STATE OF ALASKA

ANILCA IMPLEMENTATION PROGRAM

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March 5, 2004

Bruce Rogers
Land Use Planner/Environmental Coordinator
Glennallen Field Office
Bureau of Land Management
P. O. Box 147
Glennallen, Alaska 99588

Dear Mr. Rogers:

The State of Alaska reviewed the "Environmental Assessment for Revision of the 1983 Gulkana River Management Plan" (EA). We appreciate the Bureau of Land Management's (Bureau) continuing commitment to work with state management agencies as partners in the development of the Revised Gulkana River Management Plan and EA. The comments in this letter represent the consolidated response of the State's resource agencies.

GENERAL COMMENTS

Special Use Land Designation
The EA is improved with the inclusion of references to the State's Special Use Land Designation (SULD). Additionally, we appreciate that the EA clarifies that some management actions are contingent upon adoption of the SULD by the State. A draft of the SULD document for public review is not complete; however, the Bureau will be notified when the document is available for public review and comment.

Fire Rings
We request that Phase I (and II) allow for placement of constructed fire rings where: use is regularly occurring, sites are heavily impacted, and/or placement of rings is not likely to impact the aesthetics of the site (e.g., the site is already heavily impacted). Potential sites include the outlet of Paxson Lake, confluence of the Middle and West Forks with the main stem, and below canyon rapids.

If the Bureau adopts in Phase II a decision to require the use of fire pans by all users, we request that the decision document clarify it applies only to the uplands managed by the Bureau. The clarification includes stating that any action to require the use of fire pans on state shorelands is contingent on the development of the SULD by the state.

Impacts at Upland Sites and Camp Sharing
We request the Bureau consider site hardening as an option to address impacts at campsites. Hardening may be appropriate to direct use and help discourage development of satellite sites because the original overused sites have rocks, roots, poor drainage, charcoal in the soil, steep river banks or some other factor which hardening may resolve.

Phase III Public Involvement
The Bureau indicated in the plan that "Public involvement would occur before going from Phase II to Phase III actions." However, the plan lacks specific direction as to what public process will occur. We request inclusion of language that specifies the public involvement that the Bureau commits to using, such as "If Phase II standards are exceeded, the Bureau will implement Phase III actions consistent with the provisions of ANILCA and existing regulations 43 CFR 36." As an alternative to the language provided, we suggest the Bureau include more generic language such as "Any future actions to limit users on Bureau-administered uplands would be developed through a public process consistent with existing laws, regulations, policies and the Cooperative Agreement between the Bureau, State, and Ahtna, Inc.." We request inserting such language throughout the plan to address possible actions the Bureau may take to limit access to lands within this conservation system unit.

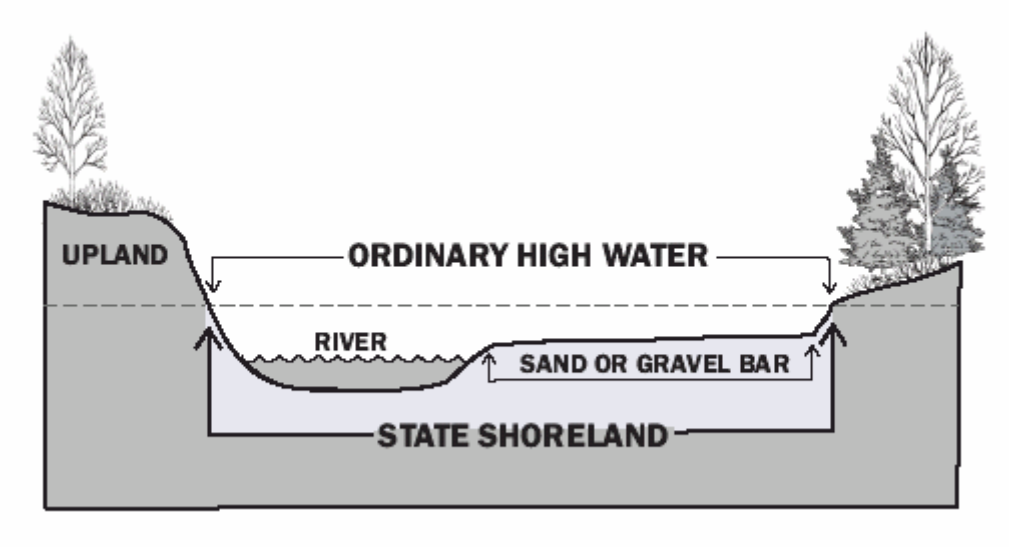
Limits on Group Size and Mandatory Registration System
If the system outlined in the EA does not achieve the desired standards for the river segments, the Department of Natural Resources (DNR) may consider supporting a mandatory registration or permit system for launches. This initially could include a registration system only for floaters (since they appear to be more sensitive to crowding on the upper reaches) but no registration system for launches from Sourdough. DNR's hesitation to support the Bureau's mandatory registration/permit system under Phase I or II is based on concerns about implementing a mandatory registration or permit system through an SULD. It is difficult to anticipate whether or not DNR would enter into a parallel mandatory registration or permit program with the Bureau or if it would be solely a Bureau program. We request assurance in the plan that the Bureau will continue to work with the State and public if these measures are considered in the future.

Use Limits
Several of the proposed actions include limits to river users based on the number of available upland campsites or the capacity of existing upland campsites to accommodate larger groups. We request the EA acknowledge that use limits may reduce opportunities to harvest salmon thereby increasing salmon angling effort (and the potential for conflict) in the lower river and other rivers along the road system. In addition, such limits could result in campers "spilling over" onto state shorelands.

Opportunities for Management Agreements
When DNR's planning actions are complete, we would like to discuss a cooperative management agreement with the Bureau to assist in implementing the proposed actions within the EA in addition to any proposed management actions contained in the SULD when that document is finalized.

PAGE SPECIFIC COMMENTS

Page 4, Figure 1
We request that the updated version of the "State Shorelands" graphic (provided below) be included in the final plan.



Page 8, UR-2, Human waste. We suggest clarifying that the Trapper's Cabin outhouse is non-functioning.

Page 9, UR-5: Camp Encounters (during king season 6-1 – 7-20), Management Actions (and Camp Encounters under all segments). As previously mentioned**,** we are concerned about the effects of use limits on: 1) opportunities to harvest salmon, and 2) state shorelands and other recreation areas due to displacement of users. We remain available to work with the Bureau to seek options to address camp encounters along the river corridor.

Pages 9 and 10, UR-5: Camp Encounters (during king season 6-1 – 7-20), Management Actions (and Camp Encounters under all segments). See general comments about Phase III Public Involvement. Limitations on boat use for a conservation system unit in Alaska must first undergo an ANILCA 1110(a) closure process as prescribed in regulation at 43 CFR Part 36.11. Under 43 CFR Part 36, permanent closures involve:

1) a finding of detriment to resource values of the unit;
2) permanent closures shall be published by rulemaking in the Federal Register with a minimum public comment period of 60 days and shall not be effective until after a public hearing(s) is held in the affected vicinity and other locations as appropriate;
3) a published notice in affected newspapers, post offices, local radio stations, and for public inspection at the office of the appropriate federal agency.

Page 12, SS-7, Guiding limitations. When conflicts are reported between the Bureau permitted guides and other guides, we recommend the Bureau improve enforcement of commercial use authorizations on Bureau land.

Page 13, MF-3: Fire rings, Standard.
We are concerned that "*Less than 20% of sites with one fire ring*" may not be achievable during peak hunting and fishing seasons; therefore we request a reevaluation of this standard.

Page 24, Comparisons of alternatives and Table II-I. A brief narrative describing the ratings system for each alternative would be helpful or just delete the ratings table as we previously recommended.

Page 33, Powerboats, 2nd paragraph. The Public Review Draft of the State's Special Use Land Designation for the Gulkana River Shorelands and Water is not available. Therefore, we recommend language that specifies the document is not available for public review at this time.

Page 33, Off-Road Vehicle (ORV) use, 1st paragraph. Please change the third sentence from the end of the paragraph to read: "*Alaska Department of Natural Resources Office of Habitat Management and Permitting permits three crossings on the West Fork of the Gulkana.*"

Page 35, Water Quality, 5th sentence. Please include the citation, *"18 AAC 70"* for information on State water quality standards.

Pages 35-36, Water Quality. We recommend the Bureau develop one of the water quality monitoring sites downstream of the Sourdough boat launch to include baseline data of petroleum hydrocarbons from the primary main-stem boat launching point. This configuration will indicate the amount of petroleum hydrocarbons from the Richardson Highway launch by comparing the Sourdough measurements and the Gulkana Village measurements (if the Gulkana Village monitoring site is downstream of the Richardson Highway bridge). A monitoring site above the launch misses any data on petroleum hydrocarbon output from boats idling and launching from Sourdough. Petroleum monitoring should be conducted at both low and high-use times to determine levels of petroleum entering the river from motorboats. Analyses of petroleum should be conducted consistent with Alaska's Water Quality Standards; particularly for aqueous and aromatic hydrocarbons.

Page 36-37, Water Quality concerns, Section iv - Petroleum Hydrocarbons from motors on the river. This section states, "The current federal water quality standard adopted by the State of Alaska for petroleum hydrocarbons, oils and grease for the Gulkana is "May not cause a film sheen, or discoloration on the surface or floor of the waterbody or adjoining shorelines. Surface waters must be virtually free from floating oils." This reference is incomplete, as it cites language for contact recreation, which is only one of several protected uses. The Gulkana River is protected for all uses. Two of these uses have more stringent standards for petroleum hydrocarbons: 18 AAC 70.020 (b)(4) - (A) (iii) aquaculture and (C) Growth and Propagation of Fish, shellfish, Other Aquatic Life, and Wildlife (Same as (5)(A)(iii) state: "*Total aqueous hydrocarbons (TAqH) in the water column may not exceed 15 µg/l (see note 7). Total aromatic hydrocarbons (TAH) in the water column may not exceed 10 µg/l (see note 7). There may be no concentrations of petroleum hydrocarbons, animal fats, or vegetable oils in shoreline or bottom sediments that cause deleterious effects to aquatic life. Surface waters and adjoining shorelines*

must be virtually free from floating oil, film, sheen, or discoloration." Please include these standards in the discussion.

Page 37, Fisheries, last paragraph. The common name for *Coregonus pidschian* is the humpback whitefish.

Page 39, Fisheries concerns related to harvest, 2nd paragraph. The State manages all fish and wildlife populations, regardless of the upland owner, in accordance with sustained yield principles on all lands and waters, except as modified by Congress (e.g., Marine Mammal Protection Act, Migratory Bird Treaty Act, Bald Eagle Act, species under the Endangered Species Act.) We suggest the following revision: *"The State Board of Fisheries defines sport, commercial, subsistence, and personal use fishing regulations and harvest quotas for all waters within the State of Alaska*".

Page 39, Fisheries concerns related to harvest, 5th paragraph. It is incorrect to assume that the proposed actions will not affect sport fishing harvest levels. If the proposed actions have an effect on the number of people utilizing the resource (reductions in the number of participants due to restricting numbers of users), it may reduce fishing effort. In the case of salmon, this may reduce harvest levels under normal conditions within the corridor. In addition, the Alaska Department of Fish and Game monitors harvest and submits proposals to the Board of Fisheries to adopt regulations to regulate harvests. Please correct the last sentence to reflect this information.

Page 40, Fisheries concerns, iii, 2nd paragraph, last sentence. In addition to the no fishing regulation in the upper Middle Fork from April 15-June 14, the entire Middle Fork is closed to king salmon fishing.

Pages 53, Effects to water quality from recreational activities such as powerboating or improper human waste disposal. The section cites numerous studies of outboard motor exhaust and concludes that pollution impacts from powerboat use are expected to be very low because the low amounts discharged are quickly volatized and dispersed. This may be incorrect based on information from a recent study, "Kenai River Hydrocarbon Assessment Final Report," which can be found at the following Internet address:

http://www.state.ak.us/dec/water/wnpspc/pdfs/Kenai%20Report_FINAL_14Jan04.pdf

The study found motorboat releases caused petroleum hydrocarbons in the Kenai River to approach, and sometimes exceed, state water quality standards. Measurable petroleum in the Kenai River was observed whenever over 100 motorboats were present, and levels approached or exceeded water quality standards when approximately 400 motorboats were present. The actual levels in the Gulkana River will depend on several factors: numbers of motorboats, locations used, timing of use, engine types, engine sizes, engine speeds, river flow rates during usage, etc. These are important to consider in selecting the preferred alternative. We encourage the Bureau to work with the State in developing a monitoring plan for water quality that includes consideration of these variables. In addition, the Bureau may want to consider nominating the

Gulkana River under Alaska Clean Water Action (ACWA). Please see the ACWA nomination form at the following Internet address:

http://info.dec.state.ak.us/awq/awca/waterbody/acwa1_interface/Results/submission_form.asp

Pages 55, 59, and 63, Effects to fish habitat from physical disturbance. Pages 55 and 63 discuss the possibility of damage to spawning areas from powerboat access to the Middle Fork via the Swede Lake trail. However, the statement on page 59 says that the natural barriers of the river prevent disturbance of spawning areas by powerboats. These statements contradict each other on the potential of disturbance by powerboat users.

Page 61, River. Please change the words *"motor vehicles"* in the third sentence to *"motorized boats."*

Pages 62 and 64, Effects of proposed recreational facilities. While outhouses and fire rings promote increased use at a specific site, management efforts (e.g., site hardening, trail revegetation) can contain use and habitat impacts within the vicinity of the site. Outhouses and permanent fire rings encourage use at managed locations as opposed to dispersing use to poorly located sites. Heavily use sites were pioneered by the convenience of an established campsite, a cleared camping area, outhouse (if present), and/or a fire ring. Recreation visitors use these sites because of the desirable site characteristics (scenic views, fishing holes, well-drained campsites, large trees, etc.). Efforts to disperse users to less desirable sites (with site closures) may be less effective in reducing habitat damage and in maintaining satisfactory camping experiences.

Appendix A, Page 3, g. Powerboat Encounters. We recommend adding the following text: "*Personal watercraft restrictions are contingent on State designation of the Gulkana as a special use land designation (SULD).*"

Appendix C, Page 1, Site Impacts. The text under "*description of monitoring technique*" and "*time frame for monitoring*," does not consistently describe the period when bare ground trends will be documented. The description section cites "*5 years*" and the monitoring section cites "*4 years.*"

Appendix C, Page 3, Fish monitoring. In addition to those listed, rainbow trout and Arctic grayling population assessment occurred (and is planned) in the mainstem, Middle Fork, and upper Gulkana. Burbot and lake trout population assessments occurred at Paxson Lake. Chinook and sockeye salmon spawning escapement are indexed annually via aerial survey.

Appendix D: ANILCA 810 Evaluation. The absence of a specific section describing subsistence activities in the Environmental Assessment and in the ANILCA 810 analysis complicates the review of the 810 evaluation. The analysis concludes that the proposed plan will not affect subsistence resources or have a significant effect on subsistence activities. No evidence is presented either in the plan or in the 810 analysis to dispute this conclusion, but the reader cannot easily determine what uses are occurring in the planning area and why they will not be affected. We request the Bureau summarize subsistence activities in a paragraph or two in the plan and then either reference that material in the 810 analysis or repeat it in Appendix D.

Most Bureau and other federal land use planning documents contain 810 analyses that can serve as models for the 810 evaluation in this plan.

Thank you for the opportunity to review and comment on the EA. Please email or call me at 269-7476 if you have questions regarding these comments.

Sincerely,

Don Perrin
Assistant ANILCA Coordinator

cc: Sally Gibert, SOA ANILCA Program
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