

# STATE OF ALASKA

**FRANK H MURKOWSKI**  
**GOVERNOR**

## **ANILCA IMPLEMENTATION PROGRAM**

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July 14, 2005

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

Dear Mr. Anderson:



The State of Alaska reviewed the April 2005 Denali National Park and Preserve Revised Draft Backcountry Management Plan, General Management Plan Amendment, and Environmental Impact Statement. The following comments represent the consolidated views of the State's resource agencies.

### **GENERAL COMMENTS**

The State commends the National Park Service for issuing a revised draft plan. The revised document offers far more clarity than the initial draft plan and gives readers a much better sense of what to expect from the various alternatives and how implementation will unfold. Even though we have remaining important concerns, we nonetheless recognize the numerous substantial revisions that more closely conform to the Alaska National Interest Lands Conservation Act (ANILCA) and implementing regulations. We note in particular the effort to develop standards and indicators that facilitate management transparency and improved public involvement. Some of these standards and indicators need refinement; but we support the overall effort to develop and evolve this methodology.

While the State does not normally take positions on specific alternatives and cannot endorse the Preferred Alternative in its entirety, this alternative as a whole is preferable to alternatives 2 and 3 in attempting to balance many competing uses in the Denali backcountry. We recommend against selection of Alternatives 2 or 3, which are far more restrictive than what Congress intended. Also, regardless of alternative, we continue to oppose the eminent or future extension of the restrictive "Old Park" definition of "traditional" to the ANILCA park and preserve additions. This definition would remove Section 1110(a) protections from a variety of long-standing uses and activities that pre-date designation.

### **WILDERNESS MANAGEMENT**

The State strongly objects to any proposals that extend formal Wilderness Act management requirements to areas outside designated Wilderness. The State recognizes that protecting

wilderness values is an important management objective of the plan. ANILCA includes recognition of wilderness values generally, and Section 202(3) explicitly includes wilderness recreational activities as a specific purpose of Denali Park and Preserve. Nonetheless, only the original, pre-ANILCA portion of the Park is congressionally designated Wilderness. Therefore, only the Old Park should be managed in accordance with the Wilderness Act, as amended by ANILCA.

Under Section 1317(c) of ANILCA, the wilderness suitability review undertaken after the passage of ANILCA shall not *“be construed as affecting the administration of any unit of the National Park System or National Wildlife Refuges System in accordance with this Act or other applicable provisions of law unless and until Congress provides otherwise by taking action on any Presidential recommendation made pursuant to subsection (b) of this section.”* In the legislative history of ANILCA, Senate Energy Report 96-413 provides additional insight into this provision:

*The Committee Amendment directs the Secretary of the Interior to conduct a wilderness review of those lands within National Parks, Monuments, and Wildlife Refuges not designated as Wilderness by this Act. This review shall be made pursuant to the Wilderness Act and completed within 5 years.*

*The Committee expects that the affected units will be managed and administered in accordance with the provisions of this Act and applicable law during the study period.*

Therefore, Congress did not intend for the Service to manage these areas as designated Wilderness until Congress acts to designate.

The Denali Backcountry Plan states on page 21 that the Service will manage the park additions and preserve *“to maintain the wilderness character and values of the land under other authorities until designation recommendations have been proposed and Congress has acted on these proposals.”* This intent appears to stem from the Service’s national 2001 Management Policies regarding management of suitable and proposed wilderness. This policy states the *“National Park Service will take no action that would diminish the wilderness suitability of an area possessing wilderness characteristics until the legislative process of wilderness designation has been completed. Until that time, management decisions pertaining to lands qualifying as wilderness will be made in expectation of eventual wilderness designation.”*<sup>1</sup> When these national policies were in draft form, the State commented by seeking greater recognition of the statutory ANILCA exceptions.<sup>2</sup> Given that more than half of the National Park System is located in Alaska, we further requested consideration of a separate policy for Alaska. Most of our comments were not addressed in the Final Policies, so discrepancies with ANILCA remain.

We also understand the National Park Service is revising the national policies. We again request the Service revisit these fundamental questions about the management of parklands outside designated wilderness in Alaska. In the meantime, for purposes of the Denali Backcountry Plan,

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<sup>1</sup> 2001 NPS Management Policies Section 6.3.1 (cited on page 21 of the Backcountry Plan)

<sup>2</sup> State letter to Loren Fraser, National Park Service, Washington D.C. March 20, 2000

we request recognition that in cases where the national policies conflict with ANILCA, the statute prevails. We also seek satisfactory resolution of the following additional concerns.

**Minimum Requirement/Minimum Tool: Administrative Activities**

The common management proposal to implement the “*minimum requirement/minimum tool*” analysis throughout the “*entire park and preserve backcountry*” (page 58) is the foremost manifestation of our concern about wilderness management. This Wilderness Act process even extends to those lands that were not recommended for wilderness designation in 1988. As proposed, this process applies to all administrative and scientific activities, including management actions conducted by the State of Alaska. We do not object to the Service voluntarily applying this process to its own management activities. However, the State strongly objects to being required to follow this process outside designated wilderness as it could impact the State’s ability to fulfill its authorities and responsibilities, particularly for management of fish and wildlife. The latter state responsibilities are specifically acknowledged and protected in Section 1314 of ANILCA.

The relationship of the Alaska Department of Fish and Game (ADF&G) and the National Park Service is spelled out in the Master Memorandum of Understanding (MMOU). Service concerns with state management activities affecting fish and wildlife should be addressed within the context of this agreement, not through a separate, potentially burdensome, authorization process. As noted above, the State recognizes the presence of wilderness resources and values and is prepared to consider these and other park purposes through normal implementation of the MMOU. The MMOU calls for “notification” to the Service of state activities. In practice, ADF&G staff members are expected to contact the park *before* the activity takes place to insure opportunity for Service input.

Other state management activities (e.g. fire management) are similarly covered by various government-to-government agreements and processes, which provide sufficient opportunity for consultation to insure that park purposes and values are recognized without this additional requirement. Our concerns apply to academic and private researchers as well. For these entities, we request the Service address protection of all park resources and values through existing research permit requirements, thus relieving the Service from separately imposing the “minimum requirement/minimum tool” for wilderness values on non-Service entities.

**Minimum Requirement/Minimum Tool: Commercial Services**

We also object to applying the minimum requirement/minimum tool analysis to commercial service providers as proposed on page 56. Under the new Concessions law, those operating under commercial use authorizations as well as concession operations will undergo a rigorous process to be allowed to operate in any National Park Service administered area. As with non-Service administrative activities, we request that the Service use existing commercial service authorization mechanisms to address the resources and values identified in this plan.

**Broader Recognition of Recreational Activities**

The specific purposes of Denali Park and Preserve as listed in ANILCA Section 202(3) include “to provide continued opportunities, including reasonable access, for mountain climbing, mountaineering, and other wilderness recreational activities.” [Emphasis added.] Yet the

Backcountry Plan sometimes appears to focus primarily on protection of “wilderness values” to the apparent exclusion of other important purposes and uses such as wildlife viewing and recreation. We have identified several locations where this issue can be addressed:

**Page ii**, Purpose and Need, first sentence: We request revision to insure the plan does not inadvertently imply that protecting physical wilderness characteristics is more important than providing for the recreational activities listed in the purposes of the unit.

**Page 3**, last paragraph, second sentence: Consistent with the above comments, we request revision to recognize the important historical human uses of the unit.

**Page 57**, first bullet, third point: “They provide education relevant to preservation of wildlife, wilderness, and other resources and values.”

### **APPLICABLE LAWS, REGULATIONS AND POLICIES**

In this portion of Chapter 1, we request recognition or clarification of the following additional applicable authorities:

**Page 19**, Off-Road Vehicle Access: Also note that 36 CFR Part 13.46 allows the use of snowmobiles, motorboats, dog teams, and other means of surface transportation traditionally employed by local rural residents for subsistence. Other means of surface transportation may include the use of off-road vehicles for subsistence.

**Page 20**, Closures and Public Use Limits, 36 CFR § 1.5: Revise to clarify that NPS regulations at 36 CFR Part 13.30 supercede the closure regulations at 36 CFR Part 1.5 for Alaskan park units.

**Pages 21-22**, Wilderness Management: Per our general comments, please clarify that when the national policies conflict with ANILCA, the statute prevails.

**Pages 22-23**, Guided Activities and Commercial Services. Recognize that ANILCA Section 1307 allows the continuation of existing visitor services and provides a preference for selecting visitor services, except guided sport fishing and hunting.

**Page 23**, Facilities. Also note that ANILCA Sections 1306 and 1310 allow administrative sites and facilities for administrative, navigation, or research purposes.

**Page 25**, Easement and Boundary Changes. Also note ANILCA Sections 103(b) and 1302 (including the 1302 amendment), address easement and boundary changes for most conservation system units in Alaska, including units managed by the National Park Service.

### **OTHER PAGE SPECIFIC COMMENTS**

**Page 27**, Off-Road Vehicle Use. We disagree with the assertion that off-road vehicles (ORVs) are not authorized for subsistence purposes under Section 811 of ANILCA because they were not traditionally employed for subsistence purposes. Under Service

regulations at 36 CFR 13.46, such subsistence use of ORVs is allowed unless closed through the regulatory process detailed in 13.46(a) through 13.46(c). Denali National Park and Preserve is currently evaluating eligible subsistence users traditional use of off-road vehicles in Cantwell and within the park in the Cantwell area. A finding that ORVs were traditionally employed is pending. It is therefore inaccurate for the Service to state that off-road vehicles are not authorized in the park or preserve.

**Page 42**, Table 2-1: Management Area Descriptions, Backcountry Hiker Management Area. Based on inquiries, we understand that the “No camping” provision in this proposal is intended to prevent people from camping directly on specified trails, rather than a nondescript area closure within the vicinity of the trails. In order for this provision to be meaningful to the public and enforceable by the Service, both the trail locations and portions affected need to be specifically defined. We do not support any closures that are not properly identified.

**Page 46**, Table 2-5: Natural Sound Disturbance. The text within the table and the notes that accompany this table fail to address the issue of noise generated from legal access methods provided through law and regulation. This text leads the reader to assume that motorized noise is automatically inappropriate within Denali backcountry, a conclusion that would not be consistent with ANILCA’s protections of motorized access. We request explanation in the table or “Notes” to recognize that legal motorized access and its associated sounds are not inherently inconsistent with management of the Denali backcountry. We also request inclusion of some descriptive narrative that better conveys a recognizable sound intensity represented by various decibel levels. For example, it would be helpful to associate decibel level ranges with the “three-part scale” referenced on page 137. In addition, the presentation would be more neutral if the Service replaced the term “noise” with “sound.”

**Page 47**, Table 2-6: Encounters with People. We recognize the Service’s efforts to better define encounter rates, and we appreciate Service recognition that the standards may need to be refined after 5 years. In the meantime we question whether the quantified encounter rates reasonably reflect the accompanying qualitative descriptions. In Corridors rated “Very High,” for example, encountering 10 or fewer parties a day does not seem to match up with “*may always be in sight and sound of other parties.*” At the other end of the spectrum in the “Very Low” encounter rate category, it seems unwise to state that “*Visitors can expect to encounter no other parties in these areas....*” A more realistic statement might be: “*Visitors are unlikely to encounter parties in these areas....*” Our concerns about encounter rates were first articulated in our letter of April 12, 2004. These standards are not yet adequate to support regulatory closures or restrictions under Section 1110(a).

**Page 50**, Access, General Guidance. We are aware that the Service has compiled a substantial amount of information for this plan related to historical activities and access. Based on our understanding of the methodology, we are concerned that the data may be limited in scope and incomplete. The State has long held that a documented understanding of pre-ANILCA public use is essential to properly identify and manage access for “traditional activities” under Section 1110(a) and “means of surface transportation traditionally employed” under Section 811. When the original GMPs were completed by the Service and subsequently approved by the Alaska Land Use Council, it was understood by all state and federal participants that the Service did not

have a sufficient knowledge base to include the access plan required by Section 1301(b)(4). Therefore, National Park Service Regional Director Boyd Evison made a commitment to conduct comprehensive studies of pre-ANILCA access and activities in cooperation with the State. The ADF&G, with cooperation from the Service, completed a successful study of pre-ANILCA activities for the Wrangell-St. Elias National Park and Preserve. We request an opportunity to review the objectives and methodology of the current data gathering effort. The Backcountry Plan is essentially designed to conclude the required Section 1301(b)(4) element of the original GMP, and therefore must be based on complete and accurate information.

**Page 50, Access, General Guidance, second paragraph.** We recommend separating the excellent “tools” discussion from the general access section. While all of the tools have some possible application to access, a number of them also apply to other subjects (e.g. human waste disposal) unrelated to access.

**Pages 51-52, Registration and Permit Systems.** We request clarification that mandatory registration and public use permit requirements can only be implemented through regulation. We do not support mandatory registration if the sole purpose is to gather public use data – especially in the park additions – when less burdensome methods are available through commercial use providers, survey cards, and/or periodic sampling studies. We support use of less restrictive measures to meet identified standards before implementing registration or permit systems.

**Page 54, Group Size.** We request the plan clarify that rulemaking pursuant to ANILCA Section 1110(a) is necessary to implement group size limits for non-commercial activities.

**Pages 59-60, Adaptive Management.** To explain the implementation of "ongoing monitoring" and adaptive management, we recommend the Service develop a step-down comprehensive monitoring plan to supplement tables 2-2 through 2-9 in Chapter 2. The monitoring plan should be made available for public review. In the meantime, we request the final backcountry plan outline the general purpose and content of the monitoring plan, including:

- a statement of objectives for both overall and site specific monitoring,
- what characteristics the Service intends to monitor,
- sampling strategies, techniques or procedures for data analysis, and
- criteria used to develop conclusions.

**Page 60, Adaptive Management, second paragraph, fourth bullet.** We recommend this bullet be revised so that there is no misunderstanding that a process is required to implement such closures. Any closures under the annual backcountry operational management plan must also undergo the closure procedures under 43 CFR Part 36.11 for ANILCA Section 1110(a) access, 36 CFR Part 13.46 for subsistence access, and 36 CFR Part 13.30 for other activities.

**Pages 61-62 and page 66, Access under Alternatives 2 and 3.** We strongly object to extending application of the Old Denali Park definition of “traditional activities” (36 CFR Part 13.63(h)) to any ANILCA designated unit or addition. We also object to any efforts to legislatively exempt the “Old Park” from the access provisions of ANILCA Section 1110(a) – as proposed under Alternative 3. See also first comment for page 50.

**Pages 72 and 76, Access, Alternatives 4 and 5.** Unlike Alternatives 2 and 3, there is no language stating that “access will be managed using the tools identified under Actions Common to All Action Alternatives.” Since the tools are listed as common to all alternatives, we assume this omission is an oversight in the text that can easily be clarified in the final plan. We also request clarification that any future access closures proposed in response to the changes in desired future conditions will be implemented through separate rulemaking.

**Page 72, Access, second paragraph.** We do not see a sufficient need for broadly applied registration requirements for overnight use in the park additions and winter day use east of the Kahiltna Glacier. Compliance would be burdensome and other, less restrictive methods are available for data gathering.

**Pages 80-81, Shelters and cabins.** In the section Alternatives Considered But Rejected, we take issue with several aspects of this discussion. First, the majority of the planning area is outside designated wilderness; thus the reference to “within wilderness areas” is misleading at best, and furthers our concern that the park is attempting to manage the entire backcountry the same as designated wilderness. Second, contrary to the text, ANILCA Section 1303(3) does provide for the construction of cabins for public use on all parklands, regardless of their status as designated wilderness, even though we recognize the park is not required to do so. Furthermore, the purpose is not limited to public safety. Third, the discussion does not recognize the State’s original request in our previous comments for consideration of such public use cabins.

**Page 82, Summary Table of Alternatives.** The text describing the size of the areas in Alternatives 3 and 4 have been noted incorrectly. Alternative 3 should read “...the areas would be the minimum necessary to provide these experiences based on present demand...” and Alternative 4 should read “The areas would be of sufficient size to accommodate anticipated growth in the next 20 years....”

**Page 105, Map of proposed land exchange.** The State conceptually supports consideration of the proposed land exchange involving the boundary between the state and parklands in the vicinity of the Tokositna and Coffee rivers. It is not a high priority for the State in light of other exchange activity elsewhere in the state; therefore we would need substantial Service assistance to facilitate the public involvement and other statutory requirements associated with implementing any land exchange.

### **Chapter 3**

**Pages 121-132, Wildlife.** Section 1314 of ANILCA confirms that the State of Alaska retains authority to manage fish and wildlife on public lands. Clarification of this role and a commitment to cooperate in related matters is addressed in the Master Memorandum of Understanding between the Service and ADF&G. We request that the respective roles of the Service and State, and a Service commitment to cooperation, be fully recognized in the text. We also recommend the Service provide a copy of the Master Memorandum of Understanding as an appendix in the final plan.



**Page 133, Natural Soundscapes, paragraph 5.** Consistent with our comments on page 46, we are concerned by reference to the statement in Director's Order #47 that *"noise is generally defined as an unwanted or undesired sound, often unpleasant in quality, intensity or repetition."* We recognize that maintaining natural sound is an important goal for many visitors, but some human caused sound is necessary to conduct legally allowed activities. To address this concern, we request the next sentence in this paragraph be revised as follows: "Noise may often be the byproduct of desirable or legally authorized activities or machines, but it still subject to management to protect park resources."

**Page 140, Backcountry Visitor Use, second paragraph.** The State opposes extension of the backcountry unit and quota system outside the Old Park. The basis for the original system does not fit with the realities of backcountry use in the ANILCA additions and the access protections under Sections 811 and 1110(a).

**Page 141, Wilderness Suitability and Proposal.** Consistent with our general comments above about wilderness, we disagree that lands suitable for wilderness designation must be managed "as wilderness" under the 2001 NPS Management Policies.

**Pages 143-146, Subsistence.** This is a well-written and informative section and responds to most of our recommendations on the previous draft plan in 2003. However, we note several minor errors in the text. First, we recommend the Service amend the final sentence on page 144 to show that Telida was also among the communities covered in the Stokes 1984 publication. The ADF&G, Division of Subsistence also conducted research in other Parks Highway communities, both north and south of the park. We recommend citing the following study, which described subsistence activities in Lake Minchumina as of the mid-1970s in what was then the proposed north addition to the park:

Bishop, Richard H., 1978. Subsistence Resource Use in the Proposed North Addition to Mt. McKinley National Park. Anthropology and Historic Preservation, Cooperative Park Studies Unit, Occasional Paper No. 17. University of Alaska Fairbanks.

**Page 168, Backpacking, second paragraph.** We continue to object to the annual compendium requirement that all users carry bear proof containers in most backcountry units in the Old Park, especially if no perishable food is being carried and the campers are well away from the park road or bear concentration areas. Not all areas of the Old Park have the same use patterns or bear concentration areas found in selected popular hiking areas adjacent to the park road. Instead, we recommend that food storage be addressed in the same manner as other park backcountry areas by keeping the focus on prohibiting animal attractants and enforcing existing state law (5 AAC 92.230 Feeding of Game), in combination with an education program and the continued availability of containers for loan from the park. This issue has been discussed outside the context of the backcountry management plan so we recommend some recognition that revised guidance may be developed separately in the future.

**Page 178, Sport Hunting.** This section incorrectly implies that all hunting on the preserve regulated by the State's Board of Game is "sport" hunting. In fact, the state hunting regulations provide for general hunting (including subsistence) through resident and non-resident seasons.



Further, rural and non-Alaska residents currently can hunt on preserve lands. We recommend use of the term “general hunting” when not specifically referring to subsistence.

**Page 188**, Snowmachines, first paragraph. We request clarification that, depending on the final alternative selected, the Service may not need to define “traditional activities” at this time. We also continue to request the document reflect Congressional intent to protect Alaskan activities occurring at the time of passage of ANILCA, recognizing that reasonable regulatory processes are available to protect park resources without unnecessary limitations on the types of activities.

**Page 188**, Off-Road Vehicles (ORVs). See comment regarding page 27. Under NPS regulations at 36 CFR 13.46, ORV use that was traditionally employed for subsistence purposes is allowed unless closed by regulation.

**Page 205**, Backcountry Management During Winter, first paragraph. The State maintains a longstanding objection to requiring camping permits in the winter and in remote areas where overcrowding, competition, or resource protection are not significant issues and when the minor benefits of permits are outweighed by the burdens imposed on the user. Congress intended that permits be avoided whenever possible. We request the Service delete this requirement during periods and in locations where visitor use is not impacting resources.

#### **Chapter 4**

**Page 216**, Assumptions, #10. We question the relevance of the statement that the majority of [snowmachine] use within park boundaries does not have characteristics that would meet the definition of “traditional activities” presently applied in the Old Park and therefore request its deletion. In light of the different conditions and historical use patterns between the “Old Park” and the ANILCA additions, this statement is presented without appropriate context and implies that these differences are automatically problematic.

**Page 232**, Trampling and Damage. We recommend the Service include more information from the study conducted by Ms. Kathryn Tietz regarding impacts of trampling on summer and winter vegetation in interior Alaska taiga ecosystems. Of all the studies cited in the text, this study has the greatest relevance to Denali National Park and Preserve ecosystems.

**Page 258**, Ungulates, second paragraph. The statements in the second paragraph attributed to Mr. Griese are incomplete regarding ADF&G’s information on impacts to moose willow habitat in the Talkeetna Mountains. Further information from ADF&G reveals such information is anecdotal.

**Page 274**, Alternative 4 and **Page 277**, Alternative 5. Based on the cited examples, it appears overly simplistic to attribute minor to moderate adverse impacts to wildlife populations and habitats under Alternatives 4 and 5 strictly to increased snowmachine and motorboat use. Since Alternatives 4 and 5 increase overall recreation in the park, both motorized and non-motorized, we request a more comprehensive statement such as: *“there would generally be minor to moderate adverse impacts to wildlife populations and habitats under Alternative 4 because of impacts from increased recreation use, both motorized and non-motorized.”*

**Page 281, Natural Soundscapes.** Consistent with previous comments, we request this section also recognize that much of the “noise” generated within the park is from legally authorized access methods under the provisions of ANILCA.

**Pages 309-331, Wilderness Resources.** See general comments above about wilderness management. In particular we reiterate our concern that the document appears to be using national policies to “trump” the statutory provisions of ANILCA.

**Pages 332-355, Subsistence Resources and Opportunities.** The Methodology section on page 332 states that, “This analysis assumes that adverse impacts to subsistence resources and opportunities from subsistence uses are negligible because subsistence use is very low, especially compared to recreational use of the park.” However, the next 20+ pages detail an array of “major adverse effects,” “moderate adverse effects,” and “adverse effects” that are projected for each of the five alternatives. Similarly, Table 2-11 (page 95) summarizing the projected environmental consequences of each planning alternative, states that the Preferred Alternative “would create unfavorable conditions for subsistence wildlife populations and increase conflicts between recreational and subsistence users.” The cumulative impacts of all alternatives on subsistence are projected to be “major.” Based on the detailed and candid assessment presented concerning the potential adverse effects to subsistence for each alternative, we respectfully disagree that the potential for adverse effects is “negligible.” We request the final plan address this discrepancy.

In addition, we recommend the plan be explicit in explaining how the Service will mitigate or avoid adverse effects and cumulative effects on subsistence. For example, Cantwell residents need to know how the Service will address continuing increases in recreational use in areas they have used and continue to use for hunting and trapping in the park additions.

**Page 348, continuing paragraph about Kantishna.** We strongly object to the suggestion that the Service may expand the current firearm closure period in the Kantishna area. The State opposes restrictions on valid subsistence uses that favor expanding seasonal visitor uses. As stated in our comments on the original Kantishna firearm restrictions (January 2000 letter to then Superintendent Steve Martin), the Service must “*guard against management decisions which treat legally-authorized subsistence uses secondarily to non-consumptive uses.*” Although only a small number of qualified local rural residents currently subsistence hunt in the Kantishna area, the area is open for subsistence uses and could be used more frequently in the future. Qualified local rural residents should not continue to see their opportunities to legally conduct subsistence activities in the park additions and preserve reduced in favor of further accommodating recreational users. Extending the firearm closure period would be another incremental step toward effectively eliminating subsistence uses altogether in portions of the park additions in order to accommodate seasonal visitors and recreational users. The State recognizes public safety issues in its hunting regulations that prohibit shooting across and from highways, etc. Any additional firearm restrictions that respond to public safety concerns must be substantiated and must be the minimum necessary.

**Page 397, Recreational Opportunity, first full paragraph, third sentence.** We recommend the Service delete this sentence because not all “recreational use” would be prohibited and because Section 1110(a) is a minimum guarantee, not a limiting condition.

**Page 401, Recreational Opportunity, first full paragraph, third sentence.** Comment for page 397, above, applies to this page as well.

## **Chapter 5**

**Pages 420-425, Consultation and Coordination.** We note that the plan and particularly this section, does not describe the hearing and participation requirements found in ANILCA Section 1301(d). This section of ANILCA allows various state and federal agencies, native corporations, and interested stakeholders to participate in development, preparation, and revision of conservation system unit plans. We recommend the Service include recognition of Section 1301(d) in the text of the final plan, including the commitment in the General Management Plan (page 155) that such consultation extends to subsequent step down plans.

## **Appendices**

**Pages 492-510, Appendix C: ANILCA Section 810(a) Summary of Evaluation and Findings:** This analysis reiterates information presented elsewhere in the plan, and appropriately indicates how some potential impacts to subsistence could be avoided or mitigated. However, we recommend the authors review the information in the 810 analysis with the “Affected Environment” and “Environmental Consequences” sections to ensure that consistent information is being presented throughout the plan. See also our comments regarding pages 332-355.

**Page 516-519, Appendix E.** It appears the Service created the Minimum Requirement Procedure in the plan for use specifically in Denali National Park and Preserve. Consistent with our May 5, 2004 comments to the Arthur Carhart Center regarding the national, interagency “Minimum Requirement Decision Guide,” Denali’s proposed process does not reasonably recognize the obvious statutory exceptions to the Wilderness Act found in ANILCA. For example, question #4 on page 516 should specifically mention ANILCA as a source of special statutory guidance that may allow a specific activity that would not normally be allowed in designated Wilderness. Also, this question should more appropriately be placed as the first or second question in the Procedure prompts.

**Page 543, Bibliography.** “Haynes, Simeone, and Andersen” is the correct spelling of the authors’ names in this citation.

Thank you for the opportunity to review this revised draft. If you have any questions, please contact me.

Sincerely,



Sally Gibert  
ANILCA Program Coordinator