

STATE OF ALASKA

ANILCA IMPLEMENTATION PROGRAM Office of Project Management and Permitting

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Paul Anderson, Superintendent
Denali National Park and Preserve
P.O. Box 588
Talkeetna, AK 99676

Dear Mr. Anderson:

The State of Alaska reviewed the final Denali Park Road Final Vehicle Management Plan (VMP) and Environmental Impact Statement (EIS). The following comments represent the consolidated views of the State's resource agencies.

We were encouraged by the draft plan's objective to establish a science-based approach to vehicle management, replacing the largely arbitrary 10,512 annual limit established in the 1986 General Management Plan in anticipation of the need to accommodate increased visitation within the Park. However, the new 160 vehicle daily limit introduced in the final plan seems to defeat the purpose of adaptive management and the intent to provide more flexibility in managing vehicle use on the park road. Furthermore, imposing a new hard limit before field testing computer modeled simulations seems premature. We request the fixed cap be replaced with the discretionary ability to adjust the daily limit, as needed, if monitoring determines increased use would not affect park resources or visitor experiences.

In addition, if the science-based approach, which will include comprehensive monitoring and a Before-After Control Impact (BACI) study, is properly implemented; there should be no need to require additional research and National Environmental Policy Act (NEPA) compliance in order to exceed the 160 vehicle daily limit. Furthermore, as proposed, the requirement for additional public review seems one-sided. Under this scenario, the vehicle use limit could not be increased without public input but could be decreased without similarly evaluating the impact to visitors, inholders, and the tourism industry.

We also question the decision to implement this new fixed daily limit, which was not identified during scoping or included in the draft plan alternatives. We are concerned about what we consider to be a disturbing trend in the Service's recent planning efforts. This past year the final Nabesna Off-Road Vehicle Management Plan similarly implemented a new alternative that was significantly different from the draft plan's action alternatives. The Nabesna decision was justified as technically legal under NEPA; however, such significant departures should be publically vetted regardless, not only to gain valuable public input but also to maintain (and in some instances regain) public confidence in the overall process. While the Service provided for a subsequent 30-day comment opportunity on the Denali VMP, the public would have been better served if the new alternative was introduced in a revised draft plan instead of in a final plan during what is typically the NEPA holding period. Additionally, in a July 22,

2012 Daily News-Miner article, the spokesperson for Denali Park is quoted as stating that “*The public has until July 29 to comment on the **final decision** but it’s **not expected to change**.*” [Emphasis added] The basis for that expectation is not clear; however, the implication is the Service is not receptive to feedback on the final plan, which could easily serve to discourage the public from commenting further.

Additional issues with the final plan are discussed below. We request the Service address these concerns and further recommend the final plan be re-released with a minimum 30-day public comment period. Since the new system is not expected to go into effect for another two and a half years, there should be ample time to accommodate an additional review opportunity.

ANILCA Section 1110(b)

The plan needs to clearly and consistently describe implementation of 1110(b) access for inholders. In the Actions Common to All Action Alternatives section, the EIS indicates that the transit service would have priority when allocating vehicle use. While we recognize the plan reflects the Service’s intention to “*respect ANILCA Section 1110(b)*” (Page 44, 8th bullet), it is unclear how the Service will implement the transit service priority and whether it would prevail over all other uses, including the right of access afforded inholders by ANILCA. We note the plan also states that inholder access to Kantishna “*...would be managed to meet standards and prioritized over all other vehicle use on the restricted section of the Park Road*” (Page 278, Other Vehicle Use: Acces to Kantishna), which appears to contradict statements that give the transit service priority. Another example of this inconsistency is on page 5 of Appendix D, which states “*There will also not be a specific allocation of the day-time traffic to concessioners and ‘other’ user groups. If visitor demand increases, management will use its toolbox to reduce other uses of the road in order to meet visitor demand, while still complying with the standards and the daily cap.*” We request the plan clearly reflect that 1110(b) access will be exempt from the transit priority.

In addition, while we are pleased the existing 1,360 seasonable vehicle allocation for inholder access is being retained and not reduced; the plan needs to also recognize ANILCA Section 1110(b) ensures inholders “*...rights as may be necessary for adequate and feasible access for economic and other purposes...*” and provide for potential future access needs for inholders. To facilitate a better understanding of inholder access, we request the plan clearly explain that the vehicle *allocation* for inholders, even if currently in regulation, does not represent a final cap.

Private Day Tours

In our comments on the draft plan, we requested the Service carefully consider the likelihood that inholders would be successful in obtaining a concessions contract through the competitive bidding process before making a final decision. While we understood from discussions with Park staff that references in Alternatives B and C to “*commercial authorizations*” included the possibility of a concession contract, the language in the draft plan was not clear. We also find no meaningful discussion in Chapter 4 or the response to comments section that explains how the decision to require a concession contract in Alternative D will affect inholders who have been offering day-tours along the Park Road under the ANILCA Section 1110(b) access provision. While the Service’s current position is that day tours are not provided for under ANILCA Section 1110(b), the Service has openly accommodated this use for many years. The EIS needs to adequately evaluate the impacts of this significant change in managing inholder access on Kantishna lodge owners.

Subsistence Access

The plan needs to clearly and consistently describe implementation of subsistence access. The plan includes statements which imply that subsistence users who use the park road to access resources in the preserve or park additions would not be affected, including:

None of the actions proposed by this plan would impede traditional access to park resources by subsistence users. In addition, the plan would be consistent with the park's Subsistence Management Plan that was prepared in cooperation with the Denali Subsistence Resource Commission. As a result this topic has been dismissed from further consideration. (Page 22)

Qualified subsistence hunters who use the Park Road to access Kantishna during the fall hunting season. There are no limits on hunter vehicle passes... (Page 116)

Alternative D, (Preferred Alternative) would not change, limit or restrict subsistence users to natural resources... ” (Page 292)

However, as noted above for inholder access, it appears the new transit priority and Wildlife Viewing Subzone 3 private vehicle restrictions in Alternative D could affect when hunters would be allowed to travel on the Park Road. We request the plan expressly state that subsistence users will not be restricted by the transit priority or the Wildlife Viewing Subzone 3 private vehicle restriction.

Teklanika River Campground Vehicles

Under the preferred alternative, *“Visitors would continue to be able to drive their private vehicles to the Teklanika River Campground, but may have to travel during periods of low traffic volume.”* Since travel may be limited to low traffic volume periods, we recommend that information regarding private vehicle access to Teklanika River Campground be available to the public well in advance of the summer season to assist the public in planning their visit.

Thank you for this opportunity to comment. Please contact me at 907-269-7529 if you have any questions or would like to discuss these issues further.

Sincerely,



Susan Magee
ANILCA Program Coordinator

cc: Joel Hard, Deputy Regional Director, NPS
Joan Darnell, Chief of Environmental Planning and Compliance
Miriam Valentine, Denali Park Planner