CHAPTER 2: DESCRIPTION of the ALTERNATIVES

This chapter includes a description of the no-action alternative (status-quo) and the NPS preferred alternative to issue 1110(b) right-of-way certificates of access (RWCAs) to inholders with established and maintainable access in the park, and with terms and conditions to maintain those facilities. It also includes mitigating measures, a summary comparison of the alternatives, and a summary of environmental consequences.

2.1 Elements Common to Both Alternatives

As a result of an NPS inventory of many of the existing inholder access facilities, these facilities were classified according to size, general method of use and vehicle class, and commonly used means to maintain them. These access classes, methods and means are common to both the no-action and action alternatives. Table 2.1 describes the estimated number of established and maintainable inholder access facilities, the total mileage, and areas by access class considered in this EA.

Access methods and means not considered in these alternatives include:

- requests for development of new access facilities;
- facilities requiring additional development beyond the existing character;
- facilities requiring rerouting or relocation;
- facilities where the surface cannot be maintained given available resources and technology;
- facilities that divert or manipulate active stream channels;
- those that would cause any new direct or indirect adverse impacts on wetlands outside the established footprint of the access facility;
- routes fording fish-bearing streams;
- facilities where operations could reduce current or future large woody debris for fish habitat;
- waterlines where withdrawal is in fish habitat;
- facilities to be designated as park roads;
- overland winter routes;
- access proposals in conjunction with mining plans of operations and oil and gas rights (addressed in 36 CFR Part 9, Subparts A & B).

2.1.1 Access Classes, Methods and Means

Inholders access their properties with a variety of vehicle types for economic and other purposes such as to their primary residence, for business, or for recreation. Established access facilities include driveways, roads, parking areas, off-road vehicle (ORV) trails, 4WD tracks, overland routes, airstrips and approaches, and waterlines. Currently only a few inholders have an NPS special use permit or other authorization to traverse parklands for access to their property (see section 1.3.2.2).

The access features range from well-constructed gravel facilities to unimproved ORV trails resulting from overland travel through a variety of terrains and waterlines with associated foot paths. In addition, there are bladed routes, 4WD tracks and trails, and airstrips. Some of these facilities do not appear to have any recent use, are overgrown, and/or are partially reclaimed by natural process. Some access to private and State lands involve a combination of the access classes described in chapter 3. For more detailed description of anticipated maintenance for the access classes see appendix B.

2.1.1.1 Class 1 - Gravel Driveways and Roads

Vehicle Class: Highway vehicles
Facilities widths are typically are 10 to 15 feet, but range from 8 to 30 feet. These facilities tend to be short and generally less than one mile. Heavy equipment was and is used to construct and maintain these access facilities. Common past construction and maintenance undertakings include grading and leveling, placing gravel and borrow, installing and replacing culverts, using corduroy, ditching, brushing, and snowplowing.

2.1.1.2. Class 2 - Constructed Roads, Airstrips, 4WD Tracks, Parking Areas, and Trails with Limited Amounts of Added Gravel

Vehicle Class: Trucks, tracked vehicles, and ORVs.
Facility widths typically are 10 to 12 feet, but from 8 to 20 feet[1]. These facilities were commonly built with equipment such as a bulldozer to scrape or blade the ground surface, but no/or minor amounts of fill were transported to the site. Common past construction and maintenance undertakings include grading and leveling, ditching, with limited fill, brushing, corduroy, snowplowing and culverts.

Figure 2.1 Class 1 Road

Figure 2.2 Class 1 Road – vegetation re-established in development area

[1] Airstrips may be wider than 20 feet to accommodate airplane landings and wing spans.

Figure 2.3 Class 2 – Bladed Gravel Road

Figure 2.4 Class 2 –Bladed Road on mineral soil with vegetation re-established in development area

2.1.1.3. Class 3 - Motorized Track or Trail with Limited Improvements and Minor Maintenance

These include airstrips, 4WD tracks, ORV trails and some parking areas.
Vehicle class: 4WD vehicles, ORVs and some tracked vehicles.
Facility widths typically are 8 to 10 feet, but range from 6 to 15 feet[2]. Facility lengths range from less than 100 feet to more than 5 miles. Common past maintenance undertakings include placing fill, ditching, limited culverts, and corduroy.

Figure 2.5 Class 2 - Airstrip

Figure 2.6 Class 2 - Landing Strip

[2] Airstrips may be wider to accommodate airplane landings and wing spans.

Figure 2.7 Class 3 - 4WD Track

Figure 2.8 Class 3 - ORV Track

2.1.2.4. Class 4 - Unimproved Routes and Corridors with an intermittent discernable motorized track

These facilities include routes across barren floodplains and uplands generally free of vegetation.
Vehicle class: ORV and tracked vehicles.
Facility widths are 6 to 10 feet. Lengths range from less than 0.25 mile to 5 miles. No past construction. Past maintenance and operations limited to hand tools and rerouting.

Figure 2.9 Class 4 - 4WD/ORV Route

Figure 2.10 Class 4 - ORV Route

Figure 2.11 Class 5 – Waterline Utility

Figure 2.12 Class 5 – Waterline Utility

2.1.1.5. Class 5 – Waterlines and Associated Paths

Utility Class: These are alignments over which waterlines were installed and maintained. They consist of gravity-fed and/or ram pump water systems. Facilities may include plastic or metal waterlines, holding tanks, small pumps, and a foot trail adjacent to the waterline. Facility widths are 2 to five feet and range from less than 100 feet in length to about 0.4 miles. Past construction and common maintenance include installation of pump systems and waterline, holding tanks, and brushing.

2.2 Alternative 1 – No Action

2.2.1 Introduction

This alternative provides a baseline for comparison with the action alternative. This alternative represents a continuation of the existing uses of access facilities to inholdings in the park and preserve (Table 2.1), and it provides a baseline for evaluating the changes and impacts of the proposed action alternative.

Table 2.1 Access by Class, Distance, and Area

Access Class	Category	Estimated [3] Number of Facilities	Estimated Number of Landowners or Tracts [4]	Estimated Maintainable Miles	Estimated Maintainable Acres
Class 1	Gravel Driveway or Road	11	15	2	4
Class 1/2 & 1/2/3	Gravel Road, Bladed	1	6	< 0.5	<0.5
Class 2	Bladed Airstrips	5	12		6.5
Class 2	Bladed Gravel Road	12	16	7 to 10	5 to 6
Class 2/3	Airstrips	3	3		2
Class 2/3	Road/Track Gravel	1 to 2	1	2	2.5
Class 2/3	Track ORV	5	3	1.5	4.1
Class 3	Track 4WD	2 to 3	5	2	2 to 3
Class 3	Track ORV	5 to 7	18	5.5	5.7
Class 4	Routes	1 to 2	1 to 2	6	4.5
Class 5	Utility Waterline	7 to 9	7 to 9	1.1	0.4
Total		**60**	**88**	**27-30**	**35-50**

2.2.2 NPS Management of Access Over Public Park Lands

Under the no-action alternative, NPS would continue to consider requests for access under ANILCA section 1110(b) on a case-by-case basis. In response to an application for an ANILCA 1110(b) RWCA, NPS would conduct an environmental analysis of the proposal and determine if the individual route, method and means is adequate and feasible. Processing applications would be based on procedures and timeframes specified in the ANILCA regulations at 43 CFR 36.10 and the policies and approach outlined in the 2007 NPS Alaska Region Access to Inholdings User Guide.

The NPS would not develop a comprehensive program to issue RWCAs and actively analyze and manage established and maintainable access facilities. Landowners would continue to use established access facilities to their property unless unacceptable impacts to park resources occur from unauthorized uses of NPS lands or the property owner contacts the NPS and requests a RWCA. Otherwise, NPS management of access to

[3] Values in columns labeled "Estimated" are approximate.
[4] Some facilities may provide access for multiple inholdings and may require multiple RWCA's.

inholdings would consist of maintaining inventories of access facilities and discussions with landowners regarding access to their property across park lands.

2.2.3 Documentation of Access to Inholdings

To date, compliance reviews have led to issuance of ten short-term Special Use Permits or rights of ways for access across WRST lands to inholdings. Additional future access requests would result in an unspecified number of additional RWCAs with individual terms and conditions to maintain those facilities. The NPS would continue to maintain a database of known and/or inventoried access facilities in the park.

2.3 Alternative 2 - Implement a Program to Authorize RWCAs for Established and Maintainable Access to Inholdings *(NPS Preferred)*

2.3.1 Introduction

Under this alternative, NPS would develop and implement a program for authorizing established and maintainable access to inholdings. Access facilities that would qualify are those that would meet the assessment criteria for both administrative requirements and technical management objectives (Table 2.2).The NPS would actively manage and monitor landowner or other valid occupier operations of motorized vehicles across federal public lands on established and maintainable facilities for access to state and private inholdings as provided by ANILCA Section 1110(b) and its implementing regulations. The NPS would accomplish this by working with landowners that submit applications for ANILCA 1110(b) Right of Way Certificates of Access (RWCAs), which describe the routes and methods of access, facility geometry and location, vehicle class, maintenance operations, and other appropriate terms and conditions. ANILCA 1110(b) RWCAs issued by the NPS would include appropriate terms and conditions with maintenance options to enable landowners to maintain their established access facilities in their existing footprint and consistent with their current level of development.

The RWCAs would include resource protection measures necessary to ensure consistency with Title 43 CFR 36.10 (e) (1) and 36.9(b) criteria. Specific protection measures would be attached to individual RWCAs to address unique resource protection needs. Protection measures may change over time for a specific authorized access facility to reflect changing resource conditions or access needs. Many of these measures are described in the subsequent section on mitigating measures.

The flowchart in figure 2.13 describes the process to obtain and keep a RWCA, beginning with the owner submitting an application. Applications would be reviewed to determine if they meet the basic administrative filter (Table 2.2, step1) for consideration under this program. Those access facilities that meet the administrative criteria would be further assessed as to whether the existing access facility meets the technical criteria for minimizing tread degradation and minimizing and avoiding environmental effects (Table 2.2, step2). Once a RWCA is granted, NPS would conduct monitoring of the tread utility to assure that the tread is maintained to provide the applicants a safe and serviceable

Figure 2.13 Process for RWCA for Established & Maintainable Access to Inholdings

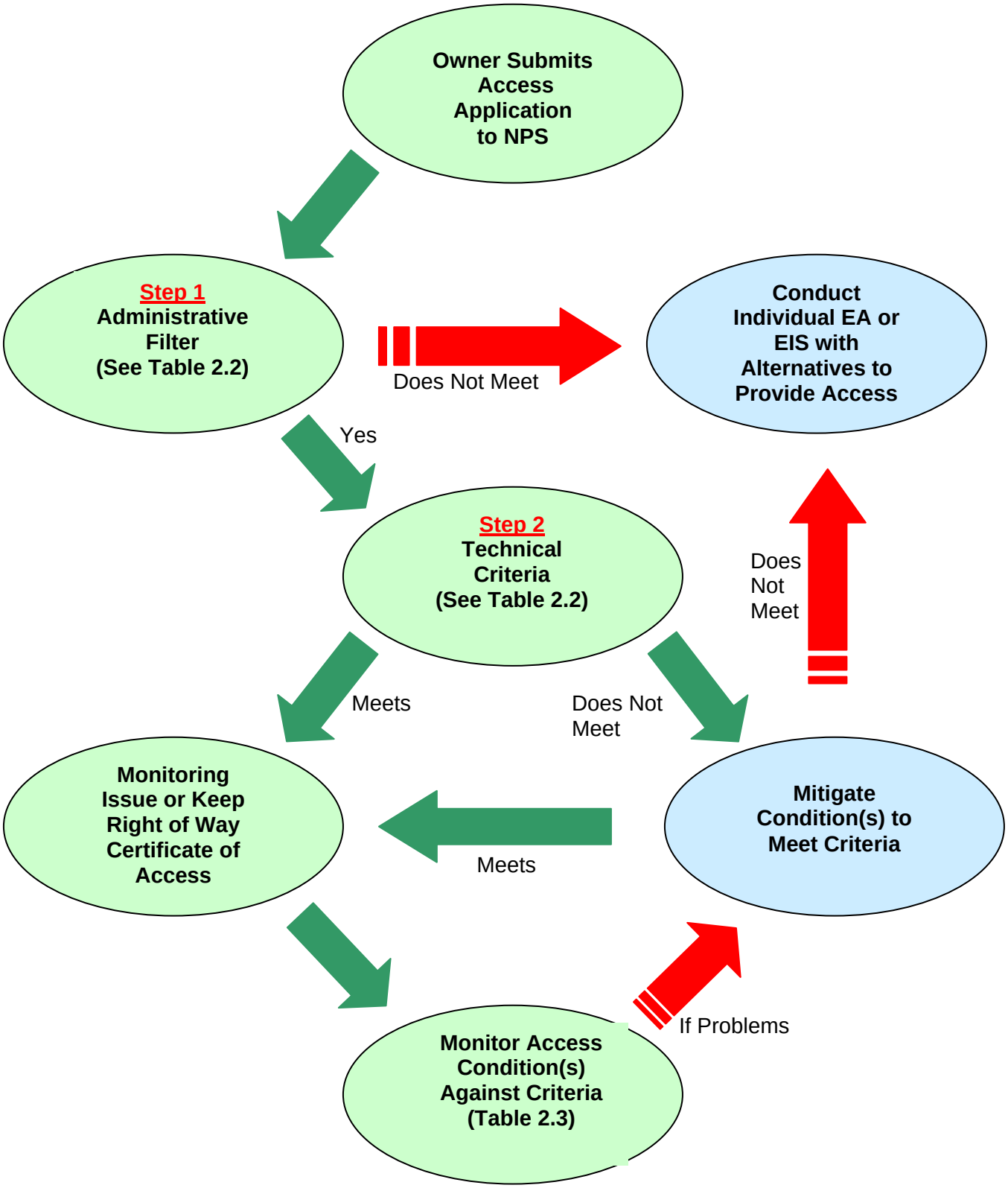

Table 2.2 Access Facility Assessment Criteria

Step 1 –Administrative Filter

An access facility must meet the following administrative requirements to be considered within this EA.

Assessment Criteria	Assessment Results
1. Access facility provides access to one or more inholdings in WRST. 2. A recognizable established facility footprint is presently used or was recently used. 3. Projected future use would be similar in character to established use (e.g. access class vehicle types, and level of use.) 4. No vehicles ford fish-bearing streams. Existing culverts provide for fish passage at fish streams. 5. Active travel surface is confined to a single access alignment. If more than one route exists, applicant selects a single alignment in consultation with NPS. 6. The facility has: a) no grades exceeding 40%; b) no grades between 20% and 40% longer than 50 feet in length; and c) grades between 20-40% are less than 10% of the total facility length.	Acceptable: Meets Requirement Unacceptable: Does not meet criteria Access may need individual EA or EIS

Step 2 – Technical Assessment

An access facility meeting administrative requirements is subject to management objectives and review of existing conditions against assessment criteria before an ANILCA Right of Way Certificate of Access would be issued with applicable terms and conditions (including maintenance, minor modifications, and mitigation).

Management Objective	Assessment Criteria	Assessment Results
Tread Utility	TREAD DEGRADATION SCREENING CRITERIA: -has a durable tread surface (gravel or mineral surface) -no ruts exceed 8” (inches) depth over 10’ (feet) of length -no persistent ponded water exceed 4” depth and 10' of length -has a mud free surface under normal conditions -no depressions or muck holes exceed 8" depth and 2' of length -no persistent areas with running surface water exceed 50' long -all tread structures are in a safe and serviceable condition (e.g. drainage structures, bridges, retaining walls)	Acceptable: Meets Requirement Unacceptable: Does not meet criteria Requires maintenance or mitigation See Appendix B for maintenance options and EA section 2.3.4 for mitigation measures
Minimize/Avoid Environmental Impacts	FACILITY CORRIDOR DESIGN SCREENING CRITERIA: -travel surface width does not exceed 1.5 times the tread width of vehicles in use or 2.5 times of vehicle width at passing locations (excludes airstrips) -water is directed off tread surface in a manner to prevent tread surface erosion and sedimentation -vegetation clearing along corridor is restricted to a defined zone from the tread outside edge (See Appendix B – Brushing) -alteration of the natural ground surface to support tread utility (e.g. lead-off ditches, berms, infiltration sumps) is limited to an area not to exceed two times the minimum tread width	Acceptable: Meets Requirement Unacceptable: Requires maintenance or mitigating actions such as: • Narrowing of tread width • Modifying drainage type and/or spacing • Vegetation mitigation • Surface mitigation or site plan

Table 2.3. Monitoring for Permitted Access Facilities

Management Objective	Assessment Criteria	Assessment Results
Tread Utility	LONG-TERM TREAD DEGRADATION MONITORING: - tread surface remains durable - no ruts exceed 8 " (inches) depth over 10' (feet) of length - no persistent areas of ponded water exceed 4" depth and 10' of length - has a mud free surface under normal conditions - no depressions or muck holes exceed 8" depth and 2' of length - no persistent areas with running surface water exceed 50' long - All tread structures maintained in a safe and serviceable condition (e.g. drainage structures, bridges, retaining walls)	Acceptable: Meets Criteria. Unacceptable: Does not meet criteria. Requires maintenance or mitigation. See Appendix B for maintenance options. And EA Section 2.3.4 for mitigation measures.
No New Environmental Impacts	LONG-TERM ENVIRONMENTAL IMPACT MONITORING: - new trail braids or parallel routes developed along route - width expanded beyond 1.5 times the tread width of vehicles in use; or, 2.5 times in passing locations - water is directly discharged from tread surface into adjacent watercourses - tread surface has "captured" adjacent natural watercourses - off-site erosion evident from water running off tread - off-site sedimentation evident from water running off tread - Detrimental impacts to adjacent wetlands evident from tread use or tread surface (i.e., changes in water table or vegetation) - Detrimental impacts to adjacent fish habitat evident from tread use or tread surface - Evidence of brushing/clearing beyond defined zone - Alteration of the natural ground surface to support tread utility (e.g., lead-off ditches, berms, infiltration sumps) is limited to an area not to exceed 2.0 times the minimum tread width. - Maintenance is not confined to existing footprint	Acceptable: NOT Observed. Unacceptable: Observed. Does not meet criteria. Requires maintenance or mitigation. See Appendix B for maintenance options. And EA Section 2.3.4 for mitigation measures.

structure with no new environmental impacts. Additional maintenance or mitigation could be required to maintain the access facility or address environmental concerns.

For all of the access classes, no new impacts outside the facility footprints would be expected. If these facilities cross fish-bearing streams, they would need well-designed culverts or bridges. Use and maintenance of these facilities would not result in any new direct or indirect adverse effects to wetlands. Acceptable facilities do not contain any significant sections of standing, ponded, or running water that cannot be addressed through routine maintenance within the established footprint

The terms and conditions in a RWCA depend in part on the facility character and surface conditions. Facilities with a constructed gravel surface or that were bladed to a gravel substrate or mineral soil are generally in good to very good condition and pose little challenge for maintenance operations within the established footprint. Facilities with well drained or mineral substrate surfaces generally avoid conditions posing concerns for acceptability, and the number of passes over the surfaces does not substantially change facility footprints or character.

For tracks and routes that have not been constructed (class 3 and 4), acceptability and maintenance is tied to the terms and conditions of a RWCA and the inholder's ability to confine operations to a single track without development and use of braided alignments or segments wider than the approximate vehicle class width. Track surface conditions that may individually or collectively preclude a facility as acceptable include, braiding, excessive track width, grade, side slope, surface character, drainage, presence of mud/muck, and degree of impact to vegetation. Acceptable and manageable tracks have trail segment grades that overall are well less than 20% (many in the 0 to 10% range and only very short segments in the 20 to 40 % range), and they have a durable surface character consisting of mineral soil or coarse particles such as gravel.

Vegetation and soil impacts are manageable within an established minimum footprint necessary to accommodate passage of appropriate vehicles without braiding, diversion of surface water flows, or expansion or creation of new impacts outside the established footprint. Surface vegetation loss and root exposure in the tracks are common. Rutting is limited, generally less than 8 inches deep, and can be mitigated through maintenance and RWCA terms and conditions.

2.3.2 NPS Management of Access Over Public Park Lands

Under this alternative each access RWCA would provide for motorized access and maintenance undertaken by the inholder pursuant to ANILCA 1110(b) and its implementing regulations at 43 CFR 36.10. The terms and conditions in each RWCA would allow for appropriate maintenance activities for each access facility. Minor changes of a facility, which are consistent with the current level of development and within the established footprint, would be allowed provided no significant impacts to park resources and values outside the access facility would result.

2.3.3 Procedures to Document an ANILCA Section 1110(b) RWCA

The owner or valid occupier (owner) and NPS would have a pre-application meeting to discuss and document what constitutes the existing access in terms of (1) access class, (2) location, (3) dimensions, (length, width and development footprint) (4) vehicle use, (5) maintenance operations, and (6) anticipated specific resource protection concerns. A joint landowner and NPS onsite visit may be warranted to fully and accurately describe what constitutes the existing access. If there is agreement that the existing access is adequate and feasible, and operation and maintenance as described is compatible with the criteria outlined in this EA the owner would complete a right of way application and submit it to the NPS.

Upon receipt of a complete application, the NPS would follow the procedures outlined in Figure 2.13 and tables 2.2-2.3 in order to determine if the access facility meets the administrative and technical criteria for issuance of an RWCA. If the access facility meets the requirements, the NPS would prepare a letter to the NEPA project file and prepare an ANILCA 1110(b) RWCA. The RWCA would include terms and conditions allowing the owner to use and maintain their access facility while protecting park resources.

Each access RWCA would specify facility geometry and location, vehicle class, allowable maintenance operation (tools), and terms and conditions to protect park resources and values, consistent with criteria at Title 43 CFR 36.10 (e)(1) and Title 43 36.9(b).

An ANILCA 1110(b) RWCA may include but not be limited to the following terms and conditions pursuant to 43 CFR 36.9(b):

(1) Requirements to ensure to the maximum extent feasible the right of way is used in a manner compatible with the purposes for which the affected area was established or managed;
(2) Requirements for restoration, revegetation, and curtailment of erosion of the surface of the land;
(3) Requirements to ensure activities in connection with the right of way will not violate applicable air and water quality standards and related facility standards established pursuant to law;
(4) Requirements, including the minimum necessary width, designed to control or prevent:
    i. Damage to the environment including damage to fish and wildlife habitat,
    ii. Damage to public or private property, and
    iii. Hazards to public health and safety;
(5) Requirements to protect the interests of individuals living in the general area of the RWCA who rely on the fish, wildlife and biotic resources of the area for subsistence; and

(6) Requirements to employ measures to avoid or minimize adverse environmental, social, or economic impacts.

The RWCA becomes valid after it is signed by the owner and the NPS Regional Director. The RWCA remains valid as long as it is needed. NPS would assign the RWCA to a new owner if the new owner agrees to abide by the terms and conditions. See sample RWCA in Appendix E.

2.3.4 Mitigating Measures

Each RWCA would specify general and individual terms and conditions to mitigate and avoid adverse effects on park resources. Mitigating measures below address detailed effects and response actions not already addressed in the assessment criteria and monitoring actions identified above in section 2.3.1 and tables 2.2 and 2.3.

2.3.4.1 Wetlands

Established access in wetland areas would be reduced in width within the access alignment, where practical and feasible, to allow for restoration of wetlands functions within and/or mitigation of wetlands impacts outside the authorized footprint.

2.3.4.2 Hydrology

The NPS would conduct inspections of all existing culverts and bridges to assure they can accommodate a major flood with associated bed load and debris. The NPS and inholder would conduct inspections during or after flood events.
Mitigation measures would include:

- The inholder maintains water control features to accommodate flood events and to avoid damage to the facility or environment.
- Installation of surface water control features such as culverts, small bridges, French drains, ditches, grade dips, crowning, out-sloping[5], or depressions with permeable gravels, cobble, or rock would be authorized as necessary to preserve natural hydrological functions within and adjacent to access facilities.
- If an existing bridge, culvert, or other water control feature fails, the NPS would work with the inholder to ensure their replacement structure is able to accommodate a major flood (e.g. 100-year event) and associated bed load and debris. New or replacement structures would be designed to avoid future impacts to fish or fish habitat.

2.3.4.3 Aquatic Habitat and Fish

- NPS would conduct inspections of all access facility stream crossings within fish habitat to ensure they provide fish passage for all potential species and life stages at

[5] See glossary for definition.

all potential stream flows. New or replacement structures would be required to provide fish passage.

- Access facility drainages would be routed away from potentially unstable stream channels, fills, and hill slopes. Side-casting of materials from an access facility would be prohibited on segments within or abutting areas essential for riparian and aquatic protection.
- Inholder would not be allowed to cut or remove large woody debris from areas within 300 feet of fish bearing streams, 150 feet from non-fish bearing streams, or landslide prone areas which are considered essential for the protection of aquatic and riparian habitat.

2.3.4.4 Soils and Substrates

- To prevent compaction, shearing, erosion, or deposition of soils and substrates under or adjacent to access facilities, the RWCA may authorize the use of synthetics such as geotextiles, geoblock, and small amounts of sand, gravel and rock within the access facility footprint to prevent the loss of, and damages to, soils and substrates.
- Seasonal use restrictions of access facilities, such as during spring break-up or fall storms, may be required to minimize compaction, shearing, erosion, and deposition of soil and sediments.

2.3.4.5 Native Plants

- Source fill material used on the access facility must be approved by NPS as free of exotic invasive species. This approval must occur prior to importing fill onto park lands.
- When transporting livestock forage and bedding materials with non-native species and their seed across park lands, the inholder would be required to prevent the loss of these materials onto park lands. These materials should be covered with tarps or enclosed in containers to prevent the introduction of invasive exotic species on NPS lands.

2.2.4.6. Cultural Resources

WRST's Cultural Resource staff would survey all existing access corridors prior to authorizing vehicle travel and permitting any further repairs or maintenance. Any cultural feature encountered would be formally evaluated in order to determine its eligibility for the National Register of Historic Places. Features eligible for the National Register are deemed historic properties. No adverse effects to historic properties would be authorized.

2.3.4.7 Migratory Birds

Spring and summer vegetation clearing, grubbing, and other site preparation and construction activities during bird nesting season (May 1 to July 15) may not result in the destruction of active bird nests, eggs, or nestlings. If an active nest is encountered at any time, it

must be protected from destruction. (MBTA 16 U.S.C. 703, see web page at http://alaska.fws.gov/fisheries/fieldoffice/anchorage/pdf/vegetation_clearing.pdf)

2.2.4.8 Wilderness

Park staff would complete a minimum requirements analysis on each existing facility before issuing a right of way certificate of access. Any RWCA issued under this NEPA compliance would not allow new impacts to wilderness resources. Any new construction or expansion inconsistent with the existing current level of development would require a new application and additional NEPA review.

2.4 Environmentally Preferred Alternative

The Environmentally Preferred Alternative is the alternative that would promote the national environmental policy expressed in the NEPA section 101(b) of the NPS DO-12 Handbook and Director's Order (NPS, 2005a). The Environmentally Preferred Alternative is the action which results in the least damage to the biological resources and environment while protecting, preserving, and enhancing the historic, cultural, and natural resources.

Alternative 2 would be environmentally preferable over the no-action alternative because it would result in RWCAs for established and maintainable access to inholdings that specify vehicle use and maintenance methods and means to protect park natural and cultural resources while providing for adequate and feasible access.

2.5 Actions Considered But Eliminated from Further Consideration

The following describe actions or alternatives raised during internal scoping or with the public during development of the Access User Guide, which were considered but eliminated from detailed evaluation in this EA.

2.5.1 Designate Access Facilities as Park Roads, Airstrips, and Trails

This action would include the possible designation of park roads, airstrips, and trails, which facilities the NPS would take responsibility to maintain in a manner to protect park purposes and values. It is the responsibility of the landowner to construct and maintain their access unless it also has a joint NPS administrative use. This action would occur in the future to address administrative uses for park management and monitoring, public recreation, and subsistence activities on public park lands. A small subset of these facilities may eventually be designated as park roads and trails with completion of appropriate project-specific NEPA, however, not all established and maintainable access to inholdings would be addressed. This action exceeds the responsibility, maintenance, and staffing capabilities at the park, and adequate and feasible access for all valid inholders or occupiers with established and maintainable access would not be addressed. For these reasons this alternative was dismissed from further consideration at this time.

2.5.2 Address Access to Inholdings over RS 2477 Routes Listed by the State of Alaska

The State of Alaska has asserted many RS 2477 rights of way within WRST. The NPS acknowledges these assertions; however, the U.S. Court of Appeals declared that only a federal court has the authority to determine the validity of an asserted RS 2477. The Secretary of the Interior has stated that Department of Interior agencies will be guided by that Tenth Circuit opinion. There have been no court determinations of RS 2477 rights of way in NPS units in Alaska. Until an asserted RS 2477 is determined to be valid by a federal court, the NPS will work with landowners to issue an ANILCA 1110(b) RWCA for access. Potential RS 2477 access routes are identified in the WRST GMP (pp 13-14) and are shown in Appendix M of the GMP. This alternative exceeds the scope and timeframe for this EA.

Table 2.4 Summary Impacts of the Alternatives

Impact Topic	**Alternative 1: No –Action**	**Alternative 2: Issue RWCAs (*NPS Preferred)***
Aquatic Resources and Fish	Minor effects from small reroutes or multiple routes near streams and cutting of live or dead trees reducing woody vegetation for fish habitat	Negligible effects because no new disturbance near fish-bearing streams would be allowed on access routes cleared for RWCAs
Cultural Resources	Minor new negative impacts to the historic fabric due to erosion and the gradual enlargement of the inholder access facility footprints	Minor new effects would slightly benefit cultural resources over the long-term due to terms and conditions to survey and protect cultural resources along RWCAs
Inholder Property	Negligible effects: uses and values would remain as they are, but uncertainty about access uses would remain.	Moderate beneficial impacts to property values (up to +30%) and assured access to properties into the foreseeable future.
Public Access & Recreational Use	Minor adverse effects to public access and recreational uses of public lands near existing access to inholdings from noise, visual intrusions and conflicts between visitors and landowners	Minor adverse effects on public access from posted motorized access restrictions, but documentation of access RWCAs and public information decrease potential for trespass incidents and conflicts between visitors and landowners
Soils	Minor adverse impacts from continuing operation of motorized vehicles and maintenance within existing access footprints with small incremental changes in the	Negligible adverse impacts and possibly minor beneficial effects from terms and conditions in RWCAs to prevent additional loss of soil and improve soil hydrology,

Impact Topic	**Alternative 1: No –Action**	**Alternative 2: Issue RWCAs (*NPS Preferred*)**
	nature of the facility width, access class, and soil conditions. Impacts potentially greatest in locations with well developed soil horizons and wetlands where an operator does not select an acceptable location or fails to adequately design or maintain a facility.	surface water hydrology, and permafrost conditions.
Vegetation & Wetlands	Overall, moderate adverse impacts from: (1) long term localized direct effects to vegetation and wetlands within facility footprints, (2) short term low to moderate intensity indirect effects to vegetation and wetlands adjacent to facilities, (3) long term and localized effects to vegetation and wetlands with new facility development and expansions or upgrades to established facilities without appropriate design and mitigation, (4) localized long term indirect effects to native plant communities by the spread of exotic plants, and (5) possible localized but long term to permanent effects to rare plants.	Overall, minor adverse impacts and some beneficial effects due to documenting resources and the development of stipulations to reduce or avoid impacts outside access facility footprints: (1) long term localized and low intensity direct impacts to vegetation and wetlands, (2) short term low intensity indirect impacts to vegetation and wetlands, (3) no new effects outside the footprint of established facilities from facility maintenance and corrections within the footprint, (4) low intensity long term impacts to native plant communities due to the spread of exotic plants, and (5) no new impacts to rare plants.
Wilderness	Minor impact due to low level of management oversight in this alternative leading to new or expanded access facilities and roads that would have long-term impacts to wilderness resources.	Authorizing and managing access facilities would result in no new impacts to wilderness resources and may have a minor beneficial effect, but road RWCAs would have localized, long-term effects on wilderness resources.

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