



May 18, 2020

Phadrea Ponds, Acting Information Collection Clearance Officer  
National Park Service  
1201 Oakridge Drive  
Fort Collins, CO 80525

Re: NPS Office of Management and Budget (OMB) Control Number 1024-0022

Dear Ms. Ponds:

The State of Alaska reviewed the National Park Service (NPS) Information Collection Request (ICR) regarding their Backcountry/Wilderness Use Permit. The following comments represent the consolidated views of state resource agencies.

The ICR states the objectives of the Backcountry/Wilderness Use Permit system are to ensure:

- (1) That backcountry user requests are evaluated by park managers in accordance with applicable statutes and NPS regulations;
- (2) the consistent use of standards and permitting criteria throughout the agency; and
- (3) to the extent possible, the use of a single and efficient permitting document.

Because Alaska park units are managed in accordance with the NPS Organic Act *and* the Alaska National Interest Lands Conservation Act (ANILCA), including ANILCA implementing regulations at 36 CFR Part 13, as written, objectives (2) and (3), are not possible. These objectives would generally be obtainable within Alaska with recognition of ANILCA and the following modifications to the form for Alaska park units.

Question (1) *Is the collection of information necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility.*

The collection of information under the NPS' Backcountry/Wilderness Use Permit is *not necessary* for the majority of park units in Alaska. Access into Alaska park units is generally open, unless restricted in accordance with the 36 CFR Part 13 and the 43 CFR 36 closure processes. Currently, only two Alaska parks have promulgated park-specific regulations (i.e., Denali National Park and Preserve, and Glacier Bay National Park and Preserve) requiring users to obtain backcountry permits.

To help ensure the application is not administered in park units where it is not applicable and to improve clarity (also applicable to question 3), we request the title of NPS Form 10-404 "Backcountry/Wilderness Use Permit Application" be revised as shown in the paragraph below.

Question (3) *Ways to enhance the quality, utility, and clarity of the information to be collected.*

Form 10-404 also states that motorized vehicle and mountain bike access is prohibited in all wilderness areas. ANILCA Section 1110(a) allows motorized and mechanized methods of access,

such as airplanes, snowmachines, motorboats and bicycles in all Alaska park units, including within designated Wilderness. In addition, ANILCA Section 203 prohibits charging entrance and admission fees in Alaska park units; limited exceptions apply where authorized in an amendment to ANILCA (e.g., Denali National Park and Preserve).

To improve quality, utility and clarity, Form 10-404 needs to recognize these important allowances and exceptions that apply to Alaska park units. Alternatively, a separate form could be created for Alaska park units to clarify these Alaska-specific allowances. However, if a separate form is prepared, Glacier Bay National Park would need to be deleted from the Park Specific Fields on Form 10-404.

Should OBM continue to authorize NPS Form 10-404 for use in Alaska park units, to improve clarity and eliminate misinformation and confusion for a significant number of park visitors and Alaskan residents, the form needs to be revised to clarify 1) it only applies to Alaska park units that have regulatory requirements for backcountry wilderness permits; 2) not all park units require an entrance fee; and 3) exceptions apply where enabling legislation, such as ANILCA, allows for motorized and mechanized access in designated wilderness.

We recommend the following underlined revisions.

FORM TITLE

Backcountry/Wilderness Use Permit Application

(In Alaska, applicable only in Denali National Park and Preserve, and Alsek River Trips in Glacier Bay National Park and Preserve)

TYPE OF BACKCOUNTRY USE REQUESTED

(Check All That Apply)

\*Prohibited in Wilderness Areas Outside Alaska (Allowed in Alaskan Wilderness Areas)

METHOD OF TRAVEL

(Check All That Apply)

\*Prohibited in Wilderness Areas Outside Alaska (Allowed in Alaskan Wilderness Areas)

PAYMENT INFORMATION

\*Except for Denali National Park and Preserve, Alaska park units are prohibited from charging entrance or admission fees.

Thank you for this opportunity to comment. Please contact me by phone at 907-269-7529, or by email at [susan.magee@alaska.gov](mailto:susan.magee@alaska.gov) if you have any questions.

Sincerely,



Susan Magee  
ANILCA Program Coordinator