

# STATE OF ALASKA

**SEAN PARNELL, Governor**

## **ANILCA IMPLEMENTATION PROGRAM Office of Project Management and Permitting**

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February 15, 2012

Sue Masica, Regional Director  
National Park Service – Alaska Region  
240 West 5th Avenue  
Anchorage, AK 99501

Dear Ms. Masica:

The State of Alaska reviewed the draft 2012 Superintendent's Proposed Compendiums for all park units in Alaska, as posted on the National Park Service web site. We value the Service's continued commitment to annual public review of park compendiums and the opportunities for dialogue throughout the year as issues develop. We appreciate the effort put forth this year to revise unclear language and remove unnecessary or inapplicable restrictions. And while we raise significant issues concerning certain proposed rules, we remain committed to continued cooperation and communication. This letter represents the consolidated views of the State's resource agencies.

### **All Park Units**

#### **2.4(a)(2)(i) Carrying, using, or possessing weapons**

We support the proposed revision clarifying that public use cabins are not considered federal facilities where firearms are prohibited. We understand this issue was raised by the Eagle-Yukon Charley Subsistence Working Group at a meeting with the Service last fall in Eagle. We are encouraged by the Service's quick response in addressing the issue in this year's compendium and the application of the revision to all park units. This clarification will help reduce misunderstandings between the public and Service staff in the field.

While we understand the clarification as it applies to firearms and cabins is not necessary for Sitka National Historical Park as it is a day-use area, we question why the general rule that "*Individuals are authorized to possess firearms in NPS areas in accordance with applicable state and federal law*" is not included in the Sitka Compendium. This appears to be an oversight as the February 22, 2010 News Release confirms the firearms law applies to the Sitka National Historical Park.

#### **2.10(d) Food storage; designated areas and methods**

We support the Service in providing the Superintendent with discretion to accommodate appropriate food storage practices and to make exceptions on a case by case basis. We also

appreciate the Service’s recent outreach and cooperation with local residents, and efforts to tailor the rule to accommodate subsistence use in Yukon-Charley Rivers National Preserve.

We request that areas enclosed by properly used electric fences approved by the Interagency Grizzly Bear Committee (IGBC) be specifically allowed under 2.10(d)(2). Electric fences are recognized by the IGBC and the Alaska Department of Fish and Game (ADF&G) as effective bear deterrents.

In addition, it is not clear why only the Yukon-Charley Rivers compendium contains a seasonal limit for food storage requirements. For consistency, we request the Service apply seasonal limits to all park units, as appropriate. We also request the fourth bullet found in the Yukon-Charley Rivers compendium “*this provision does not apply to...fish nets, game bags (either empty or containing game meat), and tarps*” be applied to all park areas where hunting and fishing activities are permitted.

**2.14(a)(9) Sanitation: designated areas for disposal of human waste in undeveloped areas**

We appreciate the clarification to address disposal of human waste during winter. We recommend comparing the proposed rule 2.14(a)(9) to the existing rule 2.14(b) to ensure there is consistency regarding disposal of paper products. In addition, compendium wording for 2.14(b) varies among park units. Some include a reference to 2.14(a)(9) and others clarify that burning can occur when fire hazard is low. Whenever possible, we recommend using consistent language.

**3.14(a) Conditions for removing sunken, grounded, or disabled vessels**

We support the Service in making this type of clarification to eliminate unnecessary or burdensome permitting requirements.

**Katmai National Preserve**

**Aniakchak National Preserve**

**Lake Clark National Preserve**

**13.40(e) Temporary closures to the taking of fish and wildlife**

*Sport hunting is prohibited in Aniakchak National Monument. Katmai National Park is closed to all hunting. The taking of wolves is restricted as follows:*

*Wolf Hunting:*

*Units 9*

*Aniakchak, Katmai and Lake Clark Aug. 10 – April 30 10 wolves/day*

*National Preserves*

*Wolf Trapping*

*Units 9*

*Aniakchak, Katmai and Lake Clark Oct. 1 – April 30*

*No Bag limit*

*National Preserves*

*Within these NPS Preserves, a person may not take a wolf by hunting between May 1 and Aug 9.*

*Within these NPS Preserves, a person may not take a wolf by trapping between May 1 and Sep 30.*

The State asserts the proposed closures at 13.40(e) for Aniakchak, Katmai, and Lake Clark National Preserves are unwarranted as no biological reason has been provided as justification. Wolf harvests on NPS administered lands are minimal with an average of only two wolves taken annually between 2000 and 2010 (average of 1 wolf taken annually in Lake Clark National Preserve, Unit 9B; 0.6 wolves annually in Katmai National Preserve, Unit 9C; and 0.4 wolves annually in Aniakchak National Preserve, Unit 9E). Wolf harvests in Unit 9, including on NPS lands, are sustainable based on the wolf population size.

These closures deny a state-authorized season extension implemented through a public process. The extension of the hunting and trapping seasons provides additional opportunity for wolf harvest and does not pose a conservation concern. Should a conservation concern develop in the future, ADF&G would utilize their emergency order authority to close wolf hunting and trapping seasons. Additionally, the practice does not jeopardize the health of the ecosystem or create a conflict with other preserve users. We disagree with the Service's conclusion that this season extension creates an unacceptable impact to preserve values and request these rules be removed.

### **Katmai National Park and Preserve**

#### **13.1204 Traditional redbfish fishery: conditions established by the Superintendent**

We appreciate the Service's continued support for the traditional redbfish fishery.

### **Gates of the Arctic National Park and Preserve**

### **Denali National Park and Preserve**

#### **13.40(e) Temporary closures or restrictions to the taking of fish and wildlife**

- *From October 15 through April 30, artificial light may not be used to take a black bear at a den site except to retrieve a dead bear or dispatch a wounded bear as authorized by state law.*
- *From October 15 through April 30, a person may not take a cub bear or a female bear accompanied by a cub bear at a den site.*

The State continues to assert the closures at 13.40(e) for Gates of the Arctic National Park and Preserve and Denali National Park and Preserve are unwarranted. These closures deny a customary and traditional subsistence practice implemented through a public process. This seasonal practice is extremely limited and does not pose a conservation concern. Additionally, the practice does not jeopardize the health of the ecosystem or create a conflict with other preserve users. This practice is also not a predator control activity as implied in the Gates of the Arctic and Denali Compendiums. We further disagree that this limited, customary and traditional subsistence practice creates an unacceptable impact to preserve values and request these rules be removed.

### **Yukon-Charley Rivers National Preserve**

#### **2.15(a)(3) Conditions for leaving pets unattended and tied to an object; and**

**13.170 Designated cabins or other structures for general public use**

We understand these revisions are being proposed as a result of the meeting with the Eagle Yukon Charley Subsistence Working group. We support the proposed revisions and request the Service further consider whether the proposed revisions to 2.15(a)(3) and 13.170, which establishes appropriate conditions for leaving sled dogs unattended and extends the time limit in which a public use cabin can be occupied within a thirty day period, would also be appropriate in other park areas where similar use is occurring.

**Wrangell-St. Elias National Park and Preserve**

**13.25(c) Designated campgrounds; restrictions, terms and conditions**

We do not object to the restriction against discharging firearms at the Kendesnii Campground for public safety purposes provided the exception for defense of life and property is retained in the final compendium.

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

Sincerely,



Susan Magee  
ANILCA Program Coordinator