



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Natural Resources

OFFICE OF PROJECT MANAGEMENT AND PERMITTING

P.O. Box 111030
Juneau, AK 99811-1030
907-465-3177

June 27, 2023

Francis Sherman
Forest Supervisor, Tongass National Forest
648 Mission Street
Ketchikan, AK 99901

Re: Mendenhall Glacier Visitor Facility Improvements Project Draft Record of Decision.

Dear Mr. Sherman,

The USDA Forest Service (USFS), Tongass National Forest, has prepared a draft record of decision (ROD) for the Mendenhall Glacier Visitor Facility Improvements Project. The draft ROD states the Responsible Official is planning to implement a modified Alternative 5, which will not include motorized boats on the lake, docks and associated infrastructure, or a remote glacier visitor area. The modified Alternative 5 includes parking and access expansion, a new Welcome Center complex on the lakeshore, Visitor Center improvements, Glacier Spur Road trailheads, a Lakeshore trail along the south shore of Mendenhall Lake with pedestrian bridge to Mendenhall campground, public use cabins, restoration of Steep Creek, Steep Creek Trail expansion, and new and improved multi-use trails throughout the Mendenhall Glacier Recreation Area. The selected alternative also includes new management strategies including changes to visitor capacity and commercial use and adjustments to management unit boundaries.

On May 4, 2022, and February 21, 2023, the State of Alaska provided the USFS with comments on the Mendenhall Glacier Visitor Facility Improvements Project Draft Environmental Impact Statement and Supplemental Draft Environmental Impact Statement respectively. As previously noted, the State supports the intent of the Mendenhall Glacier Visitor Facility Improvement Project to enhance access to popular recreational resources for Alaskans and visitors. However, the State of Alaska continues to maintain the perspectives expressed in its comment letters regarding activities below ordinary high water and therefore objects to the draft ROD which does not adequately acknowledge and address the State's concerns. The State's perspective is reiterated below.

Activity below ordinary high water

The Alaska Department of Natural Resources (DNR) has management authority for state lands (including the land, water, tidelands, and shorelands of navigable waters within the State). This authority includes management of navigable waters, tidelands, and shorelands within and adjacent to the boundaries of federal lands.

The State considers Mendenhall River and Mendenhall Lake to be navigable for title purposes and state-owned, and objects to any improvements placed below ordinary high water without authorization from the State. Any infrastructure activity proposed below ordinary high water and

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any water-based commercial activity on the lake or river requires authorization from DNR's Division of Mining, Land, and Water (DMLW). Additionally, DMLW should be included in the list of applicable permits required in the Final Environmental Impact Statement section 1.9 Applicable Permits.

Please contact me if you have any questions or would like to discuss the State's objections further.

Sincerely,

A handwritten signature in black ink, appearing to read "Sylvia A. Kreel", with a long, sweeping horizontal line extending to the right.

Sylvia A. Kreel
Large Project Coordinator

cc: State Review Team