



August 27, 2020

Office of Management and Budget

Submitted via [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain)

Re: NPS Research Permit and Reporting System Applications and Reports - OMB Control Number 1024-0236

To whom it may concern:

The State of Alaska reviewed the National Park Service (NPS) Information Collection Request (ICR) regarding Research Permit and Reporting System Application and Reports (OMB Control Number 1024-0236). Comments dated May 18, 2020 were submitted to Phadrea Ponds, NPS Information Collection Clearance Officer. We reviewed the NPS' responses to our two requests, as provided in the July 29, 2020 Federal Register Notice, and respectfully request reconsideration of comment #2 during this review opportunity for the reasons stated in our previous comments and as explained below.

To increase the utility and clarity of this application, the State reiterates its request for the research permit application to include a separate check box under "Does your study propose to involve any of the following?" to identify research activities proposed in Alaska Park Units, including but not limited to designated wilderness within those park units and other areas considered "eligible" by the NPS for wilderness designation, that may benefit from the special provisions in the Alaska National Interest Lands Conservation Act (ANILCA) that provide for access and use in Alaska's extremely remote and expansive park units.

The response provided by the NPS in the Federal Register Notice indicates doing so would be redundant and unnecessary because the application already includes a checkbox to identify projects involving designated wilderness (85 FR 45654). While the ANILCA provisions referenced in our comments apply to both designated and eligible wilderness, they are not limited to those designated areas; therefore, the mere existence of the "Designated Wilderness" checkbox, while relevant, does not address our concerns. Further, this generic wilderness checkbox does not communicate to NPS staff and researchers alike, the numerous exceptions that apply to designated wilderness in Alaska.

With regard to designated wilderness, we are concerned that applicants and NPS staff will not be aware that ANILCA amends the Wilderness Act in Alaska<sup>1</sup> because two NPS websites, the "Guide to Conducting Wilderness Research in Alaska's National Parks" (Alaska Park Guide)<sup>2</sup> and "Wilderness

<sup>1</sup> ANILCA Section 707 directs the Secretary to manage designated wilderness in Alaska in accordance with the Wilderness Act, except as otherwise expressly provided for in ANILCA.

<sup>2</sup> <https://home.nps.gov/articles/researchakwilderness.htm>.

Connect for Practitioners”<sup>3</sup> both fail to reference ANILCA altogether, even though they are intended to guide researchers and alert NPS staff of training opportunities. Additionally, the Alaska Park Guide website inaccurately states under “Educate Yourself on Wilderness Requirements:”

*Understand that unless they are "necessary to meet minimum requirements for the administration of the area for the purpose of [the Wilderness] Act" (Sec. 4(c) of the Wilderness Act), **the following are prohibited: motorized vehicles (such as ATVs, motorboats, or snowmobiles), motorized equipment (such as drones or power drills), landing of aircraft (such as helicopters), mechanical transport (such as wheeled vehicles or equipment), installations (such as data loggers and permanent plot markers), or structures.** (emphasis added)*

This is particularly disappointing because State of Alaska staff worked cooperatively with the NPS and three other land management agencies in the Alaska Region to develop the “Alaska Supplement to the Minimum Requirements Decision Guide” (Alaska Supplement) to identify the provisions in ANILCA that apply in Alaska wilderness. The transmittal memo, signed by all four federal agencies, including the NPS, clarifies the document was “designed to assist managers in adapting the MRDG for use in Alaska’s wilderness areas...” (enclosed). As referenced in the Alaska Supplement, ANILCA Section 1110(a) specifically allows for the use of airplanes, motorboats, snowmachines and non-motorized surface transportation (e.g., bicycles and pack animals) for traditional activities and for travel to and from villages and homesites. ANILCA Section 1310 ensures access to and the establishment, operation, and maintenance of existing and new facilities, including for conducting weather, climate, and fisheries research. These activities are allowed in all conservation system units (CSUs) and cannot be prohibited in Alaska pursuant to the Wilderness Act (CSUs, as defined in ANILCA, include but are not limited to designated wilderness).<sup>4</sup>

If properly worded, this checkbox will serve as a prompt to both NPS staff and applicants to consider specific provisions in ANILCA that allow for and facilitate research activities in Alaska park units. The citations above are just two of several allowances. Therefore, we request the NPS add a checkbox that reads “Alaska Park Units, subject to access and research related allowances in ANILCA.” This is a slightly modified version of our original request to clarify ANILCA *facilitates* research activities, as opposed to restricts research activities, a potential misinterpretation of our initial version.

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<sup>3</sup> <https://wilderness.net/practitioners/training/online-training-courses-and-certificate-prorams/wilderness-act.php>.

<sup>4</sup> “Within conservation system units established or expanded by this Act, reasonable access to, and operation and maintenance of, existing air and water navigation aids, communications sites and related facilities and existing facilities for weather, climate, and fisheries research and monitoring shall be permitted....Nothing in the Wilderness Act shall be deemed to prohibit such access, operation and maintenance within wilderness areas designated by this Act.” (ANILCA Section 1310(a)); “The establishment, operation, and maintenance within any conservation system unit of new air and water navigation aids and related facilities, facilities for national defense purposes, and related air and water navigation aids, and facilities for weather, climate, and fisheries research and monitoring shall be permitted....” (ANILCA Section 1310(b))

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

Sincerely,

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

Susan Magee  
ANILCA Program Coordinator

Enclosure

cc: Phadrea Ponds, NPS Information Collection Clearance Officer