



U.S. Department of the Interior Bureau of Land Management

Glennallen Field Office

P.O. Box 147

Glennallen, Alaska 99588

<http://www.blm.gov/ak/st/en/fo/gdo.html>

Categorical Exclusion

Applicant: Otto Kulm DBA Pacific Mountain Guides: Commercial big game guiding-outfitting.

Case File Number: AA-86868

DOI-BLM-AK-A020-2009-0013



Location:

Klutina Lake (T2S, R3-5 W, T1S, R4W, T3S, R4W) Copper River Meridian, St. Anne Lake, (T2N, R5W), (T1N, R5W) Copper River Meridian, Tazlina Lake (T1N, R7W, T1S, R7W) Copper River Meridian, Shoup Bay Glacier (T8S, R9W) Copper River Meridian

Prepared By:

Denton Hamby

Outdoor Recreation Planner

February 24, 2009

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Glennallen Field Office
CATEGORICAL EXCLUSION (CX) FORM

CX No.: DOI-BLM-AK-A020-2009-0013

Lease/Serial/Case File No.: AA-86868

Location:

The proposed use area would include portions of BLM administered lands in the Klutina, and Tazlina River Drainages also including portions west of Valdez in the Shoup and Sawmill Bay area. All the activities are located within State Game Management Unit 13D and 6D and are subject to State and Federal management guidelines.

Legal description of the proposed use areas: (See attached map)

- Klutina Lake (T2S, R4-5 W, T1S, R4W, T3S, R4W) Copper River Meridian
- St. Anne Lake, (T1N, R5W) Copper River Meridian
- Tazlina Lake (T1N, R7W, T1S, R7W) Copper River Meridian
- Shoup Bay Glacier (T8S, R9W) Copper River Meridian

Applicant: Otto Kulm

The Proposed Action involves commercial big game guiding-outfitting activities conducted partially on BLM-administered lands and waters within State-established Guide Use Areas (GUA) 13-05, 06-03, and 06-04. This applicant currently has similar permits with the U.S. Forest Service, Chugach National Forest, and the BLM Oregon Vale Field Office. If the BLM approves this permit, the permittee shall be issued an initial one-year probationary authorization.

Registered Guide Otto Kulm, doing business as Pacific Mountain Guides, has submitted an application for a Special Recreation Permit (SRP). To conduct guided hunting on portions of land administered by the Bureau of Land Management, Glennallen Field Office. Mr. Kulm is a current registered hunting guide with the State of Alaska and would like to include lands that are currently under BLM administered as part of his guiding operation. The expected number of clients annually is estimated at a maximum of 34 clients for all species combined. The access for the proposed use areas is by foot, boat or float plane. Spike camps shall consist of a small tent and pit toilet. The locations of temporary spike camps are unknown at this time since they are dependent on the location of game. The spike camps would be utilized for short periods of time

(3-7 days) by three to ten clients annually and the toilet filled in when they leave the area. Trash will be packed out. No long-term or over-winter storage of personal items or gear is being requested on BLM-administered lands. All camps would be temporary tent sites and completely removed after each trip. No onsite storage or caching would be permitted. Activities would take place between May and November each year in line with dates defined in current Alaska Department of Fish and Game Hunting regulations.

PART I - PLAN CONFORMANCE REVIEW

This Proposed Action is subject to the following land use plan: East Alaska Resource Management Plan (EARMP)

Date Plan Approved: July 2007

The Proposed Action has been reviewed for conformance with this plan (43 CFR 1610.5-3(a)).

The Glennallen Field Office operates under the East Alaska Resource Management Plan (EARMP) of 2007. The proposed action has been reviewed and determined to be in compliance with the EARMP for authorized allocations within the proposed action area.

Remarks:

Under the principles of the multiple use concepts of managing natural resources, the intent of the recreation and tourism goals are to provide a broad spectrum of recreation opportunities for both resident and nonresident recreating public.

PART II - NEPA REVIEW

A. Categorical Exclusion Review.

The Proposed Actions qualify as categorical exclusions pursuant to 516 DM 11.9, Appendix 4, Part H, 1:

“Issuance of Special Recreation Permits for day or overnight use up to 14 consecutive nights; that impacts no more than 3 (cumulative) staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan. This CX cannot be used for commercial boating permits along Wild and Scenic Rivers. This CX cannot be used for the establishment or issuance of Special Recreation Permits for “Special Area” management (43 CFR 2932.5).”

B. Departmental List of Extraordinary Circumstances Review.

The following Departmental List of Extraordinary Circumstances applies to individual actions. Departmental instructions mandate that environmental documents **MUST BE PREPARED** for actions which may: (Mark applicable answer for each item. If "yes", prepare an EA/EIS and append this form to it.)

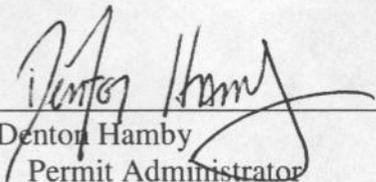
- | | | | |
|----|--|-------|-----------|
| 1. | Have significant adverse impacts on public health or safety. | _____ | <u>No</u> |
| 2. | Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness 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. | _____ | <u>No</u> |
| 3. | Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]. | _____ | <u>No</u> |
| 4. | Have highly uncertain and potentially significant environmental | _____ | <u>No</u> |

	effects or involve unique or unknown environmental risks.	_____	_____
5.	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	_____	<u>No</u>
6.	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	_____	<u>No</u>
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.	_____	<u>No</u>
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.	_____	<u>No</u>
9.	Violate Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	_____	<u>No</u>
10.	Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	_____	<u>No</u>
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).	_____	<u>No</u>
12.	Contribute to the introduction, continued existence, or spread of weeds or non-native invasive species known to occur in the actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).	_____	<u>No</u>

I certify that none of the Departmental Extraordinary Circumstances listed in the above Part B (516 DM 2, Appendix 2) apply to this action.

Remarks:

Case File No.: AA-86868
DOI-BLM-AK-A020-2009-0013

Preparer(s):  Date: 3/30/09
Denton Hamby
Permit Administrator

PART III – DECISION

The proposed action is in conformance with a management framework plan or a resource management plan, 43 C.F.R. § 1610.8(a)(3) (2007). The Department of the Interior has determined and found that the proposed action is within a category of actions that do not individually or cumulatively have a significant effect on the human environment and that neither an environmental assessment nor an environmental impact statement is required, 40 C.F.R. §1508.4 (2007).

It is therefore my decision to implement the action, as described, with appropriate mitigation measures or stipulations.

Mitigation Measures/Other Remarks: In addition to conditions and stipulations attached to the permit, annual compliance inspections and performance evaluations shall be conducted and documented within the permittee's case file.

Glennallen Field Office Manager Wick Runney Date: 3/31/09

Assessment of Undertakings Not Subject to Further Section 106 Review Glennallen Field Office

GDO Document No. GFO-09-10
BLM Serial No. AA86868

Environmental Assessment No. DOI-BLM-AK-A020-2009-0013

Class of Inventory: No Further Review

Dates of Inspection: 03/23/2009

Inspector: John Jangala

Maps: Valdez 1:250,000

Applicant: Otto Kulm

Location: The project will be conducted in the southern portion of the Copper River Basin and in northeastern Prince William Sound. Specifically, the project will occur near: Klutina Lake in T2S, R5W; T1S, R4W; T3S, R4W, CRM; St. Anne Lake in T1N, R5W, CRM; Tazlina Lake, T1N, R7W; T1S, R7W, CRM; Shoup Bay Glacier, T8S, R9W, CRM.

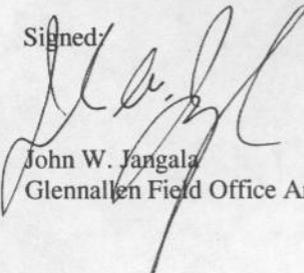
Project Description: The Bureau of Land Management proposes to permit Otto Kulm to conduct guided big game hunting operations at four locations on BLM managed land. These short term, temporary tent camps will include the use of portable environmental toilets (PETT) and all refuse will be packed out. Access to the camps will be on foot, by airplane or by boat. None of the camps will require any subsurface disturbance.

Acreage: Unknown

Recommendations: According to the Protocol for Managing Cultural Resources on Lands administered by the Bureau of Land Management in Alaska, between the Bureau of Land Management and the State Historic Preservation Officer, signed April 17, 1998, this undertaking is not subject to further Section 106 review (Appendix 2: Category One). The project will involve less than one square meter of ground disturbance. As long as the applicant adheres to the attached stipulations, the applicant may proceed as proposed in the application. However, if heritage or paleontological resources are encountered during implementation of the project, the project will cease and the Glennallen Field Office, cultural resource staff, shall be notified.

The following stipulation should be attached to the permit: "There shall be no disturbance of any archaeological or historical sites, including graves and remains of cabins, and no collection of any artifacts whatsoever. Also, collection of vertebrate fossils, including mammoths and mastodon bones, tusks etc., is strictly prohibited. If historic resources are encountered then all artifacts will be respectfully left in place and the Glennallen Field Office's cultural resources staff will be notified immediately."

Signed:


John W. Jangala
Glennallen Field Office Archaeologist (AK-050)

ANILCA Section 810 Analysis of Subsistence Impacts

A. Subsistence Evaluation Factors

Section 810(a) of ANILCA requires that an evaluation of subsistence uses and needs be completed for any federal determination to “withdraw, reserve, lease, or otherwise permit the use, occupancy or disposition of public lands.” Therefore, an evaluation of potential impacts to subsistence under ANILCA Sec. 810(a) must be completed for the Special Recreation Permit (SRP) requested by Otto Kulm, doing business as Pacific Mountain Guides (PMG), to conduct commercial big game guiding-outfitting within BLM-administered lands and waters on State-established Guide Use Areas (GUA) 13-05, 06-03, and 06-04. ANILCA requires that this evaluation include findings on three specific issues:

- The effect of use, occupancy, or disposition on subsistence uses and needs;
- The availability of other lands for the purpose sought to be achieved; and
- Other alternatives that would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes (16 USC Sec. 3120).

A finding that the proposed action may significantly restrict subsistence uses imposes additional requirements, including provisions for notices to the State of Alaska and appropriate regional and local subsistence committees, a hearing in the vicinity of the area involved, and the making of the following determinations, as required by Section 810(a)(3):

- Such a significant restriction of subsistence uses is necessary, and consistent with sound management principles for the utilization of public lands;
- The proposed activity will involve the minimal amount of public lands necessary to accomplish the purposes of use, occupancy, or other disposition; and
- Reasonable steps will be taken to minimize adverse effects upon subsistence uses and resources resulting from such actions.

To determine if a significant restriction of subsistence uses and needs may result from the proposed action, including its cumulative effects, the following three factors in particular are considered:

- The reduction in the availability of subsistence resources caused by a decline in the population or amount of harvestable resources;
- Reductions in the availability of resources used for subsistence purposes caused by alteration of their normal locations and distribution patterns; and
- Limitations on access to subsistence resources, including but not limited to increased competition for the resources.

A significant restriction to subsistence may occur in at least two instances: 1) when an action substantially reduces populations or their availability to subsistence users, and 2) when an action

substantially limits access by subsistence users to resources. The information contained in the Environmental Assessment is the primary data used in this analysis.

B. ANILCA Sec. 810(a) Evaluations and Findings for All Alternatives and the Cumulative Case

The following evaluations are based on information relating to the environmental and subsistence consequences of the proposed PMG SRP. The evaluation and findings focus on the potential impacts to the subsistence resources themselves, as well as access to resources, and economic and cultural issues that relate to subsistence use.

1. Evaluation and Findings of Proposed Action

a) Evaluation of the Effect of Use, Occupancy, or Disposition on Subsistence Uses and Needs

Under the proposed action, BLM proposes to authorize PMG to conduct commercial big game guiding-outfitting activities on BLM-administered lands and waters within GUAs 13-05, 06-03, and 06-04. The proposed action does not involve any BLM lands that are open to federal subsistence hunting.

Despite the fact that no federal subsistence hunting occurs within the proposed PMG area of operation, subsistence resources such as moose and caribou may travel through areas where PMG proposes to operate. However, neither one of these subsistence species are listed as potential big game targets for PMG.

Other subsistence activities that occur outside of federal subsistence hunting areas include subsistence uses of vegetative resources and fishing. Subsistence uses of birch bark for the creation of handicrafts are common within this region. Local artisans harvest birch bark to make birch baskets. Spruce roots are also harvested for use in tying the birch baskets together as well as for creating other handicrafts. Berry picking for subsistence can occur outside of the federal subsistence hunting areas. Several species of berries occur in the region including blueberries, crowberries, and cranberries, all of which are used for local subsistence. Numerous streams and lakes dot the region and may be used for subsistence fishing. Some streams provide salmon rearing habitat. Some lakes are stocked by the Alaska Department of Fish and Game (ADF&G). Therefore, various water bodies within the region are used for fishing by local residents. Although the proposed activity occur on a limited scale within areas that may be subject to subsistence use, the PMG operation plan provides for adequate practices that would minimize their impacts on subsistence resources. Furthermore, the conditions and stipulations for the proposed SRP include terms that would minimize the environmental impacts of the proposed activity.

The analysis concludes that the proposed action would have negligible effects on subsistence species and on access to subsistence resources.

b) Evaluation of the Availability of Other Lands for the Purpose Sought to be Achieved

BLM administers or manages lands where the proposed action is to be conducted. Other public lands are available from the State of Alaska for the purpose sought to be achieved. The proposed action is to occur outside of federal subsistence hunt areas.

c) Evaluation of Other Alternatives that would Reduce or Eliminate the Use, Occupancy, or Disposition of Public Lands Needed for Subsistence Purposes

The alternative to the proposed action that would reduce or eliminate the use of public lands needed for subsistence purposes would be to use State of Alaska lands. However, allowing the use of BLM-managed lands would provide more options from which PMG can conduct the proposed activity.

d) Findings

The proposed activity would not significantly restrict access to or use of subsistence resources in or near the proposed activity area. The impacts to subsistence resources and access discussed above would be minimal, or would be adequately mitigated by specific instructions. There is no reasonably foreseeable significant decrease in the abundance of harvestable resources, and in the distribution of harvestable resources as a result of the proposed action.

2. Evaluation and Finding for Alternative B: No Action Alternative

Alternative B is the No Action Alternative. Selection of this alternative means that the proposed action is not permitted. Therefore, the impacts to subsistence as a result of this alternative would be minimal.

a) Evaluation of the Effect of Use, Occupancy, or Disposition on Subsistence Uses and Needs

Under the No Action Alternative, the area would remain available to lawful and permitted activities pursuant to State and Federal regulations. All special areas and site-specific prohibitions would remain in effect.

The analysis of the No Action Alternative on subsistence considers the effects of not conducting the above-described action. The analysis concludes that not permitting the proposed activity would have negligible effects on subsistence species and on access to subsistence resources.

b) Evaluation of the Availability of Other Lands for the Purpose Sought to be Achieved

Under the No Action Alternative, the proposed activity will not be permitted. No other lands are sought for the proposed activity.

c) Evaluation of Other Alternatives that Would Reduce or Eliminate the Use, Occupancy, or Disposition of Public Lands Needed for Subsistence Purposes

No other alternatives are considered.

d) Findings

The No Action Alternative would not significantly restrict subsistence uses and needs. The impacts to subsistence resources and access discussed above would be minimal.

4. Evaluation and Finding for the Cumulative Case

The goal of the cumulative analysis is to evaluate the incremental impact of the proposed action in conjunction with all past, present, and reasonably foreseeable future actions in or near where the proposed action is to occur. The cumulative analysis considers, in greatest detail, activities that are more certain to happen, and activities that are identified as being of great concern during consultation. Actions included in the cumulative analysis include, but are not limited to, the following:

- Previous land use pattern in the proposed activity area
- Current land use activities in the proposed activity area
- Foreseeable future developments and land use activities in the proposed activity area

a) Evaluation of the Effects of Use, Occupancy, or Disposition on Subsistence Uses and Needs

The potential list of cumulative activities, depending on timing, magnitude, duration, intensity, and type of activity would impact local subsistence species of fish and wildlife relative to abundance, distribution, seasonal habitat use, movement patterns, and habitat integrity (degree of fragmentation, degradation, and conversion). The activities and impacts of reasonably foreseeable actions would be dealt with on a case-by-case basis as, at this time, it cannot be predicted how such activities will present themselves or if they will actually occur.

An increase in recreational or hunting activities within the geographic boundary of the proposed action that is possible under a cumulative case could result in temporary displacement and possible alteration of behavior of wildlife that could, in turn, negatively affect subsistence harvests, primarily of moose and caribou. Nonetheless, the effects of the cumulative case are likely dependent upon loss of habitat.

Habitat loss in the vicinity of the proposed action is likely to come from mining activity, trail degradation, and OHV trails. Future development associated with mineral extraction is difficult to predict, but interest in minerals extraction may increase in the future. However, the scale of mining activity may depend on economic viability of such activity as well as the potential availability of extractable minerals within the area of the proposed action. With regard to trails, degradation would likely be addressed as needed. However, illegal trails contribute to habitat degradation that may affect subsistence uses. Because the proposed action is to be conducted on foot from the access points, the contribution of the proposed action to habitat degradation would likely be minimal. However, the existence of OHV trails within the area of the proposed action is not documented.

Snowmachiners and other winter recreationists currently use the area for personal recreation. Other forms of winter recreation are dog mushing, skijouring, and ice fishing. With potentially increasing interest from communities of Valdez, Glennallen, Delta Junction, Fairbanks, and other communities, there may be an increase in number of recreationists utilizing the area in the future. Vegetative subsistence resources such as berries are likely protected from winter recreational activities via snow cover. Properly managed, the increase in winter use of the area may not significantly affect subsistence resources.

The primary subsistence resources likely affected by the cumulative effects are moose and caribou. Moose hunting season is from August to September. Caribou hunting season is from August to March.

The impacts to the subsistence resources from reasonably foreseeable activities would likely not be significant in the area where the proposed activity is to occur. For some activities that the BLM allows, there are stipulations that the permittee must abide by in order to be in compliance with the approved permit. Permitted activities also do not limit access to subsistence resources. Therefore, there is likely to be negligible effects on subsistence species and on access to subsistence resources. Potential impacts as a result of this plan do not constitute a significant restriction of subsistence use.

b) Evaluation of the Availability of Other Lands for the Purpose Sought to be Achieved

BLM administers or manages a portion of the lands on which the proposed action is to be done. No other public lands are sought after for the purpose sought to be achieved.

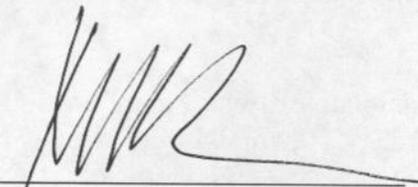
One salient factor to the proposed action is its applicability to future changes in BLM land status. It is foreseeable that BLM may either retain or lose ownership of land within the scope of the proposed action. If this occurs, then the proposed action may or may not be within BLM lands in the near future. It is unclear whether the cumulative impacts explained here would be applicable to future BLM lands.

c) Evaluation of Other Alternatives that would Reduce or Eliminate the Use, Occupancy, or Disposition of Public Lands Needed for Subsistence Purposes

There are no other alternatives to this activity. The proposed action has negligible effect on federal subsistence resources, access to them, and its users.

d) Findings

The cumulative case is not likely to result in a reasonably foreseeable and significant restriction of subsistence use and access for eligible subsistence users in the area of the proposed action. Currently, moose and vegetative resources are the primary subsistence resources likely affected by the proposed activity. The impacts to subsistence resources and access discussed above would be minimal. There is no reasonably foreseeable significant decrease in the abundance of harvestable resources, and in the distribution of harvestable resources.



Merben R. Cebrian
Wildlife Biologist

23 March 2009
Date

**United States Bureau of Land Management
Glennallen Field Office**

Checklist for Opportunity for Interdisciplinary Review of NEPA Documents

Environmental Assessment for: Otto Kulm DBA Pacific Mountain Guides: Commercial big game guiding-outfitting

EA Number: AK-A020-2009-CX-013

Resource	Staff Specialist	Comments Provided		Surname	Date
		Yes	No		
Fisheries	Elijah Waters		X	MRC	3/20/2009
Air Quality	Mike Sondergaard		X	MS	3/16/09
ANILCA, Section 810	Merben Cebrian	X		MRC; see attached	3/20/2009
Cultural Heritage	John Jangala	X		JJ	3/20/09
Fire Management	Ben Seifert		X	BS	3/10/09
Forestry	Ben Seifert		X	BS	3/10/09
Hazardous Materials	Mike Sondergaard		X	MS	3/16/09
Invasive Weeds	Ben Seifert		X	BS	3/10/09
Lands & Realty	Brenda Becker	X		BB	2/27/2009
Law Enforcement	Brad Honerlaw/Alysia White		X	AW	3/24/09
Minerals					
Paleontology	John Jangala		X	JJ	3/20/09
Public Affairs	Marnie Graham		X	MG	03/09/2009
Recreation	Will Runnoe				
Recreation Facilities	Marcia Butorac	mb			2/25/09
Recreation	Heath Emmons		HE		2/24/09
Recreation	Cory Larson		CL		3/2
Recreation	Denton Hamby				
Riparian & Wetlands	Mike Sondergaard		X	MS	3/16/09
Soils	Mike Sondergaard		X	MS	3/16/09
T & E Animals	Merben Cebrian		X	MRC	3/20/2009
T & E Plants	Merben Cebrian		X	MRC	3/20/2009
Visual Resources	Will Runnoe				
Water Quality	Mike Sondergaard		X	MS	3/16/09
Wildlife	Merben Cebrian		X	MRC	3/20/2009

Date: _____

CONDITIONS AND STIPULATIONS
For
SPECIAL RECREATION PERMIT # AA-086868
Otto Kulm – Pacific Mountain Guides

In addition to the terms included on the back of your Special Recreation Application and Permit (SRP) (Form 2930-1), the following special stipulations are a part of this permit and are applicable to BLM-administered lands and water, including State and Native Selected areas. Failure to comply with any of these conditions or stipulations knowingly or willfully is a violation of 43 CFR 2932.57, punishable by up to a \$1,000 fine and/or a year in jail.

Use Limitations

1. This permit authorizes day use or overnight use up to 14 consecutive nights and use of no more than three cumulative staging area (base and spike camps) acres on BLM lands.
2. This permit shall be terminated or adjusted accordingly, two days prior to approval of conveyance of State or Native selected lands which affect your operating area.
3. This permit does not authorize construction of new aircraft landing areas, because actual construction of new landing areas by extensive clearing would require conformance with Federal Aviation Administration guidelines and a long-term authorization. Minor improvements, such as moving rocks or logs, to allow an area to be used for aircraft landing must be conducted under the limitations of 43 CFR 8365.1-5 to limit impacts to vegetation and soils. These limitation state no person shall: Willfully deface, remove or destroy any personal property, or structure, or any scientific, cultural, archaeological or historic resource, natural object or area; willfully deface, remove or destroy plants or their parts, soil, rocks or minerals or cave resources. This permit does not authorize exclusive use of landing areas.
5. Only the use of dead trees for campfires is permitted. This permit does not authorize the cutting of live trees. Permittee shall make their employees and clients aware of responsible low-impact practices and techniques, as outlined in the enclosed Alaska Wildlands Leave No Trace Skills and Ethics booklet.
6. Within 14 days from the completion of the last permitted event, all trash shall be hauled out by the permittee and disposed of in a proper landfill, dumpster, or trashcan. Cans, glass, plastics, batteries and other non-combustible/non-degradable materials shall not be burned. Do not bury refuse. Gray water and human waste shall be disposed of at least 100 feet beyond the ordinary high water mark of any water body. Bury all gray water and human waste. When possible, we encourage the use of portable toilet systems along rivers (e.g. porta-potties).

Vehicle Use

7. No vehicle traffic is allowed off established trails. Pioneering new trails with any motorized vehicle, and the use of motorized vehicles exceeding 1,500 pounds gross vehicle weight rating (GVWR) on established trails is prohibited without prior authorization from the authorized officer (AO). GVWR includes the weight of the vehicle itself plus fuel, driver, passenger, and manufacture's specified load limits. Permittee shall make every reasonable effort to avoid streams, lake shores, meadows, muddy trails, steep hillsides, and observed wildlife.
8. All-terrain vehicles (ATVs) should be thoroughly cleaned prior to accessing BLM managed lands. Washing and/or brushing ATVs to remove material that can contain weed seeds is a good way to insure equipment that is being driven across or onto BLM lands are weed and weed seed free. High pressure washing is recommended to treat the insides of wheel wells, undercarriages, inside belly plates, wheels, etc.

Fuel and Waste Management

9. Waste water, non-hazardous solid waste, hazardous substance storage containers, and spills shall be managed in accordance with Title 18 Alaska Administration Code (see Attachments 1 and 2).
10. To avoid conflicts with bears, sealed bear proof containers are suggested for food and unburned waste until such waste can be removed from all camps. Meat and animal parts shall be removed from all camps as soon as possible to avoid attracting bears.

Federal, State, Local Laws and Regulations

11. Copies of Alaska Master or Registered Guide/Outfitter license(s) for people authorized to conduct business with BLM concerning the permit shall be submitted to the BLM before authorization or re-authorization is approved for every year the permit is in effect. If applicable, Assistant Guide/Outfitter license(s) are also required.

Commercial Filming

12. Additional authorization from the AO is required to perform commercial filming in conjunction with this permit only when this activity takes place at the same time, location, and in association with your activities permitted under this SRP. In this instance, both the SRP fee and commercial filming fee will be charged and submitted to the BLM.
13. Filming is limited to the use of handheld and tripod mounted cameras. Use of dollies, tracks, cranes, high lines, aircraft and other camera support devices are

not allowed, unless the camera support device is part of the recreation activity authorized under this SRP. Construction or removal of vegetation for the creation of a camera platform or to clear a shot is not allowed. No more than two, battery-powered, auxiliary lighting sources may be used.

Miscellaneous

14. Requests for assigned sites must be submitted in writing.
15. A performance evaluation shall be completed by the BLM for all permittees. The purpose of a performance evaluation is to evaluate a permittee's performance and compliance with the terms and stipulations of the permit. The permittee will be given written notice of results of annual performance evaluations after the conclusion of the permittee's operating season, which will include the level of performance and the status of corrections that may be required to retain the permit.

General Terms

16. 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 SRP. 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, or spectators under the permittee's supervision.
17. An SRP authorizes special uses of BLM-managed public lands and related waters and, should circumstances warrant, the permit may be modified by the BLM at any time, including the amount of use. The AO may suspend an SRP, if necessary to protect public resources, health, safety, or the environment, or as a result of noncompliance with permits stipulations.
18. 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.
19. Unless expressly stated, the SRP 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.
20. 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, the AO may approve contracting of

equipment or services 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 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. This permit may not be reassigned or transferred by the permittee.

21. All advertising and representations made to the public and the AO 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 without written permission by the BLM. 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.
22. The permittee must assume responsibility for inspecting the permitted area for any existing or new hazardous conditions, (e.g., trail and route conditions, land slides, avalanches, rocks, changing water or weather conditions, falling limbs or trees, submerged objects, hazardous wildlife, or other hazards) that present risks for which the permittee assumes responsibility.
23. 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.
24. 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.
25. The permit, or copies thereof, shall be kept with the authorized individual(s) and presented to any BLM representative upon request as proof of authorization.
26. The AO, or a duly authorized representative of the BLM, may examine any of the records or other documents related to the permit, the permittee or permittee's operator, employee, or agent for up to 3 years after expiration of the permit.
27. The permittee must submit a completed post-use report, along with appropriate fees by **January 1** of every year the permit is in effect. If the post-use report and fees are not received by the established deadline, the permit will be suspended and/or fines assessed.
28. The permittee shall notify the AO of any accident that occurs while involved in activities authorized by this permit which results in: death, personal injury requiring hospitalization or emergency evacuation, or in property damage greater than \$2,500. Reports shall be submitted within 48 hours in the case of death or injury, or 10 days in accidents involving property damage.

ATTACHMENT 1

Pollution Prevention and Reporting Stipulations for management of Wastewater, Solid Waste, and Spill Prevention and Response

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, tools, equipment, or sanitizing cooking and eating materials). If the standards for Pit Privies (Outhouse) found at 18 AAC 72.030 (extract at Attachment 2) cannot be met, all wastewater must be collected (in a portable toilet for example) and transported to a state approved disposal facility. Upon closure of a site the Pit Privy(s) must be limed and completely back-filled with the surface area covered and re-graded to approximate original appearance. Pit Privies must be authorized by the BLM in advance and identified within their submitted Operating Plan.

Non-Hazardous Solid Waste (trash/refuse) may be burned in pits. All unburned/unburnable trash/refuse will be back hauled from the area and disposed in an approved waste disposal site. All fire pits must be removed or destroyed after use. Trash/refuse will not be disposed of in a Pit Privy. Food waste and human waste should be disposed of daily to reduce conflicts with wildlife which may be attracted.

Hazardous Waste will be back hauled from the area and properly disposed by the generator at the end of each year a permit is in effect. Hazardous wastes are defined by the Resource Conservation and Recovery Act (RCRA) and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Hazardous wastes include, but are not limited to; fuel, oils and grease, compressed gas cylinders (propane, butane, aerosol cans, etc.), batteries, insect repellants/pesticides, ammunition, and residues of spills of any of the above.

Fuel, oil, or hazardous substance storage containers will be stored a minimum of 150 feet away from the ordinary high water mark of any water body. Containers with a total combined capacity of 110 gallons must be stored within an impermeable diked area or portable impermeable structure capable of containing 110 percent capacity of the largest independent container. Accumulated rain/snow melt water must be properly removed periodically to ensure the containment structure's capacity remains adequate at all times. All containers must be clearly marked with the contents and owner's name.

Spills/releases to the environment of fuel, oil, or hazardous substances will be responded to and cleaned-up immediately. Adequate spill response/cleanup materials such as absorbent pads, shovels, and heavy gauge plastic bags or containers will be available and on-hand at each location where fuels/oil are stored or used. Persons who are expected to respond to spills of oil or hazardous substances must be properly trained in accordance with the standards prescribed in Code of Federal Regulations 29, Part 1910.120(q). No dumping of fuel in pits on public land is authorized or tolerated. Spills of fuel/oil or any hazardous substance will be reported to the BLM, and the Alaska Department of Environmental Conservation as required by Title 18 Alaska Administrative Code, Chapter 75; Oil & Hazardous Substances Pollution Control. Specific direction on reportable quantities and time allowances is found at 18 AAC 75.300, Discharge Release Notification; Release Reporting (extract at Attachment 2).

ATTACHMENT 2

TITLE 18 ALASKA ADMINISTRATIVE CODE CHAPTER 72 – WASTEWATER DISPOSAL (EXTRACT)

18 AAC 72.030. PIT PRIVIES. Pit privies must meet the separation distance requirements in 18 AAC 72.020. A person may not dispose of gray water in a pit privy. (Eff.4/1/99, Register 149)

18 AAC 72.020. SEPARATION DISTANCES

(b) The minimum separation distance between the mean annual high water level of a lake, river, stream, spring, or slough, or the mean higher high water level of coastal waters, and a lift station, holding tank, septic tank, soil absorption system, seepage pit, pit privy, or other wastewater collection, treatment, or disposal system is 100 feet, measured horizontally.

(i) A person may not install a pit privy in an area subject to flooding. The vertical separation between the lowest point of a pit privy and the water table, measured during the season of the year with maximum water table elevation, must be at least four feet.

TITLE 18 ALASKA ADMINISTRATIVE CODE CHAPTER 75 – OIL & HAZARDOUS SUBSTANCES POLLUTION CONTROL (EXTRACT)

18 AAC 75.300. DISCHARGE OR RELEASE NOTIFICATION; REPORTING REQUIREMENTS.

(a) Subject to (b) of this section, a person in charge of a facility or operation shall notify the department by telephone, and immediately afterwards send the department a written notice by facsimile, hand delivery, or first class mail, informing the department about a discharge or release of a hazardous substance at or from the facility or operation as follows:

(1) as soon as the person has knowledge of a

(A) discharge or release of a hazardous substance other than oil;

(B) discharge or release of oil to water; or

(C) discharge or release, including a cumulative discharge or release, of oil in excess of 55 gallons solely to land outside an impermeable secondary containment area or structure; and

(2) within 48 hours after the person has knowledge of a discharge or release, including a cumulative discharge, of oil solely to land

(A) in excess of 10 gallons, but 55 gallons or less; or

(B) in excess of 55 gallons, if the discharge or release is the result of the escape or release of oil from its original storage tank, pipeline, or other immediate container into an impermeable secondary containment area or structure.

(b) A person in charge of a facility or operation shall maintain, and provide to the department monthly, a written record of each discharge or release, including a cumulative discharge or release, of one gallon to 10 gallons of oil solely to land.

(c) If a person in charge of a facility or operation has entered into an agreement with the department, as provided under AS 46.03.755(b) or AS 46.09.010(b), for the periodic reporting of a discharge or release of a hazardous substance, the terms of the agreement replace the applicable requirements of this section for the hazardous substance.

(d) After receiving notice of a discharge or release under (a) of this section, and until containment and cleanup are completed, the department will require interim reports as the department considers necessary to ascertain any threat to human health, safety, or welfare, or to the environment.

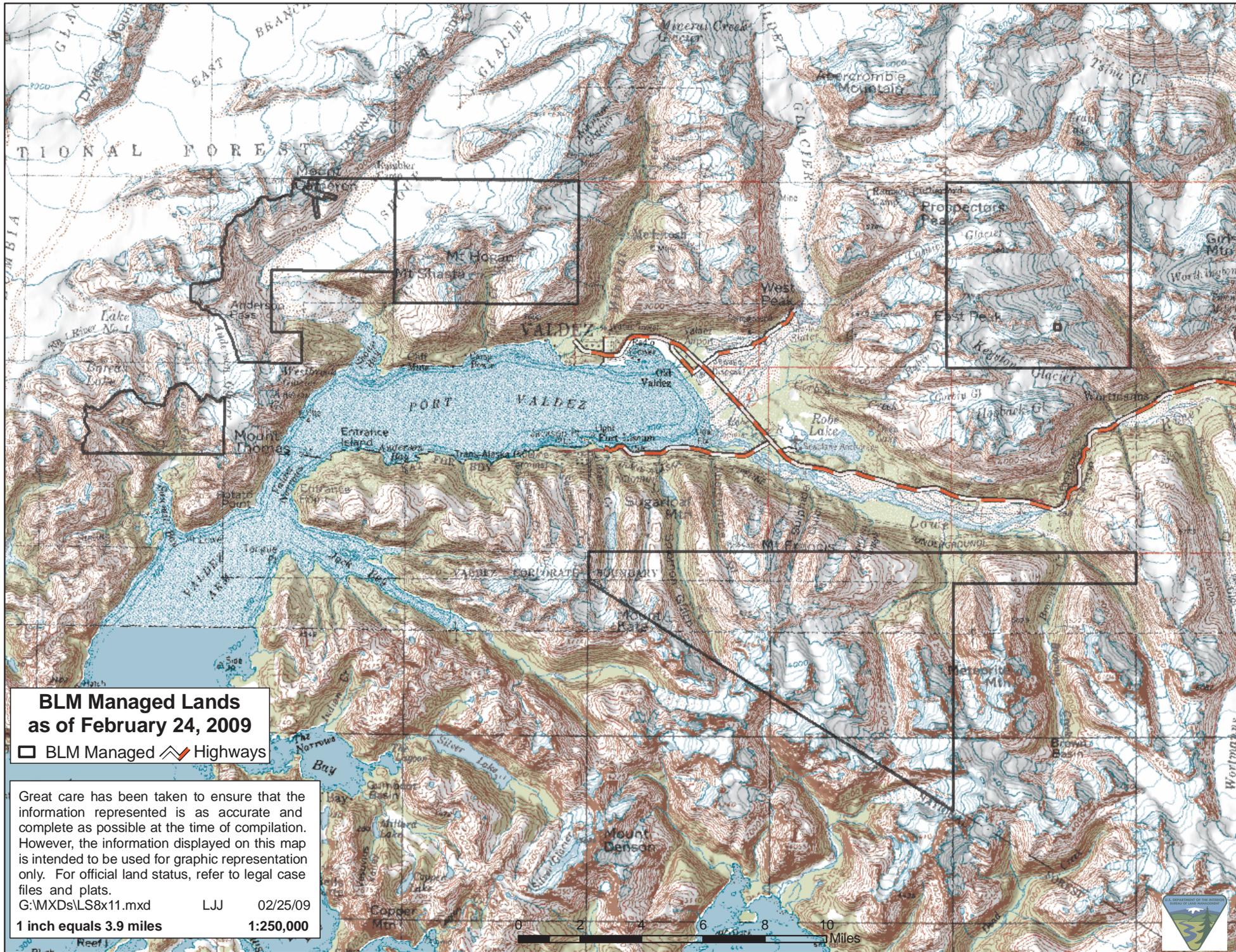
(e) Unless the department determines that a written report is not needed for the department to ascertain any threat to human health, safety, or welfare, or to the environment, a written report must be submitted to the department within 15 days after containment and cleanup are completed or, if no cleanup occurs, within 15 days after the discharge or release. The report must be submitted to the department's Anchorage, Fairbanks, or Juneau office, whichever is nearest to the location of the discharge, unless the department specifies otherwise. The report must contain the information specified in (f) of this section.

(f) A report, record, or notification required by this section must contain, as applicable,

- (1) the date and time of the discharge or release;
- (2) the location of the discharge or release;
- (3) the name of the facility or operation;
- (4) the name, mailing address, and telephone number of
 - (A) each responsible person; and
 - (B) the owner and the operator of the facility or operation;
- (5) the type and amount of each hazardous substance discharged or released;
- (6) factors that caused or contributed to the discharge or release;
- (7) a description of any environmental effects of the discharge or release, or the containment and cleanup, to the extent those effects can be identified;
- (8) a description of the containment or cleanup action taken;
- (9) the estimated amount of
 - (A) hazardous substance cleaned up; and
 - (B) hazardous waste generated;
- (10) the date and method of disposal or treatment of the hazardous substance, contaminated equipment, contaminated materials, contaminated soil, and contaminated water;
- (11) a description of actions being taken to prevent another discharge or release; and

(12) other information that the department requires to fully assess the cause and impact of the discharge or release, including any sampling reports and a description and estimate of any remaining contamination.

Note: Spills required to be reported to the State of Alaska must also be reported to BLM.



**BLM Managed Lands
as of February 24, 2009**

BLM Managed
 ↗ Highways

Great care has been taken to ensure that the information represented is as accurate and complete as possible at the time of compilation. However, the information displayed on this map is intended to be used for graphic representation only. For official land status, refer to legal case files and plats.

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1 inch equals 3.9 miles **1:250,000**

