



THE STATE

Of *ALASKA*

GOVERNOR MIKE DUNLEAVY

Citizens' Advisory Commission on Federal Areas

July 29, 2026

Michael P. Michener
Deputy Associate Director
Visitor and Resource Protection
National Park Service
U.S. Department of the Interior

Submitted electronically to:
<https://www.regulations.gov>

Dear Mr. Michener,

The Citizens' Advisory Commission on Federal Areas (CACFA) appreciates the opportunity to submit comments on the National Park Service's Director's Order 41 (DO 41): Wilderness Stewardship. CACFA's statutory mandate is to ensure that federal agencies adhere to the protections Congress established for Alaska under the Alaska National Interest Lands Conservation Act (ANILCA).

DO 41, as written, applies national wilderness standards that conflict with ANILCA's unique protections for access, subsistence, traditional uses, and land management limitations specific to Alaska. The Order risks inadvertently imposing administrative wilderness designations not authorized by Congress, restricting access rights guaranteed under ANILCA, and applying national Minimum Requirements processes that do not account for Alaska's statutory exceptions.

CACFA encourages the following considerations.

1. Explicit acknowledgment of ANILCA's limits on applicability

Due to ANILCA's unique provisions, national wilderness policies require Alaska-specific caveats to avoid unintended misapplication. CACFA recommends that DO 41 clearly states, in Alaska, that all provisions are subordinate to ANILCA's statutory direction. Absent explicit recognition, DO 41 risks imposing national standards inconsistent with Congressional intent for Alaska.

2. Protection of ANILCA-authorized access

Motorized access—including snowmachines, motorboats, aircraft, and other conveyances—is vital throughout Alaska and is expressly protected under ANILCA for travel, subsistence, and traditional practices. DO 41 must not apply minimum requirements analyses or generalized Wilderness Act interpretations in ways that restrict access rights guaranteed under ANILCA.

3. Recognition of traditional activities, cabins, camps, and structural exceptions

ANILCA includes specific provisions allowing cabins, temporary camps, and other traditional uses—provisions that differ significantly from Wilderness Act norms. DO 41 must incorporate these exceptions

to avoid inadvertently prohibiting cultural, subsistence, or longstanding practical uses essential in Alaska.

4. Incorporation of ANILCA exceptions within the Minimum Requirements Analysis (MRA)

The MRA process must reflect more than national wilderness standards. CACFA recommends formally incorporating the *Alaska Supplement to the Minimum Requirements Decision Guide (MRDG)*, which provides essential direction for applying ANILCA-specific exceptions regarding access, subsistence, and authorized motorized use. This supplement ensures that MRAs appropriately evaluate Alaska’s statutory allowances rather than defaulting to Lower-48 assumptions. [Microsoft Word - 06-06-20 Alaska Supplement MRDG FINAL.doc](#)

5. Avoiding administrative wilderness overlays contrary to ANILCA Section 1326

DO 41 must clearly recognize that ANILCA Section 1326(b)—the “no more” clause—prohibits additional wilderness studies, recommendations, or administrative designations in Alaska unless expressly authorized by Congress. CACFA remains concerned about NPS practices that effectively manage “eligible” lands as designated wilderness. DO 41 must reaffirm that such administrative overlays are not permissible in Alaska.

6. Alignment with prior correspondence and ANILCA Section 1110

Past state and commission correspondence has identified several proposed policy approaches that risk impairing uses protected under ANILCA Section 1110, including subsistence, climbing, hunting, trapping, and other traditional activities. DO 41 should explicitly reference Section 1110 to ensure that managers uphold traditional access and use rights during implementation.

7. Inclusion of an Alaska-specific applicability appendix

To prevent misinterpretation of DO 41, CACFA recommends the addition of an Alaska Supplemental Applicability Section that:

- Identifies provisions modified or superseded by ANILCA;
- Defines Alaska-specific interpretations for access, subsistence, and traditional-use protections;
- Explains how eligibility determinations and wilderness character assessments must comply with the “no more” clause;
- Incorporates the *Alaska Supplement to the Minimum Requirements Decision Guide* into DO 41;
- Directs managers to consult ANILCA before applying DO 41 to any Alaska unit.

This supplemental section would ensure predictable, correct, and consistent implementation across Alaska’s federal lands.

8. Strengthened intergovernmental coordination on ANILCA compliance

CACFA urges NPS to commit to enhanced coordination with Alaska resource agencies, local governments, Tribes, and CACFA. Early and ongoing consultation reduces ambiguity, prevents conflict, and ensures alignment with ANILCA’s statutory framework.

9. Establishment of adaptive review mechanisms for Alaska

Given Alaska’s unique circumstances, CACFA recommends periodic reviews of DO 41

implementations to ensure continued compliance with ANILCA and to allow adjustments where necessary.

CACFA supports effective wilderness stewardship that respects natural resources while upholding the statutory protections Congress established for the people of Alaska. To ensure alignment with ANILCA's mandates, CACFA strongly recommends that DO 41:

- Explicitly incorporate all relevant ANILCA provisions;
- Acknowledge and apply ANILCA's "no more" clause;
- Include reference to the *Alaska Supplement to the Minimum Requirements Decision Guide*;
- Ensure Alaska's rights, access, traditional uses, and statutory protections remain fully intact; and
- Exempt Alaska from DO 41 where necessary to comply with ANILCA.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in cursive script that reads "Kim Griffith".

Kim Griffith
Executive Director
Citizens' Advisory Commission on Federal Areas (CACFA)