

# STATE OF ALASKA

## OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET  
DIVISION OF GOVERNMENTAL COORDINATION

BILL SHEFFIELD, GOVERNOR

STATE CSU COORDINATOR  
2600 DENALI STREET, SUITE 700  
ANCHORAGE, ALASKA 99503-2700  
PHONE: (907) 274-1581

August 30, 1985

Boyd Evison  
Regional Director  
National Park Service  
2525 Gambell Street  
Anchorage, AK 99503-2892

Dear Mr. Evison:

The State has completed its review of the National Park Service (NPS) draft General Management Plan (GMP) for the Katmai National Park and Preserve (NPPr). Many provisions of the Alaska National Interest Lands Conservation Act (ANILCA) Section 1301 appear to be inadequately addressed. In particular, management intent regarding transportation and access, valid existing rights and natural resources is lacking or inaccurate. The draft GMP also lacks clear descriptions of the differences between the original Park, the additions, and the Preserve, particularly regarding management intent and differences in allowed uses. We look forward to opportunities to clarify these concerns and resolve the issues cooperatively with NPS prior to adoption of the final GMP.

The remainder of our comments are grouped into four major categories, Access and Transportation (below), Natural Resource Management (page 7), Visitor Use and Facilities (page 24), and remaining comments organized by chapter (page 28). Therefore the order of our comments does not reflect their importance. We realize that some of these comments may appear repetitive. This is due in part to the organization of the GMP itself, which contains discussions of selected topics in different contexts throughout the document.

### ACCESS AND TRANSPORTATION

We recommend that NPS make several changes to the portions of the GMP that address transportation and access. ANILCA Section 1301(b)(4) requires GMPs to include "a plan for access to, and circulation within, such unit..." (emphasis added). Currently statements addressing access are spread throughout the GMP making it very difficult to ascertain NPS management intent. All management intent regarding access and transportation should be consolidated in a single location and logically organized. In this manner, the "plan" required by ANILCA may

be more evident. We have the following general recommendations regarding the organization and content under Environment, the General Management Plan, and the Land Protection Plan. Following these comments are page-specific recommendations for additions or revisions and the identification of other State concerns.

#### GENERAL ORGANIZATION OF ACCESS ISSUES

The sections on access and transportation in the Environment chapter should be consolidated and should include a summary of the existing roads, trails, airstrips, and waterways used at one time or another for transportation within the NPPr boundaries, including a brief discussion about the historical use, current use, and management status of each. The information in this section should include, but not be limited to 17(b) easements and RS 2477 rights-of-way.

More specifically, the discussion of 17(b) easements reserved pursuant to Section 17(b) of the Alaska Native Claims Settlement Act (ANCSA) should include a description of the easement types and uses for which each easement was designated. A list of all 17(b) easements within the NPPr or on adjacent lands that terminate at the NPPr boundary should also be included. Enclosed is a partial list of the 17(b) easements that should be included in the plan. A more complete list and additional information about these easements may be obtained from the Bureau of Land Management (BLM) or affected ANCSA corporation. We also suggest referencing the section of the GMP which will be addressing management of these easements.

The discussion of Revised Statute (RS) 2477 should briefly describe the nature of these rights-of-way and include a list of possible RS 2477 rights-of-way in the NPPr with available information regarding the current and historical use and the management status of each. The Alaska Existing Trail System, 1973 was asserted by the State in April, 1974 and therefore should be considered as a source of possible valid RS 2477 rights-of-way and included in the plan. (Pertinent portions are enclosed). A reference to the section of the plan addressing management of these rights-of-way is also recommended.

In addition to the proposed reorganized sections above, the document should contain a map of access patterns similar to the "Existing Condition" map on page 5 of Bering Land Bridge GMP. It should include all traditional access routes, airstrips, easements, the above-referenced Alaska Existing Trails System and travelled waterways. This map would assist in meeting the requirements of ANILCA Section 1301(b)(4).

As in the Environment chapter, the General Management Plan should also address 17(b) easements and RS 2477 rights-of-way. Non-exclusive use easements should also be discussed.

The section on 17(b) easements in the General Management Plan should reference the list of easements in the Environment chapter. It should also indicate what additional restrictions, if any, NPS intends for these easements, or state that policy for NPPr management does not apply to 17(b) easements.

The discussion of RS 2477 rights-of-way in the General Management Plan should similarly reference the rights-of-way listed under Environment and include the following language:

"The National Park and Preserve is subject to valid existing rights, including rights-of-way established under Revised Statute (RS) 2477 (43 U.S.C. 932). The State may identify and assert additional RS 2477 rights-of-way within the unit.

"The State has authority to manage public rights-of-way and may do so cooperatively with the underlying fee landowner. The National Park Service, as landowner, may petition the State to disclaim an interest in or vacate any rights-of-way and/or may enter into a cooperative management agreement with the State."

Unless a cooperative management agreement between the State and NPS is developed, it is inappropriate to state that users of any rights-of-way must comply with applicable NPS permit requirements.

The requested discussion of non-exclusive use easements in the General Management Plan should outline the NPS position on the use of these easements. Non-exclusive use easements may be reserved by BLM across Native allotments when trails or areas of prior established public use overlap an allotment application. The use of non-exclusive use easements is established in the Regional Solicitor General's Opinion dated December 22, 1983 (attached). We suggest that NPS consider the benefits of requesting that BLM reserve an easement for important trails. The reservation of such easements in appropriate circumstances could protect long-standing public access to adjacent public lands and resources within the NM&P while retaining the allotment holders' property rights. Management questions associated with this land protection alternative should be addressed in this section. Pursuit of this option (and incorporating cooperative agreements or cooperative management with the State) would reduce or avoid confrontation and expensive litigation over RS 2477 rights-of-way that overlap these easements.

#### PAGE-SPECIFIC COMMENTS

We wish to provide additional clarification regarding the general intent of some of the following motorized access comments. Regulating access methods can be an effective means

of controlling the use of fish and wildlife because use is strongly affected by access to those resources. The GMP should not infringe by means of access restrictions on the State's traditional authority to manage fish and wildlife resources on federal land. In this matter, the GMP should reflect recognition of the Master MOU executed between ADF&G and NPS and the "Department of the Interior, Fish and Wildlife Policy: State and Federal Relationships" (43 CFR 24). We recognize in turn that NPS has the authority under ANILCA and other statutes and in established regulations to close areas to the taking of fish and wildlife in cases of emergency as well as for temporary and permanent closures (36 CFR 13.30 and 13.31) separate and distinct from access regulations.

Our primary concerns regarding motorized access are (1) that uses of the Park and Preserve (including methods and means of access) be consistent, as well as compatible, with the purposes of the unit as defined by ANILCA; and (2) that restrictions on uses be implemented through appropriate procedures such as those detailed in ANILCA Title XI, the Alaska Department of Fish and Game (ADF&G)/NPS memorandum of understanding (MOU), and 36 CFR Part 13 regulations. In this latter regard, we are primarily concerned about maintaining resource values, while providing for public uses that are not detrimental and assuring proper involvement of affected agencies and persons in development of restrictions.

The State does not support access that will result in detrimental impacts on fisheries and wildlife resources. We do not intend to encourage new access methods and locations. Some comments on the plan question the proposed restrictions on access; they do not necessarily support or oppose them. We do not wish to be misinterpreted as supporting unrestricted motorized access throughout the unit. We are concerned about retaining those opportunities provided by ANILCA, including traditional access.

Page 8, Access and Circulation - Vessels should also be mentioned as a primary mode of access. We also request clarification of "additional modes of access must be examined." Does this mean NPS intends to evaluate other existing access modes or pursue improvements of other potential access modes?

Page 16, Access and Circulation - The discussion needs to clarify that commercial air transportation includes non-scheduled aircraft which extensively serve the Bristol Bay area. The discussion under Visitor Use implies only scheduled jet service serves the area. The second paragraph of Access further supports this implication. We also request recognition that boat access to Naknek Lake is common via the Naknek River.

In addition we request the following intent from the NPS draft Aniakchak plan be modified and added to this section as follows:

"Access by powered and unpowered watercraft will continue without regulation except for currently applicable state and federal laws. Operation and landing of private aircraft or aircraft engaged in guiding in Katmai NPPr will continue to be permitted under applicable state and federal laws. Areas such as lakes, gravel bars, beaches, and ash fields that can be safely used as landing and takeoff points within either the Park or Preserve without improvement or artificial aids will continue to be accessible unless their continued use is detrimental to wildlife, natural resources, or to other values or the safety of other users."

In particular we wish to insure the continued accessibility of the Contact/Angle/Takayoto drainage by wheel planes. While access should be insured, NPS may wish to discourage "tundra-trekking" from mid-July through mid-August in the Angle/Tekayoto Creek area to reduce bear/human conflicts. Continued access via gravel bars and the Contact Creek strip should be retained for public use of the area, consistent with NPS intent to disperse visitors.

Pages 16-23 - This section should also address 17(b) easements.

We also request that the following language (modified slightly from the Bering Land Bridge GMP, page 3-25) be included in this section:

Routes and new modes of access for subsistence will be analyzed in terms of potential for impacts on the resources (vegetation, wildlife, soils, etc.) of the unit and upon other uses of the area. New modes of access that originate from technological advances might be permissible in the unit if they do not create unacceptable impacts upon the resources and uses of the unit.

Pages 19-20 - The paragraphs concerning snowmachines, off-road vehicles, access to inholdings, temporary access, and RS 2477 routes are currently misleading. It implies that NPS permits are required for use of RS 2477 routes. The CSU units were established by ANILCA subject to valid existing rights. Therefore this section should identify that State management authority applies to valid RS 2477 rights-of-way, and indicate that the management of these rights-of-way may be addressed through cooperative management agreements with the State. The second

paragraph on page 20 should be consistent with the language proposed on page 3 of this letter.

Page 19, Table 1 - There needs to be reference to the allowed use of aircraft to support commercial fishing activities. The "No" after "Off-road Vehicles" in both columns is incorrect. Under Subsistence it should be "Yes" with footnote 2 and under Recreation it should be "Yes" with footnote 1. We also note that line 2 of footnote 2 should read "routes or areas" to be consistent with 36 CFR 13.46. The references to the Wilderness Act are inappropriate since this section was effectively amended by ANILCA.

Page 23 - In paragraph 2 the use of motorboats should be recognized but is only indirectly addressed. Use of motors in the Bay of Islands provides travelers and fishermen with reasonable and safe access to the area. We are concerned that NPS may be intending to only allow the use of non-motorized boats which would essentially eliminate access to a favored place in Naknek Lake to troll for trophy trout and char.

Page 27, paragraph 1 - We request that the inference that the Bay of Islands will provide wilderness kayaking/canoeing clearly assure the continued use of motorboats. This might easily be accomplished by replacing "or" on the third line with "and", as well as by adding "motorboating" on line 8.

Once the changes outlined above have been made, the Land Protection Plan should be revised accordingly to address all private or other non-federal lands or interests within its authorized boundaries. The State recommends the following changes or additions regarding access.

Page 38 - The summary should acknowledge potential RS 2477 rights-of-way, even though specifics of the corridors and actual acreages affected are not known at this time. The proposed method of protection should also reflect these rights-of-way.

Page 42 - Table 4 should acknowledge that there is an undetermined amount of land that is or may be encumbered with RS 2477 rights-of-way or 17(b) easements. This could be added as a footnote to the table.

Land Status and Protection Priorities Map (page 43) - This or a similar map should include the various RS 2477 rights-of-way and 17(b) easements identified in the attachments. Additionally, the legend to this map should refer to a document that will be available at various NPS offices where the reader can find the exact location of

the 17(b) easements on more detailed maps than those included in the plan. The Department of Interior manual (601 DM 4) requires that this information be made available. The legend to the map should also mention that there may be additional trails that might be asserted under RS 2477 in the future. It should also include a statement that since Native conveyances have not been completed, the total list of 17(b) easements in the NPPr is not yet known.

Pages 57-64, Recommendations - RS 2477 rights-of-way and 17(b) easements should be addressed here, including when and how a future tract-by-tract and trail-by-trail evaluation will be made, with an explanation about how the State and public will be involved in these decisions.

The section addressing RS 2477 rights-of-way should include a discussion of non-exclusive use easements as a method for protecting RS 2477 routes. The management intent for RS 2477 rights-of-way should be consistent with the language proposed above.

#### NATURAL RESOURCE MANAGEMENT

##### FISH AND WILDLIFE

Generally, the GMP also fails to present an accurate picture of subsistence and recreational wildlife uses and related management. Also, the required wildlife management plans are often vague, incomplete, and lack reference to game species other than bears.

Page 3, paragraph 5 - The second sentence is incorrect. Rainbow trout attract anglers; delete "trophy-sized." "Trophy-sized" fish are principally found in Naknek Lake and River. In the last sentence, we request clarification that a "catch-and-release" ethic has developed for rainbow trout but not for other species.

Page 8, Natural Resource Management - The statement "competition for food sources, particularly salmon, due to sportfishing and subsistence activities can potentially result in stress on the brown bear population" should be deleted. There are no subsistence activities in the Brooks Camp area, and the sport harvest of fish historically has not exceeded 260 fish out of an estimated total run of 250,000.

The second paragraph contains several statements of questionable validity, particularly if serving as the basis of the GMP. For example, it is doubtful that bears are dependent on fish for their survival and reproductive ability. Bears are also dependent on

vegetation, particularly berries, and other animal prey. Current studies indicate bears may be considered facultative rather than obligate predators. We also question the total omission of other species in the discussion of management issues. The ANILCA Section 202(2) directed NPS "To protect habitats for, and populations of, fish and wildlife including, but not limited to, high concentrations of brown/grizzly bears and their denning areas; ..." (emphasis added).

We request corrections to reflect the concept "natural ecological balance" is now generally considered a "dynamic equilibrium."

We note that sportfishing is identified as a possible disruption in the natural environment. An analysis of salmon limiting factors would probably identify commercial harvests and loss of habitat as far more important than sportfishing, particularly for this region. We request NPS recognize ADF&G maintains natural and healthy populations of wildlife according to the following definition: "The maintenance of fish and wildlife resources and their habitats in a condition which assures a stable and continuing natural population and species mix of plants and animals in relation to their ecosystems. Application: This term recognizes that local rural residents engaged in subsistence uses may be a natural part of the ecosystem." A distinction should also be made between the mandates to manage for natural and healthy populations in the Park and for healthy populations in the Preserve.

Page 24, paragraph 2 - We request that NPS follow established Board of Fisheries procedures prior to pursuing sport fishing regulations. We disagree with the implication that sport fishing restrictions will reduce bear/human conflicts.

Page 28, paragraph 1 and Carrying Capacity - The wildlife resources are being used as criteria in determining whether or not private hunting and fishing lodges should be allowed to expand. We request being consulted in decisions involving assessment of the status of wildlife populations.

Page 28, Park Operations, paragraph 3 - We question the need for establishing seasonal ranger camps at Kukak Bay, Hallo Bay, and Geographic Harbor. We are not aware of information available which identifies a need "to improve resource protection and public contact" in these areas. There are generally few visitors or resource uses in these areas. The development of



cabins and placement of seasonal employees may actually be detrimental. In particular, we desire assurances that the existing commercial fishing related activities which do occur in those locations will be allowed to continue.

Page 33, paragraph 1 - The Naknek drainage is famous for large populations of wild rainbows. With the exception of the Naknek River and the Bay of Islands, very few rainbows in the 12-15 pound (trophy-sized) range exist. Even in these areas, 15 pounders are uncommon.

We do not believe that regular and continued creek censuses are necessary to monitor fish harvests in Katmai NPPr. Our postal survey annually provides estimates accurate enough to detect any changes in harvest. Based on both the creel census and our annual postal survey over the past few years, the harvests of fish species by sportsmen are insignificant in Katmai NPPr.

Page 33, paragraph 5 - We appreciate the change in tone from the Statement for Management regarding describing "natural processes". However, we remain concerned about isolating "human-induced disturbances" as a key factor to be identified. The NPS seems to imply possible elimination of human activities despite man's integral role in the ecosystem. The State CSU Coordinator's letter to NPS of April 14, 1982 detailed comments on the Statement for Management and listed ongoing human activities which are integral to the Katmai NPPr systems that NPS seems intent on eliminating: "(a) commercial salmon fishing; (b) sport fishing both inside and outside the Park; (c) caribou hunting of the Northern Peninsula herd which uses portions of the Park for winter range; (d) hunting of other species (e.g. moose and bear) which commonly move out of the Park on a seasonal basis. As noted in the April 14, 1982 correspondence, Katmai does provide a valuable source for study of "natural systems in a nearly pristine environment, but the human impacts do not negate this value as long as the impacts are measurable and controllable." The letter also noted "The Katmai ecosystem has evolved with considerable human influences; the impact of humans does not necessarily constitute an unnatural environment."

Page 34, paragraph continued from page 33 - The ADF&G has species distribution and habitat information including marine mammals, seabirds, big game, furbearers, etc. In order to avoid duplication of effort, use should be made of this information. We suggest that NPS cooperate with ADF&G in developing and conducting censuses to assess and monitor the status of these

populations. Avoiding duplication of effort and use of available expertise would improve both agencies' efficiency and allow more refined efforts to be dedicated to specific resource problems or questions.

Page 34, paragraph 2 - We support NPS policy "to let fires burn except where property or people would be threatened." We also encourage continued participation in the Alaska Peninsula interagency fire management plan.

Page 109, paragraph 8 - The discussion regarding waste and water facilities at Grosvenor Lake should be moved to the GMP with reference to cooperation with the Department of Environmental Conservation. The ADF&G also requires applications for permits before activities can occur in specific anadromous fish streams pursuant to Alaska Statute (AS) 16.05.870. We request insertion of the following paragraph in the GMP: "The Act requires any person or governmental agency that desires to construct a hydraulic project, or to use, divert, obstruct, pollute, or change the natural flow or bed of a specified river, lake, or stream, or to use wheeled, tracked, or excavating equipment or log dragging equipment in the bed of a specified river, lake, or stream to notify the Commissioner of ADF&G of this intention and to receive approval from ADF&G before beginning the construction or use."

### Commercial Fishing

The boundaries as drawn on the maps attached to the draft GMP could have a significant impact on commercial fishing. The Park boundaries adjacent to Shelikof Strait and Kamishak Bay are extended outward five miles from the upland portions of the Park. Language on Page 45 of the draft GMP indicates that submerged lands off the coast of the Park are owned and administered by the State according to various provisions of law. However, provisions concerning management of these areas on Page 63 of the draft GMP do not indicate whether or not commercial fishing will be allowed to continue in the waters five miles adjacent to the Park. While we realize that NPS has viable concerns regarding activities occurring in areas adjacent to the Park, we believe commercial fishing is a legitimate action which should continue in this area and we request corresponding assurances be included in the GMP.

Given the current management problems the "wilderness water" designation creates in Glacier Bay NPPr, we hope that the final GMP for Katmai NPPr resolves any actual or potential issues in favor of continued commercial fishing. Resolution may be possible via the wilderness suitability review section beginning at Page 65 of the draft GMP, particularly the section on wilderness suitability criteria found on Page 67. If the waters adjacent to the Park are indeed

wilderness and subject to the requirement that commercial fishing is prohibited in these areas, we request that NPS indicate support in the GMP for a legislative solution which allows continued commercial fishing and related access in these waters.

Page 32, paragraph 4 - This paragraph should be expanded to include commercial fishing on the Shelikof Strait side, as well as Bristol Bay. Kodiak derives a large percentage of its total salmon, crab, and halibut harvest from that area and, therefore, the area is of major economic importance to Kodiak.

Page 40, Resource Description - The commercial fishery on the Shelikof Strait side is also vital to the Kodiak economy.

In the last sentence, "the largest un hunted population of Alaskan brown bears in existence" should be changed to "a lightly hunted subpopulation of Alaskan brown bears."

#### Fisheries Management

The ANILCA legislative history also recognizes man's role as a part of the natural environment including uses of the fish and wildlife resources. We understand congressional intent that manipulative management should be prohibited when manipulations are "to achieve maximum utilization of natural resources" and when solely "for the purpose of maintaining subsistence uses." We also agree that careful evaluation of resource uses and conditions should precede any new manipulation and we request management intent be clarified accordingly.

We are also concerned that the GMP has failed to clarify intent that current fish and wildlife management programs in Katmai NPPr will be allowed to continue. The ANILCA does not prohibit existing programs nor necessary fisheries improvement programs including rehabilitation.

We therefore request deletion of the management intent to remove the Brooks River fish pass (page 33, paragraph 6). Instead the GMP should allow existing fisheries programs and fisheries improvement projects in areas when based upon sound scientific principles and when compatible with the park/preserve purposes. We strongly object to the blocking and/or removal of the 36-year-old Brooks River fish pass. The implied total prohibition of any fisheries improvement activity is consistent with neither ANILCA, NPS policy, nor the MOU.

Fish production in the Katmai NPPr is an important value, recognized as a significant purpose for park status. Fish production within the Park is a significant contributor to commercial, sport, and subsistence fisheries in the region.

The presence of spawning salmon is also a key factor in attracting and maintaining the brown bear populations for which the Park is famous. Fish passes that have historically aided wild fish stocks access to spawning grounds are compatible with park purposes and should not be prohibited. Projects such as fish ladders, fry plantings, and hatcheries are not necessarily "aquaculture programs". We object to the implied intent to prohibit any fisheries improvement projects including necessary rehabilitation.

In the Resource Management Recommendations provided to NPS February 24, 1984, we requested cooperation with the NPS in resolving several other wildlife issues and resource needs. We request that the following issues be addressed in the final GMP and preferably resolved through cooperative planning efforts prior to adoption of the final GMP.

"In the Cook Inlet watershed, ADF&G identified two potential fisheries projects located within Katmai NPPr: a fish ladder at Strike Creek on Kamishak Bay [only prohibited in the GMP as an "aquaculture" project] and a stream stabilization site on the Douglas River. The Shelikof Strait watershed has not been completely investigated for needed fisheries improvement projects. In the Bristol Bay watershed three projects have been proposed: the Bay of Island Creek fish pass investigation; Bay of Island Creek eyed-egg plant; and Lake Brooks sockeye salmon investigations.

"The NPS is requested to cooperate with the State in developing a procedure which will ensure that land or water use regulations or activities within Katmai NPPr are compatible with maintenance of watershed integrity and their water quality for indigenous stocks and necessary fisheries improvement projects. The procedure should include:

- "1. Inform ADF&G of proposed development activities on Katmai NPPr which may affect fish resources. Also, provide or require appropriate mitigation for developments which may negatively affect fish resources.
- "2. Develop NPS management plans with provisions in substantial agreement with the State Fisheries Management Plans, unless State plans are formally determined to be incompatible with the purpose for which Katmai NPPr was established.
- "3. Cooperate with ADF&G in development and implementation of habitat management plans on Katmai NPPr for protection or improvement of habitat areas determined

to be essential to the continued health and productivity of indigenous fish populations."

Page 79, continuation of paragraph from page 78 - Again we object to all rainbow trout being referred to as "world-class trophy fisheries." (See the first sentence in our comments for page 33, paragraph 1.)

We are concerned that fisheries information and issues provided to NPS in the State's Resource Management Recommendations have been omitted and we again request they be addressed.

The ADF&G intends to continue management of commercial, subsistence, and recreational fisheries in Katmai NPPr according to sustained yield principles. The NPS is requested to maintain the State's opportunity for implementation of established fisheries management and improvement techniques unless incompatible with the purposes of the unit. These techniques may include life history studies, stock assessments, installation of fish ladders and incubation boxes, fish stocking, acquiring brood-stock, planting fish eggs, and habitat alterations. These alterations may include removal of stream obstructions and manipulation of stream channel flows to rehabilitate fisheries habitat damaged by natural or man-made factors. The ADF&G may propose specific measures to rehabilitate and improve fish stocks. Until all fish distributions, critical habitats, hot springs locations and waterbodies, and fish stocks evaluations are documented, all potential sites suitable or necessary for rehabilitation or improvement cannot be identified. The ADF&G desires cooperation with NPS in reserving the option to conduct future investigations and projects in Katmai NPPr.

Anadromous fish streams throughout the State have been cataloged by ADF&G. These catalogs are available in the ADF&G Anchorage office and NPS is encouraged to use them during their planning process. The ADF&G also welcomes NPS participation in the annual updating of these catalogs.

Page 79, Wildlife - The first paragraph states the importance of wildlife to Katmai NPPr. However, the remaining 4 paragraphs almost exclusively address brown bears. We request that the variety of other wildlife species such as caribou, bald eagle, beaver, river otter, etc. occurring in Katmai NPPr be listed and discussed in the wildlife section of the final GMP. This would improve meeting the requirements of ANILCA Section 1301(b)(2). We offer assistance in developing and reviewing the additional necessary narrative.

Information is also available in the State's Resource Management Recommendations, including species identification and associated management plans.

Page 81, Wildlife Habitat Map - In the legend we suggest changing "salmon brooding" to "salmon spawning sites or areas." Brown bears would be more appropriately included on the Large Mammals Habitat Map.

Page 82, Large Mammal Habitat Map - We believe this map should also be labeled Wildlife Habitat to be consistent and understandable. Caribou are shown on the map but are not addressed in the Wildlife narrative.

Page 103, paragraph 3 - The second sentence strongly implies that present monitoring and management of wildlife by ADF&G is not adequate. We desire opportunities to resolve any specific issues regarding ADF&G monitoring or management rather than inclusion of general negative inferences in public documents. The ADF&G monitors and manages the resources according to the most current available data and is committed to protecting and maintaining the resources regardless of alternative selected for land management by NPS. We request that NPS cooperate with ADF&G to achieve this goal without unnecessary overlap. We also would appreciate opportunities to cooperate in research on fisheries and wildlife with NPS to further our management for natural and healthy populations.

### Subsistence

Page iii, Proposed General Management Plan - Subsistence uses of the Katmai NPPr should be recognized. Also, the word "trapping" should be inserted in the second paragraph following "hunting" as it is a continuing permitted use in accordance with ANILCA Section 1313 along with hunting and fishing.

Page 34, paragraph 4 - We question whether NPS intends to prohibit subsistence activities from occurring in the Park additions. We recognize that subsistence activities are prohibited within the original Katmai Monument boundaries. It does not seem clear in the legislative history that Congress intended subsistence activities to be totally prohibited in ANILCA Park additions to Katmai Monument. We believe that where not prohibited, subsistence activities should be continued. This is consistent with Mr. Udall's discussion on November 12, 1980 of intent in the final bill as passed:

"The Alaska Lands bill passed by the Senate (and which we today concur in) statutorily guarantees that

subsistence hunting by local residents will be permitted within all of the same areas as are open to such uses in the Udall-Anderson bill, but regrettably does not designate subsistence uses as a purpose of each new area and addition. However, Mr. Speaker, I would note that sections 201 and 202 indicate that the purposes of each new park and addition set forth in the legislation are not intended to be all inclusive. I would strongly suggest that in establishing regulations for the management of each of these areas, the Secretary of the Interior designate subsistence uses by local residents as a specific purpose of each park and park preserve. To do any less would be inconsistent with the longstanding representations which the Secretary, the National Park Service, and the House Interior Committee, have made to the Alaska Native residents of areas within or adjacent to these new areas."

Page 152 - Regarding intent to not continue subsistence uses in the Park additions, please see our objections discussed for Page 34, paragraph 4.

#### Trapping

Page 92, paragraph 2 - We request that discussions of trapping be clarified to indicate that it is not "sport". Rather "trapping" refers to all forms of harvest as the Board of Game has not found it necessary to distinguish categories of trapping within Alaska. We recognize ANILCA legislative history (Congressional Record-Senate, August 18, 1980, S11136) indicates Congressional intent that trapping which "becomes a business with employees paid to support the trapping operation" is not in keeping with intent of the Act. We believe the intent of the Act provides a sufficient basis to manage trapping in the NPS units. We have not identified a need for the establishment of trapping categories. However, NPS and ADF&G should coordinate in efforts to monitor the resources to assure the health and welfare of the furbearers. We request inclusion of management intent reflecting such coordination, consistent with Congressional intent.

#### Bears

Page 32, paragraph 2 - This discussion misrepresents the status of the brown bear population using Katmai NPPr. Although sport hunting is not permitted within park boundaries, bears were subject to harvest prior to establishment of the Park, are subject to some poaching in the Park, and are subject to legal harvest when they occur outside the Park. We strongly urge rewriting this paragraph to recognize current data on bear populations.

Studies and experience by both NPS and ADF&G support the concept that relocating bears to less populated areas is not a viable alternative to reduce bear/human encounters. However, we disagree with the rationale presented in this paragraph. The first point is valid (Miller and Ballard, 1982, Journal of Wildlife Management) but the second should be deleted. The main reason that ADF&G does not recommend relocation of problem bears is that studies indicate they return in many cases. There is no data available to support suspected genetic deterioration of the population. We know of no scientific data that support the statement that removal will lead to "a population where only the shy and reclusive are unnaturally selected".

This section should be revised to reflect current scientific data and implications or be deleted. The recent cessation of sport hunting within the Park additions will probably have no impact upon the genetic make-up of the bear population. The bear population of Katmai NPPr is not isolated or pristine. Gene drift in brown/grizzly bears is extremely slow and probably cannot be measured in a human lifetime. To resolve our concerns with this paragraph, we suggest the entire second half should be replaced by the sentence "The Park Service will not relocate problem bears."

Page 32, paragraph 3 - We request that NPS include recognition of State law (5 AAC 81.375) requiring people to report the taking of animals under the "Defense of Life and Property" stipulations. The ADF&G recognizes that in isolated cases serious injury or death of humans may be avoided if firearms are used judiciously in deterring bears. We are concerned, however, that NPS may be intending to require duplicate reporting which may create enforcement problems. We encourage NPS to inform visitors of the State laws and to assist in related enforcement, rather than create an additional required report. This paragraph could be improved by including language explaining that if it is necessary to destroy a bear, State "Defense of Life and Property" provisions will be followed.

Page 42, paragraph 2 - Brown bears are described as "naturally regulated" which needs clarification. "Natural" includes the role of humans in the ecosystem and regulation includes harvest of the bear populations in the Preserve and adjacent to the Park.

Page 61, Analysis, paragraph 3 - The statement "destruction of bears in defense of life and property would affect the natural condition of the bear population" is inaccurate and we request it be deleted. Harvests of any form may affect numbers in a given population or subpopulation but



does not affect the "natural condition." (See our comments for page 32, paragraph 2.)

Page 78, Fish, paragraph 2 - Nutrient intake may directly influence reproductive rate; however, there are not data to indicate that brown bear survival and reproductive capabilities are dependent on salmon.

Page 79, Wildlife - In paragraphs 1 and 2, the word "unique" is used to describe Katmai's opportunities and experiences for visitors to view bears. These opportunities and potential experiences are available along most of the mainland coast, as well as certain islands such as Kodiak and Admiralty; examples include river systems such as Susitna River, Copper River, Yukon River, and designated areas such as the McNeil River State Game Sanctuary. Certain river systems in Katmai may be good areas for viewing bears fishing for salmon under relatively natural conditions where access is unrestricted.

Other specific corrections need to be made to the discussion of bears as follows:

Paragraph 2, sentence 4 - After "a bear will" insert "sometimes" before "kill a small bear ...".

Paragraph 2, sentence 6 - Delete.

Paragraph 3, sentence 3 - Before "Three-quarters ... " insert "In some areas".

Paragraph 3, sentence 4 - Delete "most" and ", particularly protein intake, and"; this now reads: "In bears reproductive success seems to be dependent on nutritional status. Salmon is the major source of protein ...".

Concentrations of bears are mentioned in this section, but the timing is not. We suggest adding: "There are some major fall concentrations of bears in addition to the major summer concentrations." This statement also affects alternatives suggested under various visitor use sections of the plan and we request corresponding corrections.

The stress on bears is overemphasized in paragraph 2. Steve Herrero has studied social interactions of bears feeding at dumps in Canada; Egbert and Stokes have studied bears at McNeil River; and the Craigheads have made some similar observations at Yellowstone dump situations. These studies seem to indicate that bears work out a temporary social hierarchy in these situa-

tions, considering they are basically asocial. The social patterns bears develop at dumps seem fragile, breaking down more often, but actual conflicts are rare. Therefore, we suggest revising "will not tolerate the presence of another bear". Under most circumstances (excluding areas of food concentration, breeding activities, relatively rare intraspecific predation, and family groups) bears tend to avoid close contact with other bears.

The lack of a well-developed social dominance structure probably means individual bears (especially subdominants) are more stressed at concentration areas than where no other bears are present. However, this stress is doubtlessly more than compensated (in an energy sense) by the increased food intake possible in food concentration areas or the bears would not be there. We also suspect bears with food concentrations might be more tolerant (less stressed) than bears aggressively defending a rare food resource. It is well documented that under certain circumstances bears tolerate the presence of other bears very well. It is doubtful that a great deal of stress is placed on the bears by the Brooks River situation.

The entire discussion on bears is oversimplified and fails to take into consideration the other aspects of bear feeding activities. Although not much is known about the bear's nutritional requirements, there are many observations of preference for berries. Obviously, bears survive weak salmon runs and other resources are as important as fish to the survival of bears.

The statement in paragraph 3 that "Three-quarters of the cubs may die from natural causes," is on the high end of known natural mortality range. We suspect it is not this high at Katmai but no studies have been completed for this area.

We also suggest that paragraph 3 be corrected to reflect that no feeding habits or predation studies have been completed in or near Katmai NPPr. The major source of protein may in fact be prey other than salmon so the fourth sentence needs appropriate modification.

#### In Summary

Overall we are concerned that the GMP, particularly pages 32-35, does not adequately reflect intent to coordinate and cooperate with ADF&G regarding fisheries and wildlife issues within Katmai NPPr. Consequently we are concerned about the direction, management intent, and programs in this section and request that NPS adopt management intent consistent with other

park units in Alaska. We request adoption by NPS of the following language in this section to resolve many concerns and clarify management intent and policies:

"The National Park Service (NPS) is mandated by the Alaska National Interest Lands Conservation Act (ANILCA) and other laws to protect the habitat for, and populations of, fish and wildlife within the Park and Preserve, ANILCA Section 202(b). The NPS management of fish and wildlife will generally consist of management of the human uses and activities which affect such habitat and populations, rather than the direct management of fish and wildlife resources.

"The Alaska Department of Fish and Game (ADF&G), under the constitution, laws, and regulations of the State of Alaska, is responsible for the management, protection, maintenance, enhancement, rehabilitation, and extension of the fish and wildlife resources of the state. Within conservation system units, including Katmai National Park and Preserve, state management of fish and wildlife resources is required to be consistent with the provisions of the ANILCA and NPS policy.

"The NPS and the State of Alaska will cooperate in the management of the fish and wildlife resources of the park and preserve. A memorandum of understanding between the NPS and the ADF&G (see Appendix D) defines the cooperative management responsibilities of each agency. The 'Department of the Interior, Fish and Wildlife Policy: State and Federal Relationships' (43 CFR 24) further addresses intergovernmental cooperation in the protection, use, and management of fish and wildlife resources. The closely related responsibilities of protecting habitat and wildlife populations and providing for fish and wildlife utilization require close cooperation of the ADF&G, the NPS, and all resource users.

"Sport fishing is an allowable use in the Park and hunting, fishing, and trapping are allowable uses in the Preserve (ANILCA Sections 1313 and 1314, and applicable state law). The ANILCA requires that such harvest activities remain consistent with maintenance of healthy populations of fish and wildlife in the preserve and natural and healthy populations in the park, ANILCA Section 815(1). Congress recognized that programs for the management of 'healthy populations' may differ between NPS and U. S. Fish and Wildlife Service due to differences in each agencies management policies and legal authorities (Senate Report 96-413, p.233).

"The State of Alaska, through the Boards of Game and Fisheries, is responsible for establishing fishing, hunting, and trapping regulations for Katmai NPPr, consistent with provisions of the ANILCA. The NPS will cooperate with the state wherever possible in establishing those regulations in a manner that is compatible with park and preserve management goals and objectives.

"The ANILCA authorizes the state to manage the taking of fish and wildlife for subsistence purposes on federal lands if a state program is implemented which satisfies certain criteria in ANILCA Title VIII. Such a state program has been implemented.

"Customary and traditional subsistence use is considered to be a natural human role, as indicated by the legislative history of ANILCA: 'The NPS recognizes, and the Committee agrees, that subsistence uses by local rural residents have been, and are now, a natural part of the ecosystem serving as a primary consumer in the natural food chain. The Committee expects NPS to take appropriate steps when necessary to insure that consumptive uses of fish and wildlife populations within NPS units not be allowed to adversely disrupt the natural balance which has been maintained for thousands of years, Senate Report 96-413, p.171.

"Within the Katmai NPPr the NPS ' ... may designate zones where and periods when no hunting, fishing, trapping, or entry may be permitted for reasons of public safety, administration, floral or faunal protection, or public use or enjoyment', ANILCA Section 1313. Additionally, the NPS ' ... may temporarily close any public lands ..., or any portion thereof, to subsistence uses of a particular fish or wildlife population only if necessary for reasons of public safety, administration, or to assure the continued viability of such populations', ANILCA Section 816(b). Except in emergencies, all such closures must be preceded by consultation with appropriate state agencies. If it becomes necessary to restrict the taking of populations of fish and wildlife in Katmai NPPr, non-wasteful subsistence uses are accorded priority over the taking of fish and wildlife for other purposes.

"The state has developed resource management recommendations containing management guidelines and objectives that were generally developed for broad regions. Therefore, some of the guidelines and objectives may not be applicable to the park and/or

preserve. The master memorandum of understanding indicates that NPS will develop its management plans in substantial agreement with State plans unless State plans are formally determined incompatible with the purposes for which the park and preserve was established.

"Habitat and animal population manipulation will not be permitted within the Katmai NPPr except under extraordinary circumstances and when consistent with NPS policy. Congressional intent regarding this topic is presented in the legislative history of ANILCA: 'It is contrary to the NPS concept to manipulate habitat or populations to achieve maximum utilization of natural resources. Rather, the National Park System concept requires implementation of management policies which strive to maintain the natural abundance, behavior, diversity, and ecological integrity of native animals as part of their ecosystem, and the Committee intends that the concept be maintained.' (Senate Report 96-413, p.171)

"In recognition of mutual concerns relating to protection and management of fish and wildlife resources, the NPS and the ADF&G will continue to cooperate in the collection, interpretation, and dissemination of fish and wildlife data. The NPS will continue to permit and encourage the ADF&G to conduct research projects that are compatible with the purposes of the park and/or preserve. The NPS will ensure access for state officials for purposes of conducting research and managing fish and wildlife resources.

"The park's informational programs will inform visitors about the occurrence of human use activities in the park and preserve in order to minimize user conflicts. Information will also be provided about activities that can result in disturbance of wildlife and their habitat.

"The NPS Resources Management Plan for the park and preserve will be developed and subsequently revised in cooperation with the State and is anticipated for initial completion by (date). The plan will be reviewed by the public and any major change in direction, philosophy, or goals is subject to public involvement requirements of the ANILCA Section 1301. The plan will describe in detail the scope of scientific research and resource management methods that will be cooperatively employed so that the NPS has a better understanding of park and preserve resources for utilization in future resource-related decision-making. The highest priorities of the resource management plan over the next 5 to 10 years follow."

[A list should be included here accompanied by appropriate discussion.]

#### TIDE AND SUBMERGED LANDS

Several additions or changes should be made to the GMP to more adequately address the State's management authority over tide and submerged lands.

The GMP should include a section on tide and submerged lands. We suggest the following paragraph:

All tide and submerged lands in the park and preserve which vested in the State of Alaska at Statehood are under the jurisdiction of the State of Alaska. The NPS will submit proposals for the management of these lands to the appropriate State agency.

Page 63 - The discussion of minimum interest needed for Priority 6 should be clarified.

#### NAVIGABILITY

The GMP proposes to work with the State to mitigate any adverse human activity on navigable rivers. The State is willing to consider NPS management proposals for management of the rivers, but only upon application by NPS to DNR Division of Land and Water Management.

The following paragraphs should be included under the heading Navigability in the GMP:

At the time of Statehood, the State received ownership of the beds of navigable waters to the "ordinary high water mark". At present the (name of waterways) have been determined navigable by the Bureau of Land Management. Navigability determinations have not been made on other rivers within the NPPr.

The NPS will seek cooperative agreements with the Department of Natural Resources concerning the management of submerged lands under navigable waters. NPS will make requests for the use of these lands to the appropriate State agencies.

Page 38, Summary and 42, Table 4 - The summary should include a footnote or other acknowledgement of the unresolved navigability status of many of the waterbodies in the NPPr.

Page 63, Priority 6 - This discussion should include a statement that the acreage involved is unknown. The section should also acknowledge that the Bristol Bay Regional Management Plan and the State's Bristol Bay Area Plan call for DNR to close navigable streams in the unit to mining and mineral entry.

The Alagnak River, Nonvianuk River, Kukaklek Lake, and Nonvianuk Lake are navigable, not "currently undergoing navigability determination" as is stated in the plan. This phrase should be changed and the acreage charts on pages 38 and 42 revised to reflect this.

Page 72 - The discussion about the Alagnak Wild River should include a statement about the river's navigability status.

#### WATER RIGHTS

Federal reserved water rights are created either expressly or by implication when federal lands are withdrawn from entry (by Congress or other lawful means) for federal use. It is the State's position that federal water rights, both instream and out-of-stream, are either generally or specifically reserved for the primary purposes of the reservation. Characteristics of a federal reserved water right include:

- 1) it may be created without actual diversion or beneficial use,
- 2) it is not lost by non-use,
- 3) its priority date is from the date the land is withdrawn for the primary purpose(s) involved,
- 4) it is the right to the minimum amount of water reasonably necessary to satisfy both existing and reasonable foreseeable future uses of water for the primary purpose(s) for which the land is withdrawn. Water for secondary purposes must be obtained under State law, AS 46.15.

Discussion at the March, 1985 meeting of the Alaska Water Resources Board emphasized the importance of two aspects of federal reserved water rights. First, they are recognized only for the primary purposes for which the land was withdrawn, and second, they apply only to the minimum amount of water reasonably necessary to satisfy the primary purposes of the withdrawal. Legislation establishing the withdrawal of land is critical, because it establishes the priority date for the federal reserved water right, and often expressly states the primary purposes of the withdrawal. All of these aspects of federal reserved water rights - the priority date, the primary purposes, and the minimum amount of water reasonably necessary to maintain the primary purposes - are important concepts that should be reflected in the plan.

To reflect these concerns, we recommend that the following language be included in the GMP (pages 15-37) under the heading Water Rights:

"The water resources of the Katmai National Park and Preserve will be managed to maintain the primary purposes for which the unit was established. The primary purposes of this NPPr are \_\_\_\_\_, as cited

in the following legislation establishing this national park and preserve (reference to legislation) . Water for secondary purposes and all other uses within the NPPr will be applied for under AS.46.15. Specific water resource requirements for the primary purposes of the NPPr will be identified and the minimum amount of water reasonably necessary to maintain these purposes will be quantified in cooperation with the State of Alaska. Once federal reserved water rights have been quantified, the National Park Service will file this information with the State in accordance with State laws."

The Alaska Attorney General's office is currently reviewing the legislative history of this unit and identifying the information that should be inserted into the blanks in the above paragraph. This information will be forwarded to NPS shortly.

Although addressing the water appropriation issue is different from addressing inholdings within the NPPr, some mention of these "non-federal interests" within the unit boundary should be made in the Land Protection Plan. Portions of the language suggested above could be used. NPS water needs above and beyond the minimum amount reasonably necessary to maintain the primary purposes of the unit should accordingly not be considered a federal reserve right or interest.

#### MANAGEMENT OF THE WATERCOLUMN

We request that the GMP discuss the management of the watercolumn of waterbodies in the NPPr. These watercolumns remain subject to management authority by the State, although the State may choose to cooperatively manage such areas with NPS on a case-by-case basis.

#### OTHER NATURAL RESOURCE COMMENTS

Page 50, State and Local Authorities - Please note that AS 16.05.870 requires notification of the Commissioner of ADF&G, not the Department of Environmental Conservation (DEC). However, DEC should also be contacted concerning any stream diversions or in-stream work and proper permits obtained.

#### VISITOR USE AND FACILITIES

We are concerned about the management direction in developing new recreational opportunities proposed for the Park (not the Preserve). These opportunities do not include sportfishing which has been previously identified as a major use of the Park, with potential for numerous additional opportunities.



Page 23 - We are concerned that expanded backcountry use in the highlands near the Angle/Takayoto Creeks drainage may increase bear/human conflicts during salmon spawning. The NPS may wish to consider selective encouragement (seasonal) to avoid wildlife/human conflicts due to brown bear concentrations during salmon spawning.

We are concerned about NPS intent in paragraph 3 to encourage float trips down the Alagnak River. Use of the river by floaters has increased steadily over the years and is likely to continue without "encouragement". It is also inappropriate to encourage floats from Kukaklek Lake, where the waterfall makes travel unsafe for all but the most experienced river rafters.

Page 23, Brooks Camp - The State is already on record as supporting relocation of the Brooks facilities. However, this is a large undertaking without assurance of eliminating the problem of human-bear conflicts if human activity is still directed back to the river. We understand the NPS mandate to accommodate people and bears in the same area and recommend the following measures to help lessen the potential problems:

1. Provide better education/training for visitors about bear behavior and protective measures.
2. Institute a more vigorous adverse conditioning program to discourage aggressive behavior by bears. We recognize NPS's desire to maintain natural behavior in bears but we believe some behavior modification for the bears may be a necessary action in some cases. We are concerned that new development areas may cause comparable bear/human conflicts. Forested areas are daytime bedding areas and alpine tundra is a preferred habitat for most bears in summer prior to their movements to salmon streams. Sows with newborn cubs may stay in the alpine throughout the summer. We encourage NPS to consider this prior to selecting a new development site. We also suggest limiting the number and behavior of visitors to Brooks Camp in a manner similar to that at McNeil River State Game Refuge. Finally, we recommend that NPS wait for the results of the proposed two-year bear study before making any decision on this proposal.

Page 23, paragraph 1 - Access to Lake Camp is by motorboat, plane, and automobile. There already is a boat ramp and no data are presented to support the parking improvements. The NPS indicates intent to enhance opportunities for local residents and we suggest consideration of pursuing their requested improved road maintenance between King Salmon and Lake Camp, addi-

tional channel markers in the Lake, and trash and litter maintenance at Lake Camp in order to accomplish this intent.

Page 24, Other Activity Sites - Prior to encouraging dispersed visitor use in Katmai NPPr, we suggest that appropriate research be conducted to assure that this dispersal and associated development will not result in increased bear/human conflicts. This is particularly applicable to the GMP proposal to expand "tundra trekking in the highlands", which may result in more frequent direct encounters with bears during July.

We understand that none of the five activities discussed for expansion are new. We do not find any information to support the proposed increased size of Grosvenor Camp and establishment of another campground. The management intent to keep the area pristine seems incompatible with this proposal. These inconsistencies need clarification. We request that any new trails be sited away from bear activity areas and suggest communication with the Canadian Park Service to duplicate their success in this regard.

Page 27, paragraph 6 - We request clarification as follows. Many King Salmon residents drive to Lake Camp because it is the only destination besides Naknek. The road terminates in Katmai NPPr because the road was there before the Park was enlarged to include that area. It seems misleading to count persons driving to and from Lake Camp, or using it as an access point, as a visitor to Katmai NPPr. Local staff also note that the parking lot already accommodates 10 vehicles.

Page 27 - Regarding bears and visitors, please see our comments for page 23, Visitor Use, Brooks Camp.

Pages 91 and 92, Recreational Activities - Recreational clam digging should also be discussed.

Page 91, Recreational Activities, paragraph 2 - We suggest changing "during the early part of the annual summer run." to " ... throughout the entire annual run."

Page 91, Recreational Activities, paragraph 3 - The description would be more accurate as "Viewing, studying, and photographing Alaskan brown bear is a major visitor interest." and deleting the rest of the paragraph.

Page 92, paragraph 1 - A statement that Big Creek can be floated from its headwaters inside the Park should be added, per previous State correspondence (April 14, 1982) on the draft Statement for Management.

- Page 98, Visitor Use, paragraph 1 - "Tundra trekking" might be discouraged seasonally (mid-July through mid-August) in the Angle/Takayoto Creek area because of brown bear concentrations.
- Page 99, Park Operations - We request reconsideration of the three seasonal ranger camps; the areas receive little use and are not addressed in the environmental impact section. (See comments for Page 103, paragraph 4.)
- Page 99, Visitor Use - We question the implication that such cruise boats would only be allowed "in place of Brooks Camp" in the other alternatives. We also note that such a proposal would be consistent with NPS intent to disperse visitors without significant environmental impact except where roads are involved.
- Page 102, Alternative B, paragraph 5 - In comments on the Alternatives workbook, the State previously offered additional suggestions in reducing bear/human conflicts at Brooks Camp. We suggest that NPS consider these as potentially more effective in reducing conflicts than restricting sport fishing seasons and bag limits. We are particularly concerned that research on bear movements be completed prior to final decisions. We reiterate our suggestion that NPS provide a special trail system (e.g. open, enclosed, or "boardwalk") for fishermen to use along the Brooks River from the bridge to the falls. Visitor access for viewing and photographing bears could be limited to specific sites on the river during the peak bear use season. Trained staff representatives could be provided to accompany visitors to, from, and at viewing points.

#### TEMPORARY SHELTERS

We disagree with the NPS contention that erections of temporary facilities for taking of fish and wildlife "would constitute a significant expansion" and "would be detrimental to the purposes for which the preserve was established." Hunting and fishing are purposes for establishment of the Preserve and have occurred historically in the area. It is also not clear why NPS has determined temporary facilities related to hunting and fishing constitute a detriment while temporary facilities for hikers and campers do not. These facilities are permitted in Section 1316 and we object to their total prohibition.

REMAINING COMMENTS BY CHAPTERMANAGEMENT ZONING

This section on page 15 addresses the management of land and water but does not recognize the considerable commercial fishing activities which take place in the Shelikof Strait and bays, apparently within the NPPr boundary. In order to clarify the continuation of these activities, we request "waters" be deleted from "Natural Zone" and placed in "Special Use Zone." The Management Zones map should exclude (at least by reference) all navigable waters, and tide and submerged lands as was done for Yukon-Charley Rivers NPr.

We are concerned about zone designations designed for use outside of Alaska being applied to Alaska park system units. In previous discussions with NPS, particularly concerning the Yukon-Charley Rivers GMP, we had difficulty assessing whether management intent related to the designations is consistent with ANILCA and associated congressional intent. In this section of the Katmai GMP we again find an apparent additional layer of management intent packaged with the "natural zone" designation. We request that either the intent be clarified or the zoning be revised.

For example, "This [natural] zone will be managed to ensure that natural resources and processes remain largely unaltered by human activity." In creation of Alaska park units, Congress recognized the role of man in the ecosystem and intended that existing activities would continue, provided significant damage to resources is avoided. The ANILCA Section 202 clearly states that the unit "shall be managed" for purposes including "to protect" and "to maintain" various resources and features. Consistent with the intent, we suggest the phrase in the GMP be revised to "This zone will be managed to protect the natural resources and features and to maintain the existing natural processes." This simple revision resolves our concerns discussed above and significant related issues which arise later in the GMP.

Page 7, Planning Issues and Management Concerns, paragraph 1 - The statement that Katmai NPPr is "managed as a natural area" needs clarification. We request the term be defined, including reference to any management intent directly tied to this designation.

LAND PROTECTION PLAN

The Land Protection Plan should include a rough estimate of the cost of implementation. These figures should then be compiled for all nine GMPs and Statewide recommendations for acquisition reconsidered based on this information. Until this is done, it will be unclear how realistic the acquisition recommendations are for the various NPS units.

In light of budget constraints, we question the viability of the emphasis on acquisition as a preferred method of protection. Greater emphasis on other methods such as cooperative agreements and easements would be more cost effective, increase NPS flexibility, and likely improve working relationships with local landowners.

The GMP has assigned highest priority to acquisition of State lands in Kamishak Bay, suggesting a serious desire to begin negotiating for this exchange (Page 34, paragraph 5). However, the GMP provides only token acknowledgement of a significant portion of the exchange: reopening the western Katmai Park extension to hunting and trapping. There is already a substantial record of public support for the concept of a Kamishak-Katmai land exchange, with this change in the western Katmai Park an integral part. In particular, we note the following concern expressed by the Bristol Bay Coastal Resource Service Area.

An area of particular concern and frustration to local residents in the west end of Naknek Lake where the taking of spawned-out red salmon has been a traditional and customary subsistence use long before this area was established and later redesignated as National Park. Until the 1970's, when the Park boundary was expanded to take in this section of Naknek Lake, subsistence fishing, trapping, and hunting activities were permitted, and the taking of spawned-out salmon considered an essential part of the local diet.

The State has been actively supporting the exchange of State lands adjacent to the McNeil River Game Sanctuary to NPS for federal lands of equal value elsewhere in Alaska. The rationale for this exchange is contained in a memorandum from the Alaska Department of Fish and Game (ADF&G) to the Alaska Department of Natural Resources (DNR) dated August 2, 1984 and corresponding land exchange application (attached). McNeil River State Game Sanctuary was established in 1967 by the Alaska legislature primarily to protect the concentration of brown bears along the river. Similarly, one of the primary objectives in expanding Katmai NPPR northward was to protect high concentrations of brown bears and their denning areas. The land to be included in the

land trade involves 25,000 acres of State land located between the State Sanctuary and National Park and an adjacent 49,770 acres of State land inside the Park boundary. These nearly 75,000 acres constitute valuable brown bear habitat belonging to the State. These lands include important bear denning and feeding areas which merit permanent habitat protection, reducing incompatible land uses and the potential bear/human conflicts associated with intense human settlements.

The discussion of the Kamishak Bay land exchange should include an identification of federal lands suitable for exchange for the state lands. Our support of the land exchange included support for changing the Wilderness designation of the extreme western portion of Katmai Park bordering Naknek Lake to a Preserve designation. This change would allow hunting to resume, which was an important use of this area prior to Park designation.

The discussion of this designation change on page 4 is too vague, and we recommend inclusion of a statement in the discussion on page 34 that supports changing the designation and a commitment to seek congressional approval for the change. The Kamishak Bay land exchange is partially dependent upon this change in designation. Changing Park Wilderness to Preserve status, still retained under NPS management, is more than compensated by the addition of extremely important brown bear habitat in State ownership to the Park in the northeastern portion.

We have serious concerns regarding the following statement on page 34 of the GMP: "Although the National Park Service is sensitive to the concerns of local people, the Park Service will not take an active role in initiating legislation that would reopen portions of the Park to subsistence uses." When Katmai National Monument was expanded westward in 1969 and again in 1978, some of the best hunting and trapping areas available to residents of the Naknek drainage and sportsmen were closed. Under management of ADF&G, the land recently added to the western portion of Katmai Park consistently has very good numbers of moose, seasonal concentrations of caribou, and a moderate density of furbearers. Changing the status to allow hunting and trapping would not jeopardize any of the Park's wildlife populations so popular at Brooks River and along the "Valley Road." Local residents, legislators, and the Bristol Bay Cooperative Management Plan process are on record as supporting the change in status of the western portion of Katmai National Park from its present designations to Preserve. Previous communication with Roger Contor, former National Park Service Regional Director, indicated his interest in pursuing this trade and in proposing an ANILCA amendment changing the status of this area.

We are also concerned that the above quoted statement implies at no time will NPS actively support legislation to support a designation change, particularly to support previous important subsistence uses. However we find NPS proposes Park to Preserve boundary changes and recommended designation changes to Congress in the Glacier Bay NPPr final GMP (p. iv, 58, 59).

In summary, we request that NPS recognize the land exchange in toto and adopt the following policy, consistent with provisions of ANILCA, previous statements, and negotiations: "The National Park Service will recommend Congress change Park Wilderness designations in the extreme western portion of the Park to Preserve designation in order to fulfill the desired land exchange. This will result in acquisition of land desirable for Park purposes and minor administrative differences which allow hunting, trapping, and fishing activities to resume without detrimental impacts on Katmai values or the resources." Without this indication of support for the designation change, we believe NPS is not presenting the full agreement for public review.

Page 34, paragraph 5 - See our comments in the general section on the Kamishak land exchange.

Page 41, Legislative Authorities, paragraph 1 - We request clarification of uses considered detrimental to the purposes of the Park, Preserve, or National Wild River. This is a key ingredient in understanding the full management intent.

Page 41, Legislative Authorities, paragraph 4 - The State does not intend to donate land to NPS. Therefore, any references to State land donations should be deleted.

Page 46, Potential Incompatible Uses, item 5 - This statement conflicts with ADF&G's policy to manage fish and wildlife in concert with their definitions of natural and healthy:

The "natural" and/or "healthy condition of wildlife populations" is more likely to be "impaired" by loss of habitat than carefully regulated harvests. We note that Congress recognized the integral role of man as a natural part of the ecosystem in Alaska park units and we request removal of this implication to the contrary. We also request NPS recognition that harvests which may impair wildlife populations would be unacceptable to the State, inconsistent with existing management policies, and inconsistent with ADF&G wildlife management plans and, therefore, would be disallowed by appropriate State regulation or emergency order. It is inappropriate to apply NPS oversight authority through a determination of incompatibility prior to using available mechanisms for managing natural and healthy populations in the Park and healthy populations in the Preserve.

- Page 46, item 6 - The NPS determination that "disposal of refuse in a manner that attracted bears" is incompatible with unit values is unnecessary. State law (5 AAC 81.218) clarifies that it is illegal to intentionally leave human food or garbage in such a manner that it attracts bears, wolves, foxes, or wolverines. This prohibition does not apply to the use of legal bait materials for trapping fur animals, nor does it apply to the seldom used and tightly regulated use of bait for hunting black bears (5 AAC 81.075). If the intent of this item is to declare operation of open garbage dumps to be incompatible use on NPS lands, then we suggest it be revised accordingly instead of proposing prohibitions which are duplicate or inconsistent with existing law.
- Page 47, top two items - Prohibiting access or facility developments or expansion on non-NPS lands seems inconsistent with ANILCA Section 103 directions that "No lands which, before, on, or after the date of enactment of this Act, are conveyed to the State, to any Native Corporation, or to any private party shall be subject to the regulations applicable solely to public [federal] lands within such [conservation system] units."
- Page 47, Compatible Uses, items 2 and 3 - The comment above also applies to the inappropriate NPS intent to dictate what "size, materials, and color were appropriate" for homes and facilities on private lands.
- Page 47, External Conditions Affecting Land Protection, paragraph 1 - Delete references to State donations of land to NPS.
- Page 47, External Conditions Affecting Land Protection, paragraph 3 - This is the first time commercial fishing is recognized in the GMP. However, we object to the NPS implication that it is a negative external problem affecting the Park in the same vein as mineral development and pipelines.
- Page 51, Cooperative Agreements, paragraph continued from page 50 - Support and logistics for resource research and management activities could be included, as provided for in the NPS/ADF&G MOU.
- Page 52 - To avoid possible confusion, we suggest that this discussion note that most of the Katmai National Park and Preserve is outside of any local government's jurisdiction for zoning purposes.



- Page 56, paragraph 1 - The first sentence should be revised consistent with the intent of Congress that NPS pursue cooperative agreements as the primary means of influencing activities on private and State land within and adjacent to the units. For example, ANILCA Section 1301 (7) and (8) clearly emphasize pursuing cooperative agreements with private landowners and the State. We suggest the following revision: "Cooperative agreements with private landowners, Native corporations, and state agencies responsible for land and resource management within the unit ...."
- Page 57, Recommendations, Priority 1 - As noted earlier, the State actively supports the exchange of State lands adjacent to the McNeil River Game Sanctuary to NPS for federal lands of equal value elsewhere in Alaska. The discussion of the Kamishak Bay land exchange should include a statement that NPS will seek to expeditiously identify federal lands that are suitable for exchange for the State lands listed in their first priority as well as clarify that the designation change in the western portion of Katmai is a component of this exchange (See our general comments on the Kamishak exchange.)
- Page 58, Tract A: Minimum Interest Needed - As noted earlier, the State is interested in considering this exchange. NPS may propose an exchange with the State under its authority in Section 1302(h) of ANILCA and the State's authority under AS 38.50.
- Pages 59-60, Priority 3 - The discussion in this section needs to be clarified. The plan does not indicate how the State would be involved in an exchange in this area. Once this is clarified, the section should reference the portion of the Bristol Bay Cooperative Management Plan/Bristol Bay Regional Management Plan (BBRMP) that addresses this exchange. The section should be consistent with the plan.
- Pages 62-63, Priority 5 - The draft GMP should acknowledge that the BBRMP calls for this boundary adjustment. Further, the General Management Plan should make this boundary change. The GMP is incorrect in stating that "such a boundary change would require congressional legislation." Section 103(b) of ANILCA allows the Secretary of the Interior to make minor boundary adjustments that do not "increase or decrease the amount of land within any area by more than 23,000 acres." The Secretary must provide "reasonable notice in writing to Congress of his intention to do so." This area totals 12,171 acres.
- Page 63, Priority 7 - We request assurance that any NPS management intent for this area include allowances for continued use of NPS lands for campsites, aircraft landings, and other activities directly incident to the exercise of valid commercial fishing activities.

WILDERNESS SUITABILITY

The GMP for Gates of the Arctic NPPr has determined that areas with ATV use easements are unsuitable for wilderness. In the Katmai GMP, this is not one of the criteria. We are unclear why there is this difference.

The Katmai GMP has identified as being unsuitable for wilderness (page 68) areas with roads or trails that are improved by mechanical means and regularly used by motorized vehicles. However, the Wilderness Suitability map on page 69 shows areas suitable for wilderness that include regularly used corridors for public access. The State recommends that NPS reevaluate their wilderness suitability map by overlaying this map with a map showing the possible RS 2477 rights-of-way and 17(b) easements that have been provided by the State. Areas that overlap with these easements or trails should not be considered suitable for wilderness.

Page 65 - The last paragraph states, "Helicopter landings are prohibited on park/preserve lands except by special permit by the superintendent." We suggest a blanket understanding or permit be adopted consistent with the NPS/ADF&G MOU allowing ADF&G to conduct routine surveys rather than requiring a permit for each projected activity. This includes the use of helicopters within Katmai NPPr in performing surveys and other biological work. Weather, migrational movements, changes in population status, and other factors require ADF&G to retain the maximum level of flexibility to obtain sound management data. A similar blanket permit has been issued by Federal agencies to allow the State to respond to marine mammal or migratory bird problems in a timely manner.

Page 69, Wilderness Suitability Map - We are concerned that Naknek Lake is shown as "suitable for wilderness." The lake is managed by the State of Alaska and is used extensively for boats, aircraft, and other activities. Therefore, the lake should not be considered suitable for wilderness designation.

ALAGNAK RIVER MANAGEMENT

Page iv, paragraph 3 - Delete "Park and". The Alagnak Wild River will be managed under the same policies as Katmai National Preserve which is the adjacent conservation system unit. We desire clarification that policies associated with the Preserve will apply rather than those of the pre-ANILCA monument and current park unit.

Page 72, paragraph 7 - We support these recommendations. It should additionally be recognized that recreationists also use motorboats.

ENVIRONMENTAL ASSESSMENTAlternatives

Pages 97 to 100, Alternatives Considered - Regardless of the alternative, we request that NPS limit the number of visitors in Brooks Camp until the Camp is moved and to closely examine the potential affects on brown bears of the "dispersal proposals."

Page 100, Alternative C, paragraph 1 - These proposals are not acceptable under any alternative.

Environmental Consequences

Page 101, Environmental Consequences - The first sentence could be improved by noting "however, resource monitoring and baseline data are available from the State for ANILCA Park additions and Preserve."

Page 104, paragraph 1 - The statement "If visitors had time, they would likely hike the 2 miles to Margot Creek to fish for rainbow trout ... " is misleading. There are very few rainbows below Margot Falls in Margot Creek and no sport fish above the falls. Bear problems could occur at Margot Creek under both Alternatives B and C.

Page 104, paragraph 4 - We previously discussed that the bear population of Katmai Park is not an isolated population. We also objected to references throughout the text that human harvest is not considered a part of the natural process of the ecosystems, which is contrary to legislative intent. Therefore, we request the following sentence be deleted or revised: "Monitoring the bear harvest and the bear concentrations along salmon streams in the Preserve would help ensure that the bear population in adjacent Park areas was being regulated by natural processes rather than by human harvest." The ADF&G monitors the bear population in the Preserve to assist management decisions that assure its continued health. We offer that NPS management intent may actually be to enter into cooperative efforts with ADF&G to develop accurate survey and census procedures. If this is the case we look forward to pursuing these efforts. However, we oppose the implied intent to initiate oversight authority in closing normal bear seasons outside the Park on an inaccurate assumption that the population inside the Park is not "being regulated by natural processes." We also suspect that without doing radio collar movement studies, monitoring bear concentrations in certain areas will not assist knowledge of the range and subsequent possible mortality.

As previously discussed we question how restrictions on sport fishing necessarily reduce interference with "bear-feeding habits". (This comment also applies to Page 106, Alternative B, paragraph 1.) Restrictions on fishermen access, travel, routes, fishing locations, and numbers will more likely reduce conflicts than numbers of fish caught.

Page 106, Effects on Fish (Salmon and Trout) - The discussion of Alternatives A through C fails to mention the commercial salmon fishery. It should be pointed out that commercial fisheries affect salmon stocks and that fishermen (commercial, subsistence, personal use, and sport) in the region have a future need for increased salmon; fisheries enhancement and rehabilitation is a means of achieving that need.

Page 106, Alternative A - There is no evidence to support the assumption that increases in angling pressure will have an adverse affect on rainbows. The NPS has already said that catch and release is prevalent. Studies by ADF&G indicate there is a very healthy rainbow population not significantly different from the population before sport fishing started.

Page 106, Alternative B - It is unclear what is meant by improving the trout population. However, ADF&G should be consulted before NPS implements the recommendations of their current research program.

Page 116, Table 5. Summary of Environmental Consequences - The assessment under Alternative B for effects on fish is also accurate for Alternative A. We request removal of unsubstantiated assessments throughout the table that sport fishing is detrimental to fish populations.

#### MANAGEMENT OBJECTIVES

We observe that the objectives for the GMP, now located on page 133 as Appendix B, should be located in the beginning of the plan in order to receive full public review. The previously published Statement for Management is not the GMP required by ANILCA Section 1301; the objectives are an important base from which the GMP is developed and should receive adequate review.

Page 133, Management and Administration, item 2 - Management of the Alagnak River should be clearly indicated as also consistent with the adjacent Preserve.

Page 133, Resource Management - The concerns expressed regarding draft management objectives in the State's 14 April 1982 letter to NPS have not been recognized in the Katmai GMP. Again, we request the following concerns be addressed through revisions in the objectives:

Item #2 could be interpreted as suggesting bear hunting would be prohibited within the Preserve. The ANILCA states that Katmai shall be managed "to protect habitats for, and populations of, fish and wildlife including, but not limited to, high concentrations of brown/grizzly bears and their denning areas; ...." The ANILCA also specifically recognizes sport hunting and subsistence "shall be permitted in areas designated as national preserves." The State's regulatory process should be used if any changes are contemplated which would affect the uses of fish and wildlife, consistent with item #5.

We request that item #6 from the Katmai NPPr Draft Statement for Management (which was omitted in the GMP list) be included as follows: "Prepare and annually update a Resource Management Plan in cooperation with the State."

Page 134, Visitor Use and Interpretation - Item #2 should also address subsistence hunting.

#### ADDITIONAL COMMENTS

##### ANILCA PURPOSES

Page 5, Legislative Purpose - In quoting the purposes of ANILCA Section 101, we believe the entire phrase should be quoted: "of inestimable value to the citizens of Alaska and the Nation,".

Regarding the next to the last paragraph, ANILCA Section 202(2) defines these specific mandates but also says "... shall be managed for the following purposes, among others:" (emphasis added). This paragraph should be corrected to reflect Congressional intent and expanded to include reference to the ANILCA's other management mandates, such as those found in Sections 1310 and 1313.

In the last paragraph which paraphrases ANILCA administration requirements pursuant to the Act of August 25, 1916, we request reinsertion of "subject to valid existing rights".

Page 7, paragraph 1 - Insert "fishing" between "subsistence uses, sport hunting," and "and trapping". We note that ANILCA Section 203 and Section 1314(c) state "shall be permitted" which is stronger language in describing uses of the Preserve. We suggest the final plan reflect an editorial modification which clarifies those mandates as more than an administrative decision.

The "management and use" of the Park areas are also subject to ANILCA requirements of cooperation with and participation of state agencies, the public, and other interests. It would be appropriate to include in this paragraph a recognition of these requirements and intent regarding cooperative management.

Page 11, paragraph 1 - The phrase "to preserve" should be revised "to protect and maintain" consistent with ANILCA directives.

Page 11, Wilderness Suitability - The phrase "as amended by ANILCA" should be added after "Wilderness Act."

Page 32, paragraph 1 - We request modification of the first sentence to be consistent with ANILCA management directives: "to understand, maintain, and protect" rather than "to understand and preserve."

Page 42, Resource Management and Visitor Use Objectives - We request "preservation" in the first line be modified to "protection and maintenance" consistent with the mandates of ANILCA, particularly Section 202(2) which establishes Katmai NPPr.

We are concerned that the objectives do not address one of the key purposes of Katmai NPPr: "protect scenic, geological, cultural and recreational features". This purpose implies that NPS is directed to maintain corresponding recreational use which is consistently overlooked in the objectives.

Page 47, Compatible Uses, item 4 - Replace "preservation" with "maintenance and protection", consistent with ANILCA directives.

Page 55, Summary of Protection Methods, paragraph 2 - We request "preservation" be corrected to "maintenance", consistent with ANILCA.

Page 32, paragraph 4 - We request "The salmon-spawning habitat will be preserved in its natural condition" be revised (emphasis added). As written it conflicts with ANILCA Section 202(2) which directs NPS "to protect habitats for ... fish" and "to maintain unimpaired the water habitat for significant salmon populations" (emphasis added).

MISCELLANEOUS

A section should be added to the General Management Plan chapter listing and addressing cooperative agreements. It should be similar to the discussion on pages 96 - 97 of the Kobuk Valley GMP or pages 30 - 31 of the Wrangell-St. Elias GMP. The list should include, among other things, cooperative agreements for navigable rivers and RS 2477 rights-of-way.

Page 5, paragraph 1 - We request that the last sentence be replaced with a statement such as "Certain portions of Katmai NPPr have wilderness values" or be deleted.

Page 9, The Map - On this and the remaining similar maps, the islands labeled Kodiak should be Raspberry and Afognak Islands.

Page 11, paragraph 2 - We observe that the GMP recognizes the public and State's role in reviewing the GMP, but we request that the final GMP also recognize their role in the revision process and subsequent more detailed planning as well. This is consistent with the requirements of ANILCA Section 1301.

Page 29, paragraph 4 - "Public lands" should be clarified as federal or NPS land.

Page 37, Historic Structures - We encourage the NPS to preserve Fure's Cabin as well as research the Fox farming structures in the area. Very little research has been done on this phase of Alaska's history, despite the fact that professionals acknowledge that it is an important part of our heritage.

Page 147, Proposed Plan - Naming Geographic Harbor, Kukak and Hallo Bay as developments that "would enhance recreational use," necessitates their being addressed in the environmental assessment.

THE ALASKA COASTAL MANAGEMENT PROGRAM

Page 49, paragraph 4 - The last sentence in this paragraph is incorrect. We suggest the following substitute.

"While federal lands are excluded from the State's coastal zone, federal activities and development projects which are likely to directly affect the coastal zone will be consistent to the maximum extent practicable with the ACMP."

The Division of Governmental Coordination has completed the coastal consistency review of this draft plan. Based on our review, the Division agrees with the NPS determination that the plan is consistent with the Alaska Coastal Management Program (ACMP). However, we wish to note that the more detailed Resource Management Plan as well as permitted activities and NPS actions on federal lands that "directly affect" coastal resources are also subject to the requirements of the ACMP. In other words, State agreement with the federal consistency determination of the GMP at this time does not automatically guarantee that the recommended activities will be consistent with the ACMP when detailed later in specific management proposals. We therefore recommend that NPS involve the local Coastal Resource Service Area Boards and State agencies in the development of the more detailed actions.

We request that the final GMP acknowledge the ACMP and outline the process under which NPS will ensure that more detailed management plans, NPS actions, and permitted activities will be consistent with the ACMP. Reference should be made to the MOU between NPS and DGC (currently in draft) which addresses this process.

We also wish to convey the following additional comments provided by the Bristol Bay Coastal Resource Service Area (CRSA) regarding the Bristol Bay Coastal Management Plan (BBCMP):

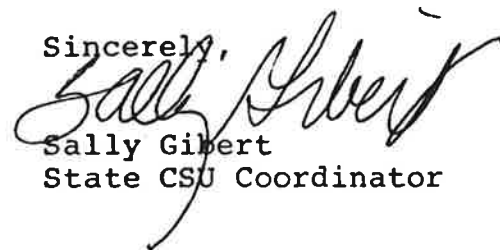
Generally, the proposed draft management plan is consistent with the resource protection and recreation goals and policies of the BBCMP. However, as the draft management plan also acknowledges, activities occurring on federal lands that directly affect the defined coastal area and resources must be consistent with the coastal management program to the maximum extent possible. The coastal boundary of the BBCMP includes all anadromous streams with a one mile corridor from ordinary high water (OHW) on each bank and all tributaries to these waterbodies with a two hundred foot buffer from OHW on each bank. Although final federal approval of the BBCMP is pending, a preliminary finding and determination has concluded that the approvability of the ACMP will not be affected by the incorporation of the BBCMP. Upon final approval of the BBCMP the CRSA board will exercise its authority to review those direct federal actions and permitting activities that may have a significant effect on resources of the park, preserve, or wild river corridor for consistency.



We have commented only on parts of the plan to which we have concerns. However, State agency reviewers wish to be advised of any changes to other parts of the plan that may result from comments of other agencies or individuals. Many of the comments included here will reappear in our comments on the remaining National Park Service GMPs. Unless there is a reason why the response to these comments should be different, they deserve a consistent response on a statewide basis.

Thank you for the opportunity to review this draft General Management Plan for Katmai NPPr. As noted at the beginning of this letter, we request that our concerns be addressed as consistently as possible in this and all remaining GMPs. If we can be of any assistance in clarifying these comments, please contact this office. The State looks forward to resolution of our concerns prior to adoption of the final plan.

Sincerely,



Sally Gilbert  
State CSU Coordinator

ATTACHMENT

cc: R. Davidge, DOI  
J. Katz, Governor's Office, D.C.  
S. Leaphart, CACFA  
J. Leask, AFN  
R. McCoy, ALUC  
State CSU Contacts

# MEMORANDUM


KATMAI ATTACHMENT  
State of Alaska

TO: Tom Hawkins, Director  
Division of Land and  
Water Management  
Department of Natural Resources

DATE: August 2, 1984

FILE NO:

TELEPHONE NO: 465-4100

FROM: Dennis D. Kelso   
Deputy Commissioner  
Department of Fish and Game

SUBJECT: Kamishak Bay  
Land Trade

Enclosed is an application for the Kamishak Bay land exchange. As we have discussed, the proposal is to exchange state lands (identified in the enclosed maps) to the National Park Service for addition to Katmai National Park. In exchange, the state would receive National Park Service lands of equivalent value elsewhere in the state. As conceived, the exchange would also include the conversion of the western portion of Katmai National Park from Wilderness to Preserve (see enclosed maps).

McNeil River State Game Sanctuary was established in 1967 by the Legislature primarily to protect the concentration of brown bears along the river. Similarly, one of the primary objectives in expanding Katmai National Park northward was to protect high concentrations of brown bears and their denning areas. The land to be included in the land trade is located between McNeil River State Game Sanctuary and Katmai National Park, and constitutes valuable brown bear habitat belonging to the state. The eastern two-thirds of this state land was included by Congress as part of the Katmai extension, indicating Congress' intention to have the National Park Service eventually acquire the area.

When Katmai was expanded to the north by ANILCA, brown bear hunting efforts were restricted to a small area of state land sandwiched between the McNeil Sanctuary and Katmai. During the following fall/spring bear seasons, ten bears were taken in this area. Subsequently seven recognizable McNeil bears of the approximately 50 adults that routinely use the river did not appear at the Sanctuary in 1982. These bears were all very tolerant of people and spent most of their time on the near side of McNeil falls. The antics of these bears and their close proximity to the photographers added immeasurably to the McNeil spectacle. Adding the small area of state land to Katmai National Park would go a long way toward perpetuating the famous bear concentrations at McNeil River.

When Katmai National Monument was expanded westward in 1969 and again in 1978, some of the best hunting and trapping areas available to residents of the Naknek drainage and

August 2, 1984

sportsmen were closed. When ANILCA was adopted, Katmai National Park was one of only two parks which did not recognize subsistence uses. The western portion of Katmai National Park has very good numbers of moose, seasonal concentrations of caribou, and a moderate density of furbearers.

Changing the status of the western edge of Katmai to allow hunting and trapping would not jeopardize any of the park's wildlife populations so popular at Brooks River and along the "Valley Road." Local residents, legislators, and the Bristol Bay Cooperative Management Plan (Revised DEIS p. 4-53) are on record as supporting the change in status of the western portion of Katmai National park from Wilderness to Preserve. Roger Contor, National Park Service Regional Director, has indicated his interest in pursuing this trade and in proposing an ANILCA amendment changing the status of this area.

At this time, we would like to request that the state lands identified in the enclosed land trade application be closed to mineral entry so as to ensure that clear title on these lands can be given to the National Park Service. Our research indicates that there are, at present, no mineral claims on these state lands. We would request that to facilitate this proposal, processing of the mineral closing orders proceed simultaneously with processing of the land trade application.

Thank you for your continuing interest in this land trade. If you have any questions, please give me or Lance L. Trasky (267-2346) a call.

#### Enclosures

cc: Norm Cohen  
Lance L. Trasky  
Debby Clausen

Northcentral District  
4420 Airport Way  
Fairbanks, Alaska 99701  
(907) 479-2243

Southcentral District  
Pouch 7-005  
Anchorage, Alaska 99510  
(907) 276-2653

Southeastern District  
230 S. Franklin, Room 407  
Juneau, Alaska 99801  
(907) 465-3400

**LAND EXCHANGE APPLICATION**  
(LAS case type #562-11)

Name of applicant(s) Alaska Department of Fish and Game and Alaska Department of Natural Resources

Mailing Address Alaska Department of Fish and Game  
333 Raspberry Road, Anchorage, AK 99502

Home Phone \_\_\_\_\_ Business Phone 344-0541

Name(s) of Owner(s) of Record (if different from above) State of Alaska

Address \_\_\_\_\_

This application will not be considered unless accompanied by a non-refundable \$50 filing fee. All checks are to be made payable to the Department of Revenue.

**Lands or interests offered in exchange:**

Legal description (as it appears on deed or conveyance document):

Township \_\_\_\_\_, Range \_\_\_\_\_, \_\_\_\_\_ Meridian

Section \_\_\_\_\_:

T 12 S R 29 W Seward Meridian Sections 32 and 33 east of Horseshoe Cove

T 13 S R 26-29 W Seward Meridian All sections in state ownership

T 13 S R 30 W Seward Meridian Sections 1-3, 10-15, 19-36

T 14 S R 32 W Seward Meridian Sections 13, 14, 23-26, 31-36  
Approximate acreage 76,000. Is land surveyed? No Attach  
any maps, survey plats (if applicable), and air photos (if available).

Offering surface and subsurface estate X Surface only \_\_\_\_\_  
Subsurface only \_\_\_\_\_ Interest in land only \_\_\_\_\_

Are there any outstanding liens, mortgages, encumbrances, reservations, or covenants that affect the land? No If yes, describe: \_\_\_\_\_

Describe any improvements and who owns them: No improvements known

Briefly describe the physical characteristics of the land: tundra; wetlands; small sand dunes and beach ridges; steep slopes; generally not suitable for settlement, agriculture, or recreation

Describe public benefits to be derived by state ownership: See attached letter for explanation of public benefits

If known, describe the state lands or interests you may accept in exchange for your lands (location, physical characteristics, proposed land use, etc.): \_\_\_\_\_

I have attached proof that I own, or am legally entitled to, the lands or interests in land proposed for exchange (copy of deed, conveyance document, title insurance report, tax statement).

I am authorized to act on behalf of the owner or interests in land proposed for exchange (copy of authorization attached), and have attached proof of ownership as noted above.

I agree to pay all necessary survey and appraisal costs associated with the lands I own as part of the exchange.

I understand this application does not commit either the applicant or the State of Alaska to a land exchange. However, the Department of Natural Resources will respond in writing to this application within 60 days.

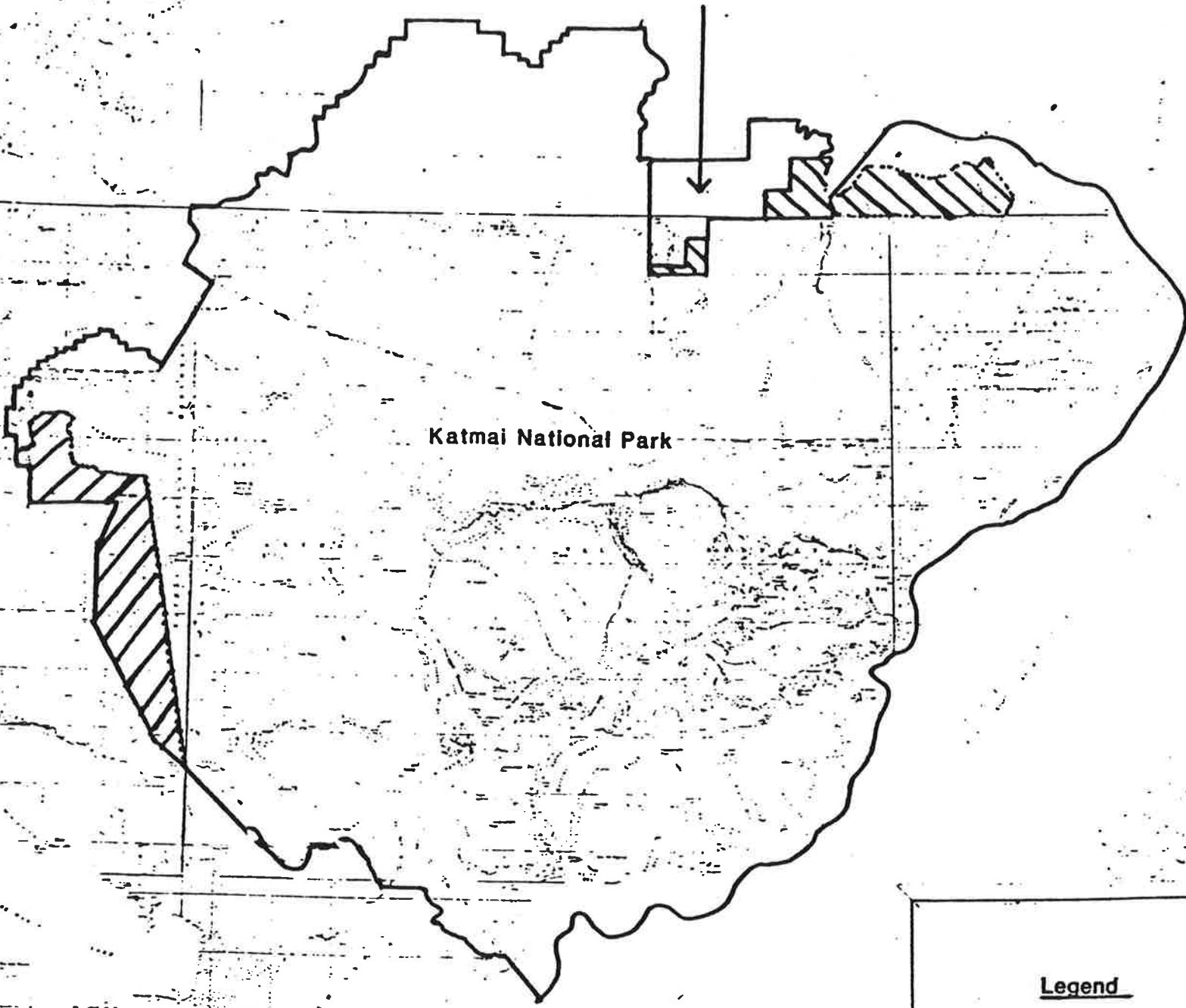
Signed

One Hollenworth 8-3-84

(Applicant(s))

(Date)

McNeil River State Game Sanctuary



Katmai National Park

Legend



State Land  
for Trade



Wilderness  
to be changed  
to Preserve

Prepared by Habitat  
ADFT-2 July 1988

## TABLE OF CONTENTS

### State Comments, KATMAI

ACCESS AND TRANSPORTATION	1
General Organization of Access Issues	2
Page-Specific Comments	3
NATURAL RESOURCE MANAGEMENT	7
Fish and Wildlife	7
Commercial Fishing	10
Fisheries Management	11
Subsistence	14
Trapping	15
Bears	15
In Summary	18
Tide and Submerged Lands	22
Navigability	22
Water Rights	23
Management of the Watercolumn	24
Other Natural Resource Comments	24
VISITOR USE AND FACILITIES	24
Temporary Shelters	27
REMAINING COMMENTS BY CHAPTER	28
Management Zoning	28
Land Protection Plan	29
Wilderness Suitability	34
Alagnak River Management	34
Environmental Assessment	35
Alternatives	35
Environmental Consequences	35
Management Objectives	36
ADDITIONAL COMMENTS	37
ANILCA Purposes	37
Miscellaneous	39
The Alaska Coastal Management Program	39