

STATE OF ALASKA
THE LEGISLATURE

1999

Source
SJR 5 am

Legislative
Resolve No.
3



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

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

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

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

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

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

Preserve but instead only hypothesize that snowmachine use is detrimental to the resource values of the park and preserve; and

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

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

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

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

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

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

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