



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

Special Recreation Permit Issuance (Dan McGregor, Applicant)  
Environmental Assessment, DOI-BLM-AKA-020-2012-0013-EA

Case File AA-093179

## DECISION RECORD

### Background

Public lands provide many commercial recreational opportunities including big game guiding, backcountry skiing and climbing, and helicopter-supported skiing. Commercial glacier landings provide the desired backdrop and a backcountry experience for recreation clients and guests. Many areas on public lands have excellent physical characteristics, such as suitable terrain, snow, and glacial conditions, for fixed-wing glacier landings.

Denali Air has requested the use of BLM lands to expand the variety of terrain options available for safety reasons as well as to enhance the customer experience. Because many days of the operating season are often cancelled due to inclement weather and/or poor glacial conditions, companies typically request large permit areas to provide for maximum flexibility. A larger permit area allows the company to use alternative landing areas in the event of poor weather or other conditions and, ultimately, helps to avoid many trip cancellations.

Several factors make scenic glacier tours an important part of the range of recreational opportunities available on public lands including, but not limited to:

- It provides the opportunity to enjoy the beauty, freedom, and solitude of the backcountry to users without the desire or physical capabilities to do so by other means.
- It makes this opportunity available to those who may not be able to afford similar tours within Denali National Park.
- It provides access to areas beyond the range of the average day tour.
- It allows wider dispersion of recreational use.

### Decision

I have decided to select *Alternative 2 – Proposed Action* for implementation. It is my decision to authorize Denali Air for commercial glacier landing tours on BLM-managed lands in the areas surrounding Mt. Deborah for one year with the option for renewal pending all permit requirements are met annually. A Special Recreation Permit (SRP) will be issued to Denali Air

for these commercially operated tours; in accordance with the regulations found in 43 CFR 2930 and pursuant the Section 302 of the Federal Policy and Management Act of 1976.

This decision is based on site-specific analysis in the *Denali Air, Environmental Assessment* (DOI-BLM-AKA-020-2012-0013-EA), and the management decisions contained in the 2007 Record of Decision for the East Alaska Resource Management Plan (RMP/ROD) (BLM 2012 and BLM 2007, respectively). The Finding of No Significant Impact (FONSI) indicates that the selected alternative 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.

My decision to authorize this Special Recreation Permit is summarized as follows (refer to EA for more detail):

1. This SRP is issued for one year, with the option for renewal.
2. Issuance of this SRP would allow for up to three landings per day during the period June-October 10, 2012.
3. The SRP allows for landings on the upper portions of the Yanert and Gillam Glaciers.
4. The SRP is contingent on adherence to the attached stipulations.

### **Rationale for the Decision**

The No Action Alternative was not selected because it would not meet the BLM's purpose for action nor would it meet the BLM's objective to grant special recreation use authorizations to qualified individuals in accordance with the regulations found in 43 CFR 2930 and pursuant the Section 302 of the Federal Policy and Management Act of 1976.

Alternative 2 was selected because it meets BLM's purpose and objectives, to provide Mr. McGregor (Denali Air) with a Special Recreation Use authorization for commercial glacial landings on public lands.

1. The proposed activity is consistent with the BLM mission of sustaining the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.
2. Glacier landing tours would provide access to public lands to the general public and would therefore have a beneficial effect of expanding recreational opportunities on public lands.
3. There is no ground disturbance associated with the selected alternative.

### **Laws, Authorities, and Land Use Plan Conformance**

The EA and supporting documentation have been prepared consistent with the requirements of various statutes and regulations, including but not limited to:

- Alaska National Interest Lands Conservation Act of 1980 (ANILCA)
- Federal Land Policy and Management Act of 1976 (FLPMA)

- National Environmental Policy Act of 1969 (NEPA)
- National Historic Preservation Act of 1966 (NHPA)

The East Alaska RMP/ROD (2007) provide the overall long-term management direction for lands managed by the Glennallen Field Office. The proposed action and alternatives have been developed consistent with the East Alaska RMP/ROD. Specifically, the proposed action is consistent with the following RMP goals and decisions (Section M, M-1, and 6 – Other Areas):

***Recreation Goal M-1***

Manage recreation to maintain a diversity of recreational opportunities.

***Areas Outside Special Recreation Management Areas (6. Other Areas)***

Areas outside those identified above [Delta SRMA, Gulkana SRMA, Tiekel SRMA] would be managed as Extensive Recreation Management Areas, with recreation management based on maintenance of existing ROS classes in the areas. Inventory and monitoring could occur and standards may be identified for trail density in these areas based on monitoring and inventory information. Some education/interpretation at trailheads may occur, particularly at 17(b) easement trailheads within these areas.

**Public Involvement, Consultation, and Coordination**

Public involvement was initiated in February 2012. Scoping notices were placed at U.S. Post Offices in Cantwell, Denali Park area, and Healy. The scoping notice was distributed to stakeholders through an email listserv in cooperation with the Denali National Park and Preserve Public Affairs Officer. On February 25, 2012, an article was published in the Fairbanks Daily News Miner highlighting the proposal and requesting public comment; sixteen comment letters were received.

**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, PO Box 147 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 Anchorage 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/ Elizabeth Maclean          
Elizabeth Maclean  
Glennallen Field Manager

        6/21/2012          
Date

**Attachments**

Finding of No Significant Impact, June 2012  
2012 Denali Air Glacier Landing Permit Stipulations (AA093179)

**References**

BLM. 2007. East Alaska Resource Management Plan, Record of Decision and Approved Plan. July 2007.

**U.S. DEPARTMENT OF THE INTERIOR**  
**BUREAU OF LAND MANAGEMENT**  
Glennallen Field Office  
P.O. Box 147  
Glennallen, Alaska 99588

**ENVIRONMENTAL ASSESSMENT**

Denali Air Glacier Landings, Special Recreation Permit  
DOI-BLM-AK-A020-2012-0013-EA

Applicant: Denali Air  
Case File: AA093179

**1.0 INTRODUCTION**

**1.1 Background**

Public lands provide many commercial recreational opportunities including big game guiding, backcountry skiing and climbing, and helicopter-supported skiing. Commercial glacier landings provide the desired backdrop and a backcountry experience for recreation clients and guests. Many areas on public lands have excellent physical characteristics, such as suitable terrain, snow, and glacial conditions, for fixed-wing glacier landings.

Denali Air has requested the use of BLM lands to expand the variety of terrain options available for safety reasons as well as to enhance the customer experience. Because many days of the operating season are often cancelled due to inclement weather and/or poor glacial conditions, companies typically request large permit areas to provide for maximum flexibility. A larger permit area allows the company to use alternative landing areas in the event of poor weather or other conditions and, ultimately, helps to avoid many trip cancellations.

Several factors make scenic glacier tours an important part of the range of recreational opportunities available on public lands including, but not limited to:

- It provides the opportunity to enjoy the beauty, freedom, and solitude of the backcountry to users without the physical capabilities to do so by other means.
- It makes this opportunity available to those who may not be able to afford similar tours within Denali National Park.
- It provides access to areas beyond the range of the average day tour.
- It allows wider dispersion of recreational use.

## **1.2 Summary of the Proposed Action**

Denali Air has requested a Special Recreation Permit (SRP) for glacier landings using ski-equipped fixed-wing aircraft in areas around Mt. Deborah between June and October 10, 2012. (The Proposed Action is described in detail in Section 2.2.)

## **1.3 Land Status and Location**

The proposed use is located at the northern boundary of the lands managed by the Glennallen Field Office. All of the landing areas that have been identified are unencumbered lands administered by the BLM. The specific landing areas are located within:

Fairbanks Meridian, T. 15 S., R.2 E.; T. 15 S., R.3 E.

## **1.4 Purpose and Need**

The BLM is mandated to provide a range of diverse, quality, recreational opportunities on the lands under its administration. The role of outfitter and guide operations in helping the agency to fulfill this mandate is to assure that recreational opportunities are accessible to people without the specialized knowledge, skill, and equipment to take advantage of them on their own.

The need for this action is for the BLM to respond to Denali Air's application for a SRP for scenic glacier landings on BLM-managed lands. The purpose underlying the BLM's consideration of this permit application is to retain commercial glacial landings as part of the range of quality recreational opportunities offered on BLM-managed lands.

## **1.5 Scoping and Public Involvement**

Public involvement was initiated in February 2012. Scoping notices were placed at U.S. Post Offices in Cantwell, Denali Park area, and Healy. The scoping notice was distributed to stakeholders through an email listserv in cooperation with the Denali National Park and Preserve Public Affairs Officer. On February 25, 2012, an article was published in the Fairbanks Daily News Miner highlighting the proposal and requesting public comment; sixteen comment letters were received.

## **1.6 Issue Identification**

Scoping revealed the following issues in relation to this project:

- How would Denali Air's glacial landings impact current and future recreation experiences, including the impacts from noise?
- How would landings and associated noise, affect sheep habitat within the proposed project area?

The following issues were considered but eliminated from further analysis for the reasons stated:

- Aircraft flight paths and airspace are beyond BLM's jurisdiction. The Federal Aviation Administration (FAA) administers the rules and regulations related to air traffic and airspace.
- Existing flight-seeing tours/landings utilizing the Yanert Valley do not occur within the proposed project area.
- Caribou habitat occurs at lower elevations than where the proposed activity would occur.
- No cultural/paleontological resources issues were identified through the internal or public scoping process.
- There are no federally threatened or endangered species in the project area.

## **1.7 Land Use Plan Conformance**

The East Alaska Approved Resource Management Plan (East Alaska RMP) and Record of Decision (ROD) (2007) provides the overall long-term management direction for lands managed by the Glennallen Field Office. The proposed action and alternatives have been developed consistent with the East Alaska RMP and ROD. Specifically, the proposed action is consistent with the following RMP goals and decisions (Section M, M-1, and 6 – Other Areas):

### ***Recreation Goal M-1***

Manage recreation to maintain a diversity of recreational opportunities.

### ***Areas Outside Special Recreation Management Areas (6. Other Areas)***

Areas outside those identified above [Delta SRMA, Gulkana SRMA, Tiekel SRMA] would be managed as Extensive Recreation Management Areas, with recreation management based on maintenance of existing ROS classes in the areas. Inventory and monitoring could occur and standards may be identified for trail density in these areas based on monitoring and inventory information. Some education/interpretation at trailheads may occur, particularly at 17(b) easement trailheads within these areas.

## **1.8 Alaska National Interest Lands Conservation Act**

The BLM is required by Section 810 of the Alaska National Interest Lands Conservation Act (ANILCA) to consider potential impacts to subsistence activities, resources, or access to subsistence activities from proposals. For the Proposed Action as described above, it was found that there would be no detrimental effects to subsistence resources or access to subsistence resources. A complete analysis of Section 810 findings is located in Appendix 1 of this document.

## **2.0 ALTERNATIVES**

### **2.1 Alternative 1 - No Action- Deny the Special Recreation Permit Request**

Under Alternative 1, the BLM would deny the Special Recreation Permit request. No authorization would be issued for any commercial activities.

### **2.2 Alternative 2 - Proposed Action**

Under Alternative 2, the BLM would issue an SRP to Denali Air for glacier landings using ski-equipped fixed-wing aircraft. The specific landing areas are located in areas around Mt. Deborah including portions of the Yanert and Gillam Glaciers. The proposed activity would occur June-October 10, 2012. The flights would depart from a private airstrip located at Milepost 229.5 of the Parks Highway. Denali Air would offer up to three departures daily, transporting an average of three passengers at a time to a selected location. Clients would spend approximately 30 minutes on the glacier, including time allowances for unloading and loading. This SRP would be valid for one year with the option to renew pending all permit requirements are met annually.

Denali Air voluntarily uses noise abatement procedures throughout the flight including: cruise climb techniques (slower climb rates and lower power settings), minimum allowable departure power settings, maximum possible altitudes, and the practice of avoiding high-use areas on the ground. If unable to avoid certain high-use areas, the technique is to cover this area on the return leg from the glacier (descending and requiring minimum power settings). Denali Air, in conjunction with the National Park Service, has been aiding in the development of similar noise abatement procedures being used for the Denali National Park, "Wilderness Area Over-flight Best Practices." These practices, combined with closely monitored flight times, eliminate any "spare" time or loitering at low elevations. The flights are designed to be as direct as possible from the departure point to the landing areas and back. These procedures help to mitigate noise generated from fixed-wing operations within the project area.

The following SRP stipulations and general terms would be applicable to the proposed action to reduce or avoid impacts:

1. In Dall sheep habitat, aircraft used in support of permitted activities will not land within a ½ mile of known kidding areas between May 1 and June 15. Aircraft will maintain 1,500 feet vertical and horizontal distance from visible sheep, as well as habitats that are mapped as high use areas.
2. All operations will maintain 1,500 feet clearance from sensitive bird nesting sites, brown and black bears, wolves, and moose. 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.

3. All authorized operations will adhere to U.S. Fish and Wildlife Service (USFWS) recommendations regarding eagle nests:

Maintain established travel routes, but avoid any eagle nest by at least ¼ mile (1,320 feet).

Aircraft must avoid hovering near and circling any eagle nest.

4. Authorized operators shall not hover, circle, or harass wildlife in any way. This refers particularly to Dall sheep, wolves, bears, eagles, caribou, but includes all wildlife species.
5. 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).
6. The Authorized Officer (AO) may suspend or modify a Special Recreation Permit (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.
7. This permit shall be terminated or adjusted accordingly, two days prior to approval of conveyance of State or Native selected lands which affect your operating area.
8. Minor improvements, such as moving rocks or logs, to allow an area to be used for aircraft landing must be conducted under the limitations of 43 CFR 8365.1-5 to limit impacts to vegetation and soils. These limitations state that no person shall: Willfully deface, remove or destroy any personal property, or structure, or any scientific, cultural, archaeological or historic resource, natural object or area; willfully deface, remove or destroy plants or their parts, soil, rocks or minerals or cave resources. This permit does not authorize exclusive use of landing areas.
9. The permittee shall carry and use a portable toilet system while operating and dispose of all waste in at approved disposal site.
10. Any garbage will be packed out and disposed of at an appropriate location
11. The special use permit will include an advisement from the Alaska Department of Fish and Game Statute 16.05.940 which defines “taking” to include pursuing or deliberately disturbing of fish and game. The Operator shall comply with this statute at all times. Circling or harassing wildlife, raptors, or any other wildlife species with the use of a plane is a violation of this statute.
12. Denali Air shall use GPS equipment and maps to ensure that their permitted activities are occurring within designated areas on Bureau of Land Management lands.

13. As part of their special recreation permit requirement, permittees will be required to prepare an Operation and Safety Plan for BLM approval. This plan will include:
  - i. Client safety and the safety of other users in the area.
  - ii. Aircraft safety procedures.
  - iii. Emergency rescue procedures.
14. Permittees will be required to participate in a communication plan, revised annually, that will have as a goal the continuation of close communication and cooperation between operators. The emphasis will be on safety and reasonable sharing of available operating areas for all operators.
15. A complete post season use report must be filed within 30 days of completion of operations. Late reports will be subject to late fees of \$50.00 per month and will reflect negatively on the permittee's performance record.
16. The BLM reserves the right to schedule mandatory pre- or post-season meetings to discuss any issues or items associated with this permit.
17. Annual permit renewal shall be based upon permit performance which is associated with stipulation compliance.
18. Denali Air will be responsible for the removal and salvage of aircraft on BLM administered lands in the event of an accident or mishap.

### **3.0 AFFECTED ENVIRONMENT**

#### **3.1 Setting Overview**

The Alaska Range is a relatively narrow, 400-mile long mountain range in the southcentral region of Alaska. The range extends from Lake Clark at its west end to the White River in Canada's Yukon Territory at its east end. The project area is located within a glacial environment of the Alaska Range and consists primarily of very steep rocky mountain tops surrounded by ice of the Yanert, Gillam, and West Fork Glaciers that are difficult to access without the use of aircraft. Vegetation is present on the rocky outcroppings, but is sparsely distributed. The glacier landing locations would be approximately 6,500-7,500 feet above sea level and are located in areas around Mt. Deborah (12,339 feet).

#### **3.2 Recreation Resources**

The project area was classified with a "primitive" Recreation Opportunity Spectrum (ROS) Class based on a 2003 analysis. A primitive rating of the project area is characterized by the essentially unmodified natural environment of fairly large size. The concentration of users is very low and evidence of other users is minimal. The area is remote; sights and sounds of the road system are nonexistent.

The ROS classification system helps recreation managers focus on maintaining a diversity of recreational settings for different recreational activities. Typically, the ROS is divided into six major classes: urban/developed, rural, roaded natural, semi-primitive motorized, semi-primitive non-motorized, and primitive. ROS Classes describe the current recreation opportunities on the landscape. They are not a prescription for management decisions. They are a tool to track changes and set recreation goals and objectives for an area.

Current recreation in the area consists of backcountry mountain climbers who are flown in for a wilderness experience. There are no ATV trails in the area due to the remote nature and terrain. There are no other ways to access the area; thus, it is used almost exclusively by the aviation-supported mountaineers.

### **3.3 Wildlife Resources**

BLM's existing information about wildlife species inhabiting the wildlife area is very limited, but continues to expand as new information is collected. General management guidelines are in place to minimize disturbance to various species. The primary wildlife issue associated with disturbance to Dall Sheep (*Ovis dalli dalli*).

Dall sheep inhabit dry, mountainous terrain, and select sub-alpine grass-low shrubland communities in Alaska (Bowyer and Leslie Jr. 1992). They frequent a special combination of open alpine ridges, meadows, and steep slopes with extremely rugged "escape terrain" in the immediate vicinity. They use the ridges, meadows, and steep slopes for feeding and resting. When danger approaches, they flee to rocks and crags to elude predators. Dall sheep rut and mate in late November and early December. Winter diet is limited and found primarily on windswept ridges that are relatively free of snow. As lambing season approaches, ewes seek out the most rugged cliffs available on their spring ranges. Lambs are born in late May or early June. Lambs are usually weaned from ewes by October (ADFG 1994).

The health of Dall sheep populations in Alaska is perceived to be good (ADFG 1994). The population in the area of the proposed action is considered to be stable or increasing (ADFG 2008). Dall sheep range is mainly located north and west of the proposed landing areas; however, flights to and from the landing sites would occur over current ranges.

Small mammals, such as pika and arctic ground squirrel, may be present at elevation, while snowshoe hare, red squirrel, and microtine rodents are found below treeline. Large mammals such as wolves, grizzly bears, moose and caribou may inhabit or annually transit the area. Golden eagles and other raptors may also inhabit the area. Migratory birds pass through the general area in the spring and in the fall. However, nesting habitat for most migratory birds is very limited in the affected area due to extreme climate, elevation, lack of vegetation, and lack of abundant insect fauna for food.

### **3.4 Subsistence Resources**

The BLM is required by ANILCA to consider potential impacts to subsistence activities, resources, or access to subsistence activities from proposals. The proposed action would take

place on unencumbered BLM land which is currently open to subsistence uses. The complete ANILCA Section 810 Subsistence Evaluation can be found in Appendix 1 of this document.

### **3.5 Lands with Wilderness Characteristics**

BLM Washington Office IM-2011-154, directs offices to continue to conduct and maintain inventories regarding the presence or absence of wilderness characteristics, and to consider identified lands with wilderness characteristics in land use plans and when analyzing projects under NEPA. This IM contains current BLM guidance and general procedures for conducting wilderness characteristics inventories under Section 201 of FLPMA. Lands with wilderness characteristics provide a range of uses and benefits in addition to their value as settings for solitude or primitive and unconfined recreation.

The criteria for determining wilderness characteristics are established by the IM indicated above. To be identified during the inventory process as having wilderness characteristics, lands must:

- 1) Consist of roadless area of 5,000 acres or more or of sufficient size to be manageable as wilderness; and
- 2) Generally appear to be affected primarily by the forces of nature with the imprint of human activity substantially unnoticeable in the area as a whole; and
- 3) Possess outstanding opportunities for solitude; and/or
- 4) Possess outstanding opportunities for a primitive and unconfined type of recreation.

An inventory of lands with wilderness characteristics has been completed for this area and the area has been found to have wilderness characteristics. Because the entire region is extremely vast and remote, there are outstanding opportunities for solitude and primitive recreation such as mountaineering. All of the lands inventoried retain their natural appearance, and are without permanent improvements and human habitation. Opportunities for solitude and for primitive, unconfined recreation are present due to the lack of roads and trails, and to the fact that access to the planning area is possible only with aircraft or by foot. The area has wilderness characteristics and is identified as Land with Wilderness Characteristics.

## **4.0 ENVIRONMENTAL CONSEQUENCES**

### **4.1 Alternative 1 - No Action**

No authorization would be issued for any commercial activities. The opportunity for commercial glacier landings on BLM administered lands in the project area would not be available. There would be no impacts to recreational users from BLM authorized activities, however, use of adjacent State of Alaska lands would continue, as would the use of airspace over BLM administered lands. Private individuals could continue to land aircraft on BLM administered lands at any time. There would be no adverse effects to recreation, wildlife, or subsistence resources or Lands with Wilderness Characteristics as a result of the No Action Alternative.

Given that there would be no effects as a result of the No Action Alternative, there is no potential for this alternative to contribute to cumulative effects.

## 4.2 Alternative 2 - Proposed Action

### 4.2.1 Recreation Resources

Currently, the area offers relatively unique low density opportunities for recreationists (primarily mountaineers) to find solitude and enjoy technical mountain climbing in the areas around Mt. Deborah. There is little other recreation occurring within the project area at this time.

The primary access to the area is by aircraft therefore, there is a reasonable expectation that aircraft would be encountered during recreational outings. Nevertheless, encountering aircraft could temporarily change the setting and contribute to a sense of crowding for some individuals.

Close over-flights, take-offs, and landings have the greatest potential for noise impacts to recreationists. Aircraft noise at close distances is likely to be objectionable to some users. Some users may find aircraft noise very objectionable, particularly at close range, while others may not find it objectionable at all or only mildly objectionable. As the distance from the source increases, noise would be incrementally less objectionable to other users. It is possible that some users are more acclimated to motorized noise and are more tolerant.

The typical user seeking quiet and solitude may be intermittently adversely impacted by commercial glacier landings if overflights, takeoffs, or landing occur nearby. The duration of impact would be limited to the duration of the noise.

Due to this limited access and the expectation, even reliance, on air-support for access, it is reasonable to conclude that this would not displace recreationists or permanently alter the recreational experience on the glaciers. At the flight frequency proposed, the proposed action would not alter the existing primitive ROS classification of the area.

Glacier landing tours would provide access and have a beneficial effect of expanding new recreational opportunities to the general public. People without the specialized knowledge, skill, and equipment would have the ability to take advantage of the opportunity.

### 4.2.2 Wildlife Resources

Aircraft disturbance for wildlife species in remote areas are commonly acknowledged as a concern that accompanies human development activities (Geist 1971a). Numerous studies have been conducted to determine the effects of disturbance on Dall sheep. In particular, Frid (2003) has shown that the approach by which helicopters and aircraft fly towards Dall sheep affected their responses. Also, Frid and Dill (2002) argued that human-caused disturbance stimuli is a form of predation risk causing animals to react in a behavior similar to that of predator avoidance. In Denali National Park, however, human disturbance in the form of vehicular traffic did not show a significant effect on Dall sheep abundance, distribution, or behavior (Burson III *et. al.*, 2001). Increased stress and inefficient foraging may be caused by aircraft that are flown in a way that prevents access to escape terrain or lambing areas (Churchhill and Holland 2003).

The BLM currently addresses this potential disturbance of wildlife from aircraft activity in the previously described special stipulations. With full implementation of the stipulations,

disturbance impacts to wildlife would be minimized, in general, and avoided altogether during important periods such as sheep lambing season (see Stipulation #1).

#### *4.2.3 Subsistence Resources*

No reasonably foreseeable decrease in the abundance of harvestable resources or limitations on harvester access to subsistence species would result under Alternative 2. A Section 810 evaluation, as required by ANILCA, Title VIII has been prepared and is attached as Appendix 1.

#### *4.2.4 Lands with Wilderness Characteristics*

Given the temporary duration, intermittent use, dispersed landing areas, and the permit stipulations, including Denali Air's voluntary best management practices, the proposed activities in this area can be implemented in a manner that does not permanently impair existing wilderness characteristics.

### **4.3 Cumulative Effects of the Proposed Action**

#### *4.3.1 Scope of Cumulative Effects Analysis*

Currently, there are no other commercial glacier landings authorized to conduct similar activities on BLM administered lands north of the Alaska Range. However, it is conceivable that additional commercial activities may impact the region over time. The bulk of the visitation for this type of activity occurs within Denali National Park, 120 miles west of the project area, and is associated with flight seeing tours focused around Mt. McKinley.

For the purposes of cumulative effects analysis, the geographic scope is defined as those areas in proximity to the proposed landing areas, the upper Yanert and Gillam Glaciers. Since no past permits have been issued by BLM for activities in this area, the temporal scope for analysis is defined as starting with in the present time and looking to the end of the one-year authorization requested.

#### *4.3.2 Recreation*

Private flights currently land and are expected to continue to land in the vicinity of the proposed project. These flights also contribute to noise-related effects. Many of the impacts associated with noise are a matter of perception and individual psychology; some individuals may perceive any aircraft noise to be upsetting. For these individuals, the cumulative impact of noise from Denali Air's flights over the course of a year, when combined with noise from existing and reasonably foreseeable future private flights, would increase.

#### *4.3.3 Wildlife*

Glacial landings by private pilots, to a limited extent, have happened in the past, still occur presently, and are expected to continue in the future. These infrequent and short interval private landings do contribute to low levels of human disturbance and stress on local wildlife species. Since there are no other commercial glacier landings authorized to conduct similar activities within the project area; cumulative impacts to wildlife resources, including Dall sheep, are perceived to be negligible.

With the authorization of this SRP, it is possible that increased interest, additional requests for glacier landings, and other activities could take place in this area in the future. The proposed action alone would not notably disturb the inhabiting wildlife species. However, with increasing activity, including ongoing private landings or future permit requests, wildlife resources would experience a greater frequency and longer intervals of human disturbance in the project area, that may, in turn, increase stress on wildlife species and may lead to decreased diversity and increased mortality in the project area.

#### *4.3.4 Lands with Wilderness Characteristics*

An inventory of lands with wilderness characteristics has been completed for this area and found to have wilderness characteristics. Because the entire region is extremely vast and remote, there are outstanding opportunities for solitude and primitive recreation such as mountaineering.

With the authorization of this SRP, it is possible that increased interest and activities could take place in this area in the future. The proposed action alone would not impair the wilderness characteristics that the area currently has to offer. However, with increasing activity, including ongoing private landings or future permit requests, would come a greater pressure on the wilderness characteristics of the area.

## **5.0 COORDINATION AND CONSULTATION**

### **5.1 BLM Interdisciplinary Team and Preparers**

Sarah L. Bullock	Wildlife Biologist
Molly Cobbs	Planning and Environmental Coordinator
Denton Hamby	Outdoor Recreation Planner
John Jangala	Archaeologist

### **5.2 References**

Alaska Department of Fish and Game (ADFG). 2008. Dall Sheep management report of survey-inventory activities 1 July 4 – 30 June 2007. P. Harper, Editor. Juneau, Alaska.

Bowyer, R. T. and Leslie, D. M., Jr. 1992. *Ovis dalli*. Mammalian Species. 393: 1-7.

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Churchill, B. and Holland, B. 2003. Wildlife and aircraft operation: Assessment of impacts, mitigation, and recommendations for best management practices in the Peace region. *For Peace Region* Ministry of Water, Land, and Air Protection, Fort St. John, British Columbia.

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



Special Recreation Permit Issuance (Dan McGregor, Applicant)  
Environmental Assessment, DOI-BLM-AKA-020-2012-0013-EA

Case File AA-93179

## FINDING OF NO SIGNIFICANT IMPACT

### Background

In June 2012, the Bureau of Land Management prepared an Environmental Assessment (AKA-020-2011-0013-EA) analyzing the effects of issuing a Special Recreation Permit (SRP) to Dan McGregor of Denali Air for commercial fixed-wing aircraft glacier landings on public lands.

### Finding of No Significant Impact

This action and its effects have been evaluated consistent with the Council on Environmental Quality regulations for determining *significance*. Per 40 CFR § 1508.27, a determination of *significance* requires consideration of both context and intensity. The former refers to the relative context in which the action would occur such as society as a whole, affected region, affected interests, etc. The latter refers to the severity of the impact.

#### *Context*

The anticipated effects are site-specific in nature, limited to less than one year in durations, and do not consist of any ground disturbance. This project would not affect local, state, regional or national resources or interests.

#### *Intensity*

##### *1. Impacts that may be both beneficial and adverse.*

The EA considered and disclosed both potential beneficial and adverse effects of the alternatives. For example, the EA discloses that noise from aircraft may adversely affect some recreationists in the project area (EA, p. 9), but the EA also acknowledges that authorization of the request permit would provide access and new recreation opportunities for the general public on public lands (EA, p. 9).

##### *2. The degree to which the proposed action affects public health and safety.*

There is no potential for this project to affect the health and safety of the public at large. The project area is considered “primitive” and is sparsely used; the concentration of recreation users is very low (EA, p. 6). The permit stipulations would require Denali Air to meet Federal

Aviation Administration (FAA) requirements for safe air operations; submit and abide by a Safety and Operating Plan; and development and abide by a Communication Plan (EA, pp. 5-6). The proposed action has taken reasonable steps to identify measures to lower risks and enhance safety.

3. *Unique characteristics of the geographic area such as proximity of historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

There are no parks, prime farmlands, wild and scenic rivers, or ecologically critical areas in proximity to the Proposed Action and alternatives. Historic and cultural resources were not identified, neither internally or externally, as an issue for consideration in the EA (EA, p. 3).

4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

The anticipated effects are similar to many other special recreation use authorizations in remote geographic settings. No unique or appreciable scientific controversy has been identified regarding the effects of the Proposed Action or alternatives. The project area is remote and the concentration of users is very low (EA, pp. 5-6).

5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

Similar to Item 4 above, the anticipated effects are similar to many other glacier landing authorizations in central Alaska as well as in other remote geographic settings. The analysis has not shown that there would be any unique or unknown risks to the human environment.

6. *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

Per the East Alaska Resource Management Plan and Record of Decision (RMP/ROD) (2007), the project area is open to the requested use. This authorization is consistent with the RMP/ROD. This proposed action neither establishes a precedent nor represents a decision in principle about future actions. Furthermore, the proposed action is consistent with other SRPs involving aircraft tours and/or glacier lands on public lands in Alaska. For example, the U.S. Forest Service permits glacier landings in southeast Alaska, the National Park Service permits landings in Denali National Park and Preserve, and the BLM also permits glacier landings in various locations throughout the state.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

Cumulative effects are addressed for each of the resources (EA, pp. 10-11). The environmental analysis did not reveal any significant cumulative effects. Furthermore, within the project area, the past, present, and reasonably foreseeable future actions to be considered in context of cumulative effects is extremely limited. The BLM has not permitted other actions within the project area in the past and there are currently no pending authorizations for use in this area. Therefore, the suite of other activities or actions whose effects may interact with the proposed project is limited primarily to private flight landings. As disclosed in the EA, the effects of those landings combined with the effects of the proposed project could result in an increase in noise impacts, but would not rise to the level of significance due the limitations on the operator (e.g., specified season, cap on number of flights daily, etc.) and the vastness of the area.

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources.*

Historic and cultural resources were not identified, neither internally or externally, as an issue for consideration in the EA (EA, p. 3). The project does not involve any ground disturbance. Furthermore, all proposed activities would occur on glacier ice.

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

There are no Federally threatened or endangered species within the project area (EA, p. 3).

10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The Proposed Action and/or alternatives do not threaten to violate any law. The Proposed Action and alternatives are in compliance with the 43 CFR § 2800 regulations and are consistent with East Alaska Resource Management Plan and Record of Decision (2007), which provides direction for the protection of the environment on public lands (EA, p. 3).

## **Conclusion**

Therefore, on the basis of the information contained in the EA (AKA-020-2012-0013-EA), and all other information available to me, it is my determination that:

1. None of the environmental effects identified meet the definition of significance as defined by context and intensity considerations at 40 CFR § 1508.27;
2. The alternatives are in conformance with the East Alaska RMP/ROD (2007); and
3. The Proposed Action and alternatives do not constitute a major federal action having a significant effect on the human environment.

Therefore, neither Environmental Impact Statement nor a supplement to the existing EA is necessary and neither will be prepared.

\_\_\_\_\_/s/ Elizabeth Maclean\_\_\_\_\_  
Elizabeth Maclean  
Glennallen Field Manager

\_\_\_\_\_/6/21/2012\_\_\_\_\_  
Date

**Attachments**

BLM 2012. Environmental Assessment: Denali Air Glacier Landings, DOI-BLM-AK-A020-2012-0013-EA. Prepared by Glennallen Field Office, Glennallen, Alaska.

# **Appendix 1.**

## **COMPLIANCE WITH ANILCA SECTION 810 EVALUATION AND FINDINGS**

**E.A. No.:** DOI-BLM-AK-A020-2012-0013-EA

**Applicant:** Dan McGregor, d.b.a. Denali Air, Inc.

### **EVALUATION:**

#### **1. Effect of Proposed Action on Subsistence Uses and Needs**

**Fisheries:** The proposed action would not significantly reduce harvestable fisheries resources that are available for subsistence use. The glacial environment lies within remote parts of the central Alaska Range, consists primarily of rock and ice, and is difficult to access without the use of aircraft. The proposed action would utilize the large flat expanses that occur at the beginning of the headwaters of the tributary glaciers. There is also no regulated subsistence fishing near the proposed action.

**Wildlife:** The proposed action of granting a special recreation permit for glacial landing areas would not appreciably reduce harvestable wildlife resources that are available for subsistence taking on BLM administered lands. The glacial landing areas are located within a remote portion of unencumbered BLM lands, that are open to federal subsistence hunting, within the central Alaska consisting primarily of rock and ice (6500-7500 feet above sea level) and is difficult to access without the use of aircraft. The only harvestable wildlife possible in this area is Dall sheep; however, the area is located far from local villages and important subsistence use areas. The Dall sheep range is also generally north of the site, in Game Management Unit 20 that has no customary and traditional determination, and is not open to federal subsistence hunting. The health of Dall sheep populations in Alaska is perceived to be good (ADFG 1994). The population north of the area of the proposed action is considered to be stable or increasing (ADFG 2008). Dall sheep range is mainly located north and west of the proposed landing areas; however, flights to and from the landing sites will be over current ranges.

In stipulations adopted for mitigation, the operator must not land within a ½ mile from known kidding areas from May 1 to June 15 and the aircraft cannot come within 1500 feet (vertical and horizontal) from visible sheep and mapped high use sheep areas. Denali air will also use noise abatement measures to minimize noise disturbance by cruise climb techniques (slower climb rates and lower power settings), minimum allowable departure power settings, and maximum possible altitudes. As long as the applicant adheres to the attached stipulations, disturbance to Dall sheep should be minimal.

Therefore, the proposed action has no significant restriction on subsistence uses and needs for wildlife resources.

**Other Resources:** The proposed action would not appreciably restrict any other harvestable resources such as wood, water, berries or vegetation. The glacial environment lies within remote parts of the central Alaska Range, consists primarily of rock and ice with little vegetation, and is difficult to access without the use of aircraft. The landing locations would be approximately 6500-7500 feet above sea level that are far from local villages and traditional gathering areas. Due to the remote nature of the site and glacial environment, subsistence use is expected to be minimal to non-existent; therefore, the proposed action has no significant restriction on subsistence uses and needs for other resources.

**2. Availability of other lands, if any, for the purposes sought to be achieved:**

The proposed action includes BLM-administered lands that are within the applicant's area of use east of Denali National Park within the Eastern Alaska Range. About half of the land within this area is BLM managed lands. There are large tracts of state land and a small portion of native corporation lands. Lands available for the purposes proposed by the applicant are limited to the large flat expanses that occur at the beginning of the headwaters of the tributary glaciers that are mostly located on BLM managed lands. Therefore, no other lands were considered.

**3. Other alternatives, if any, which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes:**

The no action alternative would require BLM to reject the special recreation permit application; however, there is no substantial evidence that would indicate a significant restriction to use, occupancy, or disposition of public lands needed for subsistence purposes as a result of the proposed action. No other alternatives were evaluated.

**FINDINGS:**

The proposed activity would not significantly restrict subsistence use in or near the proposed activity area. The impacts to subsistence resources and access discussed above would be minimal. There is no reasonably foreseeable significant decrease in the abundance of harvestable resources, and in the distribution of harvestable resources.

*(signed original on file)*

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Sarah L. Bullock  
Wildlife Biologist  
BLM, Glennallen Field Office

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Date

**References:**

Alaska Department of Fish and Game (ADFG). 2008. Dall Sheep management report of survey-inventory activities 1 July 4 – 30 June 2007. P. Harper, Editor. Juneau, Alaska.

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

**GDO Document No.** GFO-12--16

**BLM Serial No.** AA093179

**Environmental Assessment No.** DOI-BLM-AK-A020-2012-0013-EA

**Class of Inventory:** No Further Review

**Dates of Inspection:** 05/02/2012

**Inspector:** John Jangala

**Maps:** Healy (C-1)

**Applicant:** Denali Air

**Location:** The project will be conducted in the Alaska Range between the Yanert and Gillian Glaciers. More specifically the project will occur near Mt. Deborah in: T.15S., R.2E.; T.15S.,R.3E., Fairbanks Meridian.

**Project Description:** The Bureau of Land Management proposes to permit Denali Air to conduct glacier landings by fixed winged aircraft on BLM managed lands. No surface disturbance is expected from this project.

**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 and Three). The project will involve less than one square meter of ground disturbance and will take place on glacial ice. 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 (AK-020)

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

Project Name: Glacial Landings/Denali Air

Casefile Number: AA093179

NEPA Document Number: DOI-BLM-AKA-020- 2012-0013

NEPA Preparer: Denton Hamby

Please return to preparer by: 5/21/2012

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	No	6/4/2012
Sarah Bullock	ANILCA, Section 810	Yes	6/4/12
Sarah Bullock	T&E Animals	No	6/1/12
Sarah Bullock	T&E Plants	No	6/1/12
Sarah Bullock	Wildlife	Yes	6/18/2012
Heath Emmons	Wild and Scenic Rivers	No	5/8/12
Marnie Graham	Public Affairs	yes	5/14/12
Denton Hamby	Special Recreation Use	Preparer	5/14/12
Denton Hamby	Visual Resources	No	5/14/12
Brad Honerlaw	Law Enforcement		
Alysia White	Law Enforcement	No	5/3/12
John Jangala	Cultural Heritage	Yes	4/23/2012
John Jangala	Paleontology	No	4/23/2012
Cory Larson	Travel Management	No	5/14/2012
James Whitlock	Minerals	n/a	5/14
Ben Seifert	Fire Management	n/a	5/14
Ben Seifert	Forestry	n/a	5/14
Ben Seifert	Invasive Weeds	n/a	5/14
Mike Sondergaard	Soils	No	5/8/12
Mike Sondergaard	Air Quality	No	5/8/12
Tim Sundlov	Riparian & Wetlands	No	5/8/12
Mike Sondergaard	Water Quality	No	5/8/12
Tim Sundlov	Fish Biology	No	5/8/12
Joseph Hart	Hazardous Materials	n/a	5/8/12
Elijah Waters	Branch Chief - resources	No	5/2/12
Molly Cobbs	ADO Planner	yes	06/19/12

Authorized Officer Review:  /s/ Elizabeth Maclean Date: 6/21/2012