

DECISION RECORD
and
FINDING OF NO SIGNIFICANT IMPACT

I. Decision:

It is my decision to issue Bering Straits Native Corporation, d/b/a Kigluaik Adventures, a Special Recreation Permit authorizing it ingress and egress into federally *administered* public lands within the Kigluaik Mountain Range on Alaska's Seward Peninsula. The period of operations is to begin on February 1st and may continue for so long as there remains one foot of snow pack and one foot of ground frost throughout the area of operations; but, in no event is the period of operations to extend into spring breakup.

Should Kigluaik Adventures engage in operations in 2009, such operations shall be limited to 225 visitor days. The 225 visitor use days are equivalent to three excursions into the field of five day duration each with 8 clients and 7 support personnel on each excursion, (3 X 5 X (8 +7)) = 225. For permitting purposes, 2009 will not constitute the first full year of operations.

In conformance with BLM-Alaska's Kobuk-Seward Peninsula Resource Management Plan there shall be no limitation on visitor use days during permit years subsequent to 2009.

The purpose of the permit is to allow Kigluaik Adventures the opportunity to engage in Snow-cat operations that will facilitate touring and skiing in the Kigluaik Mountains.

Permit renewal after the 2010 period of operations is contingent upon a written request for permit renewal by Kigluaik Adventures, a 30% reduction of Kigluaik Adventure's proposed routing, and the absence of any land, resource, or environmental degradation directly attributable to Kigluaik Adventures' operations within the Kigluaik Mountains.

II. Rationale for the Decision:

As Kigluaik Adventures intends to engage in Snow-cat tours and skiing operations on public lands for financial gain, the Secretary of the Interior is required to manage such use as a *specialized recreational use* through the issuance of a Special Recreation Permit.

BLM-Alaska's Kobuk-Seward Peninsula Resource Management Plan, dated July 25, 2008, identifies the Kigluaik Mountains as a Special Recreation Management Area/Zone with a management goal of "... improv[ing] access to appropriate recreation opportunities, ensur[ing] a quality outdoor experience and enjoyment of natural and cultural resources, and provid[ing] for and receiv[ing] fair value in recreation." The Plan further provides that "The Kigluaik Mountains ... will be identified as a SRMA (290,000 acres; 281,000 acres selected lands) ... [and is presently identified as a] ... Recreation Management Zone (RMZ)"

The management direction for the Kigluaik Recreation Management Zone provided in the plan includes the following prescriptions:

- Manage as “semi-primitive motorized”¹ and “roaded natural” under the Recreational Opportunity Spectrum [system of recreation classifications].²
- No limits on visitor use days.

The Kobuk-Seward Peninsula Resource Management Plan also designates a substantial portion of the Kigluaik Mountains as an Area of Critical Environmental Concern, Mount Osborn ACEC for scientific reasons due to the presence of genetically isolated Arctic char in many of its lakes. As a consequence of this designation the Plan provides that the ACEC is “limited” for off-highway vehicle use. “Limited” is defined as OHV use consistent with the State of Alaska’s current Generally Allowed Uses regulations. The State’s Generally Allowed Uses regulations require a State permit to operate off-highway vehicles off of the road system where such vehicle exceeds 1,500 pounds.

The Alaska Department of Natural Resources, Division of Mining, Land and Water has issued Bering Straits Native Corporation, d/b/a Kigluaik Adventures permits for “Cross Country Travel via tracked vehicles.”

The proposed action is in conformance with the Kobuk-Seward Peninsula Resource Management Plan.³

III. Finding of No Significant Impact (FONSI):

As it is anticipated that the period of operations will be limited to:

1. the spring of each year and
2. will not extend into spring breakup,

and ground cover will consist of

3. a minimum of one foot of snow pack and one foot of ground frost and
4. substantial ice formation (a factor of feet) upon all water bodies

throughout the area of operations, I have determined, based on the analysis of potential environmental impacts contained in the attached environmental assessment, that the impacts associated with the proposed action are not expected to be significant and an environmental impact statement is not required.

IV. ANILCA Section 810 Compliance:

The decision will not significantly restrict subsistence uses, decrease the abundance of

¹ Area is characterized by a predominantly natural or natural-appearing environment of moderate to large size. Concentration of users is low, but there is often evidence of other users. The area is managed in such a way that minimum on-site controls and restrictions may be present but are subtle. Motorized use is permitted. *Introduction to Recreation and Leisure*, Human Kinetics (organization), Kinetics Human 2006, Page 322.

² A system for planning and managing recreation resources that categorizes recreation opportunities into three classes: semi-primitive, roaded natural, and rural. A tool commonly used by federal land management agencies to determine the level of development, the types of facilities that are appropriate, and the type of recreational opportunities that one will experience. Six recreation opportunity classes have been developed: primitive, semiprimitive nonmotorized, semiprimitive motorized, roaded natural, rural, and urban.

³ 43 C.F.R. § 1610.8(a)(3) (2006)

subsistence resources, alter the distribution of subsistence resources, or limit subsistence user access from currently existing conditions. No further analysis is necessary at this time.

V. Adverse Energy Impact Compliance:

This action has been analyzed as required by Washington Office Instruction Memorandum 2002-053 to determine if it will cause an adverse impact on energy development. The action will not have an adverse direct or indirect impact on energy development, production or distribution. The preparation of a Statement of Adverse Energy Impact is not required.

_____/s/_____
James M. Fincher
Anchorage Field Manager

4/16/2009
Date