

# STATE OF ALASKA

**SEAN PARNELL, Governor**

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

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January 15, 2010

Ralph Moore, Superintendent  
Katmai National Park and Preserve  
P.O. Box 7  
King Salmon, AK 99613-0007

Dear Mr. Moore:

The State of Alaska reviewed the Brooks River Area Utilities Replacement and Housing Relocation Environmental Assessment (EA). 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 must be provided separately by the Alaska Department of Natural Resources, Division of Coastal and Ocean Management.

We are supportive of the Service's efforts to improve safety and protect natural and cultural resources in the Brooks River area as expressed in the EA. In particular, we appreciate the EA indicates "[a]ppropriate measures [will] be taken at the project site and construction crew camp site to ensure equipment, supplies, fuel, food, and trash are properly stored away from bears." This intent will be accomplished through some combination of bear resistant containers, secure buildings, and electric fencing. Relatively inexpensive, properly deployed and monitored electric fences have proven effective in deterring bears from accessing human food sources. We recommend, as appropriate and practicable, utilizing perimeter fencing in conjunction with containers and buildings as well as independently around larger equipment and supplies.

As noted in the EA, state authorizations or approvals are needed to implement the proposed project. The following comments are provided primarily as general guidance appropriate at this initial phase of the project. For additional information or technical assistance, please contact the authorizing state agency directly, as noted below.

### Domestic Wastewater Disposal

1. The proposed project will require an Alaska Department of Environmental Conservation (ADEC) engineered plan review per 18 AAC 72.
2. During the seasons when vault toilets are used instead of the housing septic system, we recommend the Service consider how graywater will be handled on-site (if substantial volumes will be generated).

3. Stormwater permits for the site are now under the authority of ADEC and the Alaska Pollutant Discharge Elimination System (APDES) stormwater program. Notices of intent can be filed online at <http://www.dec.state.ak.us/water/wnpspc/stormwater/APDESeNOI.html>
4. If the project includes associated sand and gravel extraction, the activities will need to be covered under the APDES Multi-Sector General Permit. <http://www.dec.state.ak.us/water/wnpspc/stormwater/MultiSector.htm>

### Drinking Water System

From the information provided regarding the potential population served and duration of seasonal operation, this system would be classified as a Non-transient Non-Community Water System (formerly referred to as a Class A system). Engineered plans are required for both Approval to Construct and Approval to Operate. The engineering reviews will be completed by ADEC staff in the Anchorage office. Prior to installation and hook-up of the potable water treatment (disinfection) system, contact the local ADEC Drinking Water Program staff: Sarah Rygh at 269-3076 (engineering), and Heather Newman at 269-7619 (compliance and monitoring).

1. For engineered plan submittal requirements, see 18 AAC 80.205 *Engineering Plans*, which includes monitoring requirements (Table B in the ADEC drinking water regulations at 18 AAC 80) necessary to obtain an Approval to Operate. Engineered plans must be complete, including the required fee, for the plan review to begin. Please note the minimum timeframe for review of engineered plans is 30 days.
2. 18 AAC 80.020 *Minimum Separation Distance* identifies requirements (Table A in the ADEC drinking water regulations at 18 AAC 80) that must be met for all potable water issues, including the drinking water source (well) from the onsite wastewater treatment leach field and the utility lines (piping) for the wastewater and drinking water. This applies to both the lateral and vertical separation distances. If minimum separation distances cannot be met, waivers may be available. The availability of waivers will be addressed during the engineered plan review. Note waivers require a fee in addition to the engineered plan review fee.
3. The EA indicates the proposed drinking water system will provide treatment using disinfection. This system will most likely be classified as a small treated system (based upon non-transient population served, transient population served, as well as service connections). This will require a trained/certified operator. Please review the operator certification regulations at 18 AAC 74 for specific requirements. For assistance with operator certification requirements, contact Ken Smith in the ADEC Juneau office at 465-5136. The final system classification will be determined during the engineered plan review process.

## Cultural/Historical Resources

Construction of the replacement utility system for Brooks Camp on the south side of the Brooks River will affect the Brooks River Archaeological District (XMK-051), which is a culturally sensitive area consisting of numerous prehistoric house depressions dating back approximately 2000 years. Because this is a federal undertaking, the Service must follow Section 106 of the National Historic Preservation Act, which requires federal agencies to consider the effects of their undertaking on historic properties. We are supportive of the procedures outlined in Section “2.5.1 Cultural Resources” (page 24), to avoid, minimize or mitigate adverse effects to XMK-051.

The EA does not mention effects resulting from decommissioning and possibly removing existing Brooks Camp facilities on the north side of the Brooks River. Some of these buildings and structures are contributing properties to the Brooks River Camp Historic District (XMK-142), which represents the Service’s first established permanent presence in Katmai National Monument in the 1950s. We encourage the Service’s cultural resource staff to work with the State Historic Preservation Office to develop ways to avoid, minimize, or mitigate adverse affects to XMK-142.

## ANILCA Section 810 Analysis

The ANILCA Section 810 analysis includes the following statement on page 53:

*Provisions of ANILCA, the Federal Subsistence Board, and NPS and Alaska Department of Fish and Game (ADF&G) regulations and policies provide for the adequate protection of fish and wildlife populations within Katmai National Preserve while ensuring a subsistence priority for local rural residents.*

While we understand the intent of this statement and appreciate the inclusion of ADF&G, as worded, it is not entirely accurate. The State of Alaska provides all Alaskans, not just rural residents, the opportunity to engage in subsistence activities. We have seen similar language in previous National Park Service EAs. To ensure state authorities are accurately portrayed in this context in future Section 810 analyses, we request an opportunity to work with the Service on a revision.

Thank you for this opportunity to comment. Please contact me at (907) 269-7529 if you have any questions or need assistance obtaining a state agency contact for this project.

Sincerely,



Susan E. Magee  
ANILCA Project Coordinator

cc: Sally Gibert, ANILCA Program Coordinator  
Dick Anderson, NPS Alaska Region