

APPENDIX A

List of Past and Pending NEPA Analyses and Decisions Addressing Access in WRST

- Mining Plan of Operations Bonanza Creek Nos. 4, 5, and 6 EA (FONSI 5/24/1988): This EA evaluated a claim holder's mining plan of operations for six unpatented gold placer claims near Chisana. ORV access was authorized over existing trails.
- 1988 Mining Claim Validity Examinations EA (FONSI 5/27/1988): This EA evaluated the potential impacts of mining claim validity examinations proposed in 1988. The NPS authorized access to sample claims over existing trails on previously disturbed terrain with a small dozer-mounted backhoe.
- Four-Mile Road Community Access EA (FONSI 9/22/1989): This EA evaluated issuing two Special Use Permits (SUPs) for the purposes of providing residents of the Slana South Settlement Area with a short-term ROW across National Park Service lands and a construction upgrade of the Four-Mile Road. The NPS issued a ROW to the Slana community to upgrade the culvert over Rufus Creek.
- Frederick Permit for Heavy Equipment Removal EA (FONSI 3/7/90): This EA evaluated an inholder's request for bulldozer access over the Tanada Lake Trail between Copper Lake and the Nabesna Road. Temporary winter access was authorized.
- 1990-1995 Mining Claim Validity Examinations EA (FONSI 5/29/1990): This EA evaluated the potential impacts of mining claim validity examinations scheduled between 1990 and 1995. The NPS authorized access to sample claims over existing trails on previously disturbed terrain with a small dozer-mounted backhoe.
- Winter Access Chisana-Horsfeld EA (FONSI 3/14/1991): This EA evaluated an inholder's request for bulldozer access over the Beaver Creek Trail from Chisana to Horsfeld. The NPS authorized temporary winter access.
- Five-Year Mining Plan of Operations Big Eldorado Creek EA (FONSI 6/22/1992): This EA evaluated a claim holder's mining plan of operations for five unpatented gold placer claims near Chisana. The NPS authorized ATV access over existing trails.
- Five-Year Mining Plan of Operations Bonanza Creek Nos. 1-6 EA (FONSI 6/5/1995): This EA evaluated a claim holder's mining plan of operations for six unpatented gold placer claims near Chisana. The NPS authorized ATV access over existing trails.
- Ten-Year Mining Plan of Operations Big Eldorado Creek EA (FONSI 1/2/2001): This EA evaluated a claim holder's mining plan of operations for five unpatented gold placer claims near Chisana. The NPS authorized the operator to transport heavy mining equipment to the site over approved winter access;

to use an existing overland trail; and to construct a new airstrip nearer his claims in order to reduce ATV freighting.

- Ultima Thule ROW Permit Runway Maintenance EA (FONSI 5/23/2002): This EA evaluated issuing an inholder a SUP to conduct runway maintenance activities on 2.6 acres of NPS lands for the purpose of providing a safer approach to a private airstrip. The NPS authorized the activity.
- Jack Lake Access EA (FONSI 8/25/2003): This EA evaluated issuing an inholder a SUP to realign two segments of the 1.7-mile Jack Lake Road to move out of the active floodplain. The NPS authorized the realignment project.
- McCarthy Creek Temporary Access EA (FONSI 3/10/2004): This EA evaluated an inholder's request for a SUP permitting bulldozer access to two parcels on McCarthy Creek. The NPS authorized temporary winter access.
- NPS Alaska Region Invasive Plant Management Plan: The NPS has conducted public scoping and is in the process of developing an EA for public review to address an integrated pest management plan to control aggressive invasive plants that are not adequately controlled with standard physical control methods. The plan addresses the potential use of herbicides for infestations that show little or no response to physical control methods. This plan addresses invasive plants in WRST and recognizes the bulk of the problem on public federal lands is along roads and trails.
- In June 2006 environmental groups initiated litigation in U.S. District Court in Alaska challenging the issuance of permits authorizing recreational ORV use on nine trails in WRST. Plaintiffs alleged that NPS was issuing the permits without first complying with NEPA. A settlement was reached that provided NPS could continue to authorize ORV use on six of the nine trails while an EIS was prepared to consider the impacts caused by recreational use.

APPENDIX B Maintenance by Access Class

Operations & Maintenance		Facility Access Classes				
		Class 1	Class 2	Class 3	Class 4	Class 5
		Gravel driveways & roads	Constructed roads, 4WD tracks, airstrips, and trails with limited gravel	Motorized track, trail, or airstrip with limited improvements and maintenance	Unimproved routes, corridors, and airstrips	Waterlines & associated foot paths
Gravel & Borrow	Additional gravel allowed within footprint	Yes	Yes, above grade in uplands and only below grade in wetlands	Yes, above grade in uplands and only below grade in wetlands	No	No
	Motorized transport allowed, consistent with vehicle class	Yes	Yes	Yes	No	No
	Motorized placement and grading of fill allowed	Yes	Yes	No	No	No
	Synthetics allowed (e.g. geotextiles and Geoblock)	Yes	Yes	Yes	No	No
Grading & Blading	Mechanized grading & blading allowed, no material cast outside footprint	Yes	Yes	No	No	No
Snow Plowing	Mechanized grading & blading allowed, no material cast outside footprint	Yes	Yes	Yes, with frozen ground	No	No
Culverts	Culvert replacement & installation allowed consistent with current level of development	Yes	Yes	Yes	No	No
Surface Water Control Features (SWCF)	May be maintained using mechanized equipment, consistent with current level of development	Yes	Yes	No	No	No
	May be maintained using hand tools, consistent with current level of development	Yes	Yes	Yes	No	No
Brushing	Brushing allowed in facility footprint with hand tools or small mechanized equipment, but no use of large motorized equipment such as a hydro-axe	Yes	Yes	Yes	Yes	Yes
	Handheld tools and machines allowed to cut brush up to 3 inches in diameter and no more than 5 feet from established facility travel surface	Yes	Yes	Yes	No	Yes, but limited to 3 feet from path or waterline
Corduroy	May be used within facility footprint	Yes	Yes	Yes	No	No

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Operations & Maintenance	Maintenance and operations that include placing fill, grading installation or maintenance of culverts or surface water control features is contingent upon:	NPS staff conduct a site visit with landowner prior to undertaking operation to confirm location, design and grade requirements and that the operation benefits of maintaining an environmentally acceptable access facility and does not require additional NEPA compliance;			N/A	N/A
		NPS staff delineates uplands and wetlands sections along the facility;			N/A	N/A
		NPS determines that the operation would not have any new adverse impacts to wetlands or wetland function adjacent to the established route;			N/A	N/A
		NPS cultural survey is undertaken and there is a determination of no adverse impact to cultural resources;			N/A	N/A
		The landowner obtains all required other state and federal agency permits and authorizations.			N/A	N/A
	Surface Water Control Feature (SWCF) include ditches, grade dips, grade reversals, side sloping, and crowning.					
	Blading with motorized equipment of stream banks and active stream channels is not allowed					
	Grading directly impacting undisturbed soils and vegetation adjacent to the established facility is not allowed					
	Brush timing restrictions (MBTA) may apply May 1st thru July 15th					
	General					

Appendix C

ANILCA SECTION 810(a)

SUMMARY EVALUATION AND FINDINGS

I. INTRODUCTION

This section was prepared to comply with Title VIII, Section 810 of the Alaska National Interest Lands Conservation Act (ANILCA). It summarizes the evaluations of potential restrictions to subsistence activities that could result from issuing rights-of-way certificates of access (RWCA) to persons with established and maintainable access to landholdings within or effectively surrounded by Wrangell-St. Elias National Park and Preserve (WRST).

II. THE EVALUATION PROCESS

Section 810(a) of ANILCA states:

"In determining whether to withdraw, reserve, lease, or otherwise permit the use, occupancy, or disposition of public lands ... the head of the federal agency ... over such lands ... shall evaluate the effect of such use, occupancy, or disposition on subsistence uses and needs, the availability of other lands for the purposes sought to be achieved, and other alternatives which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes. No such withdrawal, reservation, lease, permit, or other use, occupancy or disposition of such lands which would significantly restrict subsistence uses shall be effected until the head of such Federal agency -

- (1) gives notice to the appropriate State agency and the appropriate local committees and regional councils established pursuant to section 805;
- (2) gives notice of, and holds, a hearing in the vicinity of the area involved;
and
- (3) determines that (A) such a significant restriction of subsistence uses is necessary, consistent with sound management principles for the utilization of the public lands, (B) the proposed activity will involve the minimal amount of public lands necessary to accomplish the purposes of such use, occupancy, or other disposition, and (C) reasonable steps will be taken to minimize adverse impacts upon subsistence uses and resources resulting from such actions."

ANILCA created new units and additions to existing units of the national park system in Alaska. Wrangell-St. Elias National Park and Preserve was created by ANILCA, section 201(9), for the following purposes:

“To maintain unimpaired the scenic beauty and quality of high mountain peaks, foothills, glacial systems, lakes, and streams, valleys, and coastal landscapes in their natural state; to protect habitat for, and populations of, fish and wildlife including but not limited to caribou, brown/grizzly bears, Dall sheep, moose, wolves, trumpeter swans and other waterfowl, and marine mammals; and to provide continued opportunities including reasonable access for mountain climbing, mountaineering, and other wilderness recreational activities. Subsistence uses by local residents shall be permitted in the park, where such uses are traditional, in accordance with the provisions of Title VIII.”

The potential for significant restriction must be evaluated for the proposed action’s effect upon "...subsistence uses and needs, the availability of other lands for the purposes sought to be achieved and other alternatives which would reduce or eliminate the use."

III. PROPOSED ACTION ON FEDERAL LANDS

The National Park Service (NPS) is considering two alternatives for issuing rights-of-way to persons with established and maintainable access to landholdings within or effectively surrounded by Wrangell-St. Elias. Access to State or privately owned land in Alaska national parks is provided under ANILCA Section 1110(b), which states that “the State or private owner or occupier shall be given by the Secretary such rights as may be necessary to assure adequate and feasible access for economic or other purposes.” The NPS inventory indicates that approximately 90 landowners currently use park lands to access their inholdings, and an estimated additional 40 landowners previously used or may potentially need to request access sometime in the future. Very few of these access facilities, however, have valid RWCA’s or other current authorization (e.g. special use permit) to cross public park lands. Issuing to these inholders valid ANILCA 1110(b) RWCA’s is necessary to document their legal means of access and to protect their long-term access interest.

Established and maintainable routes and methods of access qualifying for consideration in this programmatic plan and environmental assessment (EA) are those that currently exist, that have not resulted in unacceptable impacts to park natural resources and other values, and that can be maintained in their present identifiable condition and character within the existing footprint. Examples of established access facilities include roads, off-road vehicle (ORV) trails, waterlines, and airstrips. Access routes and methods beyond the scope of this programmatic plan and EA are new access requests; routes fording fish-bearing streams; temporary access requests (less than one year in duration); access routes or means requiring additional development, improvement, or rerouting; and access proposals in conjunction with mining plans of operations and oil and gas rights. Such access would be evaluated in separate environmental documents. A full discussion of the alternatives and their anticipated effects is presented in the Programmatic Plan and

Environmental Assessment for the Access to Inholdings. The alternatives are summarized briefly below.

Alternative 1 – No Action: The NPS would not issue rights-of-way documenting inholder access to private lands within its boundaries except where specific requests are made for such access. Landowners and their guests would continue to use most routes and facilities with associated travel methods across federal public lands with little or no oversight from the NPS. This alternative represents a continuation of the existing practices for managing access to inholdings in the park and preserve, and it provides a baseline for evaluating the changes and impacts of the action alternative.

Alternative 2 – Issue RWCA for Established and Maintainable Access Facilities (NPS preferred alternative): The NPS would actively manage and monitor motorized access to private inholdings across federal public lands on established and maintainable facilities by issuing ANILCA 1110(b) RWCA that describe the routes and methods of access, facility geometry and location, vehicle class, maintenance operations, and other appropriate terms and conditions. These RWCA would specify resource protection standards and maintenance options to enable landowners to maintain their established access facilities in their current condition and character within the existing footprint, except where minor improvements could be made within the footprint to reduce adverse effects on the park and preserve.

IV. AFFECTED ENVIRONMENT

A summary of the affected environment pertinent to subsistence use is presented here. The following documents contain additional descriptions of subsistence uses within Wrangell-St. Elias National Park and Preserve:

General Management Plan/Land Protection Plan, Wrangell-St. Elias National Park and Preserve, NPS Alaska Region, 1986.

Final Environmental Impact Statement, Wilderness Recommendation, NPS Alaska Region, 1988.

Wrangell-St. Elias Subsistence Management Plan, NPS Alaska Region, 1998.
(Updated most recently in 2004.)

Wrangell-St. Elias National Park and Preserve Subsistence Users Guide, NPS Alaska Region. (Updated most recently in 2005.)

Subsistence uses by qualified rural residents are allowed within Wrangell-St. Elias National Park and Preserve in accordance with Titles II and VIII of ANILCA. Only qualified subsistence users may hunt or trap within the national park. State-regulated sport fishing and federal subsistence fishing are also allowed in the national park. The national preserve is open to federal subsistence uses as well as state authorized general (sport) hunting, trapping, and fishing activities. The

proposed action would affect federal public lands within both the national park and the national preserve.

To engage in subsistence activities within Wrangell-St. Elias National Park, individuals must either live in one of the park's 23 designated resident zone communities, live within the park, or have a special subsistence use permit issued by the park superintendent. The following communities are designated as resident zones for the park: Chisana, Chistochina, Chitina, Copper Center, Dot Lake, Gakona, Gakona Junction, Glennallen, Gulkana, Healy Lake, Kenny Lake, Lower Tonsina, McCarthy, Mentasta Lake, Nabesna, Northway, Slana, Tanacross, Tazlina, Tetlin, Tok, Tonsina, and Yakutat (36 CFR 13.1902). Rural residents who do not reside in the park or a resident zone community, but who have (or are members of a family that has) customarily and traditionally engaged in subsistence activities in the park, without the use of aircraft, may continue to do so pursuant to a subsistence eligibility permit issued by the park superintendent in accordance with federal regulations (36 CFR 13.440). To engage in subsistence activities within Wrangell-St. Elias National Preserve, individuals are not required to live in a resident zone community, but they must live in a rural Alaskan community or area that has a positive customary and traditional use determination for the species and area they wish to harvest.

Based on 2000 U.S. Census data compiled by the Alaska Department of Community and Economic Development, the National Park Service estimates that approximately 6,000 individuals are eligible to engage in subsistence activities in Wrangell-St. Elias. These activities include hunting, trapping, fishing, berry picking, gathering mushrooms and other plant materials, collecting firewood, and harvesting timber for house construction.

The landscape included within Wrangell-St. Elias National Park and Preserve ranges from forests and tundra to the rock and ice of high mountains. The region's main subsistence resources are salmon, moose, caribou, Dall sheep, mountain goat, ptarmigan, grouse, snowshoe hare, furbearing animals, berries, mushrooms, and dead and green logs for construction and firewood.

Much of the use of subsistence resources within Wrangell-St. Elias National Park and Preserve takes place along rivers and roads. Most subsistence hunting within Wrangell-St. Elias occurs off the Nabesna and McCarthy roads and the trails that originate from them. Note that this overlaps with the areas with multiple access points illustrated in Figure 1 of the plan and EA. The Copper, Nabesna, Chisana and Chitina rivers serve as popular riverine access routes for subsistence users. Most of the subsistence fishing takes place in the Copper River.

The NPS recognizes that patterns of subsistence use vary from time to time and from place to place depending on the availability of wildlife and other renewable natural resources. A subsistence harvest in a given year may vary considerable from previous years due to weather conditions, migration patterns, and natural population cycles.

V. SUBSISTENCE USES AND NEEDS EVALUATION

To determine the potential impact of the alternatives on existing subsistence activities, the following three criteria were evaluated:

1. the potential to reduce important subsistence fish and wildlife populations by (a) reductions in numbers; (b) redistribution of subsistence resources; or (c) habitat losses;
2. what affect the action might have on subsistence fisher or hunter access; and
3. the potential for the action to increase fisher or hunter competition for subsistence resources.

The potential to reduce populations:

The proposed action as well as the no-action alternative would have at most a negligible effect on subsistence wildlife resources. The use and maintenance of the access routes and means under both alternatives may cause the minor and temporary disturbance and displacement of wildlife resources; however, this is not expected to result in wildlife population declines, habitat losses, or any long-term population movements. Consequently, the proposed alternatives are not expected to significantly alter wildlife movements or reduce populations of important subsistence wildlife resources.

The proposed action as well as the no-action alternative would have at most a minor effect on subsistence fish resources. This analysis only addresses accesses that do not involve the fording of fish-bearing streams, such that no significant impact on fish habitat or populations is anticipated. Under the no-action alternative, NPS would not regulate maintenance of the access routes. Increased sedimentation and loss of large woody debris could result from the use and maintenance of established access routes near water bodies, which could result in minor disturbance of fish or their habitat. This is not anticipated to result in a significant impact to subsistence fish resources, however. The proposed action would be an improvement over the no-action alternative in that the RWCAs would include mitigation measures to protect fish and associated habitat. Consequently, the action alternative is not expected to significantly affect the numbers or distribution of important subsistence fish resources and would have an even more limited impact than the no-action alternative.

The effect on subsistence access:

Rights of access for subsistence uses on NPS lands are granted by Section 811 of ANILCA. Allowed means of access by federally qualified subsistence users in Wrangell-St. Elias National Park and Preserve include motorboat, snowmachine (subject to frozen ground conditions and adequate snow cover), off-road vehicles (ORVs), and airplane (preserve only), along with non-motorized means such as foot, horses, and dog teams. The proposed action alternative along with the no-action alternative would have no direct impact on allowed means of subsistence access, nor would the alternatives affect the areas open to subsistence users or access routes to those areas. Thus, access for subsistence activities would not be significantly restricted under either of the alternatives discussed in this analysis.

The potential to increase competition:

Competition for subsistence resources on federal public lands is not expected to increase under either of the alternatives discussed in this analysis. Therefore, the proposed action is not expected to adversely affect resource competition.

VI. AVAILABILITY OF OTHER LANDS

The EA and this evaluation have described and analyzed the proposed alternatives. The proposed actions are consistent with NPS mandates, ANILCA, and the General Management Plan for the park and preserve. No other alternatives that would reduce or eliminate the use of public lands needed for subsistence purposes were identified. The amount of land affected by the proposed action is minimal in relation to the overall amount of federal public land in the park and the preserve, however, and it is possible for subsistence users to utilize other lands both inside and outside the park and preserve.

VII. ALTERNATIVES CONSIDERED

The EA and this evaluation have described and analyzed the proposed alternatives. No other alternatives were considered that would reduce or eliminate the need to use public lands needed for subsistence purposes.

VII. FINDINGS

Although there is overlap between the areas of multiple access points and areas in which subsistence activities commonly occur, this analysis concludes that the proposed action will not result in a significant restriction of subsistence uses. The no-action alternative would also not result in a significant restriction of subsistence uses.

APPENDIX D

Threatened and Endangered Species Act Coordination with USFWS

Wrangell-Saint Elias National Park and Preserve (WRST) spans three U.S. Fish and Wildlife Service (FWS) Field Office zones: Southcentral Alaska, Southeast Alaska, and Northern Alaska. These offices advise and consult with agencies and parties regarding threatened and endangered species under their jurisdiction. On June 5, 2007 Bud Rice consulted with Greg Risdahl of the FWS Southcentral Alaska Field Office, Steve Brockman of the FWS Southeast Alaska Field Office, and Ted Swem of the Northern Alaska Field Office.

Risdahl indicated that the portion of WRST in Southcentral Alaska is in a green zone that has been cleared for consultations regarding threatened and endangered species because no critical habitat is known in this area. A map is attached showing the green zone from the FWS Endangered Species Consultation – Alaska web page. The web page is: <http://alaska.fws.gov/fisheries/endangered/consultation.htm>

Brockman pointed out that Kittlitz's Murrelet is a candidate threatened species in the vicinity of the Malaspina Forelands, where one access trail RWCA may be requested. The map shows at sea habitat for the Kittlitz's Murrelet, and Brockman stated some of the world's highest densities of this species occur in this area and in Glacier Bay National Park and Preserve. This species nests on rocky ground, and it is thought the receding Malaspina Glacier and forelands provide ideal habitat. Brockman recommended that any RWCA be articulated to minimize habitat disturbance by keeping the access facility within the existing access corridor. Removal of rocks and cobbles from an access facility route would be acceptable. The consultation file number is 71440-2007-SL-94.

Sarah Conn called for Ted Swem to report no threatened and endangered species are known to occur in the northern portion of WRST and that no further consultation was needed.

APPENDIX E

SAMPLE--ANILCA 1110(b) Right-of-Way Certificate of Access (RWCA)

National Park Service Alaska Region 240 West 5th Avenue, Room 114 Anchorage, Alaska 99501	RWCA No.: _____
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1. An ANILCA 1110(b) Right-of-Way Certificate of Access (hereinafter “RWCA”) is hereby issued pursuant to Section 1110(b) of the Alaska National Interest Lands Conservation Act (ANILCA) of December 2, 1980 (16 USC 3170).

2. Nature of Interest:

a. By this instrument _____ (Holder’s Name) _____ (hereinafter “Holder”), whose address is _____, receives a right to construct, operate, use, maintain, and terminate a _____ (road, trail, airstrip, etc.) _____ on National Park Service (hereinafter “NPS”) managed lands in _____ (NPS Unit Name) _____ and within an area described as follows:

(Description of area of use authorized by RWCA)

Located in Township _____, Range _____, _____ Meridian, Alaska, Section(s) _____, _____ Recording District, Alaska.

The area of use authorized by this RWCA is illustrated on the attached map(s) (Exhibit B).

b. The area authorized by this RWCA is _____ feet wide, _____ feet long, and contains _____ acres, more or less. If a site type facility, the facility contains _____ acres.

c. This RWCA shall not be construed as an interest in the land authorized for use by this RWCA, or as an abandonment of use and occupancy by the United States, but shall be considered a use of the land as described, anything contained herein to the contrary notwithstanding.

d. The stipulations, plans, maps, or designs set forth in Exhibit(s) _____, dated _____, attached hereto, are incorporated into and made part of this instrument as fully and effectively as if they were set forth herein in their entirety.

3. Rental Fee. No rental fees apply because it is NPS policy not to charge fees when a requested use involves exercise of a right (not a privilege).

4. General Terms and Conditions:

- a. The Holder shall comply with all applicable State and Federal law and existing regulations in the construction, operation and/or maintenance within the area authorized by this RWCA.
- b. This RWCA will expire when it is no longer needed for the purposes for which it is issued unless, prior thereto, it is relinquished, abandoned, or modified pursuant to the terms and conditions of this instrument or of any other applicable federal law or regulation.
- c. This RWCA may be amended to adjust the terms and conditions for changed conditions, to correct oversights, or to address conditions not previously contemplated. Either the NPS or Holder may initiate an amendment by notifying the other in writing and providing a justification for the proposed revision or supplement. Amendments by mutual consent of the NPS and Holder may occur, but the NPS may also require an amendment without the consent of the Holder if uses within the area authorized by this RWCA or other conditions become inconsistent with the regulatory standards of Title 43 CFR 36.9 and 36.10(e)(1). The NPS will consult with the Holder when any amendment is initiated. Any amendment must result in the Holder continuing to have adequate and feasible access to his/her property.
- d. The Holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and health and safety of the public.
- e. This RWCA is for the purpose of providing the Holder with access across NPS lands to his/her non-federal land or valid occupancy. It does not authorize the Holder to use the area authorized by this RWCA for any activities other than access.
- f. This RWCA may be assigned. The proposed assignee must state in writing that he/she agrees to comply with and to be bound by the terms and conditions of the existing RWCA. With such a written statement from the proposed assignee, the NPS Regional Director will approve the assignment of the RWCA to the assignee, who shall become the Holder. The assignment becomes effective upon the written approval of the NPS Regional Director, Alaska Region.
- g. The Holder shall take adequate measures as directed and approved by the superintendent of the NPS unit to prevent or minimize damage to resources. This may include restoration, soil conservation and protection measures, landscaping with indigenous grasses and shrubs, and repairing roads, trails, etc. The superintendent or his/her representative may enter and inspect the area authorized by this RWCA and any facilities in it, as deemed necessary by the NPS and without restriction.
- h. The Holder will halt any activities in the area authorized by this RWCA and notify the superintendent of the NPS unit upon discovery of archeological, paleontological or historical artifacts. All artifacts unearthed remain the property of the United States.
- i. Use of pesticides or herbicides is prohibited within the area authorized by this RWCA.

- j. Use by the Holder is subject to the right of the NPS to establish trails, roads, and other improvements and betterments over, upon or through the area authorized by this RWCA. Also, at the discretion of the NPS, the area authorized by this RWCA may be open to use by the public and others. If it is necessary for the NPS to exercise such right, every effort will be made by the NPS to refrain from unduly interfering with use of this area by the Holder for the purposes intended under this RWCA. The Holder agrees and consents to the occupancy and use by the NPS and by individuals and entities authorized by the NPS, of any part of the area authorized by this RWCA. The Holder's right to "adequate and feasible access" under Title XI of ANILCA will be respected by the NPS.
- k. No deviations from the locations authorized in this RWCA shall be undertaken without the prior written approval of the superintendent of the NPS unit. The superintendent may require the filing of a new or amended application for a proposed deviation.
- l. Notwithstanding the relinquishment or abandonment of this RWCA by the Holder, the provisions of this RWCA, to the extent applicable, shall continue in effect and shall be binding on the Holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein.
- m. Upon expiration or termination of this RWCA, in the absence of any agreement to the contrary, the Holder will be allowed six (6) months or such additional time as may be granted in which to remove from the area authorized by this RWCA all property or improvements of any kind, other than a road and usable improvements to a road, placed thereon by the Holder; but if not removed within the time allowed, all such property and improvements shall become the property of the United States.
- n. Upon expiration or termination of this RWCA the Holder may be required by the NPS to restore the NPS lands affected by the RWCA.
- o. This RWCA has no effect on any valid existing rights of access pursuant to any other authority.
- p. The Holder agrees that in undertaking all activities pursuant to this RWCA, it will not discriminate against any person because of race, color, religion, sex, or national origin.
- q. No member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this RWCA or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this RWCA if made with a corporation for its general benefit.
- r. This agreement is made upon the express condition that the United States, its agents and employees shall be free from all liabilities and claims for damages and/or suits for or by reason of any injury, or death to any person or property of any kind whatsoever, whether to the person or property of the Holder, its agents or employees, or third parties, from any cause or causes whatsoever while in or upon said premises or any part thereof during the term of this agreement or occasioned by any occupancy or use of said premises or any activity carried on by the Holder in connection herewith, and the Holder hereby covenants and agrees to indemnify, defend, save

and hold harmless the United States, its agents and employees from all liabilities, charges, expenses and costs on account of or by reason of any such injuries, deaths, liabilities, claims, suits or losses however occurring or damages growing out of the same.

s. Any alterations to this instrument must be in writing and signed by the NPS and Holder.

t. Nothing herein contained shall be construed as binding the NPS to expend in any one fiscal year any sum in excess of appropriations made by Congress or administratively allocated for the purpose of this RWCA for the fiscal year, or to involve the NPS in any contract or other obligation for the further expenditure of money in excess of such appropriations or allocations.

u. The waiver of any breach of any provision of this RWCA, whether such waiver be expressed or implied, shall not be construed to be a continuing waiver or a waiver of, or consent, to any subsequent or prior breach of the same or any other provision of this RWCA.

5. Specific Terms and Conditions:

IN WITNESS WHEREOF, the Regional Director, Alaska Region of the National Park Service, acting on behalf of the United States, in the exercise of the delegated authority from the Secretary of the Department of the Interior, has caused this ANILCA 1110(b) Right-of-Way Certificate of Access (RWCA _____) to be executed this _____ day of _____, 2007.

Regional Director, Alaska Region
National Park Service
United States Department of the Interior

ACCEPTED this _____ day of _____, 2007.

Printed name of Holder

Signature of Holder

Appendix E (Continuation)
SAMPLE--ANILCA 1110(b) Right-of-Way Certificate of Access (RWCA)
July 21, 2007 DRAFT

Exhibit A (of Sample 1110(b) RWCA): Specific Stipulations

RWCA No.: _____

Stipulations specific to the RWCA are listed here, for example:

- Vehicle classes
- Maintenance methods
- Use of culverts
- Season of use or maintenance, if applicable
- Signing and/or gating, if applicable

Exhibit B A (of Sample 1110(b) RWCA): Map

RWCA No.: _____

Standards

- a. Survey or engineer's drawing not generally required
- b. Map drawn by NPS or Holder (reviewed and accepted by NPS)
- c. Minimum scale 1 inch equals 1 mile
- d. Map based on USGS quadrangle map or rectified orthographic photograph.

Required

1. Name of the USGS 15' (1 inch equals 1 mile) quadrangle map
2. Orthographic photograph (if used): flight line, date filmed, frame number
3. Legal description of the inholding: US Survey, State of Alaska Survey, or lot and aliquot parts
4. Authorized area beginning and ending: latitude and longitude. Bearing and distance from a United States or State of Alaska survey monument can be used instead of latitude and longitude.
5. Centerline plot of authorized area using Global Positioning System (GPS) or other method acceptable to NPS.

APPENDIX F

U.S. ARMY CORPS OF ENGINEERS (USACE) Nationwide Permits Applicable to WRST Inholder Access

The following nationwide permits (NWP) are derived from the USACE web page at:

http://www.usace.army.mil/cw/cecwo/reg/nationwide_permits.htm

This web page also provides definitions and other information relative to NWPs and permits from the USACE under the Clean Water Act Section 404. The following four NWPs address maintenance, utility line activities, linear transportation projects, and minor discharges.

3. Maintenance. (a) The repair, rehabilitation, or replacement of any previously authorized, currently serviceable, structure, or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized. This NWP authorizes the repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire or other discrete events, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. In cases of catastrophic events, such as hurricanes or tornadoes, this two-year limit may be waived by the district engineer, provided the permittee can demonstrate funding, contract, or other similar delays.

(b) This NWP also authorizes the removal of accumulated sediments and debris in the vicinity of and within existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.) and the placement of new or additional riprap to protect the structure. The removal of sediment is limited to the minimum necessary to restore the waterway in the immediate vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend further than 200 feet in any direction from the structure. This 200 foot limit does not apply to maintenance dredging to remove accumulated sediments blocking or restricting outfall and intake structures or to maintenance dredging to remove accumulated sediments from canals associated with outfall and intake structures. All dredged or excavated materials must be deposited and retained in an upland area unless otherwise specifically approved by the district engineer under separate authorization. The placement of riprap must be the minimum necessary to protect the structure or to ensure the safety of the structure. Any bank stabilization measures not directly associated with the structure will require a separate authorization from the district engineer.

(c) This NWP also authorizes temporary structures, fills, and work necessary to conduct the maintenance activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a

manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

(d) This NWP does not authorize maintenance dredging for the primary purpose of navigation or beach restoration. This NWP does not authorize new stream channelization or stream relocation projects.

Notification: For activities authorized by paragraph (b) of this NWP, the permittee must submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 27). Where maintenance dredging is proposed, the pre-construction notification must include information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals. (Sections 10 and 404)

Note: This NWP authorizes the repair, rehabilitation, or replacement of any previously authorized structure or fill that does not qualify for the Clean Water Act Section 404(f) exemption for maintenance.

12. Utility Line Activities. Activities required for the construction, maintenance, repair, and removal of utility lines and associated facilities in waters of the United States, provided the activity does not result in the loss of greater than 1/2 acre of waters of the United States.

Utility lines: This NWP authorizes the construction, maintenance, or repair of utility lines, including outfall and intake structures, and the associated excavation, backfill, or bedding for the utility lines, in all waters of the United States, provided there is no change in pre-construction contours. A "utility line" is defined as any pipe or pipeline for the transportation of any gaseous, liquid, liquescent, or slurry substance, for any purpose, and any cable, line, or wire for the transmission for any purpose of electrical energy, telephone, and telegraph messages, and radio and television communication. The term "utility line" does not include activities that drain a water of the United States, such as drainage tile or french drains, but it does apply to pipes conveying drainage from another area.

Material resulting from trench excavation may be temporarily sidecast into waters of the United States for no more than three months, provided the material is not placed in such a manner that it is dispersed by currents or other forces. The district engineer may extend the period of temporary side casting for no more than a total of 180 days, where appropriate. In wetlands, the top 6 to 12 inches of the trench should normally be backfilled with topsoil from the trench. The trench cannot be constructed or backfilled in such a manner as to drain waters of the United States (e.g., backfilling with extensive gravel layers, creating a french drain effect). Any exposed slopes and stream banks must be stabilized immediately upon completion of the utility line crossing of each waterbody.

Utility line substations: This NWP authorizes the construction, maintenance, or expansion of substation facilities associated with a power line or utility line in non-tidal waters of the United States, provided the activity, in combination with all other activities included in one single and complete project, does not result in the loss of greater than 1/2 acre of waters of the United States. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal

waters of the United States to construct, maintain, or expand substation facilities.

Foundations for overhead utility line towers, poles, and anchors: This NWP authorizes the construction or maintenance of foundations for overhead utility line towers, poles, and anchors in all waters of the United States, provided the foundations are the minimum size necessary and separate footings for each tower leg (rather than a larger single pad) are used where feasible.

Access roads: This NWP authorizes the construction of access roads for the construction and maintenance of utility lines, including overhead power lines and utility line substations, in non-tidal waters of the United States, provided the total discharge from a single and complete project does not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters for access roads. Access roads must be the minimum width necessary (see Note 2, below). Access roads must be constructed so that the length of the road minimizes any adverse effects on waters of the United States and must be as near as possible to pre-construction contours and elevations (e.g., at grade corduroy roads or geotextile/gravel roads). Access roads constructed above pre-construction contours and elevations in waters of the United States must be properly bridged or culverted to maintain surface flows.

This NWP may authorize utility lines in or affecting navigable waters of the United States even if there is no associated discharge of dredged or fill material (See 33 CFR Part 322). Overhead utility lines constructed over section 10 waters and utility lines that are routed in or under section 10 waters without a discharge of dredged or fill material require a section 10 permit.

This NWP also authorizes temporary structures, fills, and work necessary to conduct the utility line activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if any of the following criteria are met: (1) the activity involves mechanized land clearing in a forested wetland for the utility line right-of-way; (2) a section 10 permit is required; (3) the utility line in waters of the United States, excluding overhead lines, exceeds 500 feet; (4) the utility line is placed within a jurisdictional area (i.e., water of the United States), and it runs parallel to a stream bed that is within that jurisdictional area; (5) discharges that result in the loss of greater than 1/10-acre of waters of the United States; (6) permanent access roads are constructed above grade in waters of the United States for a distance of more than 500 feet; or (7) permanent access roads are constructed in waters of the United States with impervious materials. (See general condition 27.) (Sections 10 and 404)

Note 1: Where the proposed utility line is constructed or installed in navigable waters of the United States (i.e., section 10 waters), copies of the pre-construction notification and NWP

verification will be sent by the Corps to the National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS), for charting the utility line to protect navigation.

Note 2: Access roads used for both construction and maintenance may be authorized, provided they meet the terms and conditions of this NWP. Access roads used solely for construction of the utility line must be removed upon completion of the work, accordance with the requirements for temporary fills.

Note 3: Pipes or pipelines used to transport gaseous, liquid, liquescent, or slurry substances over navigable waters of the United States are considered to be bridges, not utility lines, and may require a permit from the U.S. Coast Guard pursuant to Section 9 of the Rivers and Harbors Act of 1899. However, any discharges of dredged or fill material into waters of the United States associated with such pipelines will require a section 404 permit (see NWP 15).

14. Linear Transportation Projects. Activities required for the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads, highways, railways, trails, airport runways, and taxiways) in waters of the United States. For linear transportation projects in non-tidal waters, the discharge cannot cause the loss of greater than 1/2-acre of waters of the United States. For linear transportation projects in tidal waters, the discharge cannot cause the loss of greater than 1/3-acre of waters of the United States. Any stream channel modification, including bank stabilization, is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project.

This NWP also authorizes temporary structures, fills, and work necessary to construct the linear transportation project. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

This NWP cannot be used to authorize non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) the loss of waters of the United States exceeds 1/10 acre; or (2) there is a discharge in a special aquatic site, including wetlands. (See general condition 27.) (Sections 10 and 404)

Note: Some discharges for the construction of farm roads or forest roads, or temporary roads for moving mining equipment, may qualify for an exemption under Section 404(f) of the Clean Water Act (see 33 CFR 323.4).

18. Minor Discharges. Minor discharges of dredged or fill material into all waters of the United States, provided the activity meets all of the following criteria:

(a) The quantity of discharged material and the volume of area excavated do not exceed 25 cubic yards below the plane of the ordinary high water mark or the high tide line;

(b) The discharge will not cause the loss of more than 1/10 acre of waters of the United States; and

(c) The discharge is not placed for the purpose of a stream diversion.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) The discharge or the volume of area excavated exceeds 10 cubic yards below the plane of the ordinary high water mark or the high tide line, or (2) the discharge is in a special aquatic site, including wetlands. (See general condition 27.) (Sections 10 and 404)

APPENDIX G

ADEC Water Quality Standards

Alaska Department of Environmental Conservation Title 18 AAC 70 Water Quality Standards, Amended as of December 28, 2006

Water Quality Standards for Designated Uses

Anti-degradation standards:

- Existing water uses and the level of water quality necessary to protect existing uses must be maintained and protected.
- The quality of water may not exceed levels necessary to support propagation of fish, shell fish, and wildlife and recreation in and on the water.
- For non point sources all cost effective and reasonable best management practices would be applicable.

For:

Fresh water growth and propagation of fish, shell fish and other aquatic life and wildlife

Color:

Color or apparent color may not reduce the depth of the compensation point for photosynthesis activity by more than 10% from the seasonally established norm for aquatic life. For all water without a seasonally established norm for aquatic life, color or apparent color may not exceed 50 color units of the natural condition, whichever is greater.

D.O.

Dissolved oxygen (D.O.) must be greater than 7mg/L in waters used by anadromous or resident fish. In no case may D.O. be less than 5 mg/L to a depth of 20 cm in the interstitial water of gravel used by anadromous fish for spawning. For waters not used by anadromous or resident fish, D.O. must be greater than or equal to 5mg/L. In no case may D.O. be greater than 17mg/L. The concentration of total dissolved gas may not exceed 110% of saturation at any point if sample collection.

TDS:

Total dissolved solids (TDS) from all sources may not exceed 1,000 mg/L. A concentration of TDS may not be present in water if that concentration causes or reasonably could be expected to cause an adverse effect to aquatic life.

Petroleum hydrocarbons, oils, and grease:

Total aqueous hydrocarbons (TAqH) in the water column may not exceed 15ug/L. Total aromatic hydrocarbons may not exceed 15ug/L. There may be no concentration of petroleum hydrocarbons, that cause deleterious effects to aquatic life. Surface waters and adjoining shorelines must be virtually free from floating oil film, sheen or discoloration.

pH:

May not be less than 6.5 or greater than 8.5. May not vary more than 0.5 pH unit from natural conditions.

APPENDIX H

List of non-native species known from park lands, state roads within the park, private land in the park and roads in the vicinity of the park. AKEPIC = Alaska Exotic Plant Information Clearinghouse.

Scientific Name	Common Name	Occurs on Park Land	AKEPIC Rank*
<i>Achillea millefolium</i>	common yarrow	x	48
<i>Allium schoenoprasum</i>	wild chive		
<i>Beckmannia syzigacene</i>	slough-grass	x	
<i>Bromus inermis</i>	smooth brome grass	x	62
<i>Capsella bursa-pastoris</i>	shepherd's purse	x	
<i>Caragana arborescens</i>	Siberian peashrub		65
<i>Cerastium fontanum</i>	common mouse-eared chickweed		
<i>Chenopodium album</i>	lambsquarters	x	35
<i>Collomia linearis</i>	narrowleaf-mountain trumpet	x	
<i>Crepis tectorum</i>	narrowleaf hawkbeard	x	43
<i>Descurainia sophia</i>	flixweed	x	47
<i>Elymus repens</i>	quackgrass	x	59
<i>Eschscholzia californica</i>	California poppy		
<i>Galeopsis tetrahit</i>	hempnettle		43
<i>Hordeum jubatum</i>	foxtail barley	x	63
<i>Lappula squarrosa</i>	European stickseed	x	43
<i>Lepidium densiflorum</i>	common pepperweed	x	
<i>Leucanthemum vulgare</i>	oxeye daisy	x	61
<i>Linaria vulgaris</i>	yellow toadflax		63
<i>Lolium perenne ssp. perenne</i>	perennial ryegrass		41
<i>Matricaria discoidea</i>	pineapple weed	x	34
<i>Medicago lupulina</i>	black medick		
<i>Melilotus alba</i>	white sweetclover		80
<i>Melilotus officinalis</i>	yellow sweetclover		65
<i>Papaver rhoeas</i>	corn poppy	x	
<i>Phleum pratense</i>	timothy		56
<i>Plantago major</i>	plantain	x	44
<i>Polygonum aviculare</i>	prostrate knotweed	x	
<i>Polygonum convolvulus</i>	black bindweed	x	
<i>Secale cereale</i>	wild rye		
<i>Silene latifolia</i>	bladder campion		45
<i>Silene noctiflora</i>	night-blooming cockle		45
<i>Taraxacum officinale</i>	common dandelion	x	62
<i>Thlaspi arvense</i>	field pennycress		
<i>Trifolium hybridum</i>	alsike clover		57
<i>Trifolium pratense</i>	red clover	x	
<i>Trifolium repens</i>	white clover	x	59
<i>Tripleurospermum perforata</i>	scentless false mayweed	x	48
<i>Vicia cracca</i>	bird vetch		75
<i>Vicia sativa</i>	common vetch		

APPENDIX I

Rare Plants in WRST

ALASKA NATURAL HERITAGE PROGRAM PLANTS WITH STATE RANK <=3
WRANGELL-ST. ELIAS NATIONAL PARK & PRESERVE
MAY 2007

1

TAXON	GRANK/SRANK	#EO's	HABITAT/PARK DISTRIBUTION
AGOSERIS AURANTIACA Asteraceae (Sunflower Family) Mountain Dandelion	G5 S1	3	Alpine meadows. Maritime St. Elias Mts.
AGOSERIS GLAUCA Asteraceae (Sunflower Family) Pale Agoseris	G5 S1	2	Alpine meadows. Chugach Mts.
AGROSTIS THURBERIANA Poaceae (Grass Family) Thurber's Bentgrass	G5 S2	6	Mesic alpine meadows. Malaspina Forelands & Granite Range
APHRAGMUS ESCHSCHOLTZIANUS Brassicaceae (Mustard Family) Aleutian Cress	G3 S3	33	Solifluction soil in the mountains. Park-wide
ARABIS CALDERI Brassicaceae (Mustard Family) Calder's Rock-cress	G4?Q S1	2	Meadows and thickets, sub-alpine and alpine areas. St. Elias Mts.
ARABIS CODYI Brassicaceae (Mustard Family) Cody's Rock-cress	G1G2Q S1	1	Unstable alpine slopes. Granite Range
ARABIS DREPANLOBA Brassicaceae (Mustard Family) Rockcress	G5T4? S1?	1	Talus, rock fields, ridge crests and outwash gravels in the high mountains. Chugach Mts.
ARABIS LEMMONII Brassicaceae (Mustard Family) Lemmon's Rock-cress	G5 S1	1	Rocky ridges, rock fields, outwash gravels in the high mountains. Granite Range
ARENARIA LONGIPEDUNCULATA Caryophyllaceae (Pink Family) Longstem Sandwort	G3Q S3	2	Moist, calcareous or serpentine gravels and rock crevices. Chitina River
ARNICA DIVERSIFOLIA Asteraceae (Sunflower Family) Snow Leopardbane	G5 S1	1	Moist open woodland. Upper Chitina River. Questionable historical locality.
ARNICA MOLLIS Asteraceae (Sunflower Family) Hairy Arnica	G5 S1	1	Alpine meadows. Southern Wrangell Mts.
ARTEMISIA DRACUNCULUS Asteraceae (Sunflower Family) Dragon Wormwood	G5 S1S2	1	Open dry slopes. Nutzotin Mts.
ASTRAGALUS HARRINGTONII Fabaceae (Pea Family) Harrington Milk-vetch	G5T3 S3	3	Meadows, stream banks and scree slopes. Nutzotin Mts., Tana and Nabesna Rivers
BOTRYCHIUM ALASKENSE Ophioglossaceae (Adder's Tongue Family)	G2G3 S2S3	3	Ericaceous heath, sandy basalt, tundra, disturbed areas in the alpine. Wrangell & Nutzotin Mts.
BOTRYCHIUM ASCENDENS Ophioglossaceae (Adder's Tongue Family) Triange-Lobe Moonwort	G2G3 S2	1	Steep scree. Nutzotin Mts.
BOTRYCHIUM LINEARE Ophioglossaceae (Adder's Tongue Family) Narrow-Leaf Grape Fern	G1 S1 USFWS Candidate Species	2	Seral, disturbed areas, river bluff steppe herbaceous community. Nutzotin Mts.

ALASKA NATURAL HERITAGE PROGRAM PLANTS WITH STATE RANK <=3
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TAXON	GRANK/SRANK	#EO's	HABITAT/PARK DISTRIBUTION
BOTRYCHIUM MONTANUM Ophioglossaceae (Adder's Tongue Family) Mountain Moonwort	G3 S1	1	Alpine forb herbaceous scree slopes, wet fens. Maritime St. Elias Mts.
BOTRYCHIUM TUNUX Ophioglossaceae (Adder's Tongue Family)	G1 S1	1	Floodplains, river bluffs, open sand dunes & upper beaches on coast. Nutzotin Mts., maritime St. Elias Mts.
BOTRYCHIUM YAAXUDAKEIT Ophioglossaceae (Adder's Tongue Family)	G2 S2	1	Silty slopes. White River
CAREX ADELOSTOMA Cyperaceae (Sedge Family) Circumpolar Sedge	G4 S1	6	Wet places, moist sites and fens. Upper and Middle Copper River Basin
CAREX ATHERODES Cyperaceae (Sedge Family) Slough Sedge	G5 S3	1	Fresh herb marsh on gravel bar. Chitina River
CAREX ATRATIFORMIS Cyperaceae (Sedge Family) Black Sedge	G5 S2	1	Open coniferous woods, meadows and floodplains. Lost Creek floodplain, Mentasta Mountains.
CAREX CRAWFORDII Cyperaceae (Sedge Family) Crawford's Sedge	G5 S3	1	Well drained lake and river meadows. Tana River
CAREX EBURNEA Cyperaceae (Sedge Family) Bristleleaf Sedge	G5 S3	2	Dry sand or rocky places, preferably on calcareous soil. Upper Chitina River
CAREX HOLOSTOMA Cyperaceae (Sedge Family) Arctic Marsh Sedge	G4? S3	2	Turfy places in tundra and by the edge of small ponds. A calciphile. Nutzotin Mts.
CAREX HOODII Cyperaceae (Sedge Family) Hood's Sedge	G4G5 S1	1	Dry to mesic grasslands, rocky slopes, screes and forest openings. Maritime St. Elias Mts.
CAREX INTERIOR Cyperaceae (Sedge Family) Inland Sedge	G5 S1	1	Wet or damp calcareous meadows. West Fork Tana River
CAREX LAPPONICA Cyperaceae (Sedge Family) Lapland Sedge	G4G5Q S2	3	Lowlands, Sphagnum bogs, wet, nutrient poor areas Tanana & Ahtna basin lowlands.
CAREX LAXA Cyperaceae (Sedge Family) Weak Sedge	G5? S1	2	Wet places, mostly in woods, swamps and muskeg. Tanana lowlands, Nabesna River
CAREX PARRYANA Cyperaceae (Sedge Family) Parry's Sedge	G4 S1	2	Wet places, gravel bars. Upper Chitina River, Upper White River
CAREX PHAEOCEPHALA Cyperaceae (Sedge Family) Dunhead Sedge	G4 S3	10	Alpine herbaceous and low shrub. Granite Range, Maritime St. Elias Mts, Nutzotin Mts.
CAREX TAHOENSIS Cyperaceae (Sedge Family)	G3? S1	1	Sagebrush & open rocky slopes. sub-alpine & alpine meadows. Granite Range

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WRANGELL-ST. ELIAS NATIONAL PARK & PRESERVE
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TAXON	GRANK/SRANK	#EO's	HABITAT/PARK DISTRIBUTION
CASTILLEJA PARVIFLORA Scrophulariaceae (Figwort Family) Mountain Indian Paintbrush	G5? S2S4	7	Seral herb, tall forb herbaceous, mountain heath meadow and scree. Maritime St. Elias and Mentasta Mountains.
CERASTIUM REGELII Caryophyllaceae (Pink Family) Regel's Chickweed	G4Q S3	1	Wet swales of low, calcareous tundra, lake shores, soilfluction soil. Northern Wrangell Mts.
CERATOPHYLLUM DEMERSUM Ceratophyllaceae (Hornwort Family) Coon's Tail	G5 S1	1	Quiet, fresh water pools and streams. Copper River Basin
CHAMAERHODOS ERECTA SSP. NUTTALLII Rosaceae (Rose Family) Little-Rose	G5T4 S1S2	5	S-facing bluffs and river terraces. Nabesna River
CRYPTANTHA SHACKLETTEANA Boraginaceae (Borage Family) Shacklett's Catseye	G1Q S1	2	Dry gravels on open, calcareous slopes. Mentasta Mts.
CRYPTOGRAMMA STELLERI Pteridaceae (Maidenhair Fern Family) Fragile Rock-brake	G5 S2S3	6	Crevices in calcareous rocks in shaded localities with dripping water. Nutzotin and northern Wrangell Mts.
CYPRIPEDIUM PARVIFLORUM Orchidaceae (Orchid Family) Lesser Yellow Lady's Slipper	G5 S2S3	1	Woods and swamps Chitina River valley
DOUGLASIA ALASKANA Primulaceae (Primrose Family) Alaskan Douglasia	G3 S2S3	1	Sandy soil, gravel, scree slopes and rocky alpine sites. Southern Wrangell and Chugach Mts.
DOUGLASIA ARCTICA Primulaceae (Primrose Family) Mackenzie River Dwarf Primrose	G3 S2S3	1	Rocky, mossy slopes in the mountains. Northern St. Elias Mts.
DOUGLASIA GORMANII Primulaceae (Primrose Family) Gorman's Dwarf Primrose	G4 S3	33	Rock outcrops, scree slopes, alpine tundra and moist alpine slopes. Mentasta, Nutzotin and Northern Wrangell Mts.
DRABA DENSIFOLIA Brassicaceae (Mustard Family) Denseleaf Whitlow-Grass	G5 S1	1	Rockfields. Nutzotin Mts.
DRABA INCERTA Brassicaceae (Mustard Family) Yellowstone Whitlow-Grass	G5 S2S3	12	Calcareous screes. Granite Range, S Wrangell Mts.
DRABA KANANASKIS Brassicaceae (Mustard Family) Longstalk Whitlow-Grass	G1Q S1	2	Rocky alpine slopes, barren shale and limestone slopes. Granite Range, Chugach Mountains.
DRABA LONCHOCARPA VAR. THOMPSONII Brassicaceae (Mustard Family) Lance-Pod Whitlow-Grass	G5T3T4 S1	1	Alpine ledges and rocky slopes. Mentasta Mts.
DRABA PORSILDII Brassicaceae (Mustard Family) Posik's Whitlow-Grass	G3G4 S1S2	9	Alpine scree, gravel and open shale slopes and meadows. Mentasta, Nutzotin and St. Elias Mts. and Granite Range
DRABA PRAEALTA Brassicaceae (Mustard Family) Tall Whitlow-Grass	G5 S1S3	1	Alpine shale cliffs, moist slopes in the alpine. St. Elias Mts.

ALASKA NATURAL HERITAGE PROGRAM PLANTS WITH STATE RANK <=3
WRANGELL-ST. ELIAS NATIONAL PARK & PRESERVE
MAY 2007

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TAXON	GRANK/SRANK	#EO's	HABITAT/PARK DISTRIBUTION
DRABA RUAXES Brassicaceae (Mustard Family) Rainier Whitlow-Grass	G3 S3	24	Crevices of disintegrating andesite, windy ridges, summits, scree slopes, and rills. Wrangell-St. Elias, Mentasta & Nutzotin Mts.
ELYMUS CALDERI Poaceae (Grass Family) Calder's Wild Rye	G3G4 S2S3	1	Dunes, sandy and gravelly hillsides, benches, and roadsides. Dadna River bluff.
ERIPHORUM VIRIDICARINATUM Cyperaceae (Sedge Family) Large-Flower Fleabane	G5 S2	1	Subalpine and lowland peat meadows. Southern Wrangell Mts.
FESTUCA LENENSIS Poaceae (Grass Family) Tundra Fescue	G4G5 S3	9	Gravel and scree slopes. Nutzotin, Mentasta and northern Wrangell Mts.
FESTUCA MINUTIFLORA Poaceae (Grass Family) Small-Flower Fescue	G5 S1	1	Alpine tundra, meadows and scree slopes. Chugach Mts.
GLYCERIA PULCHELLA Poaceae (Grass Family) MacKenzie Valley Mannagrass	G5 S2S3	1	Subarctic lowland sedge wet meadow. Tana River
JUNIPERUS HORIZONTALIS Cupressaceae (Cypress Family) Creeping Savin	G5 S1S2	8	Rocky and sandy places. Bluffs, alluvial fans, woods, and terraces. Southern Wrangell Mts. and Granite Range.
LIMOSELLA AQUATICA Scrophulariaceae (Figwort Family) Mudwort	G5 S3	1	Wet, muddy or sandy pond margins. Malaspina Forelands
LUPINUS KUSCHEI Fabaceae (Pea Family) Yukon Lupine	G3 S2	7	Sandy alluvium, sand dunes, open woods. Sanford, Nabesna and Chisana Rivers
MAIANTHEMUM STELLATUM Liliaceae (Lily Family) Star-flowered Solomon's Seal	G5 S2	1	Dry open woodlands, on calcareous river banks or lake shores, tidal flats, open woods, and meadows. Nutzotin Mts.
MONTIA BOSTOCKII Portulacaceae (Purslane Family) Bostock's Minerslettuce	G3 S3	21	Moist places near springs, mesic alpine tundra slopes. Northern and central Wrangell Mts., Mentasta & Nutzotin Mts.
MYRIOPHYLLUM VERTICILLATUM Haloragaceae (Watermilfoil Family) Whorlleaf Watermilfoil	G5 S3	1	Small pond. Chitina River basin
NAJAS FLEXILIS Najadaceae (Naid Family) Naiad	G5 S1S2	1	Shallow fresh or brackish water. Lower Chitina River basin
OXYTROPIS HUDDERSONII Fabaceae (Pea Family) Huddelson's Locoweed	G3 S2S3	28	Ridge tops, frost boils, alpine tundra and heath. Park-wide in the mountains.
PAPAVER ALBOROSEUM Papaveraceae (Poppy Family) Pale Poppy	G3G4 S3	19	Sandy, gravelly soil and alpine scree slopes. Park-wide in the mountains
PAPAVER WALPOLEI Papaveraceae (Poppy Family) Walpole's Poppy	G3 S3	1	Alpine rubble slopes. Mentasta Mts.

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TAXON	GRANK/SRANK	#EO's	HABITAT/PARK DISTRIBUTION
PEDICULARIS MACRODONTA Scrophulariaceae (Figwort Family) Muskeg lousewort	G4Q S3	1	Swamps, wet meadows, muskeg. Malaspina Forelands
PHACELIA MOLLIS Hydrophyllaceae (Waterleaf Family) Soft Phacelia	G2G3 S2S3	19	Dry slopes, roadsides, sandy or gravelly soils, rock outcrops and in open Nutzotin, Wrangell, Granite and Chugach Mts.
PHLOX HOODII Polemoniaceae (Polemonium Family) Spiny Phlox	G5 S1S2	4	South facing bluffs and scree slopes. Mentasta and Nutzotin Mts.
PHLOX SIBIRICA SSP. RICHARDSONII Polemoniaceae (Polemonium Family) Siberian Phlox	G4T2T3 S2?	15	Rock outcrops, gravel scree, rock crevices, dry tundra Mentasta, Nutzotin and northern Wrangell Mts.
POA LEPTOCOMA Poaceae (Grass Family) Marsh Blue Grass	G5 S2	5	Damp places, <i>Vaccinium</i> heaths, moist woods, in loose scree. St. Elias, Nutzotin and Wrangell Mts.
POA SECUNDA SSP. SECUNDA Poaceae (Grass Family) Curly Blue Grass	G5TNR? S1	5	Alpine graminoid herbaceous meadow. Floodplain meadow. Granite Mountains, Nabesna River
POTAMOGETON OBTUSIFOLIUS Potamogetonaceae (Pondweed Family) Blunt-Leaf Pondweed	G5 S2S3	1	Shallow ponds and lakes. Ahtna basin
POTAMOGETON SUBSIBIRICUS Potamogetonaceae (Pondweed Family) Yenisei River Pondweed	G3 S3	5	Shallow ponds and lakes. Upper Copper River
POTENTILLA DRUMMONDII Rosaceae (Rose Family) Drummond's Cinquefoil	G5 S2	8	Meadows to ridges, subalpine to alpine. Chugach Mts. & Granite Range.
POTENTILLA RUBRICAULIS Rosaceae (Rose Family) Rocky Mountain Cinquefoil	G4 S2S3	2	<i>Dryas</i> graminoid tundra. Granite Range
PUCCINELLIA VAHLJANA Poaceae (Grass Family) Val's Alkali Grass	G4 S2S3	1	Non-littoral species, in moist clay by brooks and on snowbeds, stony tundra and alpine seeps. Northern Wrangell Mts.
RUMEX BERINGENSIS Polygonaceae (Buckwheat Family) Bering Sea Dock	G3 S3	17	Sandy places on tundra, solifluction lobes, frost boils, broken soil of Wrangell and St. Elias Mts.
SALIX HOOKERIANA Salicaceae (Willow Family) Hooker Willow	G5 S2	2	Coastal spruce forests, stabilized coastal sand dunes. Malaspina Forelands
SALIX SETCHELIANA Salicaceae (Willow Family) Setchell's Willow	G4 S3	11	Gravel bars, shores and sandy slopes. Pioneer on sandy beaches, margins of glacial rivers and on glacial moraines. Nabesna, White, Chisana and Bremner Rivers
SAXIFRAGA ADSCENDENS SSP. OREGONENSIS Saxifragaceae (Saxifrage Family) Small Saxifrage	G5T4T5 S2S3	8	Moist gravelly and rocky alpine situations. Chugach, southern Wrangells, St. Elias and Granite Range.
SAXIFRAGA NELSONIANA SSP. PORSILDIANA Saxifragaceae (Saxifrage Family) Porsild's Saxifrage	G5T3T4 S2	1	Hillsides and along streams, subalpine to alpine. Northern Wrangell Mts.

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TAXON	GRANK/SRANK	#EO's	HABITAT/PARK DISTRIBUTION
SEDUM DIVERGENS Crassulaceae (Stonecrop Family) Pacific Stonecrop	G5? S1	1	Steep rocky slopes, subalpine to alpine meadows to ridges. Maritime St. Elias Mts.
SMELOWSKJA CALYCINA VAR. PORSILDII Brassicaceae (Mustard Family) Porsild's False Candytuft	G5T2T3 S2S3	5	Alluvial fans, gravel & talus alpine slopes. Nutzotin Mts.
STELLARIA ALASKANA Caryophyllaceae (Pink Family) Alaska Starwort	G3 S3	23	Rock outcrops, talus slopes and moraines in alpine tundra. Wrangell, St. Elias, Nutzotin and Mentasta Mts.
TARAXACUM CARNEOCOLORATUM Asteraceae (Sunflower Family) Flesh-Colored Dandelion	G3Q S3	10	Alpine slopes and coarse, well-drained substrates. Nutzotin, Mentasta, Wrangell and St Elias Mts.
THLASPI ARCTICUM Brassicaceae (Mustard Family) Arctic Pennycress	G3 S3	2	Scree and gravel slopes and turfy places in alpine tundra. Southwest Wrangell Mts.
TRICHOPHORUM PUMILUM VAR. ROLLANDII Cyperaceae (Sedge Family) Rolland's Leafless-Bulrush	G5 S1	2	Bogs, damp, marshy lake shores, alkaline seepages, and moist calcareous Upper Chitina River
TRisetum SIBIRICUM SSP. LITORALE Poaceae (Grass Family) Siberian Oatgrass	G5T4Q S2	2	Moist grassy slopes and tundra, willow and alder thickets, meadows and along creeks. Alpine and subalpine. Nutzotin Mountains
VIOLA SELKIRKII Violaceae (Violet Family) Great-spurred Violet	G5? S3	1	Moist woodlands. Southern Wrangell Mts.

The Alaska Natural Heritage Program Ranking Definitions

G1: Critically imperiled globally, 5 or less occurrences

G2: Imperiled globally, 6 to 20 occurrences

G3: Either very rare and local throughout its range or found locally in a restricted range, 21 to 100 occurrences, threatened throughout its range.

G4: Widespread and apparently secure globally, though it may be quite rare in parts of its range, especially at the periphery.

G5: Demonstrably secure globally, though it may be quite rare in parts of its range.

T#: Global rank of the described subspecies or variety.

G#G#: Global rank of species uncertain, best described as a range between the two ranks

G#Q: Indicates some uncertainty about taxonomic status that might affect global rank

S1 = Critically imperiled in the state, 5 or fewer occurrences.

S2 = Imperiled in the state, 6 - 20 occurrences.

S3 = Rare or uncommon in the state, 21 - 100 occurrences.

NR = not reported

APPENDIX J

Wrangell-St. Elias National Park and Preserve Minimum Requirements Decision Guide

The Minimum Requirements Decision Guide (MRDG) is a process to identify, analyze, and select management actions that are the minimum necessary for wilderness administration. It applies direction from the Wilderness Act and incorporates a two-step process. Step 1 determines whether administrative action is necessary. If action is found to be necessary, then Step 2 provides guidance for determining the *minimum* activity. Step 2 has been referred to as determining the minimum tool but could include any type of activity, method, or equipment.

The MRDG can be used as:

- A process for evaluation and documentation
- A guide to help discuss proposals with interested parties; or
- A review of on-going management practices to determine if they are necessary or if a less intrusive practice can be implemented.

The MRDG is designed to assist with preparation of a NEPA analysis, if needed, but is not a substitute for a NEPA analysis. Portions of the MRDG may be transferable to a subsequent NEPA analysis.

Agency NEPA guidelines do not necessarily require a process to determine if administrative action in wilderness is necessary or to select the administrative activity that causes the least adverse effect to the wilderness resource and character. The MRDG provides a method to determine the necessity of an action and how to minimize impacts; NEPA analysis compares and discloses the environmental effects of alternatives, documents a decision and requires public involvement.

WORKSHEETS

“ . . . except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act...”

– the Wilderness Act, 1964

Step 1: Determine if any administrative action is necessary.

Description: Briefly describe the situation that may prompt action.
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The National Park Service (NPS) is considering issuing rights-of-way (ROW) certificates of access to persons with established and sustainable access routes and methods to land holdings within or effectively surrounded by Wrangell-St. Elias National Park and Preserve (WRST) under Section 1110(b) of ANILCA. This programmatic plan would limit consideration to those access routes and methods that currently exist, have not resulted in unacceptable impacts to park resources and values, and can be maintained in their present identifiable condition and character within the existing footprint. Access routes and methods beyond the scope of this programmatic plan are new access requests or those

requiring additional development, improvement or rerouting; access addressed by ANILCA 1111 and 43CFR 36.12 or 36CFR Parts 9A&B; or routes fording fish-bearing streams. In addition any access that is provided under ANILCA 1110(a) is not subject to this plan. The NPS is taking this current action to provide current authorization or a valid ROW certificate of access to cross public lands for owners of valid property rights within WRST. While providing for adequate and feasible access, the NPS also needs to identify these routes and methods of access to maintain each access facility in a condition that protects park resources and values, including wilderness values.

To determine if administrative action is necessary, answer the questions listed in A - F on the following pages.

A. Describe Valid Existing Rights or Special Provisions of Wilderness Legislation

Are there valid existing rights or is there a special provision in wilderness legislation (the Wilderness Act of 1964 or subsequent wilderness laws) that allows consideration of action involving Section 4(c) uses? Cite law and section.

Explain: Section 1110(b) of ANILCA and regulations at 43 CFR Part 36 govern access to inholdings in National Park system units in Alaska. Provision for adequate and feasible access is granted to owners of valid property rights within WRST notwithstanding any other law, so the agency can consider and grant access including permanent facilities, motorized equipment and mechanical forms of transportation in wilderness in compliance with the regulations. The regulations at 43 CFR 36.10 address routes and methods specifically.

B. Describe Requirements of Other Legislation

Do other laws require action?

Explain: ANILCA provides the specific guidance on this issue; the regulations also include a provision to utilize NEPA to evaluate applications for ROWs and access.

C. Describe Other Guidance

Does taking action conform to and implement relevant standards and guidelines and direction contained in agency policy, unit and wilderness management plans, species recovery plans, tribal government agreements, state and local government and interagency agreements?

Explain: NPS policies do not allow for the impairment of park resources. By documenting and making a determination on the adequate and feasible access route and methods for each landowner, impairment of park resources can be evaluated and possibly mitigated. The “guiding principles” for access to inholdings in park units in Alaska also sets standards and goals which this action will serve to implement (NPS-AK “Guide to Accessing Inholdings” publication; July 2007).

D. Describe Options Outside of Wilderness

Can this situation be resolved by an administrative activity outside of wilderness?

Explain: For the most part, the current access routes being considered in this plan reflect the substantially existing conditions when the park was established in 1980. In some cases routes have changed location or have been widened somewhat. Some routes started as foot trails or dog sled trails and have evolved into OHV trails, but overall the footprint of the activity has largely remained the same while the methods and uses have changed over time. The routes or access portals exist where they exist, and in some cases wilderness was designated to include the routes or airstrips. There is no real alternative in almost all these cases but to provide access through designated or eligible wilderness within the park. Access is legally appropriate and has been requested by landowners; the NPS has committed to evaluate access to private land for landowners and local communities.

E. Wilderness Character

Does taking administrative action preserve or impair wilderness character, as described by the qualities listed below?

Qualities: Untrammelled, undeveloped, natural, outstanding opportunities for solitude or a primitive and unconfined type of recreation, other unique components that reflect the character of this wilderness.

Explain: Overall this action will not contribute to wilderness character. Permanent roads could change the status of eligible wilderness lands as they would no longer meet the standard eligibility criteria for wilderness designation and the wilderness study may need to be amended to reflect some of these ROWs. However this action will provide an opportunity for the NPS and the landowners to agree upon the footprint that is warranted for 1110(b) access and a ROW can be issued that will document and permit existing access. Sustainable routes can be identified and conditions can be agreed upon that will avoid unnecessary impacts to park resources. These facilities can then be maintained in an identifiable condition and character into the future. Overall, these facilities will impact a small percentage of the designated and eligible wilderness in WRST.

F. Describe Effects to the Public Purposes of Wilderness

Is taking administrative action consistent with the public purposes for wilderness (as stated in Section 4(b) of the Wilderness Act) of recreation, scenic, scientific, education, conservation, and historical use?

Explain: No. The provisions of 1110(b) require that adequate and feasible access be provided, so these public purposes are taken into consideration in how the ROWs and methods of use are issued and managed, not in whether or not they are issued.

Step 1 Decision: Is any administrative action necessary?

Explain: Yes. The NPS has a legal responsibility to evaluate and provide for adequate and feasible access to inholdings under ANILCA Section 1110(b) and regulations at 43 CFR Part 36.10. The issuance of ROW certificates of access could provide for more sustainable and less impacting routes and methods that would better protect wilderness resources through permit conditions and discussions with landowners.

If action is necessary, proceed to Step 2 to determine the minimum activity.

STEP 2: This step will be completed as an individual analysis with the issuance of each ROW certificate of access to ensure that the access route and type of access in wilderness is the minimum requirement that will meet the needs of the landowner and also protect the wilderness resources to the greatest extent feasible.

Approvals	Signature	Name	Position	Date
Prepared by:		Judy Alderson	AKRO Wilderness Coordinator	8/23/07
Recommended:				
Recommended:				
Approved:				