deeper than 5 feet.
- 3) Any lake with no fish present, regardless of depth, water available for withdrawal is up to 35% as specified within the permit.

E. NORTHWEST SPECIFIC

- 1) Water withdrawal from lakes may be authorized on a site-specific basis depending on size, water volume, depth and fish population and species diversification. Current water withdrawal requirements specify:
 - a) Water withdrawals from any fish bearing lake 7 feet or deeper shall be limited to 15 percent of the estimated free water volume located beneath the ice.
 - b) Water withdrawals from lakes with depths between 5 and 7 feet that contain only ninespine stickleback and/or Alaska blackfish are limited to up to 30 percent of the under-ice volume.

III. AIRCRAFT

- A. Hazing of wildlife by aircraft is prohibited. Pursuit of running wildlife is hazing. If wildlife begin 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 $\frac{1}{2}$ mile of cliffs identified as raptor nesting sites from April 15 through August 15 and within $\frac{1}{2}$ 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.
- C. Aircraft shall maintain an altitude of at least 1,000 ft AGL (except for takeoffs and landings) over caribou winter ranges from December 1 through May 1, unless doing so would endanger human life or violate safe flying practices. Caribou wintering areas are defined by the AO for the winter of 2010-2011 as all of the NPR-A. The AO has consulted directly with the Alaska Department of Fish and Game in defining this caribou winter range.
- D. Use of aircraft, especially rotary wing aircraft, near known subsistence camps and cabins or during sensitive subsistence hunting periods (spring goose hunting and fall caribou and moose hunting) should be kept to a minimum.

E. NORTHEAST SPECIFIC

- 1) Aircraft used for permitted activities shall maintain an altitude of at least 2,000 feet AGL (except for takeoffs and landings) over the Teshekpuk Lake Caribou Habitat Area (Map 1) from May 20 through August 20, unless doing so would endanger human life or violate safe flying practices. Aircraft use (including fixed wing and helicopter) in the Goose Molting Area (Map 2) should be minimized from May 20 through August 20, unless doing so would endanger human life or violate safe flying practices.

F. NORTHWEST SPECIFIC

- 1) Aircraft used for permitted activities shall maintain an altitude of at least 2,000 ft AGL (except for takeoffs and landings) over the Caribou Study Area (Map 91) from June 15 through July 31, unless doing so would endanger human life or violate safe flying practices.
- 2) Aircraft shall maintain an altitude of at least 2,000 ft AGL (except for takeoffs and landings) over the Caribou Coastal Insect-Relief Areas (Map 91) from June 15 through July 31, unless doing so would endanger human life or violate safe flying practices.

G. SOUTH SPECIFIC

- 1) Aircraft shall maintain an altitude of at least 2,000 ft AGL (except for takeoffs and landings) over groups of caribou 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. Provide BLM with a detailed map of all camp locations, trails used, and location located accurately on a USGS quadrangle map of the 1:63,360 scale. Please include the dates of the trip, the number of people camped at each site, and GPS location (with datum noted).
- C. Camps will be situated on gravel bars, sand, or other durable lands.

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 are 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 allowing an examination by BLM cultural or paleontological specialists.

- C. Prior to any ground-disturbing activity the permittee shall conduct a cultural and paleontological resources survey.

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 State of Alaska Game and Fish laws or regulations, or other applicable regulations related to this permit.
- D. Report to BLM the taking of bears or other wildlife in defense of life or property.
- E. The authorized user shall protect all survey monuments and be responsible for survey costs if re-monumentation is required as a result of the user's actions.
- F. 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.
- G. In the event of obliteration or disturbance of any of the 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.

H. Removal of greater than 100 cubic yards of sand and/or gravel from cliffs shall be prohibited.

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.

B. WINTER ONLY:

1) Travel up and down streambeds in winter is prohibited unless it can be demonstrated that there will be no additional impacts from such travel to over-wintering fish or the invertebrates they rely on. Rivers and streams shall be crossed at shallow riffles from point bar to point bar whenever possible.

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.

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.
- B. On a case-by-case basis, BLM may permit low ground- pressure vehicles to travel off of gravel pads and roads. Permission for such use would only be granted after an applicant has:
- 1) Submitted studies satisfactory to the AO of the impacts on soils and vegetation of the specific low-ground-pressure vehicles to be used. These studies should reflect use of such vehicles under conditions similar to those of the route proposed for use and should demonstrate that the proposed use would have no more than minimal impacts to soils and vegetation.
 - 2) Submitted surveys satisfactory to the AO of subsistence uses of the area as well as of the soils, vegetation, hydrology, wildlife and fish (and their habitats), paleontological and archaeological resources, and other resources as required by the AO.

XI. WASTE

A. HUMAN WASTES

- 1) Toilet paper: Toilet paper (TP) 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 or bare ground.
- 3) Recommended human excreta disposal in riparian areas: Packing out human wastes is the most eco-friendly means of 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.
- 3) Areas of operation shall be left clean of all debris.

C. FUEL

- 1) Notice of any spill shall be given to the AO as soon as possible or to the BLM Arctic Field Office Hazmat Coordinator, Susan Flora (work/message 907-474-2303). Other Federal, State, and NSB entities shall be notified as required by law.
- 2) All spills shall be cleaned up immediately and to the satisfaction of the AO and all agencies with regulatory authority over spills, including the Alaska Department of Environmental Concerns (ADEC),(1800-478-9300) (Alaska Statute Title 18, Chapter 75, Article 2).
- 3) State and Federal safety standards for fuel handling will be followed.
- 4) All fuel containers, including barrels and propane tanks, shall be marked with Permittee's name, product type, and year filled or purchased (e.g. company Name, Fuel Type, 1993).
- 5) Sorbant pads will be stored and used at all fueling points and maintenance areas. Drip basins and/or sorbent pads will be placed under all non-dry-disconnect-type fuel line couplings and valves.
- 6) Fuels shall not be stored on the active floodplain of any water body. Although fuels may be off-loaded from aircraft on ice, fuels shall not be stored on lake or river ice.

- 7) Refueling of equipment within 500 feet of the highest high water mark of any water body is prohibited with the exception of refueling motor boats, float planes, and ski planes. Small caches (up to 210 gallons) for motorboats float planes, ski planes, and small equipment, e.g. portable generators and water pumps, will be permitted.
- 8) Fuel, other petroleum products, and other liquid chemicals designated by the AO in **excess of 1,320 gallons** in storage capacity, shall be stored within an impermeable lined and diked area or within approved alternate storage containers such as overpacks, capable of containing 110 percent of the stored volume. The liner material shall be compatible with the stored product and capable of remaining impermeable during typical weather extremes expected throughout the storage period.

D. PESTICIDES

- 1) Use of pesticides without the specific authority of the AO is prohibited.

XII. WILDLIFE

- A. Chasing wildlife with ground vehicles is prohibited. Particular attention will be given to avoid disturbing caribou.
- B. The feeding of wildlife is prohibited.
- C. With the exception of authorized guide hunting trips, hunting and trapping by permittees is prohibited.