

TEMPORARY FACILITIES AND CABINS

TEMPORARY FACILITIES IN THE PRESERVE

Section 1316 of ANILCA addresses temporary facilities related to the taking of fish and wildlife in national preserves in Alaska--not parks and monuments. This determination of applicability is based on the legislative history of ANILCA, which indicates that only preserve units of the national park system were covered by section 1316 (Senate Energy Committee Mark-Up, 96th Congress, Oct. 9, 1979, p. 65). Temporary structures in support of subsistence activities are authorized under other authorities (section 1303 of ANILCA and 36 CFR 13.17).

In accordance with section 1316(b), the National Park Service has determined that the establishment of new temporary facilities (as defined below) in the preserve would constitute significant expansion of existing facilities and would be detrimental to the purposes for which the park and preserve were established, including the scenic, wilderness, and other natural values. This determination maintains the number of these facilities at present levels (1978 or 1985, which is higher), but it does not preclude or otherwise restrict authorized hunting and fishing activities in the preserve.

Those facilities to which this ceiling applies are defined as follows (the definitions were approved by the Alaska Land Use Council, February 1982):

"Temporary facility" means any structure or other man-made improvement that can be readily and completely dismantled and/or removed from the site when the authorized use terminates. This definition should not be construed to include cabins.

"Tent platform" means a structure, usually made of manufactured timber products, constructed to provide a solid, level floor for a tent. Partial walls not exceeding 3 feet in height above the floor may be employed. Only the tent fabric, the ridge pole, and support poles may extend higher than 3 feet above the floor.

"Shelter" means a structure designed to provide temporary relief from the elements. A shelter is characterized as a lean-to having one side open.

"Cache" means a small structure designed and constructed solely for the storage of equipment and food. A cache may be raised on poles to keep supplies away from bears or other animals. Existing regulations cover unattended or abandoned property (36 CFR 13.22).

Section 1313 directs that a national preserve in Alaska be administered and managed as a unit of the national park system in the same manner as a national park with certain exceptions, including the taking of fish and wildlife for sport purposes. In addition, section 203 directs that the

preserve be managed under the act of 1916, as amended and supplemented, which states that the primary purpose, among others, of a national park system unit is "to conserve the scenery . . . and leave [it] unimpaired for the enjoyment of future generations." In establishing the preserve, Congress stated in section 202(3)a that the purposes of the unit are "to protect and interpret the entire mountain massif, and additional scenic mountain peaks and formations; and to protect habitat for and populations of fish and wildlife including, but not limited to, brown/grizzly bears, moose, caribou, Dall sheep, wolves, swans and other waterfowl; and to provide continued opportunities, including reasonable access, for mountain climbing, mountaineering, and other wilderness recreational activities.". The National Park Service has determined that additional temporary facilities above the current level would be detrimental to these purposes for the following reasons: (1) the introduction of facilities into an area where none or very few currently exist would be detrimental to the wilderness character of the park and preserve; (2) such facilities would encourage concentrations of use, which would increase the potential for adverse impacts from human waste, trash, and soil compaction and cause wildlife to avoid the area; and (3) there has been no demonstrated need for such facilities.

This policy is not intended to limit the use of portable tents that do not require platforms or other structures, temporary campsites normally a part of recreational outings, or shelters needed in emergency situations. ("Temporary campsite" means a natural, undeveloped area suitable for the purpose of overnight occupancy without modification.)

If the existing facilities are removed, no longer used, or destroyed, the superintendent will work with the facility user to locate a site for a replacement facility of similar size and type in a suitable area of the preserve. Likewise, if the existing facilities are adversely affecting the purposes of the unit or subsistence uses, the superintendent may authorize the replacement of temporary facilities with structures of similar size and type in other suitable areas of the preserve.

In the future, if changing use patterns and further analysis indicate that adjustments in this ceiling on temporary facilities are necessary, the National Park Service may propose, with adequate public notice and opportunity to comment, to adjust this ceiling upward or downward. In developing such proposals, the Park Service will consider whether adequate alternative means are readily available and whether there is a potential for adverse impacts on park resources and uses, including subsistence.

The National Park Service will maintain an ongoing inventory of the location and description of temporary facilities. The inventory will be available for review at park headquarters.

CABINS

The National Park Service has proposed revisions to the existing regulations contained in 36 CFR 13.17 that deal with cabins and other

structures authorized under sections 1303, 1315, and 1316 of ANILCA. The revised regulations would further establish policy, criteria, and procedures for issuing cabin permits as authorized by ANILCA. The proposed regulations have undergone a separate public review process.

They were made available for public review on April 3, 1984, with the comment period being extended through January 10, 1985. Three public hearings were held during that time. The National Park Service and the Department of the Interior are in the process of finalizing the regulations at the time of publication of this plan.

The superintendent will maintain an ongoing inventory of the location and description of all cabins located in Denali National Park and Preserve. As part of the inventory, the cabins will be evaluated for potential historic significance pursuant to the National Historic Preservation Act, as amended in 1980. The National Park Service will actively seek to determine any valid claims within applicable regulations for cabins on federal lands. Unclaimed cabins will be evaluated according to the pattern of public use associated with them since the unit was established. Those that support intermittent compatible activities or authorized local activities without any adverse effects on Denali's resources or other valid uses will be left standing. (For example, a cabin used for occasional winter dog team trips or used as an occasional stop-over for local village-to-village snowmachine travel may be in this category.) Such cabins will be available for nonexclusive public use, including use by commercial guides, on a first-come, first-served basis or for emergency use. Where determined to be essential for public health and safety and where funding is available, the National Park Service may propose to maintain certain of these cabins. Maintenance by others may be permitted by the superintendent, but no possessory interest or exclusive use rights will be acquired.

Unclaimed cabins that do not support compatible activities or that have adverse effects on park resources or other valid uses may be proposed for removal, in accordance with section 1315(d) of ANILCA and section 106 of the National Historic Preservation Act, as amended in 1980, where applicable. For example, a cabin that regularly attracts recreational visitors to an area during a season of important subsistence use may be proposed for removal. If the National Park Service proposes to remove a cabin, public notice, and congressional notification in the case of public use cabins in wilderness, will be provided.

No new public use cabins are proposed in this general management plan. The construction of public use cabins is an issue that is evaluated through the planning process. New public use cabins will only be constructed after being assessed through an amendment to this plan or the preparation of a new general management plan.