



March 29, 2023

Philip Hooge, Superintendent
Glacier Bay National Park & Preserve
P.O. Box 140
Gustavus, Alaska 99826

Submitted via email

Dear Superintendent Hooge,

Thank you for the opportunity to comment on the Glacier Bay National Park's (GLBA's) revised Backcountry and Wilderness Management Plan (BWMP) and related Environmental Assessment (EA). The State of Alaska (State) commented on May 5, 2020, January 29, 2021, and August 20, 2022, on earlier planning stages in this process; these comments supplement those submissions. The comments in this letter represent the consolidated views of State resource agencies. We appreciate GLBA's time to discuss this matter and your attention to our previous comments; we recognize several adjustments made in response to our feedback. Here we provide comments on several outstanding and new items.

General Comments

The State continues to suggest additional clarification on several issues in the BWMP and EA documents. Specifically, we flag proposals that are not adequately supported with data regarding environmental degradation or human safety concerns. We address several topics below, followed by page-specific commentary on certain items. We also request further information that seems to be missing from public review, including the visitor capacity analysis (required by the National Parks and Recreation Act of 1978, 54 USC 100502), and the monitoring strategy that GLBA will use to monitor the five qualities of wilderness character. The State requests a chance to review these and discuss them with GLBA staff.

ANILCA Context

We request that the NPS incorporate the page-specific edits to various Alaska National Interest Lands Conservation Act (ANILCA) references in "Page Specific Comments" starting on page 10 of this document. We recognize GLBA's efforts to include a more complete picture of ANILCA's impact in the BWMP and appreciate your consideration of our earlier comments. We request a few outstanding edits to several sections to provide full context and implement the provisions through the BWMP. These edits attempt to clarify the provisions relating to the unique management allowances Congress promulgated for designated wilderness in Alaska referenced in the BWMP.

As we stated in earlier comments, the plan and the public would benefit from a clear statement of park purposes, including those identified in ANILCA Section 202(1) and the original Monument designation, which are supplemented by the Wilderness Act's purposes. Though some of the park purposes are shared in the Glacier Bay National Park storymap¹ and in Appendix B, they are not clearly delineated within the BWMP. While a new section at the beginning of the plan dedicated to simply stating park purposes is our preferred remedy, we offer the following language to add ANILCA's purposes to the first bullet in *Chapter 1: Introduction* as a simple alternative (BWMP, p. 1):

...balanced with the park's enabling ~~proclamation~~ objectives of science, ~~and~~ tidewater glacier access, protection of fish and wildlife habitats and migration routes and a portion of the Fairweather Range including the northwest slope of Mount Fairweather. A more thorough discussion of Park purposes can be found in Appendix B (EA p. 56).

State Management Authorities

The BWMP avoids any discussion or acknowledgement of state shorelands within the exterior boundary of the park. We requested the NPS include and identify these lands in our August 20, 2022 scoping comments and continue to request that these lands and waters be identified as State-owned in the final plan. We believe it is important for the public to understand that there are areas of State lands and waters within the park, and that this should be disclosed in the BWMP or EA. We request the NPS add the brief description below to inform the BWMP and the public.

The Alaska Department of Natural Resources (DNR) has management authority for state lands (including the land, water, tidelands, and shorelands of navigable waters within the State). This authority includes management of navigable waters, tidelands, and shorelands within and adjacent to the boundaries of federal lands, including conservation system units created under ANILCA. In Glacier Bay, the State claims several waters within the post-statehood additions to Glacier Bay National Park that overlap the plan area (i.e., the northwest arm of the park). A map of these waters can be found on the DNR website using the "Navigable Waters in Federal Areas" or "Navigable Waters (Title Purposes)" layer: <https://mapper.dnr.alaska.gov/map#map=4/-16632245.12/8816587.34/0>

The Alaska Department of Fish and Game (ADF&G) is responsible for the sustainable management of fish and wildlife throughout the State of Alaska regardless of land ownership. Section 1314 of ANILCA affirms that the state retains its authorities to manage fish and wildlife on public lands. Its mission is grounded in the Alaska Constitution and Alaska Statutes:

to protect, maintain, and improve the fish, game and aquatic plant resources of the state and manage their use and development in the best interest of the economy and the well-being of the people of the state, consistent with the sustained yield principle.

¹ <https://storymaps.arcgis.com/stories/2047e748d233424d8789b54edd78cda1> accessed 8/19/2022

State Coordination and Consultation

Plan documents should include a complete discussion of the role of coordination with the State fish and wildlife agency. We appreciate the NPS's commitment to meet with the State to discuss GLBA planning efforts. The Memorandum of Understanding that the NPS has with the ADF&G, the requirements of 43 CFR Part 24, and NPS 2006 Management Policies direct the NPS to consult with the State agency responsible for fish and wildlife management. We note that Chapter 4: "Coordination and Consultation" outlines consultation activities with the State Historic Preservation Office, State Lands Office, and Associated Tribes, but the consultation required with ADF&G is not described. ADF&G recognizes the cooperation that has occurred in this planning process but it should be described on par with other required consultation activities in Chapter 4. Additional consultation should occur with ADF&G if any closures to fishing move forward in this BWMP, though as we describe below we do not believe any impact to resources has occurred necessitating a closure.

The BWMP and Alternative B in the EA discuss the management of several existing trails near Gustavus and the development of new trails in the Falls Creek area. The State supports GLBA's intent to expand access to the backcountry and wilderness portions of GLBA, especially to visitors not accessing the park via water. The new trails in the Falls Creek area would cross lands belonging to the State of Alaska. The EA states that GLBA will apply for an easement from the State if the proposal moves forward to development (EA p. 41). The State confirms authorization will be required for the proposed use of state land. We appreciated the opportunity to meet with GLBA to discuss the authorization requirements for use of state land and encourage GLBA to consult with the DNR Division of Mining, Land and Water as the proposal is further developed and as questions arise.

Cultural Fishery and Hunt

Collaborations with Tribes to explore options for non-commercial cultural fisheries or traditional tribal ceremonial hunts are important to the lifeways of communities. The State understands that efforts to establish a cultural fishery or ceremonial mountain goat hunt in GLBA are in their beginning stages (BWMP, p. 57). Should these items move forward, the State looks forward to participation in these efforts. Through participation, we can provide valuable subject matter expertise and ensure our constitutional management responsibilities for fisheries and wildlife populations. We request the Service work with Tribes and the State to broadly share outcomes, collaboration processes/methods, successes, and lessons learned from these endeavors that do not involve culturally sensitive information. Your experiences may be a helpful model for other tribal and non-profit entities, as well as federal and state agencies.

Referenced Wilderness Management Guidance Documents

It is imperative the planning process recognize that wilderness in Alaska is subject to different management provisions than wilderness across the rest of the nation, and the State feels that this recognition could be stronger in the BWMP. Please include a section in the BWMP that outlines supplementary guidance and agency direction that already exists for Alaska including the *Alaska*

Supplement to the Minimum Requirements Decision Guide (2006), direction from the Wilderness Stewardship Reference Manual 41 (RM 41), and Keeping it Wild 2 in the National Park Service. Additionally, the State would prefer the planning process include a complete park-specific wilderness character monitoring strategy (BWMP, p. 70) so that it can be reviewed by the public and state, local and tribal governments.

The 2006 *Alaska Supplement to the Minimum Requirements Decision Guide* was developed in collaboration with the State of Alaska to recognize and implement these unique provisions. This document should be the NPS' primary reference and tool as the 2016 revision leaves out key aspects specifically negotiated for Alaska that were incorporated into the 2006 version.

Using Keeping it Wild 2, the NPS article "Applying Wilderness Character Monitoring in the Arctic"² recognizes that special considerations must be considered when monitoring Arctic wilderness. GLBA is certainly not an arctic park, but it is dealing with the three primary factors the article identifies as needing to be addressed in Arctic wildernesses.

- The vast cultural significance and resources of these places, many of which continue to be used to this day, must be acknowledged.
- Must address the wilderness management allowances provided in ANILCA and how they work in conjunction with the Wilderness Act.
- Must identify solutions to account for gaps in the quantifiable data that exists for GLBA wilderness, due to the lack of available datasets.

The BWMP should include the wilderness character monitoring strategy the park intends to use (BWMP, p. 70). By not including the monitoring plan the park will use to guide the preservation, management and use of these resources the Park renders the BWMP incomplete. We recognize the BWMP states: "Once the strategy is fully refined, it will be incorporated as a supporting appendix of this document and shared with the public" (BWMP, p. 70). However, the public and others should have an ability to shape the monitoring plan, not just see a fully refined plan. The BWMP is part of the park's overall General Management Plan and is subject to appropriate NEPA analysis and public involvement.³

Appendix E: Best Management Practices and Mitigation Measures

We request that the provisions of ANILCA be better represented in the discussion of best management practices for Wilderness Character in Glacier Bay. Currently ANILCA's specific provisions for Alaska Wilderness are only mentioned with respect to site amendments or installations. ANILCA modifications to the Wilderness Act should be noted throughout this section.

For example, regarding the discussion regarding permanent or temporary structures and installations. ANILCA specifically instructs that the the construction of certain permanent and temporary structures and installations "*shall be permitted*" and that "nothing in the Wilderness Act shall be deemed to prohibit such access, operation, and maintenance within wilderness areas designated by this Act." These facilities include: air and water navigation aids, communications sites and related

² <https://www.nps.gov/articles/aps-16-1-8.htm>, accessed 3/28/2023.

³ NPS 2006 Management Policies, subsection 2.3.1.12

facilities and existing facilities for weather, climate, and fisheries research and monitoring, as well as facilities for national defense purposes.

Extent Necessary Determination for Known Guided Activities

We request that GLBA consider additional actions that facilitate access to recreation opportunities for both less experienced wilderness users and experienced users alike. Among other changes, removing language that prohibits sport fishing guides to access freshwater streams in park wilderness would benefit less experienced visitors. Where restrictions are needed, provide the data documenting user conflicts or impacts to resources that result in a need for the BWMP's proposed visitor registration, permits, and limitations on outfitter guides, which may also impact public access. Additionally, we request the inclusion of the text box entitled "Wilderness Management in Alaska" as noted in our page-specific comments below.

The State would like to review and discuss the visitor capacity analysis referenced on page 73 of the EA but not included for review. Based on review of the earlier plan draft, the State expected additional information on visitor capacity analysis to support the monitoring approach. This information could be helpful in understanding the challenges GLBA is addressing.

The State continues to support the opportunity for commercial services in Glacier Bay Wilderness and offers the following perspectives on general guiding and also guided sport fishing in freshwater areas.

General Guiding:

It is difficult to review the Extent Necessary Determination (END)s without an awareness of the findings in the visitor capacity analysis or the proposed monitoring strategy as commercial allocation is the process of distributing visitor capacity among a variety of uses to achieve or maintain desired conditions.

We requested in our scoping comments (letter dated January 29, 2021), that an END be prepared in association with the draft plan and made available for public comment. We appreciate the NPS has done this. In our comment we identified concerns the State had regarding an END for commercial services. The State's request was:

We request that any END prepared for future commercial service activities consider ANILCA access allowances during their preparation and be grounded in data collection efforts as we strongly advocate for science-based decision making...

We have been unable to identify language in the BWMP that addresses these concerns. The limited review time for the BWMP has not been sufficient to also address the specific examination needs of the END. We would appreciate an opportunity to meet with the GLBA staff and discuss possible outcomes on these activities.

We reviewed the END for known guided activities, included in the BWMP as Appendix B, with an accompanying explanation within the BWMP. We recognize that GLBA needs to take a balanced approach to visitor use versus resource protection and, where warranted, implement visitor limits through reasonable regulation and associated proper closure procedures when resource damage can be demonstrated. This is in direct conflict with the guidance provided by both the Interagency Visitor Use Management Council (www.visitorusemanagement.nps.gov), and in the Keeping It Wild 2 framework (https://www.fs.fed.us/rm/pubs/rmrs_gtr340.pdf). Both of these guidance documents recommend identifying the various issues and their complexities using a sliding scale method.

As currently written, the BWMP emphasizes restricting visitor use as the primary management tool to maintain wilderness character and does not provide any data on documented user conflicts or impacts to resources to support the need to implement such restrictions. This is in conflict with the direction provided in the GLBA General Management Plan (GMP) which states that “managers should only do what is necessary to meet wilderness objectives, and only use the minimum tools, force, and regulation required to achieve the objective.” (page 19)

GLBA has the discretionary authority to provide different user experiences within wilderness as it does across NPS lands. Managing all 2,700,070 acres for a primitive wilderness experience ignores the varying needs of different user groups and the explicit provisions in ANILCA which accommodate the unique Alaska context by allowing facilities, such as cabins and shelters for public health and safety and temporary structures where the taking of fish is allowed.⁴ The 1984 GLBAGMP recognizes that guides facilitate the expansion of wilderness opportunities to individuals otherwise unprepared for Alaskan wilderness experiences. The GMP also indicates that constraints on backcountry users will be limited to those needed to preserve ecological conditions (page v), as no data supporting impacts to ecological conditions has been included in the plan, we request these restrictions be removed from the current plan and replaced with an adaptive management monitoring program that can assist the NPS in identify if and when such impacts do occur.

Without documentation that guided activities are causing ecological damage, we see no reason the NPS needs to prohibit any guiding activities in any area of GLBA. A review of guidance from the Interagency Visitor Use Management Council (www.visitorusemanagement.nps.gov) and the Keeping It Wild 2 framework (https://www.fs.fed.us/rm/pubs/rmrs_gtr340.pdf) indicates that resource impacts should be identified prior to restricting activities.

NPS actions such as maintaining cabins, establishing and hardening trails and small campsites, and other improvements will facilitate recreation opportunities in wilderness at a broader range of outdoor skill levels. Without including an alternative that considers these types of allowed actions, the planning process fails to provide the range of alternatives NEPA requires. While the NPS mission articulates the responsibility ‘to preserve unimpaired the natural and cultural resources and values’ of the system, the mission also dictates the NPS also has the equal responsibility to provide for the “enjoyment, education, and inspiration of this and future generations” on a national and global level. To accomplish this, GLBA must ensure that the alternatives proposed do not all simply manage the near entirety of the park unit for a primitive experience suited for a single set of users.

⁴ ANILCA Sections 1303(a), 1310, 1315(c), (d), 1316.

Sport fish guiding in wilderness freshwater areas:

The GLBA GMP recognizes the importance of sport fishing in Alaska “Sport fishing is highly important to the Alaskan way of life” (GMP page 53). The State supports increased opportunities for recreational activities including opportunities for guided recreational activities such as sport fishing in freshwater as a traditional activity under ANILCA. NPS regulations at both the national and Alaska-specific level allow sportfishing in national parks.

Despite the finding in Table B-Ie. “Reasons That Commercial Support is Necessary for Freshwater Fishing,” that guided services are “proper for realizing the public purposes of wilderness and possesses some attributes that necessitate commercial support ...” (EA page 72), the BWMP limits guided backcountry and wilderness freshwater sport fishing opportunities in GLBA stating that “self-guided freshwater fishing opportunities in the Glacier Bay Wilderness are generally attainable without commercial guide participation” and “Guides leaving their clients at the wilderness boundary further benefits the wilderness experience for all users” (EA page 81). The State disagrees that users cannot enhance their wilderness experience using an outfitter or guide. Guides provide an opportunity for individuals who are uncomfortable going out into the wilderness without someone with more knowledge accompanying them. It is well recognized in wilderness literature that guides are often necessary and appropriate for realizing the recreational or other wilderness purposes of the area.⁵

Both Howard Zahniser and Robert Marshall, authors/proponents of the Wilderness Act, recreated in areas that would become designated wilderness and experienced the benefits of wilderness with commercial recreational guides.⁶ Individuals do not need to be self-guided to experience wilderness benefits. The BWMP claims that guide services impact two qualities of wilderness character -- natural and outstanding opportunities for solitude or a primitive and unconfined type of recreation. The BWMP does not justify how the *opportunity* (as opposed to a *requirement*) to use outfitter and guide services affects these two qualities of wilderness character. The “Natural Quality” is defined as wilderness ecological systems substantially free from the effects of modern civilization.”⁷ The presence of a guide does not impact the natural setting a client experiences; the species and natural processes they encounter remain the same and the NPS has not shown any data to indicate the amount of harvest brought on by guided fishing activity will impact any fish species at a population level. Regarding sport fishing guides impacting outstanding opportunities for solitude or a primitive and unconfined type of recreation, guides teach their clients skills to help them improve their self-reliance and enable self-discovery, enhancing their wilderness experience. Guides can make suggestions on where an individual might go, but a client has a choice regarding the amount of solitude they desire, as well as the option to visit designated wilderness without the service of an outfitter or guide. Guides also provide a level of local knowledge that can protect fish populations by ensuring their clients are properly identifying their target species.

⁵ [Commercial Services - Wilderness Connect For Practitioners](#)

⁶ The Wilderness Writings of Howard Zahniser, Mark Harvey 2014.

⁷ [Keeping it wild 2: An updated interagency strategy to monitor trends in wilderness character across the National Wilderness Preservation System \(usda.gov\)](#)

The BWMP suggests that the freshwater sport fishing experience can be found in nearby locations other than in the designated wilderness area so people that need a guide to sport fish in freshwater can go elsewhere to get the wilderness freshwater experience. However, dispersing freshwater fishing activities to areas that are not within designated wilderness is contrary to allowing recreation within wilderness areas and should not be used to justify closing GLBA freshwater areas to new guided sport fishing services. We recognize that there are areas of congestion identified in the plan that may conflict with the application of the wilderness standards; however, guided sport fishing is a traditional activity allowed by ANILCA and should be allowed in GLBA backcountry and wilderness areas.

The BWMP places limits on the number of outfitter guides and their service days effectively restricting public use. The 1984 GLBA GMP states that “sport fishing will continue to be allowed subject to ADF&G and NPS regulations” and identifies that any closures implemented will be due to excessive harvest pressure (GMP page 53). As we are unaware of any excessive harvest pressures on freshwater fishing in GLBA, we request the proposed limits on outfitter/guides and their service days be removed from this plan.

Currently, two guide services are permitted to use wilderness freshwater areas because they existed prior to 1979. We believe future generations of guides should be afforded the same opportunity. If a child from Gustavus grows up loving to fish the freshwaters of Glacier Bay, they should have the opportunity to turn that passion into a career path and work, live, and play in the Gustavus/Glacier Bay area. ANILCA Section 1301 established a five-year timeframe to develop conservation and management plans for NPS units that were created or expanded by ANILCA and provides requirements to be included in each plan. ANILCA Section 1301(b)(5) states:

A description of the programs and methods which the Secretary plans to use for the purposes of (A) encouraging the recognition and protection of the culture and history of the individuals residing, on the date of the enactment of this Act, in such unit and areas in the vicinity of such unit, and (B) providing and encouraging employment of such individuals.

As proposed, the BWMP also limits sport fishing opportunities in upland wilderness areas. The 1984 GMP does not address streams in the upland areas as an identified ecosystem nor does it address fishing outside of the marine environment. The park was given a charge by Congress, in ANILCA Sections 1301 and 1308, to both recognize the history and the special knowledge/expertise of the individuals living in the area and provided for and encourage local employment. We request that GLBA’s BWMP not simply recognize what exists but envision what could be in the future for freshwater sport fishing guide services and how those services could benefit the protection of natural resources, maintain local employment, and encourage future generations of wilderness users to explore GLBA.

Any restrictions to ANILCA-protected access in designated wilderness, including group size limits, must be implemented by formal closure regulation. If a closure is warranted, the plan should provide supporting data and discuss the required closure process. The taking of fish and wildlife is specifically allowed in designated wilderness in accordance with State and Federal law (ANILCA

1314(c)). The ADF&G is responsible for fish and wildlife management and actively monitors the fishery. ADF&G has found no conservation concerns for the sportfish in these areas.

Backcountry Permit is a Closure

Under Alternative B, the EA states a free backcountry permit will be required for all commercial and non-commercial overnight users (p. 10). The requirement for non-commercial overnight users to hold a backcountry permit is a closure under ANILCA 1110(a) and the NPS should follow the procedural steps required under 36 CFR 13.50 for notice and hearing to comply with ANILCA and federal regulations.

Additionally, GLBA has not provided adequate justification for a required overnight backcountry permit. The Glacier Bay National Park and Preserve 1984 GMP sets an intent for backcountry management: “Backcountry management practices necessary to ensure opportunities for primitive recreational uses that are appropriate in an Alaskan wilderness park will be implemented. Constraints on backcountry users will be limited to those needed to preserve ecological conditions” (p. v). Because the BWMP tiers from the GMP, GLBA should limit constraints proposed in the BWMP to those needed to preserve ecological conditions.

Following GMP direction, the *Corrective Management Actions Common to All Zones* portion of the BWMP confirms GLBA will only take corrective actions such as temporary or long-term closures, “If it becomes necessary to proactively manage travel in any area to achieve desired future resource and social conditions for an area, to reduce visitor conflict, or to protect visitor safety” (p. 60). GLBA’s justification for the required overnight backcountry permit is support for “conveying information about park rules, conditions, and safety information,” and “provide the park with better information on the types, amounts, and locations of backcountry camping use” (EA, p. 10). While we recognize that information dissemination and collection is an important job of the park, it does not support a corrective management action of this magnitude. A year-round permitting system must be supported with natural resource degradation or human safety concerns. If GLBA needs to address communication and/or data collection challenge, GLBA should “start with the least restrictive mechanism or ‘tool’ necessary to accomplish the goal” (p. 60).

Notwithstanding the above, if GLBA decides to proceed with implementation of the overnight backcountry permit requirement by following Federal closure procedures, GLBA must also recognize in the BWMP that ANILCA Section 203 prohibits fees for entrance or admission in Alaska Parks except where authorized. Glacier Bay National Park has Congressional authorization to collect fees from visitors aboard cruise ships only. We appreciate GLBA’s stated commitment to keeping permits free of charge, and request that this also include online service fees as these fees become de facto admission fees.

Finally, such a permit would not apply to visitors whose activities stay within the boundaries of State-owned navigable waters or tidelands within GLBA.

Shelters and other structures

GLBA should acknowledge the role of cabins in providing access to park resources to a broader demographic. Shelters and cabins can be considered consistent with Alaska wilderness based on

ANILCA's allowances of cabins and shelters and other structures to provide the wilderness experience for a variety of outdoor skill levels⁸.

The State reiterates its perspective that cabins increase equity of access to public lands. Potential overnight visitors who are not equipped with the knowledge, experience, gear, and/or comfort to camp in bear country may find increased accessibility through cabins. It is inappropriate to compare public use cabins to sleep-aboard vessels. Sleep-aboard vessels require boat ownership or other access, or rental or guide costs. Public use cabins often provide a significant cost savings to visitors, further improving accessibility. Finally, there are simple ways to screen cabins to preserve views of an undeveloped shoreline, including constructing cabins further upland from the beach in wooded areas.

The State understands that public use cabins come with administrative costs, like to the two new NPS administrative-only floating cabins recently proposed for installation in the Marine Management Plan⁹, but believes this is a good use of Park resources that better supports Park purposes and increases visitor access to a broader demographic of visitors. We continue to encourage GLBA to prioritize finding ways to increase access to a more diverse demographic of visitors, such as public use cabin development.

The state incorporates by reference its prior comments on this matter. In relation to this position, we continue to suggest changes to cabin language in our page-specific comments below.

Frontcountry Access Zone within GLBA Wilderness

We request that the BWMP have a third alternative that both adds the Falls Creek to Excursion Ridge trail on state lands and also retains the NPS trail from Bartlett Cove to Bartlett Lake in designated wilderness. The State supports the additional trail from Falls Creek to Excursion Ridge but does not support the removal of the trail from Bartlett Cove to Bartlett Lake.

The State supports improved and additional access to wilderness from the frontcountry access zone through the creation of new trails. Additionally, we support trails that serve to protect habitat and natural resources in the area. As the visitor numbers provided in the BWMP indicate, many of the park's visitors to wilderness enter through the frontcountry and the Bartlett Lake Trail is the only wilderness trail in the park. Many park visitors use and enjoy trails as they may not have the orienteering skills and tools needed to travel across a trail-less landscape. Additional access will promote dispersing users, and both reduce and concentrate impacts to habitat as well as help provide the wilderness experience that is desired in many parts of the BWMP.

Page Specific Comments

The State appreciates the thorough consideration of many of our earlier page-specific comments. We continue to support edits on some unresolved items we mentioned before and include some new page-specific suggestions as outlined below.

⁸ ANILCA Section 1303, 1310, 1314, 1315 and 1316.

⁹ Glacier Bay National Park and Preserve Marine Management Plan, NPS 2023.

- BWMP Page 1, first bullet. Please revise to reflect that the Wilderness Act is modified by ANILCA. Suggested edit: “Meet all requirements of the 1964 Wilderness Act, as ~~implemented~~ modified by the... [ANILCA]”
- BWMP Page 6, Following Figure 5, “The Public Purposes of Wilderness,” we request the addition of a text box titled “Wilderness Management in Alaska”, as shown below. We have slightly amended the contents of the following text box since our earlier submission.

Wilderness Management in Alaska

ANILCA Section 1110(a) “Notwithstanding any other provision of this Act or other law, the Secretary shall permit on CSUs ... the use of snowmachines (during periods of adequate snow cover, or frozen river conditions in the case of wild and scenic rivers), motorboats, airplanes, and nonmotorized surface transportation methods for traditional activities (where such activities are permitted by this Act or other law) and for travel to and from villages and homesites. ANILCA Section 1310 –Within CSUs (wilderness is a CSU) ... reasonable access to, and operation and maintenance of, existing air and water navigation aids, communications sites, and related facilities for weather, climate, and fisheries research and monitoring shall be permitted...”

ANILCA Section 1110(b) Inholders shall be given such rights as may be necessary to assure adequate and feasible access for economic and other purposes.

ANILCA Section 1111 Authorizes temporary access across CSUs for the State or private landowners for temporary uses.

ANILCA, Section 1315, (a) Application Only to Alaska. – The provisions of this section are enacted in recognition of the unique conditions in Alaska. Nothing in this section shall be construed to expand, diminish, or modify the provisions of the Wilderness Act or the application of interpretation of such provisions with respect to lands outside of Alaska.

(b) Aquaculture, Secretary of Agriculture may permit fishery research, management, enhancement, and rehabilitation activities.

(c) Existing Cabins – in wilderness may be permitted to continue and may be maintained or replaced, subject to restrictions necessary to preserve wilderness character.

(d) New Cabins – Within wilderness areas designed by this Act, the Secretary is authorized to construct and maintain a limited number of new public use cabins and shelters if such cabins and shelters are necessary for the protection of the public health and safety...

ANILCA, Section 1316, Allowed Uses

- (a) On all public lands (definition of public lands includes wilderness) where the tacking of fish and wildlife is permit, subject to reasonable regulation to ensure compatibility, the continuance of existing uses, and the future establishment, and use, of temporary campsites, tent platforms, shelters, and other temporary facilities and equipment directly and necessarily related to such activities.

- BWMP Page 10, bullet 3. We support the NPS’s intent to review and reconsider reversing the benign neglect management strategy, however, the review and reconsideration should include “the recognition and protection of the culture and history of the individuals residing,

on the date of the enactment of this Act, in such unit and areas in the vicinity of such unit...”¹⁰ and not be limited as indicated. Suggested edit:

Reevaluates the general management plan benign neglect management strategy for historic structures ~~with a direct association to Tlingit Homeland values~~ in light of updates to cultural resource management guidance and practices that encourage their consideration as ethnographic resources.

- BWMP Page 11, *Planning History and Context*. The plan components additionally need to help meet the statutory requirements of 16 USC 3191 (ANILCA 1301): “Together, these plans are components of the park’s planning portfolio and help the park to meet the general management plan statutory requirements of 54 USC 100502 and 16 USC 3191.” (suggested addition shown in underlined text)
- BWMP Page 51. *Visitor Experience*. Please provide additional information on what current encounter rates are and how they are determined to be “high.”
- BWMP Page 60. *Regulate numbers of visitors*. We do not support establishing quotas for visitor numbers in the park. These quota systems requiring visitors to have a permit have been flourishing across the park system in recent years Requiring a permit is a closure that would need to follow the process outlined in 36 CFR 13.50; however, we request the NPS not implement a quota and permit system.
- BWMP Page 68. Cabins and shelters. We question the assertion that “Recent social science indicates that visitors prefer no developed amenities in park wilderness (NPS, 2021).” Kenai Fjords National Park cabins are fully booked and other Alaska park units such as Katmai and Lake Clark that have made administrative cabins available to the public by reservation have been heavily used by visitors. Cabins also provide for the safety of visitors without a budget for the conveniences of a chartered vessel. Suggested edit:

While ANILCA allows public use cabins and shelters in designated Wilderness, Glacier Bay has no history of them. Recent social science indicates that the limited number of current visitors prefer no developed amenities in park wilderness (NPS 2021). Yet, occupancy rates of NPS cabins in Kenai Fjords National Park and other Alaska cabins accessible by boat or road ~~Data also show low~~ high utilization rates ~~for southeast public cabins and shelters~~. Other considerations for ~~in not pursuing~~ cabins and shelters in the backcountry include the unique safety concerns of overnight stays in bear country, the historic importance of the John Muir Cabin and its presence in a dynamic marine setting ~~and,~~ the steep costs, and operational demands relative to the benefit to an increasingly diverse public benefit. Further explanation on cabins and shelters is provided in chapter 2.

¹⁰ ANILCA Section 1301(b)(5)

Appendix B: Extent Necessary Determination for Commercial Services in the Glacier Bay Wilderness

- EA Pages 56-57. (Appendix B), section *Purposes for which the Glacier Bay Wilderness Was Established*, provides an incomplete reference to ANILCA's considerations: it identifies Section 101 as describing the primary purposes for Alaska conservation areas and quotes directly from subsections (a) and (b) which speak to the national conservation interests ANILCA sought to protect. However, the other two subsections of Section 101, subsections (c) and (d), are also equally important to understanding Congress' intent in enacting ANILCA to balance conservation interests and provide for the economic and social needs of Alaska and its people. Subsection (c) relates to the Congressional direction to provide for the continuation of the subsistence way of life; Congress reaffirmed this in its promulgation of the 2014 Huna Tlingit Traditional Gull Egg Use Act, despite the original decision to not assign subsistence as a park purpose for GLBA under Subsection 202(1). Subsection (d) serves to clarify Congress' intent for different management of Alaska conservation units, including designated wilderness areas, and other public lands as they have a dual purpose—to protect the scenic, natural, cultural and environmental values on Alaska federal public lands, and at the same time to provide adequate opportunity for the satisfaction of the economic and social needs of the State of Alaska and its people. The EA should acknowledge the full extent of ANILCA Section 101, and additional rights to use resources within the park.
- EA Page 58. (Appendix B). Extent Necessary Determination for Commercial Services in Wilderness. Second paragraph, bullet 1. Please revise as follows:
 - Is the activity consistent with laws, policies, and regulations (including ANILCA and Alaska specific policies and regulations)?
- EA Page 60. (Appendix B). On Snow Travel. We note that snowmachine use needs to be included in the list of activities allowed on snow. If the intent is to not allow snowmachines, the closure process outlined in 36 CFR 13.50 needs to be followed. We do not support a closure to an activity allowed under Section 1110 of ANILCA. Suggested edit:

This activity is inclusive of recreational activities, such as snowmachines (Section 1110 of ANILCA) and human-powered snow sports including by board (e.g., skiing, snowboarding), snowshoeing and hiking on snow, and considering potential other emerging recreational uses as they arise. The towing of persons on skis, sleds, or other sliding devices by motorized vehicles is prohibited except in the ANILCA additions, including the Glacier Bay Preserve.
- EA Page 61-62. (Appendix B). Day Hiking. We question the decision to not allow guided day hiking past the designated wilderness boundary. We request the NPS allow day use hiking guiding opportunities in the wilderness. Many people need the skills of a guide in order to enjoy wilderness recreational experiences. The intent of ANILCA and the

Wilderness Act is that wilderness Americans can use and enjoy it. In support of this, we quote from page 67 of the BWMP:

Glacier Bay's wilderness presents an inherently challenging environment for traveling to and throughout. To be conducted safely and in a manner that preserves wilderness character, wilderness activities often require specialized skills, knowledge, or equipment.

Suggested edit:

“Near Bartlett Cove, guided day hiking is authorized on the Forest Trail, Tlingit Trail, and Campground Trail and will be authorized on future planned trails (Coopers Notch Trail and Inner Lagoon Trail). Guided day hiking is also ~~not~~ authorized past the designated Wilderness boundary (Bartlett River Trail, Bartlett Lake Trail, Towers Trail, Point Gustavus route, and Excursion Ridge”

- EA Page 63-65 (Appendix B). Guided Sportfishing (Freshwater). The draft BWMP proposes not allowing any new guided freshwater sport fishing. Sport fish guides are necessary to fulfill the recreational purpose of wilderness as demonstrated by the historic operators in the park. We request the NPS allow new sport fish guiding opportunities in the park as only commercial fishing in Glacier Bay is limited to existing fisheries, PL 105-277.
- EA Page 78 (Appendix B). Guided Hiking (Day Use Only). We request this be allowed throughout the entire park wilderness areas, not limited to within 1 mile of Glacier Bay proper or within 0.5 mile of the Outer Coast, and along access to tidewater glaciers. As the areas listed are referenced as the areas with most concentrated visitor use, visitors who need support from knowledgeable guides will be unable to truly experience the solitude of GLBA wilderness.

Appendix D: Actions and Strategies Considered But Dismissed

- Page 87 of the EA (Appendix D) repeats the assertion that visitors do not prefer developed amenities, which again, the State questions. (*see our comments on BWMP Page 68, above*)

Appendix E: Best Management Practices and Mitigation Measures

- EA Page 89 (Appendix E). The second paragraph regarding Helicopter flights should be revised to also allow State fish and wildlife research, management, and rehabilitation activities.
- EA Page 90 (Appendix E). We request the following modification regarding permanent or temporary structures and installations. “ANILCA modified the Wilderness Act to allow ~~prohibits~~ permanent or temporary structures and installations in certain circumstances, subject to reasonable regulation (see sections 1310, 1315 and 1316). ~~of any kind to retain its primeval character and influence.~~”
- EA Page 97 (Appendix E). The State strives to protect fisheries, wildlife and habitats from impacts imposed by invasive species. Please report any invasive species found at

<https://www.adfg.alaska.gov/index.cfm?adfg=invasive.report>. Please include direction to report any invasive species discovered in this section.

- EA Page 99 (Appendix E). Regarding the statement in the Fish and Wildlife section, “The [NPS] is already taking some actions to reduce wildlife-visitor conflicts within the park.” Please inform the State’s Area Biologists regarding actions taken to reduce wildlife-visitor conflicts. Please contact Frank Robbins at 907-772-5235 or via email at frank.robbins@alaska.gov, and Roy Churchwell at 907-465- 4266 or via email at roy.churchwell@alaska.gov.
- EA Page 100 (Appendix E). Regarding the statement “... the park would monitor for both immediate and long-term impacts on fish populations and their associated habitats.” As ADF&G is responsible for the management of fish populations throughout the State please keep the State’s Area Biologists informed of monitoring results for fish populations. Patrick Fowler in Petersburg at 907-772-5231 or via email at patrick.fowler@alaska.gov or Daniel Teske in Juneau at 907-465-8152 or via email at daniel.teske@alaska.gov .

Appendix F: ANILCA Section 810 Analysis Summary Evaluation and Findings

We request the NPS re-write certain sections of the ANILCA 810 Analysis, discussed below, for accuracy. The State considers the harvest of glaucous-winged gull eggs and goat hair to be subsistence activities, though we recognize they are governed by unique laws.

- EA Page 104, in the Section entitled “The Evaluation Process,” the following paragraph should be re-written as shown below.

“Federal law and regulations prohibit ANILCA Title VIII subsistence uses on federal public lands in the park only, except for the collection of glaucous-winged gull eggs two times per year by members of the Huna Tlingit tribe which is allowed by Public Law (P.L.) 113-142 and the collection of goat hair. ~~However,~~ ANILCA (sections 1313) and Title VIII authorize “sport” and subsistence hunting on federal lands in the preserve.”

The quote regarding ANILCA 816 should include the Congressional language regarding gull egg collection. Public Law (P.L.) 113-142 modified Section 816 of ANILCA.

- EA Page 107, in the section titled “Affected Environment” the discussion should revolve around P.L. 113-142 rather than P.L. 106-455 and should address the collection of naturally shed goat hair as authorized by 36 CFR Part 13.1114 or any of the subsistence activities occurring “near the boundary of the park.”
- EA Page 107. The State and others consider gull egg and goat hair collection to be subsistence activities. From this perspective, the discussion on page 107 creates confusion about what is currently allowed in the Park. We request the last paragraph on page 107 be edited for clarity as follows:

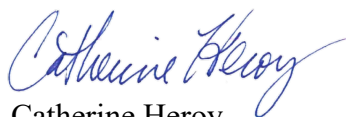
ANILCA and NPS regulations authorize subsistence use of resources in the preserve and prohibit subsistence uses in the park (codified in 36 CFR 13), except for the limited harvest of gull eggs and goat hair. Legislation enacted in 2000 (Public Law 106-455), in 2014 (Public Law 113-142), and a legislative environmental impact statement authorize the limited harvest of glaucous-winged gull eggs by the Huna Tlingit in the park under a management plan cooperatively developed by the National Park Service and the Hoonah Indian Association, the federally recognized tribe of the Huna Tlingit. Glacier Bay is the traditional Homeland of the Huna Tlingit, who traditionally harvested eggs prior to park establishment. Historically, the practice was curtailed in the 1960s as the Migratory Bird Treaty Act and federal regulations prohibited it. Outside of Glacier Bay National Park and Preserve, current US Fish and Wildlife Service regulations allow residents of Hoonah and Yakutat to gather glaucous-winged gull eggs on national forest lands in Icy Strait and Cross Sound, including Middle Pass Rock near the Inian Islands, Table Rock in Cross Sound, and other traditional locations on Yakobi Island between May 15 and June 30. The land and waters of the park remain closed to all other federal subsistence harvesting.

- EA Pages 108-109. Under the sections titled “Availability of Other Lands” and “Alternative Considered” we question why consistency with the NPS Organic Act and NPS mandates are listed in the ANILCA 810 Analysis. Consistency with the Organic Act and NPS mandates are not in question in regard to Title VIII.

Closing

In summary, the State appreciates the efforts to protect and enhance backcountry experiences in Glacier Bay National Park and Preserve. Please contact me if you have any questions or to discuss any of these issues. We look forward to further discussions as the BWMP is developed.

Sincerely,



Catherine Heroy
Acting State ANILCA Program Coordinator

Ecc: Sara Doyle, Outdoor Recreational Planner, Glacier Bay National Park & Preserve