



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Natural Resources

CITIZENS' ADVISORY COMMISSION ON
FEDERAL AREAS
Stan Leaphart, Executive Director

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Mr. Joel Hard
Acting Regional Director
National Park Service
240 West 5th Avenue
Anchorage, AK 99501

Dear Mr. Hard:

The Citizens' Advisory Commission on Federal Areas reviewed the proposed changes to the 2014 Superintendents' Compendiums for the National Park units in Alaska. We offer the following comments for your consideration in finalizing these documents for 2014.

Procedural Change - Wildlife Closures

The Commission notes that several previously imposed restrictions to the taking of wildlife in national preserves under the State of Alaska's general hunting regulations have been removed from the proposed 2014 compendiums for Gates of the Arctic, Yukon-Charley Rivers, Wrangell-St. Elias, Denali, Katmai, Aniakchak and Alagnak River. We understand that these restrictions were removed pending possible action by the State Board of Game on a National Park Service request to exempt national preserves from a number of State regulations for the take of wildlife.

According to the information we have received from the Board of Game and the Alaska Department of Fish & Game, the National Park Service request was denied by the Board because it did not meet the Board's policy requirements for an agenda change request. Apparently it did not include the necessary information for the Board to accept and take action on the request. Our information also indicates that additional opportunities to provide the necessary information were declined by the National Park Service.

In our comments on the 2013 proposed compendiums, the Commission encouraged the National Park Service to better utilize the Board of Game process when seeking changes

to regulations it considers unacceptable or inconsistent with its wildlife management policies. We are encouraged that the Service took the step of submitting an agenda change request, but at the same time we are disappointed that it chose not to respond to the Board's request for additional information or clarification. This may have resulted in an outcome more favorable to the Service and obviated the need for Service imposed restrictions.

According to the proposed compendiums and a January 15, 2014 news release, because the Board of Game did not act on the National Park Service agenda change request, the agency intends in the near future to reinstate the previously imposed wildlife restrictions in accordance with federal statutory and regulatory requirements to provide notice and a public hearing in the affected vicinity. These restrictions, some of which were in place for several years, were improperly categorized as temporary. However, for all practical purposes, these were permanent restrictions, adopted in clear violation of applicable regulations.

While the Commission does not support the preemption of State hunting regulations by any Federal agency, we strongly encourage the National Park Service, when the decision is made to reinstate these restrictions, to adhere to the process and the limitations for implementing temporary closures or restrictions found in the regulations at 36 CFR §13.50(d). Of particular importance are the limitations found in §13.50(d)(3): *“Temporary closures or restrictions shall not extend for a period exceeding 12 months and may not be extended.”*

Because the National Park Service has retained these closure and restrictions for several years and as a result of the Board of Game's denial of the agenda change request clearly plans to retain them indefinitely, the agency has a responsibility to begin the process of implementing them as permanent regulations, following the procedures found in 36 CFR §13.50(e).

We note that the National Park Service intends to provide notice and a public hearing in the affected vicinity of any temporary wildlife restrictions. The Commission encourages the agency to schedule an appropriate number of public hearings as part of any temporary wildlife closure process. We were concerned that the number scheduled prior to last year's compendium review period failed to provide adequate opportunities for many affected local residents to participate in the hearing process. Although the proposed closures and restrictions target harvest activities under the State general hunting regulations, many Federally qualified subsistence users will be affected and hearings should be held in as many locations as possible.

Use of Social Media

To our knowledge, 2013 was the first year that the National Park Service utilized social media for gathering public comments during the compendium review period. The Commission expressed concern about its use, particularly in place of on the ground public meetings. While use of social media is increasing rapidly we remain concerned that it

may not be an appropriate method for public outreach in some rural areas of the State where residents may not have access to the technology to participate in on-line forums or meetings. Social media should be used as to complement on the ground public hearings by providing information and an opportunity for discussion, but not as a replacement for them.

Wrangell-St. Elias National Park & Preserve

13.170 Designated cabins or other structures for general public use.

The 2014 Compendium proposes to remove three cabins - Glacier Creek, Hubert's Landing, and Solo Mountain - from the list of designated public use cabins.

The Commission requests that this action be reconsidered and other alternatives be considered. Cabins are an important part of Alaska, including within the conservation system units, and should be retained wherever possible. Cabins that are available to park visitors provide valuable recreational opportunities and also provide for public health and safety.

Through our involvement with the U.S. Forest Service and its efforts to maintain a sustainable system of public use cabins, the Commission is aware that maintenance is expensive and maintenance funds are increasingly scarce. It is not clear from the limited information in the compendium if the National Park Service has considered other alternatives that could keep these cabins available for public use. The Commission suggests that the park work with local user groups, volunteer organizations or guides and outfitters who may be willing to maintain these cabins. Without some level of maintenance, these cabins will continue to deteriorate and important park resources will be lost.

The Commission appreciates the opportunity to comment. Please contact our office if you have questions or if we need to clarify our comments.

Best Regards,



Stan Leaphart
Executive Director