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First name: Greg

Last name: Warren

Organization:

Title:

Comments: In 1980, Congress passed the Alaska National Interest Lands Conservation Act (ANILCA) to preserve and protect nationally significant public land in Alaska for present and future generations. By that time, unauthorized cabins had been constructed on federal lands, inside and outside areas ANILCA subsequently designated as Wilderness.

Directed by ANILCA, in 1987 the U.S Forest Service created a program that issued special-use permits for these unauthorized cabins. These permits were renewable every five years and nontransferable, terminating upon the death of the last immediate family member of the original claimant. The intent was to phase out these cabins, nowhere more important than in Wilderness, which is managed to protect the wilderness resource.

ANILCA states, "(1) The construction of new cabins is prohibited except as may be authorized pursuant to a nontransferable, five-year special use permit issued by the Secretary. Such special use permit shall only be issued upon a determination that the proposed use, construction, and maintenance of a cabin is compatible with the purposes for which the unit or area was established and that the use of the cabin is either directly related to the administration of the unit or area or is necessary to provide for a continuation of an ongoing activity or use otherwise allowed within the unit or area where the permit applicant has no reasonable alternative site for constructing a cabin. No special use permit shall be issued to authorize the construction of a cabin for private recreational use... (2) Traditional and customary uses of existing cabins and related structures on Federal lands within a unit or area may be allowed to continue in accordance with a nontransferable, renewable five-year special use permit issued by the Secretary. Such special use permit shall be issued only upon a determination that the traditional and customary uses are compatible with the purposes for which the unit or area was established. No special use permits shall be issued to authorize the use of an existing cabin constructed for private recreational use."

ANILCA further describes that, "Previously existing public use cabins within wilderness designated by this Act, may be permitted to continue and may be maintained or replaced subject to such restrictions as the Secretary deems necessary to preserve the wilderness character of the area... Within wilderness areas designated by this Act the Secretary or the Secretary of Agriculture as appropriate, is authorized to construct and maintain a limited number of new public use cabins and shelters if such cabins and shelters are necessary for the protection of the public health and safety. All such cabins or shelters shall be constructed of materials which blend and are compatible with the immediate and surrounding wilderness landscape. The Secretary or the Secretary of Agriculture, as appropriate, shall notify the House Committee on Interior and Insular Affairs and the Senate Committee on Energy and Natural Resources of his intention to remove an existing or construct a new public use cabin or shelter."

The proposed policy should have been associated with an Environmental Assessment or Environmental Impact Statement. I believe that a robust NEPA analysis of proposed policy would demonstrate that cabins are not compatible with the purposes of wilderness, nor needed for the protection of public health and safety in designated wilderness.

Cabins don't belong in designated Wilderness. The U.S. Forest Service should leave its policy unchanged and phase out ANILCA cabins, as was the original intent. Chapter 40 - Exhibit 2 (2709.11-2006-3) should not be rescinded. These cabins were never meant to persist in Wilderness, and to change this policy would be inconsistent ANILCA and the Wilderness Act.