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Comments: My objection letter and supporting information are attached.

Regional Forester David E. Schmid
USDA Forest Service, Alaska Region
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June 25, 2023
Mr. Schmid,
This letter represents my formal objection to the draft Record of Decision for the Mendenhall Glacier Recreation Visitor Facility Improvements project under the 36 CFR 218 Pre-decisional Administrative Review Process.

I provided comments in response to scoping on January 11, 2021, on the DEIS on May 6, 2022, and on the SDEIS on February 16, 2023 which gives me standing to object to the project.

The entire premise of the MGRA expansion is really about commercial tourism. The MGRA Interpretive Plan indicates 80 percent of visitors are from cruise ships, 9 percent are independent travelers, and 11 percent is local use. [p. 13] While there are other aspects of the proposal that benefit local users (biking trails, cabins, etc.), the level of expansion is primarily geared toward tourists who supposedly feel crowded. The FEIS statement, "Local use is likely to continue to experience slow growth" confirms this. [p. 3-200]

The FEIS states "The addition of commercial outfitting and guiding opportunities is responsive to the need to meet the demand of the visitor industry in Southeast Alaska and the primary purpose of the MGRA, [italics added] while still providing opportunities for public study, use, and enjoyment that are suitable to, and do not compromise, its characteristics and its draw as a tourist destination." [FEIS, p. 3-202] The statement itself is questionable since there is no direction to make the tourism industry the "primary purpose" of the MGRA. In fact, the Special Interest Area LUD description does not mention tourism or tourists, and only mentions "recreation." [p. 3-39] This erroneous statement is indicative of how the Forest Service is letting the Forest Plan's Recreation and Tourism Guidelines drive the analysis instead of relying on the LUD direction to shape the recreation and tourism activities in the MGRA.

In other words, the proposed projects would not be considered without the concern about increasing tourism. This is based on the FEIS Purpose and Need for Action which discusses the growth rate of the cruise industry, the number of tourists projected to 2050, and the changing tour season. [p. 1-7 and 1-8]. Although the Purpose and Need Statement mentions "all" visitors, it goes on to discuss "meeting the demand of the visitor industry and support for the economy of Southeast Alaska."

Crowding is the driving issue but there is little to inform us about specifically and empirically where it's occurring, or what that crowding consists of (too little parking, too few bathrooms, etc.). For a proposal of this magnitude inside a Special Interest Area (SIA), it is not sufficient to simply state the area is crowded, and growth projections for 'x' years means it will be so crowded the Forest Service is compelled to disperse use to less crowded areas and change the entire character of the SIA.

The crux of the problem is in the immediate vicinity of the visitor center. The Master Plan stated this at the outset: [Document #001, p.14]

"This project will expand the current facilities and provide improved access to the Welcome Center Complex. Existing facilities located at the Visitor Center cannot adequately manage the number of visitors arriving on their own or by motorcoach during peak periods in the tourist season. With the continued growth of tourism predicted in the coming years, this problem will continue to escalate and directly impact the experiences at the Mendenhall Glacier Visitor Center (MGVC, italics added). Today, a majority of commercial visitors arrive and depart the MGVC via motorcoach (approximately 500,000 in 2018). The number of commercial vehicles entering during peak periods in the summer visitor season exceeds parking availability resulting in vehicle and pedestrian

congestion. Little staging information and pedestrian facilities adjacent to the loading/unloading areas produce temporary shelters that are undersized, increasing congestion and confusion. The lack of well-designed commercial facilities and circulation create safety issues and diminishes the visitor experience."

The Mendenhall Glacier Resource Library developed during the Master Plan effort states, "In general, trails are well below their capacities (exceptions are those in the immediate area of the visitor center), and are expected to remain so for the periods being examined by this project." [Document #005, p. 9] It is assumed that examples of those trails in the immediate area are Steep Creek and Trail of Time.

The "degraded visitor experience" [for tourists] or "further declines in the visitor experience" in the 12/16/2020 letter is not supported in the record. The Forest Service is essentially claiming that the entire area from the parking lots, across Steep Creek, over to Photo Point, the Moraine

Ecology Trail, and Nugget Falls Trail is, or will be, so crowded that expansion throughout the SIA is warranted.

An example from the FEIS illustrates this: "Crowding causes issues at the MGRA [*italics added*] such as congested vehicular traffic, crowds at viewing platforms, and increased social encounters at trailheads and on trails, which can diminish the visitor experience. [p. 3-62] The majority of the MGRA is not crowded and the trail monitoring confirms this. However, the MGVC and immediate area identified above is crowded during the peak season. The Forest Service has included components of "the fix" to the MGVC and it is reasonable to see if a new Welcome Center, more parking, more bathrooms, better traffic flow, etc. are working before even considering subjecting the entire MGRA to large scale tourism. This would be more consistent with the Objectives and Desired Condition of the LUD.

None of the alternatives really examined a more limited approach to determine if fixing known points of congestion would address the issues and still meet the Purpose and Need. In short, the Forest Service went overboard.

Special Interest Area LUD

The "Review of Project Consistency with Forest Plan Components for Special Interest Areas" [Document #1311] provides a summary of the past history of the MGRA as it relates to past planning documents. While that history is nice to know, the MGRA is subject to the current management identified in the 2016 Forest Plan. Nobody disputes the MGRA has a recreation component. The dispute centers on the scale and the nature of the changes as it relates to the current 2016 Tongass Forest Plan. As a point of comparison, Glacier National Park is one million acres and had three million visitors in 2022. The MGRA is 5800 acres and had use estimated at 700,000 visitors in 2017 [FEIS, p.1-7] but the draft ROD will allow almost 1.3 million visitors. [R-14] The Review of Project Consistency skirts around the key words in the Forest Plan in order to justify the proposed construction. (footnote: While the mission statements of the agencies are different, the point of the comparison is to show that there are highly developed parts of national parks, and the MGRA is the most highly developed part of the Tongass National Forest. Limiting visitation doesn't conflict with "caring for the land and serving people. The Forest Service limits use at campgrounds, recreation areas, and wilderness areas. Why not provide some firm limit to MGRA that doesn't create such large impacts or increase every few years?)

"All action alternatives maintain or improve the agency's ability to provide for inventory, maintenance, and especially interpretation and protection of the glacier and lake considering current and projected increases in visitation." [p. 3]

The Forest Plan SIA Goal is to, "To provide for the inventory, maintenance, interpretation, and protection of the existing characteristics and attributes of areas with unique cultural, geological, botanical, zoological, recreational, scenic, or other special features. The rationale used by the Review of Project Consistency for "protecting" the existing characteristics and attributes is to greatly increase the level of use, destroy acres of habitat (over 5 acres

for just the Lakeshore Trail), impact wetlands (up to 11 acres [p. 3-130]), and diminish wildlife habitat all under the guise of "protection." This is evidenced by the Review of Project Consistency statement, "Protection takes the form of managing this increasing recreation use to mitigate the impacts while still providing for the recreation use and educational value for which the area was designated and reserved." [p. 3] It's odd logic that allows an area to be destroyed to accommodate more use and then claim the improvements are now "protecting" the environment. It's even odder when considering the new and improved trails will be dispersing people into areas never used before, and the trails have no real boundaries to confine visitors from wandering "off course"[mdash]potentially creating more of the incidental impacts these improvements will purportedly be preventing.

The Review of Project Consistency states, "The MGRA is a recreation area, while other Special Interest Areas are designated as cultural, geological, botanical, zoological, and scenic." [italics added p. 3] This statement implies that there are two classes of SIAs on the Tongass: one for recreation SIAs and another for "other" SIAs. The current Forest Plan makes no distinction, and while the MGRA has a recreation component, it still is subject to the LUD Goals, Objectives, and Desired Conditions of the current Plan.

The Review of Project Consistency cites Forest Plan language, "Provide for existing Recreation Opportunity Spectrum (ROS) opportunities and activities, unless public use is specifically restricted for the protection of other resources." It then goes on to provide the following rationale: "This project proposes to adopt new ROS classes for portion of the MGRA as described in the action alternatives, consistent with Forest Plan direction for ROS Classes (Appendix I, p. I-7 of the Forest Plan states that major recreation developments are allowed within Special Interest Areas on a case-by-case basis)." [p. 4] This appears to be saying that new ROS classes can be adopted if major recreation developments are proposed. Since the draft ROD has dropped the boats and Remote Visitor Center Area, the project no longer includes major recreation developments. If the justification for adopting the new ROS classifications relies on these "now-dropped" major recreation developments, the other new ROS classifications for the project also need to be dropped. More specifically, the Lakeshore Trail, or other areas where the ROS class changes.

The Forest Plan states "All Special Interest Areas on the Tongass National Forest are characterized by generally unmodified environments in which unique natural features are preserved. They remain largely undisturbed by human uses or activities, except for localized interpretive purposes and, in some cases, recreation developments, and provide quality opportunities for public study, use, and enjoyment." Contrast this with the Review of Project Consistency claim that "All action alternatives have been designed to achieve a generally unmodified, largely undisturbed, except for localized interpretive purposes." This is inaccurate; the Lakeshore Trail, alone, will create a 14'-wide paved trail along the entire south shore of the lake (2.6 miles). [FEIS, p. 2-50]

As a result, the changes to the MGRA SIA violate NFMA.

Trail Monitoring, Crowding, and ROS

The trail monitoring reports from 2016 - 2020 indicate all the monitored trails were well within the existing ROS guidelines. Even the "busiest" monitored trail (East Glacier) exceeded the daily encounter limit guidelines only one year out of three (2020 not included) with an average of 11 encounters (34/3 years)[mdash]still well below the guidelines of 20 encounters/day. This begs the question why the Forest Service felt compelled to expand the existing trail system (e.g., Lakeshore Trail, Nugget Falls Loop) on the basis that the area is, or will be, too crowded. A footnote on p. 3-64 states the Nugget Falls Trail is "experiencing large crowds and high level of encounters" based on one "peak day" in 2016 when "more than 700 visitors used the trail during one 4-hour period.

The decision to expand the trails in the absence of monitoring data on the Moraine Glacier and only one year

(2016) for the Nugget Falls Trails to support the notion that the area around the MGVC is so crowded, is arbitrary and capricious. In addition, the proposed changes to the ROS settings inside a Special Interest Area (SIA) for trails that are clearly within the Forest Service encounter limits, conflicts with the SIA's Objectives. Those Objectives include "do not compromise the characteristics of each area" and "Provide for existing ROS opportunities and activities, unless public use is specifically restricted for the protection of other resources." [Tongass Plan, p. 3-39, italics added]

As a result, the proposed Lakeshore Trail and Nugget Falls Loop trail are not consistent with the LUD Objectives and Desired Condition and are a violation of NFMA.

The lack of trail monitoring on other trails is also troubling. This is particularly true for the Moraine Ecology Trail and the Nugget Falls Trail. The monitoring reports indicate the Moraine Ecology Trail has never been monitored. The Nugget Falls Trail was monitored 16 times in 2016 [Document #589], one time in 2017 (June 17th, p. 11 of monitoring report) and twice in 2018 [Document #478, p. 10, of 2018 monitoring report]. Despite no monitoring on the Moraine Ecology Trail and virtually no monitoring on the Nugget Falls Trail for the 3 years prior the pandemic, these trails have been determined to be insufficient in handling the number of people using it.

Finally, according to the FEIS:

"Urban ROS: The 2016 Tongass Plan does not state a limit to the number of parties encountered. Capacity calculations for the Urban ROS in Alternative 1 are based on PAOT, as described in the 2015 MGRA Management Plan. Capacity calculations for the Urban ROS in Alternative 1 are based on PAOT, as described in the 2015 MGRA Management Plan and do not state a limit to the number of parties encountered. [bold added] Capacity calculations for the Urban ROS in Alternative 1 are based on PAOT, as described in the 2015 MGRA Management Plan. Capacity calculations for the Urban ROS in Alternatives 2-7 are generally based on 150 PAOT with some exceptions." (p. A-5)

The 2015 EA provides some additional insight:

"The assumption is that these areas [Nugget Falls Trail] will have high levels of use and high level of interaction." [p. 24]

"Given the design of this trail [Nugget Falls Trail] to accommodate high levels of visitors in the core of the Visitor Center Unit, the existing high level of use, and the lack of unacceptable resource impacts from current use [bold added], District staff have determined that this trail should have an Urban designation. Capacity has been estimated based on the 100 PAOT standard for Urban ROS trails, resulting in a seasonal capacity of 153,000. 100 PAOT x 10-hour day x 153-day season = 153,000." [p. 26]

Changing the PAOTs from 100 (in 2015) to 150 (FEIS) does not mean the existing trail will be crowded. The trail is approximately $\frac{12}{1}$ -mile long (~2600') which means there could be 1 person every 17' linear feet of trail (2600'/150 PAOTs). People don't uniformly spread out so let's assume there are 3 people in a group. If that's the case, that equals 1 group every 52 linear feet of trail (2600'/3 people in a group). That is hardly crowded according to the Urban ROS category which doesn't have an encounter limit. When a trail doesn't have an encounter limit, the expectation is that "interaction between large numbers of users is high." [italics added, p. 3-55]

The FEIS states, "This component (the Nugget Falls loop) was added after concerns about crowding along this trail were raised during the early 2020 scoping effort." A review of the February 12, 2001 Scoping Report and Comment Summary (p. 18) includes a discussion about the Nugget Falls Trail but the only mention of a loop [p. 2-30] is in regard to bears potentially getting "stuck" inside the loop. A review of the scoping comments shows only one comment (Wertheimer) about "improving" the Nugget Falls trail, and that was in relation to having the trail extend towards Heintzleman Ridge, not along the shoreline. In fact, the scoping comments from past and

present JRD employees commenting on their own time indicates none of them, though they are intimately familiar with the area, mentioned crowding on the Nugget Falls Trail. [see scoping comments: Lamm, Eney, Debardeleben, Schneider, Sherwin, Craig, Dee, Wright, Neary, Graves]. Apparently, their professional judgment showed crowding was not a problem.

Prior to the current planning process, the 2015 EA list of Scoping Issues does not even mention crowding or other resource concerns for the Nugget Falls Trail [p. 9 and 10]. In addition, the 2018 Mendenhall Glacier Resource Library developed during the Master Plan effort guiding this project's analysis states, "In general, trails are well below their capacities (exceptions are those in the immediate area of the visitor center), and are expected to remain so for the periods being examined by this project." [Document #005, p. 9] It is assumed that examples of those trails in the immediate area are Steep Creek and Trail of Time.

The Response to Comments section for Comment #460-12 states, "Although the user-created segment of the [Nugget Falls] trail is already used by many visitors[hellip]" [italics added, p. F-230]. I have walked the shoreline portion of this trails dozens of times over the years, as well as the upland portion of the trail. The use of the word "many" is misleading and appears to be used to justify building the formal loop portion of the trail. I have never seen "many" people on the shoreline. I do encounter a few groups but never "many" groups. In addition, I could not locate any monitoring information in the analysis or record that indicated the shoreline portion of the trail had "many" visitors. Since the Forest Service has barely monitored the upland portion, I'm not surprised there appears to be no information for the shoreline portion.

The reasoning in the ROD (Pages R-24 and 25) explaining why the Nugget Falls Trail needed to be a loop, and was the only option carried forward in the analysis, is spurious for several reasons:

[bull] "Improve the experience of hikers:" The hikers aren't complaining according to the 2017 RDCD survey. No other survey questions specifically about the Nugget Falls Trail have been asked since then;

[bull] The intent of the loop is to create a "calm walk in the woods:" While "calm" may be subjective, the trail has been designated as Urban which doesn't have an encounter limit, and the expectation is that "interaction between large numbers of users is high." [p. 3-54]. Forest Service staff are superimposing their own belief system on the visitors, for a trail that had the highest "very satisfied" rating from locals and tourists. [2017, p. 2] If the agency wanted to create a calmer walk in the woods, it could have changed the ROS to Rural or Roaded Natural or widened the trail.

[bull] "The need for blasting through pinch points:" The Forest Service has blasters creating fish passes, and there is local expertise in Juneau that specializes in blasting near historic sites, as well as tight spaces (alaskaseismic.com). The trail narrows in two spots. One of these is where the trail descends slightly down past some rocks towards the falls. This section had drilling in the past and there is no reason why it couldn't be done again. The beginning of the trail has a grated walkway between a rocky area. Focused blasting in this location would solve the problem. The Forest Service acts like all this is an insurmountable problem. It's not. Moreover, it is much less daunting than many of the other proposed projects such as building a new Welcome Center, re-routing an anadromous fish stream, changing the entire parking area, and creating a whole new Lakeshore Trail with a 340-foot bridge.

[bull] "A wide, road-like trail would result from widening:" The trail currently averages approximately eight feet in width. It is doubtful people will notice a widening of several feet and have their experience diminished. The surface would continue to be gravel, which still gives the impression of it being a trail, not a road. In addition, the creation of the Lakeshore Trail (also Urban ROS) is still considered a "trail" even though it will be paved and 14 feet wide.

[bull] "The unimproved lakeshore portion leading to Nugget Falls invites unprepared visitors:" How unprepared

are these visitors? Are they getting lost? Are they getting their feet wet? Fine, install a few signs and a small bridge or two. I could not locate any information in the analysis that indicated if injuries were occurring or how many occurred, or whether search and rescue missions along the Nugget Falls Trail took place, or any records of visitors complaining that they had embarked on a perilous trip to Nugget Falls.

Finally, won't the loop portion of the Nugget Falls Trail be much more exposed to jokulhlaup flooding than if the trail remained on higher ground? According to the FEIS, "Since 2011, the MGRA and surrounding areas have experienced regular, periodic flooding due to glacial lake outburst floods, also known as j[ouml]kulhlaups." These outbursts cause a sudden increase in the elevation of Mendenhall Lake and increase flows in the Mendenhall River. The rapid rise of lake level and river flow causes flooding in the vicinity of these waterbodies. Glacial lake outburst floods have been occurring at least once, and sometimes twice, a year since 2011." [p. 3-121] "The trail would be designed to accommodate normal flood flow and to withstand possible inundation [italics added] during high lake level events." [pages 3-126 and 127] What happens to visitors who want to use the trail when flooding occurs? They would have to use the existing un-widened higher portion of the trail[mdash]which doesn't solve the Forest Service's "crowding" problem. All of this begs the question: How come a widened trail alternative in its current location did not get considered?

An entire new section of "loop" has been determined to be necessary to correct a problem that doesn't appear to exist, and may make the situation worse if periodic flooding occurs. As a result, the inclusion of a Nugget Falls Trail Loop is arbitrary and capricious and a full range of alternatives was not explored.

Range of Alternatives

In several locations in the Response to Comments, the Forest Service stated, "The Responsible Official has the discretion to choose which alternatives or parts of alternatives in the draft ROD." [p. F-227] That is not disputed; however, the Responsible Official is required under NEPA to "rigorously explore and objectively evaluate all reasonable alternatives and for alternatives that were eliminated from detailed study, briefly discuss the reasons for their having been eliminated." [40 CFR Section 1502.14(a)] There is a big difference in what the Responsible Official chooses and what options he was given to choose from.

The majority of alternatives have components that require so much time to visit it is unlikely they are viable based upon what is currently known about tour lengths. The FEIS notes in multiple locations the length of tours, yet alternatives containing components to disperse use would require more time than tourists have. Even Brian Meissner noted during the January 26, 2023 webinar (<https://vimeo.com/794299287>), an area along the proposed Lakeshore Trail not quite halfway to the proposed bridge (~1:19:43 on video), an area along the proposed Lakeshore Trail not quite halfway to the proposed bridge. He anticipated the majority of visitors would make it only as far as this location due to time constraints, and that was fine because the location offered a good view.

In addition, The analysis identifies that many of the visitors are not particularly "physically-inclined." For example, page 9 of the McDowell Market Demand and Economic Analysis states, "The physical activity level of visitors varies tremendously. A significant percentage of visitors do not have the time, interest, or physical capability to engage in extensive activity. Weather also has a large influence on the percentage of time spent outdoors and in physically demanding activities."

The proposed Lakeshore Trail is based on the unsubstantiated premise that people have the time to travel along its length. It's not clear how the current time cruise ships allot to tours to the MGRA. The 2017 visitor survey reported that visitors to the MGRA stayed for an average of 2 hours and 17 minutes (USDA Forest Service, 2018). The Market and Economic Analysis states, "Most visitors spend 75 to 90 minutes at the MGRA. When the site is combined with another tour, time spent at the MGRA is generally limited to 60 minutes" and "Expanding the amount of time spent at MGRA is challenging..." [p.9]

The inclusion of alternatives that rely on trip lengths well beyond those currently taking place is flawed. The fact that five of the six action alternatives build off these longer trip lengths and all six action alternatives build off a Lakeshore Trail is troubling.

Moreover, the response to comment 460-3 stating, "A driving reason for developing parts of the West Glacier and Dredge Lakes Units was for local use and enjoyment of the area[hellip]" missed the mark. I provided an example of how a viable alternative could address local use and commercial use. My comment addressed creation of a reasonable alternative that included east and west side development that would also meet the Purpose and Need.

The failure to include at least one viable alternative as mentioned, is a violation of NEPA.

Lakeshore Trail: All of the action alternatives have a Lakeshore Trail or something closely resembling it. In fact, the ROS for every action alternative is Urban[mdash]not exactly a reasonable range of alternatives. [Appendix A, p. 6] All of the action alternatives have a capacity ranging from 214,000 to 321,000 (three have this highest capacity). It seems a reasonable range would might include a capacity of 50,000 or 100,000 and there is no explanation why all the alternatives all err on the high to highest capacities. An alternative with a much lower capacity could still meet the Purpose and Need. As a comparison, Alternative 4 dropped the entire Remote Visitor Center Area with a capacity decrease of 214,000 Service Days (999,000 - 752,000) and it still met the Purpose and Need.

Connecting existing trail segments to a new segment (Alternative 4) is still largely achieving the same function[mdash]turning a relatively undeveloped portion of the MGRA southern shoreline into an Urban thoroughfare. [Table 2-1, Summary of Alternatives, p. 2-7] All the versions of the trail on the east side of the river are either along the lakeshore or not far inland. The inland versions of the trail also have multiple "exit" routes to the shoreline. While the inland versions of the trail screen the trail from the lake, the multiple exit routes will channel users to the shoreline and further damage habitat and increase encounters. It is not difficult to envision users:

- [bull] taking an exit, walking the lakeshore, and then taking another exit back on to the Lakeshore Trail;
- [bull] Spilling out multiple exits toward the lakeshore and returning the same way.

This will largely undo any benefits from moving the trail inland in terms of impacts to people wanting to walk the shoreline without running into hordes of users, minimizing the noise and visibility of the users along the shore, and contributing more of those "unintentional visitor-created impacts" to birds and other animals that rely on this relatively quiet part of the shoreline. The May 9, 2022 Audubon Society letter articulates the impacts: "All versions of this trail destroy vast amounts of wetlands, riparian areas, and deciduous habitat, all important to local birds and birdwatchers. The recently deglaciated areas offer a rare habitat and diversity of bird species not found on other local trails. For local users and independent travelers, the Lakeshore Trail and Loop would erase the ability to recreate anywhere with a glacier view that was not in use by multitudes of visitors."

Based on DEIS and SDEIS comments, it seems one reasonable action alternative would have dropped the entire concept of a Lakeshore Trail (and its Alternative 4 permutation) and still included other facets of the overall MGRA proposal.

The capacity for the Lakeshore Trail is 32 percent (321,000/999,000) of the overall Visitor Center Unit capacity. The actual commercial allocation for the entire Visitor Center Area is 869,130 but the commercial allocation for the Lakeshore Trail is 10 percent (32,100). Removing commercial use from the trail only affects 4 percent of the commercial allocation (32,100/869,130) in the Visitor Center Area. From a commercial standpoint, removing the trail from an alternative does not have much of an impact and the Purpose and Need for the Visitor Center Area

would still be met.

Now, let's take this one step further. Dropping the entire Lakeshore Trail from an alternative still allows for a Visitor Center Area capacity of 678,000. The Purpose and Need would still be fulfilled because visitor use could increase from 544,890. [p. 2-18 and Appendix A, p. A-3]. An increase in use from 544,890 to 678,000 slightly exceeds the 2 percent growth (664,218) but only for a 10-year period. Bumping up the capacities in the Visitor Center Area would extend this beyond 10 years. However, there is nothing sacred about the length of time used in the growth model. Ten years would still allow growth using the two percent in the FEIS and is a long time from a planning perspective for a dynamic area that the FEIS acknowledges: "As the glacier continues to recede, one of the main attractions for visitors to the MGRA could be out of view from the Visitor Center within 20-40 years." [p. 1-8] Many timber sales are not designed to extend for 20-30 years. Why does the MGRA have to? In fact, changing circumstances will likely render such a long-term analysis as outdated.

During the Forest Service webinar on January 26, 2023 Brian Meissner pointed out an area along the proposed Lakeshore Trail not quite halfway to the proposed bridge. He anticipated that the majority of visitors would make it only as far as this location due to time constraints, and that was fine because the location offered a good view. It seems an even shorter version of the Lakeshore Trail than the one mentioned by Brian, extending as far as the sand bar and just west of the boat dock in Figure 2-18 [p. 2-63] would also allow visitors to get a good view, stretch their legs, and help disperse use from the immediate MGVC area. There is a hump of rock across the lake that actually blocks the current view of the glacier if you continue walking too far along the shoreline. Interestingly, a much-shortened Lakeshore Trail does not appear in any of the action alternatives even though the IDT was aware of this option and it would meet many of the project's objectives.

In addition, the response to Comment #460-5 fails to even attempt to address a very specific comment. Instead, it falls back to "The Responsible Official can "select the No Action Alternative." The response does go on to say the Lakeshore Trail was supported by Juneauites. None of that provides an explanation as to why it wasn't a reasonable alternative for consideration by the responsible official. It does meet the Purpose and Need by "continuing to provide quality opportunities for all visitors" by enabling a good view of the glacier and dispersing visitors. The Forest Service failed to respond to this comment and did not provide a reasonable range of alternatives.

On the same webinar, Monique Nelson shared that consideration for hunting was a reason for not formally adopting the user-created trails around and to the east of Glacier Lake. This was done to prevent user conflicts with hunters using that area. Two alternatives (4 and 6, pages 2-65 and 2-67) responded to the hunter's concerns. Yet, no similar accommodation was made for the bird and wildlife watchers and other users along the Lakeshore despite the SDEIS noting how valuable this area is to those users. [p. 3-79] Moving the trail inland doesn't really count because people will use the exit ramps.

Beyond the numbers and other aspects of the Lakeshore Trail though, the Juneau Audubon Society's scoping comment sums things up:

"There are serious flaws with the proposed new Lakeshore Trail; we recommend this trail not be included in the final plan. This up-to-12-foot-wide paved, semi-motorized trail along the shore of the lake would change the wild character of the shore, remove key wildlife habitat and corridors, and cause disruption to campers paying to stay at the Mendenhall Campground. Currently, a large section of the MGRA is nearly encircled by paved roads. Naturalists have observed that some of the best wildlife viewing is along this proposed trail corridor." (Also see Audubon SDEIS Comment # 473-3)

This is another reason why an action alternative without an Urban ROS Lakeshore Trail should have been considered in an SIA.

Expanding the amount of skiable terrain along the shoreline (or slightly into the woods) isn't warranted and is inconsistent with the SIA's Objectives. The JNSC can set several miles of trail on the lake when conditions are suitable[mdash]which there were for long portions of this past winter. Granted, lake conditions can be variable but it prevents the amount of environmental impact and keeps the entire character of the shoreline from changing. This would be much more consistent with the "do not compromise the characteristics of the area" wording in the Forest Plan for SIAs.

Furthermore, the response to my comment (Comment 460-4, p. F-227) misses the mark. The Responsible Official can certainly "select the No Action Alternative for the Lakeshore Trail, while at the same time selecting other components from any one of the action alternatives." At the same time the Responsible Official is required to provide a reasonable range of alternatives. The first part of my comment asked why the trail's capacities ranged from 214,000 to 321,000. Why couldn't a capacity of 50,000, 100,000, or 150,000 work? It still meets the Purpose and Need. The Forest Service failed to respond to this comment.

The oft-used response in Appendix F, "The Responsible Official can "select the No Action Alternative" has been used to mask the fact that the range of alternatives is not reasonable or equitable. There is a difference between being able to select an alternative, and having a reasonable range to select from. For example, four action alternatives have a Lakeshore Trail and bridge over the river, with the only variation being whether it is directly on the shoreline or slightly inland. A fifth action alternative (Alternative 4) still essentially has a Lakeshore trail, but the bridge is not included. Yet, the FEIS also included action alternatives for other components of the project, notably the boats/Remote Visitor Center Area where one of the action alternatives does not include boats/Remote Visitor Center Area. Why include the Alternative 4 component of no boats/Remote Visitor Center Area if the agency could just rely on "The Responsible Official can "select the No Action Alternative." The fact that the boats/Remote Visitor Center Area was not included in the decision is a moot point. As a result, the agency is arbitrary and capricious in how it handled the alternatives, particularly since my comment on the SDEIS (Comment #460-4 and 5) raised this point.

The Lakeshore Trail does provide benefits, such as cross-country skiing in the winter, as well as negative environmental impacts. However, from a NEPA standpoint, one action alternative without this trail is a reasonable alternative. The Forest Service failed to "Rigorously explore and objectively evaluate all reasonable alternatives" and violated NEPA.

Visitor Capacity

The draft ROD did not include boats/Remote Visitor Center Area. [p. R-13] That component of the project had 214,000 visits associated with it in Alternatives 2, 5, and 7 [FEIS, A-8] Despite dropping the boats/Remote Visitor Center Area in the draft ROD, the ROD continues to show a visitor capacity of 999,000 visits[mdash]the same number of visits the FEIS showed in Alternatives 2, 5, and 7. [R-14] How can the draft ROD capacity remain at 999,000 visits if that component was dropped from the Selected Alternative? It can only be assumed the 214,000 visits will be shunted to other areas of the MGRA. The FEIS did not address the effects of this much additional use in those areas.

The equivalent logic in a timber sale would be like having an analysis with 100 units where 50 percent of each unit is harvested. If the timber sale ROD elected to only harvest 50 units but then clearcut them, the effects of clearcuts on those units were not analyzed. The same goes for developing a visitor capacity with 999,000 that includes the Remote Visitor Center Area, then drops that "unit," and pushes more use to other areas. More specifically, both the Lakeshore Trail and Nugget Falls Trails had capacities of 321,000. That was what was analyzed for those trails [p. A-6]. A capacity of 321,000 + X of "new use" from what was formerly the boat/Remote Visitor Center Area was not analyzed in the FEIS. If we were to assume the Lakeshore Trail capacity was now 450,000, would the effects from that much use change? We don't know because it wasn't analyzed.

I contacted Monique Nelson via email on this point trying to understand what happened between the FEIS and the draft ROD. Her May 31, 2023 email response was:

"The capacities for action alternatives were developed based on 15/20/30-year growth at 2%. The selected alternative, similar to alternatives 2,5, and 7, used 999,000 as the capacity to design to. The facilities included in the selected alternative are designed to accommodate 999,000, even without the remote glacier visitor area. Facilities were designed to accommodate today's use, plus additional peak hours and peak days during the extended 214-day season. Of the 999,000 use days, 869,130 are allocated to commercial use as transportation or trail permits; the remainder are for noncommercial use. Motorized boat permits were not included in that calculation. We found through the analysis that while the boats and remote glacier visitor area would add facilities and spread people out, it would also extend stay times for those visitors who took the boat trip, from an estimated 2.25 hours to 4 hours, thus minimizing benefits to capacity." [Attachment 1]

The 15/20/30-year growth rate is immaterial here; it's not about whether the growth is two percent or for 15 years, it's about whether the effects were analyzed at a given site in the MGRA. The "design accommodation" isn't relevant either. At no point in the analysis does it state other parts of the project were intended to handle use above those in Tables 2 and 3. [pages A-6 and 7] Not including motorized boat permits in the capacity calculation doesn't change the fact that 214,000 visitors were in those boats which were taking them to an area included in the visitor capacity, until the draft ROD dropped that location.

Nor does length of time visitors stay change the argument regarding unanalyzed effects. While visitors may not stay as long as when they were boated across the lake, an extra 214,000 of them will now be out on the trails. This extra 214,000 visitors would largely not be local use since 87 percent of the capacity in the Visitor Center Unit is commercial [p. B-2]. As an example, The FEIS currently has a 10 percent commercial allocation on the Lakeshore Trail ($321,000 \times .10 = 32,100$). Now, the draft ROD has shifted 186,000 ($214,000 \times 0.87 = 186,000$) more commercial visitors to somewhere else in the Visitor Center Unit. The Lakeshore Trail is a likely candidate for that use. While not all the use may occur there, a substantial amount could wind up on the trail. That level of commercial use on the Lakeshore Trail has not been analyzed in the FEIS.

As an aside, it is interesting that minimizing "length of stay" is now an argument put forth for keeping the capacity at 999,000. Length of stay was not considered when developing a reasonable range of alternatives for the Lakeshore Trail (see my comments on pages 9 and 11) even though Brian Meissner pointed out a much shorter route along the lake that would address time concerns.

Another concern about the capacities is partly based on the FEIS containing large capacities for components of the MGRA, and then stating most of the capacity is reserved for non-commercial use. Aside from tracking license plates and encounters, how will the non-commercial portion of the capacity be measured? The reality is that it likely won't be measured, particularly since the agency isn't monitoring Urban trails such as the Lakeshore Trail. The 90 percent of the Lakeshore Trail's allocation to non-commercial use is a bit of a fiction since it can't or won't be measured. This leads to the next problem: creeping commercial use due to "unused" non-commercial capacity. This may seem speculative but the 2019 SIR states,

"To meet this increased demand, permitted commercial operators have requested increased service days to operate in the MGRA, but opportunities have been limited or non-existent since commercial use is currently at the maximum commercial allocation in most areas of the MGRA under the existing plan" and "In the interim, it is the professional judgement of the MGRA staff that the improvements described above provide additional visitor capacity in the Visitor Center Unit to accommodate the proposed increase in commercial allocation." [p. 2] That increase was carved out of the non-commercial component of the capacity.

Finally, the response to Comment 291-7 did not address the concern[mdash]at all. I understand the primary use

season is 214 days. My point was having the very real potential of the majority of total use occurring during a few peak months. This would result in very high congestion during June, July, and August. I have been commenting on this issue since 2013. Here are my comments leading up to the 2015 EA for the MGRA:

"In addition, the Forest Service did not meaningfully respond to my comment from September 13, 2013 (and again on November 11, 2014) regarding the guides taking their new "shoulder season" capacity numbers and moving them to the "peak season." Instead, the response simply said "that trying to calculate and manage commercial use on a daily level [my italics] is not required[hellip]but only increases the burden on Forest Service permit administration staff[hellip]" I never requested the Forest Service to manage the use on a daily basis and agree that doesn't make sense. What I did request was they manage by the season; this means the guides could "flex" their numbers on a daily basis within that season as long as they don't go over the seasonal limit. This isn't a new concept[mdash]other areas, notably KMRD and areas within the Shoreline Outfitter/Guide FEIS, use this technique to manage use."

The decision to keep the capacity at 990,000 while dropping boats/Remote Visitor Center Area, is arbitrary and capricious. In addition, the Selected Alternative created effects not analyzed, and the public was not given the opportunity to comment on those effects[mdash]a violation of NEPA.

Adaptive Management (AM Plan)

Appendix B of the FEIS states, "This adaptive management plan is intended to be flexible. As new information is collected and evaluated, the goals of the program, monitoring strategies, and management actions will be re-assessed. Any changes to monitoring strategies or use management will be relayed to the public through the Tongass National Forest website, monitoring reports, and public meetings, as needed." [page B-10]

Posting the AM Plan results on the Tongass website is not an effective way to engage the public. The public doesn't monitor the website and won't know when the information is available. It would be much better if a mailing list was maintained by the Forest Service of anyone who expressed comments or concerns about the AM Plan. The AM Plan states, "A copy of each report will be provided to the District Ranger, special use permit holders, and posted on the Tongass website." [p. B-18]. If SUP holders can have an annual report mailed to them, shouldn't those individuals who provided comment on the AM Plan also receive a mailed copy? In addition, a public meeting should be used to present the monitoring results, discuss any proposed changes, and garner feedback.

Furthermore, my comment (460-9) requested a Citizens Advisory Board for the AM Plan. The response did not address this concern and simply stated, "The adaptive management plan in Appendix B of the FEIS includes additional details for monitoring approaches and responses. [p. F-229] None of those "additional details" mentioned a Citizen Advisory Board or any other form of obtaining public input, and the AM Plan goes on to state, "An appropriate response would be evaluated based on all available information, best science, and coordination with appropriate agency specialists, and SUP holders." [p. B-18] It's not clear why the agency doesn't want to collaborate with the public.

So much of the project has centered on people being crowded, yet the AM Plan has no direct method of determining if visitors actually feel crowded. Instead, it's relying on whether a line of five or more people waiting for bathrooms constitutes crowding. Why not ask the folks who visit the Visitor Center Unit facilities if they liked their visit, as well as what they didn't like? I understand OMB-approved surveys can be tricky. Perhaps the agency can partner with FSL and a university already approved to administer OMB surveys. Yes, surveys cost money, but they pale in comparison to the cost of the proposed improvements. [See Attachment 2, "Working Estimate SDEIS 2023"]

Specific comments on the AM Plan

Table AM-1 [p. B-11]:

- * What does "Institute a scheduling/advisory system to coordinate visitation flow" mean?
- * Why doesn't the Forest Service consider splitting the 214-day primary use season into shorter length seasons and allocating use proportionately (e.g., Fall, Spring) as a potential management action? As it stands now, outfitter/guides can "push all their use" into the main summer season, which could raise encounter levels over ROS guidelines.
- * Shouldn't permittees be required to "provide best practices in bear habitat" as a condition of their permit and NOT as a "potential management action if thresholds are reached?"
- * How is a human-bear encounter defined? This is critical because staff have different experience and comfort levels around bears. Because this is so critical, and staffing changes annually, the AM Plan should state what kind of training will be needed to help develop a consistent basis for monitoring encounters.
- * What is the basis for the 5 percent of total bear-human encounters resulted in high-level hazing or the 10+ minutes of restricted access?

Table AM-2 [p. B-14]:

- * E2: Shouldn't monitoring be occurring prior to the increase in commercial use as well?
- * Isn't it time to start monitoring the Moraine Glacier Trail? There is no data on use for this trail, yet management decisions are being made for it.
- * B1: What does "as circumstances best allow" mean? That is pretty loose language and I don't see similar language for B2 relating to birds.

In defense of an already beleaguered MGVC staff, it's not clear why they will be responsible for monitoring all the parking lot use, including those not near the MGVC. [p. B-15]

Who is the partner organization that will be monitoring the spread of invasive species? [p. B-15]

Are Local Residents visiting the MGRA? The Forest Service should partner with FSL to determine the sampling methodology as well as if this is the best method to determine local use and displacement. In addition, it seems that any monitoring should be done for at least 2 years, not just the year of implementation, to have the data be more representative of what's happening on the ground. [B-17]

Related to this, the whole concept of "capacity" revolves around tracking commercial use via special use permits. However, the trails often have designated large percentages of non-commercial use. How will the Forest Service monitor a trail such as the Lakeshore Trail, with a very large overall capacity (321,000 visitors even without the potential additional 214,000 visitors from the defunct boat/Remote Visitor Center Area component), and have any idea if this capacity will be reached? Noting license plates in a few parking areas and tracking encounters won't answer that particular question[mdash]even more so since the agency has not included Urban trails in its monitoring program. The Forest Service, unlike other agencies, has created a very highly developed recreation area right next to the district office, with no real means of tracking a large component of the use.

Data Analysis: what does "near" thresholds mean? Within twenty percent of the threshold? [p. B-18]

The inclusion of electric vehicles as a means of allocating use is a curious addition to an AM Plan. That type of information is usually reserved for a prospectus for allocating special use permits. [p. B-19] Since it is included, what exactly does "use electric vehicles to transport clients" actually mean from a monitoring standpoint? If a guide shows up with one electric vehicle, does that mean the guide will be given preference?

Table AM-4 [p. B-19] states that up to 50 percent of the additional service days in the Selected Alternative may be allocated once certain features are complete. Since there is no requirement to complete the Lakeshore Trail

or the Nugget Falls Loop, it seems odd to increase that much use without also requiring the completion of two of the new busiest trails with the most capacity to absorb that increase. Plus, most of the identified improvements are parking lots, and not new trails. It seems the trails and parking lot completion should be a "joint venture" as a benchmark prior to authorizing the increase.

Table AM-7 [p. B-21] has only 20 days per season for individual trail monitoring. That is only three days a month which seems low. Trails such as the Lakeshore Trail, Nugget Falls Trail, and Trail of Time will remain unmonitored. Presumably this is because the ROS setting is Urban. If the Forest Service isn't going to monitor these trails, how can it make claims that trails are "crowded?"

Table AM-11 [p. B-22] identifies costs for monitoring the parking lots. The assumptions seem very low. I count five existing parking lots (West Glacier Trailhead, Skater's Cabin/Tolch Rock, Mendenhall River Bridge, Forest Service Office, Dredge Lake Road) and three new lots off the Glacier Spur (Dredge Lake, Crystal Lake, and Powerline Trail), and one new lot in the campground. The current plan is to monitor only four parking lots 30 times over a 214-day season.

New Cabins

The response to Comment #291-23 did not address the point raised about why the cabins had to be so big. Nor does the draft ROD provide an explanation why all the cabins have to be 600-840 square feet. [p. R-11] Couldn't a few of the cabins be smaller, such as the standard R10 cabin that is 14' x 16'? Not everyone needs a gigantic cabin. Larger cabins, particularly those with a second floor, are also much harder to heat, which drives the cost up.

It's not clear why the Forest Service is using wood to heat the cabins. All the current JRD roadside cabins use propane. If it's more expensive to heat with propane than wood, that information should have been shared in the analysis/record. Cabins that burn wood entice people to burn wood in outdoor firepits. If that's the intent, fine, but this will require substantially more wood, particularly for those winter bonfires. The ROD should have provided an explanation behind the choice of wood. If cabins are subject to the Mendenhall Valley burn bans, there could be quite a few nights when wood fires are prohibited. Regardless, the cabins will have a lot of cold weather use and should be insulated better than the current cabins.

Conflict of Interest

The Director of Recreation, Lands and Minerals should be immediately removed from the project (including implementation) and the objection process due to the appearance of a conflict of interest as a co-owner of iRide Alaska, an electric bike outfitter/guide (<https://www.youtube.com/watch?v=Bf-Q4LOBDPA&t=2810s>). The Director's involvement with iRide Alaska only became known when he testified before the Juneau Assembly (see video), and after the SDEIS was completed. The Forest Service's May 22, 2023 response to Linda Kruger's FOIA is even more troubling since none of the required ethics and conduct disclosures appear to have been filed by the Director.

While the draft ROD may prohibit bikes on the "sidewalks and plazas in the Visitor Center Unit," it does not mention any of the other trails, notably the paved 14'-wide Lakeshore Trail. That is a curious omission. The very wide Lakeshore Trail could accommodate e-bikes. In fact, the draft ROD for the project notes this trail provides "an improved opportunity for bike tour outfitter/guides to bring clients along the lakeshore." [p. R-24] Other trails identified in the ROD include mountain bikes. As far back as the Master Plan process, the concept of "bike rentals" at the "Upper Plaza" has been identified [Master Plan, 50 Percent Draft Preliminary, p. 3]. While the agency may not currently allow e-bikes on these trails, there is nothing to prohibit allowing them in the future. That may seem speculative at this point, but since the 2015 EA, the public has seen the visitor capacity of the area almost double in eight years, as well as proposals for boat shuttles on the lake, extensive changes to the

ROS, major trail expansions or development of new trails, and many other significant changes.

The draft ROD potentially positions a company such as iRide Alaska to benefit from bike rentals (e-bikes and regular bikes) in the MGRA. The Director should have recused himself from participating in the analysis, and disclosed his business interests in iRide Alaska.

Unbiased Objection Review

The response to Comment #460-17 states, "The Forest Service's lead coordinator for the objection process has not been involved in the project. Any Steering Committee members or directors from the Regional Office that have been involved would not be included in objection reviews." This is helpful and I'm hoping the "lead coordinator" will report directly to the Deputy Regional Forester or Regional Forester or something similar. That seems to be the cleanest path to a truly objective objection process. Ideally, this objection should be handled at the WO or by another region.

Suggested Remedies

Visitor Capacity

- * Reduce the draft ROD capacity for the Visitor Center Area by 214,000 visits, consistent with what was actually analyzed for different portions of that area.
- * The ROD needs to state there will be no more Supplemental Information Reports for increased commercial allocations.
- * The Forest Service needs to explain how it will prevent commercial use from "piling up" in the peak summer months of June, July, and August to prevent exacerbating the social impacts from having a 214-day primary season, establish seasons as recommended, or make it a new monitoring component of the AM Plan.

Adaptive Management Plan

- * Involve the public just as much as you involve the outfitter/guides.
- * Clarify the vague terms or statements discussed in my objection letter section on the AM Plan.
- * With the number of people coming to the MGRA, and the identified increase in use, it's time to start surveying people, rather than inferring visitor preferences through indirect means. The Forest Service has already expended millions of dollars on this project and will spend tens of millions of dollars more implementing it. To date, there has been virtually no money spent on much more definitive assessments via surveys, trail counts, etc., of where that crowding is specifically occurring.
- * If the capacity is going to rely so much on the non-commercial use component, it's also time to do a better job monitoring the actual number of that component.
- * See my comments on pages 16-18 under the AM Plan for more specific remedies.

Reasonable Range of Alternatives

Unfortunately, this isn't an easy fix. Another SDEIS would be necessary. Or drop the Lakeshore Trail and the Nugget Falls Loop from the final ROD. The Forest Service would retain the bulk of the proposed action targeting the critical areas.

Cabins

Provide further justification for cabin size and wood stoves or build a few small cabins and include propane in all of them.

Sincerely,

Ken Post

Attachment 1: Monique Nelson email Attachment 2: Working Estimate SDEIS 2023