Comments on Proposed Changes to ANILCA Cabin Management

My understanding of the original intent of the ANILCA cabins was to *phase them out* in wilderness areas after the one transfer to a family member. That provision was made to allow at least one more generation of users to benefit, with the understanding that the cabin would disappear once the last permittee either passed away or relinquished the cabin. The basis for the intent was to allow the wilderness areas to “re-wild” over time once the cabin was gone, and is consistent with wilderness management in other places on the Tongass and in the Lower 48.

This policy change makes it sound as if the permittees will lose their chance to practice customary and traditional uses. That is untrue. There are no restrictions on those uses. The wording regarding “reissuance of special use permits for ANILCA cabins for traditional and customary uses so long as there is no direct threat to or significant impact to the National Forests” is an “end-around” to ANILCA’s intent for managing these cabins consistent with the 1964 Wilderness Act. It’s also unclear who determined these cabins are not a direct threat or significant impact? Was there some kind of analysis? The website didn’t identify any supporting analysis. A single helicopter flight in wilderness requires regional approval, yet this policy will allow dozens of ANILCA cabins in wilderness to remain in place for what could be perpetuity.

Undoubtedly, there are many families and friends who enjoy the use of the cabins and they are very special to those folks. There have been many arguments for allowing additional transfers, and those arguments can be found in the website Reading Room for this proposed policy. One of the arguments is safety. While a cabin can offer a safe haven in an emergency, it’s highly unlikely people in that situation would know where these cabins are and be able to take advantage of them. I have been to many of them and they are well-hidden. More than likely, the Forest Service recreation cabins shown on public maps would be a good option. In addition, there are cabins on private inholdings, and Forest Service permitted tent platforms, that while admittedly not easy to find, provide additional emergency locations.

 Another argument is that it doesn’t make sense for a permittee to continue to maintain the cabin if the permit is going to expire. If the permittee feels that is the case, s/he has to weigh the tradeoff about doing the maintenance or allow the permit to lapse. All of us make decisions regularly about whether to maintain our house, car, boat, or whatever. This would be no different.

These are all worthy comments; however, they ignore the intent of ANILCA. This may sound harsh but each permittee signed the permit knowing the permit was not to continue past the one transfer.

For those that have these permits, they have been fortunate to enjoy the cabins for over four decades since the passage of ANILCA, and will likely enjoy them for several more decades until the last permittee is gone. Those families have enjoyed a wonderful opportunity to fish, hunt, pick berries, or recreate at those locations. Nothing will preclude them from doing so after the permit terminates; they’ll just have to do it like the rest of the public—using tents and tarps. In addition, there are Forest Service recreation cabins where similar opportunities exist.

I understand these aren’t popular decisions because the government is making decisions that affect real people who have special memories of these places. The Forest Service previously accommodated the permit holders by extending the cabin permits by allowing the “one transfer” to grandchildren who were not legal adults—something I don’t believe the Forest Service does for other permits. I don’t think it’s reasonable for the goalposts to keep moving.

The larger question is it’s not clear what kind of public notice the general public and other organizations received. I just found out about this policy two days before the comment period closed. The Forest Service website does not even include the “1987 Dear Alaskan Letter (2709.11-2006-3, Ch 40 “Exhibit 2)” this policy is proposed to replace, the November 19, 1984 ALUC recommendations, or the existing permit clause this covers, making it difficult to provide informed comments.

# The Forest Service sent out a news release on January 9, 2024 but nobody I know was aware of this policy, including private landowners with property in the same bay as the ANILCA cabins. I wonder how many more comments might be received from the general public if they were aware that the cabin permittees signed their permits knowing the conditions regarding their tenure, and **the permittees still have the opportunity for traditional and customary uses.**

The Forest Service can do a much better job of spreading the word about a highly controversial topic that has **long-term** implications for the Region. At the very least, another 60-day comment period should occur—with much better outreach (newspapers, radio, social media, etc.) so a broader array of public comment can be obtained. The additional time certainly won’t harm the permittees. If there ever was a project that didn’t need to rush, this is the one.

Thank you,

Ken Post