



January 29, 2021

Phillip Hooge, Superintendent
Glacier Bay National Park and Preserve
P.O. Box 140
Gustavus, AK 99826

Dear Mr. Hooge:

The State of Alaska reviewed the Glacier Bay National Park and Preserve's (Park) winter 2020/2021 Newsletter regarding the on-going planning efforts to update the 1989 Glacier Bay National Park Wilderness Visitor Use Management Plan. The following comments that address the proposed management strategies to achieve the National Park Service (Service) planning vision and desired future conditions represent the consolidated views of State agencies.

ANILCA Context

The State's May 6, 2020 comments on the Spring 2020 Newsletter noted the newsletter at that time contained no reference to the Alaska National Interest Lands Conservation Act (ANILCA) or ANILCA context. ANILCA Section 202(1) expanded and re-designated the Glacier Bay National Monument as the Glacier Bay National Park and Preserve. ANILCA Section 701(3) designated approximately two million seven hundred and seventy thousand acres as wilderness. ANILCA Section 707 expressly recognizes the exceptions in ANILCA that apply to designated wilderness in Alaska.¹ As such, the backcountry wilderness area is not managed only in accordance with the Wilderness Act as the Newsletter implies when it omits any reference to ANILCA. This context is a critical component for the public to be aware of during the planning process and for the Service to take into consideration when identifying the plan's vision statement, management framework, and desired future conditions. Without providing the ANILCA context, the public will be unaware of the unique wilderness management aspects Glacier Bay managers face in protecting wilderness while allowing ANILCA authorized uses such as motorized access, cabins, and fisheries research.

We again request the NPS incorporate the ANILCA context into the management framework for the upcoming draft plan. The federal multi-agency *2006 Alaska Supplement to the Minimum Requirements Decision Guide*, which was developed in cooperation with the State of Alaska, identifies the numerous exceptions in ANILCA that apply to designated wilderness in Alaska. We request it be used as a

¹ ANILCA Sec. 707. **Except as otherwise expressly provided for in this Act** [emphasis added] wilderness designated by this Act shall be administered in accordance with applicable provisions of the Wilderness Act...."

resource for the remainder of the planning process and referenced in the plan itself.² We also request that the Service recognize that as a step-down management plan, the revised plan must be consistent with the planning requirements in ANILCA Section 1301(b) and the 1984 Glacier Bay National Park and Preserve General Management Plan. We request the NPS also allow the State to fully participate in the development of this plan as directed in ANILCA Section 1301(b) beyond the review opportunities afforded the general public, as has occurred in past planning processes for this and other park units in Alaska.

Visitor Access and Park Use

- “Assess the opportunities for and appropriateness of visitor activities in designated Wilderness as required under the Wilderness Act, including **evaluating the extent that guided commercial visitor excursions are necessary** [emphasis added].”

It appears the proposed management strategy suggests evaluating commercial visitor services with an Extent Necessary Determination (END). As noted in our May 5, 2020 comments, Parks are important economic drivers for local communities, and we support improving access to responsibly facilitate visitor use.

The importance of ANILCA access allowances, such as the allowance for airplanes in wilderness, will be an important consideration during preparation of future ENDs. We request that any END prepared for future commercial services activities consider ANILCA access allowances during their preparation and be grounded in data collection efforts as we strongly advocate for science-based decision making. We also request if an END is prepared in association with this plan, it be made available in draft (e.g., incorporated into the draft plan) for public comment.

State Management Authorities

- “Use research findings that acknowledge climate change and other anthropogenic factors to inform management decisions.”

This Vision/Desired Future Condition appears to be more appropriate as a management strategy given it is a continuation of current Park management. Our agencies have cooperatively worked on research projects and coordinated data shares in the past and we look forward to continuing this relationship to inform management decisions. As we requested in our May 2020 comments, we request the plan outline the cooperation and coordination requirements outlined in our Master Memorandum of Understanding. (ADF&G & NPS Oct 4, 1982).

A recent example of cooperation was the language used in the Park Frontcountry Management Plan that properly recognized state management authorities, the Board of Fish responsibilities, and the Park’s commitment to consult with ADF&G staff to determine if and when a conservation concern exists and to use the State’s regulatory process to the maximum extent allowed by Federal law. We request the Backcountry Management Plan use the same language as the Park Frontcountry Management Plan.

Wilderness Management

² This guidance document was revised in 2016 without offering the State an opportunity to collaborate on its revision and contains errors. Transmittal of the 2006 cooperatively developed guide to the Secretary of Interior is enclosed for reference.

- “Provide opportunities for visitors to experience a marine wilderness area with a similar level of protection as terrestrial wilderness.”

We question the appropriateness and ability to implement this listed Desired Future Condition. As we noted in our previous comments in May 2020:

Access to the Park is primarily by watercraft and we support the vital role that commercial transporters and guides play in providing public access. When addressing management concerns, we request the Service employ the least restrictive management tools to minimize the effects on visitors while also protecting the resource. (State of Alaska to Park, May 5, 2020)

The general group size limit for terrestrial wilderness is 12 people including guides; many of the people experiencing the marine wilderness of the Park do so from large cruise ships. No data has been provided to suggest a need to limit marine visitors. Extensive research and data collection occurred when limits to cruise ships were first considered in 2003, including the subsequent establishment of a Science Advisory Board to inform the Service in their final decision. Therefore, as noted in our previous comments, we do not recommend further restrictions on access to the terrestrial or marine wilderness area without rigorous data and analysis.

- “Provide for the public use and enjoyment of the backcountry as intended by the Wilderness Act, including essential services that support wilderness experiences.”

We are encouraged to see this as a Desired Condition in the Park Wilderness, yet we have concerns that the END analysis proposed in the management strategies could unnecessarily limit this Desired Condition. If the END unduly determines that commercial recreational services not currently offered in the Park are not needed in designated wilderness, it will not allow the Park to consider allowing future improvements to visitor services that would responsibly facilitate visitors experiencing the scenic and other wilderness purposes of the Park. For example, the knowledge and skills required to maintain and fly an airplane/floatplane are beyond the average person’s ability, yet they are often needed to reach a given remote alpine lake. Future commercial recreational services providers could also propose to expand opportunities for the disabled or elderly to access the Park and participate in recreational and educational opportunities. These types of recreational commercial services tie directly to Section 4(d)(5) of the Wilderness Act which states:

Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas (Public Law 88-577).

The “purposes” referred to in Section 4(d)(5) are those listed in Section 4(b), which states “...wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use” (Public Law 88-577).

We request that the plan acknowledge the unique skill sets often required to access and experience the purposes of the Park’s designated Wilderness. ENDs can considerably affect public use. END analyses should not be internal documents unavailable to the State and the public. In addition to providing public review of any recreational commercial services END prepared for this plan, we request an opportunity to work cooperatively with the Service on all ENDs produced for the Park.

Thank you for this opportunity to comment. Please contact me at (907) 269-7529 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Magee". The signature is fluid and cursive, with the first letter of the last name being a large, prominent capital 'M'.

Susan Magee
ANILCA Program Coordinator

Enclosure