

DCC APPEAL OF HEALY BASIN GAS FINDING MOVES FORWARD IN THE LEGAL PROCESS

ORAL ARGUMENTS WILL BE HEARD SOMETIME THIS SPRING IN ANCHORAGE SUPERIOR COURT

by Charlie Loeb

On January 23, DCC responded to the State of Alaska's brief on our appeal of Department of Natural Resources's (DNR) Final Finding for Healy Basin Gas-Only Exploration License, which awarded Usibelli Coal Mine a license to explore for natural gas on 208,000 acres in the northern Denali Borough. The response brief refuted the arguments of the State of Alaska, which essentially asserted that the State has already determined that gas exploration generally is in its best interest, under whatever conditions it and it alone determines best, and that consideration of information provided by the public isn't a reviewable part of the finding process.

The State did not effectively answer DCC's basic legal argument, which is that DNR's finding must have a rational basis, and must be supported by the administrative record of the decision. During the best interest finding process, DNR ignored or brushed off without justification many of the concerns of DCC and its members regarding the size of the license area and the mitigations meant to protect landowners and the environment. DCC presented substantial evidence to support our assertions, and DNR's dismissive approach to these concerns is what motivated our appeal in the first place. We have also been dismayed that despite DNR staff assurances during the finding process that other interests in state land would be given consideration when weighing the benefits of gas development, there is no evidence of that either in the outcome of the finding or the State's legal arguments.

DCC's legal case supports our underlying position that industrial gas development would be inappropriate in portions of the Borough important for tourism, recreation, and habitat protection, and places where people live – for example in the Wolf Townships and around residential areas in Healy, Ferry, and Panguingue Creek. The State also violated

its public promise that it would impose in the finding the strongest mitigation measures possible to protect the area. Almost immediately after making this promise DNR started backtracking in the details, until in the final finding some of the most fundamental mitigations became little more than bare promises to impose conditions at some later date.

DCC does not oppose all gas development in the Borough, but we sincerely believe that there are more important State interests to be protected in portions of the license area. DNR's failure to provide a rational basis for its decision or to back up its conclusions in the administrative record demonstrates a glaring flaw in the best interest finding process. If DCC loses its appeal, DNR will have judicial permission to ignore public input on best interest finding decisions. We hope the Alaska Superior Court will see the obvious risk to the public interest in DNR's arguments.

The next step in the lawsuit is oral argument. We will alert members who keep in touch with us through our e-mail alerts, website, tweets, or Facebook page when the court appearance in Anchorage is scheduled. A show of community support will be important – please come listen in if you can!

You can read DCC's and the State's opening briefs, as well as our reply brief, by browsing through the Healy Basin Gas page on our website, www.denalicitizens.org, where you can also read articles and documents covering the full history of the project.

DCC continues to raise funds to support our legal effort. Our attorney is charging us a reduced rate for his services, but it still costs money to protect our rights. Please consider donating to the DCC Gas Legal Fund by clicking the Donate Now button on the DCC homepage, and putting "Gas Legal Fund" in the memo of the Paypal page. ☘

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FROM THE BOARD

Going into my first winter in Denali, with two summers in the area under my belt, I knew I was embarking on an entirely different sort of adventure. It's hard now to imagine the naiveté that marked my ideas of life in the Interior, but nevertheless, as so many have done before me and will in the future, with much help from more experienced neighbors and friends, I had the opportunity to embrace the harshness of the winters, the complications of daily life that come along with it, and to reap the rewards that being present for a January sunset offer. Nine winters into my residency, my love for this place, this community, this land, has taken a firm hold. Living here has offered me the opportunity to work in one of our country's finest National Parks, to be part of a small community, to develop my skills and be more self-sufficient, to be grateful each and every day to call this place home.

Occasionally, my passion for making a home here is tested, and most recently was the weeks on end of bitter cold temperatures. There may have been one single day in January above zero. There have been several colder than -40 F/C, and too many to count that have hovered somewhere between -20 and -40 F. If there's a time to question why a person would voluntarily live in such forbidding conditions, it's when attempting to drive a car, with square tires and screaming belts, and a heater that can't keep up with the frost inside the windows at -43 F. Needless to say, I've reluctantly had several of those experiences in the last month. During such instances, I've considered how pleasant the weather must be in California this time of year, how easy it would be to heat a home even in the winters of the Pacific Northwest in comparison to the challenges of the Interior.

There are a few things that I always come back to, however, those reasons I choose to live here in Denali, rather than other places, closer to family, and where life at times (like in January) seems, well, easier. Here we have the opportunity to be surrounded by wild beauty. We have extremes that awe us again and again. We have clean air, wildlife, space to breathe, and a backyard that is a world-class destination for visitors from across the globe. To know Denali is to know there is a wilderness where the schedule of man has little impact and instead the surge of a glacier or the hoot of an owl keeps the time.

And here on the edge of the park, we are a frontier land--a community in its development stage. Yes, this comes with growing pains, but like an adolescent looking toward the future, there is opportunity everywhere. As a young state, we have the luxury of hindsight, of seeing how other regions around the country have struggled or excelled through their growing pains, and we have the opportunity to use what they have learned to guide this region into the future. Understanding the impacts of resource extraction in places like Wyoming, Pennsylvania and North Dakota can encourage us to be proactive in steering the future of resource development in the Healy Basin. A failed past of misguided wildlife management programs, both inside Alaska and in the lower-48 can help to inform our decisions of wildlife management today.

It would be easy to be overwhelmed by the variety of challenges facing this region and issues that deserve close attention. Being overwhelmed doesn't help us get any closer to solutions, however. It takes a shift of perspective. This place has been a land of opportunity for many of us, and continues to be so. I hope you'll stand with me, with DCC in seizing the privileged opportunity to be involved in determining the future of this Great Land.

Anne Beaulaurier



Alaska Native Knowledge Network

FROM THE COMMUNITY ORGANIZER by Julia Potter



Alaska Native Knowledge Network

While laying out this edition of DCC News and reviewing the articles, I can't help but notice how our little corner of the world could be profoundly changed by energy projects designed to meet demands from elsewhere.

The residents of Ferry are frustrated by the lack of consideration shown for private property and local traffic use patterns by the Eva Creek Wind Farm contractor and GVEA personnel. The impacts are more than the residents expected. Were the residents of Ferry or other Denali Borough residents really informed by GVEA in regard to what building this wind farm would realistically entail?

What will our viewscape be if the Alaska Stand Alone Pipeline cuts through virgin land to bypass the park? What impacts will occur to private property if it follows the highway through McKinley Village? Will our little corner of the world reap any benefits from this project or just a changed landscape?

Personally, I am not thrilled to think that there is the possibility of the Susitna-Watana Hydro project being built. I don't want to see the Denali Highway paved for access to the dam site. What other impacts to Cantwell could be expected from this project?

Caring about what happens in our little corner of the world means letting the various project agencies or entities know that, "This is my backyard and I care about what happens in my backyard." Many of the problems in Ferry could have been avoided through open communication by all the parties. Writing to Federal Energy Regulatory Commission (FERC) resulted in a scoping meeting for the Susitna project being scheduled in Cantwell. I am also hopeful that the voices from our little corner of the world will be heard through comments made on the EIS for the pipeline.

At the end of the day communication matters, whether to avoid problems or to maximize a good outcome. ☘

THANK YOU

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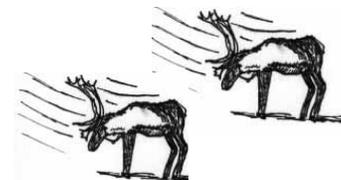
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EVA CREEK WIND PROJECT: GREEN ON THE OUTSIDE?

by Erica Watson and Barbara Brease

Since its inception more than a decade ago, the development of Eva Creek Wind Project has walked a thin line, putting Ferry on the map as the site of the first railbelt wind farm and the largest in Alaska, and projected to help Golden Valley Electric Association (GVEA) reach its goal of 20% renewable energy production by 2014. But for residents of Ferry, the construction of the wind farm has raised serious concerns about the future of their community, and should have us all thinking about what is lost in the pursuit of sustainable energy sources.

Construction at Eva Creek is on hold for the winter, and Ferry is quiet. Residents are wary, though, of what the summer will bring, when GVEA plans to construct twelve 320-foot-high wind turbines, a substation, an operations and maintenance building, two microwave communication towers (including one site west of the Parks Highway), and a meteorological tower. GVEA expects to have the project producing by September of this year. Ground has been cleared on private land leased by construction contractors for a man camp, which will house hundreds of workers at various stages of the project throughout the summer. “We all know what happens when that happens in a community,” one resident said, citing the impact of the influx of transient workers during construction of the power plant in Healy. “This camp is going to be full of people who have no vested interest in this area.”

Residents have already noted with frustration and concern the behavior of those who have no interest in or intimate knowledge of their home place during the early stages of wind farm construction last summer. “We knew there would be some disruptions,” said one resident, Kathy Lake, but hadn’t expected the degree to which their lives would be changed—“not even close” to what it’s been.

Kathy lives on the east side of the Nenana River, and said that workers often blocked the extension railroad bridge used to cross the river on foot or four-wheeler, never consulting with residents about local use and traffic patterns. Her neighbors reported GVEA vehicles, or others associated with the project, parked in private driveways, and/or blocking access to the main road or their own property. The increased use of local roads by construction vehicles has made them unusable in places, though there has been no discussion of the road maintenance this project will inevitably necessitate. “I don’t think Golden Valley has ever considered the local people,” one Ferry resident, Wayne Valcq, added. “There’s very few of us. We’re out of sight, out of mind.”

Complaints extend beyond matters of inconvenience to significant concerns about the safety and feasibility of the project. Last summer a backhoe was left hanging over the railroad tracks, causing a train to come to an emergency stop to avoid a collision. When Ferry residents mentioned the construction at Eva Creek to the chief engineer of the Alaska Railroad, Tom Brooks, he said he knew nothing about it, which highlights concerns about the lack of communication not only with residents affected by the project, but with other companies and agencies whose cooperation and input seem indispensable if Eva Creek Wind Project is to succeed.

GVEA projects that Eva Creek will save its ratepayers \$13.6 million over the next twenty years, and that it will help “kick the oil habit” without raising rates. “As a ratepayer, I have to hope it works...just the way they say it will,” said Ferry resident Terry Hinman. But based on observation and research on wind



REpower Cold Climate MM92 wind turbine being installed at a site in Riviere-au-Renard, Quebec, Canada. Twelve of these turbines will be installed at Eva Creek.

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EVA CREEK WIND *continued from previous page*

farms around the world, there are many reasons to be skeptical. The engineers working on the project were quick to admit that they are unfamiliar with the subarctic environment, and have never worked in a place as far north or as rural as this. Questions remain about the fuel costs in building and maintaining the towers and accompanying facilities. Ferry residents learned that wind turbines must be heated to 30°F, and wonder how the energy required to maintain the towers is calculated into GVEA's estimated annual displacement of "76,686,000 kilowatt-hours of oil." Studies of wind power in Europe, where there is extensive wind power development, have shown that the "manufacture [of wind power infrastructure], transport, and construction only increases the use of dirty energy" (www.aweo.org). Though GVEA says the utility hasn't recorded wind speeds higher than 60 mph, Kathy recalls having her four-wheeler flipped over by much higher winds, which would render turbines inoperational. The coldest of days, when demand for power is greatest, generally see no wind, but would require the most power to keep equipment heated.

In a recent piece in *Orion* magazine, British essayist Paul Kingsnorth details what he views as the tactical shift within the environmentalist movement away from local, personal connections to "small parts of the Earth," rooted in "an emotional reaction to the wild world," toward a philosophy that "is as much a victim of the contemporary cult of utility as every other aspect of our lives." Because of the ever-increasing demand for more and cleaner energy sources, landscapes have come to be valued not for their inherent worth but for their energy-making potential. "Build enough of the right kind of energy technologies, quickly enough, without producing greenhouse gases, to generate the power we 'need' without producing greenhouse gases, and there will be no need to ever turn the lights off; no need to ever slow down," he says about the prioritization of "sustainable" energy development. "This means vast conglomerations of human industry are going to appear in places where that energy is most abundant. Unfortunately, these places coincide with some of the world's wildest, most beautiful, and untouched landscapes."

"I'm not opposed to a wind farm per se," Terry said. "But in this location, with the road [maintenance], the ice [which forms on the road from overflow from a nearby spring], maintaining the turbines—if you add all these figures, what's it gonna take?"

Wayne agreed. "To take what they've done to the Ferry hills...they could easily have gone somewhere more feasible. It looks to the outside like they're doing something green," he said, but argues that at the ground level, it's anything but. The money invested in Eva Creek could have been made available to ratepayers to better insulate their homes, receive grants for energy-efficient appliances, put up solar panels, or even make the coal plant more efficient.

I recently described some of the challenges the Denali Borough faces in the name of renewable energy—gas exploration, loss of habitat and changing quality of life to wind development—to a friend in Colorado, and she responded with a glib, "Welcome to the rest of the world." It struck me as insensitive, but perhaps she made an important point: our surroundings have insulated us from the means that make our lifestyles possible. "Life as we know it is changing," Terry reflected.

For Ferry, those changes are more immediately visible. "We're spoiled," Wayne readily admitted, laughing.

I think many of us would similarly identify as spoiled, and being spoiled can give us important perspective on the costs of joining "the rest of the world"—or, as Terry put it, "living in this century." As the story of Eva Creek plays out, it asks us how much we're willing to change for the sake of what has become the norm. Are we willing to turn off the lights? ☞

Thanks to Kathy Lake, Terry Hinman and Wayne Valcq for sharing your knowledge and observations.

For more, please see: GVEA: <http://www.gvea.com/energy/evacreek>

*Eric Rosenbloom, "A Problem With Wind Power": <http://www.aweo.org/problemwithwind.html>
<http://www.orionmagazine.org/index.php/articles/article/6599>*

DENALI BOROUGH ASSEMBLY SUPPORTS NON-MOTORIZED HUNTING

by Anne Beaulaurier and Nancy Bale

In its first meeting of the New Year, the Denali Borough Assembly passed two resolutions regarding wildlife in Management Unit 20A. Their action illustrates its continued support for local sentiment toward proposals to be considered at the upcoming Board of Game meeting on Interior issues.

Proposal for motorized hunting in the Yanert is widely unpopular

The first resolution, passed for the second year in a row, supports the continuation of traditional non-motorized hunting in the Yanert Controlled Use Area (CUA) of Unit 20A. Proposal 213 in the Board of Game's 2011/2012 Booklet of Proposed Changes to Regulations, submitted by the Fairbanks Advisory Committee, aims to allow motorized access after September 30th in the Yanert CUA (see front page article in Nov-Dec 2011 DCC News). There is great local opposition to this proposal and we give credit to the Denali Borough for acknowledging the inappropriateness of changing the regulations for the CUA. In December, the Middle Nenana Fish and Game Advisory Council had already voted in opposition to Proposal 213.

The Borough Assembly also unanimously passed a resolution "requesting the Alaska Legislature review and repeal intensive management mandates directed at the Alaska Department of Fish and Game and centered upon moose in Unit 20A." This state mandate helps drive the push to open the Yanert CUA to motorized access, as opening up the area would presumably give the opportunity for the Department of Fish and Game to raise the quotas for antlerless moose hunting.

Intensive Management and Predator Control Proposals not popular with locals, either

Also in December, the Middle Nenana AC had opposed Proposals 227 and 229, which would declare Game Management Unit 20C, located immediately north of Denali National Park, an intensive management area, opening the door for predator control. The AC felt there was inadequate information to declare this area suitable for such activities. They also opposed Proposals 228 and 230-232, which would institute wolf predator control and liberalize methods of taking bears in 20C. At its most recent meeting, the Middle Nenana AC voted down the antlerless hunt in Unit 20A, which includes the Yanert Valley and areas north and east of Healy. The vote reflected the AC's opposition to Fish and Game policies to maximize hunting opportunities without adequately considering the social and environmental implications.

The Board of Game needs to hear from YOU on these Proposals

While these votes and resolutions are all important steps, ultimately the issue will be decided at the level of the Board of Game at its March 2-12 meeting in Fairbanks. Concerned citizens are urged to attend the meeting and give oral testimony opposing Proposal 213 and the bundle of 20C Proposals (227-232). In addition, your letters of opposition to these unwise proposals should be submitted to the Board of Game. Written comments by fax or mail would best be received in Juneau before February 17th. Even if later, you should submit comments before the meeting. Be sure to list the proposal numbers up front.

ATTN: Board of Game Comments
Alaska Department of Fish and Game
Boards Support Section
PO Box 115526
Juneau, AK 99811-5526
Fax: 907-465-6094

Check www.denalicitizens.org for updates or contact Nan Eagleson at surfbird@mtaonline.net ☞



Alaska Native Knowledge Network

ALASKA STAND ALONE PIPELINE DRAFT EIS OUT FOR REVIEW

COMMENTS DUE MARCH 5, 2012

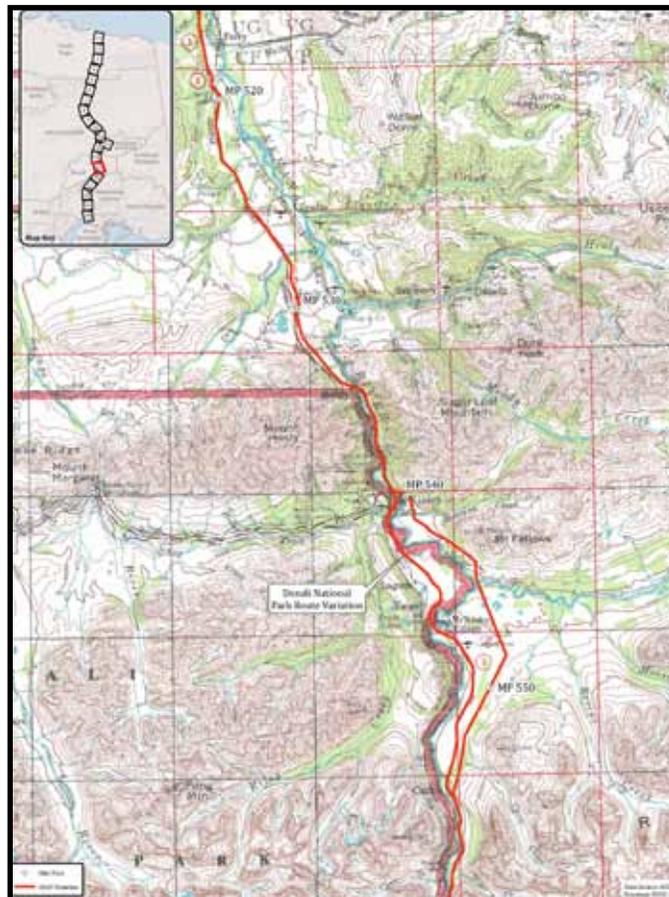
by Charlie Loeb

In 2010, the Alaska Legislature directed that the State prepare a plan for an in-state gas pipeline to bring North Slope natural gas to Southcentral Alaska. The Alaska Gasline Development Corporation was formed a few months later, and became the applicant for the project. The U.S. Army Corps of Engineers developed a Draft Environmental Impact Statement in coordination with 6 other state and federal agencies – including the National Park Service – to provide the basis for respective agency actions and permit evaluations.

The proposed project is a 24-inch diameter pipeline that would carry 500 million standard cubic feet per day of natural gas and natural gas liquids from the North Slope to Fairbanks, Anchorage, and the Cook Inlet Area by 2019. According to the Purpose and Need statement, the gas is to be used for electricity generation and home heating, replacing an anticipated shortfall of supply in Southcentral Alaska and providing cleaner fuels for Fairbanks, now reliant on oil and wood for heating. There would also be sufficient supply for speculative future industrial uses. This project is completely distinct from the larger Alaska Pipeline Project that would take gas from the North Slope to the Lower 48, and distinct from the new proposal in the legislature this session to build a pipeline to Valdez or Southcentral to supply a LNG (liquefied natural gas) facility to export gas to Asia.

The proposed project would pass through the Denali Borough, mostly along the Parks Highway, with a deviation to avoid Denali National Park by cutting away south of Nenana Canyon and staying on the east side of the Nenana River, crossing the Yanert River and rejoining the highway south of Carlo Creek. Considered in the EIS is a route variation that would go through the National Park instead, staying parallel to the highway corridor. In this version, the pipeline would be attached to the pedestrian/bicycle bridge between the park and the canyon for the first Nenana River crossing, and would pass under the river at Crabbie's Crossing. This variation would require Congressional authorization (for which a bill is pending).

A perusal of the various alternatives is interesting, although most are dismissed without further consideration. A Richardson Highway alternative was dismissed based on a 2009 State of Alaska report that found no advantages and many disadvantages to the routing. There was a 2008 analysis of a route following the Intertie behind Sugarloaf Mountain to avoid the national park, but the report found that route to be infeasible. Particularly interesting is the evaluation of alternatives to meeting the



Map depicting the two possible routes along the Parks Highway in Denali Borough for the pipeline at Denali National Park. The deviation to avoid the park cuts south of Nenana Canyon, staying on the east side of the Nenana River, crossing the Yanert River and rejoining the Parks Highway south of Carlo Creek.

Map by Cardno ENTRIX, Inc. from www.asapeis.com/DEIS_.aspx

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ASAP DRAFT EIS *continued from previous page*

energy needs described in the Purpose and Need – from other natural gas projects to conservation to hydro and more – and the subsequent dismissal of all of them as being insufficient or too speculative to replace the proposed project.

The accompanying environmental analysis is extensive. DCC will be studying the EIS carefully, with initial concerns about impacts on the National Park, the Yanert valley, Borough municipal land, and private landowners; safety and environmental hazards associated with the pipeline; and its implications for the development of potential Healy Basin gas, Susitna hydro, and other energy sources. We welcome ideas and opinions from all of our members to help inform our comments.

Submit your comments to:

U.S. Army Corps of Engineers CEPOA-RD-N
Alaska District, Regulatory Division
Attention: Mary Romero
Post Office Box 6898
JBER, AK 99506-0898

Send electronic comments, received by **March 5, 2012**, to: asapcomments@usace.army.mil or via the ASAP EIS website: www.asapeis.com

For Further Information: Contact Mary Romero by e-mail at mary.r.romero@usace.army.mil, or by telephone at 800-478-2712 (toll free within AK) or 907-261-7710. ☞

DCC HELPS TWO HEALY STUDENTS ATTEND CONSERVATION AND CIVICS SUMMIT IN JUNEAU

FOUR-AND-A-HALF DAY TRAINING IS SPONSORED BY ALASKA YOUTH FOR ENVIRONMENTAL ACTION

We are proud of two local youth who were recently accepted by the Conservation and Civics Summit in Juneau this March 19-23. The Summit, sponsored by Alaska Youth for Environmental Action, gives students the opportunity to experience the legislative process during the Alaska State Legislature session. The 20 students accepted into this program pay \$100 tuition each and must provide their own travel expenses. While in Juneau they stay at the local Youth Hostel. DCC recently sent a check for \$150 to each student to help defray expenses.

This year the students are Emily Brease and Jack Reeves, both Seniors at Tri-Valley School. Emily attended the Summit last year and described the experience as “awesome.” We are looking forward to hearing from these two after they return. ☞



Participants from the 2011 AYEA Conservation and Civics Summit in Juneau. *Photo courtesy of Emily Brease*



Emily Brease, shown here with Governor Parnell, attended the 2011 Conservation and Civics Summit. Emily is returning this year. See more about her experience last year in the Mar-Apr 2011 edition of *DCC News* on our website: www.denalicitizens.org

Photo courtesy of Emily Brease

ALASKA RAILROAD EXPANDS PLAN TO SPRAY HERBICIDES

PLANS NOW INCLUDE SECTIONS NEAR BROAD PASS AND CLEAR – COMMENTS DUE MARCH 12, 2012

by Nancy Bale

The Alaska Railroad Corporation originally applied to spray herbicides on their entire rail system (roughly 500 miles) in 2006, citing violation of federal inspections of vegetation on the track. However, the Alaska Department of Environmental Conservation (DEC) denied the permit based on inadequate protection for surface water.



AKRR track south of Broad Pass.

DCC photo

A history of incremental adoption

Since that time, the Alaska Railroad continued to pursue the use of herbicides, taking an incremental approach. The railroad's first salvo was to request a permit to spray an herbicide and surfactant (Aquamaster and Agridex) on its track (about 90 miles) between Seward and Indian in 2009. The application reduced the number of herbicides and increased the buffer zone around water, ostensibly to overcome the objections raised by DEC in 2006. Despite concerns expressed by groups and individuals, DEC granted this permit. Again, in 2010, the Alaska Railroad asked to apply herbicides in its yards in Healy and Fairbanks using the same combination of herbicides but reducing the buffer zones around water bodies to 25 feet. This permit was granted in 2011.

Latest permit application would spray near Clear and Broad Pass

Then, in late 2011, the Railroad fired its most recent salvo in the incremental adoption of pesticide use when it applied to use Agridex and Aquamaster on a total of 122 miles of track covering 243 acres. Of interest to Denali Borough residents is the application to apply herbicides between Clear and Fairbanks and between Gold King and Broad Pass. Expansion is also planned into the Wasilla area. To read more about the permits, visit the DEC permitting website at the following link - <http://dec.alaska.gov/eh/pest/publicnotice.htm>

The Alaska Railroad has not adequately defended the expansion of herbicide use

We at DCC are concerned about this effort to expand the use of herbicides. We urge our members who recreate in or live near the proposed areas to submit comments. Public hearings have already occurred (no hearings were held in the Denali Borough). However, public comment opportunities still exist. Send your concerns to:

Rebecca Colvin

555 Cordova Street, Anchorage AK 99501

Phone: 907-269-7802, Fax: 907-269-7600

Email: Rebecca.colvin@alaska.gov

Comment deadline: 4 PM March 12, 2012

Talking points

1. The buffer around water bodies is insufficient – DEC has specified a 100-foot buffer around water bodies in the past, and this should be the baseline requirement, especially considering the number of water bodies that the tracks cross in these new locations. Ultimately, we doubt that the railroad can avoid eventual contamination of water resources.
2. The permit application is vague regarding exact location of need – more detailed descriptions of troubled areas are needed for such a large expansion of herbicide use.
3. The mixture of herbicides, Aquamaster and Agridex is troubling – we're concerned regarding scientific studies that show health effects from glyphosate, the active ingredient of Aquamaster.
4. The application needs to show that alternatives exist to the use of herbicides. We argue that, given their long-term effects, herbicides may well NOT be a cost-effective answer to weed control along the railroad. ☹

HUNTING OR PREDATOR CONTROL IN ALASKA PRESERVES?

by Joel L. Hard

Joel L. Hard is Superintendent of Lake Clark National Park and Preserve, and former Director of Alaska's Division of Fish and Wildlife Protection. Reprinted by permission of the Wildlife Society and Joel Hard.

Disagreement festers between the National Park Service (NPS) and the State of Alaska as the state's controversial predator management programs—known as Intensive Management (IM)—are applied to national preserves. Though NPS opposes IM objectives in all park areas, the state has applied them in some preserves and has asserted that wildlife management, even in units of the National Park System, must meet state objectives.

Policies and procedures that diminish or compromise State management actions and objectives, as set forth by the [Board of Game] through its extensive legally mandated public process, must be viewed less favorably than those that clearly enhance our ability to manage the State's wildlife resources. (Letter from ADF&G to NPS, 2011)

Case in point: The Alaska Board of Game (BOG)—which is the public commission empowered to establish sport hunting regulations in Alaska—voted in March 2011 to extend wolf (*Canis lupus*) hunting and trapping seasons to June 30 from previous seasons ending in April and May in game management units (GMU) 9 (which includes three NPS preserves) and 10 on the Alaska Peninsula. The Alaska Department of Fish and Game (ADF&G) issued an emergency order (EO) on April 1, 2011 to implement the extended seasons immediately, without prior notice to the NPS, avoiding any delay to increased spring wolf harvests in 2011. To justify the EO, ADF&G tied the extended seasons to its need to reduce wolf predation on caribou in GMUs 9 and 10.

By imbedding predator reduction objectives in GMU-wide hunting and trapping regulations, the BOG broadly approved the reduction of wolves on three NPS preserves—Aniakchak, Katmai, and Lake Clark. These season extensions implement a state law (Alaska Statute, 16.02.255, 1994) that dictates efforts to increase moose (*Alces alces*) and caribou (*Rangifer tarandus*) populations by reducing wolves and bears (brown, *Ursus arctos*, and black, *Ursus americanus*) to meet greater hunter demands. The intensive management law strictly prevents the state from imposing hunting restrictions without first implementing efforts to restore prey populations. Under this state law, competition from predators must be reduced.



The Alaska Board of Game voted to extend the wolf (*Canis lupus*) hunting and trapping seasons to June 30 from previous seasons ending in April and May in game management unit 9, which includes three NPS preserves on the Alaska Peninsula.

Photo courtesy of Steve Thomas

These seasons authorize harvests when wolves are denning and raising offspring and their pelts have little, if any, trophy or economic value. The practice of hunting or trapping wolves into summer has long been prohibited. Consistent with sound management principles and conservation of wildlife, practices that disturb animals when they are in a vulnerable state—in their dens, when reproducing, injured, or very young—are usually avoided. The practical effect of these allowances is increased harvest efficiency and has potential to impact the natural abundance, behavior, distribution, and ecological integrity of both predators and ungulates.

This is a unique law, atypical of mandates from which other state wildlife agencies develop their management goals and activities. It establishes consumptive use of ungulates as a priority over other management objectives. Priority for consumption is inconsistent with NPS conservation and management mandates.

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HUNTING OR PREDATOR CONTROL IN ALASKA PRESERVES? *continued from previous page*

NPS Management Objectives

The fundamental purpose of the National Park System begins with a mandate to conserve park resources and values, holding them in trust for all people. This mandate applies on all park lands, at all times, and with all resources and values.

Congress looked at the past and forward to the future when it recognized Alaska's ecological integrity and protected outstanding areas on an extraordinary scale when it passed the Alaska National Interest Lands Conservation Act (ANILCA, P.L. 96-487, 1980) over 30 years ago. Hunting and trapping in national preserves was authorized in §1313, but the earlier requirement to conserve park resources and values in perpetuity remained intact. Preserves were to be managed as parks except that hunting and trapping were allowed, as long as these activities were consistent with the mandate to protect and conserve wildlife resources.

While the NPS adopts non-conflicting state laws and regulations (Title 36 Code of Federal Regulation § 13.40(d)), it is required to evaluate state hunting authorizations and balance them with the primary NPS management requirements established in the NPS Organic Act of 1916 (16 U.S.C.) and other subsequent Acts. Intensive management, the purpose of which is to manipulate wildlife populations to benefit hunters, has the potential to impact the fundamental values for natural integrity required by the Organic Act and ANILCA.

The service...shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations...by such means and measures as conform to the fundamental purpose of the said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations. (16 U.S.C. § 1)

It is the intent of Congress in this Act ... to provide for the maintenance of sound populations of, and habitat for, wildlife species of inestimable value to the citizens of Alaska and the Nation... to preserve in their natural state extensive unaltered arctic tundra, boreal forest, and coastal rainforest ecosystems, to protect the resources related to subsistence needs; to protect and preserve... related recreational opportunities including but not limited to... sport hunting, within large arctic and subarctic wildlands...; and to maintain opportunities for... undisturbed ecosystems. (ANILCA §101[b])

To further guide state and federal managers following establishment of Alaska's preserves, the 1982 Master Memorandum of Understanding between ADF&G and the NPS was developed. It describes a common understanding of NPS laws and policies that has been in place for almost 30 years:

To recognize that National Park areas were established, in part, to assure continuation of the natural process of biological succession and to maintain the environmental integrity of the natural features found in them.

To recognize for maintenance, rehabilitation, and enhancement purposes, that under extraordinary circumstances the manipulation of habitat or animal populations may be an important tool of fish and wildlife management to be used cooperatively on Service lands and waters in Alaska by the Service or the Department when judged by the Service, on a case by case basis, to be consistent with applicable law and Park Service policy.

NPS management policies direct managers to maintain the natural fluctuations and processes of plant and animal populations. Activities intended to reduce the number of native species for the purpose of increasing the numbers of harvested species are prohibited.

The Service does not engage in activities to reduce the numbers of native species for the purpose of increasing the numbers of harvested species (i.e., predator control), nor does the Service permit others to do so on lands managed by the National Park Service (2006 NPS Management Policies Section 4.4.3).

continued on next page

HUNTING OR PREDATOR CONTROL IN ALASKA PRESERVES? *continued from previous page*

Values Diverge

For decades, Alaska's fish and game laws and federal conservation acts were largely in agreement. Few conflicts resulted and subsistence and sport hunting have been consistently supported by the NPS as important heritage activities. Since state hunting and trapping regulations were mostly compatible with NPS mandates, NPS hunting and trapping regulations were generally not necessary and have been predominantly withheld. The IM law has eroded that history of cooperation and compatibility.

State and federal values for hunting, once aligned with long-established regulatory prohibitions, have moved apart as the BOG has implemented the IM law. To reduce predators, the BOG has approved hunting liberalizations unprecedented in preserves—such as taking wolves during summer denning (in Aniakchak, Katmai, and Lake Clark preserves), taking nursing black bear sows with cubs in dens with the aid of artificial light (Gates of the Arctic and Denali preserves).

These methods and means fail to promote the public values associated with predators. They undermine the fundamental purpose and values of national park lands, which must be managed to reflect the views and values of all Americans, not only the hunters of the state in which the NPS lands are located.

There are considerable consumptive pressures on the BOG to seek maximum sustainable yields and stabilize sometimes extreme natural population fluctuations of moose and caribou. It was prescient of Congress to create NPS units as necessary refugia from these very types of pressures. Congress thoughtfully obliged us to protect these lands and resources in their natural state for everyone, including those often forgotten in the heat of current demands and politics: people not yet born who might otherwise never know a naturally functioning system of wildlife and habitat.

Hunting is a very desirable use of wildlife in preserves, but it should not take priority over other uses of wildlife and the ecological and social values derived from them. Even subsistence harvest, whose import on NPS lands is clear through the letter and spirit of ANILCA, is secondary to the primary objective of conserving healthy wildlife populations (§815). Broad moose and caribou enhancement through widespread reduction of wolves and bears is inconsistent with the strong body of NPS legislation and subsequent policy that requires perpetuation of natural processes on NPS lands. I believe we should prevent any approach or activity that threatens sustainability of these processes.



Hunting is a very desirable use of wildlife in preserves, but it should not take priority over other uses of wildlife and the ecological and social values derived from them.

Photo courtesy of Steve Thomas

As it is currently being implemented, intensive management has created a conflict of differing legal mandates on Alaska national preserves. The NPS has tried to advance the dialogue for a solution (Gasaway et al. 1992) that preserves the state's important role in wildlife management in NPS areas, while assuring the NPS remains compliant with federal laws. The NPS has repeatedly asked the state to exclude park lands from intensive management, but in specific cases, managers have been forced to establish temporary compendia restrictions to address egregious conflicts. State leadership and proponents of the intensive management law remain firm in their position that the NPS lacks justification to restrict state hunting and trapping regulations. They maintain that if predator populations are sustainable, no harm to resources or values results from IM.

The NPS prefers a cooperative approach to minimize disagreement, reduce controversy, and allow both agencies to devote critical time, money, and resources to other conservation issues. But until the State recognizes that manipulation of wildlife for the benefit of hunters is an inappropriate purpose for wildlife inhabiting NPS areas, the agencies will be occupied with disagreement, and NPS restrictions, closures, or prohibitions will likely continue. ☞

SUSITNA-WATANA: NEW PROPOSAL FOR 700-FT.-HIGH DAM IS UNDER STUDY

DCC ADVOCATES PUBLIC MEETINGS IN CANTWELL, GIVEN THE PROJECT'S POTENTIAL IMPACTS TO THAT REGION

by Nancy Bale

A proposal to build a dam on the upper Susitna River has re-surfaced and obtained initial funding from the Alaska State Legislature. Susitna-Watana Hydro was chosen last year over another large hydro project, Chakachamna, as an element of long-term railbelt energy-generation strategy.

Although it varies from the Susitna Dam proposal forwarded in the 1980s, the Susitna-Watana Hydro project remains huge. It involves a 700-ft.-high dam at Susitna River Mile 184, generating approximately 600 MW at full output and creating a 39-mile-long reservoir. Access to the dam would be from the Denali Highway about 21 miles east of Cantwell. Such access would require that the Denali Highway be upgraded from Cantwell to that point and the building of a new road 40 miles to the dam site. Another access route, for power transmission, would run west from the dam site to the Gold King area of the Alaska Railroad, where it would connect with the existing Fairbanks-Anchorage Intertie.

Citizens who live downstream from the Susitna-Watana Hydro project, in Talkeetna, are widely opposed to it on several grounds, including its potential to harm the Susitna River ecosystem, its impacts upon thousands of acres of now-pristine lands, and other unknowns around feasibility and cost of this large project. Theirs and others' concerns are represented by the Coalition for Susitna Dam Alternatives, located at <http://susitnadamalternatives.org/> on the web. A representative from the Coalition recently attended a DCC Board meeting and informed us of initial meetings and activities on this project.

Don't miss public scoping meeting at Cantwell Community Center, March 29, 6-8 PM

We at DCC are casting a watchful eye toward this project and have joined others in becoming an intervener during the initial permitting process with the Federal Energy Regulatory Commission (FERC). Intervener status means that we will be notified about and have the opportunity to participate in all public process regarding this permitting phase. The FERC will conduct initial public scoping meetings in March. Because DCC believes it critical that Denali Borough be involved in Susitna-Watana planning, we and others pushed to add a meeting in Cantwell to the schedule. FERC granted this request, and the meeting will be held March 29, 6-8pm, at the Cantwell Community Center. Check our website and alerts for more information on this meeting. We feel strongly that Cantwell should be involved in these talks, because that community and surrounding lands will be impacted by this project in a number of ways, both by construction activities and by increased access to and through the Denali Highway conferred by this project. Many of the lands to be utilized by the project are owned by Ahtna Corporation, whose position on this project is unclear at this time.

For more information on the project itself and maps of the affected country, the Alaska Energy Authority has constructed a website, <http://susitna-watanahydro.org>. The entire process of research and permitting is expected to take up to five years. Although the Susitna-Watana Dam is touted by many as the renewable solution to railbelt energy needs, it remains to be shown whether this project can be safe, affordable and environmentally sound. We urge our members to do their own research at the above websites, attend public meetings and stay involved. We'll keep you posted. ☞



Map of Susitna-Watana with access route from Cantwell.

BRIEF NEWS & VIEWS

DENALI BOROUGH ASSEMBLY SHOWS SUPPORT FOR STAMPEDE STATE RECREATION AREA

by Jared Zimmerman

The Denali Borough Assembly passed a resolution in support of the Stampede State Recreation Area at its January meeting in Healy. This action is similar to past years', in that it recognizes the area's value for recreation and wildlife habitat, as well as the need for structured management of the area.

DCC supports SRA designation of the lands for many of these same reasons, and we believe that Alaska State Parks will best manage the land to protect the area's ecology, as well as Alaskans' access to recreation opportunities in the Wolf Townships. SRA designation will help ensure that the area's wildland value will determine how it is managed into the future.

The Alaska State Legislature is currently considering two bills to designate lands in the Wolf Townships as a state recreation area: House Bill 113 and Senate Bill 60. The land being considered stretches west from the Panguingue Creek Subdivision along the Stampede road, and would be bordered on the south, west and north by Denali National Park. The land is important habitat for the greater Denali Ecosystem, including prime winter habitat of the Denali Caribou Herd.

The House Resources Committee heard testimony on HB 113 last spring but did not pass it on to the Finance Committee. The Bill will need to pass both committees in the House and Senate before coming to a full vote. No hearings on the SRA have been scheduled for this session, but stay tuned to DCC via the website and on Facebook as we track the bill and if you would like to know how best to show support for the SRA. ☞

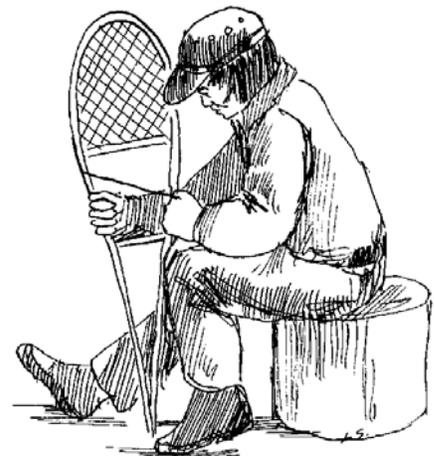
MASTER INTERPRETIVE PLAN UNDERWAY FOR PARKS HIGHWAY NATIONAL SCENIC BYWAY

The Alaska Department of Natural Resources, Division of Parks and Outdoor Recreation has begun the process of creating a master interpretive plan for the Parks Highway Scenic Byway. The master interpretive plan will establish a separate set of goals and objectives specific to interpretation that complement and support the Parks Highway Scenic Byway Corridor Partnership Plan. The Parks Highway Scenic Byway stretches from the Chulitna River Bridge, at Mile 132, to Fairbanks, at Mile 362. In 2009 it was designated a national scenic byway.

Public meetings were held in several communities along the byway in spring of 2011 to gather information from community members on the intrinsic qualities along the highway.

The purpose of interpreting the nation's scenic byways is to create a distinctive collection of American roads, their stories and treasured places. The goal is the establishment and maintenance of interpretive sites and services along the highway.

If you are interested in participating in this process please contact Emily Lochart, Division of Parks and Outdoor Recreation, at 907-269-8724 or via email: emily.lochart@alaska.gov.



Alaska Native Knowledge Network

More information on the scenic byway program and the Parks Highway Scenic Byway Corridor Partnership Plan is available on the Department of Transportation and Public Facilities website: <http://www.dot.state.ak.us>. Click on highways. You may also contact DCC's community organizer for information on the byway via email at: julia@denalicitizens.org. ☞

BRIEF NEWS & VIEWS

STAMPEDE IS LUCKY TO HAVE MANY FRIENDS

by Hannah Ragland

Friends of Stampede met on January 29th to review the State of Stampede (i.e. what we've got going) and discuss our vision for 2012. Over the last year we've kept conversations rolling about important events and matters affecting the Stampede corridor. We have seen positive changes, most visibly with the garbage clean-ups. We are also reminded that change is always possible as local and state land use developments pop up. Stampede is lucky to have Friends who stand up to shape those changes by staying involved!

In the year 2011...

- We focused on the proposed Stampede State Recreation Area for the first part of the year. Our efforts paid off with a hearing in the House Resource Committee in April, although the bill has stalled there until questions about management and concerns raised by mining interests are addressed.
- Email alerts and meetings kept Friends informed of state and local land use planning and permits. The Denali Borough Planning Commission has been plodding through the Borough's ordinances on Land Classification, which will be used to classify land the Borough recently received from the state between the Parks Highway and Panguingue Creek Subdivision. A permit application for trail work along the Stampede Road/Trail in the spring stirred up a number of comments from Friends. Currently, a proposed climate-monitoring site has generated a number of comments from individuals, and has raised questions about the potential impacts of electrical extension west into the Stampede (Wolf) Townships.
- We squeezed in three garbage clean-ups when there was no snow on the ground, and formally "adopted" Stampede Road (through the state's "Adopt-a-Highway" program) in the fall of 2011. Several truckloads of garbage were removed at the clean-ups, with break-up and post-hunting season boasting the most garbage by far!

This year Friends of Stampede plan to continue with our support for the Stampede SRA, and will continue to alert members of state and local planning and permits. We've got a few fun events in store for 2012 (if picking up garbage isn't enough fun for folks!) and hope to provide more opportunities to get together and enjoy the area we are working to protect! For full details of our work in 2011, including updates on the climate monitoring station and more from our January meeting, visit our website at <http://stampedefriends.wordpress.com/>. To join our community of Friends, email friendsofstampede@gmail.com. ☘

DCC NEWS

Join Denali Citizens Council and receive a subscription to *DCC News* published six times a year. A form is provided on the back of this newsletter. Or join on the web: www.denalicitizens.org

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A special "Thank You" to Steve Thomas for submitting some of his beautiful photos for use by DCC. Look for more of his photos in future editions of *DCC News*.

DCC News

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or call us at 907-683-3396 and let us know your new address.

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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