

Commercial Big Game Guide permit for

Alaska Peak Air Adventures

ENVIRONMENTAL ASSESSMENT

SPECIAL RECREATION PERMIT (SRP)

For
Jeff Burwell
Alaska Peak Air Adventures
3836 E. Country Field Cir.
Wasilla, Alaska 99654

FF096025

DOI-BLM-AK-F020-2012-0007-EA

Located in:

Eastern Interior Field Office
Fortymile Management Area

Prepared by:

U. S. Department of the Interior
Bureau of Land Management
Eastern Interior Field Office
1150 University Ave.
Fairbanks, Alaska 99709-3844

I. Purpose and Need for the Proposed Action

BLM Purpose and Need

The purpose for action is to determine whether or not to issue a Special Recreation Permit (SRP) for commercial big game hunting activities on BLM-managed lands in the Fortymile subunit (Figure 1). The need for action is established under the authority of Section 302 of the Federal Land Policy and Management Act (FLPMA) of 1976 and the regulations found in 43 CFR 2930. The FLPMA directs the BLM to regulate the use, occupancy and development of public lands. The purpose of the regulations found in 43 CFR 2930 is to determine when a permit is required to use public lands for recreational purposes and to establish procedures for the orderly and timely processing of permit applications.

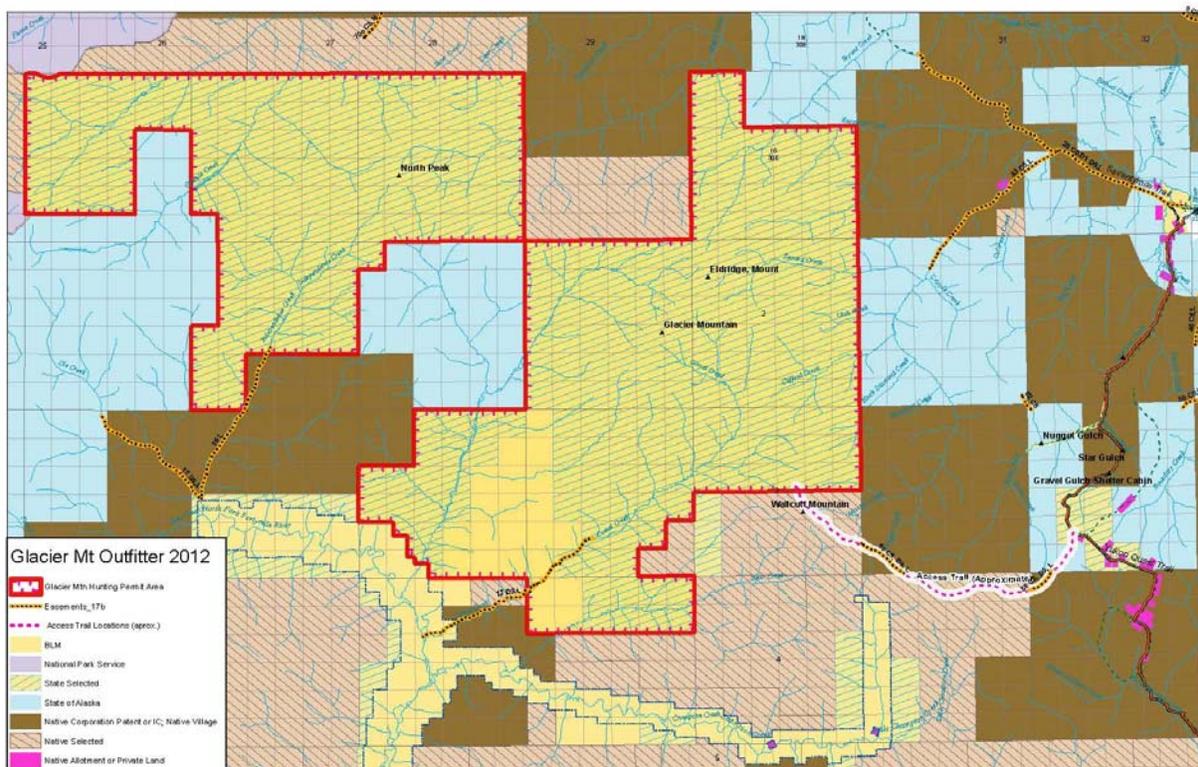


Figure 1. Glacier Mountain proposed guide area.

Applicant's Purpose and Need

Mr. Jeff Burwell with Alaska Peak Air Adventures has applied for a SRP for the purpose of providing guided fall hunting trips for sheep, caribou and grizzly bear hunts for up to six (6) clients this season in the Glacier Mountain area. Mr. Burwell needs to obtain a SRP in order to conduct his commercial guiding activities. Guided hunting trips and supporting activities are scheduled to be conducted between early August and late October.

BLM Decision to be Made

The BLM will decide whether or not to issue a 2930 SRP for the applicant's commercial big game hunting operation. If a SRP is issued, the BLM will determine the terms, conditions and stipulations prior to issuance.

II. Potential Issues

Internal Scoping: Several issues were raised, but were dismissed as they were addressed by revising the proposed action. These include sheep harvest levels, subsistence and cultural resources. The issue of invasive, nonnative species is carried forward and addressed in this EA.

External Scoping: A 15 day public scoping period was announced specifically in Tok and Eagle, Alaska. Thirty comments were received from 27 different persons. Potential concerns or issues received are listed and referenced in order of greatest to least commented on:

1. Will the proposed action allow for a sustainable sheep harvest in this area?
This issue is outside of the BLM's jurisdiction. Alaska Department of Fish and Game (ADF&G) manages wildlife and sets harvest limits. The BLM and the applicant met with Jeff Gross of ADF&G to discuss possible resolution of this issue. The applicant agreed to limit his clients to harvest of one Dall sheep within the Controlled Use Area (CUA). An additional two sheep may be harvested outside the CUA. This change is reflected in the Record of Decision.
2. Should guiding be allowed in this area?
The BLM's current land use plan for the area does not limit the number of guides allowed in this area. Setting a guide use allocation for this area is outside the scope of this EA and is not addressed any further.
3. What aircraft use will be allowed and what impact will it have?
Limitations on aircraft use within the CUA are the jurisdiction of the state. The applicant is required to comply with all applicable state laws. An ADF&G Trooper was involved in discussions for the permit and provided the applicant and agency with a letter covering what is allowed and not allowed within the CUA.
4. Will user conflict occur due to the nature and small size of the area?
There is limited potential for user conflict in the area. Changes in the proposed action and Decision Record reflect that only one sheep hunt will be allowed in the CUA and no sheep hunting will begin before August 15th, five days after the season opening. These changes should further mitigate user conflict in the area.
5. Will there be a loss of the unique hunting qualities of the area?
There is potential for the loss of some of the unique hunting qualities of the area. Changes in the proposed action and Decision Record reflect that only one sheep hunt will be allowed in the CUA and no sheep hunting will begin before August 15th, five days after the season opening. These changes should mitigate loss of the unique hunting qualities of the area.
6. Are there issues with the applicant?
The State of Alaska is responsible for licensing guides and outfitters. The applicant is a licensed guide.

7. Will horse use increase the spread of invasive plants?
There is a potential for the spread of invasive plants. These impacts are discussed in Section VI of this document. Mitigation measures are proposed and carried forward as Stipulations in the Record of Decision.
8. Will vegetation be damaged with the level of horse use proposed?
Some possible short term vegetation damage may occur along the trail and at holding areas. Much of the trail access route is outside of BLM management. The proposed action is well within the acceptable uses of two easements along the trail and still within anticipated use levels on BLM managed lands. Discussions with the applicant state that he will attempt to minimize travel in and out of the area and time at staging areas where the livestock will be held. No further mitigation has been proposed.
9. How many guides will be allowed over time?
Setting a guide use allocation for this area is outside the scope of this EA.

III. Location, Land Status and Conformance with Land Use Plans

Location: The proposed action will take place in all or portions of Townships 1S 25E, 1S 26E, 1S 27E, 1S 28E, 1S 30E, 2S 27E, 2S 29E, 2S 30E, 3S 28E, 3S 29E, 3S 30E, and 4S 29E Fairbanks Meridian. See attached map (Figure 1).

Land Status: The majority of the proposed acreage is selected by the State of Alaska. No selected Native corporation lands are included in the proposed action. See attached Master Title Plat's (MTP's) (Figure 2).

Conformance with Land Use Plans:), Even though it is not specifically provided for, the proposed action is in conformance with the Fortymile Management Framework Plan (September 1980, because it is clearly consistent with the goal of the plan which is stated in the *Summary of Land Use Decisions and Management Direction*: "This Plan has been written with the goal of providing the most appropriate management for each area and situation, in accordance with the principals of multiple use". Issuance of special recreation permits is clearly consistent with the principals of multiple use.

IV. Proposed Action and Alternatives

Proposed Action Alternative:

The proposal by Alaska Peak Air Adventures (APAA) is to run a limited number of guided hunting expeditions in the Glacier Mountain and Mount Eldridge area. They will offer trips that will include hunting sheep, caribou, and grizzly bears on BLM-managed lands. They will use horses and aircraft to conduct the hunts. Access to the hunt area will be overland via the "Mini-cup"/Wallcut Mountain Trail, west off of American Summit.

APAA plans to take up to a total of six (6) hunters annually on BLM-managed lands in the proposed area with no more than a total of three of the hunters hunting sheep. The operating season will run from August through October. Clients will be under their care and supervision for the entire duration of the hunt. Provisions will be provided for 10 day trips per group.

While operating on BLM managed lands, APAA will incorporate “Leave No Trace” and “Pack it in – Pack it out” ethics. They will be using short-term, primitive, small spike camps. The camps will not be permanent or long-term in nature. Fuel will not be stored in containers larger than 5 gallon gas cans at any time. Human waste will be handled using “cat holes” located a minimum of 200 feet from the nearest water sources. No live standing timber will be cut and fresh water will be filtered from local streams. Pack trips will utilize no more than 10 animals per trip. Horses and mules will be tethered to live trees using the “highline” method and will be naturally grazing and eating certified “weed free” pellets or hay. Aircraft will be utilized prior to August 5 and after September 20 for support and/or cleanup. During the season, aircraft will be utilized to check the status and safety of clients and guides, as required by Alaska Guide Regulations. APAA plans to offer adventures that are of the highest quality while considering safety and security of their clients as priority. The APAA will provide the BLM with a list of all personnel in the field along with a copy of any applicable licenses and proposed trip dates and any changes that may occur up to the time of the hunt.

No Action Alternative:

The no action alternative would result in the applicant not being issued a permit to conduct guided hunting trips in the Fortymile Management area.

V. Affected Environment

The Glacier Mountain area is located along the far eastern boarder of Alaska roughly 15 miles southwest of Eagle, Alaska. The area is fairly high in elevation, mostly alpine or sub-alpine in nature. Access is difficult based on lack of developed trails and distance from the nearest road. Use of the area is low and primary activities consist of trapping, dispersed recreation, and subsistence gathering. Wildlife of the area include Dall sheep, caribou, and grizzly bears.

Invasive, Nonnative Species

Surveys of nonnative invasive plants (invasive plants) have been conducted along the Taylor Highway, along some segments of the Fortymile Wild and Scenic River and within boundaries of 2004 and 2005 wildfires in the Fortymile River drainage. Thirty species of invasive plants have been documented in the survey area described above, including four species of concern in Alaska (AKEPIC 2005). Three of the species of concern, white sweetclover (*Melilotus alba*), bird vetch (*Vicia cracca*) and smooth brome (*Bromus inermis*), occur along the Taylor Highway. The fourth, Siberian peashrub (*Caragana arborescens*) has been detected in Eagle. No surveys have been conducted along the trail or within the Glacier Mountain and Mount Eldridge area of the proposed action.

VI. Impacts: Direct, Indirect, Cumulative

Invasive, Nonnative Species (direct, indirect and cumulative impacts):

Any human activity creates the potential for contributing to the introduction and spread of invasive plants on BLM-administered lands. The proposed action increases human presence on remote lands where invasive plants likely are not currently present. Seed from invasive plants at the permittee’s and clients’

point of origin can hitchhike on pack animals, equipment, clothing, waders, boots, gear, and aircraft to the remote camping and hunting areas. The combination of vegetation trampled and disturbed by humans and horses and the accidental importation of invasive plant seed provide favorable conditions for invasive plants to become established in remote areas. Indirect effects occur when natural vectors, such as animals, wind or water, transport seed from these infestations to other areas.

Pack horses will be used for access to camps and hunting areas under the proposed action. Many plant seeds are not digested by horses and pass through the digestive tract able to germinate. Therefore, weeds are introduced by horses that are fed feed contaminated with weed seed prior to and during the time they are on public lands. The digestive cycle for horses from the time of ingestion to elimination is at least forty-eight hours and under this permit horses must be feed weed free feed for at least 48 hours before entering public lands. Little or no certified weed free hay is produced in Alaska and certified weed free hay from outside the state has different standards than the Alaska certified program. For that reason, horses that will be entering public lands under this permit will be feed pellets guaranteed to be processed in such a way that any seed in the pellets is rendered unviable (that is, cannot germinate).

The proposed action combined with present and reasonably foreseeable future activities may increase the vectors for introduction and spread of new species of invasive plants in the area of the proposed action and adjacent areas. No known past activities in the area are likely to influence the cumulative case. It is reasonably foreseeable that increases in recreational activity, including hunting activity, may occur in the area. However, during the duration of this one year permit, with possible renewal for 5 years, cumulative impacts will be negligible.

Mitigating Measures for Proposed Alternative

1) The permittee is responsible for preventing the spread of nonnative invasive plants caused by use of the public lands and is advised to be familiar with invasive plants in the area adjacent to the area of permitted use. In order to minimize the potential of introducing invasive plant seeds or viable vegetative parts to remote public lands, the guide and his clients shall: 1) clean their footwear, clothing or equipment to remove seeds and vegetative parts of invasive plants prior to their travel onto public lands, 2) inspect and clean all personal property for seeds before leaving their location of origin and transporting it into the field; and 3) use minimum impact practices to reduce the potential disturbance to hunting and camping areas from human and pack animal use. Particular attention should be paid to cleaning the soles of boots to remove mud that may obscure seeds. The permittee will send a copy of the attached letter (Attachment 4) to all clients *prior to* their travel into the field so that they have time to adequately clean equipment, clothing and gear before leaving home.

2) For 48 hours prior to taking horses (or mules) onto federal public lands, the applicant will restrict their access to any feed other than feed pellets guaranteed to be processed in such a way that any seed in the pellets is rendered unviable (that is, cannot germinate). While horses (or mules) are on federal public lands they will be fed feed pellets that adhere to the standards above. No other supplemental feed will be allowed.

3) The permittee shall keep garbage or other wildlife attractants secured while awaiting their use or transportation to landfill. It is recommended that the permittee use bear-proof containers to store attractants. In addition, BLM suggests that a temporary, portable electric fence, suitable for deterring bears, be erected around camping sites, especially base camp.

4) The permittee and clients should avoid harassing wildlife. Aircraft used in support of the guiding operation will maintain an altitude of at least 1,500 feet above ground level (AGL) when flying over wildlife, except for takeoff and landing, unless doing so would endanger human life or violate safe flying practices.

5) To avoid impacts to fish and aquatic resources, pack animals should not be tethered within 25 feet of streams or within riparian areas.

Residual Impacts

If invasive plants are introduced and establish from the proposed action, they are likely to spread and present a long-term control problem. If control were necessary, treatments would include manual, mechanical, and/or chemical treatments. Treatments are costly, intensive and often long-term.

VII. Consultation and Coordination:

Persons/Agencies Consulted

Person	Title	Responsibility	Agency
Jeff Burwell	Applicant		Applicant
Jeff Gross	Biologist	Wildlife management and harvest	ADF&G
Justin Rodgers	Trooper	Enforcement officer	State of Alaska
Jonathan Priday	Ranger	Enforcement officer	BLM
Collin Cogley	Outdoor Recreation Planner/Preparer	ACEC's, Environmental Justice, Farm Lands, Recreation, Socioeconomics, and , Access	BLM
Ruth Gronquist	Wildlife Biologist	Vegetation, Invasive, Nonnative Species, Threatened/Endangered Species, Subsistence, Wildlife/Terrestrial	BLM
Rebecca Hile	Physical Scientist	Wastes, Hazardous or Solid	BLM

Person	Title	Responsibility	Agency
Ben Kennedy	Hydrologist	Air Quality, Floodplains, Water Quality, Wetlands/Riparian, Soils	BLM
Holli McClain	Outdoor Recreation Planner	Visual Resources, Wilderness Characteristics	BLM
Robin Mills	Archeologist	Cultural Resources, Native American Religious Concerns	BLM
Jason Post	Fisheries Biologist	Essential Fish Habitat, Wildlife/Aquatic	BLM
Skip Theisen	Fire Management Specialist	Fire Management	BLM
Darrel VandeWeg	Geologist	Minerals	BLM
Kevan Cooper	Realty Specialist	Wild and Scenic Rivers	BLM

VIII.

List of Attachments

Attachment 1 - Assessment of Archeological, Historical, and Paleontological Resources

Attachment 2 - ANILCA Section 810 Evaluation and Findings

Attachment 3 – Essential Fish Habitat Clearance (EFH)

Attachment 4 – Invasive Plant Prevention Client Letter

Attachment 5 - Proposed Stipulations for Permit FF096025

/s/ Collin Cogley Preparer's Signature: 6/7/2012 Date
 Collin Cogley,
 Outdoor Recreation Planner

Finding of No Significant Impact

Special Recreation Permit (2930 01) application FF096025 for commercial guided hunting trips on public lands

Finding of No Significant Impact:

I have reviewed Environmental Assessment DOI-BLM-AK02000-2012-0007 and have concluded that the impacts of conducting guided hunting trips on public lands for commercial purposes on BLM managed lands in the Fortymile area have been adequately addressed. By following the stipulations generated in the EA, there are no impacts that approach the threshold of significance. Therefore, I have determined that a Finding of No Significant Impact is appropriate and an environmental impact statement is not required.

/s/Lenore Heppler
Manager, Eastern Interior Field Office

6/7/2012
Date

Decision Record

Issuance of a Special Recreation Permit (2930 01) to Alaska Peak Air to conduct a commercial guided hunting trips on public lands in the Glacier Mountain Area SW of Eagle Alaska.

FF096025

Decision: It is my decision to authorize commercially guided hunting trips on BLM-managed lands in the Glacier Mountain area, southwest of Eagle, Alaska, within the Eastern Interior Field Office with the following revisions to the proposed action. A Special Recreation Permit will be issued to Alaska Peak Air Services to outfit up to six hunters in this area for the 2012 season. Of the six possible hunters only one sheep will be harvested within the Glacier Mountain Controlled Use Area (CUA). Up to two additional sheep may be harvested outside the CUA on lands identified in the permit. The remaining hunts will be focused on bear or caribou. Sheep hunts will not be allowed until August 15th, five days after the season opens. In accordance with the measures of the CUA, no motorized use will be allowed during the stated period including aircraft except in the case of an emergency when all action will be coordinated with the Alaska State Troopers. In addition, the permittee will need to comply with the attached Standard Operating Procedures and Stipulations (Attachment 5).

Rationale:

1. The proposed action is consistent with the use of public lands under the authority of Section 302 of the Federal Land Policy Management Act and the regulations found in 43 CFR 2930.

2. All concerns are appropriately addressed in EA DOI-BLM-AK-F020-2012-0007, including cultural resources and subsistence concerns (see attached National Historic Preservation Act Section 106 and ANILCA 810 findings). My decision modifies the proposed action to address concerns regarding the level of Dall sheep harvest, use of aircraft, and user conflicts.
3. Standard Operating Procedures and Stipulations for SRP FF096025 will be attached to the permit. These address the issue of nonnative invasive plants.

/s/ Lenore Heppler
Manager, Eastern Interior Field Office

6/7/2012
Date

Appeal Provisions:

This decision shall take effect immediately upon the date it is signed by the authorized officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)).

Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a notice of appeal must be filed in the office of the authorized officer at Eastern Interior Field Office, 1150 University Avenue, Fairbanks Alaska 99709. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the authorized officer. If you wish to file a petition for stay of the effectiveness of this decision pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and must show sufficient justification based on the following standards: (1) The relative harm to the parties if the stay is granted or denied, (2) The likelihood of the appellant's success on the merits, (3) The likelihood of irreparable harm to the appellant or resources if the stay is not granted, and (4) Whether the public interest favors granting the stay. If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the authorized officer. A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Solicitor, U.S. Department of the Interior, 4230 University Drive Suite 300, Anchorage, AK 99508, not later than 15 days after filing the document with the authorized officer and/or IBLA.

Contact Person

For additional information concerning this decision, contact Collin Cogley at the Eastern Interior Field Office, 1150 University Avenue, Fairbanks, Alaska, 99709, or by telephone at 907-474-2382.