

STATE OF ALASKA

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ANILCA IMPLEMENTATION PROGRAM

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January 17, 2006

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

Dear Mr. Anderson:

The State of Alaska appreciates the invitation to provide scoping comments on the December 2005 notice regarding the forthcoming Cantwell Subsistence ORV Environmental Assessment (EA). The following comments represent the consolidated views of the State's resource agencies.

The State of Alaska supports the National Park Service's continuing efforts to document and allow appropriate use of ORVs for subsistence purposes in the Cantwell area while protecting park resources. Our July 20, 2005, comments on the "*Determination of Traditional ORV Use for Access for Subsistence Purposes on Denali National Park Lands in the Cantwell Area by Federally Qualified Subsistence Users*" identified the State's concerns regarding certain aspects of the criteria used to determine if ORV access qualifies as "traditionally employed" under ANILCA Section 811. Consistent with our rationale, we also questioned whether the Park has sufficient information about the Dunkle Hills area to support the finding that subsistence use there was "*not a consistent or significant community practice for the Cantwell community.*" As such, we requested the Service not foreclose the opportunity to revisit the assumption in the context of the Environmental Assessment.

It appears that this scoping effort focuses solely on management of ORV use in the area defined in the "*July 22, 2005 Cantwell Subsistence Traditionally Employed ORV Final Determination*" as the "Traditional Use Area." As such, this may preclude both Dunkle Hills and possibly other areas identified by the community as having traditional subsistence ORV use from further consideration, providing that such use could occur without causing resource damage. Given that historic subsistence ORV use in the Dunkle Hills area is documented, and the questionable criteria used to determine that such use in Dunkle Hills is not adequate to qualify as traditional under ANILCA Section 811, we request that the scope of the EA be expanded to consider an alternative that would provide opportunities for the designation of additional trails or areas beyond those identified in the "Traditional Use Area."

Thank you for this opportunity to comment. Please contact me 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 first name being a large, stylized 'S'.

Susan E. Magee
ANILCA Project Coordinator

cc: Sally Gibert, ANILCA Program Coordinator