

STATE OF ALASKA

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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 Denali National Park and Preserve Final Backcountry Management Plan (plan). This letter contains the consolidated views and comments of the State's resource agencies.

The State appreciates the Service's efforts to respond to our comments and address our concerns in the final plan. For example, the final plan significantly improves the standards and indicators that will be used in implementation, and there is increased clarity about the Service's jurisdiction over aircraft landings in the Park and lack of jurisdiction regarding overflights. The plan also acknowledges the State's RS 2477 claims without commenting on their validity, and acknowledges the Alaska National Interest Lands Conservation Act (ANILCA) guaranteed access rights. In particular, we appreciate that the Service did not select an alternative that would apply the restrictive "Old Park" definition of "traditional activities" to the ANILCA park and preserve additions, as this would remove Section 1110(a) protections from a variety of long-standing uses and activities that pre-date designation. We reiterate that we will continue to oppose any future efforts to extend the Old Park definition to any other park or preserve unit.

We acknowledge that wilderness recreational activities are explicitly listed among several resources and values in the statutory purposes of Denali National Park and Preserve (ANILCA Section 202(3)(a)). However, we remain concerned that the plan's emphasis on protecting wilderness values as a primary goal will prejudice future decisions affecting traditional activities. For example, the final plan continues to give heavy emphasis to noise eradication and soundscape management, which seems to have become a key environmental component of backcountry management planning. Any motorized/mechanized equipment may cause sound that park managers may consider disruptive. Even with recognition of the standards and indicators, the potential for overly subjective decision making during implementation is high. In particular, implementation

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and refinement of management area standards must clearly define and limit the boundaries of discretionary authority. For example, we reemphasize that care should be taken that ANILCA-mandated access rights are not overridden by efforts to address noise concerns. In the Chapter Two, Table 2-11, "Access Management Tools," the following statement is made:

"To achieve management area standards, the National Park Service would place requirements on the means of access. For example, the NPS could require individuals to use technology that meets specific noise specifications if those individuals are accessing the park by snowmachine, motorboat, or airplane."

This is a slippery slope that could reduce or restrict, if not eliminate, ANILCA-guaranteed access rights for park users. Noiseless technology is expensive and likely out of reach for many inholders and those engaged in subsistence and traditional activities. Requiring such technology may be excessively restrictive, to the point of curbing those activities entirely. The Service must take care to impose only the most reasonable, least restrictive, management tools for modes of access used to carry out ANILCA-supported activities and access. We will closely monitor implementation to ensure consistency with the provisions of ANILCA.

Thank you for the opportunity to comment. Please contact me if you have any questions.

Sincerely,



Sally Gibert
ANILCA Program Coordinator