

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

November 4, 2010

Joel Hard, Superintendent
Lake Clark National Park and Preserve
240 West 5th Avenue, Room 114
Anchorage, AK 99501

Dear Mr. Hard:

The State of Alaska reviewed the Management of Off-Road Vehicles (ORV) at Silver Salmon Creek in Lake Clark National Park 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 (ACMP) will be provided separately by the Division of Coastal and Ocean Management.

The State supports the National Park Service's intent to authorize ORV use on existing trails within the Silver Salmon Creek area for local landowner and guest use. We appreciate the EA recognizes the full range of authorities that assure access to inholdings and for subsistence use in Alaska, including ANILCA Sections 1110(b) and 811 and implementing regulations at 43 CFR 36.10-11 and 36 CFR 13.460. We also appreciate the Service's efforts to work with the local community to define a trail system and use protocols that support personal and business needs while protecting park resources and values. As acknowledged in the EA, should access needs change, inholders may also apply for an individual Right-of-Way Certificate of Access (RWCA) in accordance with 43 CFR 36.10.

We request additional clarification on one of the RWCA permit stipulations (Page 11) requiring vehicles from outside the Silver Salmon Creek area to be brought in "*clean and free*" of invasive species. While we support the effort to reduce the spread of invasive species, it is not clear how a vehicle would be determined "*clean and free*" of invasive species and how this stipulation would be enforced. Perhaps a more practical way of addressing invasive species proliferation would be to reword the stipulation to instead indicate that every '*effort shall be made*' and '*best management practices*' employed to clean vehicles before arriving from outside the area.

The EA correctly recognizes that the trail crossing at Silver Salmon Creek requires authorization from the State of Alaska. However, the Alaska Department of Fish and

Game, Division of Habitat is currently responsible for issuing Title 16 Fish Habitat Permits, rather than the Alaska Department of Natural Resources, as noted. Similarly, as noted above, the ACMP is now implemented by the DNR, Division of Coastal and Ocean Management.

Thank you for this opportunity to comment. Please contact me at 907-269-7529 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Magee". The signature is fluid and cursive, with the first name "S." and the last name "Magee" clearly visible.

Susan E. Magee
ANILCA Project Coordinator

cc: Sally Gibert, ANILCA Program Coordinator
Adrienne Lindholm, NPS Alaska Region