

# STATE OF ALASKA

**SEAN PARNELL, Governor**

## **ANILCA IMPLEMENTATION PROGRAM Office of Project Management and Permitting**

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August 20, 2009

USDA Forest Service, Alaska Region  
Francisco Sanchez, Acting District Ranger  
Wrangell Ranger District  
P.O. Box 51  
Wrangell, AK 99929-0051

Dear Mr. Sanchez:

The State of Alaska reviewed the Wrangell Outfitter and Guide Management Plan Environmental Assessment (EA). The following consolidated state agency comments were compiled by the State's Alaska National Interest Lands Conservation Act (ANILCA) Implementation Program. Any correspondence or response pursuant to the Coastal Zone Management Act and the Alaska Coastal Management Program will be provided separately by the Division of Coastal and Ocean Management.

The State generally supports increased opportunities for recreational activities, including guided recreational activities. We appreciate the plan appears to provide for increased outfitting and guiding opportunities on the District overall. We also appreciate the EA includes information regarding state requirements for outfitting and guiding on Forest Service lands.

### **Wilderness Needs Assessments**

The EA states that reduced allocation of outfitter and guide use in the Stikine-LeConte Wilderness (SLW) and the South Etolin Wilderness (SEW) is based on the respective Wilderness Needs Assessments (NAs) for these wilderness areas. It is our understanding that while the Forest considers NAs as internal documents which analyze the needs for guiding and outfitting services in designated wilderness, subsequent decisions are subject to the National Environmental Policy Act (NEPA). While this plan indicates decisions will be made related to *"the extent, type, amount and location of commercial use to allocate within the Stikine-LeConte and South Etolin Wilderness Areas"* the NAs are only referenced as part of the project record and we found no specific information regarding the analysis or how it supports decisions in the EA. Only the following statement was found to justify the reduced allocation in designated wilderness: *"...due to high historical use, site impacts, and the desire to maintain wilderness character, less commercial use will be allocated."* As such, not only is the EA lacking relevant information that provides context and justifies the proposed alternatives, we assert that the NAs themselves should be subjected to public review.

If the preferred alternative will carry forward any reduced allocation in the SLW or SEW, we request the District re-issue the EA with more complete information and conclusions from the referenced NAs and provide the public with an additional comment opportunity. In the future, we recommend NAs be included in either the text or, at a minimum, as an appendix in the associated NEPA document to provide the public with the full context on which to base their comments. Ideally the NAs should have their own public review given their ability to curtail use.

Finally while the EA implies the project record is available upon request, we were unsuccessful in obtaining a current copy of the NAs from the District prior to the end of the comment period, despite repeated requests by phone and email. Including the NAs in the EA would make such supporting information readily available to the public.

### **Access to Designated Wilderness**

While the EA does not address how the allocation will be applied to various operators who assist visitors in accessing the District's wilderness areas, we are generally concerned that reduced allocation could effectively restrict general public access to these remote areas. For example, because a high percentage of the public depends on commercial operators (air taxis and charter services) to access wilderness areas and other parts of the Tongass, limits on number and location of landings implemented through commercial operators permit stipulations effectively restricts the public's use of an area. Again, without more specific information about guided use on the District, it is difficult to assess whether this is an on-the-ground issue.

### **Other Page-Specific Comments**

**Chapter 1, page 5, Proposed Action, last bullet:** The Bradfield Area has been identified as having a total net available RVD of 4343 days. Given the lack of noted impacts to resources or conflicts between user groups, coupled with the potential desire for additional guided steelhead fishing in this area, the 44 RVDs allotted to this use (equaling approximately .01% of the available RVDs) seems unnecessarily restrictive. We request that the Service re-evaluate this decision on the basis of impacts and allow for additional guided use, rather than setting a minimal cap without apparent justification.

**Chapter 1, page 8, Federal and State Licenses and Certifications:** Please note the link to the Department of Natural Resources, Division of Mining, Land & Water permits and leases has changed to [http://www.dnr.alaska.gov/mlw/permit\\_lease/index.cfm](http://www.dnr.alaska.gov/mlw/permit_lease/index.cfm).

**Chapter 2, page 4, Alternative 3, 4<sup>th</sup> paragraph:** This paragraph states: "*This alternative will also determine the allocation of commercially guided camping and remote setting nature tours (RSNT) based on the recently conducted Determination of Need for Commercial Service in the Stikine-LeConte and South Etolin Wilderness Areas.*" It is unclear why guided camping and remote setting nature tours are being addressed separately from other guided activities. This needs to be clarified, along with supporting documentation.

**Chapter 2, page 11, Wildlife, 1<sup>st</sup> paragraph:** This paragraph over-simplifies subsistence management. The State of Alaska is responsible for the sustainability of fish and wildlife and

provides for general and subsistence hunting on all lands in Alaska – regardless of ownership – unless specifically superseded by federal law. Federal subsistence regulations only supersede state regulation when determined necessary to implement the federal subsistence priority as provided in ANILCA. The public needs to understand the harvest of fish and wildlife on federal lands, including for subsistence, is not limited to the federal subsistence program. We therefore request such a clarification in the final decision document.

Thank you for the opportunity to comment. Please contact me at (907) 269-7529 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Magee". The signature is fluid and cursive, with a large initial "S" and a long, sweeping tail.

Susan E. Magee  
ANILCA Project Coordinator

cc: Sally Gibert, ANILCA Program Coordinator