

SENATE JOINT RESOLUTION NO. 5 am

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY SENATORS HALFORD, Pete Kelly, Taylor, Wilken, Donley, Ward, Leman, Miller, Pearce, Green
REPRESENTATIVES Coghill, James, Therriault, Barnes

Amended: 2/10/99

Introduced: 1/27/99

A RESOLUTION

1 Opposing the closure of the former Mount McKinley portions of Denali National
2 Park and Preserve to snowmachine use.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 WHEREAS the National Park Service has closed the former Mount McKinley portion
5 of Denali National Park and Preserve to snowmachine use for one year during which time the
6 agency will study imposition of a permanent closure; and

7 WHEREAS the Alaska National Interest Lands Conservation Act (ANILCA)
8 authorizes, subject to reasonable regulation, the use of snowmachines and other means of
9 motorized and nonmotorized access for traditional activities in all conservation system units
10 created or expanded by that Act; and

11 WHEREAS ANILCA and regulations of the National Park Service require the
12 National Park Service to document actual impacts and present findings that snowmachine use
13 is detrimental to the resource values of the park and preserve before implementing a closure;
14 and

15 WHEREAS the findings issued by the National Park Service do not document that
16 snowmachine use would be detrimental to the resource values of Denali National Park and

1 Preserve but instead only hypothesize that snow machine use is detrimental to the resource
2 values of the park and preserve; and

3 **WHEREAS** the National Park Service did not distribute its findings for review by
4 those who have experience with the former Mount McKinley portion of Denali National Park
5 and Preserve, with snowmachines, and with the effects of snowmachine use on resource values
6 before the findings were released to justify the closure; and

7 **WHEREAS** the National Park Service, since the passage of ANILCA, has
8 inappropriately restricted the use of snowmachines in the former Mount McKinley portion of
9 Denali National Park and Preserve through various legally deficient means; and

10 **WHEREAS** the National Park Service has refused to act on requests from
11 snowmachine groups to develop voluntary measures to limit or restrict snowmachine use
12 within specific areas for the purpose of minimizing potential conflicts with other uses; and

13 **WHEREAS** any action by the National Park Service to restrict snowmachine use in
14 the park and preserve without full and complete compliance with the factual and procedural
15 requirements of ANILCA and its implementing regulations would establish a precedent that
16 is adverse to access to other conservation system units in Alaska;

17 **BE IT RESOLVED** that the Alaska State Legislature opposes the closure of the
18 former Mount McKinley portion of Denali National Park and Preserve to snowmachine use
19 because the National Park Service has failed to comply with the full letter and spirit of the
20 Alaska National Interest Lands Conservation Act and with the procedural and factual
21 requirements of the National Park Service for adopting such closures; and be it

22 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests the
23 Governor to take all available administrative and legal measures to protect the right of access
24 to public lands in Alaska for traditional activities that was guaranteed to Alaskans by the
25 Alaska National Interest Lands Conservation Act.

26 **COPIES** of this resolution shall be sent to the Honorable Bruce Babbitt, Secretary,
27 U.S. Department of the Interior; to Robert G. Stanton, Director, National Park Service, U.S.
28 Department of the Interior; to Steven P. Martin, Superintendent, Denali National Park and
29 Preserve, National Park Service, U. S. Department of the Interior; and to the Honorable Ted
30 Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young,
31 U.S. Representative, members of the Alaska delegation in Congress.