

STATE OF ALASKA

SARAH PALIN, Governor

ANILCA IMPLEMENTATION PROGRAM Office of Project Management and Permitting

550 W. 7TH AVENUE, SUITE 1430
ANCHORAGE, ALASKA 99501
PH: (907) 269-7477 / FAX: (907) 334-2509
sally.gibert@alaska.gov

October 30, 2008

Bud Rice
Environmental Protection Specialist
Alaska Region Office
240 West 5th Avenue
Anchorage, Alaska 99501

Dear Mr. Rice:

The State of Alaska reviewed the National Park Service (Service) Alaska Region Invasive Plant Management Plan Environmental Assessment (EA). These comments represent the consolidated views of state resource agencies.

Successful invasive species management relies on early detection, rapid response, and proactive management. Taken together, the “*Decision Tree*” process (page 2-5), cooperative agreements, and Integrated Pest Management (IPM) meet these specific needs. The EA specifically addresses herbicide use as an important tool in the management of invasive plants based on available scientific data and the Service’s existing experience with non-chemical treatments in Alaska. We understand herbicides would only be considered for use in situations where other measures have failed, eradication is feasible, and/or serious resource concerns exist if the invasive plant is not controlled, and then only if there is a low risk to human and wildlife health.

The State supports the overall intent and approach to reduce and remove invasive plant species in Alaska’s National Parks, Preserves and Monuments. Collectively, these park areas provide important habitat for fish and wildlife, which are in turn relied upon and/or appreciated by local residents and visitors alike for both consumptive and non-consumptive uses. Addressing invasive plants at this time will help Alaska’s national park units avoid some of the negative impacts to the environment, economy, human health and public uses experienced in other parts of North America, including loss of species diversity. For example, plants such as *Spartina sp.* significantly restructure salt marsh habitats and displace native salt marsh species. Through sedimentation and dense population expansion, *Spartina sp.* can change the ecosystem functions of salt marsh environments.

Relationship to Other Agencies and Authorities

We concur the best management practices proposed in the EA are ample to prevent harm to humans and resources while effectively managing invasive plants. While not mentioned in the EA, the level of interagency coordination and partnering involved in efforts to contain or reduce

invasive species is important. We commend the Service's efforts to work with various agencies to help prevent the introduction and spread of invasive plants, including on non-park lands.

We note the otherwise laudable discussion on page 1-10 regarding permits and approvals contains an inaccuracy and omits some important information. Section 1.4 begins by stating:

An Alaska Department of Environmental Conservation Pesticide Application Permit would be needed for any application greater than one acre on a state right-of-way. Because only small scale spot applications are considered, no permits are anticipated....

There is such a one-acre criterion for pesticide applications to state land; however, this criterion does not apply to state right-of way applications, because all applications within a state right-of way require a permit and public notice, regardless of size. In many instances, invasive plants are first found along rights-of-way, which then act as corridors for further spreading. Certificated airports on state land are exempt from the permit requirements; however, an airstrip on state land may not be.

We request the Finding of No Significant Impact (FONSI) clarify this point above. We also request the FONSI include the following list of federal and state compliance measures. Most of these measures are already recognized in various places throughout the EA, but this list further clarifies them and recognizes the specific conditions and requirements that are of most interest to the Alaska Department of Environmental Conservation (ADEC), a few of which are not mentioned in the EA:

- Purchase, distribute and use EPA and State registered pesticides.
- Ensure that personnel conducting or supervising pesticide applications are trained, certified and licensed.
- Follow all pesticide label requirements and be in compliance with the Alaska Pesticide Control Regulations in 18 AAC 90, and the Federal Insecticide Fungicide Rodenticide Act (FIFRA), at all times. (FIFRA also addresses herbicides.)
- Maintain ADEC-required records of pesticide purchases and applications and make these available to ADEC on request.
- Monitor sensitive areas, endangered and threatened species, and water quality.
- Because the national parks are considered "*public places*," as defined in State Pesticide Control Regulations 18 AAC 90.630, public notification and posting requirements must be met, included the use of a specific notification sign that is available from ADEC.
- A permit from ADEC may be necessary under certain circumstances, such as a pesticide application by aircraft, or applications to water or state "rights-of-way." Please contact the Pesticides Program at 1-800-478-2577 to determine the permitting requirements for a particular treatment.
- Since the State of Alaska does not have an approved list of adjuvants, we request using only adjuvants approved in Washington State. See link: <http://www.ecy.wa.gov/programs/wq/pesticides/regpesticides.html>
- The management plans should address both leaching into ground water and run-off and erosion to surface water. Using aminopyralid, Milestone VM as an example, according to the label "[t]his chemical has characteristics associated with chemicals detected in

groundwater. *The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.*” Given the unknown effects of this herbicide to groundwater, use of this herbicide should be limited to situations where groundwater contamination is unlikely.

- There may be special requirements if vegetation is burned or composted after an herbicide application. Additionally, the Service must follow manufacturer’s recommendations and consult with ADEC Air Quality Division prior to burning a pesticide container.

Environmental Analysis and Characterizations of ANILCA

While we support the intent of the Plan, we found some of the supporting narrative inaccurate, especially regarding characterizations of the Alaska National Interest Lands Conservation Act (ANILCA). We would like to discuss these references with you at another time to help ensure these statements are not perpetuated in future Environmental Assessments.

The Glacier Bay Preserve ORV Use Plan addressing off-road vehicles (ORVs) in the Dry Bay area was completed in March, 2007. The Service subsequently designated some ORV routes and closed the rest of the Preserve to ORVs; hence the potential for the spread of invasive species by ORV is substantially less than reported in the EA. We agree that ORVs have significant potential to introduce invasive species; however the EA does not recognize the potential impacts of other possible vectors of entry, such as pack animals, airplanes and pedestrian access. We request the FONSI reflect the updated information regarding ORV management at Glacier Bay and clarify that the unintentional spread of invasive species is not caused exclusively by ORV use and that ORV use does not always lead to introduction of invasive species.

Page-Specific Comments

Pages 3-24 and 3-25, Table 3.3: The “Traditional Activities and Resources Used” column under Aniakchak National Monument and Preserve states “[c]abins may be maintained or built in support of subsistence in the monument.” By expressly referring to cabin use and construction here and remaining silent about cabins elsewhere, readers may easily infer that cabin use is not allowed where not expressly mentioned. Per 36 CFR § 13.160 “*eligible subsistence users may use an existing cabin or other structure or temporary facility or construct a new cabin or other structure...*”; therefore, we request the FONSI clarify that subsistence cabins are an appropriate use in all units where subsistence opportunities are allowed.

Page 4-9 – 4-11, 4.3.2 Impacts from Alternative 2 – NPS Proposed IPMP: Invasive plant materials physically removed from a site may be capable of reproduction or spread once disposed dependent on the biology of the species and the life stage at which the plant was removed. When physical removal of invasive plants is completed, we advise disposing of the plant materials in such a way to address the species reproductive biology and prevent its spread within and outside of park lands. For example, Japanese knotweed can proliferate if removal methods do not include burning or otherwise isolating removed parts and revisiting and re-treating the area where weeds are removed. This highly invasive plant can easily reproduce near

cut vegetation. We recommend the Service increase priority attention on Japanese knotweed beyond existing mechanical eradication efforts to prevent its spread, especially in riparian areas.

Page 4-51, Cumulative Impacts on Wildlife and Habitat, second sentence: This sentence states there are “*hundreds of miles of ATV trails, including over 600 miles of trails in [Wrangell-St. Elias];*” however, page 4-3 lists 470 total miles of trail in all Alaska parks. We request the FONSI clarify the inconsistency between these statistics.

Page H-1, Appendix H: The second bullet states “*reduced application rates of herbicides will be used whenever possible.*” References to “*reduced rates*” should clarify this means at the low end of the manufacturer’s recommended application rates shown on the product label. Application at even lower rates – below the acceptable range – is problematic because it can lead to herbicide resistance. This concept of reduced rates is also addressed in the next to the last bullet on the page, which discusses soil persistence.

Page H-4, Appendix H: The first sentence references use of a specific yellow sign. State law at 18 AAC 90 requires that a specific sign available from ADEC be used in “*public places.*” The following bulleted list includes a “*restricted travel period.*” We suspect this is intended to mean a “*restricted entry interval,*” which is the period one may not enter a pesticide treated area without wearing the required Personal Protective Equipment.

Appendix G: Summary of Potential Environmental Fate and Effects of Proposed Herbicides: All of these active ingredients are federally and state registered for 2008. Since the list of registered pesticides is annually adjusted, please see the following ADEC website for a link to currently-registered pesticides (which includes herbicides).
<http://www.dec.state.ak.us/eh/pest/index.htm>

We appreciate that Oust XP® is currently not listed in this table. The ADEC would be concerned about use of Oust XP® on a large scale as it can cause problems with off-site movement if adequate rainfall is not received and may impact water quality or non-target areas. Similarly, we appreciate that Tordon®, active ingredient picloram, is not listed in Appendix G, because it is restricted-use and not currently registered in the State because of persistence and leaching problems.

Thank you for the opportunity to submit these comments. If you have any technical questions, please contact me at 907-269-7477 and I will direct them to appropriate staff.

Sincerely,



Sally Gibert
ANILCA Program Coordinator