

USDA Forest Service  
Alaska Region

Chugach National Forest  
Glacier and Seward Ranger Districts

**COMMERCIALY GUIDED HELICOPTER SKIING  
FINDING OF NO SIGNIFICANT IMPACT  
AND  
DECISION NOTICE**

**I. INTRODUCTION AND BACKGROUND**

The purpose of this Decision Notice is to document the factors I considered and the rationale I used in making a decision concerning Chugach Powder Guides, Inc. (CPG) request to operate commercially guided helicopter skiing on Glacier and Seward Ranger Districts in the year 2000 operating season; and to document how my decision is consistent with and implements the goals and objectives of the Chugach Land and Resource Management Plan of 1984, as amended (Forest Plan). An environmental assessment (EA) of the proposed action and alternatives was prepared by an interdisciplinary team of natural resource specialists. It discloses the environmental effects of CPG being issued a one-year or a five-year special use permit for guiding helicopter skiing on National Forest lands near Girdwood, Alaska, and on the Kenai Peninsula.

**A. BACKGROUND**

In 1996 and 1997, CPG was issued temporary one-year special use permits for conducting commercially guided helicopter skiing. The temporary use fell within a category of actions which normally do not individually or cumulatively have a significant effect on the environment and may be excluded from documentation in an EIS or EA (FSH 1909.15, 31b-8). On July 20, 1998, CPG submitted an application for a five-year special use permit for guiding helicopter skiing on National Forest lands on the Kenai Peninsula near Girdwood, Alaska. The applicant requested the use of 11 zones during the winter ski season (December through April). Eight of these zones had been used previously by CPG under temporary permits and three were new zones. The proposed action of issuing a five-year permit in an expanded area of operation did not fall within a category of actions excluded from documentation in an EA or EIS. An EA for the CPG project was completed and released on October 8, 1998. The 30-day public comment period closed November 9, 1998. The Decision Notice (DN) and Finding of No Significant Impact (FONSI) for the CPG project was signed by the Glacier and Seward District Rangers on December 15, 1998. The decision was appealed by the Wilderness Society, Turnagain Arm Conservation League and the Alaskan Center for the Environment. Based on the administrative record, the Regional Appeals Deciding Officer reversed the decision and directed that the EA be revised to better address the effects on wildlife and to enhance the cumulative effects analysis. Through an agreement with the appellants, CPG was allowed to operate under a one-year permit for the 1999 season on five zones (see EA, Appendix D).

## **B. CURRENT SITUATION**

A new EA was completed that addressed the effects on identified wildlife species and enhanced the cumulative effects analysis. The EA was released on September 22, 1999, for public review and comment. The 30-day public comment period closed on October 22, 1999. Approximately 100 copies were sent out to the public and twelve comment letters on the EA were received (see Appendix 1).

## **II. DECISION AND REASONS FOR THE DECISION**

### **A. DECISION**

Based on the results of the analysis documented in the EA, my review of public comments on the EA, and in keeping with the settlement agreement with the appellants and CPG, it is my decision to implement Alternative 4.

Under Alternative 4, CPG would be issued a one-year permit for conducting guided helicopter skiing on five zones totaling 111,200 acres. The season of use would be from February 1, 2000, through April 30, 2000. There would be a maximum of 800 client days. Two helicopters per day would be used. Guided helicopter skiing would be allowed in the following five zones:

- Glacier/Winner Creek - 24,900 acres. Reduced by 3,800 acres due to Alaska Department of Fish and Game (ADF&G) recommendations. Monitoring of potential goat disturbance is required on part of remaining area (Appendix E, Environmental Assessment).
- East Twentymile - 6,700 acres (Bear Valley only).
- Placer/Skookum Valleys - 26,600 acres.
- Bench Peak - 32,500 acres. One run eliminated to avoid landing helicopters near moose winter range. Divide Creek drainage to be monitored for the presence of mountain goats (Appendix E, Environmental Assessment).
- Grand View - 20,500 acres.
- **Total = 111,200 acres.**

No guided helicopter skiing will be permitted in the Moose Creek, North Twentymile, Ptarmigan, and West Twentymile zones. For the duration of this permit, there is no opportunity for another helicopter skiing outfitter/guide to operate in the same locations due to safety concerns generated by multiple helicopter skiing guides operating in the same locations.

## **B. APPLICABLE LAWS, REGULATIONS, AND POLICY**

### 1. Chugach Forest Plan As Amended

This action is consistent with the Chugach Forest Plan of 1984. The EA discusses the relation of the proposed action to the direction provided by the Forest Plan (EA, pages 2-5). The Chugach National Forest is currently in the process of revising the Forest Plan. Once the Forest Plan is revised, direction from the plan will be used for making future decisions involving helicopter skiing locations, as well as other helicopter landing locations.

### 2. The Alaska Regional Guide (USDA Forest Service, Regional Guide for the Alaska Region)

The purpose of the Alaska Regional Guide is to provide direction to the Forests within the Alaska Region for land and resource management planning efforts. This action is consistent with the Alaska Regional Guide.

### 3. ANILCA Section 810, Subsistence Evaluation and Finding

The effects of this project have been evaluated to determine potential effects on subsistence opportunities and resources. There is no documented or reported subsistence use that would be restricted as a result of this decision.

### 4. Coastal Zone Management Act of 1972, as amended

The Coastal Zone Management Act requires the Forest Service, when conducting or authorizing activities or undertaking development directly affecting the coastal zone, to ensure that the activities or development be consistent with the approved Alaska Coastal Management Program to the maximum extent practicable. Helicopter skiing is not in a category identified by the Division of Governmental Coordination, Alaska Coastal management Program, that need a consistency review prior to permit issuance.

### 5. Endangered Species Act of 1973

All helicopter landings associated with helicopter skiing will occur on ice, rock and snow. This activity will have no effects upon any Federally listed threatened, endangered or sensitive species of plants or animals (see EA, Appendix C, Biological Evaluation).

### 6. National Historic Preservation Act of 1966

The Forest Service program for compliance with the National Historic Preservation Act includes locating, inventorying and nominating all cultural sites that may be directly or indirectly affected by the scheduled activities. No cultural site survey is required for activities conducted on snow per the Programmatic Agreement between Forest Service, State Historic Preservation Officer and the Advisory Council. If during the helicopter landing or skiing activity any historic, prehistoric, or paleontological objects or sites are discovered, the outfitter/guide must notify the Forest Service. Items of historic, prehistoric, or paleontological value are protected under various Federal laws, including the Antiquities Act of 1906 (16 USC 433), and Archeological Resources Protection Act of 1979 (16 USC 470ee), and Federal regulations.

## 7. Flood Plain Management (E.O. 11988), Protection of Wetlands (E.O. 11990)

This activity is not located within a flood plain as defined by Executive Order 11988 and is not located within wetlands as defined in Executive Order 11990.

### **C. ISSUES**

The following issues were identified through public and internal scoping. Some of the issues were raised by the public while others reflect Forest Service or State of Alaska concerns about specific resources. These issues were used in formulation of the alternatives, analysis of the environmental consequences, and in determining the range of alternatives considered in detail and in making my decision.

1. How would the noise from helicopter take-offs, landings, and overflights affect the residents of Girdwood and people along flight paths?
2. How would helicopter noise and the visual presence of helicopters affect wildlife, especially mountain goats?
3. How would helicopter skiing affect cross-country skiers who access the area via ski train, fixed wing aircraft, and/or highway?
4. How would permitting helicopter landings in roadless areas affect future Wilderness recommendations?

### **D. FACTORS CONSIDERED IN MAKING THE DECISION**

In making my decision to issue Chugach Powder Guides a one-year Special Use Permit to conduct guided helicopter skiing in five zones within Glacier and Seward Ranger Districts, I considered the following:

1. The public, other agencies, and Forest Service resource specialist comments and new information on resources, uses, and effects submitted by the public and other agencies during the EA comment period (see Appendix 1).
2. Decisions and direction established in the Chugach National Forest Land and Resource Management Plan, as amended. The specific Forest Plan Primary Management Goals pertaining to the proposed action are:
  - Increase and improve dispersed and developed recreation opportunities.
  - Maintain landscape character.
  - Maintain and enhance wildlife and fish habitat.
  - Maintain existing wilderness character in areas recommended for wilderness.
3. The selected alternative provides for a mix of Forest goods and services contributing to the local economy and community stability, while minimizing adverse social, economic and environmental

effects, consistent with Forest Plan Goals, (Forest Plan, page III-3), as amended by Forest Plan Settlement Agreement, Amendment Number One.

4. Relevant Forest-wide Standards and Guidelines for this proposal:

Direct private or commercial recreation development to private lands to the extent possible. Issue special use permits for lodges/resorts and commercial outfitters such as float trips, ski resorts, ski tours, and back country camps where additional services and facilities would be in the best public interest and meet established recreation objectives.

5. The Fiscal Year 1998 Monitoring Report.

**E. RATIONALE FOR THE DECISION**

In making my decision, I considered all issues and took into account the competing interests and values of the public. There were many divergent opinions expressed during the completion of the EA. I also considered all new information provided by the public and State agencies during the EA comment period. The selected alternative provides a beneficial mix of resources for the public within the framework of existing laws, regulations, policies, public needs and desires, and capabilities of the land, while responding to the purpose and need of the project. Alternative 4 with its mitigation measures, was selected based on the following considerations:

1. It meets the settlement agreement of February 19, 1999, between the Forest Service, and the appellants of the December 1998, Helicopter Decision. However, I am concerned that by limiting CPG to five zones with 47 identified ski runs, there will be less opportunity for CPG to avoid some user conflicts than if more than five zones had been permitted. People who use the five available zones will see and hear the helicopter more often.
2. It maintains the economic viability of helicopter skiing by providing for the desire by a segment of the public to helicopter ski, while following the mitigative measures of ADF&G recommendations for minimally impacting mountain goats.
3. The alternative is consistent with the Forest Plan. It follows the Forest Plan Primary Management Goal of increasing dispersed recreation opportunities. It meets the Forest-wide Standard and Guideline directing me to issue special use permits to commercial outfitters such as ski tour operators where additional services and facilities would be in the best public interest and meet established recreation objectives.
4. With the following stipulations that will be included in the Special Use Permit, it mitigates many concerns brought up by the public through scoping and public comments on the EA. These stipulations and mitigation measures respond to comments made by the public and to issues identified by Forest Service and State of Alaska resource specialists.

***The following mitigation measures are from the EA:***

- Helicopters exiting from the Girdwood Airport will stay at very low level either in Glacier Creek Gorge or just to the west of the creek until near the Four Corners area. Flights toward Turnagain Arm and the southern zones will follow the western fringe of the Girdwood Valley

until over the Seward Highway, then will follow the highway or cross Turnagain Arm. Flight departures from the Girdwood Airport to the south over residential areas will only be done as absolutely necessary due to wind direction or other safety factors.

- All helicopter skiing will occur between 8:30 a.m. and 7:00 p.m.
- All helicopters will maintain a distance of 2,500 feet above all valley floors and from all observed users.
- Explosives will not be used for avalanche control.
- The use of AStar Helicopters is encouraged because they carry more passengers and generate less noise than other available helicopters.
- Helicopters shall maintain a minimum distance of 1 mile (1.6 kilometers) from all observed mountain goats and 1/2 mile from all other observed wildlife.
- Helicopter landings will not be conducted from May 15 through June 15 to avoid goat kidding period.
- Helicopters will not hover, circle, or harass any species of wildlife in any way.
- CPG will provide goat sighting information, and other wildlife information (numbers, locations, dates) to the Forest Service.
- Permit will include an advisement from Alaska Department of Fish And Game that Alaska Statute 16.05.940 defines "taking" to include pursuing or in other manner disturbing fish or game. Helicopters use within this area may disturb and therefore illegally "take" mountain goats. The permit will state that unlawfully pursuing or deliberately disturbing mountain goats will result in permit revocation.
- Flight paths, which avoid mountain goat habitat and observed mountain goats as much as possible, will be used.
- CPG will avoid ski runs and helicopter flights on south-facing aspects with slopes greater than 50 degrees to avoid mountain goat habitat.
- CPG in coordination with the Forest Service will develop a system for resolution of complaints from the public. Additionally, CPG will be required to implement a "heli-skiing" hotline which will announce their planned ski runs for the day. They will also contact Alpine Air each morning before taking out clients to find out where Alpine Air plans to drop off their customers. CPG will be required to avoid those areas for that day. The standard two runs between the upper and lower landing zones on Bench Peak are excluded from the permit.
- Within the Grandview and Bench Peak zones, no heli-skiing is allowed that will affect ski train users two weeks prior to and during the Nordic Ski Club yearly Ski Train event. However, if the ski train event occurs over three weekends in 2000, this restriction may be modified.

- All FAA safety requirements will be followed. As part of their special use permit requirements, CPG will prepare a Safety and Operating Plan for Forest Service approval. This plan will include: 1) avalanche safety (addressing client safety, as well as safety of other backcountry users in the area), 2) helicopter safety, 3) emergency rescue, 4) guide requirements, and 5) a system for resolving complaints from the public.

***Based on public comments, the following mitigation measure was added to avoid potential conflicts with denning brown bears.***

- If a brown bear den is located through radiotelemetry or observation, helicopter landings and overflights within 1/2 mile of the den site would be prohibited.

5. The alternative favorably addresses the issues (EA, pages 11 through 41)
6. It uses mitigation measures that protect the environment, and meet the needs of other resource values in the areas.
7. Based on the subsistence evaluation contained in the administrative record, the action will not result in any restriction of subsistence uses in the project area.
8. It provides protection to mountain goats through closures of areas believed to support the highest number of goats, requires that CPG work cooperatively with ADF&G to survey areas to determine if the helicopter activity would disturb important wintering areas, and protects goats throughout the area by requiring that CPG move at least one mile from any observed goat. The combination of mitigation measures should ensure that the overall effect of this action on the goat populations will be insignificant (no population level change). In addition, evaluating the results from the monitoring program provides an opportunity to refine mitigation measures in the permit.

It also provides protection to denning brown bears by restricting helicopter flights and landings within 1/2 mile of dens located through radiotelemetry or observation.

9. The Chugach National Forest began revision of the Forest Plan in April of 1997, and revision is scheduled to be completed in October of 2000. The experience gained from this and other proposals are forming the basis for analysis of the issue in the Forest Plan revision process. The ski zones are within inventoried roadless areas which will be considered for possible recommendation to designate them as wilderness in the revision of the Forest Plan. Many factors are involved during these studies, and issuance of a special use permit for helicopter skiing will be one of many factors considered. The activity will not preclude consideration for wilderness, nor carry any more weight than any other factor. In making my decision I considered the following:

The terms conditions of this permit will be reviewed upon the implementation of the revised Forest Plan consistent with the requirements of 36 CFR 219.29. Until a new Forest Plan is in place, all decisions must be made under the direction of the 1984 Forest Plan, as amended. The proposed activities will not alter the roadless character of the areas to the degree that they would no longer qualify as roadless areas. The areas were considered for possible wilderness recommendation in the existing Forest Plan. In the final decision they were not recommended for designation as wilderness. They will again be considered in the current revision process for possible designation as wilderness. The additional activity within a roadless area will be one factor to consider in a decision to recommend or not recommend the areas for designation as wilderness. It will not prevent the area from being considered for designation as wilderness. No future decisions will be forgone by permitting this activity.

10. I believe that conflicts between helicopter skiing and other backcountry users are low, and Alternative 4 minimizes the conflicts. Alternative 4 has the fewest number of heli-skiing runs that overlap with areas used by others. Most of the Nordic skiing use on the Glacier and Seward Ranger Districts occurs in Turnagain Pass, Tincan, Portage Valley, Summit Lake, Manitoba Mountain, Snow River, and the Iditarod Trail areas. Helicopter skiing would not be permitted in any of these areas.

When CPG originally applied for a permit in 1996, they proposed two additional zones to what is being permitted through this decision. These two zones, Seattle and Spokane Creeks, were removed from the permitted zones for skiing because cross-country skiers had been using those areas for several years. Likewise in 1997, CPG applied for use of the Resurrection and Paradise zones. Use of these zones was denied because both areas are used for snowmobiling and cross country skiing.

The main areas of concern, based on public comment, are the Placer/Skookum, Glacier/Winner Creek Zones, and the areas where fixed wing air taxis drop off skiers. In the Placer/Skookum Zone, quality backcountry skiing is limited to time periods in the spring when the snow is hard and good for skate skiing (usually a two week period). I am not deleting any portion of the Placer/Skookum Zone at this time because: 1) This zone contains a high proportion of CPG's "key runs" which are important to maintaining a safe operation, 2) This area is already open to other winter motorized uses including snowmobiling, and 3) The dates of most of the skate skiing use is variable and limited.

Conflicts in the Glacier/Winner Creek Zone are primarily with Girdwood residents who are accustomed to skiing in this area without the noise of helicopters. The number of people who use this area is relatively low. The "hotline" is an effective mitigation measure that will inform people of where CPG is skiing for the day, so they can avoid those areas. In addition, CPG is required to have a system for dealing with complaints from the public.

I believe that conflicts with fixed wing air taxi users can largely be avoided by requiring CPG to better coordinate their activities with Alpine Air, and I have added this as a mitigation measure, and a requirement of the permit.

To further minimize the potential for future conflicts, I am requiring CPG to: 1) Install a "hotline" to inform the public of where they are skiing each day so people can avoid those areas if desired, and 2) Maintain a distance of 1/2 mile from all observed backcountry users.

### **III. ALTERNATIVES CONSIDERED**

In making my decision, I considered the following alternatives:

#### **Alternative 1 - No Action - Do not reissue a Special Use Permit to Chugach Powder Guides.**

CPG's Special Use Permit expires December 31, 1999. In this alternative, a new permit would not be issued and the proposed commercial helicopter skiing would not be allowed on the Glacier or Seward Ranger Districts. No client days would be permitted.

#### **Alternative 2 - Issue a Special Use Permit for five-years to Chugach Powder Guides at their requested helicopter locations, minus Resurrection and Paradise Zones.**

CPG would be issued a five-year permit for conducting helicopter supported skiing on nine zones totaling 261,700 acres. CPG's plan to expand on their reported 542 client-days in 1999 hinges on the success of their marketing plan for spurring sales in their helicopter skiing markets. This alternative would allow for an increase of up to 1,200 client-days. The number of client-days per year is expected to be 720 in 1999/2000, with a 20% increase to 860 in 2000/2001, 1,030 client-days in 2001/2002, 1,200 in 2002/2003, and 1,200 in 2003/2004 (the final year of the five-year permit). Two helicopters would be used. Guided helicopter skiing would be allowed at the following nine zones:

- Glacier/Winner Creek - 28,700 acres.
- North Twentymile - 12,200 acres.
- East Twentymile - 41,900 acres.
- West Twentymile - 33,300 acres.
- Placer/Skookum Valleys - 26,900 acres.
- Bench Peak - 32,500 acres.
- Grandview - 20,500 acres.
- Moose Creek - 37,800 acres.
- Ptarmigan (Crown Point) - 27,900 acres.
- **Total = 261,700 acres.**

#### **Alternative 2A - Issue a Special Use Permit for one-year to Chugach Powder Guides. Remove or modify those zones where there is a high potential for conflicts with wildlife.**

CPG would be issued a one-year permit for conducting helicopter supported skiing on six zones totaling 146,400 acres. This alternative would provide for 800 client days of skiing. The season of use would be February through April. Two helicopters would be used. Guided helicopter skiing would be allowed at the following six zones:

- Glacier/Winner Creek - 24,900 acres. Reduced by 3,800 acres due to ADF&G recommendations. Monitoring potential goat disturbance required on part of the area.
- East Twentymile - 26,000 acres. Reduced by 15,900 acres due to ADF&G recommendations.

- West Twentymile - 15,600 acres. Reduced by 17,700 acres due to ADF&G recommendations.
- Placer/Skookum Valleys - 26,900 acres.
- Bench Peak - 32,500 acres. One run eliminated to avoid landing helicopters near moose winter range. Divide Creek Drainage to be monitored for the presence of mountain goats.
- Grandview - 20,500 acres.
- **Total = 146,400 acres.**

**Alternative 3 - Issue a Special Use Permit for one year to Chugach Powder Guides for a reduced number of helicopter skiing zones and zones with different boundaries.**

CPG would be issued a one-year permit for conducting helicopter supported skiing on eight zones totaling 146,800 acres. Because of cross country skier conflicts with helicopter skiing, several zones were modified or removed. In this alternative, the northern half of the previously permitted Bench Peak Zone, the Placer/Skookum Valleys Zone, and the "Punch Bowl" area at the headwaters of Kern Creek within the Glacier/Winner Creek and West Twenty Mile Zones were eliminated. In addition, all areas in which ADF&G recommended no use were eliminated from the zones requested by CPG. This alternative would provide 600 client days of skiing. The season of use for conducting this activity would be December through April. One helicopter would be used. Guided helicopter skiing would be allowed at the following eight zones:

- Glacier/Winner Creek - 10,500 acres. Reduced in size, northern one quarter removed due to ADF&G recommendations.
- Peterson Creek - 10,400 acres. A new zone was created by removing the "Punch Bowl" from Glacier/Winner Creek zone due to potential cross country skier and fixed wing landing zone conflicts.
- West Twentymile - 9,100 acres. Reduced in size, northern two-thirds eliminated due to ADF&G recommendation.
- East Twentymile - 25,800 acres. Northeastern one-third eliminated due to ADF&G recommendation.
- Bench Peak Zone - 14,100 acres. Reduced in size, northern half removed due to potential cross country skier and fixed wing landing zone conflicts.
- Grandview - 16,300 acres. Reduced in size, the special use permit would state: "No heliskiing is allowed that will affect ski train skiers two weeks prior to and during the Nordic Ski Club Yearly Ski Train Event."
- Moose Creek Zone - 37,800 acres. Remains the same area as in Alternative 2.
- Ptarmigan Zone - 22,800 acres. West side, south facing slopes near Ptarmigan Lake reduced because of impact to wintering mountain goats; east side eliminated due to potential conflicts with recreation users.
- **Total = 146,800 acres.**

**Alternative Considered but Eliminated from Further Consideration:**

Reissue a Special Use Permit for CPG for conducting commercially guided helicopter skiing at eight previously approved locations (listed in the CPG 1998 permit) with the addition of three more zones: Resurrection, Ptarmigan, and Paradise. These zones are located on the Seward Ranger District. The

Acting Seward District Ranger has previously decided that Resurrection and Paradise zones would not be considered because both areas are used primarily for winter recreation - snowmobiling and cross country skiing. Allowing helicopter skiing in those areas would adversely impact existing recreation users and wildlife. Because of user conflicts, the Seattle Creek and Seattle Creek zones were eliminated in the 1997 analysis.

#### **IV. PUBLIC INVOLVEMENT**

Public involvement was initiated in March, 1998 with the *Chugach National Forest Schedule of Proposed Actions for Environmental Analysis*. Approximately 350 quarterly schedules were mailed. On August 11, 1998, a scoping letter was mailed to 135 individuals, organizations, and agencies. A total of 28 written responses were received as a result of this scoping effort (see EA, Appendix A). On October 8, 1998, the original EA was released to the public; the 30-day comment period closed November 9. Forty-nine responses were received (see EA, Appendix B). A Decision Notice approving the project was signed on December 15, 1998. The decision was appealed and the EA was remanded back for revision. On May 3, 1999, a letter was sent to 233 individuals, organizations, and agencies in an effort to identify cumulative effects concerns. A total of 37 responses were received. These comments were used to frame the cumulative effects analysis. The additional cumulative effects analysis was announced in the July and October, 1999 *Chugach National Forest Schedule of Proposed Actions for Environmental Analysis*. Approximately 350 quarterly schedules were mailed. A new EA for the 2000 season was released on September 22, 1999. The 30-day public comment period closed on October 22, 1999. Approximately 100 copies were sent out to the public and twelve comment letters on the EA were received (see Appendix 1).

#### **V. IMPLEMENTATION, MONITORING AND MITIGATION**

##### **A. IMPLEMENTATION**

Implementation of decisions which are subject to appeal pursuant to 36 CFR part 215, may occur on, but not before, five business days from the close of the appeal filing period. The appeal filing period closes 45 days after publication of legal notice of this decision in the Anchorage Daily Newspaper, published in Anchorage, Alaska. Implementation will be consistent with 36 CFR 219.29.

##### **B. MONITORING**

The specific monitoring plan for this proposal is shown in Appendix E in the EA. The following additional items were developed in response to public issues and management concerns:

- Obtain written documentation of all goat sightings from CPG.
- Forest Service will maintain a file of complaints regarding noise, user conflicts or any other adverse situations raised by the public.
- Hold an annual ADF&G/Forest Service wildlife/helicopter meeting to discuss the goat study areas and any new information pertaining to the goat/helicopter situation. The meeting would

be in the spring, shortly after CPG ceases operations for the season. Results of the meeting may lead to modification of any future permit.

- Monitor conditions of the permit for compliance.

The monitoring items provide a mechanism for monitoring both the implementation of mitigation measures and their effectiveness. Results of monitoring will provide indicators of any need to modify the permit.

### **C. MITIGATION**

Mitigation measures are site-specific measures to reduce the adverse impacts of the helicopter skiing proposal. Applicable Forest Plan Standards and Guidelines are referenced on pages 2 through 5 in the EA. Recommended stipulations that serve as mitigation measures to the Special Use Permit were specified by the interdisciplinary team and listed in this document in Section E, item 4, Rationale for the Decision.

## **VI. FINDING OF NO SIGNIFICANT IMPACT**

I have determined that these actions will not significantly affect the quality of the human environment, therefore, an environmental impact statement is not needed. This determination is based on the effects analysis documented in the environmental assessment, in light of the following factors listed in 40 CFR 1508.27:

### **Context**

The helicopter skiing activity applies to a project limited in scope and duration. The potential effects will be confined to 111,200 acres on the Glacier and Seward Ranger Districts. The total acreage of Glacier and Seward Ranger Districts is 3,479,000 acres. The season of use for this project is 90 days (February 1 through April 30). The permit duration is one-year. Two helicopters per day will be used. Maximum use is 800 client-days.

### **Intensity**

1. Both beneficial and adverse effects have been taken into consideration when making this determination of significance. Beneficial effects have not, however, been used to offset or compensate for potential adverse effects.
2. Public health and safety would not be adversely affected. The sound levels from helicopters do not pose a threat to hearing safety (EA, page 12). Mitigation measures are expected to prevent most adverse effects to mountain goats, other wildlife, and non-helicopter skiers who recreate near the helicopter skiing zones (EA, pages 16, 17, 30, 31, and 39).
3. The characteristics of the geographic area do not make it uniquely sensitive to the effects of the helicopter skiing operations. Site specific analysis and review of other similar projects on or within the Alaska Region lead us to expect no measurable off-site environmental effects or serious on-site environmental effects.

4. Although there is some controversy among the public over the potential effects, Forest Service and other Federal and State scientific and professional experts consulted agree that the activities can be implemented without significant effect on the environment. For wildlife, the elimination of various areas with known concentrations of mountain goats, the requirement for the helicopter to maintain at least one mile distance from goats, the requirement for monitoring goats (see Appendix E of the Environmental Assessment), the fact that no habitat manipulation will occur, the low probability of disturbing nesting owls or denning bears, and the mitigation measures intended to minimize impacts to wildlife, are adequate to ensure that the overall effect on wildlife will be insignificant.

5. A recreation activity such as downhill skiing on a snow covered mountain and using a helicopter to access heli-skiing zones is not considered highly uncertain nor does the activity represent unique or unknown risks (EA, Page 35).

6. This decision does not set a precedent for future decisions. Any future helicopter skiing operation within this project area or any other area on the Forest will need to consider all relevant scientific and site-specific information available at that time.

7. This action does not represent potential significant cumulative adverse impacts when considered in combination with other past or reasonably foreseeable actions (EA, pages 14-16, 28-30, 36-38, and 41). The cumulative effects analysis was done for noise, wildlife, and cross-country skiers.

The number of people potentially adversely impacted by noise in the cumulative effects area is relatively low. In the areas where noise is concentrated, such as the communities and transportation corridors, it is largely an accepted part of the environment. Where noise becomes more of a concern is in the "backcountry" where people have a higher expectation of a quiet setting. Noise in these areas is generated by snowmobiles, aircraft, and avalanche control. I feel the cumulative effect of the noise from these activities is not significant primarily because: 1) The area affected by these noises is relatively small when compared with the size of the cumulative effects area, 2) There are many places and times when people can find a quiet setting, and 3) the number of backcountry users potentially adversely affected are relatively low. Also, the mitigation measures listed on pages 16 and 17 of the EA are effective in minimizing noise impacts.

The species of greatest concern relative to wildlife cumulative effects is moose. As discussed in the EA, mortality comes from hunting, being hit by automobiles and trains, and predation. Also, snowmobile and cross country ski use, which can result in disturbance to moose, overlaps with winter range in all but one of the moose winter range areas. Helicopter skiing has occurred in these areas for the past three seasons. Despite these effects and activities, the Kenai moose population is stable and remains a huntable population. This indicates to me that the cumulative effects are not significant. Likewise, the cumulative effect of activities on other wildlife species are not significant because: 1) All wildlife species discussed, with the exception of raptors, are commonly hunted or trapped, 2) Most of the potential cumulative impacts to the other focus wildlife species in the winter would be from snowmobilers and cross-country skiers, and the potential for encounters with these users is low, and 3) No habitat manipulation would occur from helicopter skiing. Also, the mitigation measures listed on pages 30 and 31 of the EA will be effective in minimizing impacts to wildlife.

Based on public comments, I believe the cumulative impact of greatest concern to Nordic skiers is of the expanding snowmobile use in the area. Some Nordic skiers who prefer a quiet setting have either been

displaced in some areas or have felt a decline in their recreation experience. However, I do not feel that the cumulative effect of the snowmobiling and helicopter skiing use is significant because the amount of helicopter skiing is relatively low, other areas are available for Nordic skiers where snowmobiling use is not allowed or does not occur (see Recreation Cumulative Effects map), and the number of Nordic skiers potentially affected is relatively low. Also, the mitigation measures listed on page 39 of the EA will be effective in minimizing impacts to cross-country skiers.

8. No cultural site survey is required for activities conducted on snow and ice fields per the Programmatic Agreement between Forest Service, State Historic Preservation Officer and the Advisory Council (EA, page 5).

9. The area contains no known threatened, endangered, or sensitive plants or animals during the operating season. There is no critical habitat for threatened or endangered species within or adjacent to the project area (EA, pages 5 and 30). Trumpeter swans, a R-10 Sensitive species, migrate through the area in mid-April (DN, Appendix 1, page 11).

10. This action does not threaten a violation of any federal, state, or local environmental protection law.

## **VII. ADMINISTRATIVE REVIEW**

This decision is subject to administrative review pursuant to 36 CFR 215. The appeal must be filed in writing within 45 days of the date the legal notification of this decision is published in the Anchorage Daily News. The appeal must be filed with :

Regional Forester  
Alaska Regional Office  
P.O. Box 21628  
Juneau, AK 99802-1628

Anyone who appeals must provide the Regional Forester sufficient narrative evidence and argument to show why the decision by the District Rangers should be remanded or reversed. At a minimum the notice of appeal must:

1. State that this is an appeal pursuant to 36 CFR 215.
2. List the name and address of the appellant and, if possible, a phone number.
3. Identify this decision, the Chugach National Forest "Commercially Guided Helicopter Skiing on Glacier and Seward Ranger Districts Proposal", the date it was signed by the decision makers, Deidre St. Louis, District Ranger, Glacier Ranger District, and Michael Kania, District Ranger, Seward Ranger District.
4. Identify the change or changes in the decision that the appellant seeks or the portion of the decision to which the appellant objects.

5. State how the decision fails to consider comments previously provided, either before or during the comment period specified in 36 CFR 215.6, and, if applicable, how the appellant believes the decision violates law, regulation, or policy.

**VIII. CONTACT PERSON**

For additional information about this decision, contact:

Elaine Gross  
Recreation/Lands Specialist  
Glacier Ranger District  
P.O. Box 129  
Girdwood, AK 99587  
(907) 754-2314

**IX. SIGNATURES**

/s/ Deidre S. St. Louis  
**DEIDRE S. ST. LOUIS**  
**District Ranger, Glacier Ranger District**

11/2/99  
**Date**

/s/ Karen Wickersham  
**for**  
**MICHAEL KANIA**  
**District Ranger, Seward Ranger District**

11/2/99  
**Date**