



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

## Department of Fish and Game

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Statewide Programs

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August 23, 2021

Steve Namitz  
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P.O. Box 280, 612 Second Street  
Cordova, AK 99574

Sent via email: [cnfheli@usda.gov](mailto:cnfheli@usda.gov)

Attn.: Comments regarding Cordova Ranger District Guided Helicopter Skiing EA

Dear Mr. Namitz,

The Alaska Department of Fish and Game (ADF&G) reviewed the Environmental Assessment (EA) prepared by the Forest Service (Service) for the Cordova Ranger District Guided Helicopter Skiing Project and appreciates the opportunity to offer comments on the Service's Guided Helicopter Skiing Project Environmental Assessment (EA).

We understand the project proposes to issue special use permits (SUPs) for guided helicopter skiing (heli-skiing) activities on over 590,000 acres of Service land in the Chugach Mountain Range, within the Cordova Ranger District.

As currently proposed, in our professional evaluation as the agency responsible for the management of wildlife populations, the project **has the potential to significantly impact the area mountain goat population and subsistence hunters** (both state and federal) as currently proposed. The Service states that the number of hunters is low in the project area. A decline in the goat population due to the proposed activities has the potential to seriously impact these hunters. We request that the Service pause the review of this EA and work with ADF&G staff to ensure a valid baseline and monitoring program are in place to ensure that any population impacts that develop over time are caught early and mitigated. We have previously reached out to the Service (e.g., scoping comments April 2021 and local staff engagement) to coordinate closely on this issue and despite good conversations at the staff level, our comments and concerns are not addressed in the EA. Please let us know why, as the wildlife manager, the Service is not working with us on this proposed project. A project that has direct impact on wildlife resources for the Alaskan public using Service lands. The 2020 Forest Management Plan recognizes that ADF&G has primary management responsibility for fish and wildlife in Alaska (page 4) and calls for a cooperation and a collaborative process with ADF&G, especially on research, monitoring, and specific project activities. (page 5 and Desired Condition FW-GL1-ER-DC)

Below please find a summary of the issues we found with the EA.

**Issue:**

Failure to comply with the requirement to describe the need for the proposal per Service regulations 36 Code of Federal Regulations Part 220.7 “Environmental assessment and decision notice.”

**Proposed Resolution:**

We request the Service provide more information on why operators are requesting:

- Over 8 times the amount of proposed client days than have previously been used on average (42,900 client days requested versus 245 average days used for all permit holders).
- A season that runs from December 1 until April 30 when, in general, the Alaska heli-ski season runs from February to the end of April due to the lack of daylight hours.<sup>1</sup>
- Over 590,000 acres of permitted/usable terrain. (The current amount permitted is not included which makes it difficult to compare possible baseline effects.)

**Discussion:**

The EA states the need is to address increased demand for guided heli-skiing opportunities. (pg.2) yet fails to describe the existing conditions that require change.

The EA states that between 1998 and 2019 one heli-ski operator was authorized at a time. In 2020 and 2021, three businesses were authorized under temporary permit. The EA then states that the average client days permitted from 2003 through 2021 was approximately 400 days and the average client days used for all permit holders was approximately 245 days. Three helicopters were authorized between 2003 and 2019 and nine helicopters were authorized in 2020 and 2021.

The EA states that three businesses, selected in response to a 2020 Service prospectus, requested a combined total of 2,900 client days across 13 heli-ski zones, and, presumably since this is what is proposed, a December 1 to April 30 period of operation. The EA does not describe what heli-ski zones are currently used or have been used in the past nor does it specify why this use season is proposed.

**Issue:**

The Service fails to include a no-action alternative describing the current heli-ski operations in the EA.

**Proposed Resolution:**

We request the Service include a no-action alternative in a revised EA or in an EIS.

**Discussion:**

While 36 CFR Part 220.7(b)(2)(ii) does not require a no-action alternative in an EA, stating:

The EA may document consideration of a no-action alternative through the effects analysis by contrasting the impacts of the proposed action and any alternative(s) with the current condition and expected future condition if the proposed action were not implemented.

The proposed action in this EA is attempting to ensure project activities do not result in a decline in the mountain goat population in the project area.

The EA states that, “Increased flight activity and the effects on mountain goat populations is an increasing concern among management agencies” (page 15). ADF&G, the manager of wildlife populations within the

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<sup>1</sup><https://blog.heli.life/ski-ride/the-best-time-to-go-heli-skiing-in-alaska>  
<https://majesticheliski.com/weather/>  
<https://www.alaskaheliskiing.com/>

State of Alaska, agrees with this concern. Given this concern, we believe it is imperative for the Service to clearly contrast the impacts of the proposed action alternatives with the current condition. Without this information it is impossible to have a finding of no significant impacts (FONSI) as was inappropriately concluded in the EA.

**Issue:**

Failure to comply with 36 CFR Part 220.7(b)(2)(iv) and (b)(3).

**Proposed Resolution:**

Service to work with ADF&G, the agency responsible for the management of wildlife populations on all lands in the State, on the adaptive management plan to ensure project does not cause, or remedies, any effects on the mountain goat population in the project area.

**Discussion:**

36 CFR Part 220.7(b)(2)(iv) and (b)(3) require, if an adaptive management proposal is included in the EA, that it must clearly identify the adjustments that will be made when monitoring during project implementation indicates the action is not having its intended effect or is causing unintended and undesirable effects. The effects of the proposed action, the alternative, and the effects of the adjustment must also be described.

Currently the EA states that winter habitat data will be collected by the District wildlife biologist, but actual use data will be reported by heli-ski permit holders. How will the Service ensure accurate data is being collected by permit holders? Seeing goats may restrict their area of operation, is it in their best interest to be accurate? What will trigger permit adjustments? What will the timeline on adjustments be?

The EA states on page A-4 that “frequency of trips will be adjusted based on monitoring results,” but how may goats result in an action trigger and what is the time frame for action triggers? We request these questions and our additional concerns below be directly addressed by the Service.

Additional concerns we have with the actions in the proposed monitoring plan:

- Proposes measuring presence/absence and comparing it against old data (A-3) to see the amount of overlap between winter goat habitat with skiing areas trending down, yet there is insufficient baseline or proposed data to determine if the population itself is declining; this is the real concern; it is not feasible to accurately calculate the change in population when little is known about the existing population numbers.
- A trigger is identified as movement of more than 2 kilometers from a previous location (A-3). But nowhere does it state if the Service proposes to measure from raw or buffered locations? In some instances, 2 kilometers of movement may be obfuscated by the 1.5-kilometer buffer.
- How will the Service determine movement since individuals and groups will not be followed?
- Are you looking at polygon change? What if the size of the polygon just changes?
- Proposes to fly surveys once a month for the first 2 years during January and February; will all areas be done once a month? What will you do if weather grounds flights, how will these be made up? If an area is not surveyed in a year, will that area be removed from permitting until it can be surveyed?
- How will search intensity be standardized?
- There is reference to snowpack and its impact on movements. How will that be measured?

- Collared goat data is described as necessary, yet there is no information on how that data will be acquired nor how it will be analyzed.
- There is reference to goats changing their habitat from higher to lower quality areas. How will that be determined?
- Nothing addresses how the Service will monitor operator compliance to ensure the information obtained is valid.

#### **Issue:**

The EA fails to provide adequate baseline data about mountain goat population and winter habitat areas in the proposed project area.

#### **Proposed Resolution:**

Service to spend the next two years gathering the “baseline information” on goat population numbers and winter habitat areas needed for this proposed project.

Service needs to determine when and how they will use aerial observations of goats versus radio collars.

#### **Discussion:**

In our scoping comments, we requested the Service collect data with sufficient resolution to guide future actions. We requested details on how the Service proposed to collect winter habitat data and how that data would then be used to inform permitting and management decisions. These concerns were not addressed in the EA.

With regard to the current data included in the EA, it states, “These surveys are not a representation of the overall population but rather a gauge of location and habitat use by mountain goats in winter” (page 15).

The EA also states it uses winter aerial surveys conducted in the 2003-2009 timeframe to identify mountain goat winter habitat in the project area.

Only those goats in open areas were counted, therefore these surveys most likely only represent a portion of the goats in an area with forested areas under-represented. These surveys are not a representation of the overall population but rather a gauge of location and habitat use by mountain goats in winter. Goat trails and sightings were grouped over all survey years and buffered by 0.9 miles (1,500 meters) (Figure 4). To address the sightability issues (and forested areas used by goats), polygons were drawn around areas of concentrated observations seen on replicated surveys while also incorporating key landscape features that have been identified in the literature as important to goats such as south facing aspects and slope (Goat Avoidance Areas). (page 15)

This information is over 10 years old and what this methodology proposes is a presence/absence exercise where the only goats that matter are those on the perimeter of the polygon.

Baseline information is the initial known value at the beginning of a study which is then used for comparison with later data. The Service cannot, in a scientifically valid manner, conduct surveys, during the first two years of the project to establish baseline information as is proposed in this EA.

Without gathering baseline data, i.e., data gathered **before** the initiation of proposed activities, we fail to understand how the Service can achieve the objective included in the Scoping Notice to *identify and document important mountain goat winter habitat*.

The Service methodology in Appendix A, page A-5, appears to recognize the importance of statistically valid baseline and winter habitat data in response to the question below, yet the EA fails to lay out a strategy to accomplish either.

**What will be measured and what type of data will be collected in the survey areas [for winter habitat use]?**

The EA states monitoring will consist of two parts:

- 1) gathering baseline information on goat locations to identify or validate important winter habitat areas, and
- 2) gathering information about the use of important winter habitat by goats during heli-ski operations.

Cognizant of the scope of the possible research and the cost involved in conducting surveys or collaring studies, we recommended focusing research on those areas with the highest anticipated use and disregarding those areas in the project that are not anticipated for use. Since the Service is proposing to use an adaptive management strategy, the areas to be surveyed can increase if determined necessary as time goes on.

The EA states that “depending on the rigor of the survey data (aerial observations vs. collars) this monitoring effort can potentially identify habitat level of importance.” The EA needs to identify which option will provide the more rigorous data and the value of each monitoring action. Based on our experience conducting wildlife surveys, we believe a collar study will provide much better information in this situation as the Service will be able to identify multiple locations of individual goats per day rather than maybe collecting one location a month.

In addition, we have the following concerns regarding the collection of data:

1. If surveys were/will be flown within a location one day per year over a maximum of five years, there is no ability to deal with variability in goat use that occurs from day to day or month to month; how will this issue be addressed?
2. The 0.9-mile buffer is undefined and the reasoning behind its choice is unclear. Please clarify.
3. The term “known habitat features” is listed as a data source for Map A-1, but the term is never defined making it impossible to gauge the validity of the areas shown on Map A-1.

Whether any impacts from the heli-skiing operations could result in potential population declines and resulting impacts to hunting opportunities is of primary critical concern to us as the resource manager. For these reasons, it is critical for the Service gather the necessary data to understand the potential as well as realized impacts of helicopter-based tourism on goat populations.

**Issue:**

Failure to include:

1. reference to ADF&G’s management responsibilities per the 2020 Forest Management Plan.
2. reference to wildlife (mountain goat) specific management direction from the 2020 Forest Management Plan; and
3. reference to the ADF&G MMOU with the USFS.

**Proposed Resolution:**

Please include reference to ADF&G authorities and MMOU per the 2020 Forest Management Plan as well as compliance with FW-WLGOAT-S or G in the revised EA.

**Discussion:**

We are disappointed the Service failed to address and integrate our scoping comment request to fully recognize ADF&G's authority to manage fish and wildlife on all lands in Alaska regardless of ownership, unless specifically superseded by federal law and how that management overlays with the Service's land management responsibilities. The Service also has failed to meet our request that the EA include a commitment to cooperate as outlined in the MMOU between the Service and ADF&G.

ADF&G is the agency responsible for wildlife management in the State, we request the Service engage us as a cooperating agency in the planning for this project, in accordance with the MMOU between our two agencies. The Forest Plan does recognize our management of wildlife populations (page 4) and does commit the Service to collaborative and cooperative relationships with the state, including ADF&G and *commits to coordinating with ADF&G on all monitoring and specific project activities*. (page 5). This EA and all Service actions should as well.

Please include reference in the EA to Desired Condition FS-GLI-ER-DC, FW-ERIR-MAP, and FW-WLGOAT-S or G which requires the Service to consider seasonal restrictions prior to authorizing activities within or close to mountain goat or Dall sheep wintering habitat (October 1 through May 30) and kidding and lambing habitat (May 10 through June 15) from the Forest Plan

The EA states: "Design features may be updated during project implementation based on current and changing conditions, with review by the relevant resource specialist(s) and approved by the responsible official." (page 5) The review of design features that address mountain goat issues, needs to include review by ADF&G. The purpose of the monitoring plan is to ensure that no impacts occur to the mountain goat population. This is ADF&G's responsibility, and we therefore must be involved in this evaluation. Since the EA proposes to use an adaptive management plan, it is virtually a given that design features will change over time and need review on an on-going basis.

We do recognize the EA commits to cooperating with us but the minimal amount our scoping comments were used to shape the EA and the monitoring program leave us unsure how and to what degree this will occur. Please provide specific details on the Service's plan for meaningfully engaging ADF&G as a cooperating agency on heli-skiing activities.

**Issue:**

December 1 (Alt 1) or December 15 (Alt 2) to April 30 as the proposed time frame for permit issuance. This time frame conflicts with the State goat hunting season which ends on January 31.

**Proposed Resolution:**

Revise proposed permit timeframe to February 1 to April 30 to coincide with user season.

**Discussion:**

The Alaska heli-ski season runs from February to the end of April due to the lack of daylight hours prior to this time in the year. There is no justifiable reason to extend the permitted heli-ski season beyond the usable season.

**Issue:**

Determination that impacts to hunters is not significant due to low hunter numbers.

**Proposed Resolution:**

Include analysis of impacts to goat hunters.

**Discussion:**

The Service must analyze what potential impacts the project may have on both federal and state subsistence hunters in the project area. The proposed expanded permitting area includes the three most important goat hunting areas for residents of Unit 6 (RG230, RG231, and RG232). The Service's determination that a low number of hunters use the area does not consider the low community population in the project area. The number of hunter's using the area is therefore a higher proportion of the populous on a per capita basis. The Service needs to consider the impacts to the local hunters where hunting is a major source of food.

To evaluate whether a potential impact is "significant," an agency must analyze both the context in which the proposed action would take place and the intensity of its impact (40 CFR 1508.27); this precludes low numbers being an automatic indicator of low impact.

**Issue:**

Failure to include the 810 Analysis in the EA.

**Proposed Resolution:**

Provide the 810 Analysis for public review. Provide adequate time for agency and public review of the analysis.

**Discussion:**

While we understand the Service prepared an 810 Analysis for the project in accordance with ANILCA Section 810, the Service did not include it in the EA and was not able to provide it when asked on 8/20/21. ADF&G as well as the public has not had the opportunity to review the 810 analysis. The review period for this EA should be revised to accommodate agency and public review of all components of the EA. Upon preliminary review of the 810 Analysis, in the limited time we were provided with the 810 (received on 8/23/2021 -- the day comments were due), it validates many of the comments and concerns we have outlined in our comments above.

**Issue:**

The EA mixes terminology using GMUs, RGs and designating heli-ski zones with the same numbers as GMUs.

**Proposed Resolution:**

Please ensure clarity and consistency with labeling heli-ski zones.

**Discussion:**

It is difficult for the reader to follow what specific area and use is under discussion when the EA is referring to the various figures in the documents.

ADF&G appreciates the opportunity to offer comments on this EA for the Cordova Ranger District Guided Helicopter Skiing Project and the discussions your biologists have been having with our area staff. We would like to continue working with Service staff to develop and review ways to implement a baseline study and monitoring program that provide opportunities for operators while protecting the mountain goat population. ADFG is a natural partner for the collection of these data. Please continue to communicate about opportunities to collaborate and pool resources.

As we state initially, the project **has the potential to significantly impact mountain goat population and subsistence hunters** (both state and federal) as currently proposed. We request that the Service pause the review of this EA and work with ADF&G staff to ensure a valid baseline and monitoring program are in place to ensure that any population impacts that develop over time are caught early and mitigated.

If the Service instead moves ahead with the actions proposed in this EA, we do not agree that the impacts between the proposed alternatives are equal. We believe, of the two proposed alternatives, Alternative 2 is the environmentally preferable alternative, as it will cause the least harm to the biological and physical environment while best protecting the mountain goat population.

Should you have any questions or concerns, please feel free to contact me or Charlotte Westing, ADF&G Prince William Sound Area Wildlife Biologist (907-424-3215, [charlotte.westing@alaska.gov](mailto:charlotte.westing@alaska.gov)) or Heidi Hatcher Glennallen Area Biologist (907-822-3461 or [heidi.hatcher@alaska.gov](mailto:heidi.hatcher@alaska.gov)) at your earliest convenience.

Sincerely,

/s/

Jennifer Nolan Wing

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