
CHAPTER SIX: RESPONSE TO PUBLIC COMMENTS ON THE DRAFT LEIS



Photograph by Mary Beth Moss

Glaucous-winged gulls in Glacier Bay.

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CHAPTER 6: RESPONSE TO PUBLIC COMMENTS ON THE DRAFT LEIS

The National Park Service received 27 written comments on the Draft Legislative Environmental Impact Statements. Substantive comments have been addressed within the document and are discussed below. Comments have been categorized by general topic area.

Harvest Dates

Comment: Several commenters including Alaska Audubon Society and National Parks Conservation Association (NPCA) noted that data and results presented by Zador et al. 2006 indicate that early season harvests had less impact on nesting success than later harvests and asked that NPS consider one or more harvests early in the season. NPCA recommended that NPS consider timing all harvest dates to occur before June 9. One commenter noted that harvest traditionally did not occur “after it warms up” but did not provide a specific date.

Response: The NPS revised Alternative 3 (NPS preferred alternative) to incorporate earlier harvest dates. However, establishing a cut-off date for harvest of June 9 was too restrictive as the onset of laying by glaucous-winged gulls is highly variable from year to year and inclement weather in late May and early June might limit dates on which travel from Hoonah could safely occur. Rather, it was more appropriate to time the first harvest to occur within five days of the onset of laying; this ties harvest to egg laying phenology rather than a specific (artificial) calendar date. To ensure that harvest did not occur too late in the season, however, June 15th was selected as the last date a harvest could occur. This date would still allow eggs relaid following a harvest as late as 15 June to hatch and fledge by late July or early August.

Comment: One individual commented that Zador et al. 2006 concluded that harvest should occur at one time and recommended that only one harvest be authorized.

Response: Harvesting early and at one time had the least impact to gulls among the harvest strategies tested in Zador et al. 2006. Alternative 3 (NPS preferred alternative) does incorporate early harvest dates but allows two harvests visits rather than a single harvest event. The analysis determined that the inclusion of a second harvest trip only reduced the percentage of eggs hatching by 2 percent.

Comment: One individual noted that harvest should be restricted when the first chick hatches.

Response: By setting earlier harvest dates, few if any chicks would be hatched during the period when harvest activities are authorized (i.e., on or before June 15). Because harvesters would be required to move quickly through nesting areas without pausing to rest or eat, those few chicks that might have hatched would be subject to minimal human disturbance.

Harvest Strategy

Comment: Several commenters, including Alaska Audubon Society, Friends of Glacier Bay, traditional users in Hoonah, and one individual recommended that only nests with one or two eggs be harvested from, leaving three egg nests to hatch without harvest. One commenter noted

that he had learned to harvest one egg from nests with one or two eggs and leave all nests with three eggs unharvested. One commenter noted that only half of the eggs from any one nest should be taken.

Response: The ethnographic study NPS used to design Alternative 3 (NPS preferred alternative) noted a variety of harvest strategies used by traditional harvesters. The predominate strategy (reported by 41% of people interviewed) was to take all the eggs from nests that had one or two eggs while leaving all the eggs from nests containing three or four eggs. Another 13 percent of individuals interviewed noted that they only harvested from nests with one egg. Slightly more than 8 percent of individuals interviewed noted that they harvested from any nest, regardless of the number of eggs it contained. Clearly, harvest strategies varied between family groups.

NPS selected a preferred alternative (Alternative 3) that would authorize harvesters to collect eggs from nests containing one, two, three, or four eggs as long as all eggs were removed from any harvested nest. However, this alternative also allows traditional harvesters to choose to only harvest from one and two-egg nests, leaving three and four-egg nests undisturbed. This allows family groups to practice their individual families' cultural protocol while sustaining gull populations as the majority of harvested eggs would be replaced by relaying.

Comment: Friends of Glacier Bay and another individual suggested harvesting from only 20 percent of nests within each colony.

Response: A determination on which colonies – or portions of colonies – would be available for harvest in any given year is best decided on an annual basis as outlined in an annual harvest plan. An annual harvest plan might close a particular colony to harvest in a given year or limit harvest to some portion of a particular colony in a given year based on annual monitoring. NPS does not believe that limiting harvest to 20 percent of nests within a colony is necessary to sustain the population of glaucous-winged gulls in Glacier Bay and would unnecessarily limit the number of eggs returned to the community of Hoonah. It is important to note that, on South Marble Island, some portion (perhaps 10 - 50 % depending on weather and the number of sea lions hauled out) of nests would not be harvested from as they are inaccessible due to terrain and/or because they are adjacent to sea lion haul outs. In addition, as almost half of individuals interviewed for the NPS-sponsored ethnography noted that they traditionally did not harvest from three or four-egg nests and Alternative 3 (NPS preferred alternative) allows for this traditional practice to continue, it is likely that as many as half of three or four-egg nests would remain undisturbed in a particular colony.

Harvest Sites

Comment: Friends of Glacier Bay, NPCA, and one individual recommended that NPS switch harvest sites annually to reduce impacts to a single nesting colony.

Response: The selection of harvest sites should be based on annual monitoring results and would be outlined in the annual harvest management plan described for all action alternatives. The harvest management plan would select those sites suitable for harvest based on the most current data available as well as environmental and other conditions and would thus better allow for adaptive management. In some cases, this might include closing one or more sites to harvest

in one or more consecutive years. Conversely, should monitoring determine that a given site could sustain harvest in consecutive years, the annual harvest plan would allow harvest.

Comment: One commenter suggested that NPS drop those sites with few nests (i.e., Seabee Island, Tlingit Point islets, Sturgess Island, North Marble Island, and Sealers Island) from consideration.

Response: These islands have been included in Table 4-2 and elsewhere in the LEIS to ensure that all known nesting areas are depicted and because it is possible that these sites may become more productive over time. However, it is unlikely that these sites would be determined to be suitable for harvest should the number of nests at these sites remain low as they would yield few eggs to the community.

Comment: NPCA recommended authorizing harvest at one or two of the most productive sites each year.

Response: NPS considered a form of this action in Alternative Two which allowed for one harvest at up to two locations and determined that this alternative did not provide substantial cultural benefits to the Huna Tlingit as the number of individuals participating and the number of eggs returned to the community would be small. A second form of this action is included in Alternative 3 (NPS preferred alternative). For example, in the annual harvest plan, NPS may determine that only one or two sites are available for harvest in a given year. In such a case, harvesters would be authorized to harvest on two separate dates at up to two sites.

Comment: One commenter noted that the harvest sites selected should be those closest to Hoonah, presumably to reduce travel time to and from harvest sites and that sites should be chosen to allow a variety of age groups to safely access a site.

Response: Distance from Hoonah and site accessibility are two of many criteria that Hoonah Indian Association (HIA) and NPS will consider in selecting harvest sites each year. These criteria will be carefully weighed along with biological criteria designed to sustain gull populations in Glacier Bay.

Harvest Threshold

Comment: Several commenters, including NPCA, suggested that NPS determine a threshold number of eggs to be harvested and/or a hatching rate beyond which harvest would not occur. Traditional users in Hoonah and another individual indicated that egg harvest could be limited to 856 eggs (the number of harvested eggs estimated in the DLEIS Table 4-2 for Alternative 3).

Response: As gull colonies have historically shifted in size and distribution within Glacier Bay and hatching success may vary annually due to predation and other natural factors, NPS has concluded that it would be difficult and ineffective to establish a pre-determined number of allowable eggs to harvest. Additionally, it would be impractical as harvesters at some locations (for example, South Marble Island) would be spread out across large areas with limited ability to communicate the number of eggs harvested to each other). Alternative 3 (NPS preferred

alternative) does not proscribe a limit to the number of eggs harvested in any given year but instead outlines early harvest dates and a harvest strategy that minimizes negative impacts to gull populations in Glacier Bay. NPS believes that the most appropriate and responsive adaptive management approach is to establish harvest guidelines annually in a harvest plan which would be based on annual monitoring data.

Comment: One individual recommended that harvest not occur if incubation had begun.

Response: Full incubation begins when the final egg is laid, which can be the 1st, 2nd, 3rd, or 4th egg, although most commonly the 3rd egg. Determining whether incubation has begun in any nest within a colony would therefore require monitoring and would potentially result in undue disturbance to the nesting colony. NPS believes that it is more effective and beneficial to gull populations to implement early harvest dates which would reduce the number of incubated nests subject to disturbance.

Other Biological Considerations

Comment: Alaska Audubon noted that it is unlikely that egg loss due to harvest would be offset by synchronized egg laying.

Response: NPS agrees that a complete offsetting of egg loss due to harvest by increasing synchrony in relaying is unlikely, but increased synchrony is worthy of including in a thorough review of potential positive effects. Synchronized replacement laying can decrease each individual nest's exposure to predation by a predator swamping effect. However much this may, if at all, offset egg loss due to harvesting depends on a variety of factors such as annually-varying predation timing and intensity.

Comment: Friends of Glacier Bay expressed concern that eggs could be subject to cooling if people spend all day in the colony and one individual suggested that a maximum time in the colony should be established, presumably for the same reason.

Response: Most eggs in a given colony or portion of a colony would be harvested, so cooling is a minor concern. Those few eggs from three-egg nests or those that are pipping or star-fractured that might not be harvested would be subject to disturbance for 30 minutes or less as all action alternatives require that egg harvesters move through colonies in a single pass. Alternatives 2 and 3 also require that resting, eating, etc. occur outside of active nesting areas. NPS does not feel it necessary to describe a time limit in the colony if these conditions are followed.

Comment: NPCA expressed that the 22 percent reduction in hatching success described in the draft LEIS is unacceptable and noted that entire breeding colonies should not be significantly reduced by harvest activities.

Response: The final preferred alternative is predicted to result in only a 6 percent reduction in hatching success across glaucous-winged gull breeding colonies in Glacier Bay.

Comment: One individual noted that the draft LEIS did not describe how harvest activities would reduce gull fitness at the chick, adult, and population level. This individual noted that the DLEIS makes the assumption that all eggs laid are equivalent regardless of when they were laid.

Response: The final LEIS has been updated to include a discussion of the potential effects of harvest on the fitness of chicks hatched from relaid eggs in Chapter 4, Section 4.3.1.

Comment: One individual noted that NPS had not considered Zador et al's. 2006 conclusion that the harvest model is ineffective when predation is high.

Response: Zador et al. 2006 did not reach this conclusion. Rather, the model was parameterized on predation rates observed during 1999 and 2000 with additional stochasticity to account for variation in predation rates. The extent to which the model correctly captures long-term behavior depends on the extent to which 1999 and 2000 are representative of future conditions. There are no reasons to suggest that these years were unrepresentative of future conditions, but this possibility cannot be ruled out. If predation on South Marble Island changes markedly from what was observed, then the model could under or over predict predation rates. The adaptive management program described in this LEIS is structured to respond in such cases.

Comment: NPCA asked why Table 4-2 shows the number of eggs that would be harvested if NPS does not intend to regulate or limit eggs harvested. NPCA also noted that Table 4-2 indicated that a single harvest yielded only 284 eggs while a two-day harvest yielded 856 (almost three times as many) eggs and Alaska Audubon asked why the number of eggs harvested on the second visit to each island is substantially larger than the number harvested on the first trip as depicted in Table 4-2.

Response: Table 4-2 displays data generated by a mathematical model developed by Stephani Zador based on data collected at South Marble Island in 1999 and 2000. The table displays the approximate number of eggs the model predicts would be laid under each of three alternatives, the approximate number of eggs the model predicts might be harvested under each of two action alternatives (no eggs would be harvested under Alternative 1), and the approximate number of eggs the model predicts might hatch in each of the three alternatives. The numbers displayed for each alternative are not intended to depict limits to the number of eggs harvested but rather should be used primarily to compare the potential relative effects of each alternative.

Under the Alternative 2 columns, the table displays the number of eggs the model predicts might be harvested on the single harvest date described in Alternative 2. For example, the table notes that approximately 202 eggs might be harvested from South Marble Island under Alternative 2.

Under the Alternative 3 columns, the table displays the **total** number of eggs the model predicts might be harvested from the combined two harvest dates described in this alternative. For example, the table notes that approximately 499 eggs total might be harvested on South Marble Island; 202 might be harvested on the first harvest trip and the remaining 297 might be harvested on the second harvest trip.

Note that the number of eggs that the model predicts will be harvested under Alternative 3 is higher than that predicted under Alternative 2 because it includes eggs harvested on two separate dates.

Vegetation Issue

Comment: One individual noted that harvesters could introduce non-native vegetation species to nesting bird colonies and suggested that harvesters should visually inspect and clean their footwear, clothing, and gear prior to arrival at each colony.

Response: NPS is addressing the issue of invasive plant species in a vegetation management plan currently being prepared. This document will provide recommendations for minimizing the spread of invasive species in the backcountry. Egg harvesters, as well as all backcountry users, would be subject to the requirements and recommendations of this plan.

Group Size

Comment: Friends of Glacier Bay and another individual recommended that the harvest group size be limited to twelve persons, including the individual responsible for monitoring. Hoonah Indian Association (HIA) recommended that the individual responsible for monitoring not be included in the twelve person group size limit.

Response: While the twelve-person limit described in the Wilderness Visitor Use Management Plan applies only to overnight use of the backcountry, NPS believes that park values and purposes can best be protected by limiting the number of harvesters to twelve individuals within sight and sound of each other. However, NPS believes that the individual designated to collect data should not be counted as one of the twelve harvesters as this individual could not accurately collect data should he/she also be harvesting eggs. This individual would remain on the shoreline or on a vessel.

Group Makeup

Comment: A number of options for identifying those individuals authorized to harvest eggs were proffered by commenters including: using the Hoonah Indian Association base rolls and their descendants, authorizing the historic clans from Hoonah including the T'akdeintaan, Chookaneidi, Kaagwaantaan, Wooshkeetaan along with clans that have intermarried (Lu'knax.adi, L'eeneidi and Shungukeidi); and authorizing Huna Kawoo Aani tribal members and their descendants to harvest. One individual recommended that middle-aged individuals be authorized to harvest to ensure that the generation gap was bridged. Further, Sealaska Corporation recommended that clan members who harvested eggs be authorized to share and distribute eggs with relatives living in Huna and Juneau.

Response: NPS believes that the tribal government, HIA, is best suited to determine which tribal members should be authorized to harvest eggs, how authorized harvesters would be selected each year, and how and to whom eggs would be distributed. Traditionally, eggs were harvested by youth as well as adults and were widely distributed (Hunn et al. 2000). NPS

presumes that HIA would encourage young people to learn harvest strategies from elders and would encourage distribution of harvested eggs in such a way as to maximize accessibility to this treasured resource and ensure that the tradition is sustained over time.

Comment: One commenter asked whether the Yakutat Tlingits were consulted.

Response: Because the study area includes only the traditional territory of the Huna Tlingit, NPS consulted only with the Hoonah Indian Association.

Monitoring

Comment: The Hoonah Indian Association, traditional users in Hoonah, and an individual suggested that either HIA or individual egg harvesters be charged with monitoring harvest activities. Alaska Audubon and Juneau Audubon both recommended that NPS and HIA staff should jointly conduct monitoring. NPCA recommended that a trained NPS staff conduct monitoring, at least for the first few years.

Response: NPS determined that some aspects of monitoring would be conducted by trained NPS staff including onset of egg laying as well as post-harvest monitoring. NPS believes that an adequately trained HIA representative could accurately collect harvest data including, but not limited to, the number of eggs harvested, the number of nests with 0, one, two, three, and four eggs present, the number of sea lions present, the number of other colonial nesting birds present, and the number of vessels seen in adjacent waters. HIA has successfully collected such data for harvests which occurred elsewhere. Many tribal members routinely report harvest information for authorized sport and personal use game hunts and fisheries to Alaska Department of Game and Fish and are fully capable of accurately reporting such information.

Comment: The Juneau Audubon Society noted that the three-year study described in the document be required rather than recommended.

Response: Because this study is dependant upon annual funding, NPS cannot commit to this study. However, it will be listed as a high priority for the park's research program.

Comment: One individual commented that the monitoring plan should be better defined, should document long-term patterns in population structure, and should allow for adaptive management.

Response: The Final LEIS outlines a detailed monitoring plan to ensure that park managers have appropriate information to determine whether harvest activities are affecting park resources on an annual basis.

Adaptive Management

Comment: The Hoonah Indian Association, NPCA, the Juneau Audubon Society and one individual noted the need for an adaptive management strategy that would allow NPS to respond to environmental and biological factors affecting gull reproduction. Specifically, NPCA, Juneau Audubon Society, and one individual emphasized that NPS should have a condition in place that

would allow the Superintendent to institute an emergency closure (i.e., stop harvest) within a given year should the viability of gull or other wildlife populations in the area be in jeopardy.

Response: NPS views the annual harvest plan as the mechanism through which adaptive management would be implemented. This plan would be jointly prepared each year based on data collected prior to, during, and after annual harvests as well as additional scientific information we may be available. The annual harvest plan allows the NPS to restrict harvest at any given colony or sub-colony or apply additional requirements to harvest activities. In any given year, the Superintendent retains the authority to restrict harvest entirely and/or halt an ongoing harvest should catastrophic events such as total colony failure or severe environmental conditions warrant.

Visitor Impacts

Comment: Two outfitter guide companies noted that harvest activities, including use of power skiffs, might impact visitors to the park.

Response: South Marble Island is a popular tourist attraction for tour boats, charter vessels, and private vessels. However, NPS does not believe that harvest activities will negatively affect visitor's experience of Glacier Bay because:

- harvest activities would be limited to one or two days each year,
- harvest would occur in early June, a time of relatively low visitor use,
- group harvest size would not exceed 12 individuals, the current backcountry group size limit,
- vessels associated with harvest would be required to maintain the 100 yard distance from marine mammals and seabird nesting sites areas, and
- interpretive and educational efforts would inform visitors about harvest activities and the NPS decision making process in regard to egg harvest.

Visitor use near other potential harvest sites is extremely low as these sites are, in general, not on the tour boat route and are dangerous to approach closely.

A 1999 visitor survey found that 51 percent of visitors expressed interest in learning about Tlingit heritage and culture. Informal and anecdotal information collected by park staff suggest that many Glacier Bay visitors are accepting of a variety of traditional harvest practices, including those that involve the use of modern technologies.

Comment: One outfitter guide company and one individual indicated that consumptive activities were inappropriate in a National Park and that the park's ecosystem should remain undisturbed and pristine.

Response: In general, consumptive activities are not authorized in NPS units unless specifically authorized by Congress. Under existing regulations, a number of consumptive activities are currently authorized in Glacier Bay National Park including sport and personal use fishing, commercial fishing (during a phase-out period) and the harvesting of unoccupied shells, plants,

and berries. The authorization of any consumptive use in on National Park system lands is carefully analyzed; the benefits of a particular consumptive activity is weighed against the biological and social effects that may result

Comment: One outfitter guide suggested that harvesters be limited to traditional forms of non-motorized access when harvesting.

Response: Prior to contact and the advent of technology, the Huna Tlingit used handcrafted cedar canoes to access the waters of Glacier Bay, Icy Strait, Cross Sound, and the Outer Coast. However, they – like most cultures – adapted to new technologies as they became available, switching to double-enders and later power skiffs and larger motorized vessels. The community of Hoonah once supported a large fleet of purse seiners as well as numerous trollers of various sizes. These vessels were historically and traditionally used to access colonial nesting sites, including those in Glacier Bay National Park.

Technological advances continue to occur in the full range of marine vessels that access Glacier Bay. The NPS does not limit any user group to use of a vehicle or vessel technology of a particular period of time. Rather, the agency reviews the effects of a proposed activity on the park's purposes and values. NPS carefully analyzed the effects of vessels on the parks purposes and values in the Vessel Quotas and Operating Requirements Environmental Impact Statement.

Comment: The EPA noted that tribal members should be required to follow management processes outlined in the current wilderness visitor use plan.

Response: Harvesters would be required to abide by laws, regulations, and policies applied to any group or individual visiting the backcountry including but not limited to the Wilderness Visitor Use Management Plan, the Vessel Quota and Operating Requirements, and the Park's compendium.

Program Management

Comment: The Alaska Native Brotherhood, Grand Camp (ANB) noted that the best alternative is one driven by the Huna Tlingit and respectful of traditional and customary practices. Sealaska Corporation noted that they opposed any approach that would appear to individualize tribal or collective pursuits.

Response: The NPS has worked closely with the Hoonah Indian Association, the federally recognized tribal government of the Huna Tlingit, to develop options for harvesting gull eggs in Glacier Bay National Park. Alternative 3 (NPS preferred alternative) allows the Huna Tlingit to cooperatively manage a gull egg harvest program through their tribal government, HIA. This allows Huna Tlingit tribal members to actively engage in managing a resource important to their community while ensuring that the needs of all tribal members are addressed through oversight by the tribal government.

Legislation/Regulations

Comment: The Citizens Advisory Commission on Federal Areas recommended that the legislation required to authorize egg harvest in Glacier Bay be worded to provide NPS and HIA maximum flexibility in cooperatively managing the harvest program.

Response: As required by Public Law 106-455, NPS will submit recommendations to Congress regarding legislation to implement the agencies preferred alternative.

Comment: The Citizens Advisory Commission on Federal Areas requested that the document better describe the relationship between the existing annual USFWS regulations and the proposed legislation to ensure that NPS retains management flexibility of the harvest program.

Response: The Final LEIS has been revised per the commenter's request.

Comment: The State of Alaska recommended that NPS work with the Alaska Migratory Bird co-Management Council and USFWS to develop park-specific regulations.

Response: The Final LEIS has been revised per the commenter's request.

Comment: One individual asked that NPS clarify which existing park regulations currently prohibit egg harvest and would be altered to allow harvest.

Response: Regulations which prohibit "possessing, destroying, injuring, defacing, removing, digging, or disturbing from its natural state ... living or dead wildlife or fish, or the parts or products thereof, such as antlers or nests" are published in Part 2, Section 2.1 of 36 CFR. The park-specific regulations necessary to allow the harvest of glaucous-winged gull eggs would be published in Part 13 of this code.

Other Considerations

Comment: The EPA asked NPS to clarify how solid and human wastes would be minimized and managed.

Response: The current backcountry orientation recommends that backcountry visitors use the intertidal zone for excreting human waste. The natural flushing action of the tides disperses and assists in degrading the waste. Park regulations implement Leave No Trace ethics and require that all backcountry users carry out all other solid waste. Harvest groups would be asked to use marine heads on transport vessels and/or would be subject to existing backcountry recommendations and requirements associated with the disposal of human waste.

Comment: The EPA asked NPS to analyze the effects of potential introduction of hazardous wastes (i.e., fuel spills due to accidents involving the marine vessels used for access).

Response: Vessels accessing Glacier Bay in association with glaucous-winged gull egg harvest activities would be authorized as administrative entries per a Memorandum of Understanding signed in 2003 by the National Park Service and the Hoonah Indian Association. All vessels

operating in Glacier Bay, including those associated with egg harvest activities, must adhere to vessel operating regulations per 36 CFR Park 13.

The LEIS does not analyze the effects of these vessel entries as the effects of vessel traffic in Glacier Bay, including administrative vessel traffic, was fully analyzed in the 2003 Vessel Quota and Operating Requirements EIS.

Comment: The EPA asked NPS to analyze the effects of climate change on the extent of nesting habitat available.

Response: The effects of climate change on the availability of nesting habitat are not known, but are briefly discussed in the cumulative effects section of the document. However, the LEIS notes that the extent and availability of nesting habitat may change over time as a result of successional changes and glacial advances or retreats.

Comment: The EPA asked NPS to analyze the health impacts to the Huna Tlingit resulting from the alternatives.

Response: The Final LEIS incorporates this information in Chapter 4, Section 4.4.2

Comment: One commenter noted that cruise ships and kayakers have more impact than traditional harvesters.

Response: The effects of cruise ships on park purposes and values were fully analyzed in the 2003 Vessel Quota and Operating Requirements EIS. The effects of kayak traffic in the backcountry were analyzed in the Wilderness Visitor Use Management Plan.

Comment: NPCA noted that the document reflected an apparent inconsistency in the 100-yard approach distance to sea lions.

Response: Under existing park regulations, all vessels must remain at least 100 yards from hauled out marine mammals and the following islands designated as colonial nesting bird locations: South Marble Island, Flapjack Island, Boulder Island, Geikie Rock and Lone Island. On South Marble Island, vessels may not approach the southern portion of the island adjacent to the colonial nesting bird location within 50 yards (per 36 CFR part 13, “that part of South Marble Island lying south of 58°38.6' N latitude (approximately the southern one-half of South Marble Island)).

All action alternatives require that the 100 yard approach distance to hauled out marine mammals be maintained. However, the 100 yard approach distance surrounding colonial nesting bird islands (50 yards at South Marble Island) could be waived to allow a harvest vessel to drop off and pick up harvesters. Vessels associated with harvest could access the beaches of harvest locations so long as they could do so without approaching within 100 yards of any hauled out marine mammals. While three of the five potential landing spots at South Marble Island are adjacent to sea lion haul outs, not all haul outs are used by marine mammals at all times. Should a vessel approach South Marble Island and find no sea lions hauled out at a particular location,

the vessel could approach and land to drop off or pick up vessels. If an approach could not be made without coming within 100 yards of hauled out marine mammals, the vessel will not be permitted to land.

Comment: The Hoonah Indian Association and one individual suggested that NPS define a “trip” as an event which resulted in harvested eggs.

Response: The Final LEIS now uses the term “visit” rather than “trip” to define an event in which Huna Tlingit remove one or more eggs from a particular site (Section 2.2.3).

Comment: NPCA recommended that NPS require that vessels associated with harvest be required to adhere to the Vessel Management Plan.

Response: All action alternatives require that vessels associated with harvest activities operate in accordance with the requirements of the Vessel Quota and Operating Restrictions as specific in 36 CFR part 13.

Setting Precedent

Comment: Several commenters noted that the proposed action might set a precedent for authorizing future, additional consumptive activities in Glacier Bay National Park and/or in other national parks elsewhere throughout the United States.

Response: The National Environmental Policy Act (NEPA) requires that the federal government evaluate the potential environmental effects of major federal projects, management decisions such as allowing for new uses, or ground-disturbing actions on Federal lands. Each major project, decision, or action must be evaluated separately and must include consideration of potential cumulative effects. Thus, future decisions regarding consumptive activities in Glacier Bay National Park or in other National Park Service units would be evaluated based on the particular merits and environmental effects of the particular proposal.

Consideration of Additional Alternatives

Comment: Three individuals and the Alaska Sierra Club requested that NPS consider an additional alternative in which NPS would facilitate harvest of gull eggs by the Huna Tlingit outside of Glacier Bay National Park.

Response: NPS considered an alternative that would facilitate harvest outside of Glacier Bay National Park but determined that this alternative was outside the scope of the LEIS. The stated purpose of the LEIS is to respond to Section 4 of the Glacier Bay National Park Resource Management Act of 2000 which directed the Secretary of Interior, in consultation with local residents, to assess “...whether sea gull eggs can be collected on a limited basis without impairing the biological sustainability of the sea gull population in the park...” (Public Law 106-455). Congress defined the geographic scope of consideration as Glacier Bay National Park; thus the LEIS considers only those alternatives which considered harvest within Park boundaries.