



February 13, 2014

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

Dear Mr. Frost:

The State of Alaska reviewed the draft 2015 Superintendent's Proposed Compendiums for all park units in Alaska, as posted on the National Park Service web site. We continue to support the Service's commitment to annual public review of park compendiums and the opportunity for state representatives to meet annually with the Service to discuss Compendium issues, as well as during the year when issues arise. The following comments represent the consolidated views of the State's resource agencies.

Compendia

Removal of e-mail and fax as an acceptable means of transmitting comments to the NPS

We are concerned by the NPS' decision to not accept comments by fax, email, or in any other way other than by mail, hand delivery to a local park office, or by links on the Alaska Region's website, which were not working when we attempted to use them on February 11, 2015. We encourage the Service to allow comments by fax and email in the future to ease the burden on the public.

All Park Units

2.13(a)(1) Fires: designated areas and conditions

We understand the NPS' intent to automatically adopt state and local burn/fire bans within NPS areas – this cooperation is essential in the implementation of a burning restriction/burn closure in order to ensure the public is receiving clear and consistent messages. We understand the State Division of Forestry is meeting with the NPS this spring to further discuss this issue.

Selected NPS Units

1.5(a)(1) Closures and public use limits

Prohibition on free ranging or use of domestic goats, sheep, llamas, alpacas, or related animals in the following units – (Western Arctic National Monuments/Preserves, Denali National Park and Preserve, Gates of the Arctic National Park and Preserve, Glacier Bay National Park, Kenai Fjords National Park, Klondike Gold Rush National Park, Lake Clark National Park and Preserve, Wrangell Saint Elias National Park and Preserve, Yukon Charlie Rivers National Park)

The draft Compendium proposes to prohibit the free ranging or use of domestic goats, sheep, llamas, alpacas or related animals for any purpose within all of the above referenced park areas.

These animals are a form of nonmotorized surface transportation allowed pursuant to the Alaska National Interest Lands Conservation Act (ANILCA) Section 1110(a). Alaska-specific regulations at 43 CFR 36.11(h) require notice, hearing and rulemaking to implement permanent closures. The purpose behind the regulation's more stringent closure process is to help ensure the public is fully notified and afforded an opportunity to provide comment on the proposed closure. While we support the annual public Compendium process, we do not view it as a substitute for the process codified in regulation for Alaska park units.

- We request the Service implement this restriction in accordance with 43 CFR 36.11(h).

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

The draft proposed Compendiums for several park units (i.e. Katmai, Alagnak Wild River, Aniakchak, Denali, Gates of the Arctic, Yukon Charley and Wrangell-St. Elias) include several oft-discussed restrictions to the taking of wildlife in national preserves. We reiterate our objection to the Service's decision.

- Please see the Alaska Department of Fish and Game's extensive comments on the 2014 Proposed Compendiums and the proposed wildlife rule.

Kenai Fjords National Park

13.70 Designated cabins or other structures for general public use

This year's draft Compendium proposes again to reduce the dates the Willow cabin is available for public use. The proposed change moves the cabin opening date from October 15 to "*When the road to Exit Glacier is closed by snow for the winter or November 15*".

The Compendium provides a variety of reasons for the proposed change, including providing remote public cabin experience, need to conduct cyclical maintenance, consistency with the annual state closure of the Exit Glacier Road, and ensuring public safety by not providing for a situation in which the public drives in and, due to deteriorating weather conditions, cannot drive the vehicle out. However, once again there are no reasons provided to explain why less restrictive measures would not be effective for the month of November.

- We request the Service consider the following reasons to retain the current timeframe for the use of the cabin (October 15–April 15).
 - The Kenai Fjords Foundation Statement indicates that "the park provides for a broad range of accessible recreational activities and opportunities". The availability of this cabin certainly meets this direction, all other park cabins are remote public use cabins.
 - As the Service is now proposing to close the cabin to the public for up to a month instead of two weeks, we continue to believe that ongoing cyclical maintenance can be conducted on weekdays when the cabin is less likely to be occupied, leaving the weekends available for public use.

Katmai National Park

13.1206 Wildlife distance conditions

The draft Compendium proposes to extend the existing closure (June 15 to August 15) to public entry at Brooks Fall to October 31 (proposed closure June 15 to October 31).

We do not view the extended closure dates as necessary. Visitors to the area currently are required to attend a NPS-sponsored bear orientation that explains wildlife distance regulations as they pertain to wildlife viewing or fishing. We acknowledge the need for public safety and awareness and recommend the bear orientation during the August 16-October 31 period specifically address hyperphagic brown bears and how to avoid them during the proposed extended closure period. Better informing visitors will not only address the public safety concern but also help to prevent adverse impacts to wildlife, and allow for continued sport fishing opportunities.

We also note that the park's newsletter on "Bear Viewing at Brooks Camp" (dated 1/13) states that: "Bears can be seen fishing at Brooks Falls and in the lower Brooks River throughout the month of July. Mid-July is typically when the largest number of bears can be seen along the river. In late July, bears begin to disperse to feed in other areas....In some years a few bears may still fish at Brooks Falls and the upper Brooks River in September and October, but most will patrol the slower moving waters of the lower Brooks River...". Based on this information, we question the need to expand the closure date at Brooks Falls.

- We request that the current closure dates for the viewing platform remain in place. If the proposed closure is implemented, the closure process outlined in 36 CFR 13.50(e) must be followed.

Closure to Bicycle Use in Valley of 10,000 Smokes

Bicycles are a non-motorized form of access allowed under ANILCA Section 1110(a). Closures and restrictions are subject to the closure process found in 43 CFR 36.11(h).

- If a permanent closure is anticipated, we request it go through the required notice and hearing process found at 43 CFR 36.11(h).

Glacier Bay National Park and Preserve

Vessel and camping closures to be lifted

We support the lifting of the closure to vessel operations in response to recent distribution and abundance of nesting bird surveys. For several years the NPS has prohibited operating a vessel or approaching within 100 yards of four islands during the summer months in order to protect nesting birds.

We also support the removal of seasonal overnight camping restrictions at North Sandy, South Sandy, and Spokane Coves.

Gates of the Arctic National Park and Preserve

2.51 and 2.52 Public assemblies/meetings and Sale and distribution of printed matter.

While we understand that all areas of the park are open to these activities, we question the appropriateness of requiring a permit from the superintendent when such activities involve 25 persons or fewer when 36 CFR 2.51(b) and 2.52(b) specifically exempts small groups involving "25 persons or fewer" from permitting. We note that all other NPS parks in Alaska allow public demonstrations and distribution of printed matter by groups of 25 persons or fewer without a permit.

- We request that the requirements for GAAR be consistent with the provisions of 36 CFR 2.51 and 2.52 and other parks units. This includes clarifying that the covered activities involve "demonstrations" rather than "public assemblies/meetings".

NPS Proposed Wildlife Regulations, RIN 1024-AE21

We would like to take this opportunity to provide comments regarding the NPS Proposed Wildlife Regulations, which has an additional open comment period concurrent to the Annual Compendium process. Extensive comments on the proposed rule were submitted to you by the Alaska Department of Fish and Game on November 27, 2014. To further support those comments, we would like to draw the attention of the NPS to the January 30, 2015, Federal Communications Commission Report, "Broadband Availability in America With Rural Americans Looking for High-Speed Services, Adequate Broadband Speeds Remain Out of Reach for Many". This report provides detailed information supporting the fact that internet connectivity in rural Alaska is currently insufficient to be designated as the primary form of communication to those most affected by proposed closures or restrictions, which is contrary to the suggestion in the proposed rule that internet access is readily available to the general public, including rural residents.

- We request the NPS review the above referenced report and consider its findings in their decision making process on the proposed rule.

We also would like to point out that in comments submitted on the Proposed Wildlife Regulations, there were requests for the NPS to extend the comment period to April 2015 to allow federal Subsistence Resource Commissions and Subsistence Regional Councils to consider the proposed regulations during their winter 2015 meetings. The additional comment period provided here does not encompass the period of time requested and the NPS has not met the intent of these FACA administered organizations to comment in a sufficient manner.

- We request that the NPS extend the comment period on the Proposed Wildlife Regulations to April 2015 to allow federal Subsistence Resource Commissions and Subsistence Regional Councils to consider the proposed regulations during their winter 2015 meetings.

Thank you for the opportunity to comment. Please contact me at (907) 334-2563 if you have any questions.

Sincerely,



Jennifer Wing
ANILCA Project Coordinator

cc: Susan Magee, State ANILCA Coordinator, Andee Sears, NPS Regional Law Enforcement Specialist