



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

ANILCA Implementation Program

Office of Project Management and Permitting

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March 20, 2019

Philip Hooge, Park Superintendent
P.O. Box 140
Gustavus, AK 99826-0140

Dear Mr. Hooge:

The State of Alaska reviewed the proposed changes to the Glacier Bay National Park and Preserve Compendium. The following comments represent the consolidated views of state resource agencies.

The proposed compendium modifies a longstanding entry that allowed subsistence users to register to use the East Alsek Public Use Cabin without paying a fee during the federal subsistence moose hunt, which in previous years was in mid-October. This entry was first modified in 2017 to eliminate the requirement to register and to change the cabin to “shared use.” We support the 2019 proposed change that accommodates the new dates for the federal subsistence moose hunt season (September 15-30). This earlier season will also allow subsistence users, who do not own airplanes, to take advantage of the local air taxi service, which generally closes for the winter season after the first week of October. We also support continuing to not charge subsistence users a fee for using the cabin during the federal moose hunting season.

The subsistence cabin regulations at 36 CFR 13.160 allow for either permitted (i.e. reserve for exclusive use) or shared use. Due to the remoteness of this cabin, we recommend the Service return to allowing subsistence users to reserve the cabin for a specified timeframe so that they can be assured availability of the cabin. This cabin is very small, and under this management approach, subsistence users would either need to bring camping gear with them in the event the cabin is already fully occupied upon arrival or risk not being able to stay to participate in the hunt. If the reservation system is restored, subsistence users could also avoid the cost and inconvenience of hauling in additional gear.

Prior to 2017, both subsistence and non-subsistence users could register to use the public-use cabin during the federal subsistence moose hunt. Since this is the only public-use cabin in the Preserve, we request the Service consider whether the cabin could accommodate additional use by non-subsistence users during this timeframe when the air taxi service is still operating, the weather is warmer, and people may want to use the cabin for purposes other than moose hunting. For example, bear and waterfowl hunting is open to non-subsistence users during that time period, or people may want to fish or simply enjoy the cabin experience. We are not aware of any user conflicts, nor does this or the prior year’s proposed compendiums reference any user conflicts or other justification to warrant exclusive use of the cabin during that timeframe.

Cabins for subsistence and general public use are both authorized under the Alaska National Interest Lands Conservation Act (ANILCA) and Service 36 CFR Part 13 regulations, and neither ANILCA nor the regulations indicate those uses are mutually exclusive. If the final compendium retains the restriction to non-subsistence use from September 15-30, a more comprehensive written determination in accordance with 36 CFR 13.50 is warranted.

Over the last several years, we have noticed that some compendium entries (not specific to Glacier Bay) do not always line up with the cited regulations, often because the cited regulations either do not provide discretionary authority to support the proposed restrictions in park compendiums or are only tangentially related to the proposed restrictions. We realize a wholesale cleanup of the compendiums to make these technical corrections is not be feasible, but we ask that corrections be made as individual entries are revised from year to year. The third entry in the Glacier Bay compendium cites 36 CFR 13.166 as authority to not charge subsistence users a fee for use of the Alsek cabin; however, 36 CFR 13.166 applies to temporary facilities or structures, not permanent cabins. Please cite the correct regulatory authority for this action.

Lastly, the compendium refers to the cabin as both the East Alsek Cabin and the East River Cabin. The park's website refers to it as the Dry Bay Public Use Cabin. For clarity, we recommend the Service use one name to identify this cabin.

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