



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Central Yukon Field Office  
1150 University Avenue  
Fairbanks, Alaska 99709-3844  
<http://www.blm.gov/ak>

In Reply Refer To:  
FF-096072

## **CATEGORICAL EXCLUSION DOI-BLM-AK-03000-2012-0047-CX**

**Applicant:** William Schmidt, wilderness guide dba: Alaska Wilderness Guides

**Proposed Action:** Initiate a Special Recreation Permit

**Location:** Dalton Highway Recreation Management Area (DHRMA)

### **Description of Proposed Action:**

Mr. William 'Eric' Schmidt, dba: Alaska Wilderness Guides has applied for a 2930 Special Recreation Permit to lead camping and hiking trips for up to 12 clients on Bureau of Land Management (BLM) lands within the Dalton Highway Utility Corridor. The trips travel is by passenger van and begin/end in Fairbanks. The use of BLM established camps at the Arctic Circle, Marion Creek, and Galbraith Lake are included in the trips. Additional camping will be done along the roadside where space is available. Day trips on BLM lands will begin and end at established waysides. No overnight camping off the road system is proposed by the applicant.

### **Land Use Plan Conformance**

Subject lands are covered under the Utility Corridor Resource Management Plan, which was approved on January 11, 1991; the action has been reviewed for and is in conformance with Chapter Two of the Plan (pages 2-26 and 2-27) and also implementing action #1 under Recreation Program Objective 2 found in Appendix N (page N-19) which states "Process Special Recreational Permit applications for all commercial and competitive events on a case-by-case basis;" and the Recreation Area Management Plan for the Dalton Highway which was approved on October 11, 1991.

These lands and recreation sites are within the Dalton Highway Recreation Management Area (DHRMA) and described in the Dalton Highway Recreation Management Plan (1991).

The action, as proposed, is consistent with the objectives outlined in these Central Yukon Field Office (CYFO) documents and not in conflict with other resources in the area. The proposed use is in conformance with current policy of the Fairbanks District Office, BLM. The Proposed Action conforms and is tiered to the existing land use plans (LUPs) and environmental documentation below.

## **A. Compliance with NEPA**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 11.9 (H) 1, which states, “Issuance of 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 43CFR 46.215 apply.

**EXTRAORDINARY CIRCUMSTANCES**

	<b>YES</b>	<b>NO</b>
1) May have significant impacts on public health or safety.		X
2) May 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
3) May have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
4) May have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
5) Might establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
6) May have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
7) May 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
8) May 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
9) Might violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
10) May have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
11) Might 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
12) Could 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

**A. Signature**

I considered the proposed action of providing access for William Schmidt, Alaska Wilderness Guides, within the Dalton Highway Recreation Management Area and find that there is no potential for significant impacts to BLM lands, and that the action can be categorically excluded.

Authorizing Official: /s/ Gary Foreman Acting For Date: 11/7/2012

Nichelle Jacobson  
 Manager, Central Yukon Field Office

DECISION RECORD  
BLM Fairbanks District - Central Yukon Field Office  
2930 – Special Recreation Permit  
Case File #FF096072-Alaska Wilderness Guides  
DOI-BLM-AK-03000-2011-0047-CX

Decision:

It is my decision to approve a 2930 Special Recreation Permit for the use of BLM lands by William Schmidt, Alaska Wilderness Guides for commercial wilderness trip activities within the Dalton Highway Recreation Management Area. This permit is issued subject to the attached general terms. The permitted area includes the BLM managed lands from the north side of the Yukon River Crossing (mile post 56) to mile post 300 of the Dalton Highway. The permitted area generally includes the area within five miles either side of the Dalton Highway. The permit is for five years beginning August 1, 2012 and ending December 31, 2016. Periods of operation will be from January 1 through December 31 annually.

Authorizing this Proposed Action will facilitate an acceptable and permitted practice by the BLM and is compatible with the:

The Utility Corridor Resource Management Plan, which was approved on January 11, 1991.

The Proposed Action does not trigger any of the Extraordinary Circumstances found in 43 CFR 46.21 516 DM Chapter 2, Appendix 2. In addition, the decision to process this application as a Categorical Exclusion falls within the guidance provided in Appendix 4 NEPA Handbook Appendix 4, 516 DM 11.9 (H) 1, as described above in 'Compliance with NEPA'.

Rationale:

1. Authorizing the permit is specifically provided for in the Utility Corridor Resource Management Plan.
2. The action is categorically excluded and does not trigger any of the extraordinary circumstances found in CFR 46.215.
3. There will be no restriction to subsistence use (See attached ANILCA 810 documentation).
4. There will be no adverse impacts to cultural resources (See attached Assessment of Archaeological and Historic Resources Sec. 106 documentation).
5. There will be no impact on Essential Fish Habitat (see attached EFH determination).
6. The Analysis documents no impact on Wilderness Characteristics (see attached report).

## **Protest and Appeal Procedures**

If you choose to protest this decision you must do so within 15 days of the receipt of permit determination. The protest must be filed with and received by the CYFO Field Manager within the allotted time. The protest must present any evidence that would show the decision is in error and should be vacated or modified. Within 15 days of receipt of a timely protest the Field Manager will review any evidence provided by you and forward a recommended final decision to the Fairbanks District Manager. The decision of the District Manager will be the final BLM decision, and may be appealed to the Interior Board of Land Appeals.

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 within 30 days from receipt of this decision.

/s/ Gary Foreman acting for  
Nichelle Jacobson  
Manager, Central Yukon Field Office

11/7/2012  
Date

### **Contact Person**

For additional information concerning this CX review and decision, contact Kelly Egger, Natural Resource Specialist, Central Yukon Field Office, at 907-474-2242 or email [kegger@blm.gov](mailto:kegger@blm.gov).