

Document No.: DOI-BLM-AK-A020-2009-0011



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

Glennallen Field Office  
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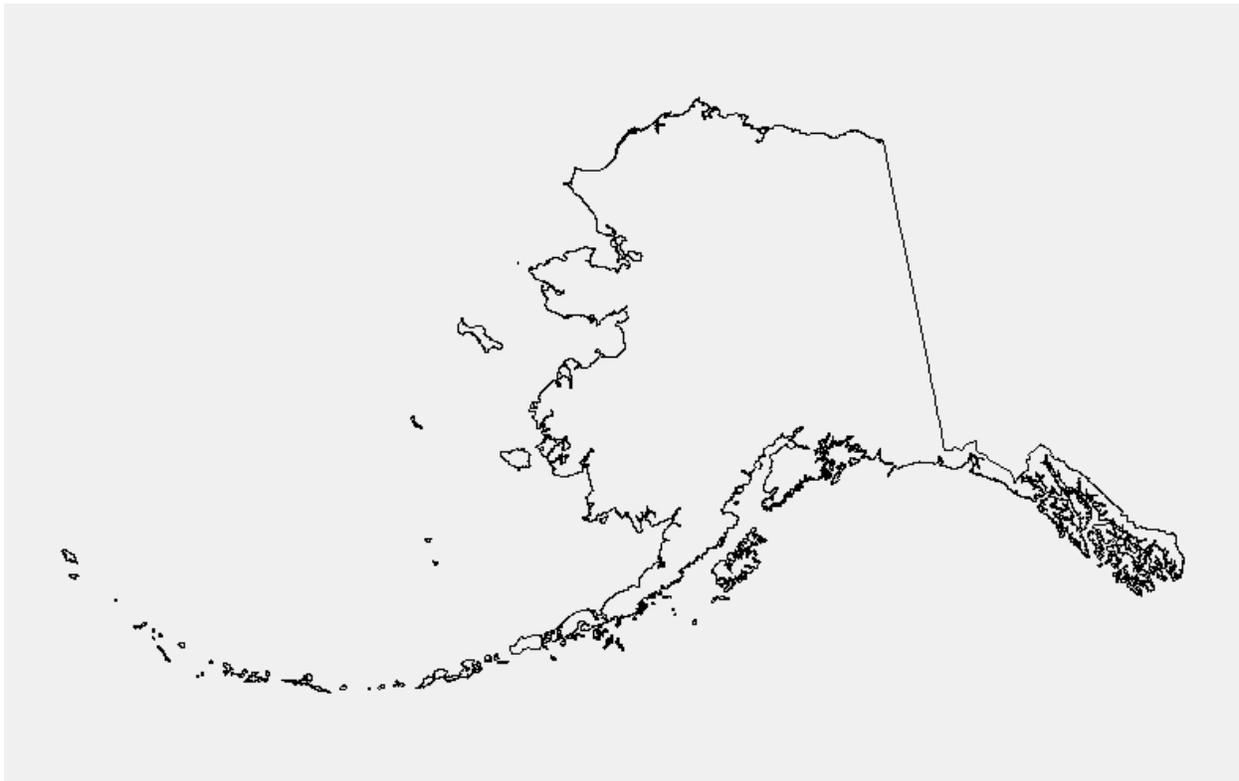
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### Administrative Determination (AD)/Determination of NEPA Adequacy (DNA)

**Applicant:** Midnight Sun Council Boy Scouts of America

**Case File No.:** AA085771

**DOI-BLM-AK-A020-2009-0011**



**Location:** Delta National Wild and Scenic River

**Prepared By:**  
(Denton Hamby)  
(Outdoor Recreation Planner)  
(March 23, 2009)

**Administrative Determination (AD)  
Documentation of Land Use Plan Conformance  
and Determination of NEPA Adequacy (DNA)  
U.S. Department of the Interior - Bureau of Land Management  
Glennallen Field Office**

**A). BLM Office:** Glennallen Field Office

**Serial Case Files No:** AA085771

**Proposed Action Title/Type:** Special Recreation Permit 5 year Renewal 2009-2013 (2930)

**Location of proposed Action: See attached maps (Delta National Wild and Scenic River)**

**Description of Proposed Action:** Shari Crismore, representing the Midnight Sun Council, Boy Scouts of America submitted permit renewal application for guided canoe trips on the Delta Wild and Scenic River. Trips would originate from Tangle Lakes Campground Boat launch at mile 21 on the Denali Highway and terminate at the take out at Mile 212 on the Richardson Highway. The Boy Scouts of America, Midnight Sun Council has worked cooperatively with the BLM in addressing use limitations and group size limits related to the organizations use. The Midnight Sun Council has maintained a Special Recreation Use Permit since 2006 and would like the option to extend the permit for 5 years.

**Applicants:**

Midnight Sun Council Boy Scouts of America  
(Shari Crismore) Outdoor Program Director

**B). Conformance with Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans**

This action is in conformance with the East Alaska Resource Management Plan 2007. 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. Currently there are no other special recreation permits issued for operations within the Delta National Wild and Scenic River. This type of recreational activity is part of the BLM mission of achieving quality land management under sustainable multiple use management guidelines and meeting the diverse needs of the people.

**C). Identify applicable NEPA documents and other related documents that cover the Proposed Action.**

Environmental Assessment (AK-050-EA-06-011) Midnight Sun Council, Boy Scouts of America Special Recreation Permit for the Delta National Wild and Scenic River

**D). NEPA Adequacy Criteria**

**1. Is the current Proposed Action substantially the same action (or is a part of that action) as previously analyzed? Is the current Proposed Action located at a site specifically analyzed in an existing document?**

The proposed action is the same as previously analyzed in the NEPA documents referenced above. The action is located in the region analyzed in the existing NEPA documents.

**2. Is the range of alternatives analyzed in the existing NEPA Document(s) appropriate with respect to the current proposed action, given the current environmental concerns, interest, and resource values?**

The range of alternatives presented is appropriate and sufficient in respect to the proposed action.

**3. Is the existing analysis valid in light of any new information or circumstances?**

No new information or circumstances has become available that would change the existing analysis.

**4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be the appropriate for the current Proposed Action?** The existing NEPA documentation stipulations and mitigation measures identified has covered the Proposed Action appropriately for the safety of visitors and the protection of federally administered resources.

**5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document analyze site-specific impacts related to the current proposed actions?** The Impacts of the Proposed Action identified remain unchanged to those that were identified in the existing NEPA. Site specific impacts are addressed in the existing NEPA document.

**6. Are the cumulative impacts that would result from the implementation of the current Proposed Action substantially unchanged from those analyzed in the existing NEPA document(s)?** Yes

**7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current Proposed Action?**

The existing NEPA adequately addresses public involvement and interagency review.

**E). Interdisciplinary Analysis:** See attached interdisciplinary review documentation.

**F). Mitigation Measures:** In addition to BLM standard stipulations the measures below were adopted to avoid resource and user conflicts:

Group size will be no larger than 12 people including guides.

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Limit of two launches within any 30 day period, with a maximum trip duration of five days per trip. Recommendation that trips be scheduled during weekdays to avoid high use weekend periods.

Sign-in and registration requirements: only the lead guides for any trip may sign the registration sheets. Name, company name, address, number of people, number of craft, and trip duration. Trip leader will only sign once per trip, preferably at the launch site. Boat launch records will be reviewed against post use reports and on site monitoring, and instances of failure to register will result in documentation of failure to comply with permit stipulations.

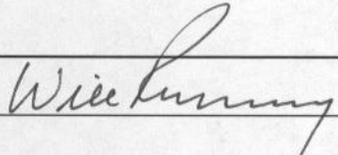
The maximum trip duration while operating on either river will be five days per trip.

BLM will require a detailed itinerary for each trip; based upon these itineraries groups will be required to use specified campsites to mitigate resource issues at campsites within the river corridors.

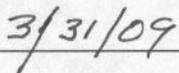
Group size will be no larger than 12 people including guides.

Pending the completion of the revised Delta River Management Plan, Midnight Sun Council will conform to meet all new management guidelines implemented through the planning process.

**G). Conclusion:** The proposed action does not result in any undue or unnecessary environmental degradation and is in conformance with the East Alaska Resource Management Plan 2007.



Glennallen Field Manager



Date

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

*Checklist for Opportunity for Interdisciplinary Review of NEPA Documents*

**Environmental Assessment for: Midnight Sun Council Boy Scouts of America, Guided Delta River Trips**

**NEPA Number: AK-A020-2009-DNA-011**

Resource	Staff Specialist	Comments Provided		Surname	Date
		Yes	No		
Fisheries	Elijah Waters				
Air Quality	Mike Sondergaard		X	MS	3/16/09
ANILCA, Section 810	Merben Cebrian	X		MRC/ see originals	3/23/2009
Cultural Heritage	John Jangala		X	See GFO-06-15	3/23/09
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				
Minerals					
Paleontology	John Jangala		X	See GFO-06-15	3/23/09
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	3/23/2009
T & E Plants	Merben Cebrian		X	MRC	3/23/2009
Visual Resources	Will Runnoe				
Water Quality	Mike Sondergaard		X	MS	3/16/09
Wildlife	Merben Cebrian		X	MRC	3/23/2009

Date: \_\_\_\_\_

Portage area. Please avoid camping on or near the portage as no existing campsites are suitable for large groups because of lack of space and easily impacted vegetation and soils. It is also good to be considerate of others using the portage by not camping on the portage and crowding portage trails and facilities.

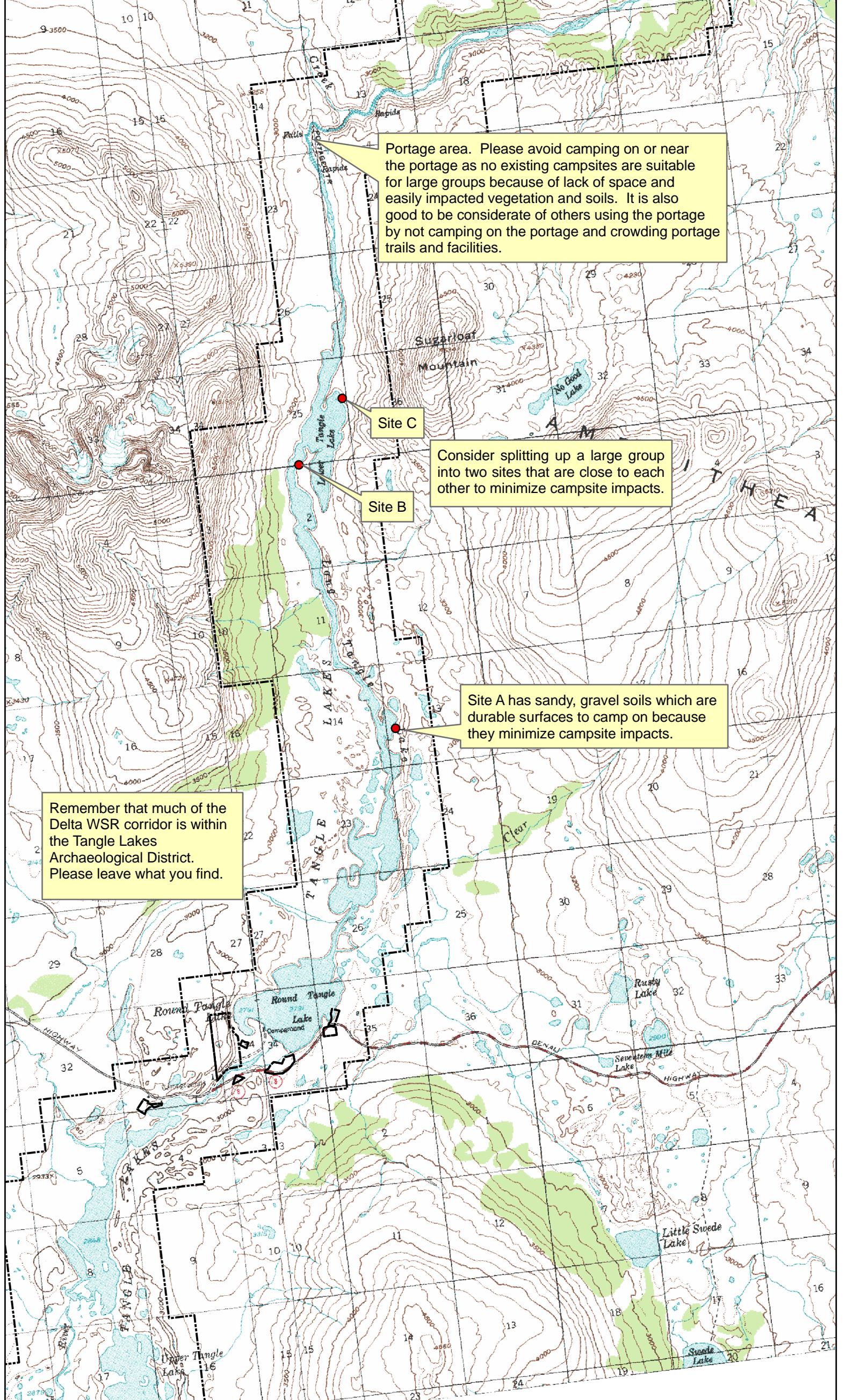
Site C

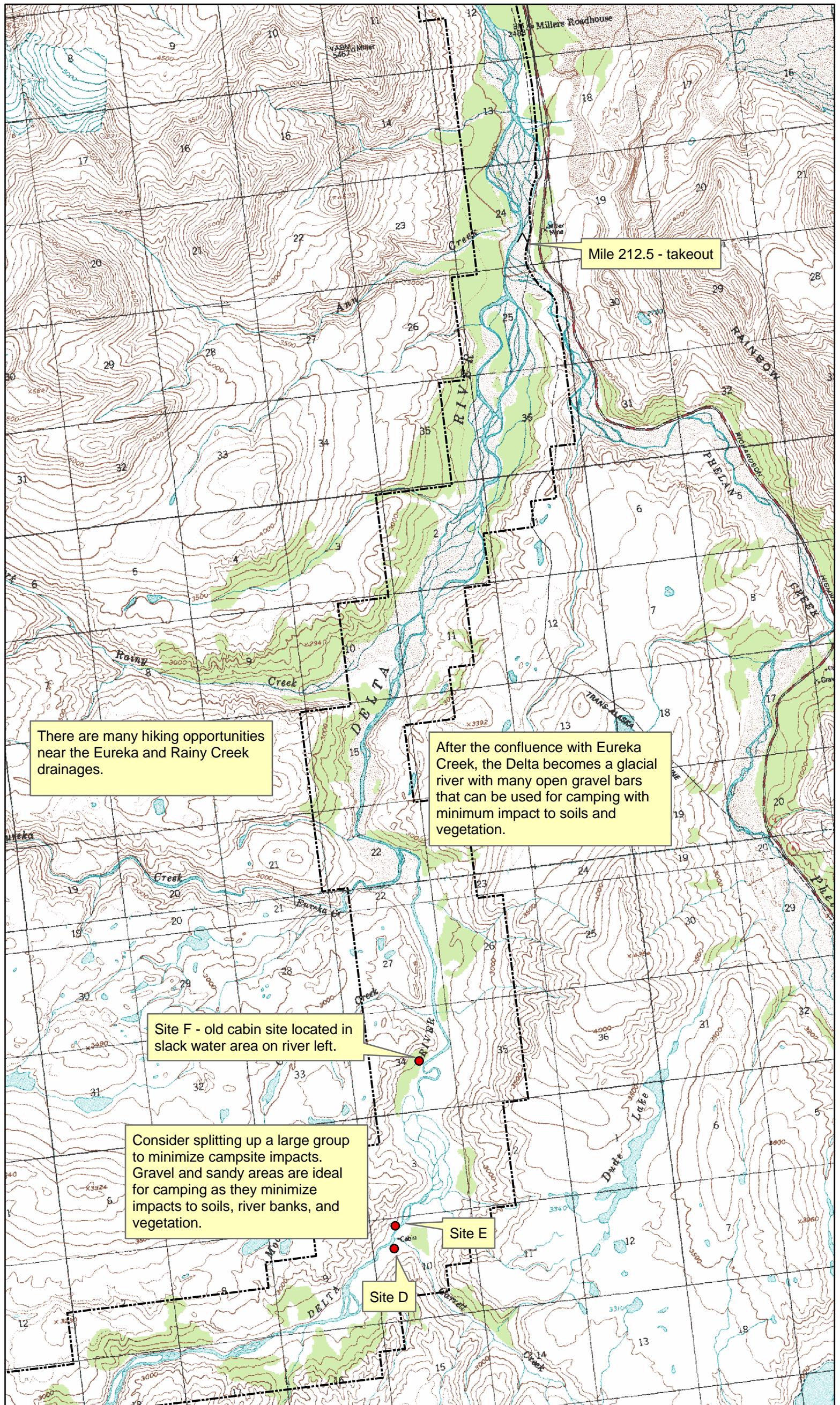
Consider splitting up a large group into two sites that are close to each other to minimize campsite impacts.

Site B

Site A has sandy, gravel soils which are durable surfaces to camp on because they minimize campsite impacts.

Remember that much of the Delta WSR corridor is within the Tangle Lakes Archaeological District. Please leave what you find.





Mile 212.5 - takeout

There are many hiking opportunities near the Eureka and Rainy Creek drainages.

After the confluence with Eureka Creek, the Delta becomes a glacial river with many open gravel bars that can be used for camping with minimum impact to soils and vegetation.

Site F - old cabin site located in slack water area on river left.

Consider splitting up a large group to minimize campsite impacts. Gravel and sandy areas are ideal for camping as they minimize impacts to soils, river banks, and vegetation.

Site E

Site D

Cabin

## 2009 Stipulations for Gulkana/Delta River Operations

### The Special Recreation Permit

- 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. 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.
- The maximum trip duration while operating on either river will be five days per trip.
- Sign-in and registration requirements: only the lead guides for any trip may sign the registration sheets. Name, company name, address, number of people, number of craft, and trip duration. Trip leader will only sign once per trip, preferably at the launch site. Boat launch records will be reviewed against post use reports and on site monitoring, and instances of failure to register will result in documentation of failure to comply with permit stipulations.
- Campsites must be completely dismantled at the end of each visit, and camp areas left in a natural state. Equipment may not be left unattended at a site in order to “save” a spot, nor cached for convenience on subsequent trips. Materials and supplies may not be cached within the area during non-use periods without proper authorization from the Bureau of Land Management. The permittee cannot, unless specifically authorized, erect, construct, or place any building, structure, or other fixture on public lands, nor make use of existing structures or foundations nor establish or improve landing areas.
- Disturbance of any man-made structures or remains of structures is prohibited, as is any disturbance of any structures or remains. There shall be no additional ground disturbance. There shall be no disturbance of archaeological sites, and no collection of artifacts whatsoever. Collection of vertebrate fossils, including mammoth and mastodon bones, tusks, etc., is prohibited. Evidence of any such resources encountered by the permittee must be reported to the Glennallen Field Office Cultural Heritage staff.
- Every effort will be made not to camp at the foot of the second portage on the Delta River to alleviate congestion and campsite pioneering. Use existing campsites to limit camping impacts to areas with repeated use. All trash shall be packed out on each trip, including items not completely burned in fire rings (melted plastic, charred aluminum, etc.). Keep a clean campsite and store food and trash in such a manner as to avoid attracting bears and other

wildlife. Burying any trash is prohibited.

- Trail development such as “social trails” will be avoided. Travel on durable surfaces and existing game trails single file center of tread. See ([Alaska Wildlands](#), Leave No Trace pamphlet pages 8-11)
- All permittees shall carry and use a portable toilet system while operating within the river corridor and dispose in an approved disposal site. There is an approved boater dump station at Sourdough Creek Campground.
- Gray water shall be disposed of 200 feet from water, camps and trails. Strain food particles to pack out.
- Cutting of standing (dead or live) trees is prohibited.
- Feeding of wildlife, or in anyway intentionally harassing or disturbing wildlife, is prohibited.
- Intentional harassment or disturbance of birds (individually, their nests, eggs or seasonal breeding, nesting, roosting, brooding or molting habitat) is prohibited. Specifically all raptors (including bald eagles), waterfowl (including trumpeter swans and harlequin ducks), and other smaller birds (including Arctic terns) are protected under federal law.
- Any spill of petroleum products shall be reported and cleaned up in accordance with the rules and regulations established by the Alaska Department of Environmental Conservation and the Environmental Protection Agency. BLM will recover all costs incurred in reporting the spill, rehabilitation, and clean up, with said costs the responsibility of the party responsible for the spill.
- Clearly visible identification of all commercial watercraft, using your operation’s name, is required.
- Fishing is allowed, subject to applicable State and Federal regulations and licensing requirements as stated above.
- A Special Recreation Permit authorizes special uses of the public lands and related waters. The permit may be modified by the BLM at any time, including the amount of use. The authorized officer may suspend a SRP if necessary to protect public resources, health, safety, the environment, or noncompliance with permit stipulations.
- 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.

- 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.
- 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 authorized officer 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.
- 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.
- Late filing of post use reports and payment of use fees will incur late charges of \$50 per month and may revoke your application/renewal privileges for future seasons.
- Any and all permit violations will be documented to the permittee's file as part of overall annual evaluation of performance. Performance is one factor that may be considered in the future, should availability of permits become subject to a limited entry system.
- 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.
- 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.
- The permittee must present or display a copy of the Special Recreation Permit 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.
- 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 3 years after expiration of the permit.

- If approved by the authorized officer in advance, a payment bond or other guarantee may be used to pay estimated advance fee payments in excess of the minimum annual permit fee.

### **Insurance and Liability:**

- A property damage, personal injury, and comprehensive public liability insurance policy is required of all commercial and competitive permittee's and may be required for vending or organized group activities and events (depending upon the kind of activity and risk to the government). The policy will provide restitution for damage or injury to participants, spectators or both, or to privately owned resources, and protect the United States from litigation resulting from actions taken or caused by the permittee or participants in a permitted use. The reviewing office should consult with the State government insurance authority in determining the acceptability of standard or unique policy provisions, clauses and industry practices.
- At a minimum, the permittee shall have in force public liability insurance covering: (1) damage to property in the amount of twenty five thousand dollars (\$25,000); and (2) damage to persons (bodily injury or death) in the amount of three hundred thousand dollars (\$300,000) per occurrence. The policy shall also have a minimum annual aggregate limit of six hundred thousand dollars (\$600,000). The coverage shall extend to property damage, bodily injury, or death arising out of the permittee's operations under the permit, including, but not limited to, the occupancy or use of the lands, structures, facilities, or equipment authorized by the permit. The insurance shall name the United States as additional insured and provide for specific coverage for the permittee's contractually assumed obligation to indemnify the United States.
- The permittee must submit a valid certificate of insurance covering the authorized activity prior to initiating operations. The policy should stipulate the authorized officer will be notified 30 days in advance of the termination or modification of the policy. The name on the insurance policy or certificate of insurance must be the same as the name on the permit. Those permittee's holding insurance policies, which only insure the permittee and not the permittee's employees, must ensure that their employees also have the required insurance in effect, and that a certificate of insurance is furnished to the authorized officer.

- Bonds - The authorized officer may require the posting of a cash or surety bond or other guarantee in such form and in such amount as the authorized officer determines to be sufficient to defray the costs of restoration, reclamation, or rehabilitation of the lands affected by the permitted use. Bonds and guarantees will be returned to the permittee upon satisfactory compliance with all permit stipulations, including any reclamation and/or rehabilitation requirements.

### Campground/Campsite Related:

- BLM may require a detailed itinerary for each trip; based upon these itineraries groups will be required to use specified campsites to mitigate resource issues at campsites within the river corridors.
- Permittee must observe all campground regulations posted in the Sourdough, Paxson and Tangle Lakes Campgrounds as they commence and/or conclude authorized activities. Permittee's may not use campgrounds as a location from which to operate a base camp or office.
- Permittee must supply the Bureau of Land Management with the license number of the vehicle(s) that will be used to transport watercraft, clients and supplies in and out of the Paxson Lake and Sourdough Creek campgrounds.
- The boat launch in Paxson Lake, Tangle Lakes and Sourdough Creek campgrounds is for launching only. Unloading or loading of clients or gear should be done in the ready area to keep the launches clear for others.
  - Group size will be no larger than 12 people including guides.
  - **Gulkana River:** Limit of four launches within any 30 day period and a maximum trip duration of five days per trip. Recommendation that trips be scheduled during weekdays to avoid high use weekend periods.
  - **Delta River:** Limit of two launches within any 30 day period, with a maximum trip duration of five days per trip. Recommendation that trips be scheduled during weekdays to avoid high use weekend periods.