

# STATE OF ALASKA

## ANILCA IMPLEMENTATION PROGRAM

**SARAH PALIN, Governor**

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January 12, 2009

Meg Jensen, Superintendent  
Wrangell-St. Elias National Park and Preserve  
P.O. Box 439  
Copper Center, AK 99673

Dear Ms. Jensen:

The State of Alaska reviewed the Nabesna Off-Road Vehicle Plan / Environmental Impact Statement Draft Alternatives. We appreciate the National Park Service's commitment to meaningful public involvement in the development of these alternatives. This letter represents the State's consolidated views on the alternatives to date.

The off-road vehicle (ORV) trails in the Nabesna District are discrete and most have final destinations. In general, specific user groups tend to utilize individual trails for specific purposes. It is our understanding that subsistence users and those accessing inholdings usually travel south; whereas, recreational users are more likely to travel north to access specific recreational resources. While these use patterns cannot be completely distinguished, any ability to separately describe and evaluate the impacts of the various purposes (subsistence, recreation, and access to inholdings) could be useful in assessing overall impacts and shedding light on ways to mitigate them.

The State appreciates the wide range of alternatives, including opportunities to continue off-road vehicle use – a traditional form of access that pre-dates the Park – within the Nabesna District. To provide for continued access, trail improvements, temporary restrictions, and perhaps selected permanent closures may be required; however, permanent closures should only be a tool of last resort. The goal should be to maintain an opportunity to continue existing use patterns with minimal resource damage and minimal user conflicts. We also recommend consideration of constructing additional non-motorized trails within the range of alternatives to reduce existing user conflicts. Furthermore, while the minimal ground coverage of these trails ensures extremely limited adverse impacts to wildlife, designating or improving trails has the potential to alter the take of fish and wildlife. We therefore recommend working closely with the Alaska Department of Fish and Game (ADF&G) during development of the EIS to address and avoid such impacts.

## Specific Comments

**Page 2, Purpose:** We recognize the term “*sport*” hunting is used in ANILCA; however, it is no longer used in ADF&G regulations. In future documents, when necessary to distinguish between subsistence and non-subsistence hunting, we request replacing the term “*sport*” with “*general*.”

**Page 3, Subject to temporary closures:** As currently written, the guidance for temporary closures lacks definition and is discretionary. We request development and consideration of specific criteria to provide improved consistency and accountability should a temporary closure prove necessary. As part of this discussion, displacement of users to other areas within and outside the Park should be analyzed. In addition, we request any closures minimize impacts on human uses to the greatest extent possible by tying restrictions to specific temporary or seasonal conditions. In particular, we request limiting any unavoidable closures during hunting seasons so that, to the extent possible, the entire season is not restricted.

We also request the Plan clarify any closure or restriction to subsistence access (including areas off-trail) would first require promulgation of regulation pursuant to ANILCA Section 811(b) and 36 CFR 13.460. The public needs to understand that any closure of subsistence access would not be implemented simply through adoption of the Plan.

**Page 6, Appropriate recreational ORV use:** Beginning on this page and continuing throughout the detailed draft alternatives, the phrase “*appropriate recreational ORV use*” is used. While we support the intent behind identifying how ORVs should be used to protect park resources and improved trails, we do not recommend creating a static definition for “*appropriate recreational ORV use*,” which would be difficult to craft and enforce. We instead recommend distributing educational materials to permittees, which would notify the public that they have a responsibility to protect trails from overuse. Should that prove unsuccessful, additional management action could then be considered.

Thank you for this opportunity to comment. Please contact me at (907) 269-7477 if you have any questions.

Sincerely,



Sally Gibert  
ANILCA Program Coordinator