

File Code: 2610

Date: June 20th, 2024

Route To: File

Subject: *Forest Order – Byron Glacier Trail Closure*
From: *Jeff E. Schramm – Forest Supervisor*

For the safety of the public, I have decided to issue a Forest Order closing the Byron Glacier Trail to Forest users. Today, a black bear was observed feeding on a moose kill on the Byron Glacier Trail in Portage Valley. This poses a significant threat to public safety for Forest visitors using the Byron Glacier Trail since bears are known to defend their food sources. This natural behavior necessitates a Forest Order is necessary to mitigate the bear hazard.

Additionally, it is very likely that this bear will continue to utilize and guard this food source for the next couple of weeks. It is clear a trail closure is necessary to protect the public until the bear is done utilizing this food source or no longer in the area.

The closure boundary for Byron Glacier Trail begins at its' intersection with Byron Glacier Trailhead parking area, which is located adjacent to Byron Glacier Road, and consists of the entire 0.8 mile trail from the trailhead to the trail's terminus.

I have concluded that this decision is categorically excluded from documentation in an Environmental Impact Statement or Environmental Assessment under the National Environmental Policy Act. This action falls within the category identified in 36 CFR 220.6(d)(1) – prohibitions to provide short-term resource protection or to protect public health and safety – and does not require documentation in a decision memo, decision notice or record of decision. I have determined that there are no extraordinary circumstances associated with this temporary closure. No CRIA is needed. Implementation of the decision may begin immediately. When making this determination, however, I also considered that imposing use restrictions at the campground would have little or no environmental effects.

Additionally, I note that the Forest Order closing Byron Glacier Trail was initially issued on June 20th, 2024, without following the Order review process specified in Forest Order Handbook 5309.11, § 32.26. However, in “emergency conditions that may threaten public or employee safety, natural resources, or Government property, an Order may be approved by the responsible line officer without prior completion of the above requirements.” FSH 5309.11, § 32.26. Here, I determined that the circumstances requiring a use restriction at the Byron Glacier Trail qualified as an emergency and that a Forest Order was urgently needed to mitigate a risk of harm to human life or safety. Although I issued the emergency Order on June 20th, 2024 without going through the ordinary review process, the Order will subsequently go through the review process contemplated in FSH 5309.11, Section 32.26 on June 21st, 2024.

To determine the impacts of the closure order on various user groups, the Glacier Ranger District and/or the Chugach National Forest conducted scoping by holding internal conversations with USFS employees with areas of expertise in recreation and wildlife. I also understand that scoping was also conducted with the Alaska Department of Fish and Game Wildlife Division who also recommended a closure.

The area closure will remain in effect until July 4th, 2024 unless rescinded before that date.

JEFF SCHRAMM
Forest Supervisor
Chugach National Forest