



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Glennallen Field Office
P.O. Box 147
Glennallen, Alaska 99588
<http://www.blm.gov/ak>

Special Recreation Permit for Peter Mayer DBA Alpenglow Guiding Categorical Exclusion, DOI-BLM-AK-A020-2012-0017-CX

Case File, AA093207

DECISION RECORD

Decision

It is my decision to implement the proposed action as described in the attached Categorical Exclusion documentation, DOI-BLM-AK-A010-2012-0017-CX.

The proposed action has been reviewed by Glennallen Field Office staff and appropriate stipulations, as specified, will be incorporated during project implementation. Based on the attached Categorical Exclusion review, I have determined that the proposed action involves no significant impact to the human environment and no further analysis is required.

Appeal Opportunities

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR § 4. To appeal you must file a notice of appeal at the BLM Glennallen Field Office, P.O. Box 147, Milepost 186.5 Glenn Highway, Glennallen, Alaska 99588, within 30 days from receipt of this decision. The appeal must be in writing and delivered in person, via the United States Postal Service mail system, or other common carrier, to the Glennallen Field Office as noted above. *The BLM does not accept appeals by facsimile or email.* 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 FR 4939, January 19, 1993) 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. Except as otherwise provided by law or other pertinent regulation, a petition for a stay of decision pending appeal shall show sufficient justification based on the following standards: (a) The relative harm to the parties if the stay is granted or denied, (b) The likelihood of the appellant's success on the merits, (c) The likelihood of immediate and irreparable harm if the stay is not granted, and (d) Whether the public interest favors granting the stay.

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 Office of the Solicitor (see

43 CFR § 4.413); Office of the Regional Solicitor, Alaska Region, U.S. Department of the Interior, 4230 University Drive, Suite 300, Anchorage, Alaska 99508; 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.

/s/ Beth Maclean
Beth Maclean
Glennallen Field Manager

7/24/2012
Date

Attachments

Categorical Exclusion, DOI-BLM-AK-A020-2012-0017-CX
Permit stipulations



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A. BACKGROUND

Project Name / Type: 2930 Issuance of Special Recreation Permit

NEPA Register Number: DOI-BLM-AK-A020-2012-0017-CX

Case File Number: AA093207

Location / Legal Description:

Unencumbered BLM lands:

Sections 2-36, T. 1 N., R. 3 W.,
Sections 1-6, T. 1 S., R. 1 W.,
Sections 16, 21, 28 and 33, T. 2 S., R. 1 E.,
Sections 5, 8, 17, 20, and 34 T. 3 S., R. 1 E.,
Sections 3-5, 8-10, 14-17, 21-27 and 34-36, T. 4 S., R. 1 E.,
Sections 30-31, T. 4 S., R. 2 E.,
Sections 1-2, 11-14, 22-28, and 31-34, T. 5 S., R. 1 E.,
Sections 5-8, and 18-19, T. 5 S., R. 2 E.,
Sections 13, and 24-25, T. 6 S., 1 W.,
Sections 4-8, 17-20, and 29-33, T. 6 S., R. 1 E.,
Sections 13-14, 22-27, and 31-36, T. 7 S., R. 1 W.,
Sections 4-9, and 17-20, T. 7 S., R. 1 E.

State Selected only:

Sections 25 and 36, T. 1 N., R. 5 W.,
Sections 20, 28-29 and 32-33, T. 1 N., R. 4 W.,
Sections 20, 28-29 and 32-33, T. 1 S., R. 4 W.,
Sections 7-36, T. 1 S., R. 1 W.,
Sections 1-5, and 8-12, T. 2 S., R. 5 W.,
Section 3, T. 2 S., R. 1 E.,
Section 9, T. 2 S., R., 2 E.,
Sections 7, and 18-20, T. 3 S., R. 4 W.,
Sections 19-20 and 29-32, T. 3 S., R. 3 W.,
Sections 4-5, 8-11, 14-17, and 20-23, T. 3 S., R. 4 E.,
Sections 5-8, and 17-20, T. 4 S., R. 3 W.,
Sections 12-13, and 24, T. 4 S., R. 2 W.,

Sections 7, and 18, T. 4 S., R. 1 W.,
Sections 16-21, and 28-33, T. 4 S., R. 3 E.,
Sections 22-23, and 26-27, T. 5 S., R. 1 W.,
Sections 3-4, T. 5 S., R. 1 E.,
Sections 10-15, and 22-24, T. 5 S., R. 4 E.,
Sections 3-5, 8-10, and 12, T. 6 S., R. 1 W.

Applicant (if any): Peter Mayer, DBA Alpenglow Guiding

Description of Proposed Action:

Registered Guide Peter Mayer, doing business as Alpenglow Guiding, has submitted an application for a Special Recreation Permit (SRP) to conduct guided hunting on portions of land administered by the Bureau of Land Management, Glennallen Field Office. Mr. Mayer is a current registered hunting guide with the State of Alaska and would like to include lands that are currently under BLM administration. All activities would be in accordance with State of Alaska hunting regulations. If the BLM approves this permit, the permittee shall be issued an initial one-year probationary authorization.

Activities would take place between May 1st and October 31st each year in line with dates defined in the current Alaska Department of Fish and Game regulations. The target species are brown bear, black bear, mountain goat and Dall sheep. A typical hunt will last from 7 to 10 days with a maximum of six clients per season at varying locations. Trash will be packed out and human waste buried in appropriate manner. "Leave No Trace" camping techniques are utilized on all trips. The access for the proposed use areas is by foot, boat, or float plane. All camps would be temporary tent sites and would be completely removed after each trip. No onsite storage or caching of supplies would be permitted.

B. LAND USE PLAN CONFORMANCE

Applicable Land Use Plan: East Alaska Resource Management Plan (EARMP) and Record of Decision (ROD), September 2007

The proposed action is in conformance with the plan even though it is not specifically provided for because it is clearly consistent with the following planning decisions (EARMP ROD, p. 35):

M. Recreation

M-1: Goal

Manage recreation to maintain a diversity of recreational opportunities.

M-2: Allocations

Manage the following five areas as designated Special Recreation Management Areas (SRMA) and manage them according to the specified recreational emphasis outlined below. Allowable uses or limitations not described below (such as those for Lands and Realty) can be found in the tables in Appendix A of the East Alaska Proposed RMP/Final EIS or in the Lands and Realty section of this Approved Plan.

4. Tielke Area

See Map 12, page 74. This area consists predominantly of State-selected lands, although there is some Native-selected land as well. This section describes two management scenarios: interim describes management of State- and Native-selected lands in the area until conveyance occurs, and long-term describes management of the lands if they are retained in long-term Federal ownership.

C. CATEGORICAL EXCLUSION

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with United States Department of the Interior 43 CFR 46.210 or United States Department of the Interior Manual, Part 516, Chapter 11, which provides:

H.1: Issuance of Special Recreation Permits for day or overnight use up to 14 consecutive nights; that impacts no more than 3 (cumulative) staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan. This CX cannot be used for commercial boating permits along Wild and Scenic Rivers. This CX cannot be used for the establishment or issuance of Special Recreation Permits for “Special Area” management (43 CFR 2932.5).

D. EXTRAORDINARY CIRCUMSTANCES

The proposed action must be screened against the Extraordinary Circumstances found in 43 CFR § 46.215 (listed below). Any “yes” finding requires that an Environmental Assessment or Environmental Impact Statement be prepared for the Proposed Action.

EXTRAORDINARY CIRCUMSTANCES	YES/NO
1. Have significant adverse impacts on public health or safety.	No
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.	No
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	No
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	No
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	No
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	No
7. Have significant impacts on properties listed, or eligible for listing on the National Register of Historic Places as determined by either the bureau or office.	No
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	No
9. Violate Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	No

Compliance with ANILCA §810

E.A No.: DOI-BLM-AK-A020-2012-0017-CX

Applicant(s): Peter Mayer, DBA Alpenglow Guiding

Proposed Action: The Bureau of Land Management proposes to grant Peter Mayer a Special Recreation Permit (SRP) to provide commercial guided hunting services on Federal lands. Access to the area will be by foot, boat or by airplane. Activities would take place between May and October each year. The target species are Brown Bear, Mountain Goat, Dall sheep and Black Bear. A typical hunt will last from 7 to 10 days with approximately 6 clients per season at varying locations. The access for the proposed use areas is by foot, boat, or float plane. Trash is packed out and human waste buried in appropriate manner. “Leave No Trace” camping techniques are utilized on all trips. All activities would be in accordance with State of Alaska hunting and trapping regulations. No ground disturbance greater than one square meter is anticipated as part of this permit.

Location: The project will be conducted in the Chugach Mountains, south of Glennallen and east of the Richardson Highway in the vicinity of the Tiekkel River. This project covers a large area covering dispersed Federal Lands, see attached tables for legal descriptions of the involved lands.

Township/Range:

Unencumbered BLM lands:

Sections 2-36, T. 1 N., R. 3 W.,
Sections 1-6, T. 1 S., R. 1 W.,
Sections 16, 21, 28 and 33, T. 2 S., R. 1 E.,
Sections 5, 8, 17, 20, and 34 T. 3 S., R. 1 E.,
Sections 3-5, 8-10, 14-17, 21-27 and 34-36, T. 4 S., R. 1 E.,
Sections 30-31, T. 4 S., R. 2 E.,
Sections 1-2, 11-14, 22-28, and 31-34, T. 5 S., R. 1 E.,
Sections 5-8, and 18-19, T. 5 S., R. 2 E.,
Sections 13, and 24-25, T. 6 S., 1 W.,
Sections 4-8, 17-20, and 29-33, T. 6 S., R. 1 E.,
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Sections 4-9, and 17-20, T. 7 S., R. 1 E.

State Selected only:

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Sections 7-36, T. 1 S., R. 1 W.,
Sections 1-5, and 8-12, T. 2 S., R. 5 W.,
Section 3, T. 2 S., R. 1 E.,

Section 9, T. 2 S., R., 2 E.,
 Sections 7, and 18-20, T. 3 S., R. 4 W.,
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 Sections 4-5, 8-11, 14-17, and 20-23, T. 3 S., R. 4 E.,
 Sections 5-8, and 17-20, T. 4 S., R. 3 W.,
 Sections 12-13, and 24, T. 4 S., R. 2 W.,

Map: Valdez 1:250,000; Copper River Meridian

Evaluation by: Sarah L. Bullock

Discretionary Action?: Yes

Categorical Exclusion?: Yes

Type of Assessment / Sources: Review of application materials, subsistence database, local knowledge, and interviews with staff knowledgeable of the area and the proposed action.

Effect of the proposal on abundance of harvestable resources used for subsistence purposes:

Fisheries: None. Most land is located on state-selected lands and there are not designated subsistence waters present. The proposed action also utilizes Leave-No-Trace principles that will minimize disturbance to streams that may serve as spawning areas. Hence, there is not a significant restriction on the abundance of harvestable fish resources for subsistence purposes.

Wildlife: None. Most land is located on state-selected lands, however, there are some lands utilized by federal subsistence hunters. The max number of clientele is 6 people and will be spread over a vast area that to a small extent occupies unencumbered BLM managed lands. The proposed action also utilizes Leave-No-Trace principles that will minimize disturbance to wildlife and habitats. Big game such as moose and bear may temporarily avoid areas where human activity is present. Small game and upland birds occur in the area and may be temporarily disturbed. Therefore, there is not a foreseeable significant restriction on the abundance of harvestable wildlife resources for subsistence purposes.

Other resources (*edible flora, house logs, fuel wood, drinking water, etc...*): None. The proposed activity will not significantly impact other resources such as berries, willows, and spruce roots. Subsistence activities that target these resources occur in a much broader area than where the proposed action is to take place. The proposed action also utilizes Leave-No-Trace principles that will minimize disturbance to these resources. Therefore, the proposed action will not significantly affect subsistence uses and needs.

Expected reduction, if any, in the availability of resources caused by an alteration in resource distribution, migration, or location: None. Utilized sites are temporary in nature and combined with the small numbers of clientele, the resources will not be foreseeably reduced in

availability caused by an alteration in resource distribution, migration, or location related to the proposed action.

Expected limitation, if any, in the access of subsistence users resulting from the proposal:

None. The proposed action is temporary and seasonal in nature and does not create a permanent obstruction to subsistence hunters; therefore, access to subsistence resources by qualified users will not be significantly restricted.

Availability of other lands, if any, for the purpose sought to be achieved: Guided sport hunting can be done in other areas besides BLM managed lands. However, these managed lands offers unique experience because of its unique character and low density of other hunters.

Other alternatives, if any, which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes: None. The only other alternative is not to approve the proposed action; however, the proposed action is entirely within state and native selected lands where federally regulated subsistence hunting and fishing do not occur and a max of 6 clients will be guided, therefore, no other alternatives were considered to reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes.

Finding:

This evaluation concludes that the proposed action will not significantly restrict subsistence uses in or near the proposed activity area. Access to subsistence resources will not be hampered by the proposed activity. The impact to subsistence resources is negligible. There is no reasonably foreseeable significant decrease in abundance in harvestable resources and in the distribution of harvestable resources due to the proposed action.

/s/ Sarah L Bullock
 Sarah L. Bullock
 Wildlife Biologist
 BLM, Glennallen Field Office

23 July 2012
 Date

Recommendation: Permittee needs to be reminded that all operations in these areas are non-exclusive and that operations will be conducted in such a manner as not to impede rural residents from pursuing their traditional subsistence activities (ANILCA, PL 96-487).

Assessment of Undertakings Not Subject to Further Section 106 Review Glennallen Field Office

GDO Document No. GFO-12-23

BLM Serial No. AA093207

Environmental Assessment No. DOI-BLM-AK-A020-2012-0017-CX

Class of Inventory: No Further Review

Dates of Inspection: 07/02/2012

Inspector: John Jangala

Maps: Valdez 1:250,000

Applicant: Peter Mayer, Alpenglow Guiding

Location: The project will be conducted in the Chugach Mountains, south of Glennallen and east of the Richardson Highway in the vicinity of the Tiekel River. This project covers a large area covering dispersed Federal Lands, see attached tables for legal descriptions of the involved lands.

Project Description: The Bureau of Land Management proposes to permit Peter Mayer to provide commercial guided hunting services on Federal lands. Access to the area will be by foot, boat or by airplane. Activities would take place between May and October each year. The target species are Brown Bear, Mountain Goat, Dall sheep and Black Bear. A typical hunt will last from 7 to 10 days with approximately 6 clients per season at varying locations. Trash is packed out and human waste buried in appropriate manner. "Leave No Trace" camping techniques are utilized on all trips. All activities would be in accordance with State of Alaska hunting and trapping regulations. No ground disturbance greater than one square meter is anticipated as part of this permit.

Acreage: Unknown

Recommendations: According to the Protocol for Managing Cultural Resources on Lands administered by the Bureau of Land Management in Alaska, between the Bureau of Land Management and the State Historic Preservation Officer, signed April 17, 1998, this undertaking is not subject to further Section 106 review (Appendix 2: Category One). The project will involve less than one square meter of ground disturbance. As long as the applicant adheres to the attached stipulations, the applicant may proceed as proposed in the application. However, if heritage or paleontological resources are encountered during implementation of the project, the project will cease and the Glennallen Field Office, cultural resource staff, shall be notified.

The following stipulation should be attached to the permit: "There shall be no disturbance of any archaeological or historical sites, including graves and remains of cabins, and no collection of any artifacts whatsoever. Also, collection of vertebrate fossils, including mammoths and mastodon bones, tusks etc., is strictly prohibited. If historic resources are encountered then all artifacts will be respectfully left in place and the Glennallen Field Office's cultural resources staff will be notified immediately."

Signed:

John W. Jangala
Glennallen Field Office Archaeologist (AKA-02000)

Table 1. Unencumbered BLM Lands

Sections 2-36, T. 1 N., R. 3 W.,
Sections 1-6, T. 1 S., R. 1 W.,
Sections 16, 21, 28 and 33, T. 2 S., R. 1 E.,
Sections 5, 8, 17, 20, and 34 T. 3 S., R. 1 E.,
Sections 3-5, 8-10, 14-17, 21-27 and 34-36, T. 4 S., R. 1 E.,
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Sections 5-8, and 18-19, T. 5 S., R. 2 E.,
Sections 13, and 24-25, T. 6 S., 1 W.,
Sections 4-8, 17-20, and 29-33, T. 6 S., R. 1 E.,
Sections 13-14, 22-27, and 31-36, T. 7 S., R. 1 W.,
Sections 4-9, and 17-20, T. 7 S., R. 1 E.,

Table 2. State Selected Lands

Sections 25 and 36, T. 1 N., R. 5 W.,
Sections 20, 28-29 and 32-33, T. 1 N., R. 4 W.,
Sections 20, 28-29 and 32-33, T. 1 S., R. 4 W.,
Sections 7-36, T. 1 S., R. 1 W.,
Sections 1-5, and 8-12, T. 2 S., R. 5 W.,
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Sections 7, and 18-20, T. 3 S., R. 4 W.,
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Sections 3-5, 8-10, and 12, T. 6 S., R. 1 W.,

Department of the Interior
Bureau of Land Management
Glennallen Field Office
NEPA Interdisciplinary Review

Project Name: Peter Mayer, Alpenglow Guiding
Casefile Number: AA093207
NEPA Document Number: DOI-BLM-AKA-020- 017
NEPA Preparer: Denton Hamby
Please return to preparer by: 7/11/2012

Staff Specialist	Resource Area	Comments Provided Yes / No or n/a	Date Reviewed
Brenda Becker	Lands and Realty	No	4/16/2012
Marcia Butorac	Recreation and Facilities	n/a	
Sarah Bullock	ANILCA, Section 810	Yes	7/23/2012
Sarah Bullock	T&E Animals	No	7/10/2012
Sarah Bullock	T&E Plants	No	7/10/2012
Sarah Bullock	Wildlife	Yes	7/11/2012
Heath Emmons	Wild and Scenic Rivers	No	7/10/12
Marnie Graham	Public Affairs	yes	4/20/12
Denton Hamby	Special Recreation Use	Preparer	7/9
Denton Hamby	Visual Resources	no	7/9
Brad Honerlaw	Law Enforcement		
Alysia White	Law Enforcement		
John Jangala	Cultural Heritage	No	07/02/2012
John Jangala	Paleontology	No	07/02/2012
Cory Larson	Travel Management	no	7/12/12
James Whitlock	Minerals	n/a	
Ben Seifert	Fire Management	n/a	
Ben Seifert	Forestry	n/a	
Ben Seifert	Invasive Weeds	No	7/13/12
Mike Sondergaard	Soils	No	07/10/12
Mike Sondergaard	Air Quality	No	07/10/12
Tim Sundlov	Riparian & Wetlands	n/a	
Mike Sondergaard	Water Quality	No	07/10/12
Tim Sundlov	Fish Biology	n/a	
Joseph Hart	Hazardous Materials	n/a	
Elijah Waters	Branch Chief - resources	No	7/20/12
Molly Cobbs	ADO Planner	Yes	07/10/12

Authorized Officer Review: /s/Elizabeth Maclean Date: 7/24/2012