

Categorical Exclusion

Project Title: Rule for Wildlife Harvest on National Park System Preserves in Alaska
Park Unit: Alaska Region
PEPC Project Number: 49062

Proposed Action

The National Park Service (NPS) proposes to publish a final rule that:

- (1) Affirms current State prohibitions on harvest practices by adopting them as federal regulation;
- (2) Prohibits taking of caribou that are swimming, or from a motorboat that is under power, in two game management units (GMU) by not adopting a narrow state exception to the general prohibition of these methods of harvest;
- (3) Prohibits intentionally obstructing or hindering persons actively engaged in lawful hunting or trapping;
- (4) Updates procedures for implementing closures or restrictions in park areas, including taking fish and wildlife for sport purposes; and,
- (5) Allows the use of native species as bait for fishing in accordance with applicable federal and non-conflicting State law.

The rule also prohibits taking wildlife, hunting or trapping activities, or management actions involving predator reduction efforts with the intent or potential to alter or manipulate natural predator-prey dynamics and associated natural ecological processes to increase harvest of ungulates by humans on NPS-managed lands. The rule prohibits the following activities that have been allowed under State law: (1) taking any black bear, including cubs and sows with cubs, with artificial light at den sites; (2) taking brown bears and black bears over bait; (3) taking wolves and coyotes during the denning season; and (4) using dogs to hunt black bears by state permit. This proposed action is analyzed in the Environmental Assessment for Wildlife Harvest on National Park System Preserves in Alaska (PEPC 49062) and is not covered by this categorical exclusion.

Describe the category used to exclude action from further NEPA analysis and indicate the number of the category. Include an explanation as to why this category is applicable, as appropriate.

Categorical Exclusion (CE) A.8 is most applicable to the actions described above. A.8 allows for modifications or revisions to existing regulations or the promulgation of new regulations for NPS-administered areas provided that four conditions are met. The modifications, revisions, or new regulations must not:

- a. Increase public use to the extent of compromising the nature and character of the area or causing physical damage to it.

None of the changes in the proposed action will change levels of public use in National Preserves in Alaska.

- b. Introduce noncompatible uses which might compromise the nature and characteristics of the area, or cause physical damage to it.

The proposed actions do not introduce new uses.

c. Conflict with adjacent ownerships or land uses.

The proposed actions mostly maintain current harvest practices. The effects of prohibiting take of swimming caribou or caribou from a motorboat that is under power and the use of native species as bait for fishing will be minimal and will not cause a conflict with adjacent ownerships or land uses.

d. Cause a nuisance to adjacent owners or occupants.

Similarly, the effects of prohibiting take of swimming caribou or caribou from a motorboat that is under power and the use of native species as bait for fishing will be minimal and will not cause a nuisance to adjacent owners or occupants.

The twelve extraordinary circumstances identified at 43 CFR §46.215 were considered in the context of the proposed actions. The actions will not have significant impacts on public health or safety, natural resources and unique geographic characteristics, properties listed or eligible for listing on the National Register of Historic Places, or on listed or proposed threatened or endangered species or their designated Critical Habitat.

The proposed actions will not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources because the actions mostly maintain current harvest regulations, and the environmental effects of prohibiting take of swimming caribou or caribou from a motorboat that is under power and the use of native species as bait will be minimal. The proposed actions do not restrict most sport hunting activity and allow for the harvest of caribou that are not swimming so long as the hunter is not in a motorboat under power.

The NPS has not identified a direct relationship between the proposed actions and other actions with individually insignificant but cumulatively significant environmental effects.

On the basis of the environmental impact information in the decision file, with which I am familiar, I am categorically excluding the described project from further NEPA analysis. No extraordinary circumstances apply, and the action is consistent with Chapter 3 of the DO-12 Handbook as identified above.

Regional Director:  Date: 10/21/2015