

STATE OF ALASKA

OFFICE OF THE GOVERNOR ANILCA IMPLEMENTATION PROGRAM

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Paul Anderson
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P.O. Box 9
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Dear Mr. Anderson:

The State of Alaska has reviewed the February 2003 Draft Backcountry Management Plan for Denali National Park and Preserve General Management Plan Amendment Environmental Impact Statement. This letter represents the consolidated views of state agencies. We appreciate the opportunity to submit these comments and hope they will assist the Service in developing a final plan that serves the public and meets the intent of the Alaska National Interest Lands Conservation Act.

Summary of Issues and Concerns

The State of Alaska's most significant concern is use of management area "zoning" to broadly close or restrict public access based on inadequately defined criteria or unquantified impacts. We recognize that Denali National Park and Preserve has a particularly large constituency advocating maximum protection of wilderness values with minimum human presence, especially in the form of motorized access. This public pressure, while understandable, does not excuse the National Park Service from following the letter and spirit of the Alaska National Interest Lands Conservation Act (ANILCA). In the compromise effort to gain passage of ANILCA, Congress chose to combine large acreage withdrawals with special accommodations for motorized access and other uses not commonly allowed in national parks and wilderness units elsewhere. ANILCA and its implementing regulations lay out detailed procedures that must be followed to manage (close or restrict) these uses. We find that the Denali Backcountry draft plan falls short of meeting the requirements of ANILCA, especially Section 1110(a).

The State has additional concerns with management intent addressing soundscapes and wilderness. In attempting to apply more recent *administrative* policy developed at the national level, the existing *statutory* guidance in ANILCA has been systematically overlooked. The proposed implementation of the subjective management intent is inconsistent with ANILCA's required finding of damage. We are also concerned that the original intent of the Wilderness Act is applied too narrowly. The current emphasis on opportunities for "*solitude*" appears to overshadow the Wilderness Act's equal emphasis on "*primitive and unconfined type of recreation*." In light of the constraints in ANILCA, we believe steering the wilderness management intent toward primitive recreation would be more appropriate.

These and other equally significant concerns are detailed in this letter by topic, followed in some cases by related page specific comments.

Management Area “Zoning”

The proposed use of management areas, defined, in part, by types and levels of visitor uses constitutes an inappropriate de facto closure of allowable access provided under ANILCA. Congress established a high bar for federal agencies to clear before restricting public access in Alaska park units. The access provisions of ANILCA were a key component to the compromises that were necessary to pass the legislation. The zoning concepts in the draft plan – based on subjective aesthetic values – is a significant deviation from Congressional intent to limit manager’s discretionary authority to restrict access.

We note that the purposes of the plan include to “*update and expand the 1976 Backcountry Management Plan.*” The 1976 plan was adopted for the original park before ANILCA expanded and re-designated the unit under significantly different management guidelines. So while the 1976 plan is, by definition, not in compliance with ANILCA, many of its pre-ANILCA features have not been modified to reflect the 1980 statutory guidance. This carry over of management intent may explain why some significant management decisions remain at odds with ANILCA provisions.

While the draft plan acknowledges (page 1) that implementation may require promulgation of special regulations, Section 1110(a) clearly states “*the Secretary shall permit*” such uses, and “*such use shall not be prohibited unless . . . the Secretary finds such use would be detrimental to the resource values of the unit or area.*” Such resource values do not include immeasurable, intangible aesthetic values and experiences. Unlike lower 48 parks, Alaska park units are considered “*open until closed*” to public activities not otherwise prohibited by law. Restrictions and closures require a factual determination of impact on tangible, measurable resources of the unit as part of the rulemaking process (43 CFR Part 36). Significantly more and accurate data are needed before the significant restrictions proposed by zoning (e.g., 3 encounters per week for Natural Areas – page 37) are considered.

Soundscape Management

A stated purpose of the draft plan is to serve as “*Soundscape Preservation and Noise Management Plan as required by Director’s Order #47*” (excerpt on page 15). Further, the draft plan heavily emphasizes noise reduction and soundscape management. The Director’s Order was among a number of recent national orders and policies, including the Management Policies of 2001, which fail to recognize the statutory protections under ANILCA for Alaska park units. Consequently, the State of Alaska objected to these management documents and their application in Alaska. Even though these policies are now final, the Service may not use administrative policy to override statutory intent (as implied in the draft plan on page 20.) Any motorized access or mechanized equipment may cause sounds that wilderness enthusiasts find disruptive, and we recognize that natural sound is a legitimate value shared by many park visitors. However, ANILCA-mandated access and use may not be subjectively curtailed by noise concerns. The Service has the responsibility to insure that soundscape management is properly

implemented within the framework of ANILCA, including quantifiable findings of damage to resource values.

We request the relationship between aircraft/airspace management and soundscape management be addressed in the soundscape management section (p.173). We also request the page 227 explanation of regulatory authority be referenced wherever soundscape management is addressed.

The data provided in citation for this section is exclusively from the National Park Service. We request that the Service include citations from independent researchers on quantification and impacts related to natural soundscapes. The information provided does not document research conducted on the influence of natural soundscapes on recreational satisfaction of visitors or on wildlife resources.

Wilderness

The State believes that the draft plan wilderness management intent does not properly respond to ANILCA, nor the Wilderness Act itself. Unlike wilderness management in other states, ANILCA amends application of the Wilderness Act to allow motorized transportation, cabins (sections 1303 and 1315), and other uses in designated wilderness in Alaska. In addition to the often-recognized sections 811 and 1110 access provisions, ANILCA Section 1316 also protects the pre-ANILCA use of mechanized equipment necessary for the taking of fish and wildlife (operation of camps, such as water pumps and generators) in wilderness. Service management activities to protect wilderness values under the Wilderness Act must accommodate these exceptions for Alaska. In addition, backcountry planning documents must make these exceptions clear to increase the applicability and relevance of public comment.

Where wilderness is considered, we request the plan broaden or replace the single-minded focus on “solitude” to reflect the entire concept included in Section 2(c) of the Wilderness Act: “... *outstanding opportunities for solitude or a primitive and unconfined type of recreation.*” The ANILCA purposes for Denali include “wilderness recreational activities,” but do not include “solitude.” The characterization of “solitude” in the draft plan implies an extremely low tolerance for the very types of uses that ANILCA allows. Incorporating the extended Wilderness Act concept to include *primitive recreation* would empower the Service to more effectively marry the Wilderness Act and ANILCA. This approach would also better reflect Section 1133(a) of the Wilderness Act, which states that use of wilderness areas “*in National Parks are hereby declared to be within and supplemental to the purposes for which units of the National Park system were established.*”

Primitive recreation implies a true backcountry experience, but does not necessarily imply an absolute “*absence of distractions such as large groups, mechanization, unnatural noise, signs, and other modern artifacts.*” (from bullets at top of page 30) We request the plan consider, for example, that even if a few planes a day fly overhead, a remote backcountry traveler can still appreciate a wilderness experience. Carrying this example another step, the Service could provide educational information about more highly used overflight areas so that those backcountry users who are particularly sensitive to aircraft sounds will know what areas to

avoid. The Service and backcountry users themselves share some responsibility for realistic accommodation of other uses; just as pedestrians and cyclists must accommodate each other on a multi-purpose city trail.

page 5, Denali Wilderness: The correct citation in the first sentence is Section 701.

page 5, Legislative Intent: The isolated quotes from the 4-year legislative history do little to clarify the Congressional directives for management of Wilderness areas in Alaska park units. We request this section include a more comprehensive range of legislative history (which we could assist in providing) or – preferably – just delete it.

page 176, Wilderness: Reword the first sentence in the second paragraph to specifically reflect the 1.9 million acres of Denali wilderness established by Section 701 of ANILCA. Also, we request that the last sentence in this paragraph more clearly explain that park additions created by ANILCA are “open until closed,” including wilderness designated areas.

page 347, Socioeconomics: As mentioned above, wilderness areas in Alaska have different management provisions than wilderness in other areas. This necessarily alters management criteria, thus decreasing the applicability of these wilderness valuation studies in Alaska park units.

Registration and Permit Requirements

The draft plan proposes to extend registration and permit requirements to the park additions on the basis that registration of overnight users is essential to gaining accurate information on which to base management decisions. We appreciate the response to our concerns regarding registration and permit requirements on page 393 of the draft plan. We are still concerned, however, that mandatory registration requirements proposed in the park additions for overnight camping, motorboat use, horses, and – in alternative B – hiking and airplane landings, constitute a restriction under ANILCA and places undue burden on the public. Since the voluntary registration system for mountain climbers on the south side of the Alaska Range has proven successful, we request implementation of a similar voluntary system for the remainder of the park additions to gather user data and disseminate park information.

We believe that mandatory registration and permit requirements are a form of closure requiring new regulation. Moreover, we note it could be difficult to show the required detriment to resource values based on intangible user experience attributes.

Quota System in Old Park and Use of Advance Reservation System

During scoping, the state requested the Service to re-evaluate the quotas for backcountry units in the Old Park and consider advance reservation for some backcountry units or for a certain percentage of users. The Service responded that a recent survey of backcountry users investigated visitor satisfaction with the quota system in the Old Park and determined that there is a high rate of satisfaction with this system (Swanson 2002).

The survey, however, was flawed since it did not question displaced users, i.e., those that were turned away because there were no desirable units available, or those that gave up coming to the park to camp overnight in the backcountry. The draft plan states that park managers will continue to adjust unit quotas either up or down, yet the draft plan includes no commitment to do this nor explanation of how it will be done. Finally, the response to comments (page 393) states that potential use of an advance reservation system is proposed as part of the alternatives though we found no discussion regarding this. We request reconsideration of this issue.

ANILCA 1301(b)(4) Access and Transportation Plan

The consultation section at the bottom of page 393 states that the Backcountry Plan meets the planning requirements of ANILCA Section 1301. This remains an issue because in the late 1980's it was generally recognized that the general management plans (GMPs) for all Alaska park units did not meet the specific requirement for an access and transportation plan under 1301(b)(4). When the Alaska Land Use Council, established by ANILCA in part to review such plans, recommended adoption of the GMPs, it did so with the understanding that access and transportation plans for all park units would be subsequently developed. We appreciate that the Service has kept this commitment in mind; however, the State does not believe that the intent of Section 1301(b)(4) requirement can be fully met until pre-ANILCA access methods and means have been identified.

We request the Service cooperate with the State of Alaska in a study to document pre-ANILCA traditional activities and methods of access prior to making assertions of what is "traditional." The Service and ADF&G completed such a cooperative study that documents pre-ANILCA access activities and methods for Wrangell-St. Elias Park and Preserve, which could be used as a template. This is baseline information necessary to effectively limit "traditional" uses protected by ANILCA Sections 811 and 1110(a). We believe documentation of such use is an essential component of Section 1301 that remains unfulfilled.

Without such a study it is inappropriate to categorically view ORV use, for example, as incompatible with the purposes and values of the unit.

Definition of Traditional

The State strongly disagrees with application of the old Denali park definition of "traditional activities" (defined on page 421) to any ANILCA designated unit and unit additions. Access in Alaska park units by snowmobiles, airplanes, and motorboats is protected under ANILCA Section 811 for subsistence by "*traditional methods*" and under Section 1110(a) for "*traditional activities*." Pre-ANILCA "*traditional activities*" include subsistence and recreation. While subsistence uses may only occur in the Denali park/preserve additions, "*traditional activities*" such as mountain climbing, wildlife viewing, sightseeing, camping, occur throughout the entire park and preserve unit. These have been undeniably traditional activities throughout the park since its creation in 1917. It is not appropriate to arbitrarily exclude recreation from the definition simply because it is more difficult to manage. We objected to this approach in our January 2000 review of the regulations for the "old Park," and we even more strenuously disagree with extending this narrow definition to the ANILCA additions.

Recognizing recreational activities as traditional does not mean that the Service must resign itself to, for example, unlimited snowmachine use. It does mean, however, that a rigorous process to identify measurable impacts must be followed. This was precisely the intent of Congress when Section 1110(a) was incorporated into the final ANILCA compromise.

We also object to the application of the national policy (articulated on page 16) that prohibits new forms of recreation or technological advances until the Service completes an environmental assessment. ANILCA legislative history reveals that Congress intended to allow new technology for access for traditional activities. Limitations to access are ONLY based on findings of damage to resources, not the technology used for traditional activities such as recreation, subsistence, and other public uses.

Aircraft Overflights

We appreciate that the Service is willing to work with the aviation community to explore voluntary methods of reducing aircraft noise over the park. However, we caution against approaches that too closely tie “voluntary” compliance with renewal of concession or other commercial use authorizations. We encourage discussions and eventual actions to fully consider possible impacts on safety in Alaska’s terrain and weather conditions, administration (including ADF&G research), as well as impacts on allowed activities such as hunting, fishing, and other traditional activities.

Denali National Park is centrally-located between the two most populated cities in Alaska, with significant commercial and small aircraft traffic between them and to other destinations in Alaska and beyond. Service commitments that natural sounds will “almost never” be interrupted by aircraft overflights, whether by Alaska Airlines at 20,000 feet or smaller aircraft flying the requisite 2000 feet above ground level within FAA-managed airspace are impractical and may create false expectations (e.g., page 37 – Natural Area; page 38 – Old Park). Much of the draft plan implies that a high degree of natural soundscapes can be achieved, when in fact sound management is not always within Service’s management control. Specifically, we request the document clarify that only the Federal Aviation Administration (FAA) has jurisdiction to control airspace above Denali National Park and Preserve.

Process

We appreciate the opportunity to participate in scoping meetings, to review the Affected Environment chapter and an internal review draft of the plan. However, during early phases of the planning process, the planning team committed to providing specific opportunities to review how data on fish and wildlife and related uses and access were being used to develop management proposals. This commitment was not fulfilled. Before the plan is finalized, we request opportunities to cooperatively evaluate how this information was used and how the resulting management proposals are expected to affect state fish and wildlife management.

Conduct of Research

It is not readily apparent if the intent under the headings “National Park Service Administration and Research” in each of the descriptions of the alternatives apply to non-Service entities. If it does apply to more than the Service, we disagree with the proposed management of, limits on, and criteria for conducting research under the various alternatives, e.g. must be necessary for park management (page 51), tied to the “*Inventory and Monitoring Program*” (page 60) or subject to the Minimum Requirement procedures (Appendix I). The Service may choose to adhere to these guidelines, but we request they not be automatically imposed on other government agencies that have different mandates and needs within park boundaries. The ADF&G manages fish and wildlife on all lands in Alaska, including those lands within CSUs. Research criteria and approval processes for entities other than the park managers and the state fish and wildlife managers were delineated in the Resource Management Plan for Denali National Park and Preserve and in the Master Memorandum of Understanding between the Service and ADF&G. These processes allow for development of appropriate stipulations that meet the needs of the Service and affected agencies. We request that the plan defer to these or similar processes under all alternatives.

State Fish and Wildlife Authorities

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 plan, ideally in the “*Actions Common to All Alternatives.*” Specifically, we request the plan and planning process more fully recognize the state’s authorities that overlay the Service’s land management responsibilities.

page 13, Boating (and throughout the draft plan). The state remains on record strongly objecting to existing national regulations that extend the Service’s jurisdiction over management of state waters. In addition to the inappropriate national precedent, ANILCA Section 103(c) precludes the application of regulations adopted for management of Alaska’s conservation system units to the non-federal public lands within those units, including navigable waterways.

pages 68-72, Indicators: We request that the Service’s use of indicators and monitoring of fish and wildlife be cooperatively designed and conducted with ADF&G. At a minimum, such evaluations necessitate consultation with ADF&G.

page 164 – Wildlife section: A wildlife table similar to the fish table (page 162) would be useful.

page 167-168, Moose: ADF&G does not consider moose densities of less than 1 per mile as abundant. Therefore, the average of 0.4 to 0.5 moose per mile would be considered low density. Abundance of 0.1 moose per mile is considered sparse.

pages 219-222, Sport Hunting: This section incorrectly implies that all hunting on the preserve regulated by the 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 276, Wildlife and Fish – Motorized Activities: The description of Alaska state statutes prohibiting the disturbance of fish spawning habitats incorrectly implies that motorized boat access on navigable waters may violate state laws if operated without a Title 16 permit. We request a revision to accurately reflect state laws with regard to disturbance of fish spawning habitats and motorized boat use.

page 438, Appendix J: Development of Alternatives, item #6: Under “Coordination ...”, we request expansion to confirm coordination with the State of Alaska on management of fish, wildlife, and navigable waters.

Subsistence and Cultural Resources

We request modifications to the various subsistence program references that accurately clarify the respective federal and state roles regarding subsistence. Although state subsistence harvest regulations exist for subsistence use on all lands, the Federal Subsistence Board regulations in some instances supercede these state regulations on federal public land. Regardless of who is regulating harvests, the state retains responsibility for overall management of fish and wildlife—regulation of harvests is only one tool of management.

page 2, Snowmobile use: We request revision of this paragraph to reflect the importance of snow machines for subsistence activities in winter.

page 20, Potential Effects on Cultural Resources: Consumptive uses, including subsistence activities, were established activities prior to enactment of the park and have been recognized by Congress in ANILCA. For thousands of years, humans have been, and will continue to be, a natural part of the ecosystem. We request the plan specifically consider that the cultural values of the local people are a living part of the unit’s cultural resources.

page 22, Subsistence Management: It is difficult to evaluate the relationship between the referenced Subsistence Management Plan and the Backcountry Plan, since no specific details are provided about the Subsistence Management Plan. We recommend language be added clarifying which plan takes precedence for protecting and providing for continued subsistence uses of the park and preserve.

page 181-187, Affected Environment – Subsistence: Although this section presents a useful overview of subsistence activities and harvest estimates involving park and preserve lands, no reference is made to research projects that will add more current information for the four resident zone communities, including an ethnographic overview and assessment report prepared for the Service by ADF&G’s Division of Subsistence. We recommend

recognition of these studies, as well as a geographic place names report prepared for the Service by James Kari.

page 183, middle of page: *"There is no known use of airplanes by local rural subsistence users . . ."* Aircraft have played an important role for local residents in accessing remote lands throughout Alaska, in some cases pre-dating overland motorized access. This unsubstantiated statement illustrates the need to conduct the previously recommended cooperative study of pre-ANILCA activities and access methods. We request a revision, such as "The SERVICE is not aware of current aircraft use by local subsistence users to access preserve lands."

page 341 Alternative B paragraph 1, and page 342, Alternative C, paragraph 1: The assumption with all the alternatives, especially B and C, is that visitor contact with cultural resources automatically has negative consequences. While we understand the point being made, we are concerned that the visitor attraction value of some cultural resources is an overlooked opportunity. With proper education, interpretation and monitoring, some cultural resources could be viewed as visitor assets deserving attention.

Appendix A: ANILCA 810 Analysis: The "Findings" section of this analysis concludes that increasing recreational use in parts of the park and preserve could impact subsistence uses. Even if the plan would not directly restrict subsistence uses, we are concerned that the Service could use the plan to manage user conflicts in ways that inappropriately favor recreational uses. Consistent with our January 2000 comments on the Kantishna firearm restrictions (part of the snowmobile regulation package), we request the Service to "guard against management decisions which treat legally-authorized subsistence uses secondarily to non-consumptive uses." We request assurances in the "Actions Common to All Alternatives" that subsistence use will remain a priority throughout implementation of the plan.

Cabins

The draft plan appears to be responsive to accommodating some of the expected increase in park visitation, as evident by the proposals to construct a wall tent for winter use at Mile 7 of Park Road and campsites in Little Switzerland. However, the draft plan falls short in addressing public use cabins on a park wide basis. Such cabins are proposed to be placed only on state lands outside the park boundary and only under Alternative E (page 64). We request the Service re-evaluate this position and consider placement of public use cabins on park lands, such as those public use cabins in other federal areas managed by the U.S. Fish and Wildlife Service, U.S. Forest Service and the Bureau of Land Management. In addition, we request the Service consider including possibilities for a system of huts that would provide a new and unique way for people to experience the park.

Currently, none of the alternatives provide for public use of administrative cabins. In response to the State's suggestion to offer use of these cabins to the public the draft plan states, "Agency regulations do not provide for opening existing administrative cabins in wilderness for public use" (page 393). It is our understanding that public use of administrative cabins is not prohibited

in Wilderness, in fact, the park in the past has allowed concessionaires and their clients to use these cabins in winter.

pages 187-188: ANILCA Section 1302 provides for cabins for uses other than subsistence. In addition, ANILCA Section 1315 allows for existing cabins and provides for the construction of new cabins for public use in ANILCA Wilderness Areas. We request these specific ANILCA provisions be addressed in the plan with management options included among the alternatives.

Temporary Facilities (Actions Common to All Alternatives, under Management Tools)

Blanket prohibitions of temporary facilities in ANILCA units (e.g., page 38, paragraph 4; and page 39, paragraph 1) is contrary to ANILCA Section 1316, which states: “*where the taking of fish and wildlife is permissible, the Secretary shall permit the continuance of existing use and future establishment of temporary campsites, tent platforms, shelters, and other temporary facilities.*” Prohibiting temporary facilities and equipment necessary to participate in hunting, fishing, and trapping where legal in the park additions and preserve would serve as a de facto closure of activities otherwise allowed under ANILCA. We urge the Service to work with ADF&G in identifying what those needs are and appropriate limitations to reduce impacts to the resources, consistent with Section 1316.

RS 2477 Rights of Way

The State has accepted numerous routes crossing Denali National Park and Preserve under the provisions of the RS 2477 grant (listed below). We request the Transportation and Access section beginning on page 222 include a cooperatively developed generic overview of RS 2477 rights of way. Among other things, this section should address that although the Federal Land Policy and Management Act of 1976 repealed Revised Statute 2477 (43 USC 932, or RS 2477), it preserved valid, existing rights that had already vested. RS 2477 rights of way clearly have implications for Denali National Park backcountry management, particularly in the park addition areas. We request the generic discussion list, or reference in the Appendix, the routes that have been asserted by the state to date and reference that both the state and the Service have respective rights and responsibilities concerning use of these routes. Assuming that most individual routes are not expected to be specifically addressed in the plan, we recommend such acknowledgement in the section “Issues and Impact Topics Considered But Not Addressed” section (page 21).

These trails appear in state statute (AS 19.30.400) as a state right-of-way, along with several other routes that affect Denali National Preserve. These include, but are not limited to:

- RST 340 - Lignite-Stampede,
- RST 341 - Roosevelt-Kantishna
- RST 343 - Roosevelt – Glacier
- RST 343 - Kobi-Kantishna
- RST 344 - Lignite-Kantishna
- RST 345 - Kobi-McGrath (via Nikolai & Big River)
- RST 346 - Nenana-Kantishna
- RST 348 - Spruce Creek Trail

RST 414 - El Dorado Sled Road
RST 491 - Rex-Roosevelt Trail
RST 492 - Glacier-Kantishna via Caribou Creek
RST 493 - Quigley Ridge Trail

On page 51 and in subsequent alternatives under the heading of “Trails,” the draft plan states that “no new trails or routes (either summer or winter) would be added besides those identified in the 1997 Entrance Area and Road Corridor Development Concept Plan and the 1997 “South Side Denali Development Concept Plan.” We request this section acknowledge valid existing rights (such as RS 2477 rights of way), or clarify that it only refers to Service construction of new recreational trails.

page 4, Regional Location Map. We request depiction and identification of the Stampede Road. As noted above, it was also identified as an RS 2477 right-of-way (RST 340, Lignite – Stampede and RST 344, Lignite-Kantishna) from the Healy area to Kantishna.

page 48, Easements. We request notation that the Windy Creek trail has also been asserted by the state as a valid RS 2477 right-of-way, thus affecting the private land over which the trail passes. A map of the route is enclosed for your information.

page 242, Transportation Modes. A potential northern transportation corridor “approximately follow[ing] the Stampede Trail alignment” is mentioned; we request that the text note this is just one of the possible alignments under investigation.

Kantishna Airport

We request that the plan note the completion of the Kantishna Airport Master Plan in 2002. We are enclosing a copy of the approved airport layout plan for your information. Because of its relevance to backcountry management at Denali, at a minimum, the basic findings would be relevant additions to the document. The airport and its role in bringing visitors and supplies to Kantishna could be specifically mentioned on page 205 under “Kantishna Area.”

North Denali Access

On page 21-22, the draft plan lists Denali North Access as a topic not addressed. We recognize that the substance of these studies are outside the scope of the backcountry plan; however, we request the plan address how north access developments could influence backcountry management if new access is developed in the future. Would a formal amendment to the backcountry management plan be expected? We also request the plan address the possibility of an extended hiking trail from the park road north along the Savage River to state land. The south end on park land has already been constructed. The North Denali recreation facility study will explore this possibility.

Other Access

page 14, Bicycles: We request this section clarify whether bicycles are allowed under the existing regulations.

page 14, Case Law: Since these cases apply to “lower 48” park units, we request the discussion clarify how these decisions are affected by ANILCA.

pages 45 and 226, pack animals: Contrary to statements made on these two pages, pack animals are allowed for uses other than subsistence in the park additions. The use of pack animals is protected as a traditional activity under ANILCA Section 1110(a) and the implementing regulations at 43 CFR Part 36.

page 233, Closures: We request this discussion be expanded to note that temporary closures require a public notice and hearing before a closing takes effect per 36 CFR §13.30 and 43 CFR Part 36.

page 259, pack animals: The general use of pack animals, other than dogs, is rare. We are unaware of data substantiating the increases projected under the No Action Alternative. We appreciate that the draft plan recognizes that regulations are necessary to limit the use of pack animals; however we question the need for such regulations at this time.

Adaptive Management

The “Plan Implementation” section on Page 67 indicates that *adaptive management* will be used when implementing the plan, and indicates that new information will trigger proposed management plan changes as needed on an annual basis. This open-ended approach appears to go beyond the typical level of fine-tuning that is common among such plans. Without additional guidance it is difficult to review the draft plan as a whole and predict long term planning outcomes. We recommend the plan elaborate on criteria and sideboards to clarify management intent for both the public and future managers.

Environmental Analysis

Many of the park management proposals, especially in Alternatives B and C, are based on the presumption that uses are rapidly increasing and that access technology will put additional pressure on the park. While the population of Alaska has indeed “*grown more than 50 percent since 1980*” (page 2), statewide trends in the last five years indicate that the number of non-resident recreational users has leveled off.

We agree that plan implementation, as proposed, could cause cumulative impacts to visitor use on non-park adjacent lands. Visitors to the region desire to go to Denali National Park and Preserve because it is a premier visitor attraction. To minimize these regional impacts, we urge the Service to reevaluate its management and provide more diverse opportunities for park users throughout the unit.

page 66. We disagree with the environmental analysis that this alternative “*fails to attain the widest range of beneficial uses*” because this alternative actually provides the widest range of beneficial uses for all park visitors. Though there could be additional impacts to wildlife, vegetation, natural soundscapes, and wilderness, the level of impact may be

acceptable given more opportunities for active management to reduce those impacts, and the resulting benefits to park users.

page 244. This page summarizes studies that document the negative effects of snowmobiles on air quality. Most, if not all, of these studies were conducted outside Alaska, and two are over 25 years old. We request the impact analysis address the applicability of these studies for currently used machines in Alaska.

page 256, Conclusion. We disagree with the statement that Alternative E provides the “greatest level of negative impacts on physical resources.” Granted, the *potential* for impacts is higher, but as the draft plan notes, active management options available in Alternative E, such as hardening well-used campsites, could reduce or eliminate many impacts and would allow substantially increased use with minimal added cumulative impacts.

page 258, Vegetation and Wetlands – Alternative A, last paragraph: Based on the 1974 and 1975 studies referenced on page 244 (which presumably are the basis for this discussion) it is not apparent how these studies were interpreted for Alaska.

page 346-360, Socioeconomics: The statements that Alternatives B and C would increase income in the local economy appear unsubstantiated. One could just as easily conclude that decreased access and commercial services combined with restrictive public use limits would create fewer area jobs and thus less local income.

Thank you for the opportunity to provide our views, analyses, and recommendations. We remain available to clarify any of our concerns and look forward to working with you, as appropriate, on revisions.

Sincerely,

/ss/

Sally Gibert
State ANILCA Coordinator

Enclosures