

OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET DIVISION OF GOVERNMENTAL COORDINATION

SOUTHCENTRAL REGIONAL OFFICE
3601 "C" STREET, SUITE 370
ANCHORAGE, ALASKA 99503-5930
PH: (907) 269-7470/FAX: (907) 561-6134

CENTRAL OFFICE
P.O. BOX 110030
JUNEAU, ALASKA 99811-0030
PH: (907) 465-3562/FAX: (907) 465-3075

PIPELINE COORDINATOR'S OFFICE
411 WEST 4TH AVENUE, SUITE 2C
ANCHORAGE, ALASKA 99501-2343
PH: (907) 271-4317/FAX: (907) 272-0690

May 22, 1998

Mr. Robert Barbee
Regional Director
National Park Service
2525 Gambell Street, Room 104
Anchorage, Alaska 99503

Dear Mr. Barbee:

The State of Alaska has completed its review of the Compendium for the Sitka National Historical Park. This letter represents the consolidated comments of the State's resource agencies. We appreciate that the document format is now consistent with the generic format derived from the Compendium for the Wrangell-St. Elias National Park. While most of the provisions in the Compendium adhere to proper regulatory procedures, some jurisdictional and procedural problems remain.

Jurisdiction: Boat and Water Activities

As noted in a letter to Superintendent Michele Hellickson on August 9, 1993, the state recognizes that the National Park Service holds a tideland lease from the Alaska Department of Natural Resources for certain tidelands within the exterior boundaries of the park for management purposes. This lease, however, does not grant the NPS authority to require permits or restrict public uses of the state-managed water column, such as boating, water skiing, scuba diving. One way to address this issue is to note that the Part 3 component "does not apply".

Procedural: Pack Animal and Snomobiles

ANILCA Title XI provisions are applicable in Sitka National Historical Park. ANILCA Section 102(4) states: "The term 'conservation system unit' means any unit in Alaska of the National Park System...." ANILCA Section 1110(a) states:

"... the Secretary shall permit, on conservation system units, ... the use of snowmachines... and nonmotorized surface transportation methods ... and shall not be prohibited unless, after notice and hearing in the affected unit or area, the Secretary finds that such use would be detrimental to the resources values of the unit or area."

While we recognize the need to restrict certain motorized and nonmotorized uses in Sitka National Historical Park, the restrictions on pack animals [Part 2.16(a) and (b)] and snowmobiles [Part 2.18(b)] do not constitute compliance with 43 CFR Section 36.11(h). As we have previously noted in past correspondence concerning compendia for other parks, such restrictions must be made by regulation.

Thank you for your consideration of these comments. If you have questions, please call me at 269-7477.

Sincerely,

A handwritten signature in black ink, appearing to read "Sally Gibert". The signature is fluid and cursive, with a large initial "S" and a long, sweeping tail.

Sally Gibert
State CSU Coordinator

cc: Gary Gauthier, Superintendent, Sitka National Historical Park
Jay Liggett, Regional Law Enforcement Specialist, NPS
John Katz, Governor's Office, Washington, D.C.
Diane Mayer, Director, Division of Governmental Coordination
John Shively, Commissioner, Department of Natural Resources
Frank Rue, Commissioner, Department of Fish and Game

bcc: Diane Mayer, DGC-Jun
Tina Cunning, DFG-Anch
Terry Haynes, DFG-Fbx
Patty Bielawski, DNR-Anch
Marianne See, DEC-Anch
Clyde Stoltzfus, DOT/PF-Jun
Elizabeth Barry, AG's-Anch
Tom Garrett, DCED-Tourism
Lorraine Marshall, DGC-Jun
Anna Kerttula, Gov's Office-WDC
Stan Leaphart, CACFA-Fbx