

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

Anchorage Field Office
4700 BLM Road
Anchorage, Alaska 99507

Eli Fierer – Alaska Mountain Guides
AA-081925
DOI-BLM-AK-A010-2012-0023-DNA

DECISION RECORD

Decision

It is my decision to reauthorize the Special Recreation Permit (SRP) to Eli Fierer of Alaska Mountain Guides described in the *Alaska Mountain Guide Environmental Assessment (2000)*, Proposed Action Alternative (AK-040-00-05) with the following exceptions:

- 1) This SRP will be issued for a one-year term, renewable upon written request annually from the permittee and following successful compliance with permit conditions and stipulations.
- 2) This SRP would allow for course and/or tour durations of 2-12 days.

The mitigation measures, conditions, and stipulations of the SRP are attached.

A Finding of No Significant Impact (FONSI) was prepared in 2000 documenting that the selected alternative, initial authorization of an SRP to Alaska Mountain Guides for summer landings, would have no significant effects. Given that the current Proposed Action, reauthorization of the SRP, is essentially the same as the alternative selected in 2000, the preparation of a new FONSI is not necessary. The 2000 FONSI indicates that the current Proposed Action has been analyzed in an EA and has been found to have no significant environmental effects. Therefore, an Environmental Impact Statement is not required and will not be prepared.

Rationale for the Decision

Since the 2000 Decision Record on the initial SRP authorization, the Anchorage Field Office has completed the Ring of Fire Resource Management Plan (RMP) and Record of Decision (ROD) (BLM 2008). The No Action Alternative would not fulfill the RMP decision to provide commercial recreation opportunities where consistent with area objectives (ROD, p. 10).

Therefore, my decision to select the Proposed Action Alternative, with the two exceptions noted above, is based on the rationale that reauthorization of the SRP best fulfills the RMP decisions by providing opportunities for commercial recreation consistent with area objectives, managing commercial recreation activities to maintain the quality of user experiences, avoiding adverse effects on wildlife resources, and minimizing disturbance to adjacent communities.

ANILCA Section 810 Compliance

The proposed action will not result in a significant restriction in abundance, availability, or access of harvestable resources used for subsistence purposes.

Adverse Energy Impact Compliance

This action has been analyzed as required by Washington Office Instruction Memorandum No. 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.

Lands with Wilderness Characteristics

The proposed action has been reviewed for wilderness characteristics and was found to contain at least one condition for meeting lands with wilderness characteristics. The mitigation measures, stipulations and conditions attached to this authorization will ensure existing wilderness characteristics, such as size, naturalness, solitude, and opportunities for primitive and unconfined recreation, will not be impaired.

Consultation and Coordination

Internal scoping was conducted by the Anchorage Field Office staff and included threatened and endangered species, cultural clearances and ANILCA 810 analysis.

Compliance and Monitoring Plan

Compliance and monitoring of this authorization will be conducted by the BLM Anchorage Field Office. Inspections and annual performance evaluations shall be documented and saved within the case file for this authorization.

**Case File No: AA-081925
DOI-BLM-AK-A010-2012-0023-DNA**

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

_____/6/1/2012_____
Date

Determination of NEPA Adequacy (DNA)
U.S. Department of the Interior
Bureau of Land Management

OFFICE: Anchorage Field Office

ENVIRONMENTAL DOCUMENT NUMBER: DOI-BLM-AK-A010-2012-0023-DNA

CASEFILE NUMBER: AA-081925

PROPOSED ACTION TITLE/TYPE: Commercially guided recreation

LOCATION/LEGAL DESCRIPTION:

Copper River Meridian, Haines, Alaska
T. 32 S., R. 58 E.,
Sections 1-36.

APPLICANT: Eli Fierer – Alaska Mountain Guides

A. Description of the proposed action and any applicable mitigation measures:

The proposed action is to reauthorize an expired Special Recreation Permit (SRP) for commercially guided mountaineering adventures and treks (alpine hiking, glacier trekking, skiing, ice and rock climbing) on Bertha and Davidson Glaciers via fixed-wing aircraft (Cessna 185 wheel/ski planes) during summer months within the Haines planning area. Mitigation measures for the proposed action (reauthorization) are included within in the attached Special Stipulations for Alaska Mountain Guides. The current proposed action is identical to the proposed action alternative evaluated in the *Alaska Mountain Guides Environmental Assessment* (2000), with one exception: the current proposed action would allow for course and/or tour durations of 2-12 days (versus 2-8 days).

B. Land Use Plan (LUP) conformance:

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

The BLM-Alaska's Ring of Fire Resource Management Plan (RMP) includes the goal to *provide opportunities for commercial recreation consistent with the area objectives for recreation management (page Record of Decision 10)*. The RMP also includes the primary management objective to *manage commercial recreation activities to maintain the quality of user experiences, avoid adverse effects on wildlife resources, and minimize disturbance to adjacent communities*.

C. Identify applicable NEPA documents and other related documents that cover the Proposed Action.

- EA AK-040-00-005, Alaska Mountain Guides; March 2000
- EA AK-040-95-015, Helicopter Glacier Tours; May 1995

D. NEPA Adequacy Criteria

- 1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Yes. The new proposed action is similar to the action analyzed in the EA for Alaska Mountain Guides in 2000. The type of commercial recreation use, number of participants, geographic area and dates of use are the same. The duration of courses and tours however would change from 2-8 consecutive days to 2-12 consecutive days. This change is not considered a substantial difference to the proposed action alternative analyzed in the 2000 NEPA document due to the fact it would create a minimal amount of additional solid human waste and trash and no additional flights via fixed-wing aircraft would be needed.

- 2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current Proposed Action, given current environmental concerns, interests, and resource values?**

Yes. The range of alternatives analyzed is appropriate given current environmental concerns. The analysis of impacts and alternatives in the 2000 EA considered current information on *wildlife*, *recreation* and *socio-economic* resources with respect to conducting guided mountaineering adventures and treks on BLM lands near Haines. The 1995 EA discusses wildlife habitat and issues specific to the glaciers in the Takhinsha Mountains, which are the primary landing areas for Alaska Mountain Guides. The new proposed action involving Alaska Mountain Guides would still utilize the expansive flat areas at the very head of tributary glaciers. The range for mountain goat habitat within the Haines planning area is known to be normally restricted to steep and broken mountain ranges and not on glaciers. Therefore, there are no new issues or concerns that would prompt development or consideration of additional alternatives.

3. **Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Yes, the existing analysis is still valid. No new information or circumstances pertaining to summer uses have arisen since the EA was published in 2000 that would affect the applicability of the past analysis. The environmental consequences section regarding wildlife, recreation, and socio-economics was appropriate and adequate for the new proposed action.

This analysis assumes the continuation of current SRP stipulations, or terms and conditions, for authorized aviation operations on BLM land within the Haines planning area, which were reviewed and updated in 2012. These conditions include restrictions intended to reduce potential impacts to wildlife, in general, as well as goat use patterns when dispersing to and/or occupying kidding habitat or high quality forage sites (see attached Special Stipulations).

Additionally, the new proposed action has been analyzed for conformance with recent guidance for lands with wilderness characteristics (LWC). In 2012, an LWC inventory was completed for the Haines planning area and it was determined that the area contains wilderness characteristics. Since the new proposed action is limited in scope and there will be neither permanent construction nor any land disturbing activities, the proposed action may temporarily impact but not impair wilderness characteristics of the area with adherence to the attached Special Stipulations.

4. **Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes. Resource concerns and impacts are substantially the same as those addressed in the 2000 EA, and would be mitigated by the Special Stipulations as identified for this proposed action. The 2000 EA included an analysis involving up to 50 aircraft landings for a maximum of 300 people during the use season, which is identical to the new proposed action. Quantitatively, the new proposed action would extend trip duration by up to four additional consecutive days,

which would not substantially increase any direct, indirect, and cumulative effects that were analyzed in the 2000 EA.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current Proposed Action?

Yes. Preparation of the 2000 EA included consultation with several government agencies, communities and organizations, as identified within the environmental document.

During the scoping meetings for EA-AK-040-95-015, specific areas were identified by the public where the impact of aircraft noise could adversely affect recreationists. The proposed action does not include any of these areas. There are still no known hiking trails to the snow fields and glaciers involving the new proposed action.

In addition, public participation was accomplished through the development of the Ring of Fire RMP which anticipated routine land authorizations in accordance with Title III of FLPMA. Internal scoping was also conducted for the RMP by Anchorage Field Office staff and included threatened and endangered species, cultural clearances and ANILCA 810 analysis.

E. Persons/Agencies/BLM staff consulted:

<u>Name</u>	<u>Title</u>	<u>Agency Represented</u>
Jenny Blanchard	Archeologist	BLM
Bruce Seppi	Wildlife Biologist	BLM
Sarah Bullock	Wildlife Biologist	BLM
Molly Cobbs	NEPA Coordinator	BLM
Doug Ballou	Resources Manager	BLM
Jeff Kowalczyk	Outdoor Recreation Planner/Project Lead	BLM

Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

_____/s/
James M. Fincher

Date 6/1/2012

Anchorage Field Manager

Attachment 1

Special Stipulations for Alaska Mountain Guide (summer use at Bertha and Davidson Glaciers)

SPECIAL STIPULATIONS
For
ALASKA MOUNTAIN GUIDES
SPECIAL RECREATION PERMIT #AA-081925

For all stipulations, it is recognized that exceptions may be made for safety. Aircraft and passenger safety will take precedent over these stipulations.

1. All operations will maintain a 1,500 foot clearance of key mountain goat areas, mountain goats, sensitive bird nesting sites, brown and black bears, wolves, moose, sea lions, and other marine mammals. Steepness (degree in slope) and roughness (outcrops and spur ridges) affect the ratio of elevation to horizontal distance significantly. Attempts should be made to maximize distance between ground and habitats or animals wherever possible. Flight routes over near level terrain will maintain a minimum of 1,500 feet above ground level and at least 1,500 feet horizontal distance from wildlife habitat features described above. Pilots are not expected to compromise safety when weather conditions indicate the 1,500 foot minimum cannot be met.
2. Flight paths will avoid known mountain goat kidding areas from May 15 through June 15. If goats are observed on rock islands, landing areas must be located a minimum of one mile from the observed goat activity.
3. All authorized operations will adhere to U.S. Fish and Wildlife Service (USFWS) recommendations regarding eagle nests.
 - a. Maintain established travel routes, but avoid any eagle nest by at least $\frac{1}{4}$ mile (1,320 feet).
 - b. Aircraft must avoid circling any eagle nest.
4. Authorized operators shall not circle or harass wildlife in any way. This refers particularly to mountain goats, wolves, bears, eagles, sea lions, and other marine mammals, but includes all wildlife species.
5. All flights shall operate within designated flight corridors and elevation restrictions.
6. All authorized operators will assure that their operations meet Federal Aviation Administration (FAA) requirements to achieve safe air operations (routing, airspace separation and coordination with other operators).

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7. All authorized operators will be required to submit and abide by a Safety and Operating Plan which will be approved by the BLM and will be a part of the Special Recreation Permit. The FAA may review these submissions.
8. Operation hours will be between the hours of 8:00 a.m. and 7:30 p.m.
9. The authorized use period is from May 15th through August 15th for an annual maximum of 300 clients.
10. A temporary 12 foot by 16 foot weather port on Davidson Glacier is authorized to serve as a base camp for courses in the area. The weather port will be placed on plywood and beam floor and used for cooking and classroom purposes only. All human waste and litter shall be flown out with each return flight to Haines. The weather port, including flooring, shall be flown out at the end of the authorized use period.
11. The four authorized landing locations for fixed-wing aircraft are identified on the attached map.
12. Courses and tours will occur no more than twelve consecutive days in the vicinity of Davidson and Bertha Glaciers. Maximum group size will be 10 clients.
13. This permit does not authorize the storage of fuel on BLM lands.
14. The Authorized Officer (AO) may suspend or modify an SRP, including adaptive management strategies, if necessary to protect public resources, health, safety, or the environment or as a result of non-compliance with permit stipulations.