

CITIZENS' ADVISORY COMMISSION
ON FEDERAL AREAS

ANNUAL REPORT

December 31, 1985



Citizens' Advisory Commission on Federal Areas

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Dear Reader:

The Citizens' Advisory Commission on Federal Areas was established in 1981 by the Alaska State Legislature to protect the rights of Alaskans to continue the traditional uses of federal lands throughout the State. The need for an official State agency to oversee the management of federal lands in Alaska was created primarily by the passage of the Alaska National Interest Lands Conservation Act (ANILCA) in 1980. ANILCA placed 124 million acres of land in Alaska into federal conservation units, and outlined specific use requirements and restrictions for those areas.

The changes in land status and the statutory requirements for the use and management of federal lands at times come into conflict with the traditional activities to which Alaska's peoples have become accustomed. The Commission is charged with the responsibility of researching issues and determining the impact of federal statutes, regulations and management decisions on the citizens of Alaska in order to minimize or resolve potential conflicts. Through the development and maintenance of a good working relationship with the various federal agencies, the Commission has been effective in assuring that land management decisions are consistent with both statutory language and Congressional intent and in protecting the rights of Alaska's citizens. This letter represents the Commission's annual report as required by AS 41.37.080(f).

COMPOSITION

The Commission is composed of sixteen members, eight appointed by the Governor and eight by the Legislature. The Commission officers for 1985 were: Chairman Phil Holdsworth (Juneau), Vice-Chairman Senator Bettye Fahrenkamp (Fairbanks). The Chairman, Vice-Chairman, Representative Adelheid Herrmann (Naknek), Lew Williams, Jr. (Ketchikan), and James A. Williams (Anchorage), comprise the Executive Committee.

STAFF

Due to significant budget reductions in State FY86, three research analyst positions on the Commission staff were lost. There are currently two staff members: an executive director and an administrative assistant. The office is located in Fairbanks.

ACCOMPLISHMENTS

1985 was the third full calendar year of operation for the Commission. The year's objectives were divided between reviewing and commenting on federal agency planning documents, investigating citizen complaints and working to ensure maximum levels of public participation in all stages of planning for the management of federal lands in Alaska.

Federal agency planning documents reviewed and commented on by the Commission during the year include:

NATIONAL PARK SERVICE

Draft General Management Plans:

- Aniakchak National Monument and Preserve*
- Bering Land Bridge National Preserve*
- Cape Krusenstern National Monument*
- Denali National Park and Preserve*
- Gates of the Arctic National Park and Preserve*
- Katmai National Park and Preserve*
- Kobuk Valley National Park*
- Noatak National Preserve*
- Wrangell-St Elias National Park and Preserve*

(* These draft general management plans were released in revised form on December 9, 1985 for additional public comment and were under further review by the Commission at the time of this report.)

Proposed Regulations:

- 36 CFR, Part 13: Proposed Rule,
Cabins and Other Structures

U.S. FISH AND WILDLIFE SERVICE

Draft Comprehensive Conservation Plans:

- Tetlin National Wildlife Refuge*
- Togiak National Wildlife Refuge
- Yukon Flats National Wildlife Refuge*

(*These draft comprehensive conservation plans were still under review at the time of this report)

Final Comprehensive Conservation Plans:

- Alaska Peninsula National Wildlife Refuge
- Becharof National Wildlife Refuge
- Izembek National Wildlife Refuge
- Kenai National Wildlife Refuge

U.S. FOREST SERVICE

ANILCA 706(b) Report: Status of Management
on the Tongass National Forest

Yakutat Management Area Analysis- Tongass National Forest

Proposed Regulations:

- 36 CFR Part 291- Reservation Fee in Forest Service
Recreation Areas
- 36 CFR Part 228.80- Mineral Operations in Admiralty
Island and Misty Fjords National Monuments

BUREAU OF LAND MANAGEMENT

Draft Resource Management Plan- Central Yukon Planning Area

OTHER

Proposed Additions: Coastal Barrier Resources System
National Park Service- USDO

Draft Report: Subsistence Management and Use-Implementation
of Title VIII of ANILCA- U.S. Fish and Wildlife Service

During 1985 the major project undertaken by the Commission was the review and analysis of the draft General Management Plans (GMP) for nine National Park units in Alaska. These nine draft plans were released for public review in April and presented a substantial logistical problem for the public and the State agencies due to their simultaneous release.

In conjunction with their review of the plans staff contacted more than 400 individuals statewide through the Commission's mail list. The letters were designed to further advise the general public of the planning efforts underway, to encourage participation in the planning process and to solicit comments on the various park plans. In addition, Commission members and staff attended public meetings on the park plans in Anchorage, Fairbanks, Glennallen, Nome, Kotzebue, Bettles, Anaktuvuk Pass, Healy, Talkeetna and Nuiqsut.

Earlier in the year, the Commission had expressed its concern about the process by which the state agencies were reviewing federal planning documents. Past and potential problems associated with the existing review process were discussed at the Commission's February meeting. Commission members felt that the process needed to be improved in order to adequately deal with the large number of plans that were scheduled for release in the coming months. A subcommittee was formed to prepare and present to the Governor a number of recommendations for improving the State's review process for the federal conservation system units.

In March the members of the Commission subcommittee and the executive director met with the Governor, the commissioners of the Departments of Natural Resources, Fish and Game, Transportation and Public Facilities, Environmental Conservation, the director of the Division of Governmental Coordination and the Conservation System Unit coordinator. The subcommittee made several recommendations designed to improve both the State's review process for federal planning documents and the means for developing a comprehensive State position with respect to federal land management proposals.

Subsequently, the Governor responded by directing the State agencies involved in the federal planning review process to implement all but one of the Commission's recommendations. That recommendation, involving the extension of the deadline for classifying State lands, was taken under consideration by the Legislature. The adoption of the recommendations proved to be particularly

important during the massive effort necessary in reviewing the 9 draft general management plans released shortly thereafter. The Governor's decision to implement the Commission's recommendations resulted in a significant improvement in State participation in federal land management planning and helped ensure that the various State agencies operate within the guidelines of a consolidated State position.

In April, the Land Use Advisor's Committee to the Alaska Land Use Council sponsored a forum to assist in developing a Council work program and to assist in developing long range goals and objectives for the Council. The Commission chairman, Phil Holdsworth, presented testimony at that forum and recommended that the Land Use Council establish a coordinated transportation work program. This cooperative program would allow State and federal agencies and Native organizations to identify and plan for current and future transportation needs for tourism and recreation, economic development of Alaska's natural resources and better management of public lands.

Also in April, the Resources Committee of the Alaska State Senate held hearings on the issue of land and resource planning. Testimony outlining the Commission's role in the planning process, its efforts to maximize public participation in that process and its role as an ombudsman to investigate citizens' complaints or problems with federal agencies was presented at the hearings.

The Commission met with Mr. Bill Horn, Assistant Secretary for Fish and Wildlife and Parks, in August. Topics discussed included: mining in National Parks and mining regulations, water quality, air access for subsistence hunting, planning efforts for parks and refuges, cabin regulations and subsistence.

Specific public concerns or complaints were received and investigated by the Commission in 1985 regarding problems with:

- o cabin ownership or use permits in Chugach National Forest, Kodiak National Wildlife Refuge, Gates of the Arctic National Park and Preserve, Bering Land Bridge National Preserve, and Alaska Maritime National Wildlife Refuge;
- o aircraft access in Wrangell-St. Elias NP&P and Gates of the Arctic NP&P;
- o special use permits in Kodiak National Wildlife Refuge, Katmai NP&P, Yukon-Charley Rivers National Preserve and Gates of the Arctic NP&P; Alaska Peninsula NWR and Izembek NWR;
- o competitive events in Yukon-Charley Rivers National Preserve and Gates of the Arctic NP&P;
- o subsistence uses in Wrangell-St. Elias NP&P, Gates of the Arctic NP&P and Kodiak NWR;
- o private inholdings in Wrangell-St. Elias NP&P, Gates of the Arctic NP&P and Kenai NWR;
- o feral cattle in Alaska Maritime NWR; and
- o Native allotments in all National Park Units.

One of the major components of each of the National Park Service GMP's is a Land Protection Plan. This plan is designed to identify means and methods to protect the purposes for which a park unit was established and the park resources from "incompatible" uses of private lands or inholdings within or adjacent to park boundaries. In the course of reviewing the GMP's for the 9 park units, the Commission identified a number of significant problems with the proposed Land Protection Plans.

Many of the inholders who spoke with the Commission about the Land Protection Plans voiced concern regarding proposals by the National Park Service to either acquire their land in fee title or place restrictions on its use. In addition, many people indicated that they were unaware that a land protection plan was being written and of the particular proposals for their property.

The Commission contacted the superintendent of each of the 9 parks and requested that they make a special effort to contact individual landowners within their respective parks. The Commission felt that if park management and private property owners could discuss topics of mutual concern such as what constitutes incompatible use and the alternatives available to the Park Service other than fee acquisition of private property, both the private property owner and the park would be better served.

Throughout 1985, the Commission closely monitored and cooperated with the 7 Subsistence Resource Commissions (SRC) established by Section 808 of ANILCA. The Commission has provided input to the SRC's through testimony at public meetings and in response to proposed recommendations developed by several of the SRC's. The subsistence hunting programs which will eventually be developed by the SRC's will play an important role in the future management of subsistence uses within the National Parks in Alaska where subsistence activities are allowed by ANILCA. This Commission hopes to continue to work with each of the Subsistence Resource Commissions and the National Park Service during the development of these very important programs.

GOALS

The Commission objective of working to "assure that Alaskans' rights are protected from federal encroachment; and that the stated congressional intent of refraining from interrupting traditional Alaskan activities (fishing, hunting, mining, camping) be continued to the best extent practicable" has been carried out by meeting the past year's goals as stated in the 1984 annual report. These same goals are projected for 1986. The Commission will function as a vehicle for citizen input to the executive, legislative, and local/municipal decision-making processes with respect to federal management areas in Alaska.

Specifically:

The Commission will continue to monitor federal agency planning, management activities and implementation efforts. Review of any federal/public lands proposed for exchange will also be continued.

Commission research on special projects mandated by ANILCA will continue.

The Commission will seek to increase its involvement at the earliest stages of planning activities for the conservation system units established or expanded by ANILCA.

Commission efforts to resolve conflicts between land managers and land users will be emphasized.

The Commission will help to assure that the best interests of the State of Alaska are brought into the decision making process.

The Commission will continue to work with the congressional offices and monitor federal legislation and regulations which have an impact on the administration and management of federal lands in Alaska.

The Commission has maintained its credibility with federal and State agencies and with individual and organizational contacts by thoroughly analyzing issues before submitting comments and recommendations on land management issues. Although the Commission's primary role is advisory, it has the authority to recommend suit by the State's Attorney General against any federal agency which fails to act within the bounds of congressional intent or within the limits of the law.

The Alaska National Interest Lands Conservation Act was implemented just over five years ago. In that time it has had and will continue to have an enormous impact on the citizens of Alaska. Implementation of the provisions and mandates of this very complex piece of legislation continues as the 1987 planning deadline approaches. The difficulties involved in this effort are emphasized by the relatively small number of plans actually completed to date. With so much planning left to be done, it is essential that the scope of citizen involvement remain at the highest possible levels and that participation in that process be encouraged by all levels of government. The Commission was created to assure that maximum opportunity for public involvement exists and will continue to place this issue at the top of its priorities for 1986.

Sincerely,

CITIZENS' ADVISORY COMMISSION
on FEDERAL AREAS



Phil R. Holdsworth
Chairman