

# STATE OF ALASKA

## **ANILCA IMPLEMENTATION PROGRAM**

**FRANK H MURKOWSKI  
GOVERNOR**

550 W. 7<sup>TH</sup> AVENUE, SUITE 1660  
ANCHORAGE, ALASKA 99501  
PH: (907) 269-7470 / FAX: (907) 269-3981  
[Sally\\_Gibert@dnr.state.ak.us](mailto:Sally_Gibert@dnr.state.ak.us)

April 12, 2004

Mr. Paul Anderson  
Superintendent  
Denali National Park and Preserve  
P.O. Box 9  
Denali Park, Alaska 99755

Dear Mr. Anderson:

As you know, the State's interagency ANILCA team has met periodically with park planners to informally discuss progress on the draft Backcountry Management Plan for Denali National Park and Preserve. We understand the National Park Service intends to issue a revised draft for additional public review in the coming months. Since we submitted our comments on the original draft on May 30, 2003, we have received several follow-up questions from the Service and others. This letter, therefore, attempts to clarify our views regarding the consistency of the Denali Backcountry Management Plan methodology with the Alaska National Interest Lands Conservation Act (ANILCA), especially Section 1110(a) and Section 811. Our primary focus at this time is on management techniques that address soundscape management and use of encounter rates – two of the several issues that were especially problematic in the original draft plan; thus it does not address all of the concerns in our original letter. In addition to further clarifying our concerns, this letter offers suggestions to park planners to avoid conflicts with ANILCA as the revised draft is prepared.

### **SOUNDSCAPE MANAGEMENT**

Because motorized access is specifically allowed on all Alaska CSUs – including designated Wilderness – subject to reasonable regulation, the public must accept a degree of tolerance for the accompanying sounds associated with this access. Management objectives to eliminate the sound of legitimate motorized access are inappropriate in Alaska. The State is not opposed to the Service managing sound consistent with existing policies, however, implementation must be consistent with ANILCA. We conclude the proposed methodology addressing soundscapes for Denali National Park and Preserve is not sufficient to prohibit access under ANILCA Sections 811 and 1110(a).

## **Challenges associated with sound management**

- A baseline database with statistically verifiable findings is necessary. Current information may provide a few site-specific starting points, but is insufficient to be considered baseline.
- Defining useful geographic units for measuring sound is very difficult. The placement of monitors relative to high use areas and geographic features that enhance or impede the perception of sound is challenging.
- Sound monitoring devices should be accompanied or confirmed by other means of monitoring such as direct observation and visitor surveys.
- Sound monitoring devices do not distinguish the type of user, e.g., subsistence, recreational, administrative.
- To maximize effectiveness, management actions should appropriately focus on the specific user groups or activities associated with impacts to natural sound.
- The impacts of background noise from sources outside the scope of Service management authorities (e.g., trains, motor boats on state-owned navigable waters, Parks Highway traffic, and overflights by commercial jets and private planes), while useful to measure, must not be used to limit visitor access.
- Under no circumstances, for example, should snowmobiles be limited if increases in air traffic cause noise level standards to be exceeded.
- Since methods of access, levels of use, and types of sound vary by season, standards must similarly be adapted for seasonal application.
- Standards must provide for normal daily fluctuations, to account for peak use periods.

## **Appropriate recognition of sound as a value**

Even though the proposed methodology addressing soundscapes is not sufficient to prohibit access under ANILCA Sections 811 and 1110(a), the State recognizes the following general principles:

- Natural sound is an important resource value for many visitors.
- Establishing a framework for monitoring sound is appropriate.
- We do not object to a general planning goal that seeks to minimize the impacts of sound on visitor experience.
- With appropriate data, sound may be a contributing factor in management actions such as:
  - educational materials
  - encouraging or requiring use of improved technology
  - voluntary overflight protocols
  - selected commercial permit stipulations
  - seasonal variances of use
  - increased enforcement of existing regulations, e.g., speed limits
  - corridors to alleviate demonstrated conflicts among user groups

## MANAGING FOR ENCOUNTERS

Limiting public use and access based on arbitrary encounter rates is inconsistent with ANILCA. Furthermore, recreation management is evolving away from the use of encounter rates in favor of other, more effective methods of determining visitor satisfaction.<sup>1</sup> As illustrated for sound management, managing for encounter rates can be problematic.

### Challenges associated with managing for encounters

- The preserve and park additions lack baseline data to develop encounter rates.
- Where quantitative data exist (the old park) managing for very low to zero human encounters is unreasonable. While individual parties may experience these encounter rates, articulating such standards sets up unrealistic expectations for all.
- Uniform encounter rates, as proposed, do not readily reflect seasonal changes in use patterns or seasonal peak use periods.
- Extensive application of low encounter rates would unfairly favor certain user groups at the expense of other visitors.
- Use of encounter rates is not the only measure of visitor satisfaction, and for some people is not a factor.
- An “encounter” is not defined. In addition, not all encounters have the same impact. For example, one encounter with a party that is camping nearby may have a far greater impact than seeing several parties from a distance over the course of a day.
- Managing for encounters is difficult in the vicinity of airstrips and other access points.
- Quantifying an “encounter” is difficult for both park users and park administrators in light of variations in vegetation, topography, distance from another party (on a distant ridge or camped 100 feet away), and length of exposure.
- Measuring encounter rates does not distinguish the type of user, e.g., subsistence, recreational, administrative. The applicability of certain management tools depends on these distinctions. For example, recreational users should not be restricted because administrative use in the same area increases beyond targeted levels.

---

<sup>1</sup> A recent example involves planning for the Situk River in the Tongass National Forest. Originally, the Forest Service wanted to tie visitor satisfaction on the river to encounter rates developed for the Tongass Land Management Plan. After discussions with the State and independent researchers in development of a visitor survey, the USFS determined it was not practical to successfully tie encounter rates to visitor satisfaction. Previous research has shown a very weak relationship between encounter rates and visitor satisfaction. Instead, the visitor survey focused on what issues were important in determining acceptable levels of use.

## **Recommendations concerning encounter rates**

Instead of using encounter rates to set desired conditions, we recommend use of encounter rates as a descriptive educational tool to show what visitors might expect in various portions of the park. This approach assumes that these expectations are not translated into limits. An example of this for a remote region of the park would be:

"In this area, backcountry users may reasonably expect to see several other parties in the vicinity of primary access points (trail heads, airstrips, etc.), but as parties disperse into the backcountry, it is likely they will encounter few, if any, other parties."

In addition, we suggest consideration of alternative variables that similarly target visitor satisfaction. These variables can be measured through surveys in combination with studies of physical conditions. Examples include:

- perceived levels of crowding (visitor preference vs. actual conditions) that addresses, among other things, types of encounters and their relative impacts;
- expectations for resource impacts (such as signs of human waste, litter, cut trees/bushes, campsite disturbances);
- attitudes toward management options (e.g. Gulkana River user survey).

Use of these indicators must start with baseline data about existing use levels and visitor expectations, which can be accomplished through a comprehensive study of park visitors.

## **ROLE OF MANAGEMENT UNITS**

We understand the value of establishing management units to reflect different use types and to tailor management to those areas. For example, we recognize that management practices will vary among the Ruth Glacier, areas immediately adjacent to the park road, and remote portions of the backcountry. We also support the general goal of providing for a range of recreational opportunities and recognize that Denali Park and Preserve is large and diverse enough to accommodate many public use objectives. We recognize the need to limit use in areas where demand for overnight camping would result in crowding and resource impacts (notably those units along the park road), and that outlining management units may be the only way to disperse use in these areas; however, we question the need to address use limits in areas that are remote, inaccessible, and unlikely to experience overuse during the life of the plan. We also object to designating management units specifically to administratively limit use, as proposed in the original draft backcountry plan. In the old park, for example, we find the extensive use of small management units with daily quotas, implemented without regulation, to be inconsistent with the procedural requirements of ANILCA. Our concern becomes especially acute if such administrative limits are extended to the preserve and park additions.

## **WILDERNESS MANAGEMENT**

In all alternatives, discussions of wilderness management must recognize the ANILCA amendments to the Wilderness Act. We recommend the “General Guidance” section include recognition of the specific modifications and an explanation that the Service policy also recognizes the differences for Alaska. This is an important educational opportunity, especially for those readers who are unfamiliar with ANILCA and its effect on park management in Alaska.

## **PROCESS FOR LIMITATIONS**

Compared to other units of the National Park System, ANILCA requires additional procedural steps to restrict public access in Alaska park units under Sections 811 and 1110(a). In essence, ANILCA explicitly “raises the bar” regarding criteria and methodology, effectively limiting the discretion of park managers. Various provisions of ANILCA, implementing access regulations in 43 CFR Part 36, Alaska-specific park regulations in 36 CFR Part 13, and applicable national regulations, collectively guide the following framework for decision making in Alaska:

1. Credible baseline data – We recognize the park is currently working on collecting more data. This data must comprehensively address the concerns identified above. The State strongly encourages cooperative design and evaluation.
2. Data used to support restrictions under ANILCA Section 1110(a) must show that the activity would be detrimental to tangible, quantifiable resource values – e.g., damage to wildlife habitat. Managers need not wait for damage to occur. Data predicting future detrimental affects may be used to support access restrictions if the studies are scientifically verifiable and applicable to the specific situation.
3. Development of reasonable standards that reflect measures of visitor satisfaction based on user surveys or other quantifiable measuring tools.
4. Implement least restrictive means to mitigate impacts and achieve management goals, including: education, increased enforcement of existing regulations (speed limits), voluntary guidelines, seasonal use requirements (i.e. designated airplane landing times, such as 8 am through 11 am, implemented through commercial use permit stipulations) and non-federal management tools.
5. Finally, if other mitigation methods fail to prevent detrimental effects to resource values, mandatory restrictions/registration/prohibitions may be proposed through the ANILCA 1110(a) process at 43 CFR Part 36.11 or other applicable Alaska-specific regulations at 36 CFR Part 13.

Thank you for the opportunity to clarify these views. As always, if you have any questions, please contact me at 907-269-7477.

Sincerely,

/ss/

Sally Gibert  
State ANILCA Coordinator