

**Use:** Alaska Mountain Wilderness Ski Classic

**Refuge Name:** Arctic National Wildlife Refuge

**Establishment and Acquisition Authority:** The Arctic National Wildlife Refuge was originally established as the nine-million acre Arctic National Wildlife Range by Public Land Order 2214 on December 6, 1960. On December 2, 1980, the Alaska National Interest Lands Conservation Act designated eight million acres as Wilderness, added nine million acres of land, and renamed it the Arctic National Wildlife Refuge (Arctic Refuge). In 1988, Public Law 100-395 added an additional 325,000 acres to the Refuge.

**Refuge Purposes:** Public Land Order 2214 established the original purposes of the Arctic National Wildlife Range, “For the purpose of preserving unique wildlife, wilderness and recreational values...”

The boundaries of the Arctic National Wildlife Range were modified, purposes expanded, and name changed to Arctic National Wildlife Refuge under the provisions of the Alaska National Interest Lands Conservation Act (ANILCA) on December 2, 1980 (Public Law 96-487 Stat. 2371). ANILCA purposes for the Refuge include:

- “(i) To conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, the Porcupine caribou herd (including participation in coordinated ecological studies and management of this herd and the Western Arctic caribou herd), polar bears, grizzly bears, muskox, Dall sheep, wolves, wolverines, snow geese, peregrine falcons and other migratory birds and Arctic char and grayling;
- (ii) to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats;
- (iii) to provide, in a manner consistent with the purposes set forth in subparagraphs (i) and (ii), the opportunity for continued subsistence uses by local residents; and
- (iv) to ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth in paragraph (i), water quality and necessary water quantity within the Refuge.”

Section 305 of ANILCA and 603 FW 2.8 direct those pre-ANILCA purposes remain in force and effect, except to the extent that they may be inconsistent with ANILCA or the Alaska Native Claims Settlement Act, and that such purposes only apply to those areas of the Refuge in existence prior to ANILCA.

The Wilderness Act of 1964 (Public Law 88-577) creates the following additional purposes for the designated wilderness area within Refuge boundaries: Secure an enduring resource of wilderness; protect and preserve the wilderness character of areas within the National Wilderness Preservation System (NWPS); administer the NWPS for the use and enjoyment of the American people in a way that will leave these areas unimpaired for future use and enjoyment as wilderness; and gather and disseminate information regarding the use and enjoyment of wilderness areas.

### **National Wildlife Refuge System Mission**

The mission of the National wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations

of Americans (National Wildlife Refuge System Administration Act of 1966, as amended [16 U.S.C. 668dd-668ee]).

### **Description of Use(s)**

The 29<sup>th</sup> annual Alaska Mountain Wilderness Ski Classic (AMWSC) is proposed to begin April 2, 2017 and end April 9, 2017. Up to 25 individual participants, typically travelling in groups of two or three, would travel by skis from a starting point at the Atigun River Gorge to the finish at Wiseman, via one of three offered routes and a mandatory checkpoint at the Wind River (see attached maps).

Participants are required to be self-propelled and self-contained throughout the event. Everything needed must be carried from start to finish without pre-planned caches, air drops or other aid stations. A \$200 entry fee is charged to each participant. No cash awards are given for finishers.

The proposed use, an organized event that involves direct compensation to the organizers, would require a special use permit.

### **Availability of Resources**

Adequate Refuge personnel and base operational funds are available to manage this use at the proposed level. Administrative staff time primarily involves phone conversations and written correspondence. Field work associated with this use could include a site visit to the start area and/or an aerial survey to observe the event while it is underway.

### **Anticipated Impacts of the Use**

Selected non-wildlife-dependent recreational activities, including cross-country skiing and mountaineering were evaluated and found to be compatible in 1988, 1994 and 2012. The 2012 determination noted that these activities are anticipated to have negligible effects on most Refuge resources, "...but effects may vary on wildlife and other visitors depending on the type of activity." The 2012 determination also noted that visitors participating in non-wildlife-dependent activities may encounter or contribute to emerging issues including perceived crowding and user conflicts, and Dalton Highway-based visitation. The Dalton Highway has been identified as an area of concern because it provides a relatively easy and economical access point to the Refuge and is therefore increasingly popular with visitors.

The proposed event would begin near mile 275 of the Dalton Highway and traverse a region known to include important wintering areas for both Dall's sheep and caribou, as well as some resident moose. Numerous studies have shown that winter is a time of stress for ungulates. These animals are generally in a state of energy deficit, meaning that they are utilizing body reserves to stay alive. Disturbance from human recreational activities is likely to increase energy expenditure, due to increased movements and displacement to less-suitable habitats. Repeated disturbance by multiple small groups of skiers traversing a given area could exacerbate these effects. However, impacts would be highly variable depending on the location of animals during the several-day period when the event takes place. Given the large area and relatively low density of animals, the likelihood of encounters is relatively low as well. Impacts are likely to be short-term, minor, and limited to individual animals.

The proposed event would include up to 25 individual participants. In past versions of this event, participants have generally travelled in groups of two or three, dispersing over multiple routes and finishing the course up to several days apart. Nevertheless, the total group size of 25 far

exceeds long-standing group-size limits imposed on commercial groups within the Refuge (10 people, including guides, for river floating trips, and seven people for hiking/land-based trips). Demand for backcountry, adventure events is high and growing nationwide. Last year's version of the Alaska Mountain Wilderness Ski Classic, held just west of the Refuge, had a record number of participants, so it is reasonable to expect that maximum or near-maximum participation would occur this year as well (local media coverage of last year's event is available here: (<https://www.adn.com/outdoors/article/sweltering-wilderness-ski-race-brooks-range-no-worries-plenty-snow/2016/04/13/>).

The size of recreational groups was identified as a core issue in 1990 during the Refuge's river management planning process. During scoping for that process, many individuals requested that the Refuge limit the size of visitor groups. The average acceptable group size recommendation was between eight and nine. Concerns were related to the effects of encountering large groups on one's wilderness experience, and potential effects on wildlife and on site degradation. These concerns and additional public input led the Refuge to limit the size of commercial groups to seven people per hiking group and 10 people per floating group, via stipulations attached to the Special Use Permits required for such activities. At the time, the Refuge committed to developing similar limits for non-commercial groups, but such limits would require regulations which have not been promulgated. Limiting non-commercial group size was also an issue the public identified during the Refuge's recent Comprehensive Conservation Plan (CCP) revision process. The CCP commits the Refuge to address the group-size issue in detail in a step-down Public Use Management Plan.

The most definitive analysis of the visiting public's preferences regarding group size is found in the report on the Refuge's 2008 survey of visitors, titled *Arctic National Refuge Visitor Study: The Characteristics, Experiences, and Preferences of Refuge Visitors*. Conducted by Christensen Research and the Leopold Institute, the survey found that 82 percent of respondents favored group size limits. Of those, the median group size preference was 9 for floaters and 8 for backpackers.

The likelihood of encountering other visitors in April, when the proposed event would occur is relatively low, and the potential for site impacts such as vegetative trampling is similarly low given that the event would occur on snow. However, the impacts of encountering a large group of up to 25 individuals would be negative, and moderate to major with respect to visitor's experiences. Given the well- documented preferences of visitors and the long-standing limits imposed on other commercial recreational activities, we propose to prohibit participants in this event from travelling, camping or congregating in groups of more than 10 people.

### **Public Review and Comment**

If conducted according to the stipulations included in this determination, the Refuge considers this use to be a minor use with minimal impacts. This document will be available for public review and comment at the Refuge office in Fairbanks, Alaska and the Arctic National Wildlife Refuge website and Facebook page, with a 14-day public comment period beginning January 27, 2017 and ending February 10, 2017. In addition, we will share this document directly with the Alaska Mountain Wilderness Ski Classic proponents, and with the Friends of Alaska National Wildlife Refuges.

**Refuge Determination (check one below)**

**Refuge Determination**

Use is not compatible

Use is compatible

**Stipulations Necessary to Ensure Compatibility (Permit Conditions)**

This Compatibility Determination is valid only for the Alaska Mountain Wilderness Ski Classic, 2017 edition. A special use permit with the following stipulations is required for the event. These stipulations are intended to minimize impacts and ensure compatibility.

Regional Standard Conditions

1. Failure to abide by any part of this special use permit; violation of any refuge related provision in Titles 43 (Part 36) or 50 (Subchapters B and C) Code of Federal Regulations; or violation of any pertinent state regulation (e.g., fish or game violation) will, with due process, be considered grounds for immediate revocation of this permit and could result in denial of future permit requests for lands administered by the U.S. Fish and Wildlife Service. This provision applies to all persons working under the authority of this permit (e.g., assistants). Appeals of decisions relative to permits are handled in accordance with 50 Code of Federal Regulations 36.41.
2. The permittee is responsible for ensuring that all employees, party members, aircraft pilots, and any other persons working for the permittee and conducting activities allowed by this permit are familiar with and adhere to the conditions of this permit.
3. Omit
4. The permittee and permittee's clients do not have the exclusive use of the site(s) or lands covered by this permit, except for the authorized camp facilities.
5. This permit may be cancelled or revised at any time by the refuge manager in case of emergency (e.g., high fire danger, flooding, unusual resource problems, etc.).
6. The permittee shall notify the refuge manager during refuge working hours in person or by telephone before beginning and upon completion of annual activities allowed by this permit.
7. The permittee shall maintain comprehensive general liability insurance (\$300,000 each occurrence, \$500,000 annual aggregate) throughout the use period specified on the permit, with the Fish and Wildlife Service named as coinsured.
8. Omit
9. Omit
10. Omit

11. In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal or disturbance of archeological or historic artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical or archaeological specimens or artifacts on refuge lands is prohibited.
12. Permittees shall maintain their use areas in a neat and sanitary condition. Latrines must be located at least 150 feet from springs, lakes, and streams to avoid contamination of water resources. All property (except cabins and/or tent frames) and garbage associated with the permitted activity must be removed from refuge lands upon departing for the season.
13. The construction or clearing of landing strips or pads is prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.
14. The use of off-highway vehicles is prohibited unless specifically authorized in writing in this permit.
15. The operation of aircraft at altitudes and in flight paths resulting in the herding, harassment, hazing, or driving of wildlife is prohibited. It is recommended that all aircraft, except for take-off and landing, maintain a minimum altitude of 2,000 feet above ground level (AGL).
16. Aircraft use must be conducted in accordance with the authorized plan of operation, and in compliance with FAA regulations. All aircraft being used in a commercial guiding operation must have 12 inch identification numbers in easily visible contrasting colors.
17. Construction of cabins or other permanent structures is prohibited.
18. The permittee's operation plan, as amended and accepted by the U.S. Fish and Wildlife Service, is hereby incorporated in its entirety as a special condition. All deviations from the operations plan must receive prior written approval by the Refuge Manager or his designee.
19. Fuel storage sites must be approved in advance by the Refuge Manager. Preparations to prevent and respond to a fuel spill must be fully adequate at all sites for the amount of fuel stored on site.
20. All food and garbage will be secured in a manner that minimizes attraction to wildlife and must be removed from the field before vacating the site for the season.
21. As soon as practicable, but in no case to exceed 30 days, the permittee shall notify the refuge manager of any accidents or other safety related incidents associated with permitted activities on the refuge. Reportable incidents include those that result in a death or physical injury requiring immediate medical attention beyond basic first aid, or that involve significant property damage or loss.
22. Omit

23. Omit

24. Omit

25. Any action by a permittee or the permittee's employees which unduly interferes with or harasses other refuge visitors or impedes access to any site is strictly prohibited. Examples of prohibited acts include, but are not limited to, low flights over camps or persons at less than 500 feet (unless landing), parking aircraft or placing other objects (rocks, tents, etc.) on any area so as to restrict landing use by other aircraft or persons, and the placement of ghost camps (i.e., unoccupied tents) to falsely indicate the use of an area.

26. As soon as practicable, but in no case to exceed 30 days, the permittee shall notify the refuge manager of any state or federal fish or wildlife related violations by the permittee or persons employed by the permittee as a guide or assistant guide (if known to the permittee), who have been convicted, pled nolo contendere, forfeited collateral, or had a guiding license suspended or revoked. Notification is required for violations without regard to where they occurred.

#### Refuge Specific Conditions

27. A copy of this permit shall be in the permittee's or field party chief's possession at all times while exercising the privileges of the permit.

28. The permittee shall provide the refuge manager with a report of the event conducted on the Refuge within 30-days of the permit expiration. The report should include the number of participants, weather and route conditions for each route specified, and any animal sightings made by the participants.

29. This permit authorizes use only on Arctic National Wildlife Refuge lands and waters. Use of land conveyed by a Native corporation or individual is not authorized by this permit.

30. The permittee shall take no action that interferes with subsistence activities of rural users or restricts the reasonable access of subsistence users to Refuge lands. This may include but is not limited to disturbance of wildlife and their movements near subsistence hunters, and damage to cabins, trails, traditional campsites or caches used by subsistence users.

31. Snowmobiles, dog teams, watercraft, and other means of transportation shall be operated in such a manner as to prevent the herding, harassment, hazing, or driving of wildlife. The use of snowmobiles, dog teams, and other means of surface transportation may only be used when adequate snow cover is present and in such a manner as to prevent damage to the Refuge. The phrase "adequate snow cover" means the snow is deep enough to protect the underlying vegetation and soil.

32. Live wood may not be used for any purpose. Standing dead wood may only be used on the south side of the Brooks Range Mountains. Dead and downed wood may be used for any purpose across the Refuge. Use of fuel stoves is encouraged over use of wood for cooking and heating.
33. In general and where possible, camps shall be located on durable surfaces (snow, sand or gravel). Camps located on vegetation shall be relocated at intervals adequate to prevent site impacts. Sites at popular aircraft access points that are already heavily impacted can continue to be used. Along high use rivers and lakes, camps shall not be located on vegetated sites that show human caused scuffing or matting of vegetation.
34. Bury human waste under soil (or under snow at the ground level during periods when the ground is frozen). Paper toilet tissue, if used, shall be packed out or burned completely to ash. Moist towelettes or sanitary products shall be removed as trash. In high use areas, especially the Kongakut and Hulahula river corridors and extended base-camps, we encourage packing-out of human waste.
35. Any human-wildlife interactions of the permittee, persons working under the authority of this permit, and clients, that have resulted in animals obtaining food; destroying property; or posing a threat to human safety; shall be reported to the refuge manager immediately at (907) 456-0253, as soon as communication becomes available. You are required to submit a written report within 30 days to the refuge manager for all interactions with grizzly bears that have resulted in bear obtaining food; destroying property; posing a threat to human safety; or the death of a grizzly bear, so that this data can be used to help prevent future human-bear conflicts. You may use the attached Bear Incident Report form. Animals taken in defense of life or property shall be reported to the refuge manager immediately, and to the Alaska State Troopers at (907) 451-5350, and salvaged in accordance with State regulations.
36. Refuge regulated services that are sub-contracted shall be provided by a service with a Refuge Special Use Permit. For example, if a research permittee requires air transportation services for their gear and scientists, the air operator shall have or obtain a Refuge Special Use Permit.
37. Equipment caches and locations shall be approved in advance and in writing by the Refuge Manager. The cache shall be clearly marked with the permittee's name and phone number; blend in with the surrounding environment; and be contained in certified "bear-resistant containers." Information about certified "bear-resistant" containers can be found at <http://www.igbconline.org/index.php/safety-in-grizzly-country/bear-resistant-products/igbc-certified-bear-resistant-products>.

38. Legal take and harassment of polar bears is limited to defense of life. Any killing or harassment of a polar bear in defense of life shall be reported to the Refuge Manager and to the US Fish and Wildlife Service Office of Law Enforcement at (907) 456-2335 immediately, as soon as communication becomes available. You are also required to submit a report to the Refuge Manager for all interactions with polar bears that have resulted in bears obtaining food; destroying property; posing a threat to human safety; or the death of a polar bear, so that this data can be used to help prevent future human-bear conflicts.

39. Total number of participants is limited to 25 individuals. Participants are prohibited from travelling, camping or congregating in groups of more than 10 people while in the Refuge.

### **Justification**

The proposed event provides opportunities for the public to experience the Refuge first-hand, which may increase appreciation for the Refuge and its resources. Wildland recreation values as well as the original establishing purposes of the Refuge are preserved by promoting these types of wildland pursuits. Non-wildlife dependent recreational activities including cross-country skiing and mountaineering have been evaluated and found to be compatible. When conducted according to the included stipulations, I find that this use will not materially interfere with or detract from the purposes for which the Refuge was created.

Refuge Manager/  
Project Leader Approval

\_\_\_\_\_

(Signature)

\_\_\_\_\_

Date

### **Concurrence**

Regional Chief

National

Wildlife

Refuge System

\_\_\_\_\_

(Signature)

\_\_\_\_\_

Date

### **Supporting Documents**

Aldo Leopold Wilderness Research Institute and Christensen Research. 2008. *Arctic National Refuge Visitor Study: The Characteristics, Experiences, and Preferences of Refuge Visitors*. On file, Arctic Refuge office.

U.S. Fish and Wildlife Service. 2015. *Arctic National Wildlife Refuge Final Comprehensive Conservation Plan and Environmental Impact Statement*. Available at: <https://www.fws.gov/home/arctic-ccp/>

U.S. Fish and Wildlife Service. 1993. *Arctic National Wildlife Refuge Draft River Management Plan and Environmental Assessment*. On file, Arctic Refuge office.



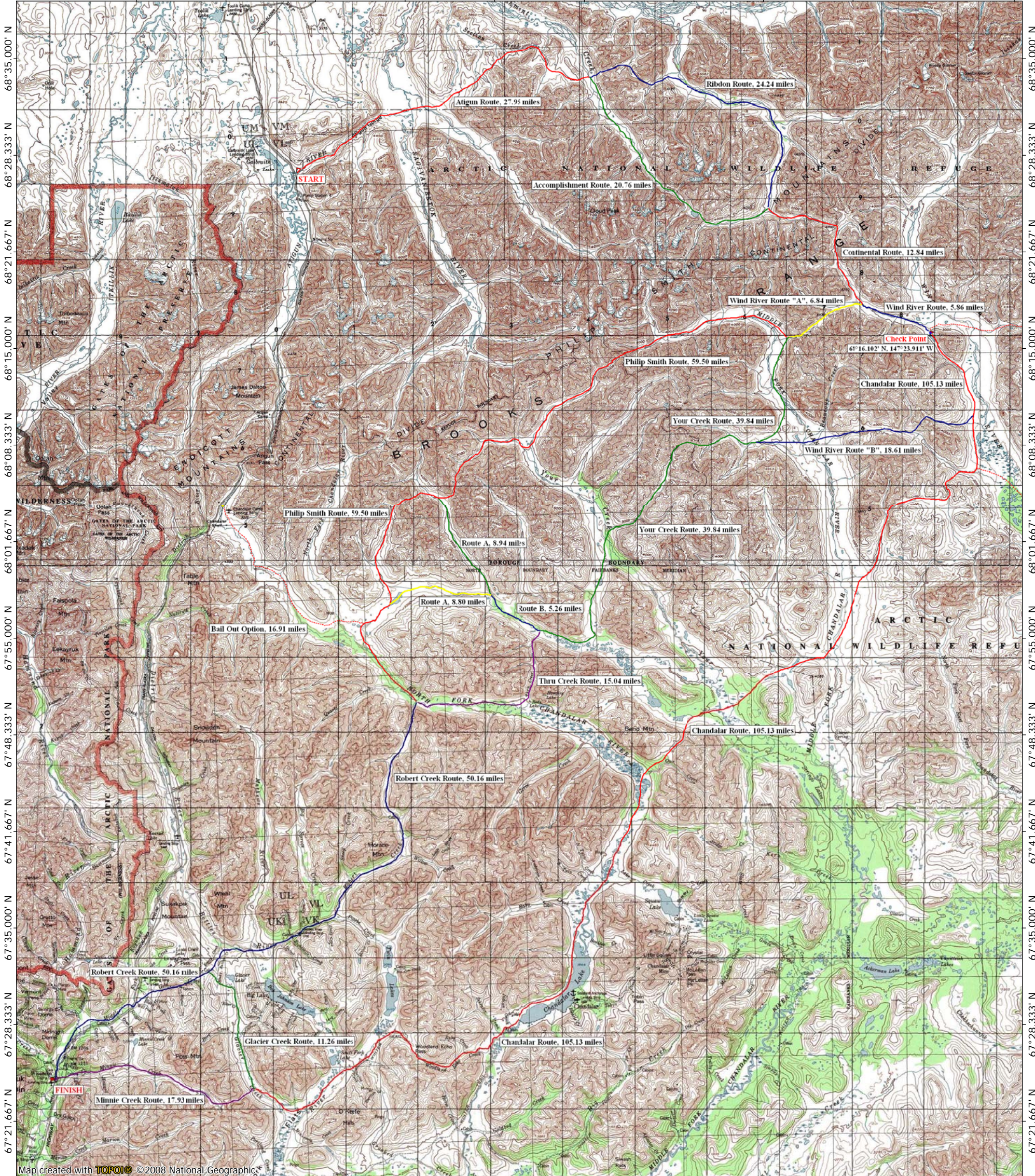
**NEPA Compliance for Refuge Use Decision**

Categorical Exclusion without Environmental Action Memorandum

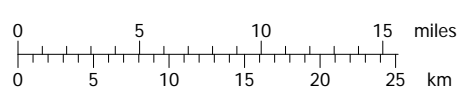
Categorical Exclusion and Environmental Action Memorandum

Environmental Assessment and Finding of No Significant Impact

Environmental Impact Statement and Record of Decision



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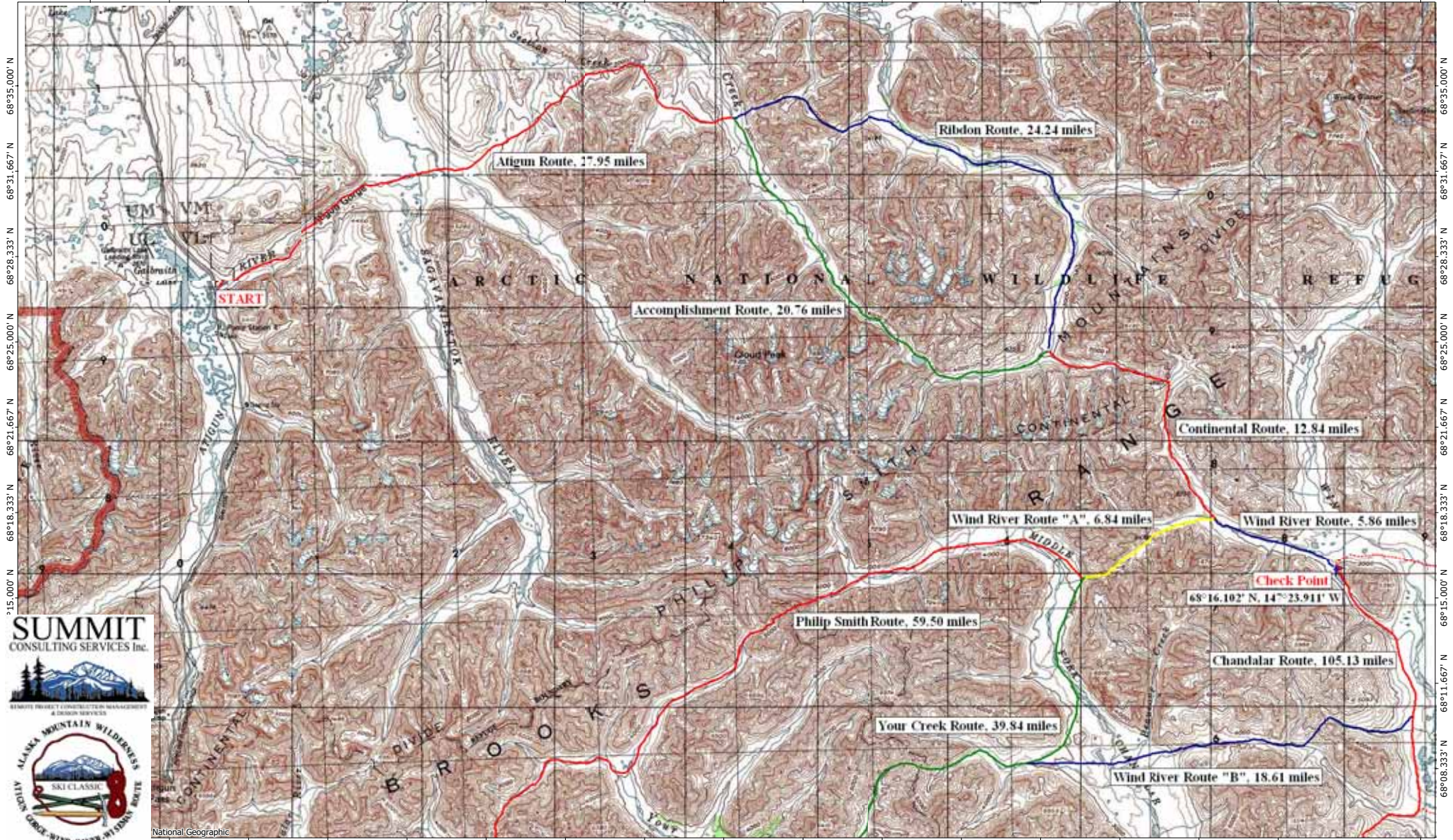
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**ROUTE OPTIONS**

- 1. Atigun Gorge-Philip Smith-Robert Creek-Wiseman ~ 184 miles**  
It includes: Atigun Route-Accomplishment Route/ Ribdon Route-Continental Route- Wind River Route-Wind River Route "A"-Philip Smith Route-Robert Creek Route- Wiseman (Finish)
- 2. Atigun Gorge-Wind River-Your Creek-Robert Creek-Wiseman ~ 179 miles**  
It includes: Atigun Route-Accomplishment Route/ Ribdon Route-Continental Route- Wind River Route-Wind River Route "A"/Wind River Route "B"-Your Creek Route-Thru Creek Route-Robert Creek Route- Wiseman (Finish)
- 3. Atigun Gorge-Wind River-Chandalar River-Minnie Creek-Wiseman ~ 191 miles**  
It includes: Atigun Route-Accomplishment Route/ Ribdon Route-Continental Route- Wind River Route-Chandalar Route-Minnie Creek-Wiseman (Finish)



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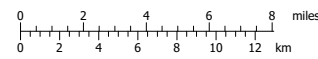
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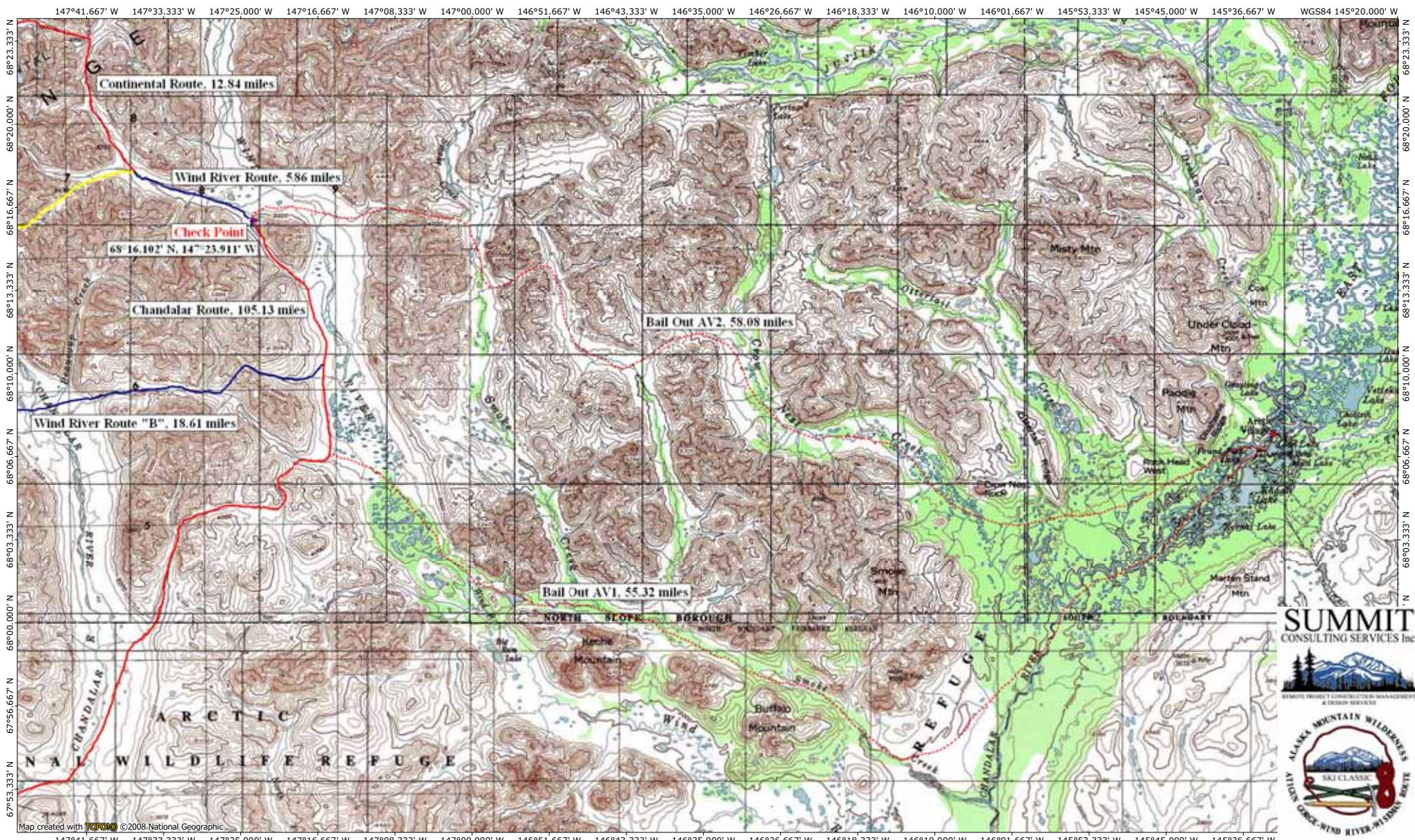


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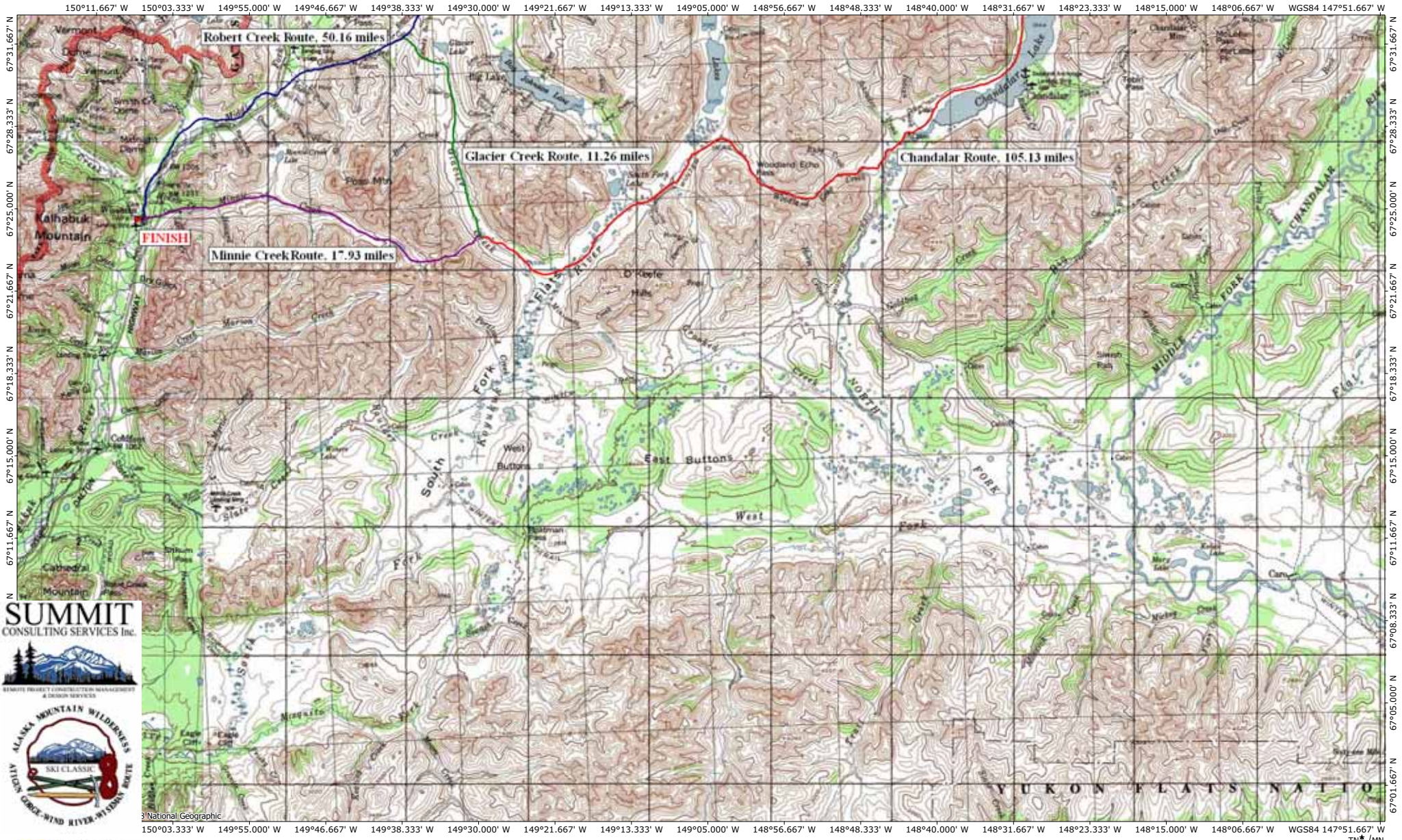
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**SUMMIT CONSULTING SERVICES Inc.**



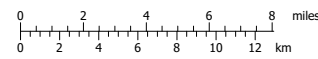
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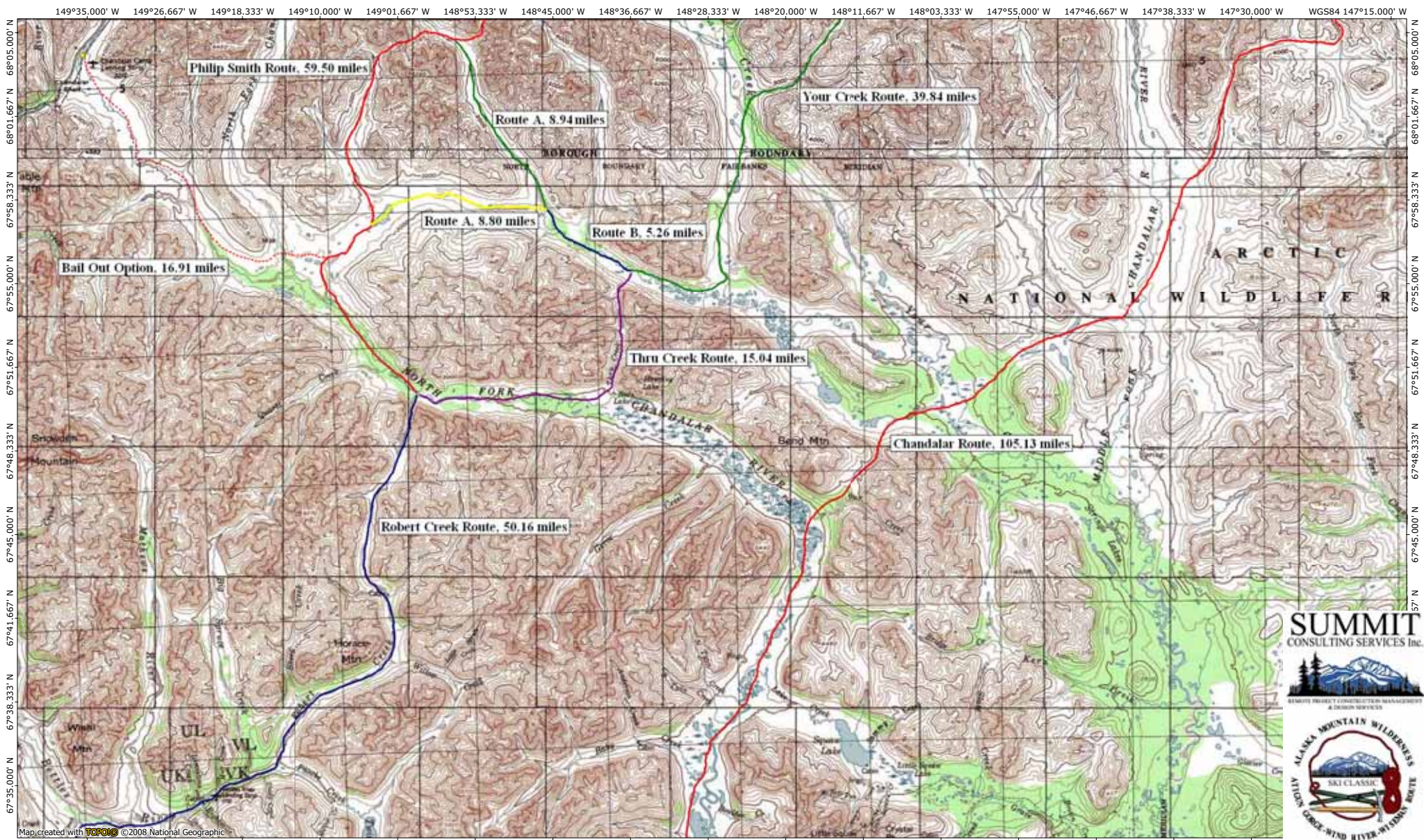
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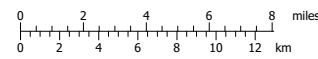
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