

# STATE OF ALASKA

**SARAH PALIN, Governor**

## **ANILCA IMPLEMENTATION PROGRAM**

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Marcia Blaszak  
Regional Director  
National Park Service  
240 West 5th Avenue  
Anchorage, AK 99501

Dear Ms. Blaszak:

The State of Alaska reviewed the proposed National Park Service regulation revisions and additions at 36 CFR Part 13, as published in the Federal Register on December 27, 2007. These draft regulations address a variety of uses and issues in national park units throughout Alaska. This letter represents the consolidated views of the State's resource agencies.

The State generally supports the intent of these regulations. We also appreciate the advance consultation with state representatives, especially on those proposals that affect state agency interests. The need for these regulations is generally well documented and potentially negative impacts on park visitors and local resident neighbors appear to be minimal. We also recognize and support the intent to move certain compendium measures to regulation when they are expected to be permanent. The following summarizes our few specific comments on selected sections of the regulations package.

### **Solid Waste Disposal Exceptions to Part 6**

The State strongly supports the Alaska-specific exceptions to 36 CFR Part 6 that would provide flexibility to dispose of non-National Park Service waste at appropriately-sited locations within the exterior boundaries of park units under existing Environmental Protection Agency and State of Alaska regulations. Given the extreme remoteness and lack of road access to most Alaska parks, this provision allows the Service to ensure appropriate disposal of or transport solid waste generated by visitors and communities within parks. Compared to current disposal methods and traditions, this provision will clearly improve the protection of park resources and increase visitor enjoyment. The rule also allows the Service to work cooperatively and beneficially with local communities to address an otherwise vexing health and sanitation problem.

As currently proposed, the on-site disposal provision only applies to Gates of the Arctic, Wrangell-St. Elias, Lake Clark and Glacier Bay; and the option for transfer facilities only applies to Wrangell-St. Elias and Glacier Bay. Over time, as use increases, other park units in Alaska

may find a similar need for such flexibility to protect park resources. We, therefore, recommend extending the exceptions to all park areas in Alaska. The Service would not be *required* to provide on-site disposal options or transport facilities in all areas, but would have the option to allow such facilities if justified by the specific circumstances.

**Section 13.550 Wildlife Distance Conditions, Alagnak River,  
Section 13.602 Wildlife Distance Conditions, Aniakchak, and  
Section 13.1206 Wildlife Distance Conditions, Katmai**

The State supports these wildlife distance rules for bears at Alagnak River, Aniakchak, and Katmai. As noted in the Section-by-Section Analysis, this proposal stems from extensive consultation with the State of Alaska and other stakeholders and has been field-tested for several years through the Compendium.

**Section 13.920 Wildlife Distance Conditions, Denali**


We agree with the Service that the long-term wildlife viewing and photography restrictions in the Denali Compendium (which are more restrictive than the above conditions for Aniakchak, Alagnak and Katmai) are more appropriately implemented through regulation. We also understand the explanation in the Section-by-Section Analysis that Denali is unique among Alaska park units, in part because popular backcountry areas are easily accessible by those who may have little, if any, experience with bears. We do not oppose this regulation, although we continue to question the need to apply it throughout the park/preserve to more remote and little-used backcountry areas. More importantly, however, we would likely oppose similar broad brush wildlife distance rules in the backcountry of other large Interior Alaska park units that have different patterns of use. Such extensive and broadly applied distance rules would be overly burdensome on the public and difficult for the Service to enforce. In general, the State does not consider that most backcountry areas in Alaska need such wildlife distance rules, regardless of land management status.

**Section 13.1308 Harding Icefield, Kenai Fjords**

In moving this compendium rule to regulation, we note that the camping closure within 1/8<sup>th</sup> mile of the Harding Icefield Trail has been modified from a seasonal closure between March 1 and November 1 to a year-around closure. Since there is no justification for the change we wonder if this is an oversight. In general, when closures are necessary for public safety or resource protection, the State advocates they be the minimum necessary in both place and time to meet management objectives. If off-season, winter camping is not considered a threat to park resources or public safety then the winter closure is unnecessary.

Thank you for the opportunity to provide these comments.

Sincerely,

  
Sally Gibert  
ANILCA Program Coordinator