

## STATE OF ALASKA REJECTS ALL REQUESTS FOR RECONSIDERATION OF FINAL HEALY GAS FINDING

NEXT STEP - ADMINISTRATIVE APPEAL IN SUPERIOR COURT

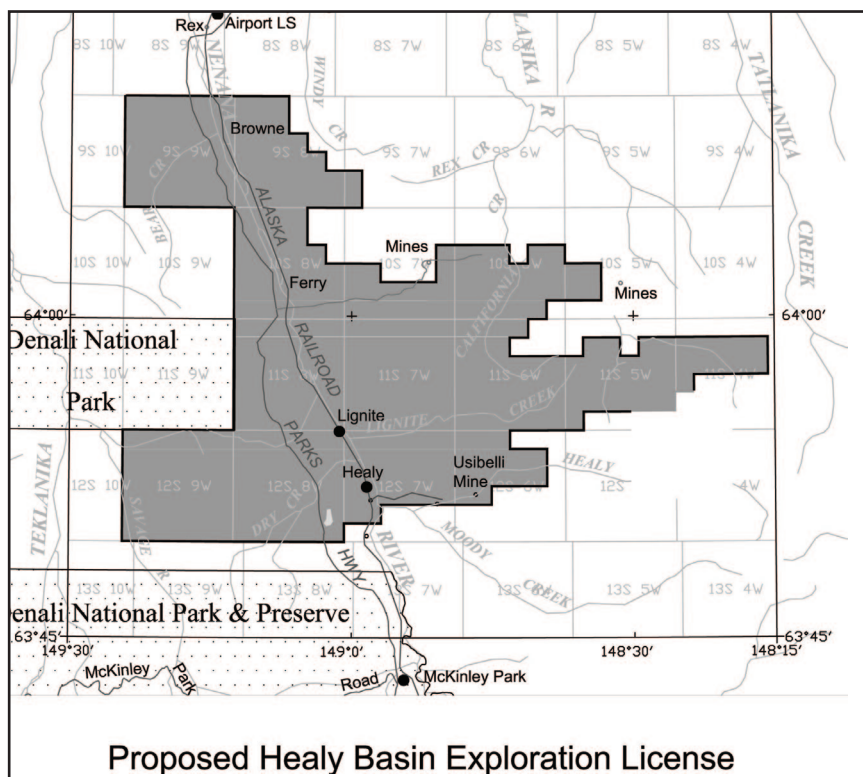
by Nancy Bale

It has been more than seven years since gas exploration was first proposed for the Healy area. In 2003, Usibelli Coal Mine, Inc. applied to the state of Alaska for leases to explore for coalbed methane on approximately 50,000 acres, mostly east of the Parks Highway. Then, when that leasing program was abolished, Usibelli again applied for a larger area, over 500,000 acres, which became 208,000 acres in early 2005. These proposals required the consent of the state because the state owns and controls access to subsurface resources under all state and private lands (except Alaska Railroad, Native Corporation and Mental Health Trust lands). To gain access to this gas, a potential operator must file a proposal with the state, which then moves through a Best Interest Finding process.

### Comments encouraged then mostly rejected

This process has been controversial. Owners of private property on the surface have been reluctant to allow gas development infrastructure on their property and in their subdivisions. And, local citizens who value nearby public lands that support wildlife and recreation are reluctant to accept gas

development infrastructure on those lands. The Finding process does allow for the expression of these concerns, and DCC has submitted public comments during all phases – in August 2003 after the initial proposal was made, then during the new licensing program, at the scoping phase in March 2005, the Preliminary Phase in October 2005, and most recently during the Request for Reconsideration phase in July 2010.



Map from the state of Alaska showing the 208,000-acre gas exploration area surrounding Healy. In the Final Best Interest Finding, the state of Alaska failed to reduce the area in line with local suggestions, and weakened mitigations that would have protected private property owners.

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## FROM THE BOARD

In this space fifteen months ago, Joan Frankevich hailed PBS' plans to broadcast, over six evenings, the fruits of the last ten years of effort by acclaimed film-maker Ken Burns. (Burns' previous subjects included the Civil War, baseball, and another of my own favorites, jazz). The twelve-hour series was titled "The National Parks: America's Best Idea," and it turned out that the master documentarian and his crew had proved so enamored of Alaska and our own Denali that this part of the planet definitely enjoyed its share of glorious attention. Joan included a quote from Wallace Stegner: "National parks are the best idea we ever had. Absolutely American, absolutely democratic, they reflect us at our best rather than our worst." I must confess that I did not have a chance to heed the recommendation of my friend Joan and watch those six evenings of compelling PBS fare that began airing in late September and spilled over into early October of last year—because I was busy packing and otherwise preparing for a national parks odyssey of my own.

I devoted most of that October to my first annual three-week solo walk-about, that time of southwestern Colorado, southern Utah, and western Wyoming. (I can confirm that it was the "first annual" because as I type these words, I've been back home in Denali only a week from the second annual walk-about; October continues proving the ideal time to hike the red sandstone deserts of Utah. A head-scratcher from the second annual walk-about is that a campground host at Arches National Park didn't recognize the name "Denali." Go figure.) During that first annual walk-about, I hiked in ten, count 'em, ten national parks, monuments, and recreation areas.

But maybe I still can earn some Brownie points with my pal Joan if I recall that, after I missed those PBS broadcasts, the first thing I did in Arches in October 2009 was visit the park bookstore (operated by the Canyonlands Natural History Association; park partners, you go!) and purchase the DVDs of Ken Burns' documentary. Late each night in my tent, comfy in my sleeping bag, I watched them on my trusty laptop. (Does this seem eccentric? Some folks look at me funny. But, further, in the interest of full eccentric disclosure, I must confess that I did the same thing on this second annual walk-about. So, after hiking in national parks all day and watching videos of them into the night, just now I'm feeling pretty well steeped in America's best idea.)

### Determined to protect and preserve these special places

For me, one of many remarkable achievements of "America's Best Idea" is reminding us all how so many of our nation's most special places could have evolved and, frankly, been destroyed—if there had not been individuals willing, no, eager—determined—to protect and preserve them. The thought of neon golden arches on the rim of the Grand Canyon or, worse, yes, alongside even one of the more than 2,000 magnificent natural sandstone arches in Arches National Park induces shivers. How wildlife once was treated in many national parks—and still could be today—touches both the stomach and the heart.

Hiking all day in national parks and monuments and then savoring, complements of the DVDs and laptop, the details of park service history and the beauty of NPS sites proved an interesting experience. If you have visited some of these ten national parks and monuments, maybe you will recognize some of my own brief reflections:

--**Natural Bridges:** The "primitive" trail that connects all three massive natural bridges certainly is aptly named; thank goodness for cairns.

--**Hovenweep:** Few things in life may be as impressive or moving as late afternoon light on Cutthroat Castle.

--**Arches:** Similarly, sunset at Delicate Arch, said to be the most photographed natural arch on the planet, is no slouch. And the spectacular Devil's Garden campground must be second to none. Unforgettable is the Devil's Garden Primitive Loop trail and its "eight awe-inspiring arches." It was on that trail that I encountered the only hiker, through three weeks of hiking, blabbing loudly into a cellphone; it just seemed wrong.

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# FROM THE COMMUNITY ORGANIZER

by Julia Potter

Another year is almost at an end and I'm looking forward to the slower pace of winter and the start of 2011. The park road is now closed beyond Mile 3 at headquarters as the snow season begins. Our daylight is quickly diminishing in hours as we near the winter solstice. Folks are getting antsy to dust off the skis or snowshoes; some are reaching for the book they promised themselves they would read "once winter gets here." I always think (and somewhat hope) that my winter will be laid back and relaxing but it never turns out quite that way - and in the long run I'm glad. Already the coming month of December is packed full starting with the Denali Citizens Council annual board retreat the weekend of December 4 and 5. It's something I look forward to and one of the few times of the year the entire DCC board is together. There are also several Denali Borough meetings scheduled, as well as community meetings and events to attend.



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Of course I'll also be busy with our fall membership recruitment drive, assisting the board with website updates, and keeping our members informed on the status of issues and any comment deadlines. Maybe I'll have some time for skiing or reading that book I keep promising myself I'll get to . . .

In the meantime I hope all of you, dear members, will take a few moments to check out our wonderful, newly updated website, and for those of you who haven't yet renewed your 2010 membership, it's just a click away with our **Donate** feature. Your donations are so important to the work Denali Citizens Council does, as are your comments on the various issues we tackle each year. Both are very much appreciated. Thank you for doing your part. Now I'll get going and do mine . . .

## THANK YOU

### NEW AND RENEWING MEMBERS SINCE OUR LAST NEWSLETTER

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#### NEW THIS FALL – RENEW ONLINE

<http://www.denalicitizens.org>  
It is easier than ever to renew online – go to our website and use the **Donate** button on the front page to make your contribution. If you want to learn more about membership levels, click the **Join DCC** tab on the front page and donate from there.



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## STATE REJECTS REQUESTS FOR RECONSIDERATION OF HEALY GAS FINDING *continued from page 1*

The Finding process is now near its end. We were disappointed on November 9, 2010, when all reconsideration requestors received letters from Commissioner Tom Irwin making **no changes** in the Final Finding of June 28, 2010, despite their numerous, heartfelt and doable suggestions.

Local requestors brought up detailed and salient remedies for some of the flaws in the Final Finding. Some comments achieved lip service, but most were greeted with boiler-plate mitigations not appropriate for this unique area, and rejoinders akin to “the law says we can do this, so we are going to do it...” Commenters were told that they could address detailed concerns during the complex and lengthy permitting processes associated with gas exploration and development, starting with Plans of Operation and moving on to agency permitting.

### Long wait between Preliminary and Final Findings dismissed as insignificant

One of the hardest things to take about the Commissioner’s decision to confirm the entire 208,000-acre area was the length of time the state of Alaska made local citizens wait – nearly five years. We asked, in vain, that the reconsideration period be broadened and lengthened in view of this lapse of time. Because there is no set time period between a Preliminary and a Final Finding in law, there was no legal obligation on the part of the state to re-open more comprehensive comments. However, the Commissioner, in all aspects of this Final Finding decision, **did have** that discretion.

### State promises to prioritize local best interests, then fails to address them adequately

What, then, ARE the best interests of local and state citizens? In 2005, the Preliminary BIF, on page 11-1, stated, “The best interests of local residents is...of critical importance to the best interest decision.” Of the 13 individual comments on the Preliminary Finding, EVERY one suggested mitigations or exclusions that DNR was unwilling to grant. Comments at the Fall 2005 hearing expressed similar concerns.

We continue to believe that overall benefits to local citizens are highly speculative, whereas potential impacts to residential quality of life are predictable and could be dire. We, and others, have suggested remedies that would increase the confidence of local citizens that this process is in their best interests – residential and subdivision setbacks with real significance, noise standards that will protect our quieter soundscape, limits to exploration on sensitive lands where gas development infrastructure is inappropriate. It should be obvious to the state of Alaska that there is no such thing as a “temporary road” - gas development infrastructure, including roads and pipelines, will leave scars and could deflect the long-term evolution of this young community.

While we are on the subject of best interests, consider the recent revelation that taxing gas production at the wellhead is not a borough function. The borough could perhaps tax infrastructure such as pipelines. However, at this time the Denali Borough has few taxes and its financial viability rests solidly on the tourism industry.

### Frakking is a potentially damaging procedure not adequately addressed in the Final Finding

Hydraulic fracturing has disrupted aquifers and poisoned water wells in locations across the lower 48. Although the Final Finding provides some water quality mitigations, such as disclosure of fracturing compounds and deep injection of drilling wastes, it remains inadequate in its consideration of the potential impacts of gas development activities on local water wells. There are likely no local residents who would prefer reimbursement for damage to their water wells over avoidance of the problem in the first place. Why not simply remove populated areas from the field through adequate setbacks?



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# STATE OF ALASKA 2010 GENERAL ELECTION HAD FEW SURPRISES

## DENALI BOROUGH VOTERS ELECT NEW ASSEMBLY MEMBERS

by Julia Potter

The State of Alaska 2010 General Election results probably didn't surprise anyone. As in most of the United States, the Republican Party dominated the election. Here's a look at the Alaska 2010 General election and the Denali Borough Assembly results.

### Governor's race

Sean Parnell and Mead Treadwell, running on the Republican ticket, won the bid for Alaska Governor and Lieutenant Governor respectively, with 58.69% of the vote. Democrats Ethan Berkowitz and Diane Benson took 38.14% of the vote.

Sean Parnell was Governor Palin's Lieutenant Governor until her resignation in July 2009 when Parnell then became Governor. Prior to Parnell's election as Lt. Governor, he was elected to the Alaska House of Representatives in 1992, serving two terms, and in 1996, Parnell ran for and was elected to a seat in the Alaska State Senate. In the Alaska Senate, he was a member of the Energy Council and served on and then co-chaired the Senate finance committee. Parnell left the Alaska Senate to become director of government relations in Alaska for the oil company ConocoPhillips.

In 2005, Parnell joined the lobbying firm of Patton Boggs, where he advised clients on state and federal regulations in developing major oil and gas projects. Patton Boggs represented ExxonMobil in the Exxon Valdez oil spill litigation. Parnell left Patton Boggs less than two years later on December 3, 2006 to advise Governor Sarah Palin on issues related to commercializing Alaska North Slope gas.

Mead Treadwell is the CEO of the technology innovation firm Venture Ad Astra in Anchorage and a senior fellow at the Institute of the North, an Anchorage, AK think tank. He was Deputy Commissioner of the Department of Environmental Conservation under Governor Wally Hickel in the early 1990's.

It will be interesting to see how Parnell and Treadwell work together on environmental and conservation issues for the State of Alaska.

### Thomas to return to Senate; Guttenberg retains House seat

With ten Senate seats up for grabs, the votes were split evenly between Democrats and Republicans. Five of the ten were unchallenged by an opponent. In District D, representing Denali Borough, Joe Thomas was re-elected to the Alaska Senate over Pete Higgins. DCC is pleased to see Senator Thomas returning. Thomas has introduced, in the past, legislation to create the Stampede State Recreation Area, something DCC supports.

Of the 40 seats in the Alaska State House on the ballot, 24 were won by Republicans and 16 by Democrats. We are pleased to see Dave Guttenberg returning. The race between Guttenberg and Dave Talerico (Denali Borough's mayor) was fairly close. Guttenberg won the seat with 54.95%. Guttenberg is also a proponent of protecting state lands in the Stampede area.

Both Thomas and Guttenberg see energy as an important issue and support the Susitna Dam development project as an opportunity to diversify energy supply and believe that the state is in a good place financially to develop infrastructure as noted during the Candidate Forum held at the Tri-Valley School in Healy this October. At the forum, Thomas pointed out that if diverse energy developments are not pursued we will continue to see an increase in the cost of energy. As to the Healy Clean Coal Plant both agree there has been a large amount of money put into the project, and that it should move forward. Denali Citizens Council is hopeful that Thomas and/or Guttenberg will re-introduce legislation for the Stampede State Recreation Area in the coming legislative session. Energy is also one of DCC's concerns and we look forward to working with Senator Thomas and Representative Guttenberg on that issue.

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## STATE REJECTS REQUESTS FOR RECONSIDERATION OF HEALY GAS FINDING *continued from page 4*

### **Suggested remedies would have maintained the viability of the exploration field**

We at DCC never opposed completely the licensing for gas development. We sought to point out, however, that if the state of Alaska truly represented the best interests of local residents, it would move to address their concerns. Exclusion of sensitive lands in the Wolf Townships was doable, noise standards more consistent with the rural soundscape, and larger setbacks for subdivision areas, keeping in mind that this is a young community and not all areas open for settlement have been settled - all these were **doable, but rejected**. We can only conclude that the Finding is more protective of the bottom line of the operator than of the best interests of the community as a whole.

### **The split estate - it's all about mitigation and remediation, not prohibition**

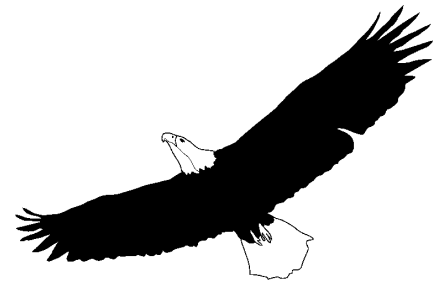
Although many local residents would like to "just say NO" to gas exploration and development infrastructure on their property, this is not a legal option, currently. As those who participated in the sad story of Ordinance 05-21G discovered, gas infrastructure **prohibition** is not the legal authority of an individual or a municipality. The state retains the subsurface and the right of access to it, no matter who owns the surface. This means that the operator with a license to explore has the authority to enter private and municipal property, no matter the classification, and is only required to obtain a bond and promise reclamation for the activities there. This split estate controversy has been a major point of contention in the lower 48, and may emerge as such in Alaska, too.

### **Administrative appeal is an option for those with ongoing concerns on the Finding**

We feel that, despite our intense work on and involvement in this process, the state of Alaska has been unnecessarily arbitrary and patronizing with both individuals and the municipal government of Healy. In addition, we feel the state has not met its burden to protect the best interests of local residents. We received notice of the Final Finding decision on November 9<sup>th</sup>, and are considering, along with other individuals, our options for appeal. Into the future, DCC continues its strong commitment to oversight of gas exploration throughout its ongoing phases, including Plans of Operation and agency permitting. To see a timeline of the gas exploration licensing process, see center insert of this newsletter. ☘



## 2010 ELECTION RESULTS *continued from page 5*



### **Denali Borough Assembly swears in new members; elects officers**

The two newly elected members, David Evans and Terry Asbury, as well as returning member John Winklmann, were sworn in at the November 10<sup>th</sup> meeting of the Denali Borough Assembly. David Evans is not a newcomer, having served previously on the assembly. He fills the seat previously held by Teresa Chepoda Usibelli. Evans has been an advocate for reasonable regulation of gas development, and was the initial moving force behind a resolution to propose legislation for the Stampede State Recreation Area during his previous term on the assembly. Terry Asbury, representing the north district (Seat H) of the borough, will replace Robert Mueller. Asbury won the seat with write-in votes and graciously accepted. It appears that Asbury will bring common sense to the table.

Following the swearing-in of new members, the assembly elected officers by secret ballot. Two tied votes for Robert Kohlsdorf and Cyrus Cooper, led to a coin toss with Kohlsdorf winning the position of Presiding Officer and Cooper as Deputy Presiding Officer.

Denali Citizens Council is pleased with the election results and looks forward to working with these new, and returning, members of the Denali Borough Assembly. ☘

## FROM THE BOARD *continued from page 2*

### 'We don't have exact numbers'

--**Mesa Verde:** From our It's-a-Small-World Department, at this magnificent site I happened into Charlie Loeb, a former colleague and now a fellow member of the DCC board.

--**Glen Canyon:** "Scenic vistas, geologic wonders, vast panorama of human history"—check.

--**Capitol Reef:** Hiking is amidst the aptly-dubbed "sheer canyon walls" and through what Wallace Stegner described as the "sudden, intensely green little valley among the cliffs." The campground itself truly is an "oasis within the desert." The 114-year-old one-room schoolhouse remembers mischievous students delaying the start of class by hiding their teacher's alarm clock in the woodpile, and the historic Gifford House bakes killer blackberry pies, one of which I delivered later that day to a former McKinley Villager who owns a home in Torrey, Utah.

--**Yellowstone:** Unforgettable was driving through the park in a lovely snowfall.

--**Zion:** Surely among the stars of Zion are its preservation-minded shuttle buses, which are free and show up every seven minutes at eight stops in the park and six in adjacent Springdale, Utah. The hike to Angels Landing (another apt naming), with its ascent of 1,488 feet, the dozens of posts and chains to which hikers/climbers must cling, and its twenty-one switchbacks of the famous Walter's Wiggles, is said to be "not for anyone fearful of heights or small children." (Who isn't fearful of small children?) Among the park website's least reassuring FAQs: "How many people have fallen off Angels Landing? A. We don't have exact numbers, possibly about five."

### 'Act mindfully on behalf of wild nature'

--**Grand Teton:** There I visited Michael Thornton, former IT chief in Denali, and his wife, Ginger Burley, retired ranger, and we hiked through breathtaking scenery. (One really can completely avoid the glitzy neighbor, Jackson Hole.) Mind-candy for a fan of cultural history were the restored Cunningham Cabin, a two-room dogtrot cabin; the rustic eighty-five-year-old Chapel of the Transfiguration; the homes and barns of Mormon Row, settled by homesteaders 130 years ago; and the nearly eighty-five-year-old 4 Lazy F Ranch (the name is believed to have rather colorful, or off-color, origins; apply your vivid imagination). But the star was the Murie Ranch, namesake of Denali's own Olaus, Mardy, Adolph, and Louise Murie. Those champions of conservation used this base for scientific research and preservation activities, and its mission remains to "inspire people to act mindfully on behalf of wild nature."

--**Bryce Canyon:** Except for Denali my favorite park (thus far), Bryce is touted as "in the strictest sense of the word, unique—nowhere is anything else even similar." Its innumerable, famous massive orange, pink, and lavender hoodoos seem, in the slanting light of sunrise and sunset, to be positively transparent—Nature's stained glass. Everyone should hike the wonderfully named Fairyland and Peek-a-Boo Loop trails. Still, the pioneering homesteader Ebenezer Bryce was famously non-plussed: it was, he griped, "a hell of a place to lose a cow."

Each of these astounding places, each an element of what surely is America's best idea, is, like Denali, worthy of our protection, and of all the attention paid to it in Ken Burns' wonderful documentary. If you happen to live near one of them, or have visited one of them, I'm guessing you agree. Fifty-eight of the National Park Service's 393 units—among them, preserves, monuments, historic sites, memorials, battlefields, cemeteries, and recreation areas—are national parks. From an "extra" on the third disc of "America's Best Idea"—the impressive "Musical Journeys through the National Parks"—I learned that thus far I've visited at least seventeen of those fifty-eight parks. There's no telling how many other NPS units I've enjoyed visiting—I'm a particular fan of NPS' historic sites—but I can't wait to visit those other forty-one parks—my third annual three-week solo walk-about can't come too soon. And it's not possible to visit any national park, including, certainly, our own Denali, without reflecting on that key point offered by "America's Best Idea"—ongoing, continuing efforts to protect and preserve are absolutely mandatory. Thank you for doing your part as a member of Denali Citizens Council. ☘

*Cass Ray*

# AIR QUALITY PERMIT FOR RESTART OF HEALY COAL PLANT #2 MAY BE HEADED BACK TO EPA

by Cass Ray

Whether the long-mothballed Healy Coal Plant #2 will restart, relying upon an air quality permit issued seventeen years ago, awaits GVEA's resubmitting that permit for renewal by the federal Environmental Protection Agency (EPA). Golden Valley Electric Association (GVEA) is "still working with the EPA," Brian Newton, GVEA president and chief executive officer, told DCC in early November, and that resubmitting could happen by the end of the year. After the permit is resubmitted to the EPA, that federal agency has forty-five days, Newton noted, to decide whether GVEA may restart the coal-fired power plant, which has sat idle for more than a decade. The plant is only a few miles from the Class I airshed enjoyed by Denali National Park and Preserve.

In August Alaska's Department of Environmental Conservation (DEC) signed off on the contention by GVEA that the proposed restart necessitates jumping no new "regulatory hurdles," Newton noted in an update on the proposal in the electric utility's November newsletter. In an August 20 letter to GVEA, the DEC noted GVEA had asked the DEC "to confirm GVEA's conclusion that the activities GVEA will conduct to bring [Healy Coal Plant #2] out of warm lay-up to fully operational condition will not trigger Prevention of Significant Deterioration (PSD) review," that is, that no new air quality permit is required. The DEC's letter concluded that "we concur" that GVEA's proposed actions bringing the plant online "do not constitute a major modification" and that "resuming operation of [the plant] does not trigger" the reactivation policy of the EPA. "Therefore," concluded the DEC's letter, "we agree with your conclusion that no PSD permit is required."

## **Plant's convoluted history is likened to braided rivers' 'meandering'**

The proposal then went to the federal EPA, which balked, requesting more time for consideration than was allowed by the statutory forty-five-day period. "With time running out," noted Newton's update, the DEC "wisely chose" to withdraw GVEA's application for renewal of the air quality permit. In that update, Newton likened the convoluted history of Healy Coal Plant #2, presently owned by the Alaska Industrial Development and Export Authority (AIDEA), pending GVEA's purchase of it, to one of Alaska's famed braided rivers. He cited a "long meandering path from concept to construction to testing to a long period of waiting."

DCC and other environmental groups throughout the state have insisted that the long-mothballed plant should undergo a major review of its pollution control technology, that GVEA should pursue new, updated permits, and that the plant should operate only under the strictest, most specific, up-to-date requirements of the federal Clean Air Act. In the more than ten years that the plant has been in warm shut-down, "regulatory changes have occurred, global climate change has become a significant issue facing Alaska and the world, and public concerns about this facility have multiplied," it has been noted by attorneys for the Sierra Club Environmental Law Program and Trustees for Alaska, a public interest environmental law firm in Anchorage. At a community forum at the Tri-Valley Community Center in Healy a year and a half ago, Newton likened energy plants to cars that are not required to meet "brand new" standards.

## **Coal burning's 'obvious negative contributions to air quality'**

GVEA has estimated twelve to eighteen months would be required to get the plant online, and as recently as last January had hoped to close on its purchase of the plant last summer and to have the plant up and running by the middle of next year. The purchase price is \$50 million, financed over thirty years at 5 percent interest, with AIDEA lending GVEA \$45 million, a 25-year note at 6.5 percent interest, to cover start-up and system integration costs. AIDEA gives GVEA until 2014 to get the plant running.

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## AIR QUALITY PERMIT FOR HEALY COAL PLANT #2 *continued from previous page*

Nearly a year ago DCC wrote to the DEC's operating permits supervisor, expressing disappointment that the state did not require a PSD review as part of the process of renewing the air quality permit for the long-mothballed plant. Recalling that DCC has monitored decisions regarding the plant for nearly twenty years, the letter noted DCC is "not in complete opposition to a new coal-fired power plant in Healy, despite its obvious negative contributions to air quality and carbon pollution world-wide." The letter noted that "until last year, GVEA indicated that it had no intention of running this plant and described it as unworkable." GVEA's own Narrative Statement of Facts noted, "During the engineers' testing of the technology, and as each major system was verified and brought on, it became clear to GVEA" that the new plant "had no chance of actual commercial operation using the experimental technology." In 1998 and 1999, GVEA asked AIDEA to declare the plant's technology "not commercially feasible." DCC's letter to the DEC added that "such [plant] closure is, to our way of thinking, an automatic PSD trigger."

Concluded the DCC's letter, "The advantages of coal burning from a jobs and energy cost standpoint must be balanced with its overall, and well-known, negative effects on air quality." DCC looks forward to continuing following this very important issue. ☞

# ALASKA REGIONAL HAZE STATE IMPLEMENTATION PLAN

## EPA REQUIRES STATE TO MONITOR EMISSIONS AFFECTING CLASS I AIRSHEDS

by Hannah Ragland

Representatives from Alaska's Department of Environmental Conservation held a workshop in Healy to discuss the Alaska Regional Haze State Implementation Plan (SIP) on November 3, 2010. Mandated by the Environmental Protection Agency's (EPA) 1977 Clean Air Act amendments, the plan reflects efforts to maintain visibility in key federal lands, National Parks and wilderness areas known as Class I Airsheds, including Denali National Park. The workshop provided information on how the state has and will "measure and monitor visibility, aerosols, and air pollution." The SIP identifies a variety of sources that affect regional haze at Denali, including natural (ranging from wildfires to sea salt) and anthropogenic (human-caused) sources. EPA requires the state to monitor major point sources of emissions affecting Class I Airsheds constructed in the fifteen years previous to 1977, and apply controls where necessary (Best Available Retrofit Technology, or BART) to maintain or achieve natural visibility standards. Golden Valley Electric Association's Healy Power Plant (Unit 1) is included in the BART determinations, and some retrofits will be required by the state by 2015. The state is also required to consider other sources that affect visibility in the region, applying controls when necessary. While permitted emissions from the Healy Clean Coal Project (HCCP, or Unit 2) are not included in the SIP's data, the plan does mention that activation of HCCP would increase emissions affecting regional haze and require additional review. The state is required to show progress towards 2064 goals and review the plan in increments, the first being in 2018. DCC intends to remain educated on the air quality plans affecting this region, and provide comments as needed. See DCC's website for more in-depth discussion of the state's Regional Haze plan and its implications. ☞



*Alaskan Native Knowledge Network*

# NPS MOUNTAINEERING SPECIAL USE FEES

## DENALI SEEKS PUBLIC INPUT AND IDEAS FOR MOUNTAINEERING PROGRAM

The material below was first published as part of a National Park Service press release. Given the significance of mountaineering in the history of Denali National Park, we urge our members to get involved in this public process.

Following the disastrous 1992 mountaineering season when 13 climbers lost their lives, the National Park Service was charged by Congress with developing a plan to pro-actively educate climbers on the unique hazards and challenges involved in climbing Mount McKinley and Mount Foraker. A three part strategy was adopted: (1) mandatory 60-day pre-registration (2) enhanced preventative search and rescue education (PSAR), and (3) a special use fee to partially recover the costs of the program.



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In 1995, the park began charging a mountaineering special use fee of \$150 for each climber attempting Mount Foraker or Mount McKinley. Fee revenue partially funds the park's ability to place and keep rescue personnel at the 7,200-foot Kahiltna Basecamp, the 14,200-foot Ranger Camp, and the 17,000-foot High Camp throughout the mountaineering season. Park mountain rescue staff cannot respond safely and effectively to SAR and medical emergencies at the elevations encountered on Mount McKinley without spending time at altitude to properly acclimatize. Fee revenue also enabled the park to implement the PSAR program, a human waste removal program and to monitor how and where climbers dispose of their trash. The human waste program and increased NPS presence on the mountain has substantially reduced the amount of solid human waste and trash on Mount McKinley.

The National Park Service (NPS) is examining approaches to recover more of the cost of the mountaineering program in Denali National Park and Preserve. Currently, each climber of Mt. McKinley and Mt. Foraker pays a cost recovery special mountaineering use fee of \$200. Despite an increase in the fee, the current fee revenue only covers 17% of the cost of this specialized program; the fee initially covered approximately 30% of the cost. Excluding costs of the high altitude helicopter portion of the program, operational expenses have gone up significantly, due mainly to inflation.

McKinley/Foraker climbers make up less than 1/2 of 1 percent of the 378,000 people who visited the park in 2010. Denali will expend approximately \$1,200 in direct support of each permitted climber in 2011. In contrast the average cost for all other visitors is expected to be about \$37. In recent years, the park has diverted funds from other critical park programs in order to fully fund the mountaineering program. This has negatively impacted funding available for programs such as interpretation, wildlife protection, resource management, and maintenance.

Through the public involvement process, the park is seeking input and ideas about two key questions: 1) Is the current mountaineering program the most cost effective, efficient and safe program they can devise?; and 2) How much of the cost should be recovered from users, and what options are there for how those costs can be distributed?

Comments from the public will be accepted between **November 1, 2010 and January 31, 2011**. Public comments may be submitted via email to: **DENA\_mountainfeecomments@nps.gov** or **faxed to (907) 683-9612**. Written comments may also be submitted by mail to: **Superintendent, Denali National Park and Preserve, P.O. Box 9, Denali Park, AK 99755**.

Public meetings to hear comments on the mountaineering and cost recovery program will take place in Talkeetna and Anchorage, Alaska in December and in Seattle and Denver early in January 2011. Dates and specific meeting locations will be announced in the near future.

For additional information on the mountaineering program or cost recovery special use fee visit the park website at [www.nps.gov/dena/](http://www.nps.gov/dena/) or visit Denali Citizens Council website at [www.denalicitizens.org](http://www.denalicitizens.org). ☞

# PARK ROAD PROJECTS CONTINUE

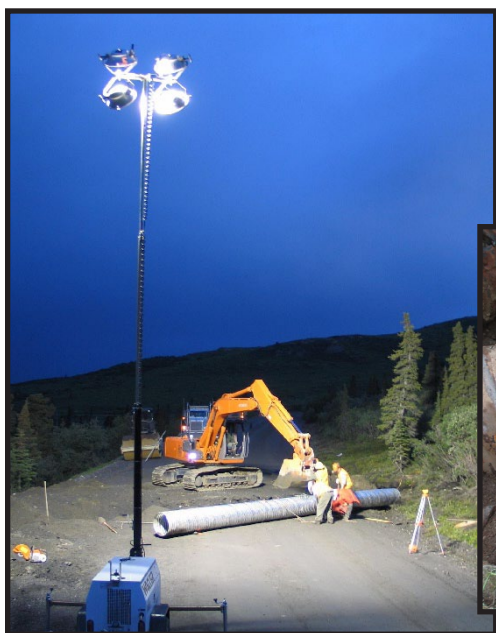
by Anne Beaulaurier

If you traveled to the Wonder Lake region of the park this summer, you likely noticed heavy equipment in pullouts, staged piles of material, survey stakes, and if you traveled at night, or camped in the nearby vicinity, construction crews working through the low-traffic night hours. All of this was part of what has come to be known as the 80-84 Mile Project, although the beginning of the improvements started near mile 73. (More information on this project can be found in the Jul-Aug 2009 edition of *DCC News*.) This summer, the contracted crew replaced the old culverts (some of which were 50 years old), and roughed in a majority of the planned intervisible pullouts. Due to uncooperative weather and material issues, the construction will go further into next summer than originally planned. West District Roads Supervisor Brad Ebel estimates the project will wrap up around the first week of August, 2011 when the surfacing is complete, pullouts are finished, and scarred areas have been rehabilitated.

Other projects on deck for 2011 include resurfacing the Kantishna air strip in the spring, and applying EK35, a dust suppressant approved for use in conjunction with aircraft. Calcium chloride treatments will be ongoing elsewhere along the park road, as well as culvert replacements, especially along the paved section of road in the first 15 miles. Significant work in the Porcupine Forest section of road (improving drainage and surfacing) is slated for summer 2012.

The Park's planning department is currently working on a Draft EIS to plan and implement management of vehicles on the park road. (Visit our website at [www.denalicitizens.org](http://www.denalicitizens.org) for background information.) The Vehicle Management Plan has the potential to dramatically change the way visitors are transported through the park, and will consider factors such as carrying capacity, the allocation of vehicle use among park tours, shuttle buses, inholders, professional photographers and administrators, as well as the schedule of vehicles, bus type, educational programming options, etc.

According to Denali Park Planner Miriam Valentine, a draft of the EIS should be released in early summer of 2011, immediately followed by a 60-day review and comment period. The park will hold meetings during that time, including one at the park entrance, which hopefully will be able to capture an audience of both locals and summer seasonal employees. Valentine stressed that this will be the **most critical** time to share comments, concerns, and ideas regarding the alternative proposals. Stay tuned to DCC's website ([www.denalicitizens.org](http://www.denalicitizens.org)) and member alerts for more information regarding this Draft EIS of the Vehicle Management Plan. ☞



Condition of old culvert shown below and contracted crew installing new culvert on the park road between miles 80-84, at left.

*Photos courtesy of NPS*



*Photo courtesy of Nancy Bale*

West District Roads Supervisor Brad Ebel estimates the road rehabilitation project will wrap up around the first week of August, 2011 when the surfacing is complete, pullouts are finished, and scarred areas have been rehabilitated.

# BOROUGH ORDINANCE TO TRACK WILDLAND RESOURCES POSTPONED INDEFINITELY

by Julia Potter

At the September 8, 2010 Denali Borough Assembly meeting, Assemblyperson Robert Kohlsdorf introduced an ordinance that would provide a method of tracking wildland resource use by non-residents. The intent of the ordinance was to identify management issues requiring mitigation in order to enhance safety, well-being and quality of life of the residents of Denali Borough. The ordinance would have required non-residents (those living 25 miles outside of Denali Borough) to obtain a harvest permit for plants and fungi, animals classified as big game, and animals classified as furbearers or small game.

At the October 13, 2010 Denali Borough Assembly meeting the ordinance was referred to the Denali Borough attorney, Jim Gorski, to determine the legality of requiring harvest permits.

During the November 10, 2010 assembly meeting, Gorski was present and spoke to the ordinance. According to Gorski, requiring the resource permit for non-residents of the Denali Borough violates the Alaska State Constitution's guarantees of equal rights. The Alaska Constitution, Article I, Section 1 states in pertinent part ". . . all persons are equal and entitled to equal rights, opportunity and protection under the law . . ." Article VIII, Section 2 of the Alaska Constitution states, "The legislature shall provide for utilization, development, and conservation of all natural resources belonging to the State, including lands and waters, for the maximum benefit of its people." Article VIII, Section 3 provides: "Wherever occurring in the natural state, fish, wildlife and waters are reserved to the people for common use." And lastly, Article VIII, Section 7 states, "Laws and regulations governing the use or disposal of natural resources shall apply equally to all persons similarly situated with reference to the subject matter and purpose to be served by the law or regulation." As Gorski noted in his October 26, 2010 letter to the borough assembly, "Taken together, these sections make it fairly clear that all people of Alaska share the natural resources, regardless of where the resources or people are located."

Given that the ordinance, as written, goes against Alaska state laws, it was moved to postpone indefinitely.

It is unknown if another draft of the ordinance will be written after the beginning of the year and also unclear if there is a way for the borough to monitor and collect data on natural wildland resources without stepping on the toes of the Alaska Department of Fish & Game, which by state law has jurisdiction over all fish and game in the state except in those areas where it has assented to federal control. Having the ability to monitor natural resources within the borough by the borough rather than rely on state or federal surveys, which are not always timely, could provide the borough with important data, not just for the reasons stated in the proposed ordinance. It could also assist the borough planning commission with land use classifications. ☞



*Alaskan Native Knowledge Network*

## **ARE YOU INTERESTED IN SERVING YOUR COMMUNITY?**

The Denali Borough is currently seeking borough residents to serve on the Assembly Advisory Committee. There is also a vacant seat on the Planning Commission for the West Central District (Healy). Contact the Denali Borough office at 907-683-1330 or [dave@denaliborough.com](mailto:dave@denaliborough.com) for more information.

# FRIENDS AND FAMILY JOIN IN A "CELEBRATION FOR SANDY"

TALKEETNA, SHELDON COMMUNITY ARTS HANGAR, SEPTEMBER 26, 2010

by Nancy Bale



Sandy Kogl, on a dogsled trip in the wilderness of Denali, between the villages of Telida and Nikolai.

Thank you to Diane Okonek for this photo.

Manager from 1975 to 1995. The kennels were a traditional fixture at Denali that had become somewhat neglected prior to her arrival. Before that, she had established and run, with husband Dennis, Denali Dog Tours, a commercial sled dog touring and freight hauling business. Ruth described Sandy's role in community service in Talkeetna, as one of the founders of the Bear Necessities Coalition, to foster human behavior that would keep both bears and humans safe. Her civic activities included membership on the DCC Board in its early years, 1975-77, and membership on the Mat-Su Parks and Recreation Advisory Board, 2006-2009. She authored two books, *Sled Dogs of Denali*, illustrated by Donna Gates, and *Ballad of the Wild Bear*, co-authored with Pat Chamberlain Calamar and illustrated by Libby Hatton. Through the years, Sandy logged hundreds of miles in the backcountry, on skis and behind a dogsled.

I was moved by the caring network of friends who supported Sandy and George during her illness. Their time with her led to the formation of Sandy's Circle, a group "dedicated to supporting caregivers in our community, and those in their care...Our desire to give back to others in need in our community grows out of gratitude for the reciprocal blessings, generosity, and grace that were part of Sandy's last years for all involved in her care. It is our intention to work in this way: a caregiver can contact anyone in the Circle and complete a brief written application. Once approved, a check or gift certificate will be provided for the service requested." Donations may be sent to Sandy's Circle, P.O.

Box 765, Talkeetna, Alaska 99676. For further information or ideas contact::  
2sandyscircle@gmail.com. ☞

On a bright fall afternoon in September, I traveled to Talkeetna to join in the celebration of Sandy Kogl's life. Sandy died of ALS on September 13, 2010 at the home she shared with husband George Wagner, in the company of family and friends. She had been a long time resident at the gateway to Denali, from 1966 to 1995. I'd met Sandy in 1971, when she guided me on a snowy trail to her hand-built home in the Yanert Valley, with her daughter in tow on a one-dog sled. An early highlight of our hike was a brilliant sundog sparkling over the Alaska Range. It was just one of those clear, sharp memories that survives through time.

The Celebration for Sandy confirmed how many folks shared profound memories involving her...in a variety of ways and locations. Fellow Denali employee Clare Curtis gave an accounting of their mutual adventures at Denali, daughter Renge' and son Leif spoke to her influence in their lives, brother Ron Holloway described his childhood with Sandy, and several local, Talkeetna-area folks celebrated her role in their personal and community lives. Guests were invited to record their own memories of Sandy, and a photo slide show displayed the many adventures of her life.

Sandy's friend Ruth Wood recently submitted a nomination of her to the 2011 Alaska Women's Hall of Fame. In it she detailed Sandy's contributions during her career with the National Park Service in Denali (1975-1995), elevating the role of women in the service and rejuvenating the sled dog kennels as Kennel



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## BRIEF NEWS & VIEWS

### MORE WEBSITE TIPS & TRICKS

by Charlie Loeb

In our last newsletter, we began introducing our readers to the resources and features of DCC's new website. Here are two more great features:

**RSS Feeds:** Ever notice that orange icon that appears on many webpages? This is a button you push to subscribe to an RSS feed. RSS stands for "Real Simple Syndication" and the feeds provide a mechanism by which you can construct your personalized "newspaper" with content coming from many sources. Users can set up a "newsreader" in Google, Yahoo, or other newsreader service and subscribe to content from DCC and other content generators. Then, instead of having to remember to go to each website to check for news, all of it shows up in a single panel within your newsreader. Using a newsreader and RSS feeds means that you won't ever miss critical news from DCC. Note that you can also subscribe to the "Denali in the Media" feed to insure that you are always on the cutting edge of Denali-related news.

**Calendar:** Wondering when and where the next Borough Assembly meeting is? When is the NPS comment deadline? DCC's website calendar feature will endeavor to keep you current. There are two parts to the calendar. First, the nearest dates will appear on the homepage under "Upcoming Events" – just look here for anything that is happening soon. Events that are further out you can check on the "Calendar" page following the link on the menu bar. This page will provide you a monthly calendar with all the upcoming events. The DCC Calendar is not intended to be a general community calendar, but specializes in public meetings and deadlines related to public lands and conservation issues in the greater Denali area. Have an item you feel should be listed on the Calendar? Just e-mail it to us at [mail@denalicitizens.org](mailto:mail@denalicitizens.org) or call 683-3396. ☞

### FRIENDS OF STAMPEDE

by Charlie Loeb

October and November witnessed the formation of the Friends of Stampede, a new organization dedicated to protecting and conserving the public lands in the Wolf Townships west of Healy. The inaugural meeting of the organization took place on October 30 at the Panguingue Creek Fire Hall. Discussions about the need and purpose for a Friends group revealed a shared belief that there were pressing issues which could be successfully addressed by a citizens group and identified two distinct strategies for the group to pursue.

Some attendees were very interested in advancing the idea of a designated Stampede State Recreation Area, which would bring with it both a management plan and staff. Not only could a Friends group demonstrate local commitment to the recreation area, but such a group could help shape the legislation. Other attendees favored direct action, noting opportunities to better communicate existing rules to users, organize garbage pickups, and work with DNR's Division of Mining, Land, and Water to facilitate better land management in the Stampede area.

In the end, it seemed that both directions are important, and the group is enthusiastically moving forward on both tasks. All those wishing more information or to add their name to the mailing list should call Hannah Ragland at 683-0333 or e-mail to [FriendsofStampede@gmail.com](mailto:FriendsofStampede@gmail.com). ☞



*Alaskan Native Knowledge Network*

## BRIEF NEWS & VIEWS

### GENERAL MOOSE HUNT IN MANAGEMENT AREA 20A

by Nan Eagleson

The harvest numbers for the 2010 general moose hunt in Unit 20A, on the eastern edge of Denali National Park, have not yet been compiled, but many people living in the area had the impression there were far more hunters than previous years, given the number of pick-up trucks and horse trailers parked along the Parks Highway between Mile 225 and 230. The Yanert area is a non-motorized hunting area and one of the few places where a hunter can hope for a quality, wilderness hunt. However, in the past years there have been more and more hunters and guides, both resident and non-resident, putting pressure on the area. One of the growing concerns is the number of Super Cubs (airplanes) seen flying in the area during the "non-motorized" hunt and observations of hunters with cell phones, possibly getting directions from the air. None of this is substantiated but a number of people have referred to it being done. The results from the 2010 "any bull" drawing permits hunt for the Yanert drainage have been compiled. Alaska Fish and Game issued 105 permits, 42 hunters reported hunting and 13 bulls were reported taken. That compares to 85 drawing permits issued in 2009 and 35 hunters reported hunting, taking a total of 8 bulls. There were only an additional 7 hunters in 2010 but it seemed like a lot more vehicles, horses and hunters than the previous year.

One of the unfortunate outcomes of this year's hunt was the loss of two Icelandic ponies, one of which is 31 years old and the first Icelandic pony brought to Alaska. Perhaps they are still out there, eating willow, pea vine and equisetum. Some people seem quick to suggest that wolves have probably gotten them but experienced locals are less likely to jump to this conclusion. It has been a mild fall and the snow has still not accumulated to a depth that might push the horses down to lower elevations. Whatever the case, the final outcome of the fall 2010 hunt has yet to play out. The irony is, as an increasingly urban population in Alaska and from the "Outside" seeks a wilderness hunting opportunity, the growing pressure results in the opposite.

The Middle Nenana Fish and Game Advisory Committee was to hold its first fall meeting in Anderson on November 22; however, due to road conditions, it was canceled. Among topics scheduled to be discussed were this year's hunt and other issues and ideas pertaining to wildlife in this area. Anyone interested in the health and management of our wildlife resources is invited to attend meetings of the committee. ☘

## DCC NEWS

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## **JOIN US**

Denali Citizens Council is a nonprofit 501(c)(3) organization. Our mission is to protect the natural integrity of Denali National Park and to promote a sustainable future for lands surrounding the Park. Please join by filling out this form and mailing it to the address below.

Your contribution is tax deductible

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