

Decision Record

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

FF096025

Mr. Jeff Burwell submitted an application for a Special Recreation Permit to the Bureau of Land Management (BLM) Eastern Interior Field Office to conduct commercial guided hunting trips near Eagle, Alaska. Mr. Burwell has requested the authorization to guide up to six hunting clients into the Glacier Mountain area during the 2013 hunting season. Based on concerns about a limited Dall sheep population in the area, Mr. Burwell has requested that only two of his clients would attempt to sheep hunt. The proposed action was posted on the BLM's Land Use Planning and National Environmental Policy Act (NEPA) Register, a 30 day scoping notice was emailed to all persons who commented last year to a similar action, and posted in Eagle and Tok, Alaska. A subsequent alternative was developed and considered: The One Sheep Alternative.

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 under the developed One Sheep Alternative and with other mitigation measures included. A Special Recreation Permit will be issued to Alaska Peak Air Adventures to outfit up to six hunters in this area for the 2013 season. Of the six possible hunters only one hunter will be allowed to harvest a sheep within the Glacier Mountain Controlled Use Area (CUA). The remaining hunts will be focused on bear or caribou. The sheep hunt will not be allowed to commence until August 20th, ten 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). The rationale for this decision and conditions of approval are listed below.

Rationale:

The environmental effects of this action were considered in DOI-BLM-AK-F020-2013-0011-EA and were found to have no significant impacts, thus an environmental impact statement is not required.

1. The proposed action is in conformance with the Fortymile Management Framework Plan completed for the area in 1980.

2. 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.
- 3.. The proposed action would not impact salmon or habitat known to support salmon and therefore, the proposed action was assigned the Essential Fish Habitat (EFH) Determination: No effect, and no further EFH consultation is required.
4. There are no anticipated impacts to cultural resources by the Proposed Action.
5. The evaluation and finding done to comply with Section 810 of the Alaska National Interest Lands Conservation Act found that the proposed action may significantly restrict subsistence use; however the One Sheep Alternative Action developed would not significantly restrict use of the area for subsistence purposes.
6. Standard Operating Procedures and Stipulations for SRP FF096025 will be attached to the permit.

/s/ Michelle Ethun (Acting)
Lenore Heppler
Manager, Eastern Interior Field Office

5/10/13
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.