

STATE OF ALASKA

SEAN PARNELL, Governor

ANILCA IMPLEMENTATION PROGRAM Office of Project Management and Permitting

550 W. 7TH AVENUE, SUITE 1430
ANCHORAGE, ALASKA 99501
PH: (907) 269-7529 / FAX: (907) 334-2509
susan.magee@alaska.gov

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Sue Masica, Regional Director
National Park Service – Alaska Region
240 West 5th Avenue, Room 114
Anchorage, AK 99501

Dear Ms. Masica,

The State of Alaska reviewed the revised environmental assessment (EA) for a proposed adaptive management plan to control invasive plants in Alaska National Park System units. The following consolidated state agency comments were compiled by the State's Alaska National Interest Lands Conservation Act (ANILCA) Implementation Program and cover issues relative to ANILCA and other state interests. Any correspondence or response pursuant to the federal Coastal Zone Management Act and the Alaska Coastal Management Program will be provided separately by the Division of Coastal and Ocean Management.

Invasive Plant Management Analysis

The State generally supports the Service's intent to address invasive plant infestations in National Park System units throughout the Alaska Region. Fortunately, affected areas are in the early stages of infestation, which affords the Service management opportunities to eradicate invasive plants through the use of appropriate integrated vegetation management (IVM) practices. When implementing IVM, however, we caution against neglecting the use of herbicides. In addition, while we appreciate the overall quality of this draft plan, we have concerns regarding the revised version of the decision tree.

The revised decision tree is substantially different from the original presented in the August 2008 draft plan. The previous decision tree provided a clearer guide for determining invasive plant control options. The following comments highlight our concerns regarding the current version, as depicted in Figure 2.1.

- The thresholds for successful management of a species, accomplished entirely through non-chemical methods, will vary by species and the age of the infestation. While thresholds for physical control are identified in Table 2.4, how or if these thresholds will be used is not apparent in the decision tree. For example, the chart allows a manager to make a determination on whether the size of an infestation is less than 20 acres. However, the thresholds identified in

Table 2.4 have more detailed information regarding the size of an infestation and how it should be controlled. We suggest utilizing these thresholds within the decision tree or providing an explanation for using 20 acres in lieu of the other thresholds.

- The decision tree incorrectly references Table 2.3 for a definition of high and moderate risk species. This risk is actually defined in Table 2.4.
- The *Special Analysis* section of the decision tree includes questions to guide land managers in determining if they should consider herbicide use or continue physical control. It is unclear whether the impacts of herbicide use are being considered when answering the associated questions. The tree indicates the answer to all questions must be “no” before herbicide treatment can be considered. For example, the tree asks whether the infestation is: 1) likely to affect watershed drinking water, and/or 2) located in sensitive fish or wildlife habitat. If both the answers to these questions are “no” herbicide use is considered. If an answer to either question is “yes” the tree guides the manager to continue manual treatments. Considering certain infestations are common within riparian areas (e.g., reed canarygrass, and Japanese knotweed) and are appropriately managed with herbicides in most situations, the intent to not allow consideration of herbicide treatment is problematic. If that is not the intent, the issue may be resolved by renaming the *Special Analysis* bubble as *Herbicide Risk or Use Analysis*. The previously proposed decision tree dealt with this issue by including consideration of “*herbicide risk to human/wildlife health or water contamination.*” This approach clarifies that herbicides may be considered for management effectiveness. Potential chemical impacts to wildlife and water are then considered before finalizing the decision to use herbicides.

Table 2.4, which identifies risk to Service lands as well as other factors, is confusing. It is unclear whether the column, which identifies the risks as low/medium/high, is associated with the information below it. We assume so; however, the column arrangement leads to some discrepancies as multiple species would be included within incorrect risk columns. For example, creeping buttercup and bigleaf lupine rank 54 and 55 respectively, making them a medium risk species, not high risk as indicated. White/yellow sweetclover ranks 81, making it a high risk species instead of medium. If the risk to Service lands is associated with the species in those columns, the table needs to be revised, possibly by separating the information into two tables.

Lastly, we note the aquatic-labeled herbicides (Rodeo, Aquamaster, Habitat, etc.) referenced on page 4-10 are identified as the preferred herbicides for use on or near water. The toxicity of the non-aquatic labeled herbicides with the same active ingredients is generally known to be derived from the surfactants used in the herbicide, as acknowledged on page 4-12, which states that only these aquatic-labeled herbicides “without toxic surfactants would be used near water.” To increase their effectiveness, however, surfactants are often added to these products. If the NPS intends to add surfactants to these aquatic-labeled herbicides, we request the plan reference *Appendix H*

- *Summary of Federal and State Compliance Measures*, which indicates the Washington State approved adjuvant list will be used when adding surfactants to chemicals.

Access and Subsistence

While we generally support controlling invasive plants in Alaska's national parks, care should be taken to ensure that access and subsistence are not unduly impacted by control efforts. When preparing the annual work plan, we request the Service schedule treatments to avoid conflicts with subsistence activities and other public use. The greatest potential for conflict exists near trails and roadways from May – September.

Section 3.3.5 (Page 3-20) states that knowledgeable local people should be consulted to learn the potential risks to ethnographic resources as a result of invasive plants and to inform them of efforts to treat areas with invasive plant species. As such, we encourage the Service to engage local members of affected communities before determining which species will be targeted for treatment. The results of that effort would not only benefit the Service, but also other federal land managers and the State of Alaska.

Section 3.6 (Page 3-22) provides an overview of invasive plant species on park and preserve lands used for contemporary subsistence purposes. While we realize that some invasive species are in fact a threat to certain essential native plants used for subsistence and control of invasive species that are currently used for subsistence will not likely require herbicides, we recommend working closely with local subsistence users before limiting or eliminating the availability of an invasive subsistence plant resource.

ANILCA Section 810 Analysis

ANILCA requires evaluation of “*the effect of such use, occupancy, or disposition on subsistence uses and needs, the availability of other lands for the purposes sought to be achieved, and other alternatives which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes.*” Although the EA references several sources in regard to the affected subsistence environment, the Section 810 discussion itself is silent regarding subsistence *uses*. Additionally, there is no analysis supporting the general conclusion that the proposed action is not expected to affect subsistence uses. We recognize that some of the analysis may be represented in other parts of the EA, but the information is scattered, making it difficult to assess.

In addition, the discussion does not recognize state management of fish and wildlife, including harvest for subsistence purposes. Statewide, state regulations apply unless specifically superseded by federal law. The fact that federal subsistence regulations supersede state regulations during times of shortage on federal lands and waters with a reserved water right does not mean that state regulations no longer apply at other times, as the current silence about state management implies. We have addressed similar concerns in numerous EAs and Section 810 Analyses before and we are anxious to avoid it in the future as it detracts from the substantive proposals. We request the Service provide a more complete Section 810 analysis in the final decision document. We are available for follow-up questions or discussion if needed.

Again, we appreciate the opportunity to comment on this management plan, and support appropriate utilization of herbicides to control invasive plants. Reducing proliferation of invasive plant species in national parks is integral to protecting the State's natural resources. A proactive approach will best serve the interests of the Service, other landowners and the public.

Please contact me at (907) 269-7529 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Magee', written in a cursive style.

Susan E. Magee
ANILCA Project Coordinator

cc: Sally Gibert, ANILCA Program Coordinator
Bud Rice, Environmental Protection Specialist, NPS Alaska Region