

STATE OF ALASKA

SARAH PALIN, Governor

ANILCA IMPLEMENTATION PROGRAM Office of Project Management and Permitting

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March 6, 2009

Cherry Payne, Superintendent
Glacier Bay National Park and Preserve
P.O. Box 140
Gustavus, AK 99826

Dear Ms. Payne:

The State of Alaska reviewed the Draft Legislative Environmental Impact Statement (LEIS) for the Harvest of Glaucous-Winged Gull Eggs by Huna Tlingit in Glacier Bay National Park. 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 Coastal Zone Management Act and the Alaska Coastal Management Program will be provided separately by the Division of Coastal and Ocean Management.

The State supports the intent of the Service's proposal to allow the harvest of glaucous-winged gull eggs by tribal members of the Hoonah Indian Association (HIA). The Huna Tlinget traditionally harvested gull eggs in the Park prior to its designation but were prohibited from doing so in the 1960's as a result of provisions of the Migratory Bird Treaty Act and subsequent subsistence regulations at 50 CFR Part 100.3. We are pleased the Service has worked cooperatively with HIA to develop a process that includes appropriate management and monitoring protocols, which will allow this traditional subsistence harvest to resume while conserving park resources. To that end, we request the Service work with the Alaska Migratory Bird Co-Management Council and the US Fish and Wildlife Service to develop park-specific regulations to maintain a sustainable harvest.

Although we do not expect the outcome of the LEIS to be affected by the following technical comments, they are included for consideration with this proposed action as well as for future reference, as appropriate.

Page 1-3, Enabling Legislation and the Alaska National Interest Lands Conservation Act: We recognize that, with the exception of the first bullet, these are general purposes from Section 101 of ANILCA; however, we are unfamiliar with the quote in the last bullet. We request it include a specific citation rather than a general reference to ANILCA.

Page 1-3, Park Purposes: The purposes from Section 202 of ANILCA that specifically apply to the expansion of Glacier Bay National Monument are as follows:

The purposes of the monument addition and preserve are, among others: To protect a segment of the Alsek River, fish and wildlife habitats and migration routes, and a portion of the Fairweather Range including the northwest slope of Mount Fairweather.

It does not appear these specific purposes are fully captured in the summary provided. As a general rule, to ensure the specific purposes of a park and preserve unit are accurately portrayed, we recommend including direct quotations from enabling legislation, (either full text or excerpts, as appropriate), which in this instance would be from both proclamations and ANILCA.

Page 1-4, Memorandum of Understanding or Agreement: While it is appropriate to reference the Memorandum of Understanding between the Service and the HIA, because the State is responsible for the sustainability of fish and wildlife on all lands and waters in Alaska, we request the Master Memorandum of Understanding between the Service and the Alaska Department of Fish and Game also be referenced.

Page 3-17, 3.3.1 Wilderness Resources, second paragraph, third sentence: The boundary of designated wilderness is mean high water, not mean higher high water. We recommend removing the term “higher” from this description.

Thank you for this opportunity to comment. If you have any questions, please contact me at (907) 269-729 or by email at susan.magee@alaska.gov.

Sincerely,



Susan E. Magee
ANILCA Project Coordinator

cc: Sally Gibert, ANILCA Program Coordinator