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Organization:

Title:

Comments: February 22, 2024

Subj: Comments on proposed changes to ANILCA Cabin regulations

To: USFS, Attn: Janelle Crocker, Acting Regional Forester

From: Roman J Motyka, ANILCA Cabin permit holder

CC: Jason Anderson, Jennifer Berger, James King, Barbara Miranda

Greetings,

Thank you for this opportunity to comment on the proposed changes to the regulations governing the reissuance of so-called ANILCA Cabin permits.

For the record, I am the permit holder for a 223 Agriculture Residence located in Greentop Harbor on the south end of Yakobi Island. I have held the permit since March, 1985 after purchasing the cabin and shed from Joe Scott, the previous permit holder. The original permit was issued to Joe Scott in April, 1951. The cabin, shed, other structures on the property have been in existence for over 73 years. Although the permit is in my name (a restriction at the time that only one person could be listed), the cabins and site are shared with Sam Skaggs. Under a separate agreement, Mr. Skaggs shares costs and upkeep of the site and the site has been an integral part of his children's upbringing.

Much to my surprise, the documents you sent me regarding the potential changes of regulations for so-called "ANILCA Cabins", apply only to "Isolated Cabins and Pre-ANILCA Cabins with use codes 121 and 374", but not Ag Residences coded 223, such as mine. I am puzzled as why my permit should not be included. Our cabin certainly would qualify as a "Pre-ANILCA Cabin". It appears that Code 123 cabins, termed "Recreation Residence", may also qualify as a pre-ANILCA Cabin but that is not entirely clear. If so, I wish to note that over the past few years, we have persistently requested Hoonah District USFS staff to change our permit to a "Recreational Residence", but no action was ever taken.

Some history: Use of Greentop Harbor by indigenous people was likely mainly as a protected harbor during travels on the outer coast. No major salmon streams exist in the harbor. On the north end of the island, petroglyphs and other archeological evidence near Surge Lake document Tlingit use of that area in prehistoric times, and which continues to the present.

Greentop Harbor itself has a long history as a mecca for salmon trollers, kayakers, and boaters. A fishing village sprung up in the protected harbor during the post WWII era, the remnants of which are still visible in the inner harbor. During this period, Joe Scott and others applied for and were granted permits for residences in the harbor. The troll fishery off Greentop Harbor subsequently crashed and the most of the village was abandoned in the late 1950's except for Joe's site and at least two others: The Hills brothers cabin site and the Wright cabin. The latter now serves as a USFS recreational use cabin, while the former is in a state of limbo after the last permit holders passed away. The history of Greentop harbor has been well documented by Jerry Dzugen (Sitka, AK), and I believe a copy is on file with the USFS Sitka District.

Given that I am a current permit holder, my opinion is heavily biased towards including 223 permits in the proposed changes in regulations, i.e., allowing multiple reissuances of an ANILCA Cabin permit. Joe Scott used the site for fishing, hunting, gardening, and maintaining a subsistence life style. In fact, Joe was quite famous for his Greentop gardens! We have continued to maintain the site, using it as a base for our subsistence and commercial fishing, hunting, gathering, gardening, and kayak adventures, primarily on seasonal basis during late spring to early fall. In our decades of using our Greentop haven, we believe we have been responsible stewards of the property and nearby forest service lands. We mainly utilize the cabin as a summer refuge. Our use certainly qualifies as being used for "... traditional and customary purposes .... (with) no direct threat to or significant impact to National Forests" (a condition stated in your letter to me).

May I suggest, as a solution, that our "Pre-ANILCA" 223 ag permit be changed to be included in the new use code, and classified as an "existing Alaska Traditional & Customary Use Cabin". Given the three-quarter of a century of use and occupancy, our site should certainly qualify.

Over the years, visitors, including kayakers, boaters, and hikers using the USFS cabin, have stopped by to say hi and meet us. None to my knowledge objected to the presence of our cabin or the others in the harbor. Given the long history of occupancy in Greentop Harbor, the site may actually qualify as a Historic site.

In conclusion, I would certainly value being able to pass on my Greentop permit to one of my heirs and / or to Sam Skaggs and his heirs. However, if the ruling is negative, then I am fine with the site returning to "wilderness".

Sincerely,

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