

APPENDIX C

LAND USE PERMITS AND MEMORANDA OF UNDERSTANDING

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**APPENDIX C.
LAND USE PERMITS AND MEMORANDA OF
UNDERSTANDING**

**C.1 UNITED STATES DEPARTMENT OF THE INTERIOR, U.S. FISH AND WILDLIFE
SERVICE, ARCTIC NATIONAL WILDLIFE REFUGE**

United States Department of the Interior
U.S. Fish and Wildlife Service
National Wildlife Refuge System
Research and Monitoring Special Use
Application and Permit

OMB Control Number 1018-0102
Expiration Date: 06/30/2014

Name of Refuge Arctic NWR
Address 101 12th Ave, Room 236, Fairbanks ,AK 99701
Attn: (Refuge Official) Alan Brackney
Phone # 907-456-0450 E-mail alan_brackney@fws.gov

Application

(To be filled out by applicant. Note: Not all information is required for each use. See instructions at the end of the notice for specific information required.)

1) New Renewal Modification Other _____

Applicant Information

2) Principal Investigator: Greg Walker 3) Is curriculum vitae or resume attached?
 Yes No N/A
4) Address: P.O. Box 757320 University of Alaska 5) City/State/Zip: Fairbanks, AK 99775
6) Phone #: 907-455-2110 7) Fax #: 907-455-2120 8) E-mail: krich@gi.alaska.edu
9a) Affiliation/organization: Poker Flat Research Range, Geophysical Institute, UAF
9b) Relationship to affiliation/organization: (professor, staff, student, etc.) staff
10) Assistants/subcontractors/subpermittees: (List full names, addresses and phone #'s and specifically describe services provided if subcontractors are used.)

Project Information

(Depending on the project for which you are requesting a permit, we may ask you for the following project information. Please contact the specific refuge where the project is being conducted to determine what project information is required.)

11) Title: NASA Sounding Rocket Program
12a) Is full research proposal required? Yes No 12b) Is full research proposal attached? Yes No
13) Describe activity: (Specifically identify timing, frequency, and how the project is expected to proceed.)
Permit to impact lands within Arctic NWR with expended rocket motor (one), and payload (one), and entry onto Arctic NWR lands for purposes of recovery spent rocket stages
See Attached
14) Location: (Identify specific location; GPS location preferred)
SW of Arctic Village and NW of Venetie
15a) Is map of location(s) required? Yes No N/A 15b) Is map of location(s) attached? Yes No
16) Project/site occupancy timeline: (Specifically identify beginning and ending dates, site occupation timeline, hours, clean-up and other major events.)
Launch window is projected to be between February 13, 2012 and March 5, 2012. Recovery operations will occur shortly after launch to locate spent stages. Recovery itself may not occur until later in the spring and will be coordinated with refuge personnel prior to entry onto Arctic NWR lands.
See Attached

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17) Species or habitats being studied:
NQ

18) Purpose/hypothesis:
NA

19) Expected benefits of research/monitoring:
Upper atmospheric and auroral research which has impacts on communications and global warming concerns

20) Briefly describe project history and context of research/monitoring project:
REsearch has been ongoing shince March of 1969

21) Briefly describe project's relationship to other research/monitoring projects either known of or conducted by the applicant:
NA

22) Identify the types of samples to be taken or data to be collected during the proposed project:
None

23) List other cooperators and institutions involved in the project:
Dartmouth University, University of new Hampshire, NASA Sounding Rocket Program Office, NASA Science Mission Directorate

24) Generally identify the anticipated timeline for analysis, write-up and publication:
Unknown

25) For research involving animals, has an Assurance of Animal Care Form, Institutional Animal Care and Use Committee approval (or equivalent) been completed? Yes No N/A

Is form attached?
 Yes No

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Certifications/Permits

26a) Is rat free certification required?

Yes No N/A

Copy of certification provided:

Yes No

26b) Is hull inspection certification required?

Yes No N/A

Copy of certification provided:

Yes No

26c) Is EMT/first aid certification required?

Yes No N/A

Copy of certification provided:

Yes No

26d) Are other certifications required?

Yes No N/A

Copy of certification provided:

Yes No

27a) Are State permits required?

Yes No N/A

Copy of permits provided:

Yes No

27b) Are Federal permits required?

Yes No N/A

Copy of permits provided:

Yes No

27c) Are tribal permits required?

Yes No N/A

Copy of permits provided:

Yes No

27d) Are other permits required?

Yes No N/A

Copy of permits provided:

Yes No

Logistics and Transportation

28a) Does activity require personnel to stay overnight onsite?

Yes No

28b) Personnel involved:

3-5 for one day during recovery

29) Specifically describe all equipment/gear and materials used:

None

30a) Dates of installation of instrumentation:

na

30b) Dates of instrumentation removal:

na

30c) If instrumentation is permanent, describe need:

na

30d) Instrumentation maintenance schedule:

na

30e) Data collection schedule:

na

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31) Logistical arrangements for offsite transportation of samples:
na

32a) Transportation description(s) and license number(s) to access refuge(s); (Provide description of and specific auto license/boat/plane registration number(s).)
na

32b) Specifically describe ship-to-shore transportation:
na

32c) Specifically describe interstate transportation:
na

32d) Specifically describe onsite transportation:
Entry onto refuge lands for recovery will be via helicopter and will be coordinated with the refuge prior to entry

33a) Is fuel cache needed?
 Yes No

33b) Specific location(s) of fuel caches: (GPS Coordinates preferred)

34a) Is Safety Plan required?
 Yes No

34b) Safety Plan attached:
 Yes No

Work and Living Accommodations

35) Specifically describe onsite work and/or living accommodations, including spike camps:
na

36) Specifically describe on or offsite hazardous material storage or other on or offsite material storage space (including on and offsite fuel caches):
na

37) Signature of Applicant Robert P. McCoy Date of Application: 1/13/12

Sign, date, and print this form and return it to the refuge for processing.
Do not fill out information below this page.

PRINT FORM

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For Official Use Only (This section to be filled out by refuge personnel only.)

Special Use Permit

2012-S1
Permit #: _____

1) Date: 2/10/2012 - 10/30/2012 2) Permit Approved Permit Denied 3) Station #: 75600

4) Additional special conditions required: (Special conditions may include activity reports, before and after photographs, and other conditions.)

Additional sheets attached:

Yes No N/A

Yes No

5) Other licenses/permits required:

Verification of other licenses/permits, type:

Yes No N/A

6) Minimum requirements analysis has been conducted:

Assessment attached:

Yes No N/A

Yes No

7) Assurance of Animal Care Form or Institutional Animal Approval form attached:

Approval form attached:

Yes No N/A

Yes No

8) Record of Payments: Exempt Partial Full

Amount of payment: _____ Record of partial payment: _____

9) Bond Paid: Yes No N/A

This permit is issued by the U.S. Fish and Wildlife Service and accepted by the applicant signed below, subject to the terms, covenants, obligations, and reservations, expressed or implied herein, and to the notice, conditions, and requirements included or attached. A copy of this permit should be kept on hand so that it may be shown at any time to any refuge staff.

Permit approved and issued by (Signature and title):

 Date: 02-8-12

Permit accepted by (Signature of applicant):

 Date: 2.7.12

Kit Duke, AVP Facilities & Land Management
UNIVERSITY OF ALASKA

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Notice

In accordance with the Privacy Act (5 U.S.C. 552a) and the Paperwork Reduction Act (44 U.S.C. 3501), please note the following information:

1. The issuance of a permit and collection of fees on lands of the National Wildlife Refuge System are authorized by the National Wildlife Refuge System Administration Act (16 U.S.C. 668dd-ee) as amended, and the Refuge Recreation Act (16 U.S.C. 460k-460k-4).
2. The information that you provide is voluntary; however submission of requested information is required to evaluate the qualifications, determine eligibility, and document permit applicants under the above Acts. It is our policy not to use your name for any other purpose. The information is maintained in accordance with the Privacy Act. All information you provide will be considered in reviewing this application. False, fictitious, or fraudulent statements or representations made in the application may be grounds for revocation of the Special Use Permit and may be punishable by fine or imprisonment (18 U.S.C. 1001). Failure to provide all required information is sufficient cause for the U.S. Fish and Wildlife Service to deny a permit.
3. No Members of Congress or Resident Commissioner shall participate in any part of this contract or to any benefit that may arise from it, but this provision shall not pertain to this contract if made with a corporation for its general benefit.
4. The Permittee agrees to be bound by the equal opportunity "nondiscrimination in employment" clause of Executive Order 11246.
5. Routine use disclosures may also be made: (a) to the U.S. Department of Justice when related to litigation or anticipated litigation; (b) of information indicating a violation or potential violation of a statute, rule, order, or license to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulations, order, or license; (c) from the record of the individual in response to an inquiry from a Congressional office made at the request of the individual (42 FR 19083; April 11, 1977); and (d) to provide addresses obtained from the Internal Revenue Service to debt collection agencies for purposes of locating a debtor to collect or compromise a Federal Claim against the debtor, or to consumer reporting agencies to prepare a commercial credit report for use by the Department (48 FR 54716; December 6, 1983).
6. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. This information collection has been approved by OMB and assigned control number 1018-0102. The public reporting burden for this information collection varies based on the specific refuge use being requested. The relevant public reporting burden for the Research and Monitoring Special Use Permit Application form is estimated to average 4 hours per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Comments on this form should be mailed to the Information Collection Clearance Officer, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, MS 2042-PDM, Arlington, Virginia, 22203.

General Conditions and Requirements

1. **Responsibility of Permittee:** The permittee, by operating on the premises, shall be considered to have accepted these premises with all facilities, fixtures, or improvements in their existing condition as of the date of this permit. At the end of the period specified or upon earlier termination, the permittee shall give up the premises in as good order and condition as when received except for reasonable wear, tear, or damage occurring without fault or negligence. The permittee will fully repay the Service for any and all damage directly or indirectly resulting from negligence or failure on his/her part, and/or the part of anyone of his/her associates, to use reasonable care.
2. **Operating Rules and Laws:** The permittee shall keep the premises in a neat and orderly condition at all times, and shall comply with all municipal, county, and State laws applicable to the operations under the permit as well as all Federal laws, rules, and regulations governing national wildlife refuges and the area described in this permit. The permittee shall comply with all instructions applicable to this permit issued by the refuge official in charge. The permittee shall take all reasonable precautions to prevent the escape of fires and to suppress fires and shall render all reasonable assistance in the suppression of refuge fires.
3. **Use Limitations:** The permittee's use of the described premises is limited to the purposes herein specified and does not, unless provided for in this permit, allow him/her to restrict other authorized entry onto his/her area; and permits the Service to carry on whatever activities are necessary for: (1) protection and maintenance of the premises and adjacent lands administered by the Service; and (2) the management of wildlife and fish using the premises and other Service lands.
4. **Transfer of Privileges:** This permit is not transferable, and no privileges herein mentioned may be sublet or made available to any person or interest not mentioned in this permit. No interest hereunder may accrue through lien or be transferred to a third party without the approval of the Regional Director of the Service and the permit shall not be used for speculative purposes.
5. **Compliance:** The Service's failure to require strict compliance with any of this permit's terms, conditions, and requirements shall not constitute a waiver or be considered as a giving up of the Service's right to thereafter enforce any of the permit's terms or conditions.
6. **Conditions of Permit not Fulfilled:** If the permittee fails to fulfill any of the conditions and requirements set forth herein, all money paid under this permit shall be retained by the Government to be used to satisfy as much of the permittee's obligation as possible.
7. **Payments:** All payment shall be made on or before the due date to the local representative of the Service by a postal money order or check made payable to the U.S. Fish and Wildlife Service.
8. **Termination Policy:** At the termination of this permit the permittee shall immediately give up possession to the Service representative, reserving, however, the rights specified in paragraph 11. If he/she fails to do so, he/she will pay the government, as liquidated damages, an amount double the rate specified in this permit for the entire time possession is withheld. Upon yielding possession, the permittee will still be allowed to reenter as needed to remove his/her property as stated in paragraph 11. The acceptance of any fee for the liquidated damages or any other act of administration relating to the continued tenancy is not to be considered as an affirmation of the permittee's action nor shall it operate as a waiver of the Government's right to terminate or cancel the permit for the breach of any specified condition or requirement.
9. **Revocation Policy:** This permit may be revoked by the Regional Director of the Service without notice for noncompliance with the terms hereof or for violation of general and/or specific laws or regulations governing national wildlife refuges or for nonuse. It is at all times subject to discretionary revocation by the Director of the Service. Upon such revocation the Service, by and through any authorized representative, may take possession of the said premises for its own and sole use, and/or may enter and possess the premises as the agent of the permittee and for his/her account.

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10. Damages: The United States shall not be responsible for any loss or damage to property including, but not limited to, growing crops, animals, and machinery or injury to the permittee or his/her relatives, or to the officers, agents, employees, or any other who are on the premises from instructions or by the sufferance of wildlife or employees or representatives of the Government carrying out their official responsibilities. The permittee agrees to save the United States or any of its agencies harmless from any and all claims for damages or losses that may arise to be incident to the flooding of the premises resulting from any associated Government river and harbor, flood control, reclamation, or Tennessee Valley Authority activity.

11. Removal of Permittee's Property: Upon the expiration or termination of this permit, if all rental charges and/or damage claims due to the Government have been paid, the permittee may, within a reasonable period as stated in the permit or as determined by the refuge official in charge, but not to exceed 60 days, remove all structures, machinery, and/or equipment, etc. from the premises for which he/she is responsible. Within this period the permittee must also remove any other of his/her property including his/her acknowledged share of products or crops grown, cut, harvested, stored, or stacked on the premises. Upon failure to remove any of the above items within the aforesaid period, they shall become the property of the United States.

12. Collected Specimens: You may use specimens collected under this permit, any components of any specimens (including natural organisms, enzymes, genetic materials or seeds), and research results derived from collected specimens for scientific or educational purposes only, and not for commercial purposes unless you have entered into a Cooperative Research and Development Agreement (CRADA) with us. We prohibit the sale of collected research specimens or other transfers to third parties. Breach of any of the terms of this permit will be grounds for revocation of this permit and denial of future permits. Furthermore, if you sell or otherwise transfer collected specimens of any components without a CRADA, you will pay us a royalty rate of 20 percent of the gross revenue from such sales. In addition to such royalty, we may seek other damages and injunctive relief against you.

Instructions for Completing Application

You may complete the application portion verbally, in person or electronically and submit to the refuge for review. Note: Please read instructions carefully as not all information is required for each activity. Contact the specific refuge where the activity will take place if you have questions regarding the applicability of a particular item. Special conditions or permit stipulations may be added to permit prior to approval.

1. Identify if application is for a new permit or renewal or modification of an existing permit. Permit renewals may not need all information requested. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

2-3. Provide principal investigator's or applicant's full name. Attach principal investigator's Curriculum Vitae or Resume, if required. Permit renewals generally do not require a Curriculum Vitae or Resume if the project is a continuation of a previously issued permit being conducted by the same investigator. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

4-9. Provide investigator's address, phone, fax, e-mail, affiliation and or organization, and relationship to affiliation or organization (title, professor, student, etc.).

10. Provide the names and addresses of assistants, subcontractors or subpermittees. Names and address are only required if the assistants, subcontractors or subpermittees will be operating on the refuge without the permittee being present. Volunteers, assistants, subcontractors or subpermittees that are accompanied by the permittee need not be identified.

11. Provide title of research or monitoring project.

12a-12b. Attach a full research or monitoring proposal, if required. Permit renewals generally do not require a project proposal if the project is a continuation of a previously issued permit being conducted by the same investigator. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

13. Describe Activity: provide detailed information on the activity, including timing, frequency, how the project is expected to proceed, etc. Permit renewals may not need activity description, if the activity is unchanged from previous permit. Most repetitive research projects do not require an activity description for each visit to the refuge. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

14. Location: Identify specific location (GPS coordinates preferred), if not a named facility. Permit renewals may not require a location if the project is essentially unchanged from the previous permit. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

15a-15b. Attach a map of location, if required and project is not conducted at a named facility. Permit renewals may not require a map if the project is essentially unchanged from the previous permit. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

16. Activity/site occupancy timeline: Identify beginning and ending dates, site occupation timeline, hours, clean-up and other major events. Permit renewals may not need an activity/site occupancy timeline, if the activity is unchanged from previous permit. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

17. Identify species or habitats being studied.

18-19. Specifically identify purpose or hypothesis of the research or monitoring project and describe expected benefits. Permit renewals may not need to identify purpose or hypothesis, if the project is a continuation of a previously issued permit being conducted by the same investigator. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

20. Briefly describe project history and context. Permit renewals should describe previous research activities as part of a previously issued permit being conducted by the same investigator. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

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21. Briefly describe project's relationship to other research/monitoring projects either known of or conducted by the applicant, if applicable. Include a brief statement of how the research or monitoring permit being applied for will add to or supplement other ongoing research or monitoring on the same, or related, species or habitats. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.
22. Identify samples to be taken or types of data to be collected. Permit renewals may not need to identify samples taken if the project is a continuation of a previously issued permit being conducted by the same investigator. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.
23. List other cooperators and institutions involved in the project, if applicable. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.
24. Generally, identify the anticipated time line for analysis, write-up and publication of project results. Include whether the project is a single, or multiple year project. Identification of an actual publication where the results are printed is not necessary. However, applicants should include the anticipated dissemination of project results. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.
25. Check box acknowledging a completed Assurance of Animal Care Form or an Institutional Animal Care and Use Committee (or equivalent) has granted approval been completed, and has been submitted to refuge station, if required. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.
- 26a-26c. Specifically identify types and numbers of other certifications, if required. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement, and to coordinate the simultaneous application of several types of certifications. This Special Use Permit may be processed while other certifications are being obtained.
- 27a-27d. Specifically identify types and numbers of other State, Federal or tribal permits, if required. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement, and to coordinate the simultaneous application of several types of State, Federal or tribal permits. This Special Use Permit may be processed while other State, Federal or tribal permits are being obtained.
- 28a-28b. Provide name(s) of any personnel required to stay overnight, if applicable.
29. Identify all equipment and materials, which will be used, if required. Permit renewals may not require a list of equipment if the project is essentially unchanged from a previously issued permit. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.
- 30a-30e. Identify types and dates of installation of any instrumentation, and data collection and maintenance schedule of instrumentation, if required. Permit renewals may not require a list of equipment if the project is essentially unchanged from a previously issued permit. However, dates of installation of any instrumentation, and data collection and maintenance schedule of instrumentation may still be required. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.
31. Identify logistic arrangements for offsite transportation of samples taken, if applicable.
- 32a-32d. Describe and provide vehicle descriptions and license plate or identification numbers of all vehicles, including boats and airplanes, if required. Motor vehicle descriptions are only required for permittee vehicle, and/or if the vehicle will be operated on the refuge without the permittee being present. Motor vehicles that are accompanied by the permittee as part of a group (convoy) activity need not be identified if cleared in advance by refuge supervisor. Specifically describe ship-to-shore, intersite (between islands, camps, or other sites) and onsite transportation mechanisms, and license plate or identification numbers, if required.
- 33a-33b. Identify specific location(s) of fuel cache(s) (GPS coordinates preferred), if required.
- 34a-34b. Attach safety plan, if required. Contact the specific refuge headquarters office where the project is going to be conducted to determine if a safety plan is required.
35. Specifically describe onsite work and/or living accommodations, if required. Include descriptions and locations (GPS coordinates preferred) of spike camps or other remote work and/or living accommodations that are not part of the base of operations. Contact the specific refuge headquarters office where the project is going to be conducted to determine if descriptions of onsite work and/or living accommodations are required.
36. Specifically describe onsite and offsite hazardous material storage, or other onsite material storage space (including on and offsite fuel caches), if required. Contact the specific refuge headquarters office where the project is going to be conducted to determine if descriptions of hazardous material storage or other onsite material storage are required.
- 37 Sign, date and print the application. Click on the Print button to print the application (if using the fillable version). The refuge official will review and, if approved, fill out the remaining information, sign, and return a copy to you for signature and acceptance.

The form is not valid as a permit unless it includes refuge approval, a station number, a refuge-assigned permit number, and is signed by a refuge official.

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Attachment

#13 Describe Activity.

Permit to impact lands within Arctic NWR with expended rocket motor (one), and payload (one), and entry onto Arctic NWR lands for purposes of recovery of spent stages

#16 Project Timeline

Launch window is projected to be between February 13, 2012 and March 5, 2012. Recover operations will occur shortly after launch to locate spent stages. Recovery itself may not occur until later in the spring and will be coordinated with refuge personnel prior to entry onto Arctic NWR lands.

#23 Cooperating Agencies

Dartmouth University, University of New Hampshire, NASA Sounding Rocket Program, NASA Science Mission Directorate

#32d Onsite Transportation

Entry onto refuge lands for recovery will be via helicopter and will be coordinated with the refuge prior to entry

Arctic National Wildlife Refuge
Special Conditions
Permit 2012 – S1, University of Alaska - Duke

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 Code of Federal Regulations (sub-chapters B and C); or violation of any pertinent state regulation (e.g., fish or game) 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. 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 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. Any problems with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager and Alaska Department of Fish and Game, and be salvaged in accordance with state regulations.
4. This permit does not grant the permittee and his/her clients exclusive use of the site(s) or lands covered by the permit.
5. This permit may be canceled or revised at any time by the refuge manager due to high fire danger, flooding, unusual resource problems, or other significant problems or emergencies.
6. The permittee or his/her designee shall notify the refuge manager during refuge working hours in person or by telephone before beginning and upon completing activities allowed by this permit.
7. Prior to beginning activities allowed by this permit, the permittee shall provide the refuge manager with: (1) the name and method of contact for the field party chief/supervisor; (2) the aircraft and other vehicle types to be used, including identification information; (3) names of assistants and helpers; and (4) any changes to information provided in the original permit application.
8. In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal, excavation, disturbance, collection, or purchase of historical, recent, ethnological, or archaeological specimens or artifacts is prohibited.
9. The permittee will not make launches with a planned impact site within the Mollie Beattie Wilderness area. The use of helicopters outside the wilderness area is authorized provided that:
 - (a) Landing is prohibited except for the direct support of the activity covered by this permit and emergencies. No recreational use of helicopters is permitted.

Initials: 
Date: 2 7 12

Arctic National Wildlife Refuge
Special Conditions
Permit 2012 – S1, University of Alaska - Duke

- (b) Clearing of vegetation for landing/takeoff is prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.
 - (c) Activities are restricted to day use only. No overnight stays are anticipated.
 - (d) Personnel transported are restricted to only those necessary to conduct the debris recovery. Recreational use is not permitted.
 - (e) Low level slinging of gear from site to site is prohibited.
10. The use of off-road vehicles (except snow machines) is prohibited.
 11. The operation of aircraft at altitudes and in flight paths resulting in the herding, harassment, hazing, or driving of wildlife is prohibited. It is requested that all aircraft maintain a minimum altitude of 2000 feet above ground level, except during take-off, landing, and when safety considerations require a lower altitude.
 12. Fuel caches are allowed only in designated areas, must be identified on a US Geological Survey map (or map photocopy), and submitted in writing for approval by the refuge manager before they are established. Storage will meet standards of USFWS, Alaska Region, Fuel Storage Policy.
 13. Any action by a permittee or the permittee's employees that unduly interferes with or harasses refuge visitors or impedes access to any site is strictly prohibited. Examples of prohibited acts include, but are not limited to: 1) parking aircraft or placing other objects (rocks, tents, etc.) on any area so as to restrict use by other aircraft; 2) otherwise intentionally interfering in the activity of other refuge users; and 3) engaging in activity that is contrary to state and federal laws.
 14. The permit is for refuge lands only. This permit does not authorize use of private lands such as land owned by ANCSA Native corporations, individuals, or the State of Alaska.
 15. The permittee will 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.
 16. All rocket launches will be well publicized in advance to forewarn travelers and residents of the area involved. A minimum of two weeks notice of rocket launch dates and impact zones will be provided in writing to the refuge manager.
 17. The permittee will insure that a transponder or other radio location aid is incorporated with each payload to facilitate tracking and recovery after launch.

Initials: 
Date: 7/12

Arctic National Wildlife Refuge
Special Conditions
Permit 2012 – S1, University of Alaska - Duke

18. The permittee will maintain a viable rocket component recovery program to track, locate, and remove rocket debris at least once every two years. All determinations to remove or not remove debris will be made by the refuge manager. The refuge manager will be informed of locations (GPS coordinates in decimal degrees) of impact sites, un-recovered rockets and/or payloads, schedule for removal, actual activities to locate (see special condition #19) and remove rocket debris, and any potential hazards that may thereby be created. This information should be a 1-2 page summary with map submitted within 30-days of the permit expiration.
19. An annual trip report of activities on the refuge shall be provided to the Refuge Manager within 30-days of the permit expiration (normally 1-2 pages). In addition to potential impact sites within the refuge, an annual report must include a detailed summary of surveillance flights to locate and recover payload debris. Specific information of surveillance flights must include:
 - (a) type of aircraft used (helicopter or fixed-wing),
 - (b) aircraft model
 - (c) operator company or ownership,
 - (d) Special Use Permit number of operator
 - (e) date and time of surveillance flights,
 - (f) number of hours flown,
 - (g) map showing flight lines,
 - (h) landing locations with GPS coordinates in decimal degrees,
 - (i) and date and time of each landing.
20. Paragraph No. 10. Damages, under “General Conditions and Requirements” does not apply to this Permit. The following replaces it:

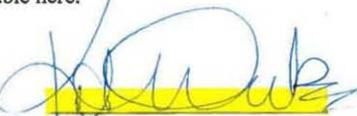
Damages and Indemnity: The United States shall not be responsible for any injuries to or death of the officers or employees of it or its agents or contractors, or for the loss or damage to the property of the permittee, its officers, employees, agents, or contractors, arising out of the activities authorized under this permit. The permittee shall defend, indemnify and hold the United States harmless from any and all claims, demands, losses liabilities and judgments, including costs and expenses, which may be suffered by, accrued against, be charged to, or recoverable from the United States by reason of injuries to or death of persons and damage to or losses to property arising out of the launch, impact, and recovery of permittee’s rockets.
21. The permittee will be responsible for reporting any fires arising from these activities and will immediately notify the Alaska Fire Service and the Fish and Wildlife Service.
22. Rocket or debris impacts within the refuge are prohibited from 1 May through 30 September to avoid periods of high public use. However, exceptions to this prohibition may be authorized for specific time periods and areas. Requests for impact use during this

Initials: 
Date: 3/1/12

Arctic National Wildlife Refuge
Special Conditions
Permit 2012 – S1, University of Alaska - Duke

period must be received by the refuge manager forty-five days before intended use. (A launch schedule is not considered a request.) Exception requests must include a complete project description, a statement affirming that the proposed dates are essential, the alternatives considered an analysis of the increased risk incurred and a justification for this risk.

23. Recovery of rockets that enter the wilderness area inadvertently may be authorized on a case by case basis. If debris is located in the wilderness area a permittee must inform the manager who will consider the appropriate action under provisions of the Wilderness Act of 1964. Changes in the launch program that elevate the probability of impact into the wilderness area may require a new compatibility determination before a permit request can be considered.
24. Activities may not occur in some special use areas and/or during some time periods (e.g., caribou calving, snow goose staging, Sadlerochit Springs). Prior to specific recovery operations the permittee shall consult with the Refuge Manager to gain approval. Special area boundaries or the effective dates may be modified by the refuge manager as needed. Specific authorization to use localities within special areas may sometimes be obtained on a case-by-case basis, depending on the location of animal concentrations, access route, proposed activity, etc.
25. Occupied raptor nest sites may occur within your intended work area. Unless explicitly exempted, all activities including helicopter flights are prohibited within one-half mile of occupied nest sites during the following periods: (1) north of the continental divide, March 15 – August 15; and (2) south of the continental divide, April 15 – August 15. Sites may be approached on foot or by boat to determine if an occupied nest is located at the site.
26. The preeminent value of the Arctic Refuge lies in its unsurpassed wilderness condition. The permittee shall ensure that all employees and clients seek to minimize the effect of their activities on the wilderness character of the land, wildlife, and the unique experience available here.

Permittee: 
Kit Duke, AVP Facilities & Land Management
UNIVERSITY OF ALASKA

Date: 2-7-12

Issuing Officer: 
Richard Voss
Refuge Manager

Date: 2-8-12

COMPATIBILITY DETERMINATION

Use: Rocket & Payload Impact and Recovery

Refuge Name: Arctic National Wildlife Refuge, Fairbanks, Alaska

Establishing and Acquisition Authority

December 6, 1960 (Arctic National Wildlife Range). Name changed to Arctic National Wildlife Refuge and expanded on December 2, 1980. Establishing and Acquisition Authorities: The Arctic National Wildlife Range was established by Public Land Order 2214, December 6, 1960. Arctic National Wildlife Refuge (Arctic Refuge), incorporating the Wildlife Range, was established by Public Law 96-487; the Alaska National Interest Lands Conservation Act (ANILCA), December 2, 1980. Public Law 100-395 (1988) added 325,000 acres to Arctic Refuge.

Refuge Purpose(s)

In 1960 Public Land Order 2214 established the Arctic National Wildlife Range "For the purpose of preserving unique wildlife, wilderness and recreational values. . ." These purposes, to the extent they are consistent with the purposes established by ANILCA, apply to that portion of the refuge that was originally the Arctic National Wildlife Range (about 8.9 million acres, 8 million acres of which was designated wilderness by ANILCA).

In 1980, additional purposes for which Arctic Refuge, in its entirety, were established for management. As set forth in Section 303(2)(B) of ANILCA, they are:

(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 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 subparagraph (i), water quality and necessary water quantity within the refuge.

[Supplemental Purposes of the Ivishak, upper Sheenjek, and Wind rivers as Wild River] Section 602 of the ANILCA designated the upper Sheenjek, and Wind rivers as Wild Rivers.

Accordingly the Arctic NWR CCP, Section 605 of Pub. L. 96-487, the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) require that those rivers will be managed under objectives that will “protect and maintain the physical and biological qualities of the drainage and adjacent refuge lands, including water quality and quantity.

The provisions of the Wilderness Act of 1964 apply to the 8 million acres designated as Wilderness by ANILCA with applicable exceptions provided by ANILCA. Accordingly the wilderness area is managed to preserve the intent of the Wilderness Act. Intent of the Wilderness Act is described in the definitions, include:

“A wilderness . . . is hereby recognized as an area where the earth and its community of life are untrammelled by man where man himself is a visitor who does not remain . . . protected and managed so as to preserve its natural conditions and which (1) generally appear to have been affected primarily by the forces of nature, with the imprint of mans work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservations and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific educational, scenic, or historical value.”

Wilderness Act section 4(b) includes further mandates to preservation of the wilderness character:

“... each agency administering wilderness shall be responsible for preserving wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historic values.”

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)

This compatibility determination re-evaluates the use of federal lands within Arctic NWR as a program component of Poker Flat Research Range that supports research programs from across the country in the study of northern atmospheric phenomenon and climate change. In 1994, the refuge found these activities compatible with refuge purposes. The refuge provides an impact zone for research rockets and payloads. This research requires associated landings of helicopters to retrieve scientific payloads and rocket debris. The University of Alaska Fairbanks – Geophysical Institute’s Poker Flat Research Range has been conducting auroral and middle to upper atmospheric research in Alaska for over ten years, including use of lands within the refuge and annual efforts to remove debris.

From four to ten sounding rockets are launched from the Poker Flat Research Range each year. The range is located approximately 150 miles south of the refuge, and about thirty miles north of Fairbanks, Alaska. The sounding rockets are single, two, three, or four-stage solid fuel rockets. The rockets carry instrumented payloads into the earth’s upper atmosphere to make direct measurements of the aurora borealis, ozone, solar protons, electric and magnetic fields, ultraviolet and other atmospheric phenomena unique to high latitudes.

The first stage of the rocket propels it to about 20,000 feet, separates from the remaining stages and payload, and falls back to earth about two miles from the launch site at Poker Flat. The second stage and payload follow the flight trajectory to typical altitudes of 50 to 300 miles and land 50 to 225 miles from the launch site. On the occasion when a three-stage rocket is utilized, both the rocket and payload over fly Alaska and land in international waters to the north. Most landing in the Arctic NWR occur in Flight Zones 2,3, and 4 (See attached map). Only one known landing has been documented in the designated wilderness.

It is the second stages and payloads that occasionally impact on the Arctic NWR. Managers planning rocket operations intentionally avoid impacts and landings in designated wilderness of Arctic NWR. The refuge is but one of several federal, state and private land managers that authorize the use of a combined twenty-five million acres of land for rocket and payload impact and recovery. The dimensions of the empty rocket and payload are approximately fifteen to twenty feet long, thirty inches in diameter and weigh a few hundred pounds. Most payloads launched on sounding rockets from Poker Flat are recovery payloads that contain locator beacons and descend slowly to earth by an orange and white parachute. They are tracked via radar, and recovered with a helicopter. When they are recovered, any disturbance to the landscape is repaired as much as feasible. All rockets launched from Poker Flat are unguided after launch. The Poker Flat managers use a risk assessment prepared by the National Aeronautics and Space Administration that takes into account wind speed, direction of flight and type of rocket to determine launch elevation and flight azimuth, and impact point to reduce risk to life and property to an absolute minimum. For a given year operations managers provide a detailed list of potential launch vehicle, launch windows, and potential impact zones for each launch (see attached map).

Any deviation from this description will require a separate compatibility determination.

Availability of Resources

Adequate refuge personnel and base operational funds are available to manage research activities at existing (approximately two requests to retrieve components are made annually) and projected levels. Administrative staff time (not more than five days) primarily involves phone conversations, written correspondence, proposal review, permit issuance and personal interaction with researchers. Field work associated with administering the program primarily involves monitoring researchers' compliance with the terms of the permit.

Anticipated Impacts of the Use(s)

Factors such as impact area(s), number of rockets or payloads, number of aircraft and anticipated amount of aircraft use will determine the extent of impacts on the refuge. Past impacts from this use have resulted in minor damage to vegetation, which is repaired as much as practical, and a few hours of helicopter flight time and landings to retrieve rocket payloads and debris, and perform site remediation.

At current levels, rocket and payload impact and recovery and associated activities should not have significant impacts on the wildlife resources, other refuge resources (e.g., water quality, soil, and vegetation), and other refuge users, especially subsistence users, due to the limited scope and complete administrative oversight of this research. Winter conditions (frozen soil) limit impact and landing damage.

Public Review and Comment

Public involvement for this document includes a public notice in the Fairbanks Daily News Miner newspaper and a thirty-day public comment period. This draft compatibility determination is available for review on the US Fish and Wildlife Service – Alaska Region's compatibility determination Web site, <http://alaska.fws.gov/nwr/planning/index.htm>

Determination

Use is Not Compatible

Use is Compatible

Stipulations Necessary to Ensure Compatibility

Refuge staff will monitor all research being conducted on the refuge. Findings from these monitoring efforts will be used to determine what additional management actions, if any, are needed to ensure that research activities remain compatible with refuge purposes. Monitoring of all authorized research activities will be continued to ensure compliance with specific terms and conditions tailored for each research permit as well as with the following general conditions that are incorporated into all research permits to minimize impacts on refuge lands and resources.

- Failure to abide by any part of this special use permit; violation of any refuge related provision in Titles 43 (Part 36) or 50 Code of Federal Regulations (sub-chapters B and C); or violation of any pertinent state regulation (e.g., fish or game) 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. Appeals of decisions relative to permits are handled in accordance with 50 Code of Federal Regulations 36.41.
- The permittee is responsible for ensuring that all employees, party members, aircraft pilots and other persons working for the permittee and conducting activities allowed by this permit are familiar with and adhere to the conditions of this permit.
- Any problems with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager and Alaska Department of Fish and Game, and be salvaged in accordance with state regulations.
- This permit does not grant the permittee and his/her clients exclusive use of the site(s) or lands covered by the permit.
- This permit may be canceled or revised at any time by the refuge manager due to high fire danger, flooding, unusual resource problems, or other significant problems or emergencies.
- The permittee or his/her designee shall notify the refuge manager during refuge working hours in person or by telephone before beginning and upon completing activities allowed by this permit.
- Prior to beginning activities allowed by this permit, the permittee shall provide the refuge manager with: (1) the name and method of contact for the field party chief/supervisor; (2) the aircraft and other vehicle types to be used, including identification information; (3) names of assistants and helpers; and (4) any changes to information provided in the original permit application.
- In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal, excavation, disturbance, collection, or purchase of historical, recent, ethnological, or archaeological specimens or artifacts is prohibited.
- The permittee will not make launches with a planned impact site within the Mollie Beattie Wilderness area. The use of helicopters outside the wilderness area is authorized provided that:
 - (a) Landing is prohibited except for the direct support of the activity covered by this permit and emergencies. No recreational use of helicopters is permitted.

- (b) Clearing of vegetation for landing/takeoff is prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.
 - (c) Activities are restricted to day use only. No overnight stays are anticipated.
 - (d) Personnel transported are restricted to only those necessary to conduct the debris recovery. Recreational use is not permitted.
 - (e) Low level slinging of gear from site to site is prohibited.
- The use of off-road vehicles (except snow machines) is prohibited.
 - The operation of aircraft at altitudes and in flight paths resulting in the herding, harassment, hazing, or driving of wildlife is prohibited. It is requested that all aircraft maintain a minimum altitude of 2000 feet above ground level, except during take-off, landing, and when safety considerations require a lower altitude.
 - Fuel caches are allowed only in designated areas, must be identified on a US Geological Survey map (or map photocopy), and submitted in writing for approval by the refuge manager before they are established. Storage will meet standards of USFWS, Alaska Region, Fuel Storage Policy.
 - Any action by a permittee or the permittee's employees that unduly interferes with or harasses refuge visitors or impedes access to any site is strictly prohibited. Examples of prohibited acts include, but are not limited to: 1) parking aircraft or placing other objects (rocks, tents, etc.) on any area so as to restrict use by other aircraft; 2) otherwise intentionally interfering in the activity of other refuge users; and 3) engaging in activity that is contrary to state and federal laws.
 - The permit is for refuge lands only. This permit does not authorize use of private lands such as land owned by ANCSA Native corporations, individuals, or the State of Alaska.
 - The permittee will 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.
 - All rocket launches will be well publicized in advance to forewarn travelers and residents of the area involved. A minimum of two weeks notice of rocket launch dates and impact zones will be provided in writing to the refuge manager.

- The permittee will insure that a transponder or other radio location aid is incorporated with each payload to facilitate tracking and recovery after launch.
- The permittee will maintain a viable rocket component recovery program to track, locate, and remove rocket debris annually. The refuge manager will be informed of locations (latitude and longitude) of impact sites, un-recovered rockets and/or payloads, and any potential hazards that may thereby be created.
- The Fish and Wildlife Service will not be liable for any act or omission of the permittee (or its employees, hereinafter referred to jointly as "permittee") in operation of permittee's rockets during all phases of operation from launch through recovery. The permittee agrees to hold harmless the Fish and Wildlife Service against any and all claims for loss or liability by any party arising out of launch, impact, and recovery of permittee's rockets, however caused.
- The permittee will be responsible for reporting any fires arising from these activities and will immediately notify the Alaska Fire Service and the Fish and Wildlife Service.
- Rocket or debris impacts within the refuge are prohibited from 1 May through 30 September to avoid periods of high public use. However, exceptions to this prohibition may be authorized for specific time periods and areas. Requests for impact use during this period must be received by the refuge manager forty-five days before intended use. (A launch schedule is not considered a request.) Exception requests must include a complete project description, a statement affirming that the proposed dates are essential, the alternatives considered an analysis of the increased risk incurred and a justification for this risk.
- Recovery of rockets that enter the wilderness area inadvertently may be authorized on a case by case basis. If debris is located in the wilderness area a permittee must inform the manager who will consider the appropriate action under provisions of the Wilderness Act of 1964. Changes in the launch program that elevate the probability of impact into the wilderness area may require a new compatibility determination before a permit request can be considered.
- Activities may not occur in some special use areas and/or during some time periods (e.g., caribou calving, snow goose staging, Sadlerochit Springs). Prior to specific recovery operations the permittee shall consult with the Refuge Manager to gain approval. Special area boundaries or the effective dates may be modified by the refuge manager as needed. Specific authorization to use localities within special areas may sometimes be obtained on a case-by-case basis, depending on the location of animal concentrations, access route, proposed activity, etc.
- Raptor species typically build nests along cliff and bluff faces, which are extensive throughout the Arctic Refuge. Active nest sites may be in your intended work area. Helicopter activity is prohibited within one-half mile of these active

raptor nest sites north of the continental divide during the period May 1 through August 31 and south of the continental divide from May 1 through August 15.

- The preeminent value of the Arctic Refuge lies in its unsurpassed wilderness condition. The permittee shall ensure that all employees and clients seek to minimize the effect of their activities on the wilderness character of the land, wildlife, and the unique experience available here.

Justification

The Service may permit the use of a refuge for investigatory scientific purposes when such use is compatible with the objectives for which the refuge is managed. Priority will be given to studies that contribute to the enhancement, protection, use, preservation and management of current, indigenous wildlife populations and their habitats in their natural diversity. All proposed research conducted by other agencies or entities will be thoroughly evaluated prior to authorization and then monitored closely to ensure the activities do not materially interfere with or detract from the purposes of the refuge or the mission of the National Wildlife Refuge System.

Scientific investigations of wildlife, resources, and visitor experiences will support the refuge's ability to provide for wildlife-dependent priority public uses and to meet other refuge purposes. These investigations must be conducted safely.

Given the recent international Arctic Climate Impact Assessment (2004) report, research into global warming has become of paramount importance to understanding and protecting Arctic ecosystems like Arctic National Wildlife Refuge. It is the policy of the Service (4 RM 6.1) to encourage and support research and management studies in order to provide scientific data upon which to base decisions regarding management of units of the refuge system.

Public notice of the draft compatibility determination was published by the Fairbanks Daily News-Miner on Friday December 10, 2004. The draft compatibility determination was posted on the publicly accessible bulletin board at Refuge Headquarters, and it was available at the U.S. Fish and Wildlife Service Region 7 website for viewing and downloading during the thirty day comment period. No public comments were received. The Service concludes this is further evidence that the decision that the use described is compatible with refuge purposes and is sufficient as written.

Mandatory 10-Year Re-Evaluation Date (provide month and year for allowed uses only): January 2014

Mandatory 15-Year Re-Evaluation Date (for priority public uses):

NEPA Compliance for Refuge Use Decision

- Categorical Exclusion without Environmental Action Memorandum
- Categorical Exclusions and Environmental Action Memorandum
- Environmental Assessment and Finding of No Significant Impact
- Environmental Impact Statement and Record of Decision

Supporting Documents

- Environmental Analysis for Poker Flat Research Range, Geophysical Institute, University of Alaska Fairbanks, November 1991.
- Arctic National Wildlife Refuge, Final Comprehensive Conservation plan, Environmental Impact Statement, Wilderness Review, Wild River Plan. Record of Decision Signed November 10, 1988.
- Compatibility Determination, Public Leases and Uses (Other): Atmospheric Rocket Research. Found compatible; signed 10 August 1994.
- ACIA, Arctic Climate Impact Assessments. 2004. Impact of a Warm Arctic. Cambridge University Press. Cambridge. UK.

Refuge Determination

Prepared by: Teris Underwood 1/10/05
(Signature) (Date)

Refuge Manager /
Project Leader Approval: Gary D. Shuler 1/10/05
(Signature) (Date)

Concurrence

Refuge Supervisor: Mike Bonke (Acting) 1/13/05
(Signature) (Date)

Regional Chief,
National Wildlife
Refuge System: Richard M. Hetting 1/13/05
(Signature) (Date)



U.S. Fish & Wildlife Service

Conservation Planning & Policy

Alaska Region

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Public Notice of Compatibility for Arctic & Yukon Flats National Wildlife Refuge

REFUGE:	Arctic and Yukon Flats
TITLE:	Compatibility Determinations re-evaluating the special use permit granted the Poker Flat Research Range for rocket & payload impact and recovery on refuge lands.
DATE OF DETERMINATION:	January 13, 2005
SUPPORTING DOCUMENTS:	Public Notice (pdf)
	Compatability Determination prepared by the Arctic Refuge (pdf)
	Compatability Determination prepared by the Yukon Flats Refuge (pdf)

Last updated: September 2, 2008

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C.2

**UNITED STATES DEPARTMENT OF THE INTERIOR, U.S. FISH AND WILDLIFE
SERVICE, YUKON FLATS NATIONAL WILDLIFE REFUGE**

United States Department of the Interior
U.S. Fish and Wildlife Service
National Wildlife Refuge System
Research and Monitoring Special Use
Application and Permit

OMB Control Number 1018-0102
Expiration Date: 06/30/2014

Name of Refuge Yukon Flats NWR
Address 101 12th Ave, Fairbanks ,AK 99701
Attn: (Refuge Official) Wennona Brown
Phone # 907-456-0408 E-mail wennona_brown@fws.g

Application

(To be filled out by applicant. Note: Not all information is required for each use. See instructions at the end of the notice for specific information required.)

1) New Renewal Modification Other _____

Applicant Information

2) Principal investigator: Greg Walker 3) Is curriculum vitae or resume attached?
 Yes No N/A
4) Address: P.O. Box 757320 University of Alaska 5) City/State/Zip: Fairbanks, AK 99775
6) Phone #: 907-455-2110 7) Fax #: 907-455-2120 8) E-mail: krich@gi.alaska.edu
9a) Affiliation/organization: Poker Flat Research Range, Geophysical Institute, UAF
9b) Relationship to affiliation/organization: (professor, staff, student, etc.) staff
10) Assistants/subcontractors/subpermittees: (List full names, addresses and phone #'s and specifically describe services provided if subcontractors are used) _____

Project Information

(Depending on the project for which you are requesting a permit, we may ask you for the following project information. Please contact the specific refuge where the project is being conducted to determine what project information is required.)

11) Title: NASA Sounding Rocket Program
12a) Is full research proposal required? Yes No 12b) Is full research proposal attached? Yes No
13) Describe activity: (Specifically identify timing, frequency, and how the project is expected to proceed)
Permit to impact lands within Yukon Flats NWR with expended rocket motor (one), and payload (one), and entry onto Yukon Flats NWR lands for purposes of recovery spent rocket stages
14) Location: (Identify specific location, GPS location preferred)
SW of Arctic Village and NW of Venetia for impact. Yukon Flats lands are needed as a safety buffer as the dispersion circle with encompass part of Yukon Flats NWR lands.
15a) Is map of location(s) required? Yes No N/A 15b) Is map of location(s) attached? Yes No
16) Project/site occupancy timeline: (Specifically identify beginning and ending dates, site occupation timeline, hours, clean-up and other major events.)
Launch window is projected to be between February 13, 2012 and March 5, 2012. Recovery operations will occur shortly after launch to locate spent stages. Recovery itself may not occur until later in the spring and will be coordinated with refuge personnel prior to entry onto Arctic NWR lands.

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03/11

OMB Control Number 1018-0102
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17) Species or habitats being studied:
NQ

18) Purpose/hypothesis:
NA

19) Expected benefits of research/monitoring:
Upper atmospheric and auroral research which has impacts on communications and global warming concerns

20) Briefly describe project history and context of research/monitoring project:
REsearch has been ongoing since March of 1969

21) Briefly describe project's relationship to other research/monitoring projects either known of or conducted by the applicant:
NA

22) Identify the types of samples to be taken or data to be collected during the proposed project:
None

23) List other cooperators and institutions involved in the project:
Dartmouth University, University of new Hampshire, NASA Sounding Rocket Program Office, NASA Science Mission Directorate

24) Generally identify the anticipated timeline for analysis, write-up and publication:
Unknown

25) For research involving animals, has an Assurance of Animal Care Form, Institutional Animal Care and Use Committee approval (or equivalent) been completed? Yes No N/A

Is form attached?
 Yes No

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03/11

Certifications/Permits

26a) Is rat free certification required?

Yes No N/A

Copy of certification provided:

Yes No

26b) Is hull inspection certification required?

Yes No N/A

Copy of certification provided:

Yes No

26c) Is EMT/first aid certification required?

Yes No N/A

Copy of certification provided:

Yes No

26d) Are other certifications required?

Yes No N/A

Copy of certification provided:

Yes No

27a) Are State permits required?

Yes No N/A

Copy of permits provided:

Yes No

27b) Are Federal permits required?

Yes No N/A

Copy of permits provided:

Yes No

27c) Are tribal permits required?

Yes No N/A

Copy of permits provided:

Yes No

27d) Are other permits required?

Yes No N/A

Copy of permits provided:

Yes No

Logistics and Transportation

28a) Does activity require personnel to stay overnight onsite?

Yes No

28b) Personnel involved:

3-5 for one day during recovery

29) Specifically describe all equipment/gear and materials used:

None

30a) Dates of installation of instrumentation:

na

30b) Dates of instrumentation removal:

na

30c) If instrumentation is permanent, describe need:

na

30d) Instrumentation maintenance schedule:

na

30e) Data collection schedule:

na

31) Logistical arrangements for offsite transportation of samples:
na

32a) Transportation description(s) and license number(s) to access refuge(s): (Provide description of and specific auto license/boat/plane registration number(s).)
na

32b) Specifically describe ship-to-shore transportation:
na

32c) Specifically describe intersite transportation:
na

32d) Specifically describe onsite transportation:
Entry onto refuge lands for recovery will be via small fixed wing and/or helicopter and will be coordinated with the refuge prior to entry

33a) Is fuel cache needed?
 Yes No

33b) Specific location(s) of fuel caches: (GPS Coordinates preferred)

34a) Is Safety Plan required?
 Yes No

34b) Safety Plan attached:
 Yes No

Work and Living Accommodations

35) Specifically describe onsite work and/or living accommodations, including spike camps:
na

36) Specifically describe on or offsite hazardous material storage or other on or offsite material storage space (including on and offsite fuel caches):
na

37) Signature of Applicant Robert P. M. Coy Date of Application: 1/13/12

Sign, date, and print this form and return it to the refuge for processing.
Do not fill out information below this page.

PRINT FORM

FWS Form 3-1383-R
03/11

OMB Control Number 1018-0102
Expiration Date: 06/30/2014

For Official Use Only (This section to be filled out by refuge personnel only.)

Special Use Permit

12-SR1-PFRR-YF

Permit #: _____

1) Date: 1/27/12 - 1/26/13 2) Permit Approved Permit Denied 3) Station #: Yukon Flats NWR

4) Additional special conditions required: (Special conditions may include activity reports, before and after photographs, and other conditions.)

Additional sheets attached:

Yes No N/A

Yes No

5) Other licenses/permits required:

Verification of other licenses/permits, type:

Yes No N/A

6) Minimum requirements analysis has been conducted:

Assessment attached:

Yes No N/A

Yes No

7) Assurance of Animal Care Form or Institutional Animal Approval form attached:

Approval form attached:

Yes No N/A

Yes No

8) Record of Payments: Exempt Partial Full

Amount of payment: _____ Record of partial payment: _____

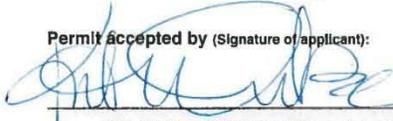
9) Bond Paid: Yes No N/A

This permit is issued by the U.S. Fish and Wildlife Service and accepted by the applicant signed below, subject to the terms, covenants, obligations, and reservations, expressed or implied herein, and to the notice, conditions, and requirements included or attached. A copy of this permit should be kept on hand so that it may be shown at any time to any refuge staff.

Permit approved and issued by (Signature and title):

 Date: 2-8-12

Permit accepted by (Signature of applicant):

 Date: 2.7.12

Kit Duke, AVP Facilities & Land Management
UNIVERSITY OF ALASKA

FWS Form 3-1383-R
03/11

Notice

In accordance with the Privacy Act (5 U.S.C. 552a) and the Paperwork Reduction Act (44 U.S.C. 3501), please note the following information:

1. The issuance of a permit and collection of fees on lands of the National Wildlife Refuge System are authorized by the National Wildlife Refuge System Administration Act (16 U.S.C. 668dd-ee) as amended, and the Refuge Recreation Act (16 U.S.C. 460k-460k-4).
2. The information that you provide is voluntary; however submission of requested information is required to evaluate the qualifications, determine eligibility, and document permit applicants under the above Acts. It is our policy not to use your name for any other purpose. The information is maintained in accordance with the Privacy Act. All information you provide will be considered in reviewing this application. False, fictitious, or fraudulent statements or representations made in the application may be grounds for revocation of the Special Use Permit and may be punishable by fine or imprisonment (18 U.S.C. 1001). Failure to provide all required information is sufficient cause for the U.S. Fish and Wildlife Service to deny a permit.
3. No Members of Congress or Resident Commissioner shall participate in any part of this contract or to any benefit that may arise from it, but this provision shall not pertain to this contract if made with a corporation for its general benefit.
4. The Permittee agrees to be bound by the equal opportunity "nondiscrimination in employment" clause of Executive Order 11246.
5. Routine use disclosures may also be made: (a) to the U.S. Department of Justice when related to litigation or anticipated litigation; (b) of information indicating a violation or potential violation of a statute, rule, order, or license to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulations, order, or license; (c) from the record of the individual in response to an inquiry from a Congressional office made at the request of the individual (42 FR 19083; April 11, 1977); and (d) to provide addresses obtained from the Internal Revenue Service to debt collection agencies for purposes of locating a debtor to collect or compromise a Federal Claim against the debtor, or to consumer reporting agencies to prepare a commercial credit report for use by the Department (48 FR 54716; December 6, 1983).
6. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. This information collection has been approved by OMB and assigned control number 1018-0102. The public reporting burden for this information collection varies based on the specific refuge use being requested. The relevant public reporting burden for the Research and Monitoring Special Use Permit Application form is estimated to average 4 hours per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Comments on this form should be mailed to the Information Collection Clearance Officer, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, MS 2042-PDM, Arlington, Virginia, 22203.

General Conditions and Requirements

1. **Responsibility of Permittee:** The permittee, by operating on the premises, shall be considered to have accepted these premises with all facilities, fixtures, or improvements in their existing condition as of the date of this permit. At the end of the period specified or upon earlier termination, the permittee shall give up the premises in as good order and condition as when received except for reasonable wear, tear, or damage occurring without fault or negligence. The permittee will fully repay the Service for any and all damage directly or indirectly resulting from negligence or failure on his/her part, and/or the part of anyone of his/her associates, to use reasonable care.
2. **Operating Rules and Laws:** The permittee shall keep the premises in a neat and orderly condition at all times, and shall comply with all municipal, county, and State laws applicable to the operations under the permit as well as all Federal laws, rules, and regulations governing national wildlife refuges and the area described in this permit. The permittee shall comply with all instructions applicable to this permit issued by the refuge official in charge. The permittee shall take all reasonable precautions to prevent the escape of fires and to suppress fires and shall render all reasonable assistance in the suppression of refuge fires.
3. **Use Limitations:** The permittee's use of the described premises is limited to the purposes herein specified and does not, unless provided for in this permit, allow him/her to restrict other authorized entry onto his/her area; and permits the Service to carry on whatever activities are necessary for: (1) protection and maintenance of the premises and adjacent lands administered by the Service; and (2) the management of wildlife and fish using the premises and other Service lands.
4. **Transfer of Privileges:** This permit is not transferable, and no privileges herein mentioned may be sublet or made available to any person or interest not mentioned in this permit. No interest hereunder may accrue through lien or be transferred to a third party without the approval of the Regional Director of the Service and the permit shall not be used for speculative purposes.
5. **Compliance:** The Service's failure to require strict compliance with any of this permit's terms, conditions, and requirements shall not constitute a waiver or be considered as a giving up of the Service's right to thereafter enforce any of the permit's terms or conditions.
6. **Conditions of Permit not Fulfilled:** If the permittee fails to fulfill any of the conditions and requirements set forth herein, all money paid under this permit shall be retained by the Government to be used to satisfy as much of the permittee's obligation as possible.
7. **Payments:** All payment shall be made on or before the due date to the local representative of the Service by a postal money order or check made payable to the U.S. Fish and Wildlife Service.
8. **Termination Policy:** At the termination of this permit the permittee shall immediately give up possession to the Service representative, reserving, however, the rights specified in paragraph 11. If he/she fails to do so, he/she will pay the government, as liquidated damages, an amount double the rate specified in this permit for the entire time possession is withheld. Upon yielding possession, the permittee will still be allowed to reenter as needed to remove his/her property as stated in paragraph 11. The acceptance of any fee for the liquidated damages or any other act of administration relating to the continued tenancy is not to be considered as an affirmation of the permittee's action nor shall it operate as a waiver of the Government's right to terminate or cancel the permit for the breach of any specified condition or requirement.
9. **Revocation Policy:** This permit may be revoked by the Regional Director of the Service without notice for noncompliance with the terms hereof or for violation of general and/or specific laws or regulations governing national wildlife refuges or for nonuse. It is at all times subject to discretionary revocation by the Director of the Service. Upon such revocation the Service, by and through any authorized representative, may take possession of the said premises for its own and sole use, and/or may enter and possess the premises as the agent of the permittee and for his/her account.

OMB Control Number 1018-0102
Expiration Date: 06/30/2014

10. Damages: The United States shall not be responsible for any loss or damage to property including, but not limited to, growing crops, animals, and machinery or injury to the permittee or his/her relatives, or to the officers, agents, employees, or any other who are on the premises from instructions or by the sufferance of wildlife or employees or representatives of the Government carrying out their official responsibilities. The permittee agrees to save the United States or any of its agencies harmless from any and all claims for damages or losses that may arise to be incident to the flooding of the premises resulting from any associated Government river and harbor, flood control, reclamation, or Tennessee Valley Authority activity.

11. Removal of Permittee's Property: Upon the expiration or termination of this permit, if all rental charges and/or damage claims due to the Government have been paid, the permittee may, within a reasonable period as stated in the permit or as determined by the refuge official in charge, but not to exceed 60 days, remove all structures, machinery, and/or equipment, etc. from the premises for which he/she is responsible. Within this period the permittee must also remove any other of his/her property including his/her acknowledged share of products or crops grown, cut, harvested, stored, or stacked on the premises. Upon failure to remove any of the above items within the aforesaid period, they shall become the property of the United States.

12. Collected Specimens: You may use specimens collected under this permit, any components of any specimens (including natural organisms, enzymes, genetic materials or seeds), and research results derived from collected specimens for scientific or educational purposes only, and not for commercial purposes unless you have entered into a Cooperative Research and Development Agreement (CRADA) with us. We prohibit the sale of collected research specimens or other transfers to third parties. Breach of any of the terms of this permit will be grounds for revocation of this permit and denial of future permits. Furthermore, if you sell or otherwise transfer collected specimens of any components without a CRADA, you will pay us a royalty rate of 20 percent of the gross revenue from such sales. In addition to such royalty, we may seek other damages and injunctive relief against you.

Instructions for Completing Application

You may complete the application portion verbally, in person or electronically and submit to the refuge for review. Note: Please read instructions carefully as not all information is required for each activity. Contact the specific refuge where the activity will take place if you have questions regarding the applicability of a particular item. Special conditions or permit stipulations may be added to permit prior to approval.

1. Identify if application is for a new permit or renewal or modification of an existing permit. Permit renewals may not need all information requested. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

2-3. Provide principal investigator's or applicant's full name. Attach principal investigator's Curriculum Vitae or Resume, if required. Permit renewals generally do not require a Curriculum Vitae or Resume if the project is a continuation of a previously issued permit being conducted by the same investigator. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

4-9. Provide investigator's address, phone, fax, e-mail, affiliation and or organization, and relationship to affiliation or organization (title, professor, student, etc.).

10. Provide the names and addresses of assistants, subcontractors or subpermittees. Names and address are only required if the assistants, subcontractors or subpermittees will be operating on the refuge without the permittee being present. Volunteers, assistants, subcontractors or subpermittees that are accompanied by the permittee need not be identified.

11. Provide title of research or monitoring project.

12a-12b. Attach a full research or monitoring proposal, if required. Permit renewals generally do not require a project proposal if the project is a continuation of a previously issued permit being conducted by the same investigator. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

13. Describe Activity: provide detailed information on the activity, including timing, frequency, how the project is expected to proceed, etc. Permit renewals may not need activity description, if the activity is unchanged from previous permit. Most repetitive research projects do not require an activity description for each visit to the refuge. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

14. Location: identify specific location (GPS coordinates preferred), if not a named facility. Permit renewals may not require a location if the project is essentially unchanged from the previous permit. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

15a-15b. Attach a map of location, if required and project is not conducted at a named facility. Permit renewals may not require a map if the project is essentially unchanged from the previous permit. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

16. Activity/site occupancy timeline: identify beginning and ending dates, site occupation timeline, hours, clean-up and other major events. Permit renewals may not need an activity/site occupancy timeline, if the activity is unchanged from previous permit. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

17. Identify species or habitats being studied.

18-19. Specifically identify purpose or hypothesis of the research or monitoring project and describe expected benefits. Permit renewals may not need to identify purpose or hypothesis, if the project is a continuation of a previously issued permit being conducted by the same investigator. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

20. Briefly describe project history and context. Permit renewals should describe previous research activities as part of a previously issued permit being conducted by the same investigator. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.

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03/11

21. Briefly describe project's relationship to other research/monitoring projects either known of or conducted by the applicant, if applicable. Include a brief statement of how the research or monitoring permit being applied for will add to or supplement other ongoing research or monitoring on the same, or related, species or habitats. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.
22. Identify samples to be taken or types of data to be collected. Permit renewals may not need to identify samples taken if the project is a continuation of a previously issued permit being conducted by the same investigator. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.
23. List other cooperators and institutions involved in the project, if applicable. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.
24. Generally, identify the anticipated time line for analysis, write-up and publication of project results. Include whether the project is a single, or multiple year project. Identification of an actual publication where the results are printed is not necessary. However, applicants should include the anticipated dissemination of project results. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.
25. Check box acknowledging a completed Assurance of Animal Care Form or an Institutional Animal Care and Use Committee (or equivalent) has granted approval been completed, and has been submitted to refuge station, if required. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.
- 26a-26c. Specifically identify types and numbers of other certifications, if required. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement, and to coordinate the simultaneous application of several types of certifications. This Special Use Permit may be processed while other certifications are being obtained.
- 27a-27d. Specifically identify types and numbers of other State, Federal or tribal permits, if required. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement, and to coordinate the simultaneous application of several types of State, Federal or tribal permits. This Special Use Permit may be processed while other State, Federal or tribal permits are being obtained.
- 28a-28b. Provide name(s) of any personnel required to stay overnight, if applicable.
29. Identify all equipment and materials, which will be used, if required. Permit renewals may not require a list of equipment if the project is essentially unchanged from a previously issued permit. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.
- 30a-30e. Identify types and dates of installation of any instrumentation, and data collection and maintenance schedule of instrumentation, if required. Permit renewals may not require a list of equipment if the project is essentially unchanged from a previously issued permit. However, dates of installation of any instrumentation, and data collection and maintenance schedule of instrumentation may still be required. Contact the specific refuge headquarters office where the project is going to be conducted to determine applicability of this requirement.
31. Identify logistic arrangements for offsite transportation of samples taken, if applicable.
- 32a-32d. Describe and provide vehicle descriptions and license plate or identification numbers of all vehicles, including boats and airplanes, if required. Motor vehicle descriptions are only required for permittee vehicle, and/or if the vehicle will be operated on the refuge without the permittee being present. Motor vehicles that are accompanied by the permittee as part of a group (convoy) activity need not be identified if cleared in advance by refuge supervisor. Specifically describe ship-to-shore, intersite (between islands, camps, or other sites) and onsite transportation mechanisms, and license plate or identification numbers, if required.
- 33a-33b. Identify specific location(s) of fuel cache(s) (GPS coordinates preferred), if required.
- 34a-34b. Attach safety plan, if required. Contact the specific refuge headquarters office where the project is going to be conducted to determine if a safety plan is required.
35. Specifically describe onsite work and/or living accommodations, if required. Include descriptions and locations (GPS coordinates preferred) of spike camps or other remote work and/or living accommodations that are not part of the base of operations. Contact the specific refuge headquarters office where the project is going to be conducted to determine if descriptions of onsite work and/or living accommodations are required.
36. Specifically describe onsite and offsite hazardous material storage, or other onsite material storage space (including on and offsite fuel caches), if required. Contact the specific refuge headquarters office where the project is going to be conducted to determine if descriptions of hazardous material storage or other onsite material storage are required.
- 37 Sign, date and print the application. Click on the Print button to print the application (if using the fillable version). The refuge official will review and, if approved, fill out the remaining information, sign, and return a copy to you for signature and acceptance.

The form is not valid as a permit unless it includes refuge approval, a station number, a refuge-assigned permit number, and is signed by a refuge official.

Yukon Flats National Wildlife Refuge
Special Conditions
Permit 2012-SR1-PFRR-YF, University of Alaska, Poker Flat Research Range

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 Code of Federal Regulations (sub-chapters B and C); or violation of any pertinent state regulation (e.g., fish or game) 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. 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 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. Any problems with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager and Alaska Department of Fish and Game, and be salvaged in accordance with state regulations.
4. This permit does not grant the permittee and his/her clients exclusive use of the site(s) or lands covered by the permit.
5. This permit may be canceled or revised at any time by the refuge manager due to high fire danger, flooding, unusual resource problems, or other significant problems or emergencies.
6. The permittee or his/her designee shall notify the refuge manager during refuge working hours in person or by telephone before beginning and upon completing activities allowed by this permit.
7. Prior to beginning activities allowed by this permit, the permittee shall provide the refuge manager with: (1) the name and method of contact for the field party chief/supervisor; (2) the aircraft and other vehicle types to be used, including identification information; (3) names of assistants and helpers; and (4) any changes to information provided in the original permit application.
8. In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal, excavation, disturbance, collection, or purchase of historical, recent, ethnological, or archaeological specimens or artifacts is prohibited.
9. The use of helicopters is authorized provided that:
 - (a) Landing is prohibited except for the direct support of the activity covered by this permit and emergencies. No recreational use of helicopters is permitted.
 - (b) Clearing of vegetation for landing/takeoff is prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.

Yukon Flats National Wildlife Refuge
Special Conditions
Permit 2012–SR1-PFRR-YF, University of Alaska, Poker Flat Research Range

- (c) Activities are restricted to day use only. No overnight stays are anticipated.
 - (d) Personnel transported are restricted to only those necessary to conduct the debris recovery. Recreational use is not permitted.
 - (e) Low level slinging of gear from site to site is prohibited.
10. The use of off-road vehicles (except snow machines) is prohibited.
 11. The operation of aircraft at altitudes and in flight paths resulting in the herding, harassment, hazing, or driving of wildlife is prohibited. It is requested that all aircraft maintain a minimum altitude of 2000 feet above ground level, except during take-off, landing, and when safety considerations require a lower altitude.
 12. Fuel caches are allowed only in designated areas, must be identified on a US Geological Survey map (or map photocopy), and submitted in writing for approval by the refuge manager before they are established. Storage will meet standards of USFWS, Alaska Region, Fuel Storage Policy.
 13. Any action by a permittee or the permittee's employees that unduly interferes with or harasses refuge visitors or impedes access to any site is strictly prohibited. Examples of prohibited acts include, but are not limited to: 1) parking aircraft or placing other objects (rocks, tents, etc.) on any area so as to restrict use by other aircraft; 2) otherwise intentionally interfering in the activity of other refuge users; and 3) engaging in activity that is contrary to state and federal laws.
 14. The permit is for refuge lands only. This permit does not authorize use of private lands such as land owned by ANCSA Native corporations, individuals, or the State of Alaska.
 15. The permittee will 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.
 16. All rocket launches will be well publicized in advance, using print media and radio, to forewarn travelers and residents of the area involved. A minimum of two weeks notice of rocket launch dates and impact zones will be provided in writing to the refuge manager.
 17. The permittee will insure that a transponder or other radio location aid is incorporated with each payload to facilitate tracking and recovery after launch.
 18. The permittee will maintain a viable rocket component recovery program to track, locate, and remove rocket debris at least once every two years. All determinations to remove or

Yukon Flats National Wildlife Refuge
Special Conditions

Permit 2012–SR1-PFRR-YF, University of Alaska, Poker Flat Research Range

not remove debris will be made by the refuge manager. The refuge manager will be informed of locations (GPS coordinates in decimal degrees) of impact sites, un-recovered rockets and/or payloads, schedule for removal, actual activities to locate (see special condition #19) and remove rocket debris, and any potential hazards that may thereby be created. This information should be a 1-2 page summary with map submitted within 30-days of the permit expiration.

19. An annual trip report of activities on the refuge shall be provided to the Refuge Manager within 30-days of the permit expiration (normally 1-2 pages). In addition to potential impact sites within the refuge, an annual report must include a detailed summary of surveillance flights to locate and recover payload debris. Specific information of surveillance flights must include:

- (a) type of aircraft used (helicopter or fixed-wing),
- (b) aircraft model
- (c) operator company or ownership,
- (d) Special Use Permit number of operator
- (e) date and time of surveillance flights,
- (f) number of hours flown,
- (g) map showing flight lines (for example, GPS track log),
- (h) landing locations with GPS coordinates in decimal degrees,
- (i) and date and time of each landing.

20. Paragraph No. 10. Damages, under “General Conditions and Requirements,” does not apply to this Permit. The following replaces it:

Damages and Indemnity: The United States shall not be responsible for any injuries to or death of the officers or employees of it or its agents or contractors, or for the loss or damage to the property of the permittee, its officers, employees, agents, or contractors, arising out of the activities authorized under this permit. The permittee shall defend, indemnify and hold the United States harmless from any and all claims, demands, losses liabilities and judgments, including costs and expenses, which may be suffered by, accrued against, be charged to, or recoverable from the United States by reason of injuries to or death of persons and damage to or losses to property arising out of the launch, impact, and recovery of permittee’s rockets.

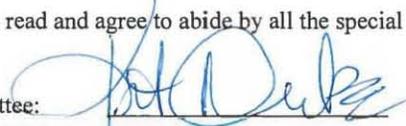
21. The permittee will be responsible for reporting any fires arising from these activities and will immediately notify the Alaska Fire Service and the Fish and Wildlife Service.
22. Rocket or debris impacts within the refuge are prohibited from 1 May through 30 September to avoid periods of high public use. However, exceptions to this prohibition may be authorized for specific time periods and areas. Requests for impact use during this

Yukon Flats National Wildlife Refuge
Special Conditions
Permit 2012-SR1-PFRR-YF, University of Alaska, Poker Flat Research Range

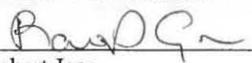
period must be received by the refuge manager forty-five days before intended use. (A launch schedule is not considered a request.) Exception requests must include a complete project description, a statement affirming that the proposed dates are essential, the alternatives considered an analysis of the increased risk incurred and a justification for this risk.

23. Peregrine falcons (*Falco peregrines anatum*) and other raptors may have active nest sites on cliffs and bluff faces with the refuge. Helicopter activity is prohibited within one-half mile of these active raptor nest sites during the period 1 May through 15 August. Sites may be approached on foot or by boat to determine if an occupied nest is located at the site.
24. All information, reports, photos, data, collections, and observations obtained as a result of this permit must be accessible from the permittee at any time upon request by the Service at no cost, unless specific arrangements are made to the contrary. The Service recognizes the proprietary nature of scientific data and will respect the researchers' privileged position regarding first publication. These data may be used in resource management decisions by the Service before their publication, however. Proprietary data of commercial value will be treated confidentially upon request, but may also be used in management decisions.
25. Before implementing field work, the permittee must provide documentation that activities involving an invasive procedure that harms, potentially harms or materially alters the behavior of an animal under study have been reviewed and approved by an Institutional Animal Care and Use committee (IACUC) pursuant to the Animal Welfare Act.

I have read and agree to abide by all the special conditions and requirements for this permit.

Permittee: 
Kit Duke, AVP Facilities & Land Management
UNIVERSITY OF ALASKA

Date: 2-7-12

Issuing Officer: 
Robert Jess
Refuge Manager

Date: 2-6-12

COMPATIBILITY DETERMINATION

Use: Rocket & Payload Impact and Recovery

Refuge Name: Yukon Flats National Wildlife Refuge, Fairbanks, Alaska

Establishing and Acquisition Authority

In 1978, President Jimmy Carter established the 10.6 million-acre Yukon Flats National Wildlife Monument with Presidential Proclamation 4627. The monument was established from lands in the public domain. In 1980, the Alaska National Interest Lands Conservation Act (ANILCA) (§ 302) adjusted the boundary to 8.6 million acres, and established the Yukon Flats National Wildlife Refuge as part of the National Wildlife Refuge System.

Refuge Purpose(s)

ANILCA sets out the primary purposes for each refuge in Alaska. The purposes of the Yukon Flats National Wildlife Refuge (NWR) are described in Section 302(9) (B). The ANILCA purposes for the Yukon Flats NWR are as follows:

- to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, canvasbacks and other migratory birds, Dall sheep, bears, moose, wolves, wolverines and other furbearers, caribou (including participation in coordinated ecological studies and management of the Porcupine and Fortymile caribou herds) and salmon
- to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats
- to provide, in a manner consistent with the purposes set forth above, the opportunity for continued subsistence uses by local residents
- to ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth above, water quality and necessary water quantity within the refuge.

[Supplemental Purposes of the Beaver Creek Wild River and the recommended Lower Sheenjek Wild River] The River Management Plan for Beaver Creek National Wild River, dated December, 1983, states the river will be managed for the following long-term objectives. These are the outstandingly remarkable values and conditions to be protected and enhanced:

- preserve the river and its immediate environment in its natural, primitive condition;
- preserve the free-flowing condition of the river;
- protect water quality and quantity;
- provide high quality primitive recreational opportunities for present and future generations;

- provide a variety of opportunities for interpretive, scientific, educational and wildlands oriented uses;
- assure preservation and interpretation of historic and archeological values; and
- maintain and improve fish and wildlife habitat.

The Final Wild and Scenic River Study/EIS for the Lower Sheenjek, dated September 1999, found the river to be suitable and thus recommended to congress that it be designated part of the National Wild and Scenic Rivers System. Congress has not acted on this recommendation. In the meantime, management of the river should preserve the free-flowing condition of the river, and protect the outstandingly remarkable cultural (subsistence), wildlife, scenic and recreational values associated with the Lower Sheenjek, its water quality, and the adjacent lands.

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)

This compatibility determination reevaluates the use of federal lands within Yukon Flats NWR as a program component of Poker Flat Research Range that supports research programs from across the country in the study of northern atmospheric phenomenon and climate change. In 1994, the refuge found these activities compatible with refuge purposes. The refuge provides an impact zone for research rockets and payloads. This research requires associated landings of helicopters to retrieve scientific payloads and rocket debris. The University of Alaska Fairbanks – Geophysical Institute’s Poker Flat Research Range has been conducting auroral and middle to upper atmospheric research in Alaska for over ten years, including use of lands within the refuge.

From four to ten sounding rockets are launched from the Poker Flat Research Range each winter. The range is located approximately fifty miles south of the refuge, and about thirty miles north of Fairbanks, Alaska (see attached map). The sounding rockets are single, two, three or four-stage solid fuel rockets. The rockets carry instrumented payloads into the earth’s upper atmosphere to make direct measurements of the aurora borealis, ozone, solar protons, electric and magnetic fields, ultraviolet and other atmospheric phenomena unique to these high latitudes.

The first stage of the rocket propels it to about 20,000 feet, separates from the remaining stages and payload, and falls back to earth about two miles from the launch site at Poker Flat. The second stage and payload follow the flight trajectory to typical altitudes of 50 to 300 miles and impact 50 to 225 miles from the launch

site. On the occasion when a three-stage rocket is utilized, both the rocket and payload over fly Alaska and land in international waters to the north.

It is the second stages and payloads that occasionally impact the Yukon Flats NWR. The refuge is but one of several federal, state and private land managers that authorize the use of a combined twenty-five million acres of land for rocket and payload impact and recovery. The dimensions of the empty rocket and payload are approximately fifteen to twenty feet long, thirty inches in diameter and weigh a few hundred pounds. Most payloads launched on sounding rockets from Poker Flat are recovery payloads that contain locator beacons and descend slowly to earth by an orange and white parachute. They are tracked via radar, and recovered with a helicopter. When they are recovered, any disturbance to the landscape is repaired as much as feasible. All rockets launched from Poker Flat are unguided after launch. The Poker Flat managers use a risk assessment prepared by the National Aeronautics and Space Administration that takes into account wind speed, direction of flight and type of rocket to determine launch elevation and flight azimuth, and impact point to reduce risk to life and property to an absolute minimum. For a given year, operations managers provide a detailed list of potential launch vehicle, launch windows, and potential impact zones for each launch (see attached map).

Any deviation from this description will require a separate compatibility determination.

Availability of Resources

Adequate refuge personnel and base operational funds are available to manage research activities at existing (approximately two requests to retrieve components are made annually) and projected levels. Administrative staff time (not more than five days) primarily involves phone conversations, written correspondence, proposal review, permit issuance and personal interaction with researchers. Field work associated with administering the program primarily involves monitoring researchers' compliance with the terms of the permit.

Anticipated Impacts of the Use(s)

Factors such as impact area(s), number of rockets or payloads, number of aircraft and anticipated amount of aircraft use will determine the extent of impacts on the refuge. Past impacts from this use have resulted in minor damage to vegetation, which is repaired as much as practical, and a few hours of helicopter flight time and landings to retrieve rocket payloads and debris, and perform site remediation.

At current levels, rocket and payload impact and recovery and associated activities should not have significant impacts on the wildlife resources, other refuge resources (e.g., water quality, soil, and vegetation), and other refuge users, especially subsistence users, due to the limited scope and complete administrative oversight of this research. Winter conditions (frozen soil) limit impact and landing damage.

Public Review and Comment

The refuge considers the proposed use to be a minor use with history of minimal impact. Public involvement for this document included a public notice in the Fairbanks Daily News Miner newspaper and a thirty-day public comment period. This compatibility determination was also available for review on the US Fish and Wildlife Service – Alaska Region’s compatibility determination Web site, <http://alaska.fws.gov/nwr/planning/index.htm>

Determination

Use is Not Compatible

Use is Compatible

Stipulations Necessary to Ensure Compatibility

Refuge staff will monitor all research being conducted on the refuge. Findings from these monitoring efforts will be used to determine what additional management actions, if any, are needed to ensure that research activities remain compatible with refuge purposes. Monitoring of all authorized research activities will be continued to ensure compliance with specific terms and conditions tailored for each research permit as well as with the following general conditions that are incorporated into all research permits to minimize impacts on refuge lands and resources.

- Failure to abide by any part of this special use permit; violation of any refuge related provision in Titles 43 (Part 36) or 50 Code of Federal Regulations (sub-chapters B and C); or violation of any pertinent state regulation (e.g., fish or game) 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. Appeals of decisions relative to permits are handled in accordance with 50 Code of Federal Regulations 36.41.
- The permittee is responsible for ensuring that all employees, party members, aircraft pilots and other persons working for the permittee and conducting activities allowed by this permit are familiar with and adhere to the conditions of this permit.
- Any problems with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager and Alaska Department of Fish and Game, and be salvaged in accordance with state regulations.
- This permit does not grant the permittee and his/her clients’ exclusive use of the site(s) or lands covered by the permit.
- This permit may be canceled or revised at any time by the refuge manager due to high fire danger, flooding, unusual resource problems, or other significant problems or emergencies.

- Failure to abide by any part of this special use permit; violation of any refuge related provision in Titles 43 (Part 36) or 50 Code of Federal Regulations (sub-chapters B and C); or violation of any pertinent state regulation (e.g., fish or game) 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. Appeals of decisions relative to permits are handled in accordance with 50 Code of Federal Regulations 36.41.
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- This permit does not grant the permittee and his/her clients exclusive use of the site(s) or lands covered by the permit.
- This permit may be canceled or revised at any time by the refuge manager due to high fire danger, flooding, unusual resource problems, or other significant problems or emergencies.
- The permittee or his/her designee shall notify the refuge manager during refuge working hours in person or by telephone before beginning and upon completing activities allowed by this permit.
- Prior to beginning activities allowed by this permit, the permittee shall provide the refuge manager with: (1) the name and method of contact for the field party chief/supervisor; (2) the aircraft and other vehicle types to be used, including identification information; (3) names of assistants and helpers; and (4) any changes to information provided in the original permit application.
- In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal, excavation, disturbance, collection, or purchase of historical, recent, ethnological, or archaeological specimens or artifacts is prohibited.
- The permittee will not make launches with a planned impact site within the Mollie Beattie Wilderness area. The use of helicopters outside the wilderness area is authorized provided that:
 - (a) Landing is prohibited except for the direct support of the activity covered by this permit and emergencies. No recreational use of helicopters is permitted.

near subsistence hunters, and damage to cabins, trails, traditional campsites or caches used by subsistence users.

- All rocket launches will be well publicized in advance to forewarn travelers and residents of the area involved. A minimum of two weeks notice of rocket launch dates and impact zones will be provided in writing to the refuge manager.
- The permittee will insure that a transponder or other radio location aid is incorporated with each payload to facilitate tracking and recovery after launch.
- The permittee will maintain a viable rocket component recovery program to track, locate, and remove rocket debris annually. The refuge manager will be informed of locations (latitude and longitude) of impact sites, un-recovered rockets and/or payloads, and any potential hazards that may thereby be created.
- The Fish and Wildlife Service will not be liable for any act or omission of the permittee (or its employees, hereinafter referred to jointly as "permittee") in operation of permittee's rockets during all phases of operation from launch through recovery. The permittee agrees to hold harmless the Fish and Wildlife Service against any and all claims for loss or liability by any party arising out of launch, impact, and recovery of permittee's rockets, however caused.
- The permittee will be responsible for reporting any fires arising from these activities and will immediately notify the Alaska Fire Service and the Fish and Wildlife Service.
- Rocket or debris impacts within the refuge are prohibited from 1 May through 30 September to avoid periods of high public use. However, exceptions to this prohibition may be authorized for specific time periods and areas. Requests for impact use during this period must be received by the refuge manager forty-five days before intended use. (A launch schedule is not considered a request.) Exception requests must include a complete project description, a statement affirming that the proposed dates are essential, the alternatives considered an analysis of the increased risk incurred and a justification for this risk.
- Peregrine falcons (*Falco peregrinus anatum*) and other raptors may have active nest sites on cliffs and bluff faces within the refuge. Helicopter activity is prohibited within one-half mile of these active raptor nest sites during the period 1 May through 15 August.

Justification

It is the policy of the Service (4 RM 6.1) to encourage and support research and management studies in order to provide scientific data upon which to base decisions regarding management of units of the refuge system.

The Service may permit the use of a refuge for investigatory scientific purposes when such use is compatible with the objectives for which the refuge is managed. Priority will be given to studies that contribute to the enhancement, protection, use, preservation and management of current, indigenous wildlife populations and their habitats in their natural diversity. All proposed research conducted by other agencies or entities will be thoroughly evaluated prior to authorization and then monitored closely to ensure the activities do not materially interfere with or detract from the purposes of the refuge or the mission of the National Wildlife Refuge System.

Scientific investigations of wildlife, resources, and social interactions will support the refuge's ability to provide for wildlife-dependent priority public uses and to meet other refuge purposes. These investigations must be conducted safely.

Public notice of the draft compatibility determination was published by the Fairbanks Daily News-Miner on Friday December 10, 2004. The draft compatibility determination was posted on the publicly-accessible bulletin board at Refuge Headquarters, and it was available at the U.S. Fish and Wildlife Service, Alaska Region Web site for viewing and downloading during the thirty-day comment period. No public comments were received. The Service concludes this as further evidence that this decision is sufficient as written.

Mandatory 10-Year Re-Evaluation Date (provide month and year for allowed uses only): _____

Mandatory 15-Year Re-Evaluation Date (for priority public uses): _____

NEPA Compliance for Refuge Use Decision

- _____ Categorical Exclusion without Environmental Action Memorandum
- _____ Categorical Exclusions and Environmental Action Memorandum
- _____ Environmental Assessment and Finding of No Significant Impact
- X Environmental Impact Statement and Record of Decision

Supporting Documents

- Environmental Analysis for Poker Flat Research Range, Geophysical Institute, University of Alaska Fairbanks, November 1991.
- Compatibility Determination and ANILCA Section 810 Evaluations, Atmospheric Rocket Research, Yukon Flats National Wildlife Refuge, 23 July 1994.
- Compatibility Determination, Uses (includes research) allowed by the 1987 Yukon Flats National Wildlife Refuge Comprehensive Conservation Plan, 19 July 1994.
- Final Yukon Flats National Wildlife Refuge Comprehensive Conservation Plan, Environmental Impact Statement and Wilderness Review, Record of Decision, 29 December 1987.

Refuge Determination

Prepared by: Jimmy Fox 1/10/05
(Signature) (Date)

Refuge Manager /
Project Leader Approval: E. H. [Signature] 1/10/05
(Signature) (Date)

Concurrence

Refuge Supervisor: Mike Borda (Acting) 1/13/05
(Signature) (Date)

Regional Chief,
National Wildlife
Refuge System: Richard [Signature] (Acting) 1/13/05
(Signature) (Date)



U.S. Fish & Wildlife Service

Conservation Planning & Policy

Alaska Region

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REFUGE PLANS

COMPATIBILITY DETERMINATION

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Involved

POLICY

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Policy

Public Notice of Compatibility for Arctic & Yukon Flats National Wildlife Refuge

REFUGE:	Arctic and Yukon Flats
TITLE:	Compatibility Determinations re-evaluating the special use permit granted the Poker Flat Research Range for rocket & payload impact and recovery on refuge lands.
DATE OF DETERMINATION:	January 13, 2005
SUPPORTING DOCUMENTS:	Public Notice (pdf)
	Compatibility Determination prepared by the Arctic Refuge (pdf)
	Compatibility Determination prepared by the Yukon Flats Refuge (pdf)

Last updated: September 2, 2008

Conservation Planning & Policy
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**C.3 STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF
MINING, LAND AND WATER**

STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER

Northern Region
3700 Airport Way
Fairbanks, AK 99709
(907) 451-2705

Southcentral Region
550 W 7th Ave Suite 900C
Anchorage, AK 99501-3577
(907) 269-8552

Southeast Region
400 Willoughby, #400
Juneau, AK 99801
(907) 465-3400

LAND USE PERMIT
Under AS 38.05.850

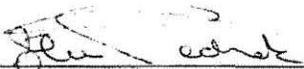
LAS 19102

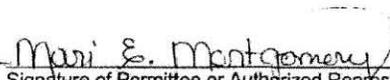
The University of Alaska/Geophysical Institute, Statewide Office of Land Management is issued this permit to use the following described lands: within state-owned lands located in numerous townships throughout the Northern Region. (see attached map)

This permit is issued for the purpose of: continuing research, collecting rocket debris, and as a payload safety area related to the Poker Flats Research Range.

This permit is issued subject to: payment of a use fee in the amount of \$N/A; posting of a performance guaranty bond in the amount of \$N/A; proof of insurance in the amount of \$N/A; and compliance with the Special Stipulations on Attachment A, in addition to those noted in this document.

This permit is not a property right. It is a temporary authorization, revocable by the state with or without cause. This permit is effective beginning March 1, 2009 and ending on February 28, 2014 unless sooner terminated at the state's discretion.


Signature of Authorized State Representative Natural Resource Specialist II 04-15-09
Title Date


Signature of Permittee or Authorized Representative Director, Land Management 03-30-09
Title Date
Mari E. Montgomery Director, University of Alaska Land Management

PO Box 755280 Fairbanks Ak 99775-5280
Permittee's Address City State Zip

907-450-8133 Dian Siegfried
Home Phone Work Phone Contact Person

*Permittee is responsible for maintaining a current address with the division during the life of this authorization.

*Permittee is responsible for obtaining authorizations required by other agencies for the permitted activity.

ATTACHMENT A SPECIAL STIPULATIONS

1. **Authorized Officer.** The Authorized Officer for the Department of Natural Resources is the Manager, Northern Region Lands Section, or his/her designee. The Authorized Officer may be contacted at 3700 Airport Way, Fairbanks, Alaska 99709, 04 (907) 451-2740.

2. **Indemnification.** In lieu of indemnification, the permittee shall be responsible for any claim or demand for loss or damage, including property damage, personal injury, wrongful death, and wage or employment claims, arising out of or in connection with the use or occupancy of the permit site.

3. **Valid Existing Rights.** This authorization is subject to all valid existing rights in and to the land under this authorization. The State of Alaska makes no representations or warranties whatsoever, either expressed or implied, as to the existence, number, or nature of such valid existing rights.

4. **Reservation of Rights.** The Division reserves the right to grant additional authorizations to third parties for compatible uses on or adjacent to the land under this authorization.

5. **Preference Right.** No preference right for use or conveyance of the land is granted or implied by this authorization.

6. **Alaska Historic Preservation Act.** The Alaska Historic Preservation Act (AS 41.35.200) prohibits the appropriation, excavation, removal, injury, or destruction of any state-owned historic, prehistoric (paleontological) or archaeological site without a permit from the commissioner. Should any sites be discovered during the course of field operations, activities that may damage the site will cease and the Office of History and Archaeology in the Division of Parks and Outdoor Recreation (907) 269-8720 shall be notified immediately.

7. **Fuel and Hazardous Substances.** No fuel or hazardous substances are to be stored on the subject parcel. Prior written approval from the Authorized Officer or designee is required for a change in this restriction.

8. **Notification.** The permittee shall immediately notify DNR and DEC by phone of any unauthorized discharge of oil to water, any discharge of hazardous substances (other than oil), and any discharge of oil greater than 55 gallons on land. All fires and explosions must also be reported.

The DNR 24 hour spill report number is (907) 451-2678; the Fax number is (907) 451-2751. The DEC spill report number is (800) 478-9300. DNR and DEC shall be supplied with all follow-up incident reports.

9. **Compliance with Governmental Requirements; Recovery of Costs.** Permittee shall, at its expense, comply with all applicable laws, regulations, rules and orders, and the requirements and stipulations included in this authorization. Permittee shall ensure compliance by its employees, agents, contractors, subcontractors, licensees, or invitees.

10. **Violations.** This authorization is revocable immediately upon violation of any of its terms, conditions, stipulations, nonpayment of fees, or upon failure to comply with any other applicable laws, statutes and regulations (federal and state).

11. **Public Access.** All operations must be conducted in a manner that will ensure minimum conflict with other users of the area. There shall be no interference with free public use of state lands and waters.

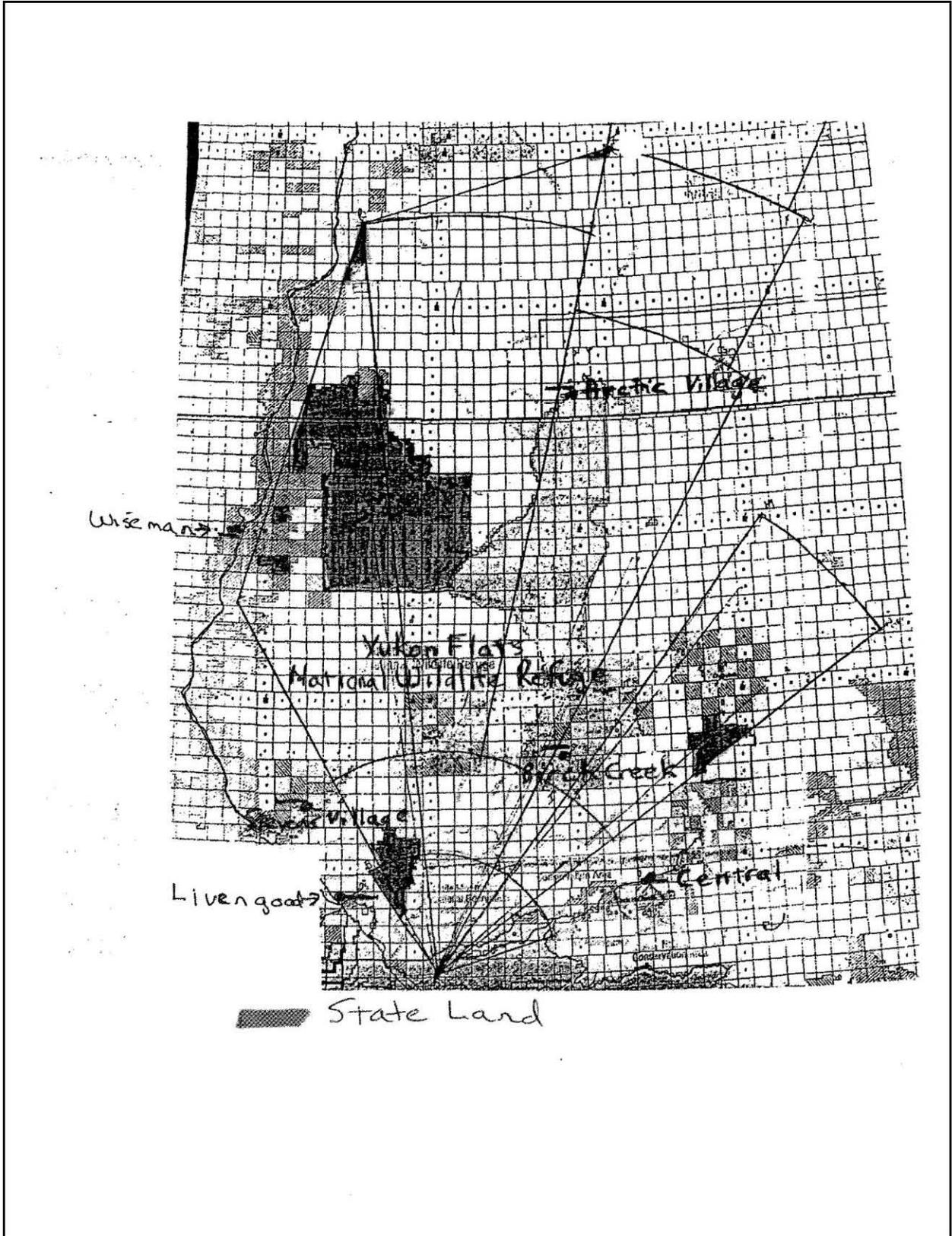
12. **Site Restoration.** Upon expiration, completion, or termination of this authorization, the site shall be restored to a condition acceptable to the Authorized Officer.

13. **Assignment.** This permit may not be transferred or assigned to another individual or corporation.

14. **Inspection.** Authorized representatives of the State of Alaska shall have reasonable access to the subject parcel for purposes of inspection.

15. Site Maintenance. The area subject to this authorization shall be maintained in a neat, clean and safe condition, free of any solid waste, debris or litter.

16. Holes and Excavations. All Holes created as a result of the activities authorized under this permit shall be back-filled with sand, gravel, native materials, or a substitute approved by the Division.



C.4 MEMORANDUM OF AGREEMENT BY AND BETWEEN THE NATIVE VILLAGE OF VENETIE TRIBAL GOVERNMENT AND THE GEOPHYSICAL INSTITUTE OF THE UNIVERSITY OF ALASKA FAIRBANKS

Memorandum of Agreement

by and between

The Native Village of Venetie Tribal Government, in this document referred to as VENETIE, and the Geophysical Institute of the University of Alaska Fairbanks, in this document referred to as UNIVERSITY, jointly establish this agreement for the conditional use by the UNIVERSITY of the tribal lands controlled by VENETIE.

Whereas, the UNIVERSITY has successfully launched hundreds of rockets since 1968 from the Poker Flat Research Range, a research sounding rocket launch facility located at Chatanika, Alaska, and

Whereas, the Poker Flat Research Range engages in a government-funded public service mission of research and research support, and

Whereas, the UNIVERSITY and VENETIE have in the past established agreements to their mutual satisfaction for the support of scientific rocket launch and impact operations from Poker Flat Research Range, and

Whereas, the rocket launch program planned at Poker Flat Research Range for the year commencing July 1, 1989 through June 30, 1990 includes rocket launch directions and altitudes which include a mathematical probability of possible rocket vehicle impact points within the Venetie lands, and

Whereas, Poker Flat Research Range rules prohibit the launch of rockets where the mathematical probability is greater than one chance in 100 of rocket impact on lands for which permission for impact is not secured,

Therefore, this agreement for the use of Venetie Tribal Lands is documented and signed by the legally authorized representatives of VENETIE and the UNIVERSITY. The agreement in whole is as follows:

- (1) The UNIVERSITY agrees to pay to VENETIE the sum of One Thousand Dollars (\$1,000.00) for the use of Venetie Tribal Lands for each full year of this agreement, payable on or before July 31st of each year that this agreement remains in effect. However, for the period September 1, 1989 through June 30, 1990 the UNIVERSITY agrees to pay to VENETIE the sum of Seven Hundred and Fifty Dollars (\$750.00) for the use of Venetie Tribal Lands, payable upon finalization of this agreement by signature of all cognizant individuals.
- (2) The UNIVERSITY agrees to pay to the Arctic Village and the Venetie Village Traditional Councils Five Thousand Dollars (\$5,000.00) each per year for the right to launch two rockets for which there is a mathematical probability of impact on VENETIE tribal lands, as determined by the UNIVERSITY, of one chance in 100 or greater, regardless if these rockets are subsequently ever actually launched. These payments shall be made on or before July 31st of each year that this agreement remains in effect.
- (3) The UNIVERSITY agrees to pay to the Arctic Village and Venetie Village Traditional Councils an additional Two Thousand Five Hundred Dollars (\$2,500.00) each for each additional rocket launched from Poker Flat Research Range which has a mathematical probability of impact on VENETIE lands of one chance in 100 or greater. These payments shall be made within forty-five (45) days following the actual launch of a rocket which qualifies the two councils for compensation.

Memorandum of Agreement
by and between
UNIVERSITY and VENETIE

- (4) The UNIVERSITY will pay Five Hundred Dollars (\$500.00) each to the Arctic Village and Venetie Village Traditional Councils for each whole rocket motor or whole payload found by the citizens of Arctic Village and Venetie Village on VENETIE lands if the location is reported to the designated contact person for the UNIVERSITY and can be relocated by the UNIVERSITY within the agreement term.
- (5) The UNIVERSITY agrees to remove within a reasonable time any portions of rocket vehicles or payloads found on VENETIE lands and will attempt, where practical in the judgment of the UNIVERSITY, to engage the people of Arctic Village and Venetie Village to assist in removing those items for reasonable compensation.
- (6) The period of this agreement is from September 1, 1989 through June 30, 1990 and the agreement will be automatically renewed for successive terms of one year beginning on July 1 of each successive year unless notice is received by April 1st in writing at the offices specified below of either party's desire to discontinue or modify the agreement.
- (7) The UNIVERSITY agrees to save VENETIE and the Arctic Village and Venetie Traditional Councils from any liability for the actions of the UNIVERSITY and UNIVERSITY employees which result in property damage or casualty as a result of the rocket launch operations from Poker Flat Research Range.
- (8) This agreement supersedes any and all other agreements between the two parties. The interim agreement entered into by the two parties for the period July 15, 1989 through August 31, 1989 qualified the two village traditional councils for the initial payment as described in paragraph (3) above. This long-term agreement does not duplicate that initial payment qualification standard but continues where the interim agreement ended. Specifically, the initial sum of \$5,000.00 has been paid to each respective village council for the first two rockets qualifying under this agreement, for the year commencing July 1, 1989 and ending June 30, 1990.

This agreement is the complete understanding of the parties with respect to the subject matter hereof.

The contact person for the UNIVERSITY is:

Charles Deehr
Scientific Director
Poker Flat Research Range
Geophysical Institute
University of Alaska Fairbanks
Fairbanks Alaska 99775-0800

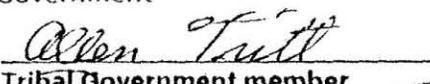
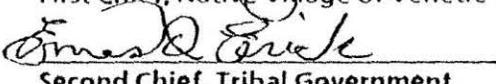
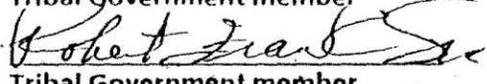
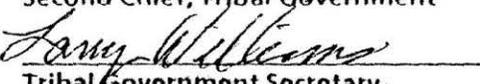
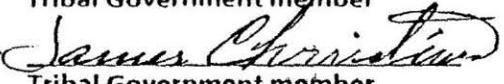
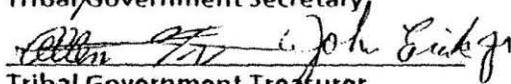
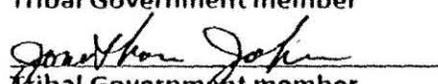
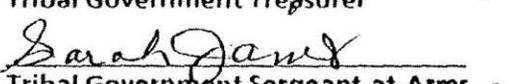
The contact person for VENETIE is:

Eddie Frank
Box 117
Venetie 99781
Ph- 849-8229

Memorandum of Agreement
by and between
UNIVERSITY and VENETIE

In witness hereof, the undersigned have signed this agreement this 22nd day of September 1989 in full understanding of its contents by the legally authorized representatives of VENETIE and the UNIVERSITY.

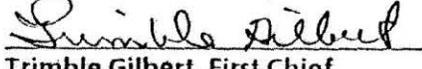
For VENETIE:

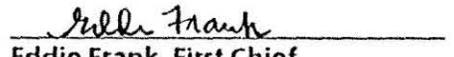
 First Chief, Native Village of Venetie Tribal Government	 Tribal Government member
 Second Chief, Tribal Government	 Tribal Government member
 Tribal Government Secretary	 Tribal Government member
 Tribal Government Treasurer	 Tribal Government member
 Tribal Government Sergeant-at-Arms	

In witness hereof:

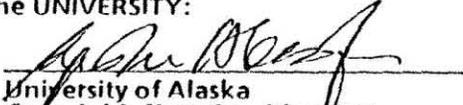

Lincoln Tritt, Witness
Arctic Village, Alaska

Concur:


Trimble Gilbert, First Chief
Arctic Village Traditional Council


Eddie Frank, First Chief
Venetie Village Traditional Council

For the UNIVERSITY:


University of Alaska
Synn-ichi Akasofu, Director
Geophysical Institute

C.5

**UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND
MANAGEMENT, EASTERN INTERIOR FIELD OFFICE**

01/27/2010 WED 17:05 FAX 907 450 2120 Poker Flat Research Rnge

001/001

Form 2920-1
(February 2005)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
LAND USE APPLICATION AND PERMIT
(Sec. 302(b) of P.L. 94 - 579, October 21, 1976, 43 U.S.C. 1732)

FORM APPROVED
OMB NO. 1004-0009
Expires: December 31, 2007

FOR BUREAU OF LAND MANAGEMENT (BLM USE ONLY)

Application Number

1. Name (first, middle initial, and last) Poker Flat Research Range	Address (include zip code) C/O UA Land Management P.O. Box 755280 Fairbanks, AK 99775-5280	Phone (include area code) 907-450-8133
---	--	--

2. Attach map or sketch showing public lands for which you are applying

3. Proposed date(s) of use: from **01/01/2010** to **12/31/2012**

4. Give legal basis for holding interest in lands in the State of _____
(Check appropriate box at right and explain.)

- Resident
- Partnership
- Corporation
- County
- Local Government
- State Government
- Other

5. Are the lands now improved, occupied or used? Yes No (If "yes," describe improvements and purposes, identify users and occupants.)
Lands within the White Mountain National Recreation area contain a developed cabin/trail system for recreational use. The Stecco Conservation Area and remaining BLM administered land are generally not occupied or improved.

6. Do you need access to the land? Yes No (Describe needed or existing access.)
Access is required to cleanup and remove rocket debris that may occur in these areas.

7a. What do you propose to use the lands for?
N/A

b. What improvements and/or land development do you propose? (To complete application processing, engineering and construction drawings may be required)
N/A

c. What is the estimated capital cost?
\$ 0

d. What is the source of water for the proposed use?
N/A

I CERTIFY that the information given by me in this application is true, complete, and correct to the best of my knowledge and belief and is given in good faith.

* *Darke Reeh*
(Signature of Applicant)

* 1.27.10
(Date)

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

(Continued on page 2)

8131

BLM 02/04/10 PM12:45



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Eastern Interior Field Office
1150 University Avenue
Fairbanks, Alaska 99709
(907) 474-2200
Fax: (907) 474-2282
<http://www.blm.gov/ak>



IN REPLY REFER TO:
F-95084 (2920.01)

HAND DELIVERED BY *Wesley* ON DATE 2/8/10
RECEIVED BY *Alan S. [Signature]* ON DATE 2/8/10

DECISION

Permittee: University of Alaska Fairbanks Permit Application F-95084
Geophysical Institute-Poker Flat
Rocket Range
Address: PO Box 757320
City/ State: Fairbanks, AK 99775-7320

Land Use Authorized

Your land use proposal to retrieve rocket debris from BLM administered lands has been approved. This land use authorization is subject to the terms, conditions and stipulations attached to the grant. This authorization will terminate on December 31, 2012, and may be renewed at that time subject to compliance with the terms. If renewed, the land use authorization shall be subject to new regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect public interest.

Please review the stipulations attached to the authorization and notify us in writing within 30 days of receipt of this letter if any information is not correct; otherwise you are confirming the information enclosed is correct and that you agree to the conditions and stipulations of this land use authorization.

Within 30 days of receipt of this decision, you have the right of appeal to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at 43 CFR 4.400. If an appeal is taken, you must follow the procedures outlined on the enclosed Form 1842-1, Information on Taking Appeals to the Interior Board of Land Appeals.

If you feel this decision is adverse, it may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your Notice of Appeal must be filed in this office (at the

above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 Federal Register (FR) 4939, January 19, 1993) or 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition of a stay is required to show sufficient justification based on the standards contained on Form 1842-1. Copies of the notice of appeal and petition for a stay **must** also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Please contact Collin Cogley at (907) 474-2382 if you have any questions.

Sincerely,

Handwritten signature of Larry P. Jackson in blue ink. The signature is written in a cursive style and includes the words "acting for" written below the name.

Lenore Hepler,
Field Manager
Eastern Interior Field Office

Attachments:

1. 2920 Land Use Permit – FF095084
2. Stipulations associated with Permit – FF095084
3. Appeal Information (Form 1842-1)

PERMIT			
Permission is hereby granted to Geophysical Institute, University of Fairbanks-Alaska, Poker Flat RR of State of Alaska to use the following described lands: BLM administered lands north of Fairbanks and east of the Dalton Highway			Permit Number FF095084
TOWNSHIP	RANGE	SECTION	SUBDIVISION
T6N	R2E	1	Primary Township, but including all BLM administered lands north of Fairbanks and east of the Dalton Highway. Primary impact areas will be in the White Mountains National Recreation Area and Western Steese National Conservation Area.
Meridian	State	County	Acres (number)
Fairbanks	Alaska	NA	5

for the purpose of
Recovering rocket debris that may fall on BLM administered lands and any possible mitigation of the impact sites.

and subject to the following conditions:

- This permit is issued for the period specified below. It is revocable at the discretion of the BLM, at any time upon notice. This permit is subject to valid adverse claims heretofore or hereafter acquired.
 - This permit is subject to all applicable provisions of the regulations (43 CFR 2920) which are made a part hereof.
 - This permit may not be assigned without prior approval of the BLM.
 - Permittee must not enclose roads or trails commonly in public use.
 - Authorized representatives of the Department of the Interior, other Federal agencies, and State and local law officials will at all times have the right to enter the premises on official business.
 - Permittee must pay the United States for any damage to its property resulting from the use.
 - Permittee must notify the BLM of address change immediately.
 - Permittee must observe all Federal, State, and local laws and regulations applicable to the premises and to erection or maintenance of signs or advertising displays including the regulations for the protection of game birds and game animals, and must keep the premises in a neat, orderly, and sanitary condition.
 - Permittee must pay the BLM, in advance, the lump sum of \$ _____ for the period of use authorized by this permit or \$ 250.00 _____, annually, as rental or such other sum as may be required if a rental adjustment is made.
 - Use or occupancy of land under this permit will commence within _____ months from date hereof and must be exercised at least _____ days each year.
 - Permittee must take all reasonable precautions to prevent and suppress forest, brush, and grass fires and prevent pollution of waters on or in the vicinity of the lands.
 - Permittee must not cut any timber on the lands or remove other resources from the land without prior written permission from the BLM. Such permission may be conditioned by a requirement to pay fair market value for the timber or other resources.
 - Permittee agrees to have the serial number of this permit marked or painted on each advertising display or other facility erected or maintained under the authority of such permit.
 - This permit is subject to the provisions of Executive Order No. 11246 of September 24, 1965, as amended, which sets forth the Equal Opportunity clauses. A copy of this order may be obtained from the BLM.
 - Permittee acknowledges, by signing below, that he/she knows, understands and accepts the terms and conditions under which this permit is issued.
16. Special conditions (attach additional sheets, if necessary)
Special Stipulations attached.
This will be a three year renewable permit with the option to renew. Permit fees will be \$250 annually as required.

Permit issued for period _____
From 01/01/2010
To 12/31/2012

Mari E. Montgomery 01-28-10
 (Permittee)
[Signature]
 (BLM)
Felix Managau 2/5/10
 (Title) (Date)

INSTRUCTIONS

- Submit, in duplicate, to any local office of the Bureau of Land Management having jurisdiction of the lands.
- Applications for Land Use Permits will not be accepted unless a notification of the availability of the land for non-BLM use (Notice of Realty Action) has been published in the Federal Register and for 3 weeks thereafter in a newspaper of general circulation. This provision does not apply in those situations where the publication of a (Notice of Realty Action) has been waived by the BLM.
- If the annual rental exceeds \$250 dollars per year, costs of processing the application must be paid by the applicant in advance.
- The BLM may require additional information to process an application. Processing will be deferred until the required information is furnished by the applicant.

(Continued on page 3)

(Form 2920 1, Page 2)

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NOTICES

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application for a Land Use Permit.

AUTHORITY: 43 U.S.C. 1201; 43 CFR Part 2920

PRINCIPAL PURPOSE: The information is to be used to process your application.

ROUTINE USES: (1) The adjudication of the applicant's request for a Land Use Permit. (2) Documentation for public information. (3) Transfer to appropriate Federal agencies when concurrence is required prior to granting a right in public lands or resources. (4)(5) Information from the record and/or the record will be transferred to appropriate Federal, State, local or foreign agencies, when relevant to civil, criminal or regulatory investigations or prosecutions.

EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is voluntary. If all the information is not provided, the application may be rejected.

The Paperwork Reduction Act of 1995 requires us to inform you that:

Information is needed to process application for land use authorizations, pursuant to 43 CFR Section 2920.

Information shows if the applicant and proposed user meet the requirements of 43 CFR Section 2920.1.

Applicant must respond before he/she can be granted an authorization to use public lands.

BLM would like you to know that you do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.

BURDEN HOURS STATEMENT: Public reporting burden for this form is estimated to average 1 hour per response for the majority of responses, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. For proposed uses the scope of which is more complex, the public reporting burden is estimated to average 120 hours per response. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management (1004-0009), Bureau Information Collection Clearance Officer (WO-630), 1849 C Street, N.W., Mail Stop 401 LS, Washington, D.C. 20240.

(Form 2920-1, page 3)

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SPECIAL STIPULATIONS for Land Use Permit FF095084

These Special Stipulations are in addition to the stipulations found on the Land Use Permit, and apply to use of BLM managed public lands.

BLM Contact Points- Lenore Heppler, Field Office Manager, or Collin Cogley, Resource Specialist, will be your primary points of contacts for reporting and involvement in any unscheduled event that may take place.

Lenore Heppler – 474-2320

Collin Cogley - 474-2382

Home -479-8357

- This authorization is for the use of BLM administered lands only.
- The Bureau of Land Management shall not be held responsible or liable for any injury or damage from any rocket component impact to the public, their personal equipment or property including dog teams or structures.
- Permittee will post, three days prior to launch, notices of planned rocket launches over BLM administered lands at the following trail heads:

Steese Highway

McKay Creek Trailhead, mile 42.5

Davidson Ditch Wayside, mile 57

Elliott Highway

Wickersham Dome Trailhead, mile 28

Colorado Creek Trailhead, mile 57

- Annual Information: The permittee shall provide BLM with a list of tentative launch dates by November 1st of the year preceding any proposed rocket launches. The permittee shall provide BLM with a list of impact sites on BLM managed lands by May 31 after each launch season. At least two weeks prior to recovery, the permittee shall provide BLM with a list of recovery sites on BLM managed lands, as well as the planned time period (weeks) of recovery actions. Some restrictions may be applied at that time to avoid impacts to sensitive wildlife resources. Impact and recovery sites may be identified by GPS coordinates or plotted on a 1:250,000 scale topographical map.
- Access: The permittee must comply with all Special Rules and Regulations for the White Mountains National Recreation Area, the Beaver and Birch Creeks National Wild and Scenic River Prohibited Acts and the Steese National Conservation Area. Any overland moves shall be done within the confines of current OHV regulations pertaining to the area or be limited to winter between December 1 and April 15 and with a minimum of 6 inches of snow cover and 12 inches of frost depth are present. A map showing the motorized use areas in the White Mountains NRA and Steese NCA is attached as part of this permit.

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- **Site Rehabilitation:** The permittee accepts responsibility for the condition of any impact sites and will be liable for all site damages, which occur as a result of the activity. Any excavation or disturbance during the recovery needs to be filled to avoid water ponding, soil erosion or thermokarsting from these activities. If the permittee fails to restore the site, they will be held liable for the cost of restoration.
- **Vegetation Clearing:** Minor clearing of brush, less than 20 foot by 20 foot total area, for extracting rocket parts is allowed by this permit, although extensive clearing of trees or brush for helipads is prohibited.
- **Refuse:** All refuse will be hauled out by the permittee and disposed of in a proper landfill. This includes any partially burned items and the removal of any markers or survey tape associated with this trip.
- **Cultural and Paleontological Resources:** The Antiquities Act of June 8, 1906 (34 Stat. 225; 16 USC 431-433), prohibits the appropriation, excavation, injury, or destruction of any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the United States. The Archaeological Resource Protection Act, P.L. 96-95 protects archaeological resources and sites on public lands by providing stiff penalties to those found guilty of excavation, removing, transporting or selling these resources without a permit. The Act provides the Bureau and other Federal land managers with a strong legal position from which to curtail the illegal removal and excavation of cultural resources from the public lands. No historic site, archaeological site, or camp, either active or abandoned, shall be disturbed in any manner or shall any item be removed there from. Should such sites be discovered during the course of field operations the Authorized Officer will be promptly notified.
- **Hazardous Materials:** All rocket components will be removed from the public lands within three years of the last general range clean-up. All rocket components, including unspent propellant, will be removed from the public lands as soon as reasonable access is available if it is determined by BLM or permittee the component(s) are a hazard to the public or resources. Appropriate spill response equipment and supplies should be on hand when hazardous materials or petroleum products are being used. It is recommended that secondary containment or drip pans be placed under all fuel container inlet and outlet points, hose connections and hose ends during fuel transfers. All petroleum product or hazardous material spills outside secondary containment should be cleaned up immediately taking precedence over all other matters except health and safety of personnel and, reported within 24 hours to the DEC at (907) 478-9300.
- **Use of Aircraft and Improvement of Airstrips:** This permit does not authorize construction of new airstrips or helicopter landing areas. Use of helicopters and commercial air services are already allowed without permit in the resource management plan. Actual construction of new strips or helipads by extensive clearing would require conformance with FAA guidelines, and a long-term authorization such as a lease. Minor improvements, such as moving rocks or logs, to allow an area to be used for aircraft landings must be conducted under the limitations of 43 CFR 8365.1-5 to limit impacts to

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vegetation and soils. This permit does not authorize exclusive use of airstrips on Public Lands.

- Fire: Gas powered equipment shall be equipped with manufacturer approved and functional spark arresters. Helicopters used for any activity, which requires landing in wildland fuels, must have the exhaust/cooling system located high on the fuselage. Helicopters, which have exhaust/cooling systems that are located low on the fuselage and expels the exhaust straight back or downward, may not be used. Any helicopter that has a history of igniting wildland fuels when they land may not be used.
- All operations will be conducted in such a manner as not to cause damage or disturbance to any fish or wildlife and subsistence resources.
- All activities shall be conducted so as to avoid or minimize disturbance to vegetation.
- Appropriate action will be taken to clean equipment used to recover rocket debris to prevent propagating invasive and noxious weeds and plant species at recovery sites.
- All operations must not impede rural residents from pursuing their traditional subsistence activities (ANILCA, PL 96-487).

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LETTER OF TRANSMITTAL

TO: Collin Cogley
Resource Specialist
Bureau of Land Management
1150 University Ave
Fairbanks, AK 99709-3844

DATE: February 1, 2010
SUBJ: LUP FF-095084

I am transmitting the following items:

NUMBER OF COPIES	DESCRIPTION
2	Land Use Permit FF-095084 w/UA original signatures
1	LUP Application for FF-095084

These are transmitted:

For Your Approval Returned for Corrections As Requested
 Resubmit for Review For your Review For your Records

Remarks: Collin, I have included the application for your records. Please forward a fully executed copy of the Land Use Permit to the address below. I will forward a copy to Poker Flat. I will also inform you when the launch(s) have been completed. Thanks for all of your help. It was nice being able to meet you.

cc: _____

UNIVERSITY OF ALASKA
LAND MANAGEMENT

Dian Siegfried, Administrative Assistant

Land Management
910 Yukon Drive • Suite 106
P.O. Box 755280 • Fairbanks, Alaska 99775
Phone: (907) 450-8133 • Fax: (907) 450-8131

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