



February 15, 2018

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

Dear Mr. Frost:

The State of Alaska reviewed the 2018 Proposed Compendiums for Alaska park units. Proposed changes apply to the following park units: Denali National Park and Preserve, Kenai Fjords National Park, Lake Clark National Park and Preserve, Katmai National Park and Preserve, Bering Land Bridge National Preserve, and Glacier Bay National Park and Preserve. The remaining Alaska park units indicated their respective compendiums contained no new substantive changes. The following comments represent the consolidated views of state resource agencies.

“Less Restrictive Measures”

We appreciate this year’s compendiums include the accompanying “written determination” as required under the current Alaska-specific regulations at 36 CFR 13.50. Prior to the revision of these regulations in 2015, national regulations at 36 CFR 1.5(c) identified the required compendium components for Alaska park units, which also include an explanation of why less restrictive measures would not suffice. While not currently required in the Alaska-specific procedures, we request the Service incorporate this information nonetheless to document the range of response measures considered by Service staff in addressing the identified resource or use issue(s). This is not only consistent with the long-standing national standard but is also consistent with numerous provisions in the Alaska National Interest Lands Conservation Act (ANILCA) that are intended to minimize burdensome requirements on the public.

We also recommend posting proposed and final compendiums on individual park unit’s PEPC websites, and requiring each park unit to issue (or forward) a public notice to their individualized mailing lists, in addition to the region’s compendium website and mailing list. This would increase assurance that the public, including local rural residents, are aware of the comment opportunity and informed of requirements that may directly affect them.

Park-specific Comments

Bering Land Bridge National Preserve

36 CFR 13.50 Closures and restrictions. We understand the Service’s concern regarding the unique health and safety issues caused by non-edible remains of harvested animals in close proximity to the Serpentine Hot Springs. If retained in the final compendium, we request the Preserve notify potential

hunters well in advance of the hunting season about the new requirement to remove non-edible animal parts from harvested game within one-half mile of Serpentine Hot Springs and the Serpentine Hot Springs Airstrip.

We advise the Service that one unintended consequence of the requirement is that, once moved, the animal parts originally not required to be salvaged become bait. In effect, this means that hunters who have moved the gut pile to comply with the half mile restriction would not be able to harvest a wolf or bear that came to that gut pile.

It is unclear if this concern is related to hunters that are harvesting animals within one-half mile of the hot springs and leaving non-edible remains as they lie at the harvest site, or hunters harvesting animals outside of the half mile radius and then transporting non-edible remains to the hot springs and leaving them. If it is the latter, it may be less complicated and more appropriate to address the issue generally in terms of littering, rather than specifically in terms of hunting.

Denali National Park and Preserve

36 CFR 13.936 Desired condition for parking on the restricted section of the Denali Park Road during the operating season. The regulation cited (36 CFR 13.936) does not grant discretionary authority to the Superintendent to implement additional restrictions. While it does authorize the Superintendent to issue permits to operators of motor vehicles, the current authority for implementing restrictions through the Superintendent's Compendium in Alaska is 36 CFR 13.50, and includes criteria for determining if rulemaking is necessary, which may be applicable and would be necessary to amend 36 CFR 13.936.

The Park road hosts a variety of user groups through distinctive methods of authorization (e.g., Inholder Rights-of-Way Certificates of Access, Commercial Use Authorizations, Concessions Contracts, etc.) that provide access to and through the Park via the Park road; the primary means by which many in-state and the majority of out-of-state visitors enjoy and access the Park. Further, the proposed parking restrictions have the potential to adversely impact visitor experience and resources from concentrating use at specific entry points. Other questionable provisions include:

- The purpose of defining temporary and wildlife viewing stops is unclear. Does the Service anticipate citing individuals who are not in compliance with the defined activities? For example, the definition of a temporary stop requires vehicle occupants to remain in the vehicle or "immediately adjacent" to the vehicle. Does this mean a passenger must be within arm's length of the vehicle and other passengers for any reason?
- In a brief "wildlife viewing stop," why must vehicle occupants remain in the vehicle even if the wildlife is very far away?
- It appears that inholders and guest of inholders may not stop for any reason except for "temporary stops" at Teklanika, Toklat, and Eielson. Are no other activities, such as breaks or pulling over to snap a photo allowed? This seems unnecessarily restrictive and potentially even punitive.
- "three vehicles parked simultaneously" – does this mean in one specific parking location or cumulatively along the identified stretch of road between Toklat and Eielson?

In addition, the proposals may adversely affect the viability of and operators' business models in arbitrary and perhaps unintended ways.

The two different interactive maps provided with the compendium (via link and attachment) are difficult to view and manipulate and would not be accessible while driving the Park road. Also, the “dot” method of identifying parking locations leave much to the individual interpretation of both drivers and NPS enforcement rangers, which could lead to unnecessary conflicts in the field and citations.

The 2012 Denali Park Road Final Vehicle Management Plan (VMP) and Environmental Impact Statement involved extensive analysis, modelling, and public comment opportunities. The VMP evaluated traffic levels, effects to wildlife and watershed, and directed use of management indicators, including vehicles at a wildlife stop, vehicles in a viewscape, and vehicles at rest areas, to determine if further restrictions would be necessary. However, temporary stops are not mentioned in the VMP as a category for monitoring or management, and contrary to the proposed compendium entry, the VMP implies visitors *can* exit the vehicle for wildlife viewing stops. It is unclear from the justification provided what conditions have changed, or how the new restrictions align with the management direction in the VMP. In particular, the VMP limited traffic on the Park Road; therefore, it is unclear why the justification asserts the volume of traffic has resulted in increased parking.

The compendium indicates the designated parking locations were chosen by an interdisciplinary team. A management decision of this nature typically requires more analysis, along with public and stakeholder involvement. During development of the VMP, many stakeholders requested input in the decision-making process for future issues regarding vehicle management on the Park road. In response to comments on the VMP, the Service stated: “*Prior to making any substantive changes to the plan, the Park Service is required to comply with the National Environmental Policy Act and other federal laws*” (page 282, VMP).

At a minimum, we request the Service explain the need for restrictions in the context of the VMP desired condition indicators and current monitoring information and why less restrictive means are not sufficient to address the identified issue(s). If changes in parking patterns still appear necessary, the VMP itself may need amendment with up front stakeholder involvement, and depending on the outcome, implementation through the compendium or rulemaking, as appropriate.

In light of the broad spectrum of concerns above, it may be beneficial to the Service, affected stakeholders, and the public for the Park to completely withdraw this proposal and step back to better articulate the issues, the options, and lastly the best methods of implementation. The affected stakeholders share the Park’s interest in a safe, high-quality visitor experience for all travelers along the Park Road and may be able to offer effective solutions that are less draconian and that would reduce the burden of enforcement.

Glacier Bay National Park and Preserve

36 CFR 13.1130(c) Commercial Fishing, List of existing fisheries and gear types for the park’s outer waters. We agree with the removal of the expanded fishery section from the Compendium and look forward to continued cooperation with the NPS regarding our mutual interests in the commercial fisheries within the park and preserve.

Lake Clark National Park and Preserve

13.170/13.172 Designated Public Use Cabin-Priest Rock. We support the proposal to add the Priest Rock cabin to the list of designated public use cabins and make the cabin available for use through the online reservation system. Lake Clark National Park and Preserve has a rich and unique history and we support the Service making this rustic cabin available for use by the public. These types of handcrafted cabins allow visitors the opportunity to more fully experience the history and the beauty of the park and preserve while also providing public safety from unpredictable wildlife or weather conditions. We also expect that demand for this cabin to be high since this will be the only public use cabin available in a park known for the Proenneke cabin. We encourage the Service to prioritize the restoration of other public use cabins in the park and preserve as many people dream of living, if only for a few days, in a cabin in the Alaska wilderness.

Thank you for this opportunity to comment. Please contact me at (907) 269-7529 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Magee', written in a cursive style.

Susan Magee
ANILCA Program Coordinator