



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

ANILCA Implementation Program

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PERMITTING

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February 28, 2013

Rick Obernesser, Superintendent
Wrangell-St. Elias National Park and Preserve
P.O. Box 439
Copper Center, AK 99573-0439

Dear Mr. Obernesser:

The State of Alaska reviewed the January 30, 2013 scoping notice regarding the proposed issuance of a special use permit for harvesting up to 120 green trees for the purpose of constructing a cabin as a primary residence on the Smitholum private in-holding in the Chisana area within the Wrangell-St. Elias National Park and Preserve. The following comments represent the consolidated views of the State's resource agencies.

The State supports issuance of the special use permit for the subsistence harvest of house logs, which is provided for under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) and Service implementing regulations at 36 CFR 13.485. The notice describes the conditions and method of access under which the logs would be harvested, which appear to adequately protect park resources and values.

The notice also indicates the applicant meets two specific eligibility requirements, which we recognize come from a January 10, 1989 Wrangell-St. Elias Park Superintendent's Memorandum regarding "*Subsistence Green Log Policy*." While not necessarily an issue for this applicant, we question the condition in the memorandum that "*An applicant generally must live within the park boundary and have demonstrated a customary and traditional use of park resources.*" An individual living in a resident zone community (or within the park, as in this case) does not have to demonstrate a "customary and traditional (C&T) use of park resources." Living in a resident zone community alleviates that requirement. Only individuals living outside a resident zone need to demonstrate a personal C&T use of park resources to obtain a subsistence permit.

In addition, a revision to 36 CFR 13.485 was finalized in 2008 to allow for the harvest of dead standing timber in addition to green logs; therefore, we recommend the Service review the 1989 policy to determine if any updates are warranted as a result of the 2008 revision.

We also recommend working with local residents and the Wrangell-St. Elias Subsistence Resource Commission to ensure the policy does not conflict with ANILCA Section 802(1) “...to cause the least adverse impact possible on rural residents who depend upon subsistence uses of the resources of such lands...”

Thank you for this opportunity to comment. Please add me to the distribution list so that the State receives notice when the EA is released for public review.

Sincerely,

/ss/

Susan Magee
ANILCA Program Coordinator

cc: Bruce Rogers, NPS Alaska Region