

STATE OF ALASKA

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GOVERNOR

ANILCA IMPLEMENTATION PROGRAM

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May 23, 2004

Tomie Lee
Superintendent
Glacier Bay National Park and Preserve
P.O. Box 140
Gustavus, Alaska 99826

Dear Ms. Lee:

The State of Alaska reviewed the Environmental Assessment for Dry Bay Facility Improvements, dated April, 2004. This letter contains the consolidated comments of the State's resource agencies and supplements the response you will be receiving shortly from the Alaska Coastal Management Program office.

General Comments

The State supports the proposal to remove human waste from the area instead of dumping the waste in a nearby meadow. This effort will decrease attraction of bears to the meadow and lessen chances of human-bear interactions in and around the area.

Regarding the discussion of Mitigation Measures on page 29, we encourage the Service to provide signage at the river takeout to show the locations of the new waste disposal facility/outhouse and the new ranger station. Signage will improve safety in the area and alert users of the available facilities.

State Permits Required

The EA provides little information on the new boat take out. Based on the limited information available, please be advised that the Alaska Department of Natural Resources (DNR) will likely require two authorizations before the project commences:

1. Because the Alsek River is listed in the *Catalog of Waters Important for the Spawning, Rearing, or Migration of Anadromous Fishes*, a DNR Fish Habitat Permit is required. Alaska Statute 41.14.870 (Anadromous Fish Act) requires that an individual or governmental agency provide prior notification and obtain approval from DNR for all activities within, across or affecting waterbodies included in the catalog including the placement, excavation, deposition, disposal, or removal of any material or use of wheeled, tracked or excavating equipment in the bed. Further information on Fish Habitat Permits can be obtained from Kathy Pohl at catherine_pohl@dnr.state.ak.us or 465-4182.

2. Since the boat takeout appears to be located on state shorelands/tidelands (lands below ordinary/mean high water), other authorization from DNR may also be required. For further information, please contact Brady Scott in DNR Division of Mining Land and Water, Southeast Regional Office at brady_scott@dnr.state.ak.us or 465-3442.

Relationship to the upcoming Alsek River Plan

The State appreciates the information we received from park staff in response to our questions about the relationship of this proposal to the Alsek River Management Plan. We look forward to working with the Service in the development of this plan. One issue that will warrant further discussion in the river plan is the use of ATVs around Dry Bay and perhaps a separate but simultaneous interagency review of the ANILCA protections for ATV access associated with commercial fishing and other legitimate uses in relation to other historic trails or use needs.

We also request that all documents and news releases regarding Alsek River planning be sensitive to the State's perspective that the State regulates uses of the waterway and associated shorelands. Careful editing should reduce the need to address the jurisdictional conflict and keep agency efforts focused on actual public use issues and tools to protect parklands.

Please contact me at 907-269-7477 if you have questions or need more information. We look forward to working with you on future planning for the Alsek River.

Sincerely,

/ss/

Sally Gibert
State ANILCA Coordinator

cc: Mary Kralovec, Assistant Chief of Resource Management, Glacier Bay