

Chapter 5: Consultation and Coordination

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5.0 CHAPTER 5: CONSULTATION AND COORDINATION

5.1 Scoping and Public Involvement

5.1.1 Scoping Period

The Nabesna ORV Management Plan/EIS scoping period began December 21, 2007, with the publication of the NOI to prepare an EIS in the Federal Register (Vol. 72, No. 245, pages 72754-72755). The NOI invited federal and state agencies, local governments, private organizations, recreational users, and the public to comment on areas of interest or concerns related to the action being proposed. Scoping included newsletters, public meetings held in the affected areas, and meetings with key stakeholders. During the first scoping period, comments were accepted through June 3, 2008, or 60 days after the last public scoping meeting. In spring 2008, a newsletter was mailed to the park's base mailing list and to recreational ORV permit holders (a total of 360 addresses) and posted on the park's website. This first newsletter described the planning process, the issues and objectives, and asked the public for input about trail conditions, use, and management strategies. It contained the dates and locations of the public scoping meetings and information about how to submit comments or obtain more information.

Public scoping meetings were held in Tok, Slana, Glennallen, Fairbanks, and Anchorage from March 26 to April 3, 2008. A total of 91 members of the public were in attendance. The meetings were publicized through local news and event posts and through public service announcements. NPS specialists and planners attended the meetings to answer questions and talk about planning issues. The meetings addressed planning objectives and issues, NPS regulations related to ORV use, maps of the affected area, the planning process, and a range of management options. A scoping report was published in July 2008 (NPS 2008d) and made available for public review. The report describes the public scoping process and summarizes all scoping comments. A second newsletter was distributed in fall 2008 to update the public regarding the planning process.

Based on public scoping comments, the NPS developed a set of draft alternatives. In December 2008, an informational package describing these draft alternatives was sent out for public review and comment. The period for commenting on the draft alternatives extended through January 10, 2009, and the NPS received 30 comments. The NPS modified the draft alternatives based on these comments; the resulting five alternatives are evaluated in this ORV Management Plan/EIS. The NPS distributed a third newsletter in spring 2009 to update the public regarding the planning process and to inform the public that the scope of the EIS had expanded to include subsistence ORV use on the nine trails. The NPS published a supplemental NOI in the Federal Register (Vol. 74, No. 81, pages 19589-19590) to address this scope expansion. The NOI extended the public scoping period through June 29, 2009, and solicited comments from the public, including local rural residents and residents of the park's 23 resident zone communities who engage in subsistence activities within the park.

5.1.2 Other Public and Agency Consultation and Coordination

Informal correspondence and contact between the NPS and other agencies, subsistence councils/commissions, and members of the public have been ongoing throughout the course of the Nabesna ORV Management Plan/EIS development. Documentation of these interactions is available by request in the administrative record.

The NPS has held and attended many public meetings to discuss the ORV Management Plan/EIS process and solicit input. Several meetings have occurred between the NPS and the National Parks

Conservation Association, one of the plaintiffs in the lawsuit described in Section 1.1.1. The NPS also has met with members of other organizations listed in Section 5.4 (e.g., Alaska Center for the Environment, Wilderness Society).

The NPS recognizes the importance of the involvement of outside experts and stakeholders in the planning process. Therefore, the NPS has held and attended public meetings sponsored by other federal agencies, state agencies, and subsistence councils/commissions to discuss the ORV Management Plan/EIS. Relevant public meetings and other consultations are summarized in chronological order in the following list:

On February 7, 2008, the NPS met with staff from the State of Alaska (ADNR and ADF&G) to inform them about the project, the planning process, preliminary issues, and discuss the best way to coordinate during the planning process. After this meeting, the NPS entered into a cooperative agreement with ADF&G under which they conducted fish habitat assessments at all ORV stream crossings in the analysis area. The ANILCA implementation division of ADNR also reviewed and commented on the Draft Plan/EIS prior to public release.

The NPS also consulted with ADF&G biologists at various times regarding the relationships between current trail conditions, potential trail improvements, and access to moose and Dall's sheep harvest opportunities.

The NPS contacted the USFWS on March 14, 2008, to initiate an ESA section 7 informal consultation for this ORV Management Plan/EIS. The USFWS responded on March 28, 2009, in concurrence with the NPS determination that there are no federally listed or proposed species and/or designated critical habitat within the analysis area.

Between September 22 and 24, 2008, the NPS met with several groups in Washington, D.C., including representatives from the State of Alaska; Congressman Don Young's office; Senator Ted Stevens office; Senate Energy Subcommittee on Parks; Senator Lisa Murkowski; Assistant Secretary of the Department of Interior; House Committee on Natural Resources—Subcommittee on National Parks, Forests and Public Lands; as well as the National Parks Conservation Association.

The NPS presented the ORV Management Plan/EIS to the federal subsistence Southcentral Regional Advisory Council on October 9, 2008, at their fall meeting, and to the Citizens Advisory Commission on Federal Areas on November 7, 2008, at their fall meeting.

The NPS briefed the Southcentral Regional Advisory Council again on March 11, 2009 and March 11, 2010, and the federal subsistence Eastern Interior Regional Advisory Council on March 11, 2009.

The Wrangell-St. Elias Subsistence Resource Commission (SRC) was briefed on March 18, 2009.

On September 29, 2009, the NPS presented another update on the Plan/EIS at the fall meeting of the Wrangell-St. Elias Subsistence Resource Commission. They were briefed again on February 17, 2010. As a result of that briefing, the SRC formed a sub-committee to closely review the Draft Plan/EIS. The sub-committee met three times with WRST staff with the purpose of reviewing and commenting on the Draft Plan/EIS.

The State Historic Preservation Office (SHPO) is on the mailing list for the project and has received all project newsletters. Informal consultation was initiated by WRST staff in order to discuss a strategy for consultation. The NPS will formally initiate consultation with (SHPO) during the review

of the Draft Plan/EIS. The tentative strategy is to develop a Programmatic Agreement based on implementation of the preferred alternative.

5.1.3 Tribal Consultation and Coordination

The NPS has conducted government-to-government and other tribal consultation and coordination with various tribal entities throughout the EIS process. Relevant tribal meetings are summarized in chronological order in the following list:

On January 10, 2008, the NPS met with members of Mt. Sanford Tribal Consortium and the Cheesh-na Tribal Council. Cheesh-na is the federally recognized tribal government in the village of Chistochina.

The planning process was discussed on April 29, 2008 and in the spring of 2009 at the semi-annual government-to-government meeting between the NPS and Cheesh-na.

On April 23, 2008 and again in the spring of 2009, the NPS met with members of the Mentasta Village Council and discussed the ORV Management Plan/EIS as part of the semi-annual information exchange prescribed by the Memorandum of Understanding (MOU) between the village and the NPS.

On May 12, 2008, the NPS met with the Ahtna Customary and Traditional Committee to brief the committee on the Nabesna ORV project.

5.2 Major Issues Raised During Scoping

The public involvement efforts described in Section 5.1 led to the identification of a range of issues associated with the Nabesna ORV Management Plan/EIS. These issues are summarized in Section 1.5.

Several studies and technical data were requested during public scoping. Where appropriate, the NPS addressed these suggestions through additional data collection.

A portion of the public comments related to alternative management actions. Comments received after the public scoping regarding the draft alternatives included expressions of support or opposition to various alternatives, suggestions for additional consideration within the range of alternatives, comments regarding resource impacts, and other elements for consideration in the preparation of this Plan/EIS.

5.3 Recipients of the Draft Environmental Impact Statement

This list includes all agencies, organizations, and people that received copies of this ORV Management Plan/EIS or a letter notifying them the EIS was available.

U.S. Congressional and Alaska State Legislature Delegations

U.S. Senator Lisa Murkowski

U.S. Senator Mark Begich

U.S. Congressman Don Young

State Senator Charlie Huggins

Federal Agencies

Environmental Protection Agency, Region 10

USDA Forest Service, Chugach National Forest

U.S. Army Corps of Engineers, Regulatory Branch, South Section
U.S. Department of the Interior, Office of Environmental Policy and Compliance, Alaska
Bureau of Indian Affairs
Bureau of Land Management, Anchorage Field Office
BLM, Glennallen Field Office
BLM, Northern Field Office
Fish and Wildlife Service, Alaska Region
Ecological Services Anchorage
Ecological Services Fairbanks
Southcentral Alaska Subsistence Resource Advisory Council
Tetlin National Wildlife Refuge

State and Local Agencies

Alaska Department of Environmental Conservation, Fairbanks Office
Alaska Department of Fish and Game
Copper Basin Fish & Game Advisory Committee
Upper Tanana/Fortymile Advisory Council
Division of Wildlife Conservation, Region 2 - Southcentral Regional Office
Division of Wildlife Conservation, Region 3 - Interior Regional Office
Game Management Unit 12 Biologist
Game Management Unit 13 Biologist
Alaska Department of Natural Resources, ANILCA Implementation Program
ADNR, Division of Mining, Land, and Water
ADNR, Division of Parks and Outdoor Recreation

Indian Tribes and other Alaska Native Organizations

Alaska Federation of Natives
Cheesh-na Tribal Council
Dot Lake Village Council
Gakona Village Council
Gulkana Village Council
Mentasta Traditional Council
Mt. Sanford Tribal Consortium
Northway Traditional Council
Tanana Chiefs Conference
Tetlin IRA Council
Tok Native Association

Organizations

Alaska Center for the Environment
Alaska Clean Air Coalition
Alaska Conservation Alliance
Alaska Conservation Foundation
Alaska Conservation Voters
Alaska Forum for Environmental Responsibility
Alaska Friends of the Earth
Alaska Marine Conservation Council
Alaska Natural Heritage Program
Alaska Oceans Network
Alaska Outdoor Access Alliance
Alaska Outdoor Council, Executive Director

Alaska Outdoor Council, Fairbanks Office
Alaska Quiet Rights Coalition
Alaska State Snowmobile Association
Alaska Trails
Alaska Travel Industry Association
Alaska Wilderness League
Alaska Wilderness Recreation & Tourism Association
Alaska Wildlife Alliance
American Land Rights Association
Anchorage Audubon Society
Ahtna, Inc.
Blue Ribbon Coalition
Bluewater Network
Center for Alaska Coastal Studies
Citizens Advisory Commission on Federal Areas
Coalition of National Park Service Retirees
Copper Country Alliance
Copper River Watershed Project
Defenders of Wildlife, Alaska Office
Defenders of Wildlife, Washington D.C. Office
Denali Citizens Council
Denali Institute
Earthjustice Legal Defense Fund
Eastern Kenai Peninsula Environmental Action Association
Institute of the North
Matanuska Valley Sportsmen
Mat-Su Trails Council
National Parks Conservation Association, Alaska Regional Office
National Wildlife Federation, Alaska Office
Natural Resources Defense Council, New York Office
Natural Resources Defense Council, Washington DC Office
Nature Conservancy of Alaska
Northern Alaska Environmental Center
Residents of Wrangells
Resource Development Council
Sierra Club Alaska
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The Nature Conservancy, Worldwide Office
The Wilderness Society
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Wildlife Conservation Society
Wrangell Mountain Center

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6.0 CHAPTER 6: REFERENCES

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Glossary

All-terrain vehicle (ATV) – See Off-road vehicle (ORV).

Anadromous – Fish that hatch or rear in fresh water, migrate to the ocean (salt water) to grow and mature, and migrate back to fresh water to spawn and reproduce.

Benthic – Living in or on the bottom of a body of water.

Constructed non-motorized trail – A trail for non-motorized use created with brushing and tread construction along a designed and laid-out route, incorporating all elements for a sustainable trail, including curvilinear layout, grade control, integrated water control, durable tread surface, and integrating well into the environment. Construction may be mechanized and/or use hand crews. Non-motorized trails constructed with mechanized equipment would have a 4-foot tread. Non-motorized trails constructed with hand crews would be cleared of vegetation to a 4-foot width, and tread construction would only occur where necessary (such as sideslopes). Where necessary, bridges would be constructed across stream crossings.

Culvert – A pipe or box-like structure of wood, metal, plastic, concrete, or rock that conveys a watercourse under a tread.

Curb weight – The weight of an ORV without driver, passengers, or cargo, but with all its standard equipment and full fuel, oil and coolant tanks.

Curvilinear layout – Concept whereby the trail layout is designed to rise or descend gradually along natural contours. The alignment crosses the contours at a shallow angle so that the natural drainage patterns are easily maintained during the construction process.

Design-sustainable condition – Trail that meets a specific set of design criteria formulated to provide a high level of environmental protection and long-term utility of the tread surface under a managed program of anticipated use and normal climatic conditions, and receives regular maintenance to remain within its original design specifications.

Resident zone communities – In the vicinity of the analysis area for this ORV Management Plan/EIS, these include Chistochina, Mentasta Lake, Nabesna, and Slana. Other resident zones communities for the Wrangell-St. Elias National Park include Chisana, Chitina, Copper Center, Dot Lake, Gakona, Gakona Junction, Glennallen, Gulkana, Healy Lake, Kenny Lake, Lower Tonsina, McCarthy, Northway, Tanacross, Tazlina, Tetlin, Tok, Tonsina, and Yakutat (36 CFR 13.1902).

Grade – Relative steepness (rise and fall) of the trail as compared to a flat horizontal plane. Trail steepness is measured in grade as a percentage.

Grade control – Part of trail construction whereby trail grade restrictions are placed in the design parameters, primarily to minimize erosion due to natural forces and trail users.

Hardening – Any number of methods of strengthening a tread surface in response to degradation or to better accommodate a particular type of use. Examples include: aggregate capping or the use of porous pavement panel.

Herbaceous – Containing less than 10 percent tree cover and less than 25 percent shrub cover. These communities can be dominated by graminoids (grasses or sedges), forbs (broad leaved herbs), or bryoids (bryophytes or lichens).

Integrated water control – Instituting water management into basic trail design, usually during construction.

Lacustrine – Pertaining to, produced by, or formed in a lake.

Lacustrine Wetlands – Lacustrine wetlands are essentially lakes, and are defined as wetlands situated in a topographic depression or dammed river channel, that lacks vegetation and has a total area that exceeds 20 acres in size.

Large woody debris (LWD) – Large pieces of wood, generally greater than 10 centimeters in diameter, in aquatic environments.

Macroinvertebrates – Animals without backbones that are big enough to see with the naked eye. Examples include most aquatic insects, snails, and crayfish.

Maintainable condition – Trail that only partially meets design-sustainable criteria (see Design-sustainable condition), but with a reasonable level of mitigation and maintenance can support a managed level of use without unacceptable environmental degradation or a decrease in travel surface utility.

Mesic – Of, or adapted to, a temperate, moderately moist habitat.

Nephelometric turbidity unit – A measure of the clarity of water. Turbidity in excess of 5 NTU is just noticeable to the average person.

Non-motorized route – A passage through the terrain between two points for non-motorized use created after route reconnaissance to check for viability or safety considerations. No tread construction occurs. The route may be marked at key locations with rock cairns, carsonite posts, or other minimal marking techniques to provide reassurance to users and to guide passage through challenging sections. Most routes cross higher elevations with minimal brushy vegetation. A non-motorized route involves no tread construction. Where necessary, some brushing may occur and would be done to a 4-foot width. Routes require some navigational skills, and conditions such as stream crossings may be highly variable. No bridges are constructed.

Off-road vehicle (ORV) – One of several types of motorized vehicles that are capable of traveling off paved or gravel surfaces, including off-highway motorcycles or “dirt bikes,” tracked vehicles, four-wheel-drive trucks and utility vehicles, and ATVs. ATVs typically have three or four wheels with low-pressure tires, handlebars, and a single seat that the operator straddles, similar to a motorcycle. While ATVs are a subset of ORVs, the terms are used interchangeably in this EIS/ORV Management Plan because a large majority of ORV use in the Nabesna area is by ATV.

Palustrine Emergent Wetlands (emergent) – Emergent wetlands are characterized by erect, rooted, herbaceous hydrophytes that are typically present for most of the growing season.

Palustrine Forested Wetlands (forested) – Forested wetlands contain woody vegetation that is 6 meters tall or taller.

Palustrine Scrub-Shrub Wetlands (scrub-shrub) – Scrub-shrub wetlands are dominated by shrubs, young trees, or mature trees that have been stunted due to environmental conditions. Vegetation is typically less than 6 meters tall.

Palustrine Unconsolidated Bottom and Aquatic Bed Wetlands (ponds) –Ponded palustrine wetlands that have at least 25 percent bottom cover of particles smaller than stones and a vegetation cover of less than 30 percent are considered to have unconsolidated bottoms. Ponded wetlands that tend to have deeper water and are dominated by plants that grow principally on or below the surface of the water for most of the growing season are considered to have aquatic beds.

Pass – A narrow linear delimited surface area showing ground disturbance resulting from the single passage of an ORV.

Permafrost – Permanently frozen ground (subsoil), which may be continuous in more northern areas or discontinuous in more southerly areas.

Porous Pavement Panel (PPP) – A permeable, rigid, multi-pocketed structural geogrid, typically plastic, that is used to harden areas of saturated or unstable soils without the use of gravel infill, bridges, or boardwalks. One example is GeoBlock, a trademark name structural geogrid material.

Riverine Wetlands – Riverine wetlands are freshwater wetland habitats contained within a channel, which are not dominated by trees, shrubs, emergents, moss, or lichens; and do not contain ocean derived salts in excess of 0.5 percent.

Sustainable trail – A trail that conforms to its terrain and environment, is capable of handling its intended use without serious degradation, and requires minimal maintenance.

Thermokarst – Settling or caving of the ground due to melting of ground ice or permafrost.

Trail blading – Passing of small machines equipped with dozer blades to create a single trail tread.

Tread – The wear surface of the trail upon which a user travels.

Waterbar – A trail structure typically constructed of wood, rock, or reinforced rubber and soil that is set at an angle across tread to direct water off the tread.

Zone of Visual Influence (ZVI) analysis – Process, usually performed in GIS, of identifying the areas from which features of interest might be visible.

6.2 Index

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