



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Natural Resources
OFFICE OF PROJECT MANAGEMENT AND PERMITTING

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February 12, 2025

Klondike Gold Rush National Historical Park
Attention: Superintendent Angela Wetz
291 Broadway Street
Skagway, AK 99840

Submitted via email to angela_wetz@nps.gov

Re: Chilkoot National Historic Trail - Comprehensive Trail Plan Purpose and Need and Preliminary Alternatives

Dear Ms. Wetz,

The State of Alaska (State) reviewed the Draft Comprehensive Management Plan: *Purpose and Need & Preliminary Draft Alternatives/Management Concepts*. The proposed plan establishes management guidance for the new National Historic Trail (designated by Congress in 2022) and provides long-term direction for the National Park Service (NPS) and its partners. This includes identifying resources and outlining measures to manage, develop, and use the trail, as well as to comply with the National Trails System Act. These comments incorporate input from the Departments of Natural Resources (DNR), Environmental Conservation (DEC), and Fish and Game (ADF&G).

State Managed Lands

Land ownership between trail mile markers 0.0 and 4.5 is mixed between the Municipality of Skagway and the NPS, and the State does not have interest in those areas along the route of the current trail. In the event that NPS adopts Alternative C and determines to reroute the trail onto State-managed lands, the State offers the following comment:

MOU G9910030002, entered into between DNR through Division of Parks and Outdoor Rec (DPOR) and NPS, is valid only within the legal descriptions of the Interagency Land Management Agreement (ILMA) with DPOR (serialized as ADL 65587). ADL 65587 covers a 300-foot corridor over the trail alignment as it existed in 2017. Alternative C contemplates rerouting the trail to avoid the floodplain and other negative control points. If this can be accomplished within the corridor defined by ADL 65587, no action is needed. However, if the route is altered to extend beyond this corridor, DPOR would need to request and receive a new ILMA from DMLW, and a new MOU between DNR and NPS would be required with updated legal descriptions.

It is also important to note that the ILMA for the trail within Sections 11, 14, 23, 26, **C027S059E** is for lands transferred to the Municipality of Skagway through municipal entitlements. The management authority in these areas currently resides with the municipality.

Navigable Waters

The Alaska Department of Natural Resources (DNR) has management authority for State lands, including the submerged lands, tidelands, and shorelands of navigable waters within the management area of the proposed plan. This authority includes management of State-owned lands within and adjacent to the boundaries of federal lands. The State claims ownership of the submerged lands beneath the Taiya River; a river determined by the BLM to be navigable up to the confluence with the Nourse River based on a history of use as a trade and supply route during the Klondike Gold Rush. A map of navigable waters in Alaska can be found on the DNR website using the “Navigable Waters (Title Purposes)” layer:

<https://mapper.dnr.alaska.gov/map#map=4/-16632245.12/8816587.34/0>

We request that any management plan developed under the proposed alternatives include language acknowledging State interest in submerged lands of navigable waters.

Reduction to Overnight Camping Numbers

The draft EA/CMP needs to include documentation of the resource impacts requiring the Park to reduce the number of campers allowed by almost 30 percent (70 to 50 campers) per night.

Coordination with Partners

While the DNR MOU is identified in the draft plan, the 1982 Master Memorandum of Understanding (Master MOU) between the Alaska Department of Fish and Game and the NPS is missing from the list of MOUs identified on pages 10 and 11. This Master MOU details the terms and conditions of ADF&G and NPS cooperation and is important in this area as State lands along the Chilkoot National Historic Trail are open to State regulated hunting.

We request the ADF&G-NPS Master MMOU is added to the section “Coordination with partners.”

Water Quality Monitoring Proposal

DEC notes that the Department appreciates and supports the water quality monitoring proposal in Alternative B (page 14) that is “Same as Alternative A except the park would implement a water quality monitoring program consistent with the State of Alaska Department of Environmental Conservation Water Quality Standards (Department of Conservation 2024). “

Species of Concern

Prior to designating any species of concern within Chilkoot Trail Corridor, the NPS needs to consult with ADF&G staff regarding fish and wildlife concerns. ADF&G has primary responsibility for managing Alaska’s fish and resident wildlife populations on all lands, including federal public lands as the manager of all fish and wildlife across the state.

Maps and Figures

We request maps throughout the draft plan that consistently identify state lands.

Page-Specific Comments

Page 6, Natural Resources Are Preserved and Protected: in the second indicator bullet, on water quality, DEC suggests revising “contaminants” to “analytes” or “environmental parameters”, because not all water quality monitoring parameters are contaminants such as in-situ parameters (e.g. dissolved oxygen, turbidity).

In the same bullet, DEC suggests revising “national” to “federal”.

References: the DEC Water Quality Standards should be updated in the references and throughout the document. Please update to:

Department of Environmental Conservation

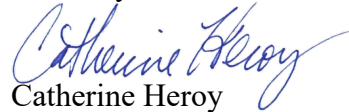
2025 18 AAC 70 *Water Quality Standards*. Amended as of January 8, 2025.

Register 250, July 2024.

Closing

We appreciate the discussions at the January 29, 2025, stakeholder meeting, as well as the opportunity to review and comment on the Comprehensive Trail Plan. We also reiterate our July 24, 2024, comments, attached for reference. We look forward to working with NPS staff in the ongoing Environmental Assessment phase and planning process. Please contact me at (907)269-0880 or by email at catherine.heroy@alaska.gov to coordinate any follow up discussions.

Sincerely,



Catherine Heroy

Federal Program Manager

Attachment: Chilkoot National Historic Trail Comprehensive Management Plan and
Environmental Assessment comment letter, July 24, 2024



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July 24, 2024

Chilkoot National Historic Trail Comprehensive Management Plan
Superintendent Angela Wetz
Klondike Gold Rush National Historical Park
PO Box 517
Skagway, Alaska 99840

Submitted via email to angela_wetz@nps.gov and via the Park Service Planning, Environment, and Public Comment (PEPC) website

Re: Chilkoot National Historic Trail Comprehensive Management Plan and Environmental Assessment

Dear Superintendent Wetz,

The State of Alaska (State) reviewed the scoping information and public meeting documents for the Klondike Gold Rush National Historical Park (KLGO) Comprehensive Management Plan (CMP) and Environmental Assessment (EA). The newsletter and meeting information online describe the need for the development of a CMP and identify some preliminary issues the plan may address. The following comments represent the consolidated views of state resource agencies, including the Departments of Fish and Game (ADF&G) and Natural Resources (DNR).

Congressional Designation

Congress designated "an approximately 16.5-mile route within the [KLGO]" as a National Historic Trail under the provisions of the National Trails System Act of 1968 in the Consolidated Appropriations Act of 2023 (Act), Title V-Section 501 on December 29, 2022. This designation was based on a map entitled "Proposed Chilkoot National Historic Trail," numbered KLGO-461-173787, and dated October 2020. The Act states that the designation shall not affect any of the authorities under Public Law 94-323 (the 1976 statute designating the KLGO).

Designation of the Chilkoot Trail as a National Historic Trail results in the trail meeting the definition of a conservation system unit (CSU) under the Alaska National Interest Lands Conservation Act (ANILCA) Section 102(4).

(4) The term "conservation system unit" means any unit in Alaska of the [emphasis added] National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers Systems, National Trails System, [emphasis added] National Wilderness Preservation System, or a National Forest Monument including existing units, units established, designated, or expanded by or under the provisions of this Act, additions to such units, and any such unit established, designated, or expanded hereafter. [emphasis added]

As a CSU, certain unique management provisions apply to the trail, similar to the park itself. The Chilkoot National Historic Trail (NHT) CMP must outline how these management provisions will be applied. To fully inform the public, we request the plan clearly describe ANILCA specific access provisions, and other management actions required by ANILCA, including where they apply on the ground.

Land Ownership and Resource Management

The State reminds the National Park Service (NPS) that its management of the Chilkoot Trail is provided for by a memorandum of agreement (MOU) with the State of Alaska Division of Parks and Outdoor Recreation (DPOR)¹ signed in 2018 and expiring in 2033. In addition to establishing “the terms and conditions under which the NPS will continue to manage certain State lands and resources within or immediately adjacent to the Park,” the MOU provides that “within the boundaries of the Chilkoot Trail Unit of the Park...both parties will cooperate in matters relating to planning” (MOU Article IV, Section C.1). Because the MOU states both parties agree to cooperate in matters related to planning, development, use, acquisition, and disposal of lands, structures, and waters within and adjacent to the above park units (Article IV.C.1), the CMP should outline how cooperation is to be enacted in the future in accordance with the MOU. Additionally, the NPS must not continue to develop the CMP without formally engaging land managers at the State of Alaska.²

Preparation of the CMP and its EA must be coordinated with the State, as the majority of the trail corridor is owned by the State of Alaska and managed by the NPS under the 2018 MOU. The partners identified on Scoping Posters-NR-1 identify the State Historic Preservation Office as a partner. The DNR DPOR as well as the ADF&G must also be identified as partnering agencies.

Planning and management decisions about carrying capacities, management philosophy, risk assessment, and other issues must be made cognizant of cooperation with the State while providing for the protection of resources and opportunities for public use and appreciation. The KLGO established a trail permit system in 1994 to monitor a variety of use information about the trail. Information collected from this system should support baseline information on visitor use and resources, and any proposed trail management changes should be demonstrated as warranted by this information. The KLGO General Management Plan identifies an adaptive management plan for documenting visitor impacts; any changes to this plan/strategy should be identified in the CMP.

Additionally, the CMP should accurately reflect the cooperative management between the NPS and ADF&G on the protection of habitat for, and populations of fish and wildlife with the NHT. ADF&G, under the constitution, laws, and regulations of the State of Alaska, is responsible for the management, protection, maintenance, enhancement, rehabilitation, and extension of the fish and wildlife resources of the state; in accordance with the state constitution, the department manages fish and wildlife using the recognized management principle of sustained yield. Within

¹ MOU Agreement Number G9910030002

² We recognize the NPS has engaged the State of Alaska Office of History and Archeology (SHPO), however SHPO does not have any land management responsibilities.

CSUs, including KLGO and the Chilkoot NHT, state management of fish and wildlife resources is required to be consistent with the provisions of ANILCA; therefore, aspects of state management that are inconsistent with ANILCA do not apply within the park. This cooperation is further clarified in the Master Memorandum of Understanding between the NPS and ADF&G which defines the cooperative management role of each agency. The "Department of the Interior, Fish and Wildlife Policy: State-Federal Relationships" (43 CFR 24) further addresses intergovernmental cooperation in the protection, use, and management of fish and wildlife resources. The closely related responsibilities of protecting habitat and wildlife populations, and of providing for fish and wildlife utilization, require close cooperation of ADF&G, the NPS, and all resource users.

It will be important for the NHT CMP to identify that while hunting is not available on NPS lands, it is allowed on all state lands associated with the trail.

Fees Prohibited

We remind the NPS that ANILCA Section 203 forbids the collection of fees for entrance or admission to any unit of the National Park System located in Alaska. Additionally, the John D. Dingell Act also prohibits fees from being charged at Alaska National Parks.

Bear Information

Scoping Poster-NR-3 identifies human/bear interactions as a concern. We request the CMP include a reference and link to the ADF&G website on living with bears in the CMP and on the KLGO website. This website not only discusses the different types of bears that live in Alaska but provides advice on the responsible handling of bear attractants and safety in bear country, including various videos on bear safety. One video demonstrates how to properly use bear spray and one, produced by ADF&G with students from a local middle school, outlines how to stay safe in bear country.

[Living With Bears, Alaska Department of Fish and Game³](https://www.adfg.alaska.gov/index.cfm?adfg=livingwithbears.main)

Topics Needed in Planning Documents

The State anticipates the need for discussion regarding several topics, including invasive species management and cultural resources management and interpretation. The scoping materials lack important disclosures regarding the following topics, which will need to be discussed in future planning documents:

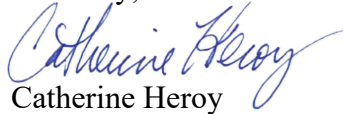
- Status of the Chilkoot Trail as an RS 2477
- Status of the National Historic Trail as a Conservation System Unit under ANILCA, and related implications for management
- Preservation of access to inholdings and state land adjacent to the trail corridor
- Preservation of access to hunting, fishing, and trapping as allowed by state law, ANILCA, and the management MOU
- The need to include an 810 Analysis within the draft document

³ <https://www.adfg.alaska.gov/index.cfm?adfg=livingwithbears.main>

Closing

Thank you for the opportunity to comment on the proposed CMP and EA. The State looks forward to discussing these and other matters with the NPS during the development of the CMP. Please contact me at (907)269-0880 or by email at Catherine.heroy@alaska.gov to coordinate any follow up discussions.

Sincerely,



Catherine Heroy
Federal Program Manager