

**Categorical Exclusion
Documentation Format for Actions Other Than Hazardous
Fuels and Fire Rehabilitation Actions**

Special Recreation Permit Authorization

for Jeramie Prine dba Dunoir Fishing Adventures, LLC

Worldand Field Office, Wind River/Bighorn Basin District, Wyoming

BLM

January 2011



The BLM's multiple-use mission is to sustain the health and productivity of the public lands for the use and enjoyment of present and future generations. The Bureau accomplishes this by managing such activities as outdoor recreation, livestock grazing, mineral development, and energy production, and by conserving natural, historical, cultural, and other resources on public lands.

DOI-BLM-WY-R010-2011-0009-CX

Special Recreation Permit Authorization

Background

Jaramie Prine, dba Dunior Fishing Adventures, LLC, has applied for a Special Recreation Permit to guide fishing trips along the Bighorn River.

Special Recreation Permits (SRPs) are required for commercial, competitive, and organized groups to participate in recreational activities on BLM public lands (CFR 43 Part 2930). SRPs are required for a variety of reasons including protecting natural and cultural resources as well as meeting goals and objectives for recreation management on BLM public lands. In 2007, SRPs not associated with “special areas” or Wild and Scenic Rivers were determined eligible for categorical exclusions.

BLM Office:

WY — Worland Field Office

LLWYR01000

Lease/Serial/Case File No.:

WY-010–RU11–01

Proposed Action Title/Type:

Special Recreation Permit for Dunoir Fishing Adventures, LLC to guide fishing trips along the Bighorn River.

Location of Proposed Action:

Jaramie Prine of Dunior Fishing Adventures, LLC has submitted a Special Recreation Permit Application to guide fishing and scenic floating trips on the Big Horn River in the following areas: BLM lands on the Bighorn River: Wedding of the Waters to The Willows. (T. 42 N. — T. 45 N.; R. 95 W. — R.94 W.)

Description of Proposed Action:

Dunior Fishing Adventures, LLC will guide day use fishing and scenic float trips in the areas listed above. Total number of participants is estimated to be 50 user days. The guide service will take one trip/booking per day for the 2011 season. Dunior Fishing Adventures, LLC will only operate up to, and no more than two, guides/boats per day in order to minimize impacts of local resources. These guided trips use the method of fly fishing and will be conducted either by using drift boats or by wading. Some segments of the river will be fished primarily by floating, but it was indicated that they will wade/walk around all of the islands. Dunoir Fishing Adventures, LLC will only use artificial flies and lures, and adhere to catch and release methods. In addition, fish are properly and quickly handled and returned to the water. Leave No Trace and catch and release ethics will be used.

If Dunoir Fishing Adventures, LLC commercial activities are consistent with those spelled out in the SRP and associated Operating Plan and abides by all stipulations attached to the Special Recreation Permit, then the permit will be active for a five year term.

Dunoir Fishing Adventures, LLC proposes on using the following boat ramps for put-ins and take-outs:

- Wedding of the Waters
- 8th Street Bridge
- Hot Springs State Park
- Wakely
- Longwell
- Murillo
- Skelton
- Sorenson

Game and Fish Access areas and river islands administered by the BLM will be used for wade fishing. Refer to Appendix B for a map of the proposed boat put ins and take outs, and wade fishing areas.

Most of this segment of the Big Horn River flows through privately owned lands, and minimal amount of State and Federal lands. In addition the river access areas that will be used are operated by the Wyoming Game and Fish. The BLM areas that will be used are mainly islands and river tracts (primarily the Eggert and the Willows tracts) along the Big Horn River. The section of river is north of the Wind River Indian Reservation to just south of Winchester, WY. The environment consists of a large, flat, winding river with riparian plants throughout. The river winds through and around large rolling hills with sagebrush, grasses, and junipers on some slopes. This section of river also flows through Hot Springs State Park which contains hydrothermal activity. Fishing use is popular within this area as it is labeled a blue ribbon section of water and fish counts are about 2,200 fish per mile. Other recreational opportunities are popular as well such as hunting, camping, and sightseeing.

Land Use Plan Conformance

Land Use Plan Name:

Washakie Resource Area RMP

Grass Creek Resource Area RMP

Date Approved/Amended:

Washakie RA RMP — September 2, 1988

Grass Creek RA RMP — September 14, 1998

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

As stated in the Washakie Resource Area RMP, “Special Recreation Permits will be issued to authorize organized recreational use”.

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions) :

The Grass Creek Resource Management Plan does not specify any limit on the number of outfitters and guides to be authorized for operations on the BLM-administered public lands indicated above. The resource management plan ensures recreation will be managed for multiple opportunities. All authorizations must comply with travel management designations in the existing land use plans.

Each action authorized under this categorical exclusion will be evaluated for Threatened and Endangered Species. Additional stipulations will be incorporated, as needed, to ensure protection of the most recent Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species, as well as the Wyoming BLM lists of sensitive species. Additional fish and wildlife mitigation measures, stipulations and restrictions will be placed in each decision document authorizing the action.

Each action authorized under this categorical exclusion will be evaluated for cultural resources. Additional stipulations will also be incorporated, as needed, to ensure protection of cultural resources. If cultural resource issues are present, additional mitigation measures, stipulations or restrictions will be placed in each decision document authorizing the action.

Compliance with NEPA:

The report “Recreation Categorical Exclusion Analysis Report,” explains the rationale for allowing SRPs to be categorically excluded (Larson et al., 2007). In the aforementioned report the BLM found it was viable to expedite the NEPA process with categorical exclusions for certain types of permits rather than requiring environmental assessments for all SRPs.

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM citation 11.9 H(1):

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. 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). The requirement for Special Area SRPs and the issuance of individual SRPs in “Special Areas” must be directed by specific land use planning decisions.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

In preparing this document current special recreation permits authorized out of the Worland Field Office were considered. SRPs are generally associated with dispersed activities for short durations of time (less than 14 consecutive days). Staging and camping areas are commonly located on previously disturbed sites. The dispersed nature and short duration of the activities limit the potential for significant impacts. Furthermore, additional mitigation measures and stipulations will be incorporated into SRPs eliminate the potential for significant impacts.

In addition to the conditions listed on the Special Recreation Application and Permit, form 2930-1 page 2, additional stipulations will also be applied to the permit found in the Worland Field Office Additional Stipulations attached to the current SRP #WY-010-RU11-01 and located in Appendix C.

Approval and Contact Information

Authorizing Official:

/S/Michael J. Phillips

1/28/2011

Michael J. Phillips
Assistant Field Manager,
Resources

Date

Contact Person

Paul Rau, Outdoor Recreation Planner

Michael Peterson, Outdoor Recreation Technician

Worland Field Office

101 South 23rd Street

P.O. Box 119

Worland, Wyoming 82401

(307) 347-5100

Appendix A

INTERDISCIPLINARY TEAM CHECKLIST

Project Title: Dunior Fishing Adventures, LLC Special Recreation Permit

NEPA Log Number: DOI-BLM-WY-R010-2011-0009-CX

File/Serial Number: WY-010-RU11-01

Project Leader: Paul Rau – Outdoor Recreation Planner

DETERMINATION OF STAFF: *(Choose one of the following abbreviated options for the left column)*

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for relevant impact that need to be analyzed in detail in the EA

NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section D of the DNA form. The Rationale column may include NI and NP discussions.

Deter- mina- tion	Resource	Rationale for Determination*	Signature	Date
RESOURCES AND ISSUES CONSIDERED (INCLUDES SUPPLEMENTAL AUTHORITIES APPENDIX 1 H-1790-1)				
NI	Air Quality	Impacts to air quality would result from : fugitive dust from commutes on unpaved roads and 2) emissions from combustion engines. Both impacts vectors are proposed to be minor and would result in negligible impacts.	Caleb Hiner	1/4/ 2011
NP	Areas of Critical Environmental Concern	There are no ACECs present in the proposed area.	Paul Rau	1/3/ 2011
NP	BLM Natural Areas**	There are no BLM Natural Areas present in the proposed area.	Paul Rau	1/3/ 2011
NP	Cultural Resources	Wyoming State Protocol Appendix B.2 and 16.	Marit Bovee	1/4/ 2011
NP	Greenhouse Gas Emissions**	Contributions to greenhouse gas emissions would result from combustion engines. Impacts are anticipated to be negligible.	Caleb Hiner	1/4/ 2011
NP	Environmental Justice	No minority or low income populations would be disproportionately affected.	Caleb Hiner	1/19/ 2011
NP	Farmlands (Prime or Unique)	No Prime or unique farmlands would be impacted by the action or alternatives	Caleb Hiner	1/19/ 2011

Deter- mina- tion	Resource	Rationale for Determination*	Signature	Date
NI	Fish and Wildlife Excluding USFW Designated Species	Fish and wildlife species present, but not affected to a degree that detailed analysis is required.	Tim Stephens	1/4/2010
NI	Floodplains	The activity occurs in a floodplain, but no surface disturbance or other alterations to the floodplain will occur.	Jared Dalebout	1/5/2011
NI	Fuels/Fire Management	The increase of use along the Bighorn River could potentially increase human caused wildland fires. for emergency contact information, please refer to item 56 in the SRP stipulations.	Rance Neighbors	1/13/2011
NP	Geology / Mineral Resources/Energy Production	No impact to geology, mineral resources, or energy production from the proposed action.	Holly Elliott	1/19/2011
NI	Hydrologic Conditions**	The activity is dependant on hydrologic conditions, however no alterations to the hydrologic conditions will occur as a result.	Jared Dalebout	1/5/2011
NI	Invasive Species/ Noxious Weeds	Need to coordinate with Wyoming Game and Fish Department to have a sign erected publicizing their Aquatic Invasive Species Program. Vehicles and boat trailers have potential to spread invasive species.	Chet Wheelless CJ Grimes	1/7/2011
NP	Lands/Access	No impact to Lands/Access from the proposed action.	Carol Sheaff	1/19/2011
NI	Livestock Grazing	No impact to livestock grazing from the proposed action.	Mike Tietmeyer	1/6/2011
NI	Migratory Birds.	Migratory bird species present, but not affected to a degree that detailed analysis is required.	Tim Stephens	1/4/2010
NP	Native American Religious Concerns	None are known within the project area.	Marit Bovee	1/4/2011
NP	Paleontology	No paleontological localities are known or likely to occur in the project area.	Marit Bovee	1/4/2011
NI	Rangeland Health Standards	No impact to rangeland health standards from proposed action.	Mike Tietmeyer	1/6/2011
PI	Recreation	The SRP application is located within the Bighorn River SRMA. Recreation is addressed in the CX document	Paul Rau	1/3/2011
NP	Socio-Economics	Socioeconomics impacts would be limited to the direct and induced income associated with this activity. Impacts are anticipated to minor and localized.	Caleb Hiner	1/19/2011

Deter- mina- tion	Resource	Rationale for Determination*	Signature	Date
NI	Soils	No significant impacts to soil resource are anticipated. Though minor, impacts could include soil compaction from foot traffic at landing areas and along river front. Foot traffic is not anticipated to be extensive enough as to impact vegetation cover; no runoff and erosion impacts are anticipated.	Stephen B. Kiracofe	1/6/ 2011
NI	Threatened, Endangered or Candidate Plant Species	There are no known threatened, endangered or candidate plant species or bureau sensitive plant species in the project area.	Mike Tietmeyer , Karen Hepp	1/6/ 2011
NP	Threatened, Endangered or Candidate Animal Species	Not present in the area impacted by the proposed or alternative actions	Tim Stephens Chet Wheelless	1/4/ 2010 1/7/ 2011
NI	Wastes (hazardous or solid)	Activities do not require use of hazardous substances nor will hazardous wastes be generated. Solid waste generated will not result in impacts as long as appropriate stipulations are adhered to.	Stephen B.Kiracofe	1/6/ 2011
NI	Water Resources/ Quality (drinking/ surface/ground)	The Bighorn River along the proposed route is not listed by the Wyoming DEQ as impaired for contact recreation use and is safe for prolonged recreation contact. Other potential impacts to water resources are analyzed and disclosed in the document.	Jared Dalebout	1/5/ 2011
NI	Wetlands/Riparian Zones	Potential trampling of riparian plants and minor compaction associated with foot traffic may occur in the riparian areas; but is not anticipated to be extensive enough to impact vegetation cover or cause degradation to the riparian areas. Retrieving boats at the Willows will cause rutting, soil compaction, and riparian vegetation disturbance as there is no designated boat ramp, no designated parking area, and no graveled or hardened access road, parking area or boat ramp	Jared Dalebout Chet Wheelless	1/5/ 2011 1/07/ 2011

Deter- mina- tion	Resource	Rationale for Determination*	Signature	Date
NP	Wild and Scenic Rivers	There are no Wild and Scenic Rivers in the proposed SRP activity location.	Paul Rau	1/3/2011
NP	Wilderness/WSA	Cedar Mountain is located within proximity to the SRP activity area, but is not located in the desired put in/take out and wade locations.	Paul Rau	1/3/2011
NP	Woodland / Forestry	There will be no impacts to forestry or woodlands from the proposed SRP activity	Jim Gates	1/13/2011
NI	Vegetation Excluding USFW Designated Species	Potential trampling of riparian plants and minor compaction associated with foot traffic may occur in the riparian areas; but is not anticipated to be extensive enough to impact vegetation cover or cause degradation to the riparian areas.	Mike Tietmeyer	1/6/2011
NI	Visual Resources	The SRP application will not introduce contrasting elements against the surrounding natural elements. The areas identified in the SRP application are managed as Class II.	Paul Rau	1/3/2011
NP	Wild Horses and Burros	There are no wild horses and burros present in the SRP project area	Cam Henrichsen	1/3/2011
NP	Areas with Wilderness Characteristics**	There are wilderness characteristics inventoried within the areas identified in the SRP.	Paul Rau	1/3/2011

Appendix C

WORLAND FIELD OFFICE - DAY USE ADDITIONAL STIPULATIONS

(Stipulations 1-16 on permit back)

17. Permittee is responsible for knowing and complying with Off-Road Vehicle (ORV) designations and restrictions that may exist within the area of operation. Permit issuance does not waive any ORV use restrictions, whether local, State, or Federal. ORV information is available at the local Field Offices.

Travel on wet or muddy roads should be avoided to prevent rutting and soil erosion. If the vehicle creates ruts in excess of 4 inches deep, the road conditions shall be deemed too wet to travel.

18. The permittee will adhere to all Wyoming Game and Fish regulations as pertinent to all water related activities.
- Based on direction from the Wyoming legislature, the Wyoming Game and Fish Commission has implemented emergency regulations to address the aquatic invasive species threat. Under this regulation, all watercraft using Wyoming waters are required to display an Aquatic Invasive Species decal. Costs for the decal under the emergency regulations are \$10 for motorized watercraft registered in Wyoming, \$30 for motorized watercraft registered in other states, \$5 for non-motorized watercraft owned by Wyoming residents and \$15 for non-motorized watercraft owned by non-residents. Inflatables 10 feet or less in length are exempt.
19. All drifts, rafts or other watercraft as well as trailers used to transport watercraft will display 3 BLM permit stickers where it can easily be identified by persons standing on the shore.
20. Nothing in this permit will be construed as a license for the permittee, employees, or clients to use areas of the public lands which are otherwise restricted or closed.
21. Public Landings are available for use on a first come, first serve basis. No exclusive use permits will be granted for commercial uses.
22. Issuance of a permit by BLM does not guarantee the permittee's use of specific public land areas, nor does it grant the exclusive use of any area by the permittee, unless expressly stated. The United States reserves the right to use any part of the area for any purpose.
23. Permittee, employees, and clients will not interfere with other valid uses occurring on the public land such as grazing, mining, and other recreational uses (including commercial and private).
24. Issuance of a permit by BLM does not guarantee legal access to public lands. Access to public land by the permittee is assured only when legal access for the general public is available. Where legal public access is not available, it is the permittee's responsibility to obtain permission from the landowner(s) to travel through or use private lands.
25. BLM reserves the right to close various sites and/or areas of the public land to prevent resource damage and use conflicts, and to promote visitor safety.
26. Unless use allocations are in place, the public lands will generally remain available on a first-come first-served basis to as many other commercial and private users as desire to use

them, except as otherwise provided for in these stipulations. Nothing herein implies that the first permittee into any area has been authorized an exclusive use privilege.

27. Permittee is responsible for all actions of employees and clients on both public and private lands.
28. The permittee will be responsible for the prompt repair of any damages to utilities, fences and other improvements. The permittee shall take every reasonable precaution to protect natural resource values and any improvement on both private and public lands. Gates will be left open or closed, as they were found.
29. Permittee will notify BLM of any accidents occurring on the public lands which result in loss of life, loss of consciousness, disabling of individuals in excess of 24 hours, having to secure medical treatment, or property damage in excess of \$100, and will submit a detailed written report to BLM within 10 days from the date of the accident.
30. BLM reserves the right to alter the terms, conditions, or stipulations of a permit at any time for reasons such as significant policy, administrative procedure, or stipulation change.
31. Permittee agrees to make all relevant books, documents, papers, and records of his/her operation available to BLM upon request (as outlined in 43 CFR 2932.55) for analysis by qualified representatives of BLM and other Federal agencies authorized to review BLM's permitting activities.
32. For administrative purposes, including compliance checks, the permittee shall allow the BLM and its cooperators, reasonable administrative access to private lands which are owned or utilized by the permittee for the permitted activity.
33. A Post Use Report will be submitted within 30 days after the end of your use season or no later than December 31 each year. End of season use fee payments and the next year's minimum advance fee must be received by BLM when the Post Use Report is submitted.
 - The late fee will be assessed 15 days after the due date of the bill.
 - The late fee is calculated at 10 percent of the amount due or \$25 whichever is greater, not to exceed \$250.
 - If the late payment and bill are not paid within 15 days, a series of demand letters will be issued with additional interest (at the current Federal Reserve rate), administrative fees (\$15 per letter) and an administrative penalty of 6 percent of the principle amount due.
 - After 180 days, if the bill has not been paid, then it is turned over to the U.S. Treasury Department for collection.
 - Any bill that has accrued late fees or interest is paid applying the money collected first to interest and penalties, then to principle.

Failure to pay your fees on time could result in your permit being suspended, not renewed, or terminated.
34. BLM reserves the right to put a permittee on probation, suspend, or revoke a permit for reasons such as, but not limited to, noncompliance with stipulations, failure to provide services specified in the operation plan, or untimely permit reporting or use fee payments.

35. Failure to meet the terms, conditions, or stipulations of the permit may result in probation or suspension of the permittee or cancellation of the permit. It may also result in BLM's refusal to issue a permit and/or Annual Operating Authorization for subsequent years.
 - An annual evaluation of each multi-year permit is required to measure performance and compliance with the terms of your permit. The review will address your post use report and to ensure that your insurance, operations plan, etc. are updated/current.
36. 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.
37. A Special Recreation Permit 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 the amount of use. The authorized officer may suspend a Special Recreation Permit if necessary to protect public resources, health, safety, the environment, or for noncompliance with permit stipulations.
38. 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.
39. 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 shall 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.
40. 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.
41. 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.

42. 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 Special Recreation Permit.
43. 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.
44. 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.
45. The authorized officer, or 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.
46. A BLM Trip Log indicating entry onto public lands and exit off public lands, must be completed, signed, and submitted to the BLM to support permittee requests for a deduction for nonpublic land use that differs from the actual percent of BLM administered public land ownership status within the authorized use area. If the permittee would like to request off-site lodging deductions, copies of the lodging receipts should be provided to the authorized officer at the time the BLM Post Use Report is submitted.
47. **Cultural Resources, Standard Stipulations.** The holder is responsible for informing all persons associated with this project that they may be subject to prosecution for knowingly damaging, altering, excavating or removing any archaeological, historical, or vertebrate fossil objects or site. If archaeological, historical, Native American, or vertebrate fossil materials are discovered, the holder is to suspend all operations that further disturb such materials and immediately contact the Authorized Officer. Operations are not to resume until written authorization to proceed is issued by the Authorized Officer (AO).
 - The authorized officer will evaluate, or will have evaluated, such discoveries not later than five working days after being notified, and will determine what action shall be taken with respect to such discoveries. The decision as to the appropriate measures to mitigate adverse effects to significant cultural or Paleontological resources will be made by the authorized officer after consulting with the holder.
 - The holder is responsible for the cost of any investigations necessary for the evaluation, and any mitigative measures required by the Authorized Officer. The AO will provide technical and procedural guidelines for the conduct of evaluation and mitigation. Upon verification from the AO that the required evaluation and/or mitigation has been completed, the holder will be allowed to resume operations.
 - Native American Resources. The area under consideration contains no known areas or locations of religious or cultural concern to Native Americans. If such areas are subsequently identified or become known through the Native American notification or consultation process they would be considered during the implementation phase. The BLM would take no action that would adversely affect these areas or locations without consultation with the appropriate Native Americans.

- Human Remains. If human remains are discovered or suspected the holder shall suspend operations immediately, physically guard the area, and notify BLM immediately.
 - Archaeological Resources Protection Act Stipulation. No person may excavate, remove, damage, or otherwise alter or deface or attempt to excavate, remove, damage, or otherwise alter or deface any archaeological resource located on public lands or Indian lands.
48. **Wildlife Stipulation**. Avoid sensitive wildlife areas and disturbance of reproductive wildlife with young (including bird nests) during early spring/summer periods. Do not participate in any behavior which will alter the natural tendencies of the wildlife. For example, your actions should not, in any way, disrupt their current activity or entice investigatory activity by any wildlife. If your presence causes wildlife to move away from you, do not pursue them.

Sanitation and Aesthetics

49. Operation and maintenance of all sanitation, food service, and water supplies, systems, and facilities shall comply with the standards of the local department of health and the United States Public Health Service.
50. Permittee shall dispose of refuse resulting from the permitted use, including waste material, garbage, and rubbish of all kinds in the following manner, and shall guard the purity of streams and other bodies of water:
- Tin cans, spent brass, bottles, metal, foil, and other un-burnable materials will be packed out, not buried. All refuse not burned is also to be packed out.
 - Day use toilet needs will be accomplished through the use of the portable toilets.
 - No waste or byproducts shall be discharged if they contain any substances in concentrations that would result in substantial harm to fish and wildlife or to human water supplies, including streams, reservoirs, and lakes.
 - Help us clean up public lands by packing out all trash. Picking up trash left by less thoughtful visitors helps maintain the scenic beauty of your public lands. Littering will not be tolerated.
51. Permittee shall protect the scenic aesthetic values of the area under permit and the adjacent lands, insofar as practical, while exercising privileges granted during setup, operation, and maintenance of the permitted operation.

Fires

52. All types of open fires will be built only in areas that are presently free of trees and shrubs. A fire pan or fire blanket is recommended for all ground fires. Use of gas stoves or charcoal briquettes is encouraged, and packing of fuels may be necessary to supplement naturally available firewood. Open fires may be prohibited during certain periods depending on fire danger.
53. No fires will be left unattended. Permittee is solely responsible for all fires which permittee employees, or clients start.

54. Fires and stoves are prohibited within old cabins or historic structures.
55. Cutting or gathering firewood from historic structures or from standing trees (alive or dead) is prohibited.
56. Permittee may be held responsible for fire suppression costs resulting from wildfire caused by permittee, employees, or clients.
57. Wildfire should be reported immediately to the nearest BLM office. Permittee is responsible for informing employees, clients, and participants of the current fire danger and required precautions that may be placed in effect by the BLM or the State of Wyoming. *The Cody Dispatch can be reached at (307) 578-5740.*

Hazards

58. There are diversions and diversion dams present in the SRP project area. Please negotiate all hazards with extreme caution.
59. The Winchester Diversion Dam is located within proximity downstream of The Willows. Warning signs are posted approximately 0.75 (three-quarter) mile upstream of the diversion dam. Please abide posted signs, and use extreme caution.

Supplemental Wyoming Game and Fish Stipulations

60. Although the Wyoming Game and Fish makes annual efforts to sign public access areas, it is ultimately the sportsman's responsibility to determine land ownership. Some Wyoming Game and Fish access areas offers legal public access only along one side of the river from the mid-point of the river. For those who wade and fish, it is the sportsman's responsibility to be aware of the potential for trespass.
61. With the exception of "Wedding of the Waters" access, all of the other Wyoming G&F easements are for very specific activities. These activities may vary from area to area but are primarily for fishing and/or fishing and hunting/waterfowl hunting. Activities other than the specific activities for which the easement is written is not permitted without permission of the landowner.
62. Aquatic invasive species (A.I.S) compliance is of the utmost importance along the Bighorn River. Please abide by all Wyoming Game and Fish regulations.
63. Please report any damage or problems at or along the Game and Fish access areas to the Habitat and Access supervisor, Cody, WY (307-527-7125) .

Jeramie Prine of Dunior Fishing Adventures, LLC, is approved to offer day use; commercial fishing guiding along the Bighorn River on BLM-administered lands within the areas illustrated on the map found on Appendix A in NEPA document DOI-BLM-WY-R010-2011-0009-CX.

If spike camp is needed within the Worland Field Office area, the Worland Recreation Planner must be notified a minimum of 48 hours prior to establishing a temporary camp. Permittee must provide a legal description (township, range and section) of the proposed spike camp. The spike camp location may be denied.

Guidelines for Use of Public Lands

The BLM recognizes and endorses the use of the principles of Leave No Trace and Tread Lightly as appropriate wildland ethical behavior for the recreating public. The principles of these two programs are listed below.

LEAVE NO TRACE

- **Plan Ahead and Prepare**

Know the area and what to expect, travel in small groups, and select appropriate equipment.

- **Camp and Travel on Durable Surfaces**

Concentrate use in popular areas, spread use in remote areas, avoid places where impact is just beginning.

- **Dispose of Waste Properly**

Reduce litter at the source by repackaging food, pack it in, pack it out, dispose of trash and garbage properly. Practice good sanitation - dispose of human waste responsibly, minimize soap and food scraps in waste water, avoid contaminating water sources when washing, dispose of fishing and hunting waste appropriately.

- **Leave What You Find**

Minimize site alterations, avoid damaging trees and plants, leave natural objects and cultural artifacts for others to discover and enjoy.

- **Minimize Use and Impact From Fires**

Be aware of regulations and weather conditions. Stoves are often the best option. If you must build a fire, use existing fire rings. Collect only dead and downed wood or bring your own.

- **Respect Wildlife**

Avoid disturbing wildlife, enjoy wildlife at a distance, store food properly.

- **Be Considerate of Other Visitors**

Reduce your impact on other visitors, respect the privacy of others, keep noise to a minimum.

TREAD LIGHTLY!

- **Travel only where permitted.**

Know what areas/roads/trails are open to vehicles.

- **Respect the rights of others.**

Be considerate of others on the roads/trail that you travel. Vehicles yield the right-of-way to bicycles, hikers, and horses.

- **Educate yourself.**

Obtain information on your destination before you go. If you have questions contact the managing agency of the area(s) you are visiting.

- **Avoid streams, meadows, wildlife areas, etc.**

Be aware of wildlife habitat. Crashing through underbrush or across open meadows upsets the balance of nature, destroys nesting sites, and disturbs wildlife.

- **Drive and travel responsibly.**

Use common sense. Avoid muddy roads and trails and stay out of meadows and wetlands.

These principles of Leave No Trace and Tread Lightly! programs are recommended as a guide to minimizing signs of visitation to the expansive and varied BLM-administered public lands. These principles are intended to support and complement BLM regulations. Additional information on the Leave No Trace and Tread Lightly! programs is available at the Worland Field Office.

Guidelines for preventing the spread of Invasive Non-Native Species (Terrestrial)

There is a potential for recreation activities to spread noxious weeds. Weed seeds and invasive species may be spread by equipment, vehicles, clothing, and shoes. Please learn to identify these species, ensure that you avoid these weed patches, and make sure that your equipment and yourself are cleaned properly before you move from one area to another. To learn more about invasive species in your area and how to reduce their spread, please contact the local BLM or Wyoming Game and Fish Department.

I have read, understand, and agree to abide by the stipulations on the back of the Special Recreation Permit and those included in this document.

Signature of
Permittee

Date Signed