



REPLY TO
ATTENTION OF:

FWA-MOA-1306

**DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, USAG FW
1060 GAFFNEY ROAD #6000
FORT WAINWRIGHT, ALASKA 99703-6000**

**MEMORANDUM OF AGREEMENT
BETWEEN
UNITED STATE ARMY GARRISON FORT WAINWRIGHT
AND
DEPARTMENT OF AGRICULTURE, UNITED STATES FISH AND WILDLIFE SERVICES, REGION 7
AND
ALASKA DEPARTMENT OF FISH AND GAME**

SUBJECT: Integrated Natural Resource Management Plan (INRMP) for Fort Wainwright, Alaska Lands

1. References:

- a. Department of Defense Instruction (DoDI) 4000.19, Service Agreement, 25 April 2013.
- b. Public Law 86-797 (Sikes Act), 15 September 1960 (as amended through 2003 by Public Law 108-136).
- c. Army Regulation (AR) 200-1, Environmental Protection and Enhancement, 13 December 2007.

2. Purpose:

a. The purpose of this INRMP is to list specific items regarding Fish and Wildlife Plans between the Alaska Department Fish and Game (ADFG), United States Fish and Wildlife Services, (USFWS), Region 7, and United States Army Garrison Fort Wainwright (USAG FW), Alaska. Items not specifically listed will generally be the responsibility of Fort Wainwright unless the other agencies agree to assist with their implementation.

b. In accordance with 16 USC 670a (Sikes Act), the Fish and Wildlife Plan is the component of the INRMP that describes how the fish and wildlife resources on Fort Wainwright lands will be cooperatively managed. The Fish and Wildlife Plan provides a program of planning for, and the development, maintenance, and coordination of wildlife, fish, and game conservation. The Fish and Wildlife Plan provides for fish and wildlife habitat improvements or modifications, wildlife considerations in all range rehabilitation, control of off-road vehicle traffic, use and protection of fish and wildlife resources, to include both consumptive and non-consumptive use, and natural resources law enforcement requirements, and designated responsibilities for the control and disposal of feral animals.

3. Problem:

a. The Sikes Act (Public Law 86-797, dated 15 September 1960, as amended through 2003 by Public Law 108-136) requires USFWS signatory approval of the INRMP to acknowledge its compliance with the Endangered Species Act, Migratory Bird Treaty Act and other federal fish and wildlife laws. The Sikes Act also requires signatory approval by the ADFG to allow for public recreation, hunting, trapping, and fishing.

b. All signatories have a responsibility for the maintenance and protection of fish and wildlife resources and their associated habitats located on USAG FW controlled lands. The continued well-being of these resources will be enhanced through a combined effort designed to identify and protect areas essential to their life cycle and vulnerable to disturbance.

4. Scope: This agreement applies to Fort Wainwright, including Fort Wainwright Main Post, Tanana Flats Training Area, Yukon Training Area, Donnelly Training Area, Gerstle River Training Area, Black Rapids Training Area, Whistler Creek Rock Climbing Area, and all other Fort Wainwright controlled lands in Alaska.

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5. Understanding, Agreements, Support, and Resource Needs:

a. Natural Resource Conservation Program.

(1) All parties agree:

(a) To work cooperatively to conserve fish and wildlife resources.

(b) To work cooperatively to ensure military preparedness and “no net loss” in the capability of USAG FW to support the military mission.

(2) USAG FW shall:

(a) Carry out the natural resources conservation program required by the Sikes Act to provide for the conservation and rehabilitation of natural resources on Fort Wainwright lands consistent with the use of military installations to ensure the preparedness of the Armed Forces; support the sustainable multipurpose use of the resources, which shall include hunting, fishing, trapping, and non-consumptive uses; and subject to safety requirements and military security, allow public access to military installations to facilitate the use.

(b) Establish conservation and management programs for all lands under Fort Wainwright control. These programs will provide for the conservation and management of fish and wildlife resources and include provisions to conduct the necessary research to answer specific conservation / management problems. These programs will be developed with the assistance and technical advice of the USFWS and the ADFG. The programs will be consistent with military requirements and, to the greatest extent possible, compatible with USFWS and ADFG management plans.

(c) Furnish assistance and facilities to ADFG, and/or USFWS for mutually agreed upon natural resources research projects.

(d) Determine desired rules of conduct to be followed by authorized participants in the implementation of and participation in these programs.

(e) Admit representatives of ADFG and USFWS to the installation at reasonable times, subject to requirements of military necessity and security. Such personnel may use Government transportation on a non-reimbursable basis, to include aircraft, for wildlife related functions on Fort Wainwright lands provided such transportation is available without detriment to the military mission.

(3) USFWS shall:

(a) Furnish technical assistance for development and implementation of professionally sound natural resources programs on Fort Wainwright, provided funding for such support is available.

(b) Participate in the joint administration of these programs with all parties in this agreement.

(4) ADFG shall:

(a) Furnish technical assistance for development and implementation of professionally sound natural resources programs on Fort Wainwright, provided funding for such support is available.

(b) Participate in the joint administration of these programs with all parties in this agreement.

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b. Integrated Natural Resources Management Plan.

(1) All parties agree:

(a) The INRMP is the planning and implementation document required by the Sikes Act, as amended. The INRMP contains those items specifically required by law. In the event the Sikes Act is amended after the INRMP is signed, the Plan will be amended to conform with the new requirements within the Sikes Act, if needed.

(b) The INRMP is prepared to assist installation commanders in their efforts to conserve and rehabilitate natural resources consistent with the use of military installations to ensure the preparedness of the Armed Forces.

(c) The primary purpose of the INRMP is to establish natural resources goals, objectives, and policies that Fort Wainwright will use to manage Army lands in Alaska. It is the intent of Department of Defense to clearly and openly express these goals, objectives, and policies to the public through the Integrated Natural Resources Management Plan. The secondary purpose of the INRMP is to guide Fort Wainwright natural resources managers and personnel in their decision-making regarding management of military land in Alaska and the implementation of proposed natural resource projects. Implementing the INRMP would provide a land management program that conserves land as an essential asset for training, provides excellent stewardship, complies with environmental laws, and provides recreational opportunities that contributes to the quality of life. A further purpose of the INRMP is to serve as a funding identification document for the management of natural resources on military lands.

(d) Implementation of the INRMP measures, maintains, protects, and enhances the ecological integrity of the training lands and the biological communities inhabiting them. The INRMP is considered to be "implemented" if USAG FW actively requests, receives, and uses funds for "must fund" projects and activities; ensures that sufficient numbers of professionally trained natural resources management personnel are available to perform the tasks required by the Integrated Natural Resources Management Plan; coordinates annually with all internal and external cooperating offices; and documents specific INRMP action accomplishments undertaken each year.

(e) This INRMP is a Federal Facilities Compliance Agreement.

(2) USAG FW shall:

(a) Coordinate annual reviews of the INRMP with USFWS and ADFG.

(b) Actively request, receive, and use funds for "must fund" projects and activities.

(c) Ensure that sufficient numbers of professionally trained natural resources management personnel are available to perform the tasks required by the INRMP.

(d) Document specific INRMP action accomplishments undertaken each year and provide those accomplishments to USFWS and ADFG.

(e) Develop Fish and Wildlife, Forestry, Wildland Fire, and Threatened and Endangered Species Management Plans (components of the INRMP as well as individual burn plans that include provisions designed to improve wildlife habitat and/or meet specific watershed management objectives.

(3) USFWS shall:

(a) Review the INRMP annually and provide comments.

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(b) Participate in the update of the INRMP not less often than every five years.

(4) ADFG shall:

(a) Review the INRMP annually and provide comments.

(b) Participate in the update of the INRMP not less often than every five years.

c. Inventory and Monitoring of Fish and Wildlife Resources on Fort Wainwright Controlled Lands.

(1) All parties agree: On priorities for monitoring and inventory of fish and game resources on Fort Wainwright Land.

(2) USAG FW shall:

(a) In cooperation with the USFWS and the ADFG, conduct annual monitoring of fish and wildlife resources on Fort Wainwright controlled Army lands according to the priorities identified in the Ecosystem Management Component of the INRMP (Appendix G, Section SA). The inventory will include, but is not limited to, the following areas: location and description of the principal fish and wildlife resources; identification of the principal wildlife species actually or potentially present or migratory within the boundaries of Fort Wainwright lands, the condition of their habitat, and information on population numbers; identification of endangered and threatened species of fish and wildlife and habitat essential to their existence; identification of general population assessments of the principal fish species known to be present or migrating through or within Fort Wainwright lands, and observations regarding the quality of the aquatic habitat; and definition and description of the land and water areas suitable and available for public entry and their potential to support outdoor recreation.

(b) Share inventory and monitoring data with USFWS and ADFG.

(c) Allow representatives of ADFG and USFWS access to training lands to the installation at reasonable times, subject to requirements of military necessity and security, to conduct fish and wildlife monitoring.

(d) Allow representatives of ADFG and USFWS access to restricted airspace above the installation at reasonable times, subject to requirements of military necessity and security, to conduct fish and wildlife monitoring.

(3) USFWS shall:

(a) Provide technical advice and assistance, to the greatest extent possible, to USAG FW for the conduct of an annual fish and wildlife monitoring.

(b) Share inventory and monitoring data with USAG FW and ADFG.

(4) ADFG shall:

(a) Provide technical advice and assistance, to the greatest extent possible, to USAG FW for the conduct of an annual fish and wildlife inventory.

(b) Share inventory and monitoring data with USFWS and USAG FW.

d. Enhancement of Fish and Wildlife Habitat Resources on Fort Wainwright Controlled Lands.

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(1) All parties agree:

(a) To manage habitat on a landscape scale utilizing ecosystem management principles.

(b) That, like fish and wildlife resources, military training has its own habitat requirements, and the two will not be managed exclusively, except where by law (e.g. critical habitat designation under the Endangered Species Act) management of natural species habitat takes precedence. Habitat enhancement areas will be available for use by military training just as military firing ranges will continue to provide habitat for wildlife.

(2) USAG FW shall:

(a) Develop or improve habitat for optimum conditions consistent with the objectives established in the INRMP.

(b) Maintain a minimum of 50 acres of bison food plots on Donnelly Training Area. Over time the location of these food plots may move depending on military requirements and the location of bison.

(c) Avoid, when possible, vegetation clearing activities during 1 May through 15 July for non- military readiness activities to protect migratory bird nesting habitat.

(3) USFWS shall: Provide technical advice and assistance, to the greatest extent possible, to Fort Wainwright for the planning, coordination, and enhancement of wildlife habitat.

(4) ADFG shall: Provide technical advice and assistance, to the greatest extent possible, to Fort Wainwright for the planning, coordination, and enhancement of wildlife habitat.

e. Harvesting of Fish and Wildlife Resources on Fort Wainwright Controlled Lands.

(1) All parties agree:

(a) All hunting, fishing, and trapping on Fort Wainwright lands will be in accordance with federal and state fish and game laws.

(b) A federal waterfowl stamp is required for hunting waterfowl on Fort Wainwright lands as prescribed by federal laws.

(c) Persons hunting or fishing the lands or waters of Fort Wainwright shall be required to obtain special USAG FW Recreational Access Permits unless exempt by USAG FW regulations. At present, there is no cost for these permits, but USAG FW reserves the right to charge for these permits in the future. Any funds derived from the sale of these licenses would be used exclusively for the implementation of the INRMP in accordance with Army regulations and the Sikes Act. Fees charged would be established by the installation in accordance with Army regulations. Persons guilty of violating the requirement for these special licenses may be prosecuted under 10 USC 2671(c).

(d) Persons hunting, trapping, or fishing the lands of Fort Wainwright must purchase state licenses, tags, and stamps as required by ADFG, unless exempt by ADFG regulations. Military personnel on active duty and permanently stationed in Alaska may purchase special fishing and small game licenses at resident prices. Active duty military personnel, not including dependents, may hunt big game without licenses or tags on military lands open to hunting providing they follow ADFG hunting regulations. A harvest ticket is required. Nonresident military hunters (lived in Alaska less than 12 months) stationed in Alaska must purchase nonresident hunting licenses and appropriate big game tags to hunt big game, but the tags will only cost one-half the normal nonresident price.

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(e) Public access for hunting, trapping, and fishing is approved under a system of controls established by USAG FW in cooperation with ADFG. Civilians will be considered on an equal basis with military and Army civilian employees for permits and access to Fort Wainwright lands. Hunting, trapping, and fishing will be allowed only on those areas where there is no conflict with military training activities and no unreasonable safety hazard to participants, military personnel and dependents, or Army civilian employees. Certain areas will be closed to hunting and fishing, including, but not limited to impact areas containing unexploded ordnance and training areas with sensitive electronic equipment. Such areas will be marked as closed on installation hunting maps.

(f) Appropriate Migratory Bird Hunting Stamp(s) is/are required of all individuals 16 years of age or older hunting waterfowl on USAG FW controlled lands. The possession of a special permit for hunting migratory game birds will not relieve the permittees of the requirements of the Migratory Bird Stamp Act, as amended.

(2) USAG FW shall:

(a) Provide all military personnel, their dependents, and civilians every opportunity to harvest fish and wildlife on USAG FW controlled lands. Hunting, trapping, and fishing on USAG FW controlled lands in Alaska will be open to all military personnel, their dependents, and civilians during appropriate legally-established seasons, consistent with military requirements and public safety. All personnel utilizing Army lands will comply with applicable provisions of federal, state, and military fish and game laws and regulations.

(b) Hunting, trapping, and fishing on Fort Wainwright lands will be authorized and controlled by the Garrison Commander in accordance with locally published installation regulations promulgated in compliance with applicable federal and state laws, Army regulations, military requirements, and the Integrated Natural Resources Management Plan.

(c) Provide Army Conservation Officers for hunting, trapping, and fishing law enforcement, as outlined in applicable installation regulations.

(3) USFWS shall:

- (a) Provide enforcement personnel, if requested.
- (b) Establish season and bag limits for harvest of migratory bird species.

(4) ADFG shall:

- (a) Provide enforcement personnel, if requested.
- (b) Establish season and bag limits for harvest of game species.

f. Stocking or Transplanting Fish and Wildlife Resources on Fort Wainwright Controlled Lands.

(1) All parties agree: All proposed introduction or reintroduction of wildlife species will be thoroughly assessed in accordance with the National Environmental Policy Act and associated USFWS requirements to determine the impact on existing fauna and the installation mission.

(2) USAG FW shall:

- (a) Provide annual access to the ADFG for the stocking of fish in designated lakes and streams.

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(3) USFWS shall: Review all requests for stocking or transplanting to ensure there are no impacts to migratory, threatened, or endangered species.

(4) ADFG shall:

(a) Continue to stock Fort Wainwright lakes.

(b) Determine the number and species of fish to be stocked based on angler use trends and fish availability.

(c) Prioritize the lakes and streams designated for stocking.

g. Protection of Fish and Wildlife Resources on Fort Wainwright Controlled Lands.

(1) All parties agree:

(a) That the military mission supersedes natural resources management and such activities must in all instances be compatible with the military mission. However, where there is conflict between the military mission and provisions of the Endangered Species Act, Migratory Bird Treaty Act, State of Alaska fish and game laws, Bald and Golden Eagle Protection Act, or any other law associated with natural resources conservation, such conflicts will be resolved according to statutory requirements.

(b) That military operations and the presence of fish and wildlife resources are not mutually exclusive. Military operations and fish and wildlife resources can occupy the same area (i.e., training area) without a negative effect on either. However, certain species (rare, threatened, or endangered), during seasons when certain fish and wildlife are most sensitive (calving, nesting, spawning) and in sensitive habitats (high function wetlands), additional protections are warranted for the conservation of fish and wildlife resources.

(c) To work cooperatively to avoid conflicts between the military mission and fish and wildlife in such a way that effectively provides conservation for fish and wildlife resources and enables the military mission.

(2) USAG FW shall:

(a) Conduct activities or operations in a way that would not directly adversely impact fish and wildlife resources. Soldiers shall not intentionally target wildlife when conducting firing activities and shall not intentionally harass fish and wildlife (defined here as intentionally driving or flying at fish and wildlife with the intent to move or change their movement).

(b) Minimize the unintentional take of migratory birds during military readiness activities. Migratory Bird Treaty Act prohibits "take" of migratory birds. However, the Department of Defense has been granted an exemption for military readiness activities that allows "unintentional take." This rule authorizes the Department of Defense to take migratory birds associated with military readiness activities, subject to certain limitations. The 2003 National Defense Authorization Act (Public Law 107-314, 116 Stat. 2458, 2 December, 2002, 16 U.S.C. 703 note) required the Secretary of Defense, in consultation with the Secretary of the Interior, to identify ways to minimize, mitigate, and monitor take of migratory birds during military readiness activities and required the Secretary to prescribe, with the concurrence of the Secretary of Defense, a regulation that exempts such activities from the Migratory Bird Treaty Act's prohibitions against take of migratory birds.

(c) This agreement further clarifies military readiness activities to include (1) air and ground maneuver training; (2) live-fire demolition, direct and indirect fire activities; (3) range construction, range upgrade and range maintenance activities which are required for military operational readiness; and (4) those vegetation management activities which directly support readiness activities and Soldier safety such as prescribed burning and mechanical or hand thinning to reduce fire danger in range training areas.

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(d) Minimize activities or operations directly negatively impacting fish and wildlife during sensitive time periods or seasons. USAG FW will notify the ADFG or the USFWS, as appropriate, when USAG FW concludes that the presence of fish and wildlife during these time periods is too low for there to be significant effects from activities or operations.

- Minimize disturbance to bison calving areas on Donnelly Training Area from 15 April to 31 May if bison are present. The Army will minimize disturbance to bison pre-migration areas from 1 July to 31 August if bison are present. The Army will not conduct indirect fire operations within 2,000 meters of bison in the impact area during any time of the year. The Army will not conduct activities or operations within 500 meters of any bison during any time of year to minimize the impacts on bison.

- Minimize activities or operations in Oklahoma Impact Area or Delta Creek Impact Area from 1 May to 31 May for caribou pre-calving, calving, and post calving if caribou are present in significant numbers. The Army will not conduct indirect fire or bombing operations within 8,000 meters of caribou from 1 May to 31 May.

(e) Minimize activities or operations directly negatively impacting fish and wildlife during live fire training.

- Continue to ban the use of any munitions containing white phosphorus in wetlands.
- Never intentionally target or harass wildlife. Any action that disturbs fish and wildlife is considered harassment by federal and Alaska State law. Harassment includes such things as pursuit with vehicles or aircraft, feeding, and shooting of wildlife. Vehicles, watercraft, and aircraft, including helicopters, may not be used to herd/chase wildlife off the ranges or training areas. Individuals who harass fish and wildlife are subject to prosecution.
- Employ safety procedures to prevent the firing of munitions outside military reservation boundaries.
- Dedicated impact areas will remain permanently off limits to maneuver training and to all recreation.
- Implement range training and safety regulations.
- Continue to enforce existing range regulations requiring the use of burn pans during burning of excess propellant charges.
- Limit military operations and outdoor recreational activities in high function wetlands from 1 May to 15 July for migratory bird protection during nesting seasons.

(f) Implement programs designed to minimize impact on fish and wildlife resources and conserve their habitats.

- Continue to implement the most current INRMP. The INRMP contains specific actions to protect, inventory, maintain, and improve wildlife habitat and fisheries resources and protect water quality.
- Continue to implement its natural resources conservation programs and ecosystem management. These programs improve the management of wildlife and fisheries resources and protect water quality.
- Continue to comply with federal and state laws and regulations relating to fish and wildlife conservation and management.

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- Continue to implement existing training support programs such as Integrated Training Area Management, Range and Training Land Assessment, and Land Rehabilitation and Maintenance.

(g) Conduct military activities or operations in such a manner that will not adversely affect the characteristics of unique or sensitive habitats. Designate important or fragile natural areas with special protection status and manage such areas as "special interest areas" for their unique features.

- *Wood River and Clear Creek Buttes*. Buttes near Blair Lakes and along the Wood River have cultural and ecological significance. Many of these buttes have cleared helicopter pads for military training, especially since they are on high, relatively dry ground. These buttes will be placed off-limits to ground and vegetation-disturbing activities with exception of existing helicopter pads.

- *Tanana Flats Migratory Bird Special Interest Area*. The area between Crooked Creek and Willow Creek in the Tanana Flats Training Area harbors undisturbed fen wetlands and significant migratory bird nesting areas. No recreational activities are permitted in this area during 1 May through 15 July. This area presently has no trails and no new trails may be developed in this area.

- *Delta Bison Area*. USAG FW has imposed restrictions to limit disturbance to bison calving areas from 1 April to 31 May, if bison are present. The Army can conduct military activities in these areas if they first consult with ADFG.

- *Sandhill Crane Roosting Area*. USAG FW has imposed restrictions to limit disturbance in sandhill crane areas each year from 25 April through 15 May, and 1 September through 30 September when sandhill cranes are present. The Army can conduct military activities in these areas if they first consult with ADFG.

- *Delta Caribou Calving and Post-Calving Areas*. USAG FW has agreed with ADFG to suspend activities or operations that would adversely affect these areas during 15 May through 31 May without consultation. Restrictions in these areas are in effect only when caribou are present. In addition, to the extent practicable development and military actions in the caribou calving grounds will be conducted under winter conditions when there is sufficient snow cover and the ground is adequately frozen to minimize the damage to vegetation and soils.

(3) USFWS shall:

(a) Identify and describe additional unique or sensitive habitats within Fort Wainwright lands. USAG FW must provide concurrence before any additional areas could be established.

(b) Identify the types of activities of operation that may be harmful or have significant adverse effects on unique or sensitive habitats for species for which they have been designated.

(c) Identify the time periods or seasons when activities or operations should be restricted in order to protect wildlife species.

(4) ADFG shall:

(a) Identify and describe additional unique or sensitive habitats within Fort Wainwright lands. USAG FW must provide concurrence before any additional areas could be established.

(b) Identify the types of activities of operation that may be harmful or have significant, adverse effect on unique or sensitive habitats for species for which they have been designated.

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(c) Identify the time periods or seasons when activities or operations should be restricted in order to protect wildlife species.

(d) Coordinate with USARAK Range Control regarding areas used by caribou and bison.

h. Control of Invasive, Nuisance and Feral Fish and Wildlife Resources on Fort Wainwright Controlled Lands.

(1) All parties agree:

(a) To work cooperatively to prevent the introduction of invasive species, to provide for their control, and to minimize the economic, ecological, and human health impacts that invasive species may cause.

(b) No exotic species of fish or wildlife will be introduced on Fort Wainwright lands without prior written approval of USAG FW, ADFG, and the USFWS.

(c) The Installation Pest Management Plan and the INRMP serve as nuisance species (i.e., mew gull) management plans for the purpose of obtaining depredation permits.

(d) Make recommendations and develop procedures, as necessary, for joint management of nuisance or problem wildlife.

(e) Dispatch of nuisance or problem animals may only be done with the concurrence of ADFG. Dispatch of nuisance animals is a last resort situation. Other possible alternatives include aversive conditioning and relocation. Dispatch should be considered for animals which are aggressive with people or for animals with an extensive history of garbage or nuisance behavior. Decisions concerning relocation or dispatch of nuisance animals should be made on a case-by-case basis considering the individual animal's past history.

(2) USAG FW shall:

(a) Monitor invasive species populations, and track the presence and status of invasive species over time to determine when control measures are necessary and to evaluate the effectiveness of prevention, control/eradication, and restoration measures.

(b) Give priority to invasive species management actions, including actions to restore native species habitat conditions in ecosystems that have been invaded that support the installation's primary military mission.

(c) Plan actions to address invasive species that are consistent with management objective in this INRMP and undertaken only after appropriate review under National Environmental Policy Act as implemented by 32 CFR 561.

(d) Obtain a depredation permit from the USFWS before any intentional take of migratory birds protected by the Migratory Bird Treaty Act. Under the Migratory Bird Treaty Act it is unlawful "by any means or manner, to pursue, hunt, take, capture or kill" any migratory bird except as permitted by regulation (16 U.S.C. 703-704). Regulation (50 CFR 21.11) prohibits the take, possession, import, export, transport, sale, purchase, barter, or offering of these activities, except under a valid permit or as permitted in the implementing regulations. Where the purpose of an installation action is to intentionally and directly take any migratory bird species (e.g., eradicate nuisance birds; clear nesting, adding eggs), the installation must apply for and obtain a depredation, special purpose, or scientific collection and education permit or other regulatory authorization from the USFWS prior to taking action(s) and record any birds purposefully and intentionally taken under the permit and provide an annual report to the USFWS.

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(e) Minimize the need to intentionally take nuisance wildlife (mammals, birds, insects) by implementing best management practices (as listed in Installation Pest Management Plan and Appendix G, Integrated Natural Resource Management Plan and) that deter presence in human conflict areas.

(f) Obtain depredation permits from ADFG before removing any nuisance mammals.

(3) USFWS shall:

(a) Evaluate depredation permit applications and issue depredation permits for migratory birds in accordance with the Migratory Bird Treaty Act.

(b) Provide technical assistance and support to USAG FW to minimize the need to intentionally take nuisance wildlife through the application of best management practices.

(4) ADFG shall:

(a) Evaluate depredation permit applications and issue depredation permits for animals in accordance with the State of Alaska law. Approve/disapprove requests for relocation or dispatch of problem animals.

(b) Provide technical assistance and support to USAG FW to minimize the need to intentionally take nuisance wildlife through the application of best management practices.

(c) Ensure animal safety and protection of public safety.

i. Protection of Public Access on Fort Wainwright Controlled Lands

(1) All parties agree:

(a) Consistent with the use of military installations to ensure the preparedness of the Armed Forces, the INRMP provides for sustainable use by the public of natural resources to the extent that the use is not inconsistent with the needs of fish and wildlife resources, subject to requirements necessary to ensure safety and military security.

(b) Fort Wainwright lands shall be made available to the public for educational or recreational use of natural and cultural resources when such access is compatible with military mission activities, ecosystem sustainability, and with other considerations such as security, safety, and fiscal soundness. Opportunities for such access shall be equitably and impartially allocated.

(c) Access by recreational users will be within manageable quotas, subject to safety, military security, threatened or endangered species restrictions, and the capability of the natural resources to support such use; and at such times as such access can be granted without bona fide impairment of the military mission, as determined by the USAG FW commander.

(2) USAG FW shall:

(a) Determination of the extent of equitable military and non-military access to be authorized for purposes of participation in the harvest and enjoyment of fish and wildlife resources on USAG FW controlled lands subject to the limitations and considerations of military security, safety, and mission objectives.

(b) Issue Recreational Access Permits to ensure accountability, safety and continued access to recreational users on Fort Wainwright lands.

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(c) Manage recreational access through use of the USARTRAK check-in-check out system.

(d) In order to insure continued public use and to prevent unnecessary damage to fish and wildlife habitats, USAG FW will neither expand existing contaminated areas nor create new ones. This provision may be waived in the event of compelling needs and upon completion of environmental documentation. Contaminants are defined as dud-producing explosives, toxic substances, and other materials which would preclude public access to those lands, but do not include non-dud producing small arms ordnances.

(3) USFWS shall: Provide technical advice and assistance, to the greatest extent possible, to USAG FW for the protection of public access and fish and wildlife resources on Fort Wainwright lands.

(4) ADFG shall: Provide technical advice and assistance, to the greatest extent possible, to USAG FW for the protection of public access and fish and wildlife resources on Fort Wainwright lands.

j. Control of Off-Road Traffic on Fort Wainwright Controlled Lands

(1) All parties agree:

(a) Army is a trustee of public lands and has a responsibility to protect and enhance environmental quality, conserve natural resources, and provide opportunities for outdoor recreation. However, it must be recognized that land under Army control was acquired solely for national defense purposes. Other uses are, therefore, secondary to mission needs.

(b) Off-road recreational vehicles are used in association with many activities in the Alaskan Interior. These vehicles are used to access hunting, fishing, and trapping areas, for recreational riding and for other activities.

(c) All land and water areas will be closed to off-road recreational use by motorized off-road recreational vehicles and watercraft except those areas and trails which are determined suitable and specifically designated for such under the procedures established in the INRMP.

(d) Areas not available for off-road recreational use include areas restricted for security or safety purposes, such as explosive ordnance impact areas, areas containing geological and soil conditions, flora or fauna, or other natural characteristics of fragile or unique nature, which would be subject to excessive or irreversible damage by use of off-road recreational vehicles, areas where the use by a type or types of off-road recreational vehicles would cause unequivocal and irreversible damage or destruction as a result of such use, areas that are key fish and wildlife habitats, as identified under environmental consideration, areas that contain archeological sites, historic sites, petroglyphs, pictographs, or areas set aside for their scenic value, and areas in which noise would adversely affect other uses or wildlife resources.

(e) Off-road traffic includes both off-road recreational vehicles and motorized watercraft. Off-road recreational vehicles include snow machines, dirt bikes, four-wheelers, swamp buggies, civilian use small unit support vehicles and four-wheel drive vehicles. The use of three-wheeled off-road recreational vehicles is not allowed anywhere on Fort Wainwright lands. Motorized watercraft includes all boats with some type of motor attached, which includes jetboats, riverboats, and airboats.

(2) USAG FW shall:

(a) Manage for a number of different types of public recreational use, including off-road traffic. All areas that are determined open for recreational use may be closed temporarily during periods of military use. All users must daily check in through USARTRAK to determine if areas are open to

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recreational use. USAG FW uses the following classification system to describe recreation areas on the installation.

- *Open Use Area*: Open to all types of off-road recreational vehicles. Open to all other recreational activities year-round during frozen conditions (6+ inches of snowcover) there are no restrictions for any off-road recreational vehicles. During unfrozen summer conditions, off-road recreational vehicles over 1,500 lbs (road vehicles, dune buggies, Argo's, small unit support vehicles, etc.) must stay on existing roads and trails. No restrictions for off-road recreational vehicles under 1,500 lbs (all-terrain vehicles, snowmachines, dirt bikes, etc.). Motorized watercraft must stay within existing open water channels.

- *Modified Use Area*: Open to all types of off-road recreational vehicles. No restrictions for any off-road recreational vehicles when soil is frozen. All off-road recreational vehicles must stay on existing roads and trails during the summer. Motorized watercraft must stay within existing open water channels. Open to all other recreational activities year-round.

- *Limited Use Area*: Open to all non-motorized recreation (hunting, fishing, trapping, hiking, skiing, and berry picking) year-round but are not open to any type of off-road recreational vehicle at any time. Motorized watercraft must stay within existing open water channels.

- *Special Use Management Area*: An area managed for recreational use under specific rules that apply only to that area (i.e., Tanana Flats Training Area Airboat Special Use Management Area).

- *Closed Area*: Closed to all recreational activities year-round. Airfields, Tank Farm, Landfill, Small Arms Ranges, Impact Areas, Ammunition Storage Point.

(b) USAG FW will manage Tanana Flats Training Area as an "open use area" except for the impact areas, which are always "closed use areas." In addition, the INRMP proposes to apply specifically tailored rules to newly created Tanana Flats Training Areas 202 and 203 (bordered by Salchaket Slough, Willow Creek, Tanana River, and Bonfield Trail). These training areas would be open to airboats and other motorized watercraft with no restrictions between 15 August and 1 April each year. Between 1 April and 15 July, training areas 202, 203 and 204 would be off limits to all off-road recreational vehicles, including airboats and other motorized watercraft. Between 15 July and 15 August, access into the lower fen (Training Area 202) and upper fen (Training Area 203) would be managed separately based on water levels. Access into Training Area 204 would remain closed to all motorized vehicles from 1 April to 30 October. Access into all other training areas during this time would remain open. This proposed policy does not affect rules and regulations for hunting, trapping or fishing. This proposed policy would apply to all recreational users, but does not apply to military training or other official use.

(c) Monitor recreational use to evaluate recreational impacts to ensure recreational use is not negatively affecting sensitive natural or cultural resources.

(3) USFWS shall: Provide technical support for the management of off-road traffic.

(4) ADFG shall: Provide technical support for the management of off-road traffic.

k. Natural Resources Law Enforcement on Fort Wainwright Controlled Lands

(1) All parties agree:

(a) USAG FW has primary law enforcement responsibility on Fort Wainwright lands.

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(b) Many aspects of natural resources management require effective enforcement if they are to be successful. Such features as harvest controls, protection of sensitive areas, pollution prevention, hunting and fishing recreation, non-game protection, and others are dependent upon effective law enforcement.

(c) Enforcement of laws primarily aimed at protecting natural resources and outdoor recreation activities are an integral part of the installation's natural resources management program. Game laws must be implemented in accordance with Alaska and federal laws and as approved by the USAG FW Commander in the INRMP.

(d) Effective law enforcement is critical to natural resources conservation and the continuance of hunting, trapping, and fishing programs on a sustained basis.

(e) USAG FW conservation officers have concurrent jurisdiction.

(2) USAG FW shall: Provide sufficient and qualified Army conservation officers for hunting, trapping, and fishing law enforcement, as outlined in the INRMP and applicable installation regulations.

(3) USFWS shall: Provide enforcement personnel, if requested.

(4) ADFG shall: Provide enforcement personnel, if requested.

6. Financial Provisions

a. Services provided by the USAG FW, USFWS, and Alaska Department of Fish and Game, insofar as possible, will be provided on a non-reimbursable basis. Any expected reimbursement is to be specifically approved and funded prior to the service being provided.

b. Reimbursement will be provided through a mutually agreed upon funding document.

c. This Memorandum of Agreement can be used as a sole source justification in the development of a funding document. The Sikes Act outlines priorities for contracting natural resource management projects that can be separated from management, planning, or enforcement. When entering into contracts for services that implement natural resource management objectives or enforce natural resources laws (that is, wildlife management and endangered species plans and surveys), priority will be given to contracts with federal, state, and local agencies with responsibility for natural resources conservation. Natural resources support services may be obtained non-competitively through contracts with federal and state agencies.

7. Effective Date:

a. This agreement becomes effective upon the date of last signature. It will remain in effect until revised/superseded or terminated in writing.

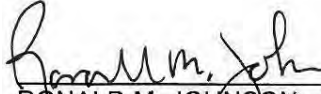
b. This agreement will be reviewed every five years or sooner if changing conditions or circumstances warrant ensuring that its terms, provisions, and intent are current.


c. This agreement may be modified or terminated at anytime with the consent of all parties, or unilaterally terminated when the initiator provides 180 days written notice to the other parties.

8. Supersession: This agreement supersedes AK-MOA-250 between USARAK, USFWS and ADFG.

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9. Point of contact for this MOA is the USAG FW, Resource Management Office, ATTN: Manpower/Agreements Branch at (907) 353-7679/7676.


RONALD M. JOHNSON
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20 Apr 13
(DATE)

June 4, 2013
(DATE)


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