

# Glacier Bay National Park

## Part III - Finding of No Significant Impact

February 2023



Part III - FONSI



**National Park Service  
US Department of the Interior**

**Glacier Bay National Park  
Alaska**

**FINDING OF NO SIGNIFICANT IMPACT  
Glacier Bay National Park  
Marine Management Plan and  
Environmental Assessment**

Recommended:

*Signature on file*

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Philip Hooge  
Superintendent, Glacier Bay National Park and Preserve

Date

Approved:

*Signature on file*

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Sarah Creachbaum  
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Date

## FINDING OF NO SIGNIFICANT IMPACT

### 1.1 INTRODUCTION

In compliance with the National Environmental Policy Act (NEPA), the National Park Service (NPS) prepared an Environmental Assessment (EA) to examine alternative actions and environmental impacts associated with marine management at Glacier Bay National Park and Preserve (the park). Action is needed to provide a long-term Marine Management Plan (final plan) that addresses (1) changing visitor use patterns, (2) potential new vessel technology, (3) rapidly changing environmental conditions in the context of research results that established and improved the understanding of the relationships between resources and vessel activities after the 2003 Vessel Quotas and Operating Requirements Record of Decision (2003 VQOR ROD) was completed, (4) increasing opportunities to visit the park according to founding park purposes, and (5) providing visitors on private vessels with balanced and equitable access to the park in a manner that helps achieve the park's desired conditions.

The statements and conclusions reached in this Finding of No Significant Impact (FONSI) are based on documentation and analysis provided in the EA and associated decision file. Relevant sections of the EA are summarized and incorporated by reference below. The EA is available at <https://parkplanning.nps.gov/GBwaters>. The final plan is included as Part I and outlines strategies and provides broad guidance for the management of specific marine areas in the park. The final plan articulates a general management vision, objectives, zoning and desired conditions. It details zone-specific strategies and actions and describes monitoring to support implementation of the final plan.

The public was provided two opportunities to comment on the planning process. The NPS accepted public comments during scoping from August 9 to September 9, 2022. The EA and draft plan were released to the public for review on November 30, 2022, and were open for comment until December 30, 2022. A summary of public comments received and responses from the NPS are provided in Attachment A of this document. Minor modifications to the EA are provided in Attachment B. The EA was released together with a draft plan, consistent with guidance from the Council on Environmental Quality (CEQ). In Question 21 of its "Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations," (1986) CEQ addresses combining environmental and planning documents. The guidance states that environmental impact statements (EISs) (and EAs) may be combined with any other agency document to reduce duplication and paperwork. When doing so, the EA can be attached to the plan, but must stand on its own analytically to inform decisionmakers and the public of the environmental effects of the proposal and those of the reasonable alternatives.

### 1.2 SELECTED ALTERNATIVE AND RATIONALE FOR DECISION

#### 1.2.1 Selected Alternative

The NPS analyzed four alternatives in detail in the EA. Based on this analysis, the NPS selected alternative D as the alternative for implementation because it best meets the purpose of, and need for action, without causing significant impacts on park resources. The selected alternative is described in the EA in section 2.7 and includes programmatic and site-specific actions as defined in sections 2.3 and 2.4 of the EA and in Table 1. Some programmatic actions may require additional NEPA compliance once the scope and design for these actions are sufficiently developed, as detailed below. All actions presented

below are substantively the same as the described in the EA, but some minor grammatical changes have been incorporated.

**TABLE 1. NEPA COMPLIANCE STATUS FOR PROGRAMMATIC ACTIONS AND SITE-SPECIFIC ACTIONS UNDER THE SELECTED ALTERNATIVE**

Type of Action	Specific Action	NEPA Compliance
Programmatic Actions	Broad marine management framework including zoning	Compliance covered in this NEPA review.
	New vessel definitions	Compliance covered in this NEPA review.
	Clarification of transit permit conditions	Compliance covered in this NEPA review.
	Floating cabins/seasonally moored vessels for administrative use	Additional site-specific NEPA compliance to be completed as appropriate.
	Communication upgrades	Additional site-specific NEPA compliance to be completed as appropriate.
	Oceanographic monitoring stations	Additional site-specific NEPA compliance to be completed as appropriate.
Site-Specific Actions	Modified private vessel permit conditions for Glacier Bay	Compliance covered in this NEPA review.
	Operating requirements for all motorized vessels	Compliance covered in this NEPA review.
	Monitoring for and management of administrative use and nonmotorized vessels and conditional transit permit conditions	Compliance covered in this NEPA review.
	Indicators, thresholds, and corrective management actions	Compliance covered in this NEPA review. Restrictions and closures would be accomplished consistent with the process outlined in 36 Code of Federal Regulations (CFR) §13.50 and/or other relevant regulations.

### 1.2.1.1 Broad Marine Management Framework

Under the selected alternative, the Non-Wilderness Waters Zone, defined in the 1984 General Management Plan, will be further subdivided into three subzones. The three new management subzones are the Glacier Bay Zone (including the Glacier Bay East Arm and Glacier Bay Nonmotorized areas), the Icy Strait/Cross Sound Zone, and the Outer Coast Zone (see chapter 2 of the final plan for full descriptions of the management zones).

### 1.2.1.2 New Vessel Definitions

To better manage vessels, resources, and visitor experiences within Glacier Bay, the selected alternative formalizes the definitions of a nonmotorized vessel, lower-impact vessel, administrative use motorized vessel, and clarifies the vessel definition for private vessels longer than 79 feet.

#### Nonmotorized Vessel

A nonmotorized vessel is a vessel without an engine of any kind that is solely propelled by sails or human power such as paddles, pedals, or oars. Vessels in this category include, but are not limited to, kayaks, paddleboards, pedal boats, rowboats, and sailboats without an engine. Any vessel with an engine, even if it is not being used or contains a non-operational motor, is a motorized vessel. Nonmotorized vessels are

allowed to operate in nonmotorized waters, as well as in waters that are open to all vessel classes. Nonmotorized vessels are not subject to the private vessel permitting criteria.

### **Lower-Impact Vessel**

A lower-impact motorized vessel is a vessel that by design or technology consumes less fuel and produces less pollution (air or water), makes minimal noise, creates smaller wakes, and travels at lower maximum speeds, thereby having fewer negative impacts on wildlife, park resources, and other visitors. In recognition that the impacts of vessels vary based on certain characteristics, the park will encourage the use of these types of vessels by creating a lower-impact vessel category. Initial examples of lower-impact vessels may include those that are operating certain types of propulsion, are  $\leq 75$  horsepower, have a displacement hull (non-planing), and have a maximum speed of  $\leq 10$  knots. The park would annually share the characteristics of a lower-impact vessel and would seek public feedback. The park may exclude private lower-impact vessels from requirements directly related to the effects of this vessel type under existing regulatory processes (36 Code of Federal Regulations [CFR] § 13.50), such as distance to shore requirements, based on science and visitor experience conditions. The park may discontinue operating requirements tailored to lower-impact vessels if desired conditions are not being met.

### **Administrative Use Motorized Vessel**

The new administrative use vessel category will consist of any motorized vessel that is engaged in official business for the state, tribal, or federal government in support of park operations, programs, and for activities that include cultural uses, research, resource protection, education, and emergency services. This category also captures existing NPS-authorized non-recreational uses such as public access for educational activities, tribal access for traditional activities, guaranteed access to inholdings, and commercial fishing (where allowed under Public Law 105-277 Sec. 123).

Administrative use vessels include, but are not limited to, NPS-owned vessels, NPS-chartered vessels, state of Alaska vessels, US Coast Guard vessels, National Oceanic and Atmospheric Administration vessels, vessels operated by Special Use Permit holders, commercial fishing vessels operated by Lifetime Access Permit holders, contractor vessels, and essential service providers such as marine towing/repair/salvage services and the fuel tug and barge.

Administrative use vessels for cultural purposes include vessels used to provide Hoonah Indian Association (HIA) access under tribal reserved rights to Chookanhéeni (acquired Berg Bay inholding), Xunaa Shuká Hit (the Tribal House), and for other non-commercial cultural purposes such as tribally sponsored trips into Glacier Bay.

### **Clarification of Vessel Definition for Private Vessels Longer Than 79 Feet (24 Meters)**

Private vessels longer than 79 feet (overall length) meet the 2003 VQOR ROD size definitions as tour vessels and cruise ships and will not be considered a private vessel class. Specific requirements for these vessels will be published and updated in the Park Compendium and would include stringent operating conditions similar to those for commercial vessels of equivalent size that minimize injury or damage to park resources, minimize conflict with other existing users, and ensure that the visit meets the purposes for which the park was established.

#### **1.2.1.3 Clarification of Transit Permit Conditions**

The selected alternative formalizes the potential availability of a conditional transit permit for exit from or entry to Bartlett Cove. Private vessels using the one-way conditional transit permit will be time-limited and travel solely on a mid-channel or other prescribed course between Icy Strait and Bartlett Cove.

Specific requirements and provisions will be implemented in the form of stringent conditions that minimize injury or damage to park resources, minimize conflicts with other users, and ensure that the visits meet the purposes for which the park was established. The conditional transit permit will only be available to owner-occupied private vessels for one-way travel for recreational purposes upon confirmation that the transit is not related to any commercial interests, including transit for staging the vessel in or out of the park that would provide commercial advantage (per existing NPS regulation at 36 CFR § 5.3). Conditional transit permit conditions will be defined in the Park Compendium.

#### **1.2.1.4 Floating Cabins/Seasonally Moored Vessels for Administrative Use**

Under the selected alternative, the NPS will install two floating cabins for administrative use, one new floating cabin (Lituya Bay) and the reestablishment of a floating cabin in a previous site (Graves Harbor). In place of these cabins, the NPS may use marine vessels moored seasonally. Once the scope and design for these actions are sufficiently developed, the park will complete additional site-specific NEPA reviews, as appropriate, prior to implementation.

#### **1.2.1.5 Communication Upgrades**

Under the selected alternative, the NPS will upgrade existing and deploy new communication infrastructure within the next one to three years. The primary communication system will be an automatic identification system (AIS), an automatic vessel tracking system that uses transceivers on vessels and land-based receiver stations.

AIS transponder sites will be co-located at ten existing installation sites in the park or on adjacent lands outside designated Wilderness with the goal of full coverage of park waters. Potential installation locations include Glacier Bay (West Arm, East Arm, Beartrack Mountain), Icy Strait (Excursion Inlet), Cross Sound (Cape Spencer), and the outer coast (Cape Spencer to Icy Point and Icy Point to Cape Fairweather).

Existing very high frequency (VHF) radio (e.g., ParkNet) infrastructure may be upgraded (e.g., in the park at Beartrack Mountain, Idaho Ridge, Bartlett Cove, and Deception Hills; also at Althorp Peak [US Forest Service]). The continued maintenance of VHF repeaters is vital to park operations. Failure of repeaters will present risks to health and safety of park employees and visitors. Once the scope and design for these actions are sufficiently developed, the park will complete additional site-specific NEPA, permitting, and other reviews as appropriate, prior to implementation.

#### **1.2.1.6 Oceanographic Monitoring Stations**

Under the selected alternative, the NPS will install oceanographic moorings, with up to three moorings set in the Outer Coast Zone and up to three moorings in the Glacier Bay Zone. Each mooring will be anchored to the ocean floor year-round and include removable flotation buoys and tethered equipment at depths and locations that minimize risks to vessels. Anchors may be abandoned on the ocean floor. Once the scope and design for these actions are sufficiently developed, the park will complete additional site-specific NEPA review prior to implementation.

#### **1.2.1.7 Modified Private Vessel Permit Conditions for Glacier Bay**

*Private Vessel Permit Length.* The default maximum duration for private vessel permits will be five days (four nights) per permit. However, if there are characteristics of a vessel that makes those trips untenable (e.g., slower moving vessel), the NPS may grant a permit extension to seven days (six nights).

*Permit Season and Quota Season.* The private vessel permit season will begin on May 1 and end on September 30 to coincide with the seasonal call-in/call-out requirement, which will remain May 1 through

September 30. In May and September, private motorized vessels will be required to hold a permit, but this permit will be obtained online or through in-person registration, and no quotas will apply during these months because visitation currently is far below existing summertime use. Boaters will be required to complete an in-person boater orientation prior to entering Glacier Bay May 1 through September 30. Online boater orientations may also be made available. The quota season will be June 1 through August 31.

*Obtaining a Private Vessel Permit.* Twenty-five private vessel permits will be available each day during the quota season. Fifteen of the 25 permits will be advance-notice permits and made available on February 1 using a random draw lottery with one lottery entry per vessel (each entry allows the boater to try for multiple sets of desired permit dates). Applicants will be notified in a timely fashion after the lottery. Any remaining advance-notice permits will be posted before a second random draw lottery with applications accepted April 30 to May 1. After the second lottery, any remaining advance-notice permits will be issued on a first come, first served basis.

Ten of the 25 permits will be short-notice permits. The short-notice permit application window is three days in advance of the permit start date. Short-notice permit applications will be accepted between midnight (12:01 a.m. AK) to 10:00 a.m. AK, three days before the permit start date, with one lottery entry per vessel. A random draw lottery will occur around 11:00 a.m. AK, three days before the permit start date.

At any one time, a private vessel may hold up to two permits (two permits sequentially, or two permits for different date ranges). However, only one advance-notice permit can be held per vessel each year. Permits would be issued to a vessel, not a person, and would be non-transferable between vessels.

Private vessels longer than 79 feet will not be allowed to access Glacier Bay using a private vessel permit. However, the Superintendent may reallocate any unused cruise ship or tour vessel use days for use by private vessels longer than 79 feet that apply for a permit specifying the range of dates interested, provide proof of liability insurance, and meet other set pre-qualifications. These vessels will then be managed as a cruise ship or as a tour vessel and would be subject to similar operating requirements.

Unused cruise ship or tour vessel use days will only be issued on the same day the use day is available to retain flexibility and priority for commercial operators that serve the broader public visiting the park under an established contract. Unused cruise ship use days will first be made available to tour vessels, and then to private vessels longer than 79 feet. Unused tour vessel use days will first be made available to charter operators, followed by private vessels longer than 79 feet.

*Confirmation of Permit.* From June 1 through August 31, all private vessel permits must be confirmed any time before 5:00 p.m. AK time the day before the start of the permit.

*Use of Permit.* If a permittee does not utilize the first day of the permit, the entire permit will be relinquished to the NPS to make the unused days available to another vessel. In the event of a safety concern, or an emergency that precludes the vessel operator from using the permit, the NPS may consider approving a delay in the permit start date. The permit also must be used on each consecutive day, or it will be terminated, and any remaining permit days will be made available to another vessel. In the event of a safety concern or an emergency that precludes the vessel operator from using consecutive permit days, the NPS may consider approving an exception to this policy.

### **1.2.1.8 Operating Requirements for All Motorized Vessels**

Operators of all motorized vessels will be required to call-in/call-out of Glacier Bay with the Visitor Information Station from May 1 through September 30 and when the vessel passes the fuel dock leaving or entering Bartlett Cove. Motorized vessels will be prohibited from entering designated nonmotorized waters when they are seasonally closed to motorized vessels. Only motorized vessels in the private, charter, and administrative use classes are allowed in the East Arm/Muir Inlet north of 58°50.4' N latitude (a line running west from the Dirt Glacier outwash).

Upper Muir Inlet, north of 59°02.7' N latitude, will be designated as nonmotorized waters from May 1 through July 15 with motorized vessels allowed in Upper Muir Inlet from July 16 through April 30. Wachusett Inlet will be designated as nonmotorized waters from July 16 through September 15 with motorized vessels allowed in Wachusett Inlet from September 16 through July 15. This change will result in a separate rulemaking process to update 36 CFR § 13.1180, "Closed waters, motor vessels and seaplanes."

### **1.2.1.9 Monitoring for and Management of Administrative Use and Nonmotorized Vessels**

Under the selected alternative, the NPS will set management triggers for administrative and nonmotorized vessel use to track and manage vessels that do not have a quota defined in 36 CFR § 13.1160.

*Administrative Use Vessels.* The NPS will set an initial calendar year management trigger for motorized administrative use vessels at 600 use days in Glacier Bay. The park will track the number of administrative use vessels daily and evaluate the need to adjust the management trigger annually as described in chapter 4 of the final plan. Additionally, the park will periodically report administrative use vessel numbers in Glacier Bay to the public along with rationales for any proposed changes to the annual management trigger.

*Nonmotorized Vessels.* The NPS will set two separate management triggers (day use and overnight) to manage nonmotorized vessel use levels in Glacier Bay. For day use, the management trigger will be set at 75 nonmotorized vessels per day. For overnight use, the management trigger will be set at 62 nonmotorized overnight vessels per day. Additional detail on these management triggers and management responses can be found in chapter 4 of the final plan.

### **1.2.1.10 Conditional Transit Permit Conditions**

No more than one conditional transit permit will be allowed at any one time (with a limit of one way per day per vessel) and will depend on availability within the daily private vessel quota. If the private vessel seasonal-use day quota (2,300 private vessels from June 1-August 31) is exceeded, the availability of this permit will be reduced in the future. The conditional transit permit will only be available to owner-occupied private vessels for recreational purposes upon confirmation that none of the occupants aboard have any business interests and where transit for staging the vessel in or out of the park does not offer any commercial advantage (per existing NPS regulation at 36 CFR § 5.3).

### **1.2.1.11 Indicators, Thresholds, and Corrective Management Actions**

The final plan establishes indicators, thresholds or triggers, and monitoring protocols using the framework created by the Interagency Visitor Use Management Council (detailed in chapter 4 of the final plan). The NPS will use the least restrictive mechanism or management tool necessary to achieve desired future resource conditions for an area, reduce visitor conflict, or protect visitor safety. Corrective management actions are as follows, and are detailed in chapter 3 of the final plan:



- Education
- Increased enforcement of existing regulations
- Voluntary measures, such as voluntary registration, avoidance of certain areas
- Required registration in areas where permits are not already required
- Requirements governing means of access, such as designating routes and strategies to stagger or disperse access
- Management of commercial activity through adjustments of contracts and other commercial use permits
- Regulate numbers of visitors through the establishment of quotas in areas of the park where no existing quotas exist. The regulation of visitors through the establishment of additional quotas will require additional NEPA compliance prior to implementation and is not analyzed in the EA.
- Temporal restrictions such as changes to access during times of day or days of week
- Temporary and long-term closures. Restrictions and closures will be accomplished consistent with the process outlined in 36 CFR §13.50 and/or other relevant regulations.

### **1.2.2 Rationale**

The selected alternative best meets the purpose and need because it allows more equitable access to Glacier Bay during the quota season, and it increases opportunities to visit the park according to founding park purposes. Based on public comments during scoping, the NPS created alternative D, the selected alternative, to address concerns that establishing overnight and day use permits under the other alternatives would add unnecessary complexities to the permitting process and not give visitors a fair chance of receiving a permit. The public had concerns that the other alternatives may be bias against small vessels by differentiating permits between day use and overnight use. The selected alternative does not make a distinction between day use and overnight use for each permit. The selected alternative extends the permit season to address increasing visitation in May and September to protect park resources and values and simplifies nonmotorized waters dates in the East Arm to make it easier for the public to understand and abide by these requirements, The selected alternative incorporates these public comment concerns and presents a streamlined private vessel permitting system that is anticipated to benefit the broadest array of private vessel operators.

### **1.2.3 Changes to the Selected Alternative**

The NPS added clarifications to some elements of the selected alternative but made no substantive changes. Minor edits and clarifications are included in Attachment B, Errata.

## **1.3 MITIGATION MEASURES**

The NPS places strong emphasis on avoiding, minimizing, and mitigating potentially adverse environmental impacts. Therefore, the NPS will implement multiple mitigation measures and best management practices to protect natural, cultural, wilderness resources, and the visitor experience. These measures and practices are described in detail in appendix D of the final plan and are hereby incorporated by reference. As stated in the EA, these mitigation measures and best management practices are included

as integral parts of the selected alternative. Mitigation measures were not needed to reduce impacts below a level of significance but do reduce impacts on the resources, as presented in chapter 3 of the EA.

The NPS has the authority to implement the mitigation measures presented in appendix D under the Organic Act, The National Historic Preservation Act, NPS Management Policies 2006, park-specific regulations at 36 CFR Part 13 Subpart N, and other federal and state applicable requirements.

## **1.4 SIGNIFICANCE CRITERIA REVIEW**

### **1.4.1 Potentially Affected Environment**

The project area primarily encompasses all marine waters (approximately 537,000 acres) in the park from just north of Cape Fairweather on the outer coast to Excursion Inlet in Icy Strait, including the waters of Glacier Bay. Marine waters are inclusive of submerged lands (seafloor), the marine water column, and shorelines below mean high tide within the park. Vessel permits and quotas apply to all marine waters within Glacier Bay as described in 36 CFR § 13 Subpart N. The project area does not include waters in Bartlett Cove east of the fuel dock (where vessel permits and quotas do not apply). Impacts from communication upgrades will extend beyond the marine environment to some existing terrestrial sites.

Resources within the potentially affected environment that may be beneficially or adversely impacted include visitor use and experience, the airborne and underwater acoustic environment, marine wildlife, and ethnographic resources and Tlingit Homeland values.

### **1.4.2 Degree of Effects of the Action**

The NPS considered the following actual or potential project effects in evaluating the degree of effects (40 CFR 1501.3(b)(2)) for this selected alternative.

#### **1.4.2.1 Beneficial and Adverse, and Short-term and Long-term Effects of the Selected Alternative**

No significant impacts to resources were identified that would require analysis in an EIS. Whether taken individually or as a whole, the impacts of the selected alternative, including direct, indirect and cumulative effects, do not reach the level of a significant effect because most adverse impacts associated with implementation would be minimal, spatially confined, or temporary, lasting only as long as management actions are being executed. Best management practices and mitigation measures identified in appendix D would further minimize any potential adverse impacts.

#### **Visitor Use and Experience**

As discussed in chapter 3 of the EA, section 3.3.2, the selected alternative will provide long-term benefits to visitor use and experience, primarily for private boaters, by implementing changes to the permitting system that help ensure permits are more fully utilized. The selected alternative includes changes (e.g., length of permit, ways to obtain a permit, conditional transit permit) to the private vessel permitting system affecting about 2,400 annual visitors to the park. The new ways permits are issued will allow all private boaters an equal opportunity to obtain a permit and to plan further in advance. This could benefit visitors who are coming to the park from further away, who have had less opportunity to obtain a permit in the past. Private vessel operators should have more opportunities to access amenities in Bartlett Cove, due to the conditional transit permit. Repeat visitors who were accustomed to the prior system for allocating permits may be temporarily adversely affected by the changes to the system, but ultimately,

these visitors will have the same opportunities under both systems and once acclimated to the new procedures, should not continue to be adversely impacted. Updating the park's private vessel permit system will provide more equitable access opportunities to a greater number of different private boaters to experience the glacial environment consistent with park purposes. Other changes, such as changes to operating requirements for cruise ships, tour vessels, private vessels longer than 79 feet and nonmotorized access in Upper Muir Inlet and Wachusett Inlet are not expected to impact the overall use of the park or the visitor experience for most visitors in Glacier Bay because these changes impact only a small proportion of visitors, only apply during the permit season, and other experiences are available close to these locations. Additionally, these changes may have long-term benefits to other user groups wishing to have a smaller boat experience or nonmotorized experience. Some minor, short-term (lasting approximately 7-14 days for installation activities) adverse impacts associated with temporary construction and installation activities are expected with the installation of floating cabins/seasonally moored vessels, communication upgrades, and oceanographic monitoring stations due to noise and visual intrusions. Overall, especially in light of the fact that these actions affect less than 1% of park visitors as a whole, the EA did not identify significant adverse impacts to visitor use and experience and will improve the visitor experience at the park.

### **Airborne and Underwater Acoustic Environment**

As discussed in chapter 3 of the EA, sections 3.4.2 and 3.5.2, the selected alternative is anticipated to result in short-term, adverse impacts to the airborne and underwater acoustic environment resulting from the installation of floating cabins/seasonally moored vessels, communication upgrades, and oceanographic monitoring stations, lasting only as long as construction occurs over the course of approximately 7-14 days for each site. The installation of these will involve the use of motorized vessels and possibly float planes and will affect the airborne and underwater acoustic environment through increased noise, although impacts will be temporary, limited in nature, and occurring only during installation or maintenance activities. Given the ambient noise from the ocean environment, and the intermittent and spatially localized nature of these actions, impacts on the airborne and underwater acoustic environment will not be significant.

Helicopter flights associated with communication upgrades will introduce noise into remote areas of the park, which will decrease noise-free intervals (NFI), although most of the helicopter noise will be of short duration and occur intermittently (up to ten landings per site for installation and two annual landings per site for maintenance). Helicopter noise will be most audible and disruptive as the helicopter flies over or hovers at low elevation near project sites. Highest intensity impacts from helicopters would be temporary, ceasing once operations have concluded, likely after an estimated one day for each site with intermittent intensity of sound lasting minutes, followed by similar but infrequent noise impacts from any subsequent flights that may be necessary for maintenance of equipment. Best management practices and mitigation measures detailed in appendix D will further reduce impacts related to helicopter use. Generally, because project noise will not dramatically change current conditions and it will be intermittent and temporary in remote areas of the park, ending once project activities are complete, adverse impacts to the airborne acoustic environment from these installations will not be significant.

Establishing a conditional transit permit for entry to and exit from Bartlett Cove will increase the number of vessels in the Lower Bay in transit to or from Icy Strait, compared to current conditions. Establishing a conditional transit permit is expected to adversely affect the airborne and underwater acoustic environment by decreasing NFI in the Lower Bay. Only one conditional transit permit will be allowed at any one time, and the total number of vessels will not exceed the daily private vessel quota or the

seasonal-use day quota (2,300 private vessels from June 1-August 31). For this reason, impacts to the airborne and underwater acoustic environment are not expected to increase significantly compared to current conditions.

Reducing the number of private vessels longer than 79 feet within the park is expected to decrease overall noise throughout Glacier Bay over the long-term. Changes in nonmotorized waters in Upper Muir Inlet will notably increase NFI duration during the month of May in Upper Muir Inlet. Extending the end of the nonmotorized water date in Wachusett Inlet might decrease airborne and underwater noise and increase NFI duration during that two-week timeframe. Because Wachusett Inlet experiences very little vessel traffic, this will not represent a significant change compared to current conditions.

### **Marine Wildlife**

As discussed in chapter 3 of the EA, section 3.6.2, the installation of floating cabins/seasonally moored vessels, communication upgrades, and oceanographic monitoring stations will result in additional boat, float plane, and/or helicopter movements within the park during construction and maintenance, which could generate additional airborne and underwater noise and increase vessel presence within the park, lasting only as long as construction and maintenance occur over the course of approximately 7-14 days for each site. There could be a slight increase in the potential for vessel strikes with humpback whales, disturbance to Steller sea lions at haul-out sites or rookeries, flushing of seabirds, disturbance to many marine wildlife species (including harbor seals) from vessel noise and increased vessel presence, and mooring line impacts to whales. Given the intermittent and spatially localized nature of the programmatic actions in addition to mitigation measures and best management practices described in appendix D, the actions are not expected to measurably impact marine wildlife species throughout most of the park.

Establishing a conditional transit permit will increase vessel traffic in the Lower Bay as vessels enter or exit Bartlett Cove and could impact marine wildlife species in this area. Private vessels using the conditional transit permit will be required to follow a mid-channel or other prescribed course to reduce the risk of collisions and disturbance for humpback whales. Additionally, only one transit permit will be allowed at any one time and the total number of private vessels will not exceed the existing private vessel quota of 25 vessels per day. Overall, there will not be significant impacts to marine wildlife.

Changes in the management of private vessels longer than 79 feet may result in a minimal decrease in underwater vessel noise throughout Glacier Bay which may benefit marine wildlife and could reduce the likelihood of vessel strikes to whales by large vessels, which are more likely to be fatal than strikes by small vessels. Additionally, restricting larger vessels from the majority of the East Arm/Muir Inlet (north of 58°50.4' N latitude (a line running west from the Dirt Glacier outwash)) may benefit marine wildlife in the long-term by limiting vessel disturbance and will decrease underwater noise from these vessels in those areas of Glacier Bay.

Extending the duration of the nonmotorized waters in Upper Muir Inlet (extending by one month) and Wachusett Inlet (extending by 15 days) when motorized vessels are not allowed to enter may decrease disturbance to marine wildlife in these inlets for an additional month and a half by removing airborne and underwater noise from motorized vessels. These changes may also decrease behavioral disturbance (e.g., seabird flushing and diving) from reduced motorized vessel presence and wakes over the long-term.

The park may exclude lower-impact vessels from some specific operating requirements, such as distance to shore requirements. Allowing lower-impact vessels to travel closer to shore will increase the likelihood of close encounters with humpback whales that feed within 1 mile of shore. However, by definition, a lower-impact vessel will not be traveling faster than 10 knots, which is less than the 13-knot speed

restriction imposed on vessels when high numbers of whales are present. This will help minimize potential vessels strikes of whales because whales are more able to move out of the way of a slower moving vessel.

As NPS moves toward implementing the lower impact vessel category for private vessels it will entail collecting underwater sound profiles of various vessels to refine the criteria for this designation, as well as other aspects of vessel characteristics, to ensure that any advantages are applied fairly and appropriately. Prior to implementing specific operating requirements for lower impact vessels, NPS will also examine lower bay whale distribution data to determine the distance from shore at which these vessels may safely transit while still complying with the  $\frac{1}{4}$  nautical mile minimum approach distance to humpback whales, so that the risks of collision and disturbance remain low. Operating requirements for lower impact vessels will undergo the same information-based process that is used for whale waters closures under 36 CFR 13.50 to ensure they are responsive to observations and recommendations from NPS biologists and law enforcement staff. With the mitigation measures and best management practices in appendix D, there will be no significant adverse impacts to marine wildlife.

### **Ethnographic Resources and Homeland Values**

As discussed in chapter 3 of the EA, section 3.7.2, the marine waters of Glacier Bay, Icy Strait, Cross Sound, and the Outer Coast are inextricably connected to the Huna and Yakutat Tlingit history and identity and encompass traditional seasonal rounds and associated resource gathering areas, and places of historic importance including settlement sites and camps. The marine waters of Glacier Bay support tangible and intangible ethnographic resources associated with the Tlingit, such as social organization, territory, subsistence, sacred sites, and many traditional cultural properties.

The selected alternative will have a long-term beneficial impact on ethnographic resources and Homeland values through increased cultural education for visitors and a reduction in larger vessels in some areas of the park (e.g., private vessels longer than 79 feet in Glacier Bay, and cruise ship and tour vessels in the East Arm/Muir Inlet). Additionally, the selected alternative will facilitate tribal access and cultural connections to the marine environment of the park by including tribal vessel entries in the administrative use category (tribal vessel access is authorized through the Alaska National Interest Lands Conservation Act of 1980 provisions for individuals/entities accessing inholdings, in this case the Berg Bay culture camp). The installation of floating cabins/seasonally moored vessels in Lituya Bay and Graves Harbor may result in adverse impacts to cultural landscapes and Homeland values because both are culturally sensitive areas. These floating cabins/seasonally moored vessels are analogous in impacts and effects to traditional vessels and only impact the seafloor with standard anchoring systems. Currently, there are no known underwater archaeological sites or shipwrecks recorded in areas with proposed installations, however, a database search for known underwater sites/shipwrecks will be undertaken prior to installation of these moorings to ensure no future impacts occur. Administrative activity and regulatory presence have a potential for ethnographic impacts if users inadvertently disrespect a sensitive cultural area or if use of the floating cabin/seasonally moored vessel is not inclusive of continued and meaningful park-tribe partnerships. The park will coordinate with the HIA and Yakutat Tlingit Tribe (YTT) to consider culturally appropriate options for floating cabins/seasonally moored vessels and will conduct tribal consultation to minimize impacts on cultural resources (e.g., cairns) and landscapes prior to installation. Further compliance may be required prior to installation, including but not limited to cultural resource surveys.

The EA found no significant adverse impacts to ethnographic resources or Homeland values.

#### **1.4.2.2 Degree to Which the Proposed Action Effects Public Health and Safety**

The selected alternative will improve public health and safety. The selected alternative includes communication upgrades (VHF radio and AIS) intended to improve communication, thereby enhancing public safety. The AIS installations under the selected alternative use transceivers on vessels and land-based receiver stations. AIS information supplements marine radar, which is the primary method of collision avoidance for marine vessels. AIS is now a required element of all marine concessions contracts to ensure contract provisions and increase safety. AIS infrastructure will enhance safety and search and rescue capabilities in the park. The NPS will install up to two floating cabins/seasonally moored vessels for administrative use, one new floating cabin (Lituya Bay) and the reestablishment of a floating cabin in a previous site (Graves Harbor). While primarily intended for NPS administrative use, the floating cabins/seasonally moored vessels can also serve as emergency shelter for the general public (while recognizing that the nature of marine emergencies across the park's nearly 1,200 miles of shoreline typically demand immediate aid by nearby marine vessels and air-based rescues). Expanding the private vessel permit season to begin on May 1 and end on September 30 to coincide with the seasonal call-in/call-out requirement will enable the NPS to increase visitor safety by being able to access key trip information from visitors and potentially increase the ability of NPS to quickly respond to emergency situations.

#### **1.4.2.3 Effects That Would Violate Federal, State, Tribal, or Local Law Protecting the Environment**

The selected alternative does not threaten or violate applicable federal, state or local environmental laws or requirements imposed for the protection of the environment. A detailed discussion of impacts to marine wildlife resulting from the selected action is included in chapter 3 of the EA, section 3.6.2.

The NPS consulted with the US Fish and Wildlife Service's (USFWS) Southern Alaska Fish and Wildlife Field Office and the National Marine Fisheries Service (NMFS) under Section 7 of the Endangered Species Act. NPS concluded that the project would have "*no effect*" on the short-tailed albatross given that there have been no known observations at the park. The NPS sent a letter to USFWS notifying them of their effect determination for short-tailed albatross on November 30, 2022. The NPS sent an informal consultation letter to NMFS on November 30, 2022 for actions under the preferred alternative. NMFS requested that the NPS review the reinitiation criteria found at 50 CFR § 402.16 for proposals modifying actions from the 2003 VQOR ROD and associated Biological Opinion (BO). In a letter sent to NMFS on January 30, 2023, the NPS stated it evaluated all actions proposed in the EA and determined that actions that would modify aspects of the 2003 VQOR EIS previously addressed in formal consultation do not warrant reinitiation of consultation at this time. The NPS notified NMFS that the remainder of its proposed actions would have "*no effect*" on the endangered western distinct population segment (DPS) of the Steller sea lion, the threatened Mexico DPS of humpback whales, and several additional ESA-listed large whales found in park waters.

Under the Marine Mammal Protection Act, the NPS determined that an Incidental Take Authorization was not needed for northern sea otters. The NPS sent a letter to USFWS notifying them of this determination on November 30, 2022.

The NPS determined that the selected action would have no adverse effects to essential fish habitat under the Magnuson-Stevens Fishery Conservation and Management Act for Essential Fish Habitat. The NPS sent a letter to NMFS notifying them of this determination on November 30, 2022.

The NPS consulted with the Alaska State Historic Preservation Office (SHPO) under the National Historic Preservation Act for the selected alternative. The SHPO, on December 28, 2022, concurred with the finding of no historic properties adversely affected by the selected alternative.

The planning effort has been informed by ongoing, informal and formal government-to-government consultation with the HIA and the YTT, representing the original people and stewards of Glacier Bay. These federally recognized tribal governments represent the interests of their respective tribal members, the Huna Tlingit and the Yakutat Tlingit. The NPS collaborated with both tribes to ensure that the plan and EA addressed longstanding tribal priorities, advanced challenging conversations about Homeland values, and established a clear pathway for collaboratively resolving challenging issues (vessel access, traditional fishing and ceremonial seal hunting opportunities, land acknowledgement protocol). Aspects of the process included:

- Regular ongoing conversations with tribes, the park tribal liaison, and the park Superintendent
- Pre-review and cooperative preparation of all sections and/or language pertaining to Homeland or cultural life ways
- Advance copies of a draft newsletter prior to public scoping release with an invitation for input
- Park Superintendent travel to Hoonah for a scoping public meeting and personal conversation with tribal leaders and follow-up travel to a Juneau, AK HIA Board of Director's meeting
- An in-person government-to-government dialogue in the form of a meeting as part of formal Tribal Consultation (December 13, 2022) overlapping with public review of the draft plan and EA

The final plan and EA features tribal ethnographic and Homeland content and incorporates Tlingit language to encourage readers to consider the concepts presented through the world view of those who consider Glacier Bay National Park Homeland.

In accordance with Title VIII, Section 810 of the Alaska National Interest Lands Conservation Act of 1980, the NPS completed a Section 810 analysis (appendix F) to evaluate potential restrictions to subsistence activities resulting from the selected alternative. The NPS concluded that the selected alternative will not result in a significant restriction of subsistence uses.

## **1.5 FINDING OF NO SIGNIFICANT IMPACT**

Based on the information contained in the EA, I have determined that the selected action does not constitute a major federal action having a significant effect on the human environment. Therefore, an EIS will not be required.

This finding is based on consideration of CEQ criteria for significance (40 CFR 1501.3 (b)), regarding the potentially affected environment and degrees of effects of the impacts described in the EA.

## ATTACHMENT A: PUBLIC COMMENT RESPONSE REPORT FOR THE ENVIRONMENTAL ASSESSMENT

**CONCERN STATEMENT:** One commenter questioned the need for different management zones. The commenter noted that all three zones were connected and should not need different management actions. If the zones have different management actions, the commenter requested an explanation of each zone's proposed future actions.

**NPS Response:** As stated on page 2-6 of the draft Marine Management Plan (plan), "management zones enable the NPS to determine and achieve location-specific desired conditions and to manage intensities associated with public enjoyment and other uses of the park." The actions proposed for each zone are described in chapter 3 of the final plan.

**CONCERN STATEMENT:** Commenters requested changes to the current vessel definitions, which included 1) following the United State Coast Guard's vessel definitions for bareboat charter vessels; 2) establishing and analyzing categories for private vessels operating with and without commercial intent (differentiate with activity type and size), and 3) separating commercial fishing vessels into their own vessel definition category rather than grouping them under Administrative Use Motorized Vessels. A commenter expressed concern that additional commercial vessels could be permitted under the administrative use vessel definition, including those operated by the HIA, and requested that commercial fishing vessels be monitored separately. One commenter requested that the NPS should establish a mechanism for Hoonah residents to gain access for commercial fishing in the park.

**NPS Response:** The NPS has defined both charter vessels and bareboat charters on page 3-8 of the final plan. The NPS is not proposing to adopt the United States Coast Guard (USCG) definition of bareboat charters as bareboat charters are not defined in USCG regulations at 46 USC 2101, 46 CFR § 175.200 or 46 CFR § 24.10. For the NPS, as currently defined at 36 CFR § 13.1102, a private vessel means any motor vessel that is not engaged in business, and business includes but is not limited to transportation of passengers for hire or commercial fishing. The NPS is proposing to clarify the language at 36 CFR § 13.1102 to make clear that crew leasing is a form of business (final plan page 3-8). Like all National Parks, a permit or contract is required under 36 CFR § 5.3 to conduct business in Glacier Bay National Park (the park), and this includes hired crew, captain, deckhand or other paid personnel, for example, a naturalist. Commercial operations in national parks are subject to the provisions in various laws including the NPS Concessions Management Improvement Act of 1998, Alaska National Interest Lands Conservation Act (ANILCA), 36 CFR § 13, and Section 4 (c) of the Wilderness Act general prohibitions except limited commercial services as permitted under Section 4(d)(5). Commercial operations are further evaluated under NPS Management Policies 2006 (Section 10) to determine what types of commercial services meet park purposes and are necessary and appropriate. These are managed under concessions contracts following a concessions prospectus. Commercial services that are evaluated to be appropriate (but not necessary) and are of an incidental nature require a Commercial Use Authorization. The NPS does not support any commercial services contracts or authorizations for crew leasing at this time. The NPS is also not proposing to create a new vessel class that would allow non-owner operated vessels with a hired crew to enter Glacier Bay. By definition (at 36 CFR § 13.1102) this type of vessel class is considered a charter vessel.



The NPS considered increasing the quota for charter and tour vessels but dismissed this as an alternative element with a rationale included in appendix C.

Commercial fishing, where allowed under Public Law 105-277 Section 123, in the park is limited. To participate in one or more of the authorized commercial fisheries in Glacier Bay a person must possess a Lifetime Access Permit. Lifetime Access Permits are not transferrable to another person; thus, commercial fishing within Glacier Bay will continue to decrease until no Lifetime Access Permits are left.

Including Lifetime Access Permit holders under the administrative use vessel definition does not change or increase commercial fishing within the park but allows the park to more closely monitor this vessel type. While commercial fishing is not specifically "administrative" it does take place under a different legal authorization than the commercial and private vessel traffic authorized under the plan. For that reason, commercial fishing was included under the administrative category.

Monitoring administrative motorized vessel use levels (see chapter 3 of the final plan for definitions) in Glacier Bay is an important component of the proactive management of the park, because it allows the park to ensure that administrative vessel use is balanced with other vessel uses and is consistent with desired conditions. Additionally, Lifetime Access Permit holders are required to renew their permits every five years and report all access allowing NPS to monitor this use.

As stated in the environmental assessment (EA) on page 2-10, the new administrative use vessel category includes vessels accessing the park for cultural purposes including vessels used to provide HIA access under tribal reserved rights to Chookanhéeni (acquired Berg Bay inholding), Xunaa Shuká Hit (the Tribal House), and for other non-commercial cultural purposes such as tribally sponsored trips into Glacier Bay. Any tribe-associated vessel authorized to enter the park as an administrative use vessel would be prohibited from commercial operations in the park. The NPS is not proposing to increase the number of commercial vessels operating in the park at this time (described in appendix C). The quotas for commercial vessels are codified at 36 CFR § 13.1160. The management of commercial fishing within the park is outside of the scope of this EA; the authorization of any new commercial fishing in the park would require an act of Congress.

**CONCERN STATEMENT:** One commenter suggested a new Yacht category in which 100 use days are reserved for Special Use permits for vessels over a certain weight and questioned how private vessels longer than 79 feet would be measured. Another commenter requested that the NPS use a rulemaking process rather than the Compendium to establish requirements for private vessels over 79 feet. Additionally, a commenter stated that changes to the way private vessels longer than 79 feet can enter Glacier Bay bars this private vessel type. This commenter requested the NPS develop a new system to allow private vessels longer than 79 feet to enter such as a daily quota.

**NPS Response:** Private vessels longer than 79 feet would be defined based on USCG Vessel certification measurement standards. Private vessels longer than 79 feet are comparable in size to tour vessels and in some cases to small cruise ships. These vessels create many times the impacts of smaller private vessels but only benefit a few visitors. If the park initiated a federal action to consider accommodating more larger vessels under the capacity management system these entries would be allocated to vessels serving a larger number of visitors or to multiple smaller vessels.

The presence of private vessels longer than 79 feet was not considered or addressed in 2003, despite clear discrepancies within the purposes of the vessel quota system as well as the regulatory inconsistencies of classifying these very large vessels as private vessels with lower impact. The plan clarifies any regulatory and management ambiguity about private vessels longer than 79 feet in Glacier Bay. Restrictions on vessel size are common throughout the NPS to prevent greater impacts and promote economic fairness in access to the national parks. Private vessels longer than 79 feet are not precluded from entering Glacier Bay but must apply for a different permit. Visitors traveling in this vessel class can also enter Glacier Bay on a support vessel with a private permit or by a tour or charter vessel.

Through the range of alternatives, including the no action alternative, the NPS considered various ways private vessels longer than 79 feet could access Glacier Bay. The NPS reviewed the proposal to set aside 100 of the 2300 seasonal private vessel permits for larger private vessels, such as those longer than 79 feet or over 100 gross tons. After consideration, the NPS is not proposing to authorize a new permit type for larger private vessels and does not see justification for a new larger vessel class serving a smaller number of users at this time. These visitors have alternate means to visit the park comparable to the general public. Further, marine visitation currently supports considerable visitor access balanced across a range of recreation opportunities and access types, from cruise ships to kayaks. These diverse opportunities are intentionally aligned with the purpose and significance of the park and uphold a high standard of experiential and environmental conditions.

**CONCERN STATEMENT:** Commenters requested changes to commercial operations within the park including changes to the way cruise ships are managed and changes to reporting requirements for concessionaires. Additionally, commenters requested a detailed cost analysis for each of the marine access opportunities including cruise ships, tour vessels, charter vessels, private vessels, and kayaking.

**NPS Response:** As stated in chapter 1 of the EA, the management of some vessels such as cruise ships, tour vessels, and charter vessels under the existing quota system will continue. Both visitor satisfaction and compliance with resource protection regulations and contract conditions are high. The NPS considered but dismissed changes to quotas for commercial vessels and a rationale for this is included in appendix C. Additional changes to commercial contracts is outside the scope of this EA.

A detailed cost analysis is not required in an EA nor is it necessary to make a reasoned choice between alternatives. For this reason, the NPS did not add a detailed cost analysis for each marine access opportunity to the EA.

**CONCERN STATEMENT:** One commenter suggested that the EA minimizes the impacts associated with the use of floating cabins/seasonally moored vessels and additional administrative use vessels, such as increased traffic around cabin sites; this would impact the natural setting, lessen the feeling of solitude and wilderness, and distract from the leave no trace ethics at the park. Another commenter requested that the locations of floating cabins/seasonally moored vessels be included on park maps and other navigation/wayfinding materials.

**NPS Response:** The NPS discloses the impacts associated with the installation of floating cabins/seasonally moored vessels on pages 3-9 and 3-10 of the EA, including impacts to the visitor experience from noise and impacts to the viewscape. Impacts related to wilderness character were considered but dismissed as disclosed in appendix B. The NPS added the

following to page B-8: *Changes to private vessel management and operating requirements for other vessels, and the presence of administrative use vessels in areas where floating cabins/seasonally moored vessels may be located, could indirectly impact opportunities for solitude or a primitive and unconfined type of recreation.*

Additionally, the following information was added to the EA on page 3-59: *Administrative activity and regulatory presence has a potential for ethnographic impacts if users inadvertently disrespect a sensitive cultural area or if use of the floating cabin/seasonally moored vessel is not inclusive of continued and meaningful park-tribe partnerships. The park will coordinate with HIA and Yakutat Tlingit Tribe to consider culturally appropriate options for floating cabins/seasonally moored vessels and will conduct tribal consultation to minimize impacts on cultural resources (e.g., cairns) and landscapes prior to installation.*

The NPS did not add language to the final plan stating that floating cabins/seasonally moored vessels would be included on park maps. The locations of these floating cabins/seasonally moored vessels change due to a variety of reasons. Should the NPS include these locations on park maps, the public could mistakenly be guided to these locations in emergency situations when no cabin exists. Instead, the NPS will make the locations of these cabins known during the boater orientation, which is required for a private vessel permit, and during backcountry orientations associated with issuing overnight camping permits.

**CONCERN STATEMENT:** One commenter noted that the current VHF coverage poses a safety risk to park visitors and suggested installing more VHF repeaters in the upper reaches of the park. The commenter suggested potential locations including the West Arm, East Arm, Beartrack Mountain, Excursion Inlet, Cape Spencer, and existing permitted weather stations. Another commenter questioned if there were intentions to enhance marine VHF. The commenter noted that satellite relay of VHF could be added to AIS receiver stations.

**NPS Response:** To provide reasonable communications that support park operations, the NPS is committed to upgrading existing VHF radio communications repeaters as specified in the EA. The NPS recognizes that upgrading existing VHF communication repeaters will not provide full coverage. Dead zones will remain due to mountainous terrain (similar to other remote coastal areas of Southeast Alaska) and mariners should have secondary means of communications onboard at all times, file a float plan with a trusted person, and carry safety equipment onboard in the event they are in a survival situation. Additionally, any VHF marine band services for the public and commercial vessel use are the responsibility of the USCG and are outside the scope of this plan. The NPS may consider additional VHF repeater sites in the future and would complete additional compliance.

**CONCERN STATEMENT:** One commenter requested additional information regarding equipment installations. The commenter questioned if the installations would be on land or water, desired further information regarding the potential impacts from equipment installations and requested the rationale behind increasing structures in a national park.

**NPS Response:** The NPS describes potential locations for communication upgrades on page 2-11 and 2-13 of the EA. On page 2-12 of the EA, the NPS states that once the scope and design for these actions are sufficiently developed, the park will complete additional site-specific NEPA, permitting and other reviews as appropriate, prior to implementation.

The park is served by four established VHF radio repeater sites including two in Glacier Bay that require continued maintenance and targeted repairs and upgrades. Existing repeaters require continued maintenance as equipment pass their serviceable lifespan. The failure of one repeater would affect communications across millions of acres of the park and preserve. The park has determined communications to be of such importance that a mission/project may be cancelled if reliable communication with dispatch cannot be achieved. Failure to repair repeaters will result in a lack of emergency response capabilities and will disable routine communications. For this reason, upgrades to existing sites will ensure communications throughout the park and preserve remain reliable for day-to-day operational needs, emergencies, protection activities, and routine service to employees.

Automated Identification System (AIS), an automatic vessel tracking system, improves collision avoidance for marine vessels and would enhance safety and search and rescue capabilities in the park. The receipt of AIS signals within many areas of the park is limited by topography and the distance an AIS system can transmit. In the upper arms, most side fjords, and the outer coast, the only signals received are by satellite with hours-long gaps between transmissions. The co-location of up to ten AIS transmitters throughout Glacier Bay, a marine-based park, will provide adequate coverage and range for marine vessels. These receivers can also be outfitted to transmit information to vessels, such as crossing into whale waters or reporting weather; enhance/extend VHF radio signals for verbal conversations; and collect aircraft ADS-B signals.

**CONCERN STATEMENT:** Commenters requested the park maintain a seven-day permit for private permit vessel permits rather than reduce it to five days because a five-day timeframe is too short for slow or lower-impact vessels. Commenters noted that slow-moving vessels or vessels attempting to maintain low impacts to the environment need more time than five days to explore the park safely and fully. Another commenter noted that requesting extensions for permits if a vessel is unable to get out of the park under a time-limited permit would not be possible because VHF radio reception does not reach Bartlett Cove from some areas of the park.

One commenter suggested a change to the entry time for permits to align with when the ranger station in Bartlett Cove opens to provide more time on the permit. Another commenter asked for additional information on how permits would be confirmed.

**NPS Response:** The NPS updated language on page 2-14 of the EA to add: *The duration for private vessel permits would be decreased from a current maximum of seven days (six nights) to a default maximum of five days (four nights) per permit (excluding day use permits discussed under alternatives B and C), however, if there are characteristics of a vessel that makes those trips untenable (e.g., slower moving vessel), the NPS may grant a permit extension to seven days if it would not cause the maximum number of allowed private vessel permits (quota) to be exceeded.*

The NPS would also educate private vessel boaters, including owners of slower vessels, that while five days is the default, boaters can request an extension as noted above, use the conditional transit permit to both arrive a day early and leave a day late, apply for a five-day short-notice permit 8 days prior to their advance notice permit start date, linking the two permits together, or apply for a short-notice permit to start after the advance notice permit.

As is the same as the current permitting system, under the NPS's selected alternative, a permit is considered cancelled when 1) the vessel leaves Glacier Bay and is not intending to return within one day or 2) the vessel enters Bartlett Cove waters as defined in 36 CFR § 13.1156(b) and is not

intending to leave within one day. Under the latter scenario, a permit holder may return to Bartlett Cove and anchor overnight without losing their remaining permit days as long as they continue to use the permit each subsequent day. The NPS may consider changes to the entry time for permits and will communicate any implementation level details to the public before the new permitting system is implemented. A permit is confirmed with the Visitor Information Station (VIS), as is currently the case.

**CONCERN STATEMENT:** One commenter requested more than 25 permits for lower-impact vessels since it is difficult to plan for an advance-notice permit. Another commenter suggested the park increase the private vessel quota to 50 private vessels per day because there would be less people in the park compared to the amount that arrives on cruise ships.

**NPS Response:** The NPS includes a rationale for why additional quota changes were not included in the alternatives considered but dismissed section of appendix C.

**CONCERN STATEMENT:** Some commenters were not in favor of a lottery system, stating that the system does not allow for trip planning or obtaining two contiguous permits for longer trips. Commenters requested the park keep the first-come-first-serve system. If the lottery system is implemented, commenters noted that all rules of the lottery would need to be clearly communicated, including available permit dates. One commenter suggested a lottery system would create incentives to submit multiple entries which would slow the entire process; to counter this, one commenter suggested vessels should be allowed to ask in a single application for multiple permit periods while another commenter recommended having a specified two-week application period. One commenter suggested the final plan allow flexibility to alter the lottery system through the Compendium from year to year based on experience. One commenter requested the park extend the lottery system to short-notice permits.

**NPS Response:** The NPS will closely review these implementation level suggestions, some of which are already included in the EA, and will release details to the public prior to the first use of the new lottery system. As stated on 2-1 of the EA, depending on the action chosen, implementation level details may be adjusted in the Park Compendium and made available to the public based on new information that emerges, public feedback, and lessons learned.

**CONCERN STATEMENT:** Commenters noted that cancelling a permit if not all consecutive days are used is problematic for visitors delayed due to weather or other religious or personal commitments. Commenters suggested this change could create safety issues for smaller vessels when faced with weather delays and is biased toward larger vessels. One commenter further noted that not being able to extend a permit or having to use a permit on consecutive days would affect visitors with disabilities who may wish to rest on some days. One commenter requested information on how allowances for visitors unable to utilize their multi-day permit consecutively due to weather would be determined. Finally, one commenter suggested a hotel-style permit system where individuals could choose the number of days on the permit with an annual use day limit.

**NPS Response:** The NPS updated language on page 2-14 of the EA to further clarify the reason the park may grant a permit extension or allow a permit to not be used on consecutive days: *In the event of a safety concern, or an emergency that precludes the vessel operator from using the permit, the NPS may consider approving a delay in the permit start date. The permit also must be used on each consecutive day, or it would be terminated, and any remaining permit days would be made available to another vessel. In the event of a safety concern, or an emergency that*

*precludes the vessel operator from using consecutive permit days, the NPS may consider approving an exception to this policy.*

The NPS reviewed the suggestion for implementing a hotel-style permit system where a visitor could choose any number of days within an annual use day limit. This action would not meet the purpose and need of the EA and would not provide the greatest number of people an opportunity to visit Glacier Bay. For these reasons, the NPS did not carry forward this alternative element for analysis in the EA.

**CONCERN STATEMENT:** Commenters suggested flexibility with the transit permit, including availability depending upon the presence of whales or other factors. One commenter noted that only one transit permit should be allowed at a time for Icy Strait to Bartlett Cove or vice versa because that route crosses an area commonly used by feeding humpback whales and may harm them. One commenter requested utilizing transit permits more than once per day, while another commenter requested clarification on whether transit permits would be available when all 25 entry permits for the day have been allotted.

**NPS Response:** The NPS closely reviewed the suggestion regarding the conditional transit permit and made no changes. The transit permit is conditional and can therefore be adjusted to protect park resources and values. As stated in the EA and plan, only one transit permit will be allowed at a time.

The first purpose of this permit is to enable private vessels to directly exit or enter Bartlett Cove and not take away permits from others seeking a full day visit for purposes for which the park was established. The second purpose of this permit is to promote high-quality visitor experiences in the frontcountry consistent with park management plans. If all 25 private vessel permits are allotted for the day, the park may not issue a conditional transit permit.

**CONCERN STATEMENT:** Commenters requested the park clarify the definition of Muir Inlet and location (latitude and longitude) of Muir Point at which point cruise ships and tour vessels would not be allowed to pass.

**NPS Response:** The NPS updated the final plan and EA to include the following language: *Only nonmotorized vessels and motorized vessels in the private, charter, and administrative classes are allowed in the East Arm/Muir Inlet north of 58°50.4' N latitude (a line running west from the Dirt Glacier outwash).*

**CONCERN STATEMENT:** One commenter requested NPS should further explain the rationale for the timing of the closures in Upper Muir and Wachusett Inlets. One commenter suggested the possibility of NPS designating the inlets as no-take marine sanctuaries. Another commenter requested changes to other nonmotorized waters within the park such as the waters north of the Beardslee Islands and Flapjack Island.

**NPS Response:** The NPS updated the timing of nonmotorized waters in the Upper Muir and Wachusett Inlets to more closely align with the timing of nonmotorized waters in other areas, such as the wilderness waters, to simplify NPS regulations at 36 CFR § 13.1180. The NPS considered the suggestion to designate inlets as no-take marine sanctuaries but did not include this action as an alternative element carried forward for detailed analysis at this time. The NPS is not proposing changes to access for sport fishing or other recreational opportunities through this EA. This does not preclude the NPS from taking any future actions to protect the abundance and diversity of marine resources in the inlets.

NPS includes a rationale for why additional changes were not included for other nonmotorized waters in the alternatives considered but dismissed section of appendix C.

**CONCERN STATEMENT:** A commenter stated that the process for monitoring nonmotorized vessels and administrative use vessels should be included in the EA. One commenter requested NPS include the State of Alaska in discussions pertaining to administrative vessel trips. A commenter requested additional information on the management triggers for administrative use vessels.

**NPS Response:** The EA, on pages 2-14 and 2-15 describes the management triggers and incorporates by reference the draft plan that describes in detail the indicators, thresholds and triggers for monitoring, including those for nonmotorized and administrative use vessels. The NPS did not add additional details to the EA.

The NPS will continue to work with the State of Alaska on administrative vessel trips specific to their actions within the park.

The NPS added additional information to chapter 4 of the final plan regarding the threshold for nonmotorized vessel use. Levels of nonmotorized use (day and overnight use) in Glacier Bay in the last five years (2018–2022) are considered acceptable by the NPS based on recent studies on the perceptions of crowding, coastal resource conditions, and surveys of biophysical impacts in Glacier Bay that result from backcountry recreation (Furr et al. 2021, Goonan 2015). To continue to provide the desired backcountry experience and maintain the opportunity for high quality experiences into the future, the NPS set nonmotorized use thresholds with triggers as follows:

- More than 62 vessels/day was chosen by looking at backcountry permit data from the three highest use months (July 2018, June 2019, and July 2021) over the last five years (2018–2022) and finding that over 80% of these days had no more than 62 people per day on overnight kayak trips.
- More than 75 vessels/day was chosen by looking at tour and charter off-vessel kayak reports from tour vessels (2016–2022) and charter vessels (2019 and 2021) and finding that over 80% of these days had no more than 75 people on overnight kayak trips.

Acknowledging the inherent variability in visitor use patterns, the thresholds include a temporal allowance of 20% above existing highest day use levels to provide some flexibility so that new management strategies are not triggered because of an occasional or infrequent event. 20% of the main 92-day visitor season June-August equates to 18 days. These triggers will serve as an early warning mechanism to help managers evaluate how to balance maximizing opportunities for users to freely explore the park with the tradeoffs of managing use to better protect park resources and provide quality experiences before any substantial impacts occur. The NPS may also revisit the thresholds based on new information about changes in the levels, timing, and location of nonmotorized vessel-related visitor use over time.

**CONCERN STATEMENT:** Commenters expressed concern that certain types of commercial vessels operating within the park should qualify as a lower-impact vessels. Commenters also requested more detail on how the vessel category is to be defined and how any changes to operating requirements would be implemented. Additionally, commenters suggested lower-impact vessels may cause increased impacts to marine wildlife and air quality; and could impact wildlife and backcountry visitors in the Shoreline Access Zone defined in the Backcountry and Wilderness Management Plan.

**NPS Response:** The lower impact vessel category would apply to private vessels only. For commercial vessels, NPS already gives a competitive advantage in the prospectus process to proposals with vessel characteristics and aspects of their operating plan that reduce impacts. In the EA, the selected alternative may exclude lower-impact vessels from requirements directly related to effects of vessel type under existing regulatory processes such as distance to shore requirements and are more eligible for seven day permits due to their slower speeds. Allowing lower-impact vessels close to shore would be an exception to vessel regulations for whale waters areas only. Based on the small number of lower-impact vessels that could qualify for this exclusion, the relatively small overall area designated as whale waters where shore approach exclusions are generally in place, and the fact that vessels less than 18 feet in length are already authorized to travel closer than 1-mile to shore under current regulations, the NPS does not anticipate meaningful impacts to visitors on shore or terrestrial wildlife. Impacts to marine wildlife resulting from this action are analyzed in chapter 3 of the EA.

As NPS moves toward implementing the lower impact vessel category for private vessels it will entail collecting underwater sound profiles of various vessels to refine the criteria for this designation, as well as other aspects of vessel characteristics, to ensure that the distinction is meaningful and that any advantages are applied fairly and appropriately. Prior to implementing specific operating requirements for lower impact vessels, NPS will also examine lower bay whale distribution data to determine the distance from shore at which these vessels may safely transit while still complying with the ¼ nautical mile minimum approach distance to humpback whales, so that the risks of collision and disturbance remain low. Operating requirements for lower impact vessels will undergo the same information-based process that is used for whale waters closures under 36 CFR 13.50 to ensure they are responsive to observations and recommendations from NPS biologists and law enforcement staff.

**CONCERN STATEMENT:** Commenters stated that the NPS should not make assumptions related to impacts to Tlingit Homeland values resulting from the range of alternatives but rather should incorporate the wishes of the Huna Tlingit and that the NPS violated Secretarial Order 3403: Joint Secretarial Order on Fulfilling the Trust Responsibility to Indian Tribes in the Stewardship of Federal Lands and Waters. A commenter noted that consultation with other Native groups should be conducted as the Hoonah Indian Association does not represent the tribe. Furthermore, a commenter requested that the EA include the cultural importance of commercial fishing in the park and address any relevant histories of communities that historically used the park such as Elfin Cove, Gustavus, Pelican, Hoonah, and Yakutat.

**NPS Response:** The planning effort has been informed by ongoing, informal and formal government-to-government consultation with the Hoonah Indian Association and the Yakutat Tlingit Tribe, representing the original people and stewards of Glacier Bay. These federally recognized tribal governments represent the interests of their respective tribal members, the Huna Tlingit and the Yakutat Tlingit. The NPS collaborated with both tribes to ensure that the plan and EA addressed longstanding tribal priorities, advanced challenging conversations about Homeland issues, and established a clear pathway for collaboratively resolving challenging issues (access, traditional fishing and ceremonial seal hunting, land acknowledgement protocol). Aspects of the process included:

- Regular ongoing conversations with tribes, the park tribal liaison, and the Park Superintendent



- Pre-review and cooperative preparation of all sections and/or language pertaining to Homeland or cultural life ways
- Advance copies of a draft newsletter prior to public scoping release with an invitation for input
- Park Superintendent travel to Hoonah for a scoping public meeting and personal conversation with tribal leaders and follow-up travel to a Juneau HIA Board of Director's meeting.
- An in-person Government to Government dialogue in the form of a meeting as part of formal Tribal Consultation (December 13, 2022) overlapping with public review of the draft plan and EA.

The final plan and EA features tribal ethnographic and Homeland content and incorporates Tlingit language to encourage readers to consider the concepts presented through the world view of those who consider Glacier Bay National Park Homeland. This is all in alignment with Secretarial Order 3403.

The history of commercial fishing and related historical context on the communities using the park are cited in the final plan in chapter 2: Huna Tlingit Traditional Environmental Knowledge, Conservation, and the Management of a "Wilderness" Park (Hunn et al. 2003); and Navigating Troubled Waters: A History of Commercial Fishing in Glacier Bay, Alaska (NPS 2010b), and A Maritime Sense of Place: Southeast Alaska Fishermen and Mainstream Nature Ideologies (Brakel 1999).

**CONCERN STATEMENT:** Commenters expressed concerns that the draft Marine Management Plan did not include enough information on climate change action.

**NPS Response:** The NPS added a section in chapter 3 in the final plan further discussing NPS's goals related to climate change.

As stated in appendix D, page D-2, of the final plan and EA, the NPS describes best management practice for administrative traffic and marine operations which includes upgrading the marine fleet for energy efficiency and piloting emerging technology that optimizes the use of local renewable energy within the community. NPS motorized administrative vessel use would be carefully planned and implemented for optimal efficiency and sensitivity to minimize impacts to park resources and values including fuel consumption, air and water pollution, above- and below-water noise pollution, and visual impact. The park would explore emerging technology for vessels that would meet this overall objective.

Additionally, as discussed in the park's Frontcountry Management Plan (FMP) on I-34, the park will continue to explore opportunities to replace the park fleet in Bartlett Cove and operate visitor services including the dayboat using electric vehicles and vessels.

**CONCERN STATEMENT:** Commenters stated that climate change, including the NPS's contribution to greenhouse gas emissions and the effects that climate change may have on park resources was not adequately addressed in the EA and is a required element of the NEPA document.

**NPS Response:** Analyzing a proposed action's greenhouse gas emissions and the effects of climate change relevant to a range of alternatives—particularly how climate change may change an action's environmental effects—can provide useful information to decision makers and the

public. The EA discusses how climate change affects each resource carried forward for detailed analysis in the Current and Expected Future Conditions of the Environment sections of the EA in chapter 3, where applicable.

The NPS considered Air Resources, including greenhouse gas emissions, and dismissed this topic from detailed analysis with a rationale as described in appendix B. When assessing impacts from the range of alternatives, measured as the change from current conditions, the NPS did not identify meaningful impacts to air resources. appendix B notes the impacts that the range of alternatives, including the preferred alternative, may have on greenhouse gas emissions. It also discusses the impact that other, cumulative actions (like the presence of cruise ships) have on greenhouse gas emissions and air quality. Identifying significant issues related to the range of alternatives is an important part of the NEPA process. Identifying issues allows the NPS to emphasize important environmental concerns related to a proposal and helps focus the impact analysis.

**CONCERN STATEMENT:** Commenters requested the NPS’s range of alternatives include an alternative that significantly reduces greenhouse gas emissions in Glacier Bay and the world. Additionally, commenters requested that the EA address cruise ship management, including impacts associated with the presence of cruise ships in Glacier Bay. Commenters submitted additional references for the NPS to consider specific to the environmental impacts of cruise ships.

**NPS Response:** The term “range of alternatives” refers to the set of all reasonable alternatives as well as other alternatives considered but eliminated from detailed analysis (46.420(c); Q1a). appendix C includes two alternatives considered but dismissed that would reduce the quotas in the park for private vessels and commercial vessels, including cruise ships, tour vessels, charter vessels and the passenger ferry. Approximately 97% of visitors that come to the park do so aboard a cruise ship and the NPS is not proposing to change the number of cruise ships within the park through this EA. Every cruise ship that enters the park provides an experience consistent with the park’s founding legislative goal, one of which is to access and enjoy the tidewater glaciers. The current mix of transportation types at the park provides significant climate benefits as compared to other transportation alternatives to provide access to the roughly 600,000 visitors that enjoy the park each year. Public transportation over water versus by air or in smaller vessels and efficiencies in recent concessions contracts also suggest higher efficiency and reduced greenhouse gas emissions compared to other transportation alternatives. The NPS is currently conducting research to quantify and then peer review this data. The final plan also describes successful efforts by the NPS to achieve water quality and air quality standards in the park that exceed federal and state standards (figure 10 in the final plan).

The 2003 Vessel Quotas and Operating Requirements plan addressed the presence of cruise ships within the park and included an analysis of effects that was used to promulgate special regulations for the park at 36 CFR § Part 13 Subpart N. The management of cruise ship quotas is outside the scope of the EA and a rationale for dismissing this alternative is included in appendix C.

The NPS reviewed all literature submitted from commenters but did not incorporate any additional references to the EA as the references were specific to cruise ships.

Additionally, the NPS added a section to the final plan on page 3-3 describing climate change adaptation and emission reduction efforts. The NPS also added a section to the final plan on page 3-3 detailing oil spill prevention and response efforts.

**CONCERN STATEMENT:** Commenters stated that when conflicts arise between conserving park resources and values and providing for their enjoyment that conservation should be prioritized. Additionally, commenters stated that failing to address climate change is impairment under the Organic Act.

**NPS Response:** Since 1979, marine vessels have been managed to balance the protection of park resources with providing a range of rewarding experiential opportunities for visitors consistent with the park's purpose and values. When a conflict arises between conserving park resources and values and providing for their enjoyment, the process for determining what are appropriate uses and the mandate that unacceptable impacts not be allowed ensures that protection of park resources is maintained. NPS Management Policies 2006 contain detailed definitions and processes which enable park managers to more readily determine how resources can best be conserved while providing a positive visitor experience. There is no change in the fundamental policies underlying the Organic Act, but an improved way to ensure that its objectives are, in fact, achieved. Thus, conservation is predominant.

As stated in the Director's Memorandum on Applying National Park Service Management Policies in the Context of Climate Change (2012), NPS Management Policies 2006 provides comprehensive and flexible guidance to deal with the challenges of climate change and remains as the central guidance for conserving park resources and providing for visitor enjoyment. On the question of how climate change relates to impairment, the Director goes on to state that NPS policies are clear that managers cannot be held accountable for impairment from external sources-particularly those of global dimensions-over which managers have no control. However, park managers recognize a responsibility and an avenue to reduce emissions of vessels through vessel permitting, the competitive process of awarding commercial contracts, and NPS choices of administrative vessels in its fleet as described in the final plan. For additional information on this topic, the NPS directs commenters to the 2012 Director's Memorandum at [https://www.nps.gov/policy/PolMemos/PM\\_12-02.htm](https://www.nps.gov/policy/PolMemos/PM_12-02.htm).

**CONCERN STATEMENT:** Commenters requested NPS extend the comment period anywhere from one additional month to one full year. They suggested that the length of the comment period was unrealistic for the size of the document and that initiating the comment period over the holidays was inappropriate. Several commenters noted that there was limited outreach to the general public beyond the immediate areas of Gustavus, Hoonah, and Juneau despite the impact the plan would have on them. Commenters requested the reasoning behind the timetable for the comment period.

**NPS Response:** The NPS appreciates the passion for this issue and the desire to make thoughts and ideas known. After careful consideration, the NPS decided to not grant an extension to the comment period. The current 30-day window is consistent with the National Environmental Policy Act's (NEPA) guidelines and provided ample time for the public to review the EA and submit their comments. The public was provided two opportunities to comment on the planning process. The NPS accepted public comments during scoping from August 9 to September 9, 2022. The EA and draft plan were released to the public for review on November 30, 2022 and were open for comment until December 30, 2022. The NPS issued a press release, posted on its social media pages (with 50,000 followers across all 50 states), updated its website, emailed its

mailing list, and communicated with local, regional, state, tribal and federal entities to ensure the public was informed of the opportunity to provide comments.

The public is invited to submit comments at any time about NPS vessel management practices (or any other issue), because the agency's goal is to ensure that they are serving the public as well as possible while meeting the agency mission and the park purpose.

**CONCERN STATEMENT:** A commenter stated that by producing three separate management plans for the park (a Marine Management Plan, a Frontcountry Management Plan, and a Backcountry and Wilderness Management Plan) the park inappropriately segmented its NEPA analysis. A commenter requested that the NPS delete all aspects of wilderness from the plan and address in the BWMP. A commenter requested that an Environmental Impact Statement (EIS) be prepared rather than an environmental assessment because the commenter stated it is 1) required by NPS Management Policies 2006, and 2) the 2003 Vessel Quota and Operation Requirement Management Plan was an EIS.

**NPS Response:** The NPS does not agree that by producing three management plans, the agency segmented its NEPA analysis. The NPS followed Director's Order 2: Park Planning when developing these three management plans. The NPS takes a portfolio approach to general management planning such that planning guidance can now be provided through any number of other documents that address statutory planning requirements parkwide or for a particular area. The final plan considers the interconnectedness of marine ecosystems and focuses on most marine waters in the park. The park's FMP completed in 2019 focused on Bartlett Cove, the Inner Lagoon and part of the Beardslee Islands Tidal Cut. The park's Backcountry and Wilderness Management Plan (BWMP), released in draft form in July 2022 for public review, focuses on designated Wilderness lands and waters. The NPS considered, during its scoping process for the FMP, this plan, and its BWMP, actions that may be connected actions. Actions are connected if they: (1) would automatically trigger other actions that may require an environmental impact statement; (2) actions that could not proceed unless other actions are taken previously or simultaneously; or (3) actions that are interdependent parts of a larger action and depend on the larger action for their justification (40 CFR 1501.9(1)). For all three plans, the NPS did not find actions that are connected actions.

The majority of wilderness planning is addressed through the park's BWMP. The final plan appropriately addresses wilderness where there is an overlap in visitor use. The NPS will not remove a discussion of wilderness from this plan.

Agencies prepare environmental impact statements (EIS) when the proposal could result in significant adverse environmental impacts. Through the planning and NEPA process, the NPS did not identify any actions resulting in significant adverse impacts to the environment. NPS Management Policies 2006 does not require the NPS to prepare an Environmental Impact Statement (EIS). The 2003 Vessel Quotas and Operating Requirements Management Plan and Record of Decision analyzed a broader set of actions.

**CONCERN STATEMENT:** A commenter stated that the NPS does not have the authority to begin a rulemaking process to update vessel definitions and that any alteration to the Code of Federal Regulations must be through congressional legislation.

**NPS Response:** The NPS does have the authority to engage in a rulemaking process to update 36 CFR §13 Subpart N- Special Regulations for Glacier Bay National Park and Preserve. Rulemaking is the policy-making process for Executive and Independent agencies of the Federal

government. Agencies use this process to develop and issue Rules (also referred to as “regulations”). The NPS directs the commenter to <https://www.regulations.gov/learn> to learn more about the federal rulemaking process. When the NPS begins its rulemaking process, additional opportunities for public involvement will be available.

**CONCERN STATEMENT:** One commenter suggested expanding "potential new vessel technology" under the purpose and need to include emerging or new but existing technologies.

**NPS Response:** The NPS reviewed the proposed addition to the “Need” statement, articulated in chapter 1 of the EA. The NPS did not incorporate this change because it does not articulate why action is needed now on the part of the NPS.

**CONCERN STATEMENT:** Commenters suggested specific references for NPS to include in the plan. Topical references included halibut survey data, historic traditional use areas for tribal nations in Alaska, and past U.S. proclamations and administrative actions. One commenter suggested the information referenced from Brakel 1999 was used incorrectly. Additionally, commenters stated that incorporating data sources by reference only, rather than communication of the park’s science through the presentation of data analysis, made review of the document difficult.

**NPS Response:** The NPS reviewed the specific references submitted and did not include in the final plan or EA because existing references deal with the same information or the references were dated and not relevant to the analysis. The NPS corrected the citation to Brakel 1999 on page 2-15 of the final plan.

The NPS strives to communicate its use of data clearly and effectively and has done so to the best of its ability, in light of the requirement in the CEQ NEPA regulations that EAs shall be no more than 75 pages (1501.5). Consistent with the CEQ regulations (1502.23), the NPS made reference to scientific and other sources relied upon for its conclusions and has also included a Methodology appendix in the EA (see EA, appendix E). Furthermore, raw data and published reports are included in appendix A, and relevant data and studies have been incorporated by reference as appropriate (1501.12). This approach is consistent with CEQs overall direction to reduce paperwork (1500.4).

**CONCERN STATEMENT:** A commenter stated that because some references in the document are 'unpublished' and have not received formal peer review the NPS cannot support a Finding of No Significant Impact.

**NPS Response:** The CEQ NEPA regulations do not require agencies to use only peer reviewed studies. As noted at 1502.23, agencies shall make use of reliable existing data and are not required to undertake new scientific and technical research to inform NEPA analyses. In the EA, the NPS carried out a meaningful analysis of impacts based on available data that it considers to be reliable. Furthermore, none of the unpublished references included in the document serve as the principal basis for a decision.

**CONCERN STATEMENT:** A commenter questioned the indicators, thresholds and triggers related to the acoustic environment and stated that action should be taken immediately to improve the soundscape as impairment is already occurring.

**NPS Response:** Impacts to the acoustic environment in the park are not currently considered by the NPS to be at an unacceptable level (as defined under NPS Management Policies 2006 §1.4.7.1) particularly given the enabling mandate of the park to provide access to tidewater

glaciers by ordinary means (typically boats with engines) and Glacier Bay’s specific mitigations related to motorized vessels (seasonal quotas, closed waters, commercial contract stipulations, NPS regulations on airborne noise Policies and Authorities - Natural Sounds, etc.). At the same time, the park acknowledges the importance of protecting the natural acoustic environments above and below water. For this reason, in 2018 the NPS published an Acoustic Resource Management Framework to help the park research, manage, monitor, and communicate about terrestrial and underwater acoustic environments in an integrated manner. Building on this groundwork, this plan and the BWMP propose ongoing efforts to monitor and understand trends in the acoustic environment management, and additional mitigations to control manmade noise.

**CONCERN STATEMENT:** A commenter requested that administrative use vessels be granted access in nonmotorized waters in the East Arm for purposes of scientific research.

**NPS Response:** Same as current management, administrative use vessels (including research vessels - see definition of administrative use vessels in chapter 2 of the EA), would continue to access nonmotorized waters with Superintendent's authorization if it is necessary for park purposes.

**CONCERN STATEMENT:** A commenter requested the following in-text changes in the plan (strikethrough indicating a requested removal, underline requesting an addition):

Requested Text Changes	NPS Response
<p>Draft plan Page 1-4: Designated Wilderness marine waters in the Park (~53,000 acres) will be managed under the Backcountry and Wilderness Management Plan (BWMP) (in preparation). <del>At the same time, marine management planning does consider the interconnectedness of marine ecosystems and the importance of holistic park visitor management with respect to:</del></p> <ul style="list-style-type: none"> <li><del>• Marine environment activities that adversely affect wilderness character in designated Wilderness.</del></li> <li><del>• Glacier Bay social science research results indicating that visitor experiences of “wildness” do not require setting foot in designated Wilderness (Furr et al. 2021; Swanson and Vande Kamp 2011).</del></li> </ul>	<p>Draft plan Page 1-4: The NPS will not remove the requested text. This is important context for the reader and additional public comments requested information specific to this text.</p>
<p>Page 1-11: <del>Therefore, management of the marine environment needs to be compatible with the management of the backcountry and wilderness areas.</del></p>	<p>Draft Plan Page 1-11: The NPS will not remove this text. This is an accurate statement regarding management at the park.</p>
<p>Page 2-5: Necessary and appropriate commercial services support visitor access and experiences and are managed to reduce impacts <del>(including into designated Wilderness)</del>, recognizing the interconnectedness of marine ecosystems <u>and</u>, the importance of holistic park visitor management, <del>and Glacier Bay social science research results indicating that visitor experiences of “wildness” do not require setting foot in designated Wilderness (Furr et al. 2021; Swanson and Vande Kamp 2011).</del></p>	<p>Draft Plan Page 2-5: The NPS will not remove this language, this is important context for the reader.</p>

Requested Text Changes	NPS Response
<p>Page 2-7: Fisheries harvest will be closely monitored and <del>managed</del> to minimize impacts on the marine ecosystem. <u>If there were a noticeable change in angler harvest and associated catch rates, which may be predictive of harvest concerns and population viability, park staff would consult with ADF&amp;G to determine whether there is a conservation concern and, if necessary, consider proposals to the Board of Fisheries (BOF) to implement additional management strategies to reduce pressures on fish populations from recreational fishing, such as reducing daily bag limits, limiting gear types, or implementing temporary spatial or temporal closures.</u></p>	<p>Draft Plan Page 2-7: The NPS will not remove this language and will not incorporate the provided sentence. This is a section stating desired conditions for the Glacier Bay Zone and this level of detail is not warranted.</p>
<p>Page 2-7: <del>NPS management will prioritize characterizing impacts associated with different fishing gear types and practices and ensure that unacceptable impacts to resources are unlikely to occur or to be perceptible at the populations level.</del></p>	<p>Draft Plan Page 2-7: The NPS will remove this language.</p>
<p>Page 2-8: <del>Park lands and waters in the East Arm previously determined to be “eligible” for wilderness designation are managed by the NPS to preserve their eligibility status by avoiding nonconforming or incompatible uses until formal designations are considered by Congress. Any future change of status from eligible wilderness to full designated Wilderness protection will require an act of Congress.</del></p>	<p>Draft Plan Page 2-8: The NPS will remove this language.</p>
<p>Page 3-2: <del>The NPS has the ultimate authority to protect fish and wildlife populations from impairment and to address threats to park resources or values (under the Organic Act, ANILCA and certain federal jurisdiction authorities over lands and waters secured pre-Alaska statehood and pre-ANILCA). The joint MMOU with the State of Alaska recognizes the NPS has a responsibility to conserve fish and wildlife resources, while it is the State of Alaska who has management authority to protect healthy, unimpaired populations to provide for the sustained yield of fish and wildlife populations across all Alaskan lands for the benefit of all Alaskans.</del></p>	<p>Draft Plan Page 3-2: The NPS will remove 'the ultimate' but will keep the remaining text in this section. The NPS will add the additions from the commenter with minor adjustments.</p>

Requested Text Changes	NPS Response
<p>Page 3-2: At the same time, many federal and state agencies are <del>co-management</del> <u>cooperative</u> partners with <del>shared complementary</del> responsibilities and management roles applicable to conservation, human safety, or visitor experience concerns related to fish and wildlife. If park staff or outside agencies notice a change in fish and wildlife populations which may be the result of human pressures that can be managed at the park level (e.g., overfishing in certain areas of the park, fishing gear impact concerns, reported wildlife incidents) the park will <u>consult with ADF&amp;G on management direction related to these issues and utilize the State's regulatory process to the maximum extent allowed by Federal law to determine needed corrective actions through a science-informed and regulatory decision-making approach to take corrective action.</u></p>	<p>Draft Plan Page 3-2: The NPS will incorporate this language but will update the last sentence to read: "and the park will consult with our cooperative partnerships, including the State of Alaska, on this issue to determine needed corrective actions through a science-informed and regulatory decision-making approach to take correct action."</p>
<p>Page 3-2: The NPS has statutory direction to ensure the conservation of natural and healthy populations of fish and wildlife and to address threats to park resources or values... At the same time, many federal and state agencies are <del>co-management partners with</del> <u>have</u> shared responsibilities and <u>complimentary</u> management roles applicable to conservation, human safety, or visitor experience concerns related to fish and wildlife....</p>	<p>Draft Plan 3-2: As previously suggested by the commenter, the text will be updated as follows: "The NPS has the authority to protect fish and wildlife populations from impairment and to address threats..."</p> <p>The NPS will include the following as previously suggested: "...many federal and state agencies are <u>cooperative partners with complementary responsibilities.</u>"</p>
<p>Page 3-2: [Suggest a new paragraph break] <u>The Alaska Department of Fish &amp; Game has the primary responsibility to manage fish and resident wildlife within the State of Alaska.</u> If park staff or outside agencies notice a change in fish or wildlife populations..., <u>the park would consult with ADF&amp;G to determine whether there is a conservation concern and, if necessary, consider proposals to the Board of Fisheries (BOF) to implement additional management strategies to reduce pressures on fish populations from recreational fishing, such as reducing daily bag limits, limiting gear types, or implementing temporary spatial or temporal closures.</u> The park will use a science-informed decision-making approach if actions are needed. Park actions will generally follow the management progressions listed below using transparent processes (public press releases, <u>proposals to the BOF, Park Compendium, and CFR public comment opportunities</u>).</p>	<p>Draft Plan Page 3-2: The NPS will incorporate the following language:</p> <p><u>The State of Alaska has the primary responsibility to manage fish and resident wildlife within the State.</u> If park staff or outside agencies notice a change in fish and wildlife populations which may be the result of human pressures that can be managed at the park level (e.g., overfishing in certain areas of the park, fishing gear impact concerns, reported wildlife incidents) <u>the park will consult with our cooperative partnerships, including the State of Alaska, on this issue to determine needed corrective actions through a science-informed and regulatory decision-making approach to take correct action.</u></p> <p>Park actions will generally follow the management progressions listed below using transparent processes (public press releases, <u>proposals to the State of Alaska, Park Compendium, and CFR public comment opportunities</u>).</p>



Requested Text Changes	NPS Response
Page 3-2: The park will also strengthen the role of federally recognized tribal governments representing the Huna and Yakutat clans, <u>collaborating with them and the state</u> , on indigenous stewardship approaches to fish and wildlife management, these actions will be for the benefit of all fish and wildlife populations.	Draft Plan Page 3-2: The NPS will not incorporate this text change. This sentence is specific to the NPS’s relationship with tribal governments, not the State of Alaska.
Page 3-15: At the same time, the construction of other new cabins for public health and safety reasons under ANILCA 1315(d) <del>are</del> <u>is not recognized</u> as being <del>considered needed</del> <u>at this time. The Park may consider additional cabins if a need is identified. because</u> eEmergency health and safety situations in the marine environment (e.g., injury, hypothermia, gear failure, wildlife incidents) <u>to date have been</u> <del>are</del> best dealt with using modern emergency communications tools	Draft Plan Page 3-15: The NPS will not incorporate the changes in the first sentence. The NPS does not believe the suggested edit changes the intent of the sentence. The NPS will incorporate the second sentence addition and the changes in the third sentence.

**CONCERN STATEMENT:** A commenter requested that a reference to ANILCA be added to appendix D and appendix G and that when discussing park purposes in the final plan that a reference to ANILCA Section 202 be included.

**NPS Response:** The NPS added references to ANILCA, where appropriate, in appendix D and appendix G. The NPS did not add a reference to ANILCA Section 202 as those park and preserve areas addressed in that section are not within the scope of the plan; however did add a Section 203 reference for the areas within the scope of the plan. The NPS will also add a reference to ANILCA Section 202 and 203 to its BWMP, when finalized.

**CONCERN STATEMENT:** A commenter requested that purposes of the park provided by ANILCA be included in the Marine Management Plan.

**NPS Response:** The NPS added information to chapter 1 of the final plan regarding the creation of new park units under ANILCA and purposes of the park provided by ANILCA.

**CONCERN STATEMENT:** A commenter stated that sport fishing is a traditional activity that has guaranteed access under Section 1110 of ANILCA and therefore cannot be subject to a quota. This commenter stated that protections for access to inholdings, specifically to the mineral interest associated with the Brady Icefield, should be included in the Marine Management Plan. Lastly, this commenter requested that access to inholdings should apply to all park zones.

**NPS Response:** The NPS is not proposing any changes to the quotas for private vessels under the selected alternative and changes to the permitting system for private vessels is not anticipated to reduce access to sport fishing or other recreational opportunities for most visitors. Private vessels are defined at 36 CFR § 13.1102 and quotas are described at 36 CFR § 13.1160.

The NPS added a sentence on page 2-10 of the final plan stating that management of inholdings will be consistent with ANILCA Section 1110. As described in the final plan and EA, the administrative use vessel category allows access to inholdings and commercial fishing where allowed by law. The NPS added information about access to inholdings under ANILCA Section 1110 to the Icy Strait and Outer Coast Zones.

**CONCERN STATEMENT:** A commenter stated the plan should include a reference specific to ANILCA Section 1310. This commenter also stated that the language on page 2-13 of the plan which states that permitted installations are excluded from designated wilderness is not included in section 5(a) of the Wilderness Act or Section 701 of ANILCA.

**NPS Response:** A reference to ANICLA Section 1310 is already included in page 1-2 of the draft plan. The NPS appreciates the opportunity to correct an unintentional error in the draft plan. The NPS does not have the ability to administratively exclude areas in designated Wilderness. The text in the final plan has been removed.

**CONCERN STATEMENT:** A commenter requested that the Master Memorandum of Understanding (MMOU) between the State of Alaska and the National Park Service should be referenced in the plan.

**NPS Response:** The NPS added a sentence on page 3-2 of the final plan regarding the MMOU and the relationship between the NPS and the State of Alaska regarding cooperative management of fish and wildlife species.

**CONCERN STATEMENT:** A commenter requested that the plan outline management prescriptions and cooperation processes that apply to administrative uses such as research and related work within the park by the State of Alaska.

**NPS Response:** The NPS did not add management prescriptions or cooperating processes to the final plan. This level of detail is not warranted for the final plan and this varies greatly. The NPS will continue to work closely with the State of Alaska to conduct research and related work within the park.

**CONCERN STATEMENT:** Commenters requested clarification on the passenger ferry, as defined in Public Law 105-83 Section 127, and the use of a ferry in collaboration with the Hoonah Indian Association.

**NPS Response:** The NPS proposes no changes to the definition of the passenger ferry and its authority to operate within the park. In addition to the definition of a passenger ferry at the park in Public Law 105-83 Section 127, the NPS considers a public passenger ferry to be any vessel under 100 tons gross (U.S. System) or 2,000 tons gross (International Convention System) that offers nonguided transport to the public for the purposes of getting to Bartlett Cove for visitation purposes and originates in Juneau or a local community that has ferry service to Juneau.

## ATTACHMENT B: ERRATA INDICATING TEXT CHANGES TO THE ENVIRONMENTAL ASSESSMENT

### INTRODUCTION

This errata documents changes (corrections and minor revisions) to the text of the EA as a result of comments received on the EA during the public review process, as well as other corrections.

Page numbers referenced pertain to *Part II – Environmental Assessment Including Updates to Vessel Quota and Operating Requirements* of the plan/EA released to the public for review on November 30, 2022. Original text from the EA is included to provide context and to allow for comparison to the text change. Additions to text are underlined, and deleted text is shown by ~~strikeout~~.

### ERRATA

#### Page 1-1

This environmental assessment (EA) provides: (1) programmatic National Environmental Policy Act (NEPA) analysis for broad management direction, zoning, and potential programs and facilities, including floating administrative cabins/seasonally moored vessels, communication upgrades, and oceanographic monitoring stations within three proposed new management zones; and (2) site-specific NEPA analysis to ~~amend~~ adjust private vessel permit allocations under the current vessel management system, as defined in a 2003 Record of Decision (2003 VQOR ROD) (NPS 2003a) from the Vessel Quota Operating Requirements Environmental Impact Statement (VQOR EIS) (NPS 2003b) and codified at 36 Code of Federal Regulations (CFR) Part 13 Subpart N, and the annual Park Compendium, and operating requirements for vessels within Glacier Bay.

#### Page 1-2

Action is needed at this time to provide a long-term Marine Management Plan that addresses (1) changing visitor use patterns, (2) potential new vessel technology, (3) rapidly changing environmental conditions in the context of research results that established and improved the understanding of the relationships between resources and vessel activities after the 2003 VQOR ROD was completed, (4) ~~restoring~~ increasing opportunities to visit the park according to founding park purposes, and (5) providing visitors on private vessels with balanced and equitable access to the park in a manner that helps achieve the park's desired conditions.

#### Page 2-5, Table 2-1. Management Alternatives, Alternative A – No Action:

##### Nonmotorized waters

Upper Muir Inlet (north of 59°02.7' N) (June 1–July 15)

Wachusett Inlet (west of 136°12.0' W) (July 16–August 31)

##### Motorized waters

Upper Muir Inlet (July 16–May 31)

Wachusett Inlet (September 1–July 15)

**Page 2-5, Table 2-1. Management Alternatives, Alternative B – Proposed Action:**

In the East Arm, cruise ships and tour vessels would be prohibited from waters north of Muir Point. Only nonmotorized vessels and motorized vessels in the private, charter, and administrative use classes would be allowed in the East Arm/Muir Inlet north of 58°50.4' N latitude (a line running west from the Dirt Glacier outwash) to allow for a small vessel experience for private, charter and nonmotorized vessels.

**Page 2-5, Table 2-1. Management Alternatives, Alternative B – Proposed Action:**

**Nonmotorized waters**

Upper Muir Inlet (May 1–September 15)

**Motorized waters**

Upper Muir Inlet (September 16–April 30)

**Page 2-5, Table 2-1. Management Alternatives, Alternative C:**

**Nonmotorized waters**

Upper Muir Inlet (May 1–July 15)

**Motorized waters**

Upper Muir Inlet (July 16–April 30)

**Page 2-5, Table 2-1. Management Alternatives, Alternative D – Preferred Alternative:**

Same as Alternative C, plus:

- In the East Arm, cruise ships and tour vessels would be prohibited from waters north of Muir Point. Only nonmotorized vessels and motorized vessels in the private, charter, and administrative use classes would be allowed in the East Arm/Muir Inlet north of 58°50.4' N latitude (a line running west from the Dirt Glacier outwash) to allow for a small vessel experience for private, charter and nonmotorized vessels.

**Page 2-7:**

Upper Muir Inlet  
(north of 59°02.7' N)

**Page 2-10:**

definition, annual tracking of vessel numbers, and management triggers. Nonmotorized vessel use (including commercially guided nonmotorized trips and administrative use) would be monitored and managed as described in chapter 4 of the draft plan.

**Page 2-10:**

The NPS is now seeking to manage and account for these diverse activities with an updated, more specific administrative use vessel definition, annual monitoring of use levels ~~tracking~~, and a management trigger.

**Page 2-11:**

The conditional transit permit would only be available to owner-occupied private vessels for recreational purposes upon confirmation that the transit is not related to any commercial interests, and where transit

for staging the vessel in or out of the park does not offer any commercial advantage (per existing NPS regulation at 36 CFR § 5.3policy).

**Page 2-12:**

Once the scope and design for these actions are sufficiently developed, the park would complete additional site-specific NEPA, permitting, and other reviews as appropriate, prior to implementation. This EA analysis assumes that communication upgrades would be co-located with existing installations. In the event that co-location is not possible, new communication installations would be analyzed in the park's Backcountry and Wilderness Management Plan and associated Environmental Assessment.

**Page 2-14**

The duration for private vessel permits would be decreased from a current maximum of seven days (six nights) to a default maximum of five days (four nights) per permit (excluding day use permits discussed under alternatives B and C); however, if there are characteristics of a vessel that make those trips untenable (e.g., slower moving vessel), the NPS may grant a permit extension to seven days if it would not cause the maximum number of allowed private vessel permits (quota) to be exceeded.

**Page 2-14:**

In the event of ~~a safety issue severe weather~~ or an emergency that precludes the vessel operator from using the permit, the NPS may consider approving a delay in the permit start date. The permit also must be used on each consecutive day, or it would be terminated, and any remaining permit days would be made available to another visitor. In the event of a safety issue or an emergency that precludes the vessel operator from using consecutive permit days, the NPS may consider approving an exception to this policy. ~~Upon request, a private vessel permit may be extended if it would not cause the maximum number of allowed private vessel permits (quota) to be exceeded.~~

**Page 2-15:**

The conditional transit permit would only be available to owner-occupied private vessels for recreational purposes upon confirmation that none of the occupants aboard have any business interests and where transit for staging the vessel in or out of the park does not offer any commercial advantage (per existing NPS regulation at 36 CFR § 5.3policy).

**Page 2-16:**

Changes to nonmotorized and motorized waters for Upper Muir Inlet (north of 59°02.7' N) and Wachusett Inlet (west of 136°12.0' W) are detailed below under each alternative.

**Page 2-18:**

Private vessels longer than 79 feet would not be allowed to access Glacier Bay using a private vessel permit. However, ~~at any time during the quota season,~~ the Superintendent may reallocate any unused cruise ship or tour vessel use days for use by private vessels longer than 79 feet that apply for a permit specifying the range of dates interested, provide proof of liability insurance, and meet other set pre-qualifications. ~~The issuance of this permit may also require Cost Recovery Fees for permit processing and a security deposit.~~

**Page 2-18:**

In the East Arm, cruise ships and tour vessels would be prohibited from waters north of Muir Point. Only nonmotorized vessels and motorized vessels in the private, charter, and administrative use classes would

be allowed in the East Arm/Muir Inlet north of 58°50.4' N latitude (a line running west from the Dirt Glacier outwash) to allow for a small vessel experience for private, charter, and nonmotorized vessels.

**Page 2-18:**

Changes from existing nonmotorized conditions include the dates that Upper Muir Inlet and Wachusett Inlet are designated as nonmotorized. Upper Muir Inlet would be designated as nonmotorized waters from May 1 through September 15, with motorized vessels allowed in Upper Muir Inlet from September 16 through April 30.

**Page 2-19:**

Upper Muir Inlet  
(north of 59°02.7' N)

**Page 2-20**

Upper Muir Inlet  
Nonmotorized from  
May 1 – Sept. 15  
north of 59°02.7' N

**Page 2-21:**

Upper Muir Inlet would be designated as nonmotorized waters from May 1 through July 15 with motorized vessels allowed from July 16 to April 30.

**Page 2-22:**

Upper Muir Inlet  
(north of 59°02.7' N)

**Page 2-23:**

Upper Muir Inlet  
Nonmotorized from  
May 1 – July 15  
north of 59°02.7' N

**Page 2-24:**

Like alternative C and as shown in table 2-5 and figure 2-3, Upper Muir Inlet would be designated as nonmotorized waters from May 1 through July 15 with motorized vessels allowed in Upper Muir Inlet from July 16 to April 30.

**Page 2-24:**

Like alternative B, ~~in the East Arm, cruise ships and tour vessels would be prohibited from waters north of Muir Point~~ only nonmotorized vessels and motorized vessels in the private, charter, and administrative use classes would be allowed in the East Arm/Muir Inlet north of 58°50.4' N latitude (a line running west from the Dirt Glacier outwash) to allow for a small vessel experience for private, charter, and nonmotorized vessels.

**Page 2-24:**

Appendix D includes a list of specific mitigation measures that would be required for project implementation. For purposes of the analysis, these mitigation measures are considered part of the alternatives.

**Page 2-16:**

Changes to nonmotorized and motorized waters for Upper Muir Inlet (north of 59°02.7' N) and Wachusett Inlet are detailed below under each alternative.

**Page 3-1:**

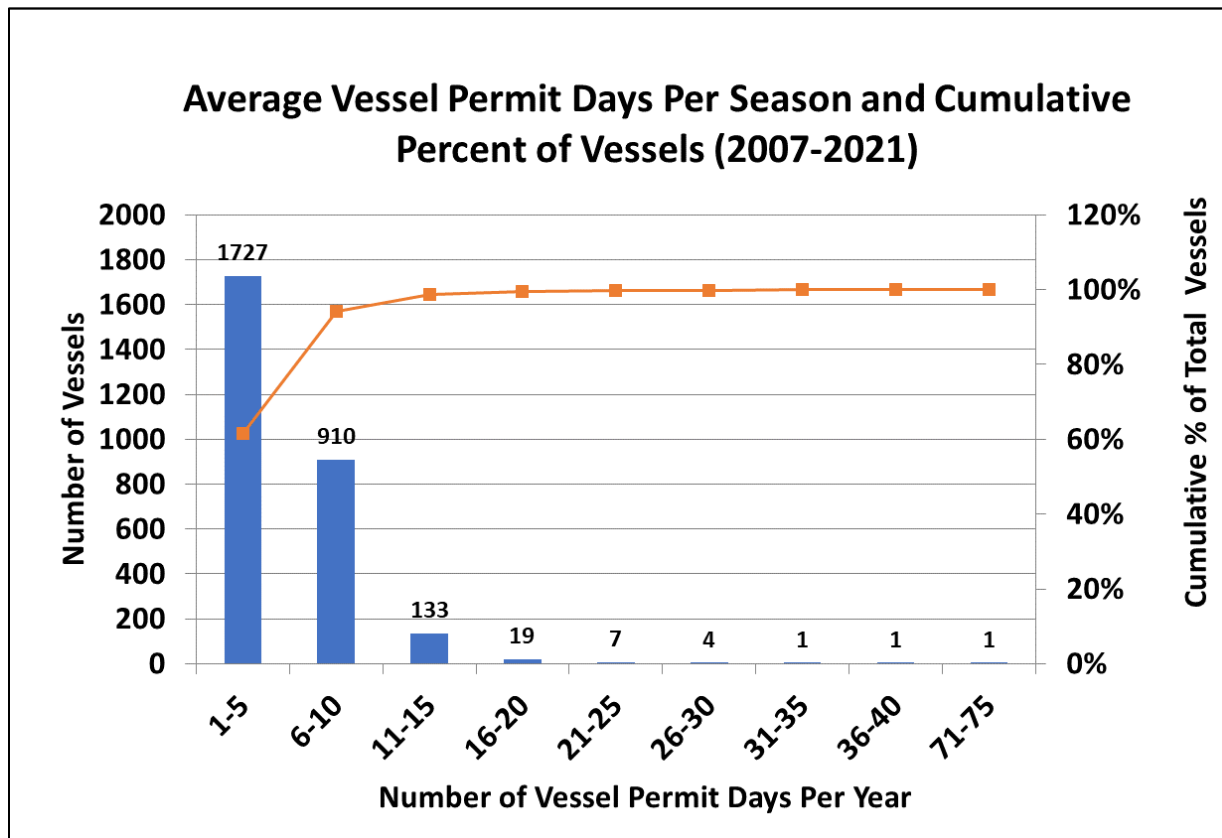
Additionally, this chapter analyzes the beneficial and adverse impacts that would likely result from implementing any of the alternatives considered in this EA, and assumes all mitigation measures listed in appendix D are included as integral parts of the alternatives. Analysis areas and methodologies for analysis of each impact topic are described in appendix E.

**Page 3-6:**

Many vessels (approximately 60%) only use a single permit per year; however, park permit data show that some vessels use many more (up to 71-75 permit days in a single summer) (figure 3-4).

**Page 3-7:**

Replace figure 3-4 with figure below.



**Page 3-13:**

Extending the duration of the nonmotorized vessel waters designation in Upper Muir Inlet would enhance the quality of the visitor experience for nonmotorized users.

**Page 3-15:**

Extending the seasonal nonmotorized waters start date from June 1 to May 1 in Upper Muir Inlet and the end date from August 31 to September 15 in Wachusett Inlet would enhance the visitor experience for nonmotorized vessels by reducing vessel congestion, eliminating noise from motorized vessels, and improving the viewscape. For those visitors wishing to use motorized vessels in these areas, the experience could be adversely affected by reducing the amount of time these vessels could be in Upper Muir and Wachusett Inlets, potentially concentrating motorized vessels elsewhere in Glacier Bay during these times.

**Page 3-16:**

The designation of nonmotorized waters for both Upper Muir and Wachusett Inlets and its impacts would be the same as described for alternative C.

**Page 3-17:**

The exclusion of private vessels longer than 79 feet from Glacier Bay and changes in nonmotorized use in Upper Muir and Wachusett Inlet would generally improve the quality of the visitor experience within Glacier Bay by reducing noise and improving the viewscape, as well as providing an opportunity to experience more solitude and feeling of wilderness in Upper Muir and Wachusett Inlet for nonmotorized vessel users.

**Page 3-17:**

Nonmotorized vessel users would continue to have an opportunity for wilderness experiences within ~~the~~ Upper Muir and Wachusett Inlets and other nonmotorized waters under all alternatives.

**Page 3-17:**

Differences between the alternatives focus on visitation levels, diverse approaches to when and how permits are released, large vessel access, and non-motorized access options specific to Upper Muir Inlet and Wachusett Inlet.

**Page 3-18:**

**Upper Muir and Wachusett Inlets**

Under alternative B, nonmotorized waters in Upper Muir Inlet would be expanded by one month in the beginning of the permit season and two months at the end of the permit season.

**Page 3-18:**

Alternative C would expand nonmotorized dates in Upper Muir Inlet by one month in the beginning of the permit season, which would have similar impacts as alternative B but to a lesser degree.

**Page 3-21:**

Source: NPS 2022c~~NPS unpublished data~~



**Page 3-23:**

Installation of floating cabins/seasonally moored vessels and oceanographic monitoring stations would involve the use of motorized vessels and float planes and would affect the airborne acoustic environment through increased noise, although impacts would be temporary, limited in nature, and occurring only during installation or maintenance activities, lasting only as long as construction occurs over the course of approximately 7-14 days for each site.

**Page 3-23:**

Generally, because project noise would not dramatically change current conditions and it would be intermittent and temporary, ending once project activities are complete, likely after an estimated one day for each site with intermittent intensity of sound lasting minutes, adverse impacts to the airborne acoustic environment would be periodic and limited in duration. During installation and maintenance activities, project noise would generally be sporadic, occurring intermittently with periods of relative quiet when equipment is not in use. Noise from the installation of new VHF radio systems or AIS transponder sites would be temporary, ceasing when work at each project site is completed, likely after one to two days at most project sites.

**Page 3-25:**

<sup>8</sup> Because the baseline data likely overestimate NFI duration for areas in the Upper East Arm outside the nonmotorized water boundary of Upper Muir Inlet, the predicted future change in NFI in the Upper East Arm as a result of additional private vessels under alternative B is also likely overestimated.

**Page 3-26:**

Under alternative B, Upper Muir Inlet would be designated as nonmotorized waters from May 1 through September 15. Motorized vessels would be allowed in Wachusett Inlet year-round. The changes to seasonal nonmotorized water designations would affect NFI duration in the East Arm. Removing the seasonal nonmotorized water designation from Wachusett Inlet could result in a notable decrease in NFI duration from mid-July through August in this area. This change would indirectly allow for fewer opportunities for solitude in wilderness areas near Wachusett Inlet. Extending seasonal nonmotorized water dates at Upper Muir Inlet would notably increase NFI duration in May and from mid-July through mid-September in Muir Inlet, which would indirectly allow for greater opportunities for solitude in nearby wilderness areas.

**Page 3-27:**

September in Upper Muir Inlet, which would indirectly allow for greater opportunities for solitude in nearby wilderness areas.

**Page 3-27:**

~~Also in the East Arm, cruise ships and tour vessels would be prohibited from waters north of Muir Point~~ only nonmotorized vessels and motorized vessels in the private, charter, and administrative use classes would be allowed in the East Arm/Muir Inlet north of 58°50.4' N latitude (a line running west from the Dirt Glacier outwash) to allow for a small vessel experience for private, charter, and nonmotorized vessels.

**Page 3-27:**

Even in the geographic areas where an overall adverse impact is expected, there could also be periods where localized beneficial impacts to the airborne acoustic environment (increased NFI) may occur due to expansion of nonmotorized water designations (e.g., Upper Muir Inlet May 1–September 15).

**Page 3-28:**

Under alternative C, changes in nonmotorized waters in Upper Muir Inlet would notably increase NFI duration during the month of May in Upper Muir Inlet. Extending the end of the nonmotorized water date in Wachusett Inlet from August 31 to September 15 might decrease airborne noise and increase NFI duration during that two-week timeframe.

**Page 3-28:**

Beneficial impacts to the airborne acoustic environment may occur in some areas of the East Arm by expanding nonmotorized water dates during the permit season in Wachusett Inlet and Upper Muir Inlet.

**Page 3-29:**

Impacts associated with changes to nonmotorized waters in Upper Muir and Wachusett Inlets would be the same as under alternative C.

**Page 3-29:**

In general, the actions are expected to result in a beneficial impact to the airborne acoustic environment in the East Arm compared to the current condition by limiting the number of larger vessels in the area to promote a small vessel experience and by expanding nonmotorized water dates during the permit season in Wachusett and Upper Muir Inlets.

**Page 3-29:**

The adverse impact to NFI is expected to be greatest in the Upper East Arm because the area currently has a more natural acoustic environment with less human-generated noise present; however, the potentially adverse effect would be mitigated within Upper Muir Inlet through most of the quota season by Upper Muir Inlet being designated as nonmotorized from May 1 to September 15.

**Page 3-30:**

Under alternative C, Upper Muir Inlet would be designated as nonmotorized waters from May 1 through July 15, and Wachusett Inlet would be designated as nonmotorized waters from July 16 through September 15. Within Upper Muir Inlet, this change would notably benefit the airborne acoustic environment during May compared to alternative A, but it would not provide as large a beneficial impact as alternative B in this area.

**Page 3-30:**

Alternative D would result in the same impacts to the airborne acoustic environment in Upper Muir and Wachusett Inlets as alternative C. There would be no distinction between day and overnight private vessel permits under alternative D, so the potential redistribution of vessels from the Lower Bay to mid-Glacier Bay and the Upper West Arm expected under alternatives B and C would not occur. Overall, the airborne acoustic environment under alternative D would be similar to or slightly worse than alternative A throughout most of the park with some additional benefits due to restrictions on larger vessels and changes to the timeframes that Upper Muir Inlet and Wachusett Inlet are designated as nonmotorized waters.

**Page 3-31:**

Figure 3-8 displays underwater ambient noise based on a one-year study in Glacier Bay in 2011 and the 5th, 25th, 50th, 75th, and 95th percentile frequency distribution statistics for sound level as a function of frequency (Hertz [Hz]) averaged over the entire year (Clark et al. *in prep*, as cited in Nadeau et al. 2017NPS unpublished data).

**Page 3-32:**

Source: Clark et al. *in prep*, as cited in Nadeau et al. 2017NPS unpublished data

**Page 3-38:**

Under alternative B, Upper Muir Inlet would be designated as nonmotorized waters from May 1 through September 15.

**Page 3-39:**

Extending seasonal nonmotorized waters dates at Upper Muir Inlet would notably decrease underwater vessel noise and increase NFI duration for three additional months.

**Page 3-39:**

Under alternative B, ~~eruse ships and tour vessels would be prohibited from waters north of Muir Point in the East Arm~~ only nonmotorized vessels and motorized vessels in the private, charter, and administrative use classes would be allowed in the East Arm/Muir Inlet north of 58°50.4' N latitude (a line running west from the Dirt Glacier outwash) to allow for a small vessel experience for private, charter, and nonmotorized vessels.

**Page 3-39:**

However, park areas with an expansion of nonmotorized vessel restrictions (e.g., Upper Muir Inlet) or restrictions on large vessels (the East Arm north of Muir Point) could experience beneficial impacts to the underwater acoustic environment during certain time periods.

**Page 3-40:**

Under alternative C, changes in nonmotorized waters in Muir Inlet would notably decrease underwater vessel noise and increase NFI duration during May in Upper Muir Inlet.

**Page 3-40:**

however, the existing quota of 25 private vessels would remain, which would result in less underwater vessel noise under alternative C compared to alternative B. Park areas with an expansion of nonmotorized vessel dates (e.g., Upper Muir Inlet)

**Page 3-40:**

The beneficial impacts resulting from the extension of nonmotorized water dates in Upper Muir Inlet and Wachusett Inlet would be the same as alternative C.

**Page 3-41:**

however, the actions are expected to result in a beneficial impact to the underwater acoustic environment in the Upper East Arm by expanding nonmotorized water dates during the permit season in Upper Muir Inlet.

**Page 3-41:**

Within Upper Muir Inlet in the Upper East Arm, the adverse effect would be mitigated through most of the peak season by designating Upper Muir Inlet as nonmotorized waters from May 1 to September 15.

**Page 3-42:**

Under alternative C, Upper Muir Inlet would be designated as nonmotorized waters from May 1 through July 15 and Wachusett Inlet would be designated as nonmotorized waters from July 16 through September 15. Within Upper Muir Inlet, this change would notably benefit the underwater acoustic environment during the month of May compared to alternative A,

**Page 3-42:**

Alternative D would change the seasonal nonmotorized water designations the same as in alternative C, so the beneficial impact of these actions on the underwater acoustic environment in Upper Muir and Wachusett Inlets would be the same as alternative C. Overall, the underwater acoustic environment under alternative D would be similar to or slightly worse than alternative A with some additional minor benefits due to restrictions on larger vessels and changes to timeframes that Upper Muir Inlet and Wachusett Inlet are designated as nonmotorized waters.

**Page 3-44:**

Close encounters between ships and whales occurred most often in Icy Strait near the entrance to Glacier Bay and in lower portions of Glacier Bay, which are hotspots for whale abundance in most years (NPS unpublished data).

**Page 3-48:**

Both studies documented that breeding and nonbreeding murrelets are disturbed by vessels. Marcella et al. (2017) found that 68% of all murrelets encountered within 850 meters perpendicular distance of either side of an approaching cruise ship dove or flew from the water.

**Page 3-50:**

Programmatic actions associated with floating cabins/seasonally moored vessel, communication upgrades, and oceanographic monitoring stations would result in additional boat, float plane, and/or helicopter movements within the park during construction, maintenance, and monitoring, which could generate additional above water and underwater noise and increase vessel presence within the park, lasting only as long as construction occurs over the course of approximately 7-14 days for each site.

**Page 3-51:**

Changes to the dates for nonmotorized waters in the Upper Muir Inlet would decrease disturbance to marine wildlife in the inlet by removing underwater noise from motorized vessels for three months and decrease behavioral disturbance (e.g., seabird flushing and diving) from reduced vessel presence and wakes.

**Page 3-52:**

As described above, an increase in five private vessel permits and potential changes in the distribution of vessels within Glacier Bay would adversely affect marine wildlife. Some actions, such as changes to nonmotorized waters in Upper Muir Inlet may benefit some marine wildlife species by reducing vessel presence;

**Page 3-52:**

may occur due to lower-impact vessels using the bay and an expansion of nonmotorized water designations (e.g., Upper Muir Inlet May 1–September 15).

**Page 3-53:**

Extending the duration of the nonmotorized vessel waters in Upper Muir and Wachusett Inlets would decrease disturbance to marine wildlife in these inlets for an additional month and a half by removing airborne and underwater noise from motorized vessels.

**Page 3-53:**

Some actions, such as changes to nonmotorized waters in Upper Muir and Wachusett Inlets may benefit some marine wildlife species by reducing vessel noise, presence, and wakes.

**Page 3-54:**

Impacts associated with nonmotorized waters in ~~the~~ Upper Muir and Wachusett Inlet would be the same as those described for alternative C.

**Page 3-54:**

Noise impacts from lower-impact vessels on marine wildlife would be similar to those described under alternative B, although reducing the distance between a motor vessel and marine wildlife increases the underwater sound exposure for the animal, as compared to if that same vessel had traveled a greater distance offshore. As NPS moves toward implementing the lower impact vessel category for private vessels it would entail collecting underwater sound profiles of various vessels to refine the criteria for this designation, as well as other aspects of vessel characteristics, to ensure that any advantages are applied fairly and appropriately. Allowing lower-impact vessels to travel closer to shore would increase the likelihood of close encounters with humpback whales that feed within 1 mile of shore. However, by definition, a lower-impact vessel would not be traveling faster than 10 knots, which is less than the 13-knot speed restriction imposed on vessels when high numbers of whales are present. The slow travel speeds of lower-impact vessels would help minimize potential whale-vessel collisions because both whales and vessels can more easily avoid each other if a close encounter occurs. This would help minimize potential vessels strikes of whales because whales are more able to move out of the way of a slower moving vessel. Additionally, prior to implementing specific operating requirements for lower impact vessels, NPS would also examine lower bay whale distribution data to determine the distance from shore at which these vessels may safely transit while still complying with the ¼ nautical mile minimum approach distance to humpback whales, so that the risks of collision and disturbance remain low. Other restrictive measures, such as not operating within 0.25 nautical mile of a humpback whale would still be in place. The park would monitor lower-impact vessels and associated operating requirements to ensure impacts on resources do not exceed the desired conditions as discussed in chapter 2 of the draft plan. If unacceptable impacts occur, full operating requirements would be reinstated for this vessel class. Operating requirements for lower impact vessels would undergo the same information-based process that is used for whale waters closures under 36 CFR 13.50 to ensure they are responsive to observations and recommendations from NPS biologists and law enforcement staff.

**Page 3-54:**

Some actions, such as changes to nonmotorized waters may benefit some marine wildlife species by reducing vessel noise in Upper Muir and Wachusett Inlets.

**Page 3-55:**

Changes to the dates for nonmotorized waters in Upper Muir and Wachusett Inlets under alternatives C and D would decrease disturbance to marine wildlife by removing underwater noise from motorized vessels for an additional month and a half, minimizing impacts on marine wildlife behavior from reduced wake size (e.g., seabird flushing and diving), and reducing the potential for vessel strikes when compared to alternative A. Compared to alternative B, the benefits of alternatives C and D in Upper Muir Inlet would not be

**Page 3-57:**

Disrespectful behavior (ligaas), in Homeland offends those ancestral spirits who continue to steward Homeland (NPS 2022eBWMP, in preparation).

**Page 3-57:**

A return to Homeland is an opportunity to be in the presence of those who have gone before and to engage with the landscape in the same way that their ancestors engaged for centuries (NPS 2022eBWMP, in preparation).

**Page 3-58:**

Another concern for the Huna Tlingit is the presence of large, motorized vessels in the East Arm and other seasonal motorized use of Upper Muir and Wachusett Inlets, resulting in diminished Homeland values from a perception of increased water and noise pollution in these areas.

**Page 3-59:**

Installation of floating cabins/seasonally moored vessels in Lituya Bay and Graves Harbor may result in adverse impacts on the cultural landscape and Homeland values because both are culturally sensitive areas. ~~Although exact locations remain unknown, further compliance may be required prior to installation, including but not limited to cultural resource surveys and tribal consultation to minimize impacts on cultural resources (e.g., cairns) and landscapes.~~ These floating cabins/seasonally moored vessels are analogous in impacts and effects to traditional vessels and only impact the seafloor with standard anchoring systems. Currently, there are no known underwater archaeological sites or shipwrecks recorded in areas with proposed installations; however, a database search for known underwater sites/shipwrecks would be undertaken prior to installation of the moorings to ensure no future impacts. Administrative activity and regulatory presence have a potential for ethnographic impacts if users inadvertently disrespect a sensitive cultural area or if use of the floating cabin/seasonally moored vessel is not inclusive of continued and meaningful park-tribe partnerships. The park would coordinate with HIA and Yakutat Tlingit Tribe to consider culturally appropriate options for floating cabins/seasonally moored vessels and would conduct tribal consultation to minimize impacts on cultural resources (e.g., cairns) and landscapes prior to installation.

**Page 3-60:**

However, extending the nonmotorized vessel water timeframe in Upper Muir Inlet to last three months would have a beneficial impact on Homeland values because it would eliminate motorized vessels in the inlet.

**Page 3-60:**

However, most actions would improve the opportunity for connections with Homeland, including the definition of administrative use vessels and the types of vessels allowed in the East Arm, Wachusett Inlet, and Upper Muir Inlet.

**Page 3-61:**

Conversely, reducing access of motorized vessels in Upper Muir Inlet for an additional month would have a beneficial impact on Homeland values, although this impact would be minimal given the short additional timeframe.

**Page 3-61:**

Tlingit's connection to Homeland, such as changes to motorized and nonmotorized waters in Wachusett and Upper Muir Inlets. However, most actions would improve the opportunity for connections with Homeland, including the definition of administrative use vessels, the exclusion of private vessels longer than 79 feet from Glacier Bay and the types of vessels allowed in the East Arm, Wachusett Inlet, and Upper Muir Inlet.

**Page 3-62:**

The timing of motorized and nonmotorized waters in Wachusett and Upper Muir Inlet would be the same as alternative C, resulting in the same impacts.

**Page 3-62:**

As described above, some of the actions proposed in alternative D would continue to detract from the Tlingit's connection to Homeland such as changes to motorized and nonmotorized waters in Wachusett and Upper Muir Inlets. However, most actions would improve the opportunity for connections with Homeland, including the definition of administrative use vessels and the types of vessels allowed in the East Arm, Wachusett Inlet, and Upper Muir Inlet.

**Page 3-62:**

Additionally, ~~cruise ships and tour vessels would be prohibited from waters in the East Arm north of Muir Point~~ only nonmotorized vessels and motorized vessels in the private, charter, and administrative use classes would be allowed in the East Arm/Muir Inlet north of 58°50.4' N latitude (a line running west from the Dirt Glacier outwash), creating a more wilderness type experience.

**Page 3-62:**

Extending the nonmotorized vessel water timeframe in Upper Muir Inlet to last three months under alternative B would have a beneficial impact on

**Page 3-63:**

Compared to alternative B, alternatives C and D would have fewer beneficial impacts on Homeland values due to increased motorized vessels in Wachusett Inlet and reduced access of motorized vessels to Upper Muir Inlet for an additional month.

**Page B-8:**

Changes to private vessel management and operating requirements for other vessels, and the presence of administrative use vessels in areas where floating cabins/seasonally moored vessels may be located, could indirectly impact opportunities for solitude or a primitive and unconfined type of recreation.

**Page C-2:**

Changing the dates for the nonmotorized waters of Upper Muir and Wachusett Inlets to match the call-in season and revised permit season from May 1 to September 30 was considered to simplify the system and unify the regulatory dates for various types of use.

**Page E-1:**

Additionally, NFI for the Upper East Arm is represented by the data collected in Upper Muir Inlet, which is designated as nonmotorized waters for part of the year. Therefore, the baseline data likely overestimates NFI duration for areas in the Upper East Arm outside the nonmotorized water boundary of Upper Muir Inlet.



## **ATTACHMENT C: DETERMINATION OF NO IMPAIRMENT**

The NPS Organic Act of 1916 directs the NPS to "conserve the scenery, natural, and historic objects, and wild life in the System units and to provide for the enjoyment of the scenery, natural and historic objects, and wild life in such manner and by such means as will leave them unimpaired for the enjoyment of future generations" (54 USC 100101). NPS Management Policies 2006, Section 1.4.4, explains the prohibition on impairment of park resources and values:

"While Congress has given the Service the management discretion to allow impacts within parks, that discretion is limited by the statutory requirement (generally enforceable by the federal courts) that the Park Service must leave park resources and values unimpaired unless a particular law directly and specifically provides otherwise. This, the cornerstone of the Organic Act, establishes the primary responsibility of the National Park Service. It ensures that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them."

An action constitutes impairment when its impacts "harm the integrity of park resources or values, including the opportunities that otherwise will be present for the enjoyment of those resources or values" (NPS 2006, Section 1.4.5). To determine impairment, the NPS must evaluate the "particular resources and values that will be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts. An impact on any park resource or value may constitute impairment, but an impact would be more likely to constitute an impairment to the extent that it affects a resource or value whose conservation is:

- necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park;
- key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park; or
- identified in the park's general management plan or other relevant NPS planning documents as being of significance (NPS 2006, Section 1.4.5).

Resources that were carried forward for detailed analysis in the EA, and for which a non-impairment determination has been made, include the airborne acoustic environment, the underwater acoustic environment, marine wildlife, and ethnographic resources and Homeland values. A non-impairment determination is not necessary for visitor use and experience because this impact topic is not generally considered a park resource or values subject to the non-impairment standard (see NPS 2006, Section 1.4.6).

### **AIRBORNE ACOUSTIC ENVIRONMENT**

Visitors come to the park to view both glaciers and wildlife and experience a pristine natural environment, and noise can affect the visitor experience and alter the behavior of wildlife (Buxton et al. 2017; Barber et al. 2011). The selected alternative will result in short-term adverse, localized impacts to the airborne acoustic environment from increased vessel traffic associated with programmatic actions (lasting as long as construction occurs over the course of approximately 7-14 days for each site), and the conditional transit permit but will not dramatically change the existing condition. Noise impacts from helicopters will be temporary, ceasing once operations are over (likely within a single day at each site)

except for infrequent noise from any subsequent flights to replace or service equipment. Therefore, helicopter noise will not cause lasting effects or meaningfully change the overall character of the airborne acoustic environment at or near installation sites, and the airborne acoustic environment in the vast majority of the park will remain unaffected. For these reasons, the NPS has determined that the selected alternative will not result in impairment of the airborne acoustic environment.

## **UNDERWATER ACOUSTIC ENVIRONMENT**

The underwater acoustic environment is a critical resource that affects the behavior of marine animals and is classified as a “Vital Sign” for the park (Moynahan et al. 2008). Most of the acoustic studies at the park have focused on the underwater acoustic environment. Because a majority of visitation occurs by motorized vessels that produce underwater noise, preserving the underwater acoustic environment as natural and undisturbed as possible is an objective for the park. The selected alternative will not increase the number of private vessels within Glacier Bay and is therefore unlikely to meaningfully impact the underwater acoustic environment. The selected alternative will result in short-term adverse, localized impacts to the underwater acoustic environment from increased vessel traffic associated with the installation of floating cabins/seasonally moored vessels, communication upgrades, and oceanographic monitoring stations. Given the intermittent and spatially localized nature of these actions lasting approximately 7-14 days for each site, the actions are not expected to measurably impact the underwater acoustic environment throughout most of the park. The establishment of the conditional transit permit will increase the number of boats in the Lower Bay, however, only one conditional transit permit will be allowed at any one time and the total number of private vessels will not exceed the daily quota of 25. For these reasons, NPS has determined that the selected alternative will not result in impairment of the underwater acoustic environment.

## **MARINE WILDLIFE**

The park preserves one of the largest (nearly 600,000 acres) areas of federally protected marine ecosystems in Alaska (including submerged lands) against which other less protected marine ecosystems can be compared. Marine waters make up nearly one-fifth of the park and provide habitat for an array of marine wildlife. The selected alternative will not increase the number of private vessels within Glacier Bay and is therefore unlikely to meaningfully impact marine wildlife. The installation of floating cabins/seasonally moored vessels, communication upgrades, and oceanographic monitoring stations will result in additional boat, float plane, and/or helicopter movements within the park during construction, maintenance, and monitoring, lasting approximately 7-14 days for each site, which could generate additional above water and underwater noise and increase vessel presence within the park, temporarily impacting marine wildlife. There could be a slight increase in the potential for vessel strikes with humpback whales, disturbance to Steller sea lions at haul-out sites or rookeries, flushing of seabirds, disturbance to many marine wildlife species (including harbor seals) from vessel noise and increased vessel presence, and mooring line impacts to whales.

Establishing a conditional transit permit will increase vessel traffic in the Lower Bay as vessels enter or exit Bartlett Cove and could impact marine wildlife species in this area. Private vessels using the conditional transit permit will be required to follow a mid-channel or other prescribed course to reduce potential collisions with and disturbance to humpback whales. Additionally, no more than one conditional transit permit will be allowed at any one time (with a limit of one way per day per vessel), and it will not

exceed the existing private vessel quota of 25 vessels per day. For this reason, there will not be a significant change from the current condition.

The park may exclude lower-impact vessels from some specific operating requirements, such as distance to shore requirements. Allowing lower-impact vessels to travel closer to shore will increase the likelihood of close encounters with humpback whales that feed within 1 mile of shore. However, by definition, a lower-impact vessel will not be traveling faster than 10 knots, which is less than the 13-knot speed restriction imposed on vessels when high numbers of whales are present. This will help minimize potential vessels strikes of whales because whales are more able to move out of the way of a slower moving vessel. Other restrictive measures, such as not operating within 0.25 nautical mile of a humpback whale will still be in place.

Combined, these impacts may result in intermittent and spatially localized impacts to marine wildlife within the area where actions are occurring and during select times of the year. Marine wildlife will continue to be able to use the nearly 600,000 acres of available marine habitat within the park and preserve. For these reasons, marine wildlife will continue to be present for the enjoyment of current and future generations and the NPS has determined the selected alternative will not result in impairment of marine wildlife.

## **ETHNOGRAPHIC RESOURCES AND HOMELAND VALUES**

The selected action will have mostly beneficial impacts to ethnographic resources and Homeland values from increased education for visitors on Homeland values and a reduction in larger vessels in some areas of the park (e.g., private vessels longer than 79 feet in Glacier Bay, and cruise ship and tour vessels in the East Arm/Muir Inlet). Additionally, the selected alternative will promote tribal access and cultural connections to the marine environment of the park. Restricting motorized vessels from entering Upper Muir Inlet for an additional month and Wachusett Inlet for an additional two weeks will have slightly positive effects on Homeland values. The installation of floating cabins/seasonally moored vessels in Lituya Bay and Graves Harbor may result in adverse impacts on the cultural landscape and Homeland values in these specific areas because both are culturally sensitive areas. Currently, there are no known underwater archaeological sites or shipwrecks recorded in areas with proposed installations, however, a database search for known underwater sites/shipwrecks will be undertaken prior to implementation of these moorings to ensure no future impacts occur. Administrative activity and regulatory presence have a potential for ethnographic impacts if users inadvertently disrespect a sensitive cultural area or if use of the floating cabin/seasonally moored vessel is not inclusive of continued and meaningful park-tribe partnerships. The park will coordinate with the HIA and YTT to consider culturally appropriate options for floating cabins/seasonally moored vessels which will further mitigate adverse impacts. Ethnographic resources and Homeland values outside these sites will remain unimpacted. For these reasons, the NPS has determined the selected alternative will not result in impairment of ethnographic resources or Homeland values.

## **SUMMARY**

The NPS has determined that implementation of the selected alternative will not constitute impairment of the resources of the park. This conclusion is based on consideration of the park's purpose and significance, a thorough analysis of the environmental impacts described in the EA, comments provided by the public and others, and the professional judgement of the decision maker guided by the direction in NPS Management Policies 2006.

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# Marine Management Plan Environmental Assessment Finding of No Significant Impact

Glacier Bay National Park and Preserve  
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Produced by the National Park Service

