

provision that individual concessioner cash needs be taken into account in the fee process, that 5-year averages be used to lessen the weight of abnormal years, and that fixed fee percentages cannot be applied across the board to all concessioners.

While experience has shown that the 50 percent policy has been more of a problem with larger concessioners, it still can result in the application of less than probable value franchise fees for smaller concessioners. In other words, the arbitrary 50 percent policy does not meet statutory requirements for any size of concessioner. Moreover, the suggested safeguards presently exist in the current franchise fee determination system. It should also be noted that in order to secure additional safeguards for the smallest concessioners, concessioners under \$100,000 in annual gross receipts pay only 2 percent of gross receipts, and this policy would be unaffected by this change.

One commenter strongly supported the NPS proposal.

In consideration of the foregoing, the 50 percent policy is eliminated.

2. Rate Approval System

With regard to the proposal to amend existing guidelines to make clear that allowing an interim rate schedule is discretionary, 2 commenters expressed concern that tour operators and individual travelers are asking for rates and booking travel well over a year in advance, and the current rate approval system places NPS concessioners at a disadvantage in addressing these advance requests. Current procedures regarding the honoring of rates, contained in Chapter 29 of NPS-48 allow concessioners to accept deposits for individual reservations without securing the rates for the facility or service reserved if the confirmation notice states in bold print that "Rates are subject to change without notice and are not guaranteed." NPS believes that this concept can be applied to increase rates as a result of increased costs.

One commenter objected to the change of the word "should" to "may". NPS regards this change in wording as a matter of clarification rather than a change in policy. The previous wording was not considered by NPS to limit discretion in the approval of interim rate schedules. The word change does not preclude a rate increase. If NPS determines that an interim rate schedule is justified, it will be approved.

With regard to the elimination of the interim appeal right of concessioners regarding the selection of comparables, 5 commenters objected to this proposal. In addition, one commenter added that

delaying the appeal until the whole process had run its course would defeat the real justice of an appeal. It should be noted that the approval of rates and the appeal process applies to all rates, interim or otherwise. NPS recognizes that the selection of comparables plays an integral part in approving rates. However, the crux of the issue is the rate that NPS approves. Any appeal will center on the approved rate and the manner in which it was determined. The selection of comparables may be a part of a rate appeal. However, the existing language would permit a concessioner to appeal on the selection of comparables, and if this proved unsuccessful, to then appeal the approved rate. Conversely, if a concessioner's appeal of an approved rate were unsuccessful, it could then appeal on the basis of the comparables selected. The intent of the amended language is to remove this duplicative appeal tier. NPS believes that the approved rate and the selection of comparables are part of the entire rate approval process, and should not be treated as separate processes for the purpose of appeals. NPS also feels that combining appeals for approved rates and selection of comparables will significantly expedite the entire rate appeal process.

One commenter supported the changes in the rate approval system.

In consideration of the foregoing, the rate approval system policy amendments are adopted.

Dated: July 3, 1995.

John Reynolds,

Acting Director, National Park Service.

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Development Concept Plan and Environmental Impact Statement for the Front Country, Denali National Park and Preserve, Alaska

AGENCY: National Park Service, Interior.

ACTION: Notice of Intent.

TITLE: Development Concept Plan and Environmental Impact Statement for the Front Country, Denali National Park and Preserve, Alaska.

SUMMARY: The National Park Service (NPS) is preparing a development concept plan (DCP) and accompanying environmental impact statement (EIS) for the front country of Denali National Park and Preserve. The purposes of the DCP/EIS are to formulate a comprehensive plan for the Denali front country and to evaluate the impacts of alternative development scenarios for the area. The proposed action and

alternatives will be developed from public input and comment received at public scoping meetings. Public scoping meetings will be held in Anchorage, Fairbanks, Cantwell, and Healy in the fall of 1995.

The Denali front country is defined to include the Riley Creek entrance/headquarters area and the Denali Park Road corridor to Wonder Lake. The anticipated demand for future uses of these areas has prompted the NPS to initiate this DCP/EIS to address the full scope of existing and potential uses in the front country.

Primary issues that the Denali Front Country DCP/EIS will address are visitor use, environmental constraints, park operations and management concerns, and interrelationships with adjacent areas. Visitor use issues include increasing demand, changing use patterns, visitor experience, access, transportation systems, services, and facilities. Environmental constraints consist primarily of natural and cultural resources, such as limited groundwater supply, unstable permafrost soils, wetlands, important wildlife habitat, historic structures, and aesthetics. Operational and management concerns include the amount and location of seasonal and permanent housing, location and amount of administrative offices, support facilities, and road maintenance standards. Adjacent area concerns include location of facilities and services outside of the park, the ability of adjacent areas to accommodate future development needs, and coordination of access networks.

The EIS will be prepared in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4331 et seq.) and its implementing regulations at 40 CFR part 1500. The NPS will prepare the EIS in conjunction with preparation of the Denali Front Country DCP.

Interested groups, organizations, individuals and government agencies are invited to comment on the plan at any time. The draft DCP/EIS is anticipated to be available for public review in the spring of 1996. Public meetings will be scheduled in the McKinley Park/Healy area, Fairbanks and Anchorage, Alaska, after release of the draft DCP/EIS. The final EIS is expected to be released in the fall of 1996.

FOR FURTHER INFORMATION CONTACT:

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