



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:
FF094597

CATEGORICAL EXCLUSION DOI-BLM-AK-03000-2012-0014-CX

Sandor Alex Tarnai
Timberwolf Guiding Services
PO Box 187
Tanana, AK 99777

Office: Central Yukon Field Office - Case File Number FF09457

Proposed Action Title/Type: Commercial Hunting Guide
2930 Special Recreation Permit

Location: The location of the proposed activity is on Bureau of Land Management (BLM) lands as described in Central Yukon Management Plan (May 1991) in Game Management Units 21 and 24, within Guide Use Areas (GUAs) 21-04, 21-05 and 24-02.

A. Description of the Proposed Action:

This is a renewal of a Special Recreation Permit (SRP) which was first approved on July 11, 2006 Environmental Assessment number AK-024-05-052. The original EA is in the case file for review at the BLM Fairbanks District Office.

The applicant has applied for a permit to use of BLM lands leading commercial hunting trips for up to five (5) clients annually in the areas listed below. The applicant plans to work in Guide Use Areas 21-04 (Sulukna River drainage) for moose hunting, 21-05 (Melozitna River/Lancaster Creek drainage north of Wolf Mountain) for black bear hunting, and 24-02 (Ray Mountains/Torment Creek drainage) for black bear, grizzly bear, and caribou hunting.

Transportation into the GUAs is via small aircraft and boat. The beginning point for guided hunt trips is his private residence in the village of Tanana which also serves as a base camp. As needed, spike camps will be used in the GUAs and be sited on gravel bars and upland clearings.

Proposed dates for hunt related activities are May 1 – June 30 and August 10 – October 20 ending in the year of the year of 2017. Hunt dates are per state regulations.

B. Land Use Plan Conformance

This proposed action is in conformance with The Central Yukon Resource Management Plan as approved in March 1986. Pages 11-12 states “the primary objective for management resources will be to allow opportunities that presently exist, and support or encourage opportunities for improving access.”

The plan and supporting documents are available for review in the Fairbanks District Office, Bureau of Land Management, 1150 University Avenue, Fairbanks, Alaska, 99709, (907) 474-2200.

C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with the NEPA Handbook Appendix 4, 516 DM 11.9 (H), which states, “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.”

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

EXTRAORDINARY CIRCUMSTANCES

	YES	NO
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

D. Determination

I have found that the proposed action is in conformance with the Central Yukon Resource Management Plan. The proposed action can be categorically excluded and does not trigger any of the extraordinary circumstances found in 43 CFR 46.215.



Date: 7/11/12

Nichelle Jacobson
Field Manager
Central Yukon Field Office

DECISION RECORD
BLM Fairbanks District - Central Yukon Field Office
2930 – Special Recreation Permit
Case File #FF09457 – Timberwolf Guiding Services
DOI-BLM-AK-03000-2012-0014-CX

Decision:

It is my decision to approve a 2930 Special Recreation Permit for the use of BLM lands by Sandor Alex Tarnai/Timberwolf Guiding Services for commercial hunting on BLM lands in three Guide Use Areas including, 21B (Sulukna River drainage) for moose hunting, 21C (Melozitna River/Lancaster Creek drainage north of Wolf Mountain) for black bear hunting, and 24B (Ray Mountains/Torment Creek drainage) for black bear, grizzly bear, and caribou hunting. The total number of guided hunts per year shall not exceed five (5). Allowable dates for hunt related activities are May 1 – June 30 and August 10 – October 20 ending in the year of the year of 2017. Hunt dates are per state regulations.

1. Authorizing this Proposed Action will facilitate an acceptable and permitted practice by the BLM and is compatible with Central Yukon Management Plan, and is an action that can be categorically excluded. 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'.

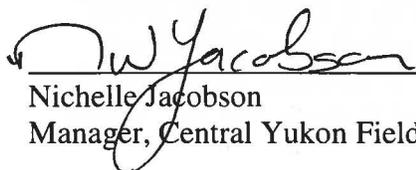
Rationale:

1. Authorizing the permit is specifically provided for in Central Yukon 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).

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.



Nichelle Jacobson
Manager, Central Yukon Field Office

7/11/12
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.

GENERAL TERMS

- a. 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 Special Recreation Permit (SRP or permit). 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, and spectators.
- b. An SRP authorizes special uses of the public lands and related waters and, should circumstances warrant, the permit may be modified by the BLM at any time, including modification of the amount of use. The authorized officer may suspend or terminate an SRP if necessary to protect public resources, health, safety, the environment, or because of non-compliance with permit stipulations. Actions by the BLM to suspend or terminate an SRP are appealable.
- c. 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.
- d. Unless expressly stated, the permit 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.
- e. 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, contracting of equipment or services may be approved by the authorized officer 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 or activity 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.
- f. All advertising and representations made to the public and the authorized officer 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. 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. The permittee must furnish the authorized officer with any current brochure and price list if requested by the authorized officer.

- g. The permittee assumes 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 flora/fauna, abandoned mines, or other hazards that present risks for which the permittee assumes responsibility.
- h. 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.
- i. 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.
- j. The permittee must present or display a copy of the SRP to an authorized officer's representative, or law enforcement personnel upon request. If required, the permittee must display a copy of the permit or other identification tag on equipment used during the period of authorized use.
- k. The authorized officer, or other duly authorized representative of the BLM, may examine any of the records or other documents related to the permit, the permittee or the permittee's operator, employee, or agent for up to three years after expiration of the permit.
- l. The permittee must submit a post-use report to the authorized officer according to the due dates shown on the permit. If the post-use report is not received by the established deadline, the permit will be suspended and/or late fees assessed.
- m. The permittee shall notify the authorized officer of any incident that occurs while involved in activities authorized by these permits, which result in death, personal injury requiring hospitalization or emergency evacuation, or in property damage greater than \$2,500 (lesser amounts if established by State law). Reports should be submitted within 24 hours.

**Stipulations for Special Recreation Permit
FF09457**

1. Permitted activity is for commercial hunting on BLM lands in three Guide Use Areas including, 21-04 (Sulukna River drainage) for moose hunting, 21-05 (Melozitna River/Lancaster Creek drainage north of Wolf Mountain) for black bear hunting, and 2402 (Ray Mountains/Torment Creek drainage) for black bear, grizzly bear, and caribou hunting.
2. The total number of guided hunts per year shall not exceed five (5).
3. Allowable dates for hunt related activities are May 1 – June 30 and August 10 – October 20 ending in the year of the year of 2017. Hunt dates are per state regulations.
4. Use of Off Highway Vehicles (OHV) for the permitted guiding activities is prohibited.
5. If the BLM or the permittee identifies locations where Special Status Species Plants occur, the permittee will avoid camping in those areas.
6. The permittee will not harass non-target wildlife.
7. The permittee is responsible for preventing the spread of invasive non-native plants (INP) caused by use of the public lands. He is advised to be familiar with invasive plants in the operating area. In order to minimize the potential of introducing INP seeds to remote public lands, the guide and his clients shall: 1) clean their footwear, clothing or equipment to remove seeds of invasive plants prior to their travel onto public lands, 2) inspect and clean all personal property for seeds before leaving their location of origin and transporting it into the field; and 3) use minimum impact camping practices to reduce the potential disturbance to camp areas. Particular attention will be paid to cleaning the soles of boots to remove mud that may obscure seeds. **It is recommended that the permittee send a copy of the attached letter (attachment A) to all clients prior to their travel into the field so that they have time to adequately clean equipment, clothing and gear before leaving home.** This letter advises them of preventive measures to be taken before leaving their point of origin in order to prevent the spread of non-native invasive plants species on public lands. The same preventive measures will apply, not only to clients, but to the permittee and any personnel associated with the guiding operation.
8. The permittee cannot, unless specifically authorized under a 2920 Permit, erect, construct, or place any building, structure, or other fixtures on public lands. If permittee has paid an Assigned Site Fee, any temporary structures or improvements placed upon the public lands must be either: 1) removed from the public lands or 2) disassembled and stored, in such a manner as to not cause any adverse condition at the conclusion of the event or activity on an annual basis. For the purposes of this permit, “conclusion of event or activity on an annual basis” shall be the following annual date: September 30. Upon

expiration of the SRP permit, lands must be restored as nearly as possible to pre-existing conditions.

9. Wastewater must be managed in accordance with Title 18 Alaska Administrative Code, Chapter 72, (18 AAC 72) Wastewater Disposal. Wastewater is defined as Human Waste (sewage), and Gray Water (water which has been used for personal hygiene, washing clothing or equipment, or sanitizing cooking and eating materials). If the standards for Pit Privies found at 18 AAC 72.030 cannot be met, all wastewater must be collected and transported to a state approved disposal facility. Upon closure of the campsite the Pit Privy must be completely back-filled with the surface area covered and re-graded to approximate original appearance.
10. Non-Hazardous Solid Waste (trash/refuse) may be burned in campfire pits. All unburned/unburnable trash/refuse will be back hauled from the area and disposed in an approved waste disposal site. All fire rings/pits must be removed or destroyed after use. Trash/refuse will not be disposed of in a Pit Privy.
11. This permit is not valid for lands selected by any Native Regional or Village Corporation. It is the responsibility of the permittee to obtain letters of non-objection from the Native Corporations and submit a copy of the letter to the Authorized Officer. This permit is not valid for lands owned by the State of Alaska. It is the responsibility of the permittee to obtain a letter of concurrence pursuant to Section 906(k) of ANILCA on any lands selected by the State of Alaska and submit a copy of the letter to the Authorized Officer.
12. Use of aircraft in support of your commercial hunting activities is authorized. Landing sites should be selected in a method that does not negatively impede the experience of other users. To avoid impacts to wildlife and other commercial and noncommercial users of the area, low level flights under 1,500 feet are prohibited except when landing and takeoff or in weather conditions that won't allow safe flying practices at an altitude of 1500 feet.
13. Storage of fuel in excess of five gallon size containers must receive pre-approval from BLM.

ATTACHMENT A

Letter to Clients

PLEASE HELP US PREVENT THE SPREAD OF INVASIVE NON-NATIVE PLANT SPECIES; CLEAN YOUR BOOTS, CLOTHING AND GEAR BEFORE RECREATING ON PUBLIC LANDS

The commercial operator supplying you with services on public lands is operating under a Special Recreation Permit (SRP) from the Bureau of Land Management's (BLM) Fairbanks District Office (FDO) in Fairbanks, Alaska. As a stipulation of the SRP, the commercial operator is providing you with the following information for you to help prevent the introduction and spread of invasive non-native plant species (aka: weeds) as you prepare for your trip on public lands.

The spread of invasive non-native plant species into the largely intact ecosystems of Alaska is a cause for concern by management agencies because of the potential for invasive non-native plant species to impact native plant community structure and composition, natural ecosystem processes, and ultimately, contribute to biodiversity loss. Invasive non-native plant species in remote areas of Alaska are usually associated with human activity. They can become established at disturbed sites such as campsites, remote airstrips or trails and then spread into other areas. Because of that, any human activity on remote lands creates the potential for contributing to the introduction and spread of invasive non-native plant species to BLM administered lands. **Invasive non-native plant species seeds from other areas is typically introduced to remote sites on equipment, shoes and clothing, or if hay, straw or other feeds are brought into the area.** Any invasive non-native plant species seeds transported into an area can become dislodged and eventually become established at the new site. This could provide a seed bank for their spread via natural vectors, such as animals, wind or water, which may transport seeds even further, increasing the size of the infested area or create new infestations.

Before leaving home to recreate on public lands please take the following preventive measures to avoid the introduction and spread of invasive non-native plants caused by your use of the public lands.

- **Inspect and clean your footwear, clothing and any other gear or equipment, to remove seeds of invasive plants prior to your travel onto public lands. Pay particular attention to cleaning the soles of boots to remove mud that may obscure seeds. Be aware that felt-soled wading boots will be banned in Alaska in 2012.**
- **Use minimum impact camping practices to reduce the potential disturbance to camping areas.**

Thank you for your cooperation in helping to sustain the natural resources in Alaska and enjoy visiting *your* public lands.

Kelly Egger, Natural Resource Specialist, Central Yukon Field Office, FDO, 1150 University Avenue, Fairbanks, Alaska 99709; e-mail: kegger@blm.gov