

"Mega letter"

BILL SHEFFIELD, GOVERNOR

OFFICE OF THE GOVERNOR
OFFICE OF MANAGEMENT AND BUDGET
DIVISION OF GOVERNMENTAL COORDINATION

STATE CSU COORDINATOR
2600 DENALI STREET, SUITE 700
ANCHORAGE, ALASKA 99503-2798
PHONE: (907) 274-3528

February 9, 1986

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

Dear Mr. ^{Boyd}Evison:

The State of Alaska has completed its review of the revised draft general management plans (GMPs) for the following units:

Aniakchak National Monument and Preserve (ANIA)
Bering Land Bridge National Preserve (BELA)
Cape Krusenstern National Monument (CAKR)
Denali National Park and Preserve (DENA)
Gates of the Arctic National Park and Preserve (GAAR)
Katmai National Park and Preserve (KATM)
Kobuk Valley National Park (KOVA)
Noatak National Preserve (NOAT)
Wrangell-St. Elias National Park and Preserve (WRST)

We conclude that these documents, individually and collectively, do not meet the planning process requirements of the Alaska National Interest Land Conservation Act (ANILCA) and are not consistent with Congressional intent. Specifically they fail to provide policy guidance on a host of issues; when policy is provided, it does not adequately protect continuation of traditional uses provided for by ANILCA; and they rely on future decision-making processes which do not effectively incorporate public and State involvement.

ANILCA provides clear and consistent guidance that the 44 million acres of national parks, preserves, and monuments in Alaska are subject to certain uses and activities unique to Alaska. ANILCA was designed to further the dual goals of protecting Alaska's vast wildlands and providing for the continuation of the unique Alaskan lifestyle. This was based on Congressional belief that with appropriate monitoring and necessary regulation, many existing uses would be compatible and consistent with the purposes for which these units were designated.

The GMPs do not adequately protect opportunities for the continuation of the traditional subsistence way of life. If the management strategies outlined in the GMPs are not amended, the NPS will fail to meet Congressional intent and thus create problems that will weigh heavily on the shoulders of Alaskans who are living in and use these areas. The GMPs currently preempt or restrict various activities which support subsistence uses, such as motorized access and cabin use, and tend to establish inappropriate limits on the extent of subsistence activities. For example, a cursory literature review indicates that year-around motorized access was traditionally used for subsistence purposes in at least seven of the nine park units prior to their establishment. NPS only acknowledges such use in one unit. Thus NPS has inappropriately established major prohibitions on motorized access by failing to acknowledge much of its use, thereby disqualifying it from further consideration. Congress directed NPS to protect and provide opportunities for a full range of subsistence activities and seasonal use patterns.

NPS has not yet comprehensively researched or documented general visitor uses that occurred prior to park designation or withdrawal, including recreational and commercial activities. ANILCA guaranteed continuance of certain existing uses with the knowledge that future necessary regulations would be based in part on the general extent of use prior to its enactment. The GMPs include only minimal or sporadic recognition of such use despite efforts by the State seeking cooperative identification of these baseline data.

Since these are the first GMPs for these nine units, they will set the tone and direction of park management in years to come. It is critical that decisions be based on an adequate understanding of use patterns. In the absence of this information, the NPS is making premature decisions without necessary baseline knowledge. The GMPs need to document existing recreational and commercial use patterns at the time of withdrawal and propose guidance to manage that use consistent with ANILCA's intent to minimize impacts on Alaska residents. Alternatively, the GMPs should commit to a future process which accomplishes these objectives. (See subsequent Cooperation and Implementation and Access and Transportation discussions.)

The lack of adequate consideration or accommodation of existing uses occurs throughout the GMPs for a number of issues. This theme is discussed in our supplemental comments for Closure Proposals, Subsistence Activities - ORVs, Aircraft Access, Access and Transportation, Subsistence Trapping, Temporary Facilities, and Cabin Policy.

We are also concerned about the specific methods used by NPS in the decision-making process to place restrictions on uses. As

currently represented in the GMPs, it appears that a number of decisions have been made arbitrarily without following the guidelines set out in ANILCA, particularly restrictions for pre-ANILCA traditional access. NPS appears ready to implement restrictions without following proper regulatory procedures to provide appropriate justification, adequate public notice and public hearing. (See Closure Proposals).

NPS staff repeatedly state that GMPs are not "legal documents" but rather general expressions of policy; yet it seems that this is not the case in certain instances. The GMPs should not be the mechanism for review of regulations, and should thus indicate that the NPS will pursue separate closure procedures if needed for pack animals, ORV's, temporary facilities, snowmachines, etc.

The State realizes that many of the uses we are concerned about may need close monitoring and subsequent regulation on a case-by-case basis where necessary and justified to protect the important resource values of these units. However NPS consistently precludes compatible uses and relies on broad park-wide restrictions (e.g., visitor group size limits in Gates of the Arctic) to handle site-specific impacts.

This is of concern to the State since an attitude is perceived among some NPS staff that hunting, cabin use, motorized access, and other activities provided for by ANILCA are inherently incompatible with protecting parklands in Alaska, and that over time through incremental decisions, some would quietly choose to cleanse the parks of these uses. For example, as a result of series of decisions by NPS over the past ten years, one outfitter/guide in the Wrangell-St. Elias NPPR has been precluded from use of several of his pre-ANILCA cabins. (See transcript of November 22, 1985 meeting of the Alaska Land Use Advisors Committee, pages 12-22.) This natural bias among NPS personnel is understandable since most NPS managers and policy makers come to Alaska from lower 48 parks where these uses are routinely considered to be detrimental. Yet Congress directed NPS to manage its lands differently than it has traditionally managed its land elsewhere, and to provide for the unique conditions and uses of land in Alaska. In attempting to implement the far reaching ANILCA balancing act, NPS needs to further embrace and respond to the needs of Alaskans.

A separate concern of equal importance to the State is the lack of clear management intent statements in the GMPs that set the general direction concerning park management. In Section 1301, Congress directed the NPS to set direction on a host of management issues in the GMPs. We recognize however that NPS is not prepared to respond to all the specific requirements of Section 1301 in the GMPs at this time. Thus at a minimum, the GMPs should contain clear comprehensive policy guidance that is philosophically consistent with appropriate NPS policy and

ANILCA. Instead, the GMPs often simply cite various authorities and regulations and then leave their interpretive application up to the unit managers to make on a park-specific basis. This will result in case-by-case decisions being made differently all over the State, thereby retroactively setting NPS policy without comprehensive review. For example, most GMPs indicate that remote airstrips may be maintained by the public with hand tools, and that use of equipment other than hand tools requires a permit. Yet there is no associated intent stating that such strips shall remain safe and usable, so park managers have the option to eventually close the strips by limiting maintenance.

Of necessity, day-to-day decisions will need flexibility for case-by-case situations. However, the GMPs need to provide the necessary criteria and direction, developed in a systematic and comprehensive manner, to guide future decisions.

To remedy this situation two courses of action should be pursued. First, clear policy guidance, consistent with ANILCA, needs to be laid out. Secondly, decisions that still need to be made within the above policy framework should be identified, along with a process outlining how and when these future decisions will be made.

Because the GMPs set only general direction on so many issues, the State anticipates that subsequent actions at the regional and local level will be the primary source of decisions which actually have a direct impact on the public and State. However, a clear outline of how subsequent planning and decision-making will incorporate public and State involvement is lacking. The GMPs do not provide adequate assurances that the public and State will be effectively involved in decisions that are deferred until after the GMPs are approved. The current GMP approach is to say that decisions, plans, regulations, etc. will be "available for review." This is not consistent with 1301(d) which calls for participation in development preparation and revision. (See Resource Management Plans for an example of this concern). Revising and/or expanding the GMPs to more fully describe subsequent implementation planning and the decision-making process is key to the resolution of this concern.

In the past few years, an increasing number of issues or management decisions have been effectively handled in cooperation with State agencies. The jointly developed fish and wildlife management policy statement is a significant example of how cooperative discussions and information sharing can resolve differences. As a result of adoption of the policy statement, significant fisheries and wildlife management issues addressed in our previous reviews have been addressed. We are aware, however, of several aspects of interagency cooperation and coordination

February 9, 1986

which need improved recognition in the GMPs and in park management generally.

Assurance of participation in future decision-making processes is one aspect we have mentioned. We also seek improved day-to-day coordination between NPS and State agencies on basic data collection and interpretation. In particular, we encourage NPS to foster a closer working relationship with the Alaska Department of Fish and Game. State and NPS biologists need to improve efforts to share information and come to terms with conflicting data and/or application of differing management objectives. The State is also interested in pursuing increased opportunities for cooperative management strategies and cooperative agreements where State management authorities overlap NPS jurisdictions. These topics are all discussed more specifically under Cooperation and Implementation.

The remaining comments in this letter are organized by topics as indicated on the next page. Additional Comments are covered in the Appendices. Some topics are researched and documented more thoroughly than others though the level of detail or order of their appearance is not necessarily indicative of their importance. Please bear in mind that these issues are essentially examples of our larger concerns noted in this overview.

At our request, State and NPS representatives met recently to discuss the NPS/State relationship and our general concerns with the GMPs. We are encouraged by NPS' interest in exploring ways of improving this relationship and we appreciate recent willingness to discuss resolution of a number of issues. We also commend NPS for issuing revised drafts of the nine GMPs. We hope this has set the stage for the cooperative resolution of the remaining challenging issues in the finalization and implementation of these GMPs.

Sincerely,



Sally Gibert
State CSU Coordinator

cc: R. Davidge, DOI
J. Katz, Governor's Office, D.C.
S. Leaphart, CACFA
Chair, Board of Fisheries
Chair, Board of Game
Chair, Game Board
Subsistence Resource Commissions
Members, Alaska Land Use Council
Member, Land Use Advisors Committee
State CSU Contacts

ORGANIZATION OF SPECIFIC STATE COMMENTS PAGE No. :

COVER LETTER 1

COOPERATION AND IMPLEMENTATION 8

ISSUES

Closure Proposals 11

Subsistence Activities - ORVs 15

Aircraft Access 24

Access and Transportation 27

RS 2477 30

17(b) Easements 31

Subsistence Resource Commissions 33

Subsistence Trapping 35

Temporary Facilities 39

Cabin Policy 40

Wilderness 42

Land Protection Plans 43

Resource Management Plans 44

Management Objectives 50

Water Rights 51

Navigability and Watercolumns 52

Fish and Wildlife Management Policy 54

Fish and Wildlife Information 57

Other Comments Specific to Individual
GMPs 58

APPENDICES

COOPERATION AND IMPLEMENTATION

The State often requests additional language in the GMPs indicating NPS willingness to cooperate with others, and specifying how this will be accomplished. These requests are intended to increase NPS' commitment to involving the State and public in its decision-making process. For example, the goal of our comments regarding the GMP discussions of the Subsistence Resource Commissions (SRCs) is ultimately aimed at improving NPS' cooperative relationship with the State and the public.

Three major areas need additional discussion in the GMPs concerning cooperation. First is the need for better coordination regarding data collection and interpretation. In particular, we encourage NPS to foster a closer working relationship with the Alaska Department of Fish and Game (ADF&G). For example, the Cape Krusenstern GMP proposes to close portions of the monument to the taking of Dall sheep, yet little information is presented to justify this closure. The NPS did not consult with ADF&G prior to making a public proposal to close the area. We are concerned about this apparent hesitancy to call upon the agency that has management responsibility for the fish and wildlife resources. State and NPS biologists need to improve efforts to share information and come to terms with conflicting data interpretations and/or application of differing management objectives. The GMPs should provide direction to NPS managers regarding when and with whom they need to cooperate and consult.

Secondly, we would like NPS to place more emphasis on possible future cooperative agreements with the State. Such cooperative management strategies would be valuable in instances where State agencies have management responsibilities which overlap NPS jurisdictions such as management of fish and wildlife, submerged lands, navigable waters, air and water quality, State land inholdings, rights-of-way, etc. Ultimately NPS and State agencies need to cooperatively address specific management issues as they arise, such as permits for fish and wildlife research activities and management of RS 2477's. Several of our specific concerns referenced in subsequent comments suggest possible cooperative management agreements or similar cooperative approaches.

Thirdly, we want to be more directly involved in planning and decision-making for these units. The language in 1301(d) provides for State participation in production of the GMPs. Congress clearly increased the State's opportunities for participation in the planning process beyond review of draft documents. Congress provided for full participation in the development, preparation, and revision of the GMPs in order to guarantee State opportunities to participate directly in

development of the management strategies for the units. The thrust of many of our comments is to ensure that a process is explicitly outlined where such participation is assured.

While our focus has been on NPS' relationship with State agencies, the general concepts we are seeking also apply to the NPS relationship with the public, including Native corporations. For example, it is well established that the BLM, State, Native corporations, and other parties went through lengthy negotiations to determine the terms and conditions of ANCSA 17(b) easements across Native lands. The GMPs suggest that NPS might chose to alter the established terms and conditions subsequent to notification and opportunity to comment. This needs to be strengthened by acknowledgment of the affected parties as full participants in any revision process.

The State has several additional concerns and suggestions that have not been described in other sections of this letter. The following is a brief outline of these concerns and remaining, inter-related suggestions:

1. Include a statement in each GMP explaining that all proposed regulatory changes will not be initiated until the GMPs have been approved and the appropriate closure procedures are followed as outlined in our discussion of Closure Proposals. Then list the changes that NPS envisions along with a schedule for public involvement.
2. Develop a set of statewide definitions for key terms and phrases used in the GMPs. Clarification and a common understanding of phrases such as "public review", "feasible access" and "traditional" could go along toward clarifying, if not satisfying, our concerns.
3. Add a section to each GMP which describes an appeals process. Page 258 of the Gates of the Arctic GMP states that if a permit is denied the decision may not be appealed to the Regional Director. This is unacceptable. The plans should include a section that explains in detail the process for appealing decisions. This process should allow for appeals up through the Regional Director, an Interior-appointed Administrative Law Judge, and the Secretary of Interior. This policy should be similar to the process proposed in the draft cabin regulations.

We recognize the enormity of the task to adequately address all of the comments contained in this letter and Appendices. Creative and cooperative effort is necessary to resolve these issues and transmit the GMPs to Congress on a reasonable schedule. The State has several proposals that may be useful

catalysts for additional discussions on how these problems can be resolved.

For example, numerous concerns contained in this letter relate to overall policy or philosophy. Minor phrasing or word changes in the GMPs will not resolve all the issues of concern. Possibly the GMPs could include a section that clearly outlines development of a separate policy guidance process in documents that will address Alaska-specific concerns such as those outlined in this letter. These policy papers would be statewide in nature and would provide the guidelines for detailed day-to-day management, particularly distinguishing the differences in policy and processes in Alaska from policy and processes in the lower 48. Subsequently the Resource Management Plans (RMPs) could follow-up with the specifics of how the policies will be implemented in a given park unit. These policy papers though, should be completed prior to any further work on the RMPs. The policy papers would essentially provide the real management guidance that the GMPs are supposed to contain. The GMPs are useful in that they cite various authorities, but guidelines to the manager are missing. If the NPS determines to use such a proposed method to resolve State concerns, the GMPs should include a section titled Implementation. In order to fulfill ANILCA 1301 requirements, this section would need to include a detailed list of issues that will be addressed, including those topics in this letter, and the process of resolving those issues.

An example of a component of the implementation section proposed above is already included on page 111 of Bering Land Bridge GMP. The Cape Krusenstern GMP page 5-3 has a similar section titled "Implementation Checklist." We commend these initial efforts which need to be supplemented with the additional information recommended above.

The State would like further discussions with you to achieve development of an approach to resolve these concerns. We also desire opportunities to clarify any comments that seem unclear or unsubstantiated and to cooperatively seek methods to resolve our concerns in a manner that minimizes time and frustration for all.

ISSUES

Closure Proposals

Our review of the nine GMPs revealed numerous and varied proposals for changes in existing regulations. Most of these involve access and closures of uses related to access. It is often unclear whether public review of proposed regulations or subsequent actions will be forthcoming or, alternatively, whether NPS intends that implementation of the GMP will correspondingly implement the proposals. In comparing the proposals we find that most closures are being proposed park-wide; do not include closure justifications based on documented needs as required by ANILCA Titles VIII and XI; seem to be inconsistent with Congressional intent to retain the pre-ANILCA rural Alaska way of life; and have not included the required public involvement. It is our understanding that Congress intended closures to be pursued on a site-specific and case-by-case basis as necessary to reduce impacts on public health, resource protection, scenic or historic values, subsistence uses, etc., as specified in 36 CFR 13.30 and 13.46.

To be consistent with ANILCA and subsequent regulations, NPS should take the following steps prior to implementing proposed restrictive actions: (1) Determine and document existing use levels or activities; (2) Determine the basis (finding) or reason for the proposed action or decision; (3) Substantiate the finding by documenting the known impact of not making the decision; (4) Investigate alternative measures for accommodating the activity in question that would avoid the same impacts; and (5) Pursue separate public notice and public hearing. The following detailed discussion of pack animals, is an example which illustrates our specific concerns regarding closure proposals.

Pack Animals

The GMPs do not provide adequate documentation of existing pack animal use and fail to justify proposed limitations. The management intent for pack animals is often confusing, vague, and, in most cases, appears to lack justification.

Table 5 illustrates how each GMP addresses the following key questions: whether pack animals are allowed, whether closures or restrictions are being pursued, whether the regulatory basis for closures is provided and substantiated, and if intent to pursue required closure procedures is referenced. Our analysis of the GMPs, as reflected in Table 5 reveals: no management intent regarding pack animals could be located in GMPs for 3 of the units; intent for only 2 units consistently indicates whether pack animals are or are not allowed; 4 others have confusing intent; none provide substantiation to justify proposed closures; and none clearly indicate intent to fully pursue closure

procedures as described in 36 CFR Part 13. Photocopies of the references to pack animals found in each GMP are attached in Appendix G for reference.

The State has objected to limitations on traditional activities where no justifications are available. We previously noted a lack of evidence that resources are or will be damaged by pack animals, particularly where their use is relatively minor. The revised drafts fail to address this concern and fail to document pack animal use levels as of 1978 (or 1980 as appropriate). It seems inappropriate to pursue closures before use levels are not documented.

The regulations clarify under what circumstances pack animal closures can be pursued. The basis for closure which has been loosely applied is "if it can be determined that such use is causing or likely to cause an adverse impact on . . . resource protection" (36 CFR 13.46). We are not presented with substantiation that the impact meets the criteria set out in the regulations. The general use of pack animals is expressly authorized, consistent with ANILCA Sections 1110(a) and 811. Resource impacts can be avoided through selectively applied route or area restrictions where necessary without prohibiting such use totally throughout millions of acres.

Another problem that applies to pack animals is the failure to address public involvement requirements when pursuing access closures. In the case of pack animals, closure procedures in 36 CFR Part 13 (13.30 and 13.46) include: published notice in the federal register and both local and general newspapers, radio broadcasts, posted maps of proposed closures, and subsequent public hearings in the affected vicinities and other appropriate locations. These closure procedures are not discussed, rendering the impression that the closures go into effect upon approval of the GMP. We note that the unit wide closures without public involvement or reasonable justification further contradict previously published NPS intent: 36 CFR, Vol. 46 No. 116, June 17, 1981, Analysis of Public Comments, 31842: "Comments on the closure criteria of Section 13.46(b) suggested both tightening and expansion of the criteria . . . In the Services judgement, the closure and restriction provisions represent the proper balance between protection of park values and allowance of subsistence activities . . . the Park Service's intent [is] to provide effective and meaningful notice and hearings . . ." (emphasis added).

And on 31843 "The closure provisions of § 13.46, . . . have many procedural and substantive protections intended to insure that the closure is sufficiently justified and well discussed. Local input into these decisions will be further facilitated with the

creation and operation of the local committees, regional councils, and park and monument commissions."

In summary, the need for prohibitions of pack animals in the units appears to be unjustified. To correct these problems, we suggest the following management intent be included in each GMP: (Locations of discussions of pack animals needing changes can be found on Table 5 or in Appendix G.)

1. Include intent clearly describing allowed pack animal uses and possible proposals to restrict or close such uses.
2. Commit to conducting studies and inventories cooperatively with other agencies, organizations, and the public to ascertain traditional activities and existing uses (those prior to 1978 or 1980 as appropriate).
3. If resource impacts from pack animals are suspected, initiate cooperative research or evaluations of possible impacts from pack animal uses based on the criteria in 13.30 and 13.46.
4. Investigate available alternative management options which could provide continued use of pack animals while avoiding impacts.
5. Document and commit to the required public notice and hearing procedures, if and when pack animal closures or restrictions are proposed.

Table 5. PACK ANIMALS

Unit	Language Indicates Pack Animals Are Allowed	Restrictions or Closures are Proposed	Intent is Missing	Basis ^{1/} for Closure is Provided	Commitment to Follow Closure Procedures ^{2/}
ANIA	P. 19 ^{3/} P. 108 ^{4/} P. 130			NA NA	
BELA	?	?	X(P. 88 ^{3/})	?	
CAKR	P. 3-28 ^{3/}	P. 3-22 ^{3/} P. 3-28 ^{3/}		Yes (B; not substantiated) No	No No
DENA	?	?	X		
GAAR	P. 243 ^{3/} P. 249 ^{4/} P. 254	P. 111 P. 15 P. 124 P. 243 ^{3/}		Yes (B; not substantiated) No Yes (B; not substantiated) No	No No No No
KATM	?	?	X(P. 21 ^{3/})		
KOVA	P. 45 P. 66 P. 196 ^{3/}	P. 46 P. 66 P. 83 P. 191 P. 196 ^{3/}		No Yes (B; not substantiated) No No No	No Partial (P. 66) No No No
NOAT		P. 3-20 P. 3-45 P. G-3 P. I-1 ^{3/}		Yes (B; not substantiated) No No No	No No No No
WRST	P. 4 P. 11 P. 17 P. 125 P. 163-4 ^{3/}	P. 19		No ^{5/}	

^{1/} Sections 13.30 and 13.46 state that the Superintendent may restrict or close a route or area to pack animals if it can be determined that such use is causing or likely to cause an adverse impact on: A) public health and safety; B) resource protection; C) protection of historic or scenic values; D) subsistence uses; E) conservation of endangered or threatened species; F) purpose of the units establishment.

^{2/} Closure procedures under 13.30 and 13.46 include federal register notice, both statewide and local newspaper publications, radio broadcasts, posted map of closures, and public hearings.

^{3/} Consolidated Access Table

^{4/} Part 13 Regulations

^{5/} Cites misinterpretation of regulations.

Subsistence Activities - Traditional ORV Access

We believe that the NPS has interpreted statutory authorities and subsequent implementing regulations regarding subsistence activities more narrowly and more restrictively than intended by Congress. Throughout the GMPs, the roles of affected individuals, the Subsistence Resource Commissions, and the State (currently responsible for managing subsistence uses of fish and wildlife) have been diminished through omission or restrictive assertion of oversight authorities. (See Subsistence Resource Commissions for omission examples.)

The GMPs tend to emphasize improving and monitoring visitor uses while curtailing traditional resident uses, despite general assurances to the contrary. It is difficult to ascertain from the GMPs what traditional activities are permitted. To illustrate a hypothetical example, we have excerpted the following provisions from the Aniakchak National Monument and Preserve GMP to demonstrate the confusion and inconsistencies involving this issue. They are represented from the perspective of a local resident who has used an ORV for subsistence purposes in the unit.

Page 18a: You don't depend on your ORV as a traditional access mode.

Page 18c: You can use the ORV on designated or permitted routes or areas.

No such ORV routes or areas are currently designated.

Such designations can not be made in wilderness.

Page 18d Your ORV could be permitted to access an inholding on a case-by-case basis on a designated route, depending on impacts and other traditional/available access.

ORV use is subject to state and federal laws, permits, and restrictions such as size, type, weight, season, number, etc.

The ORV may be used on trails and easements yet to be determined.

Page 19: ORVs can not be used for subsistence access except they may be used by residents of six listed villages.

ORV access routes or areas for subsistence may be restricted or closed.

Page 19d: The traditional transportation mode by local residents shall be permitted.

ORVs are not recognized as traditional means; your ORV may be permitted if determined a traditional means.^{1/}

Additional information about your traditional ORV use will be reviewed on a case-by-case basis.^{2/}

Page 129: No changes are proposed in current regulations which permit traditionally and customarily used access, including your ORV.

Page 131: The Aniakchak GMP does not change allowed access means used prior to creation of Aniakchak, including ORVs if demonstrated as traditional and customary.^{3/}

No changes or restrictions are proposed in traditional or existing subsistence access.

Page 140a: Your ORV is not allowed on trails and right-of-ways.

Similar inconsistent, contradictory, and vague statements of management intent occur in each of the GMPs. To illustrate this, we have consolidated every reference affecting ORV access for subsistence in the Appendix and provided a "lay person's checklist" (Table 3). The results indicate a general intent to prohibit ORV use while simultaneously acknowledging continued use is Congressionally protected. In general it appears that various statutes, executive orders, regulations, and studies are inappropriately referenced to support prohibitions and restrictions which seem to violate Congressional intent. In passing the ANILCA, which amended previous statutes and supercedes regulations and policies, Congress intended a liberal approach to access, different than "lower 48" management, assuring continuance of traditional and customary activities.

Traditional and customary use of ORVs has occurred throughout Alaska. The State's subsistence resource specialists indicate that documentation of such uses is readily available for at least seven of the nine park units. However, the NPS has prematurely determined ORVs are not customary and traditional in eight of nine units without any

Table 3.

A lay person's checklist by unit of whether Subsistence ORV Use is allowed.	Yes	No	Maybe
Aniakchak	19d 129 131	18c 19 140a	18d 19 19d
Bering	84 96	iv v 84 88 91 96 201	iv 88 91 93 96
Cape Krusenstern	1-7 3-22 3-29	3-25 3-28 7-30	2-53 3-23 3-25 3-26 3-40 3-28
Denali	34 147	34	34 35
Gates of the Arctic	112 234	iii 12 15 87 114 126 243 265	112 127 128
Katmai	29	V 21 25 27 29 143	V 21 26 29 113
Kobuk Valley	45 46 66	45 68 69 71 81 138 196 205	68 69 81 189
Noatak	3-33 3-43 3-45 F-4	3-18 3-34 I-1	3-19 3-34 G-1 I-1
Wrangell-St. Elias	10 11 16 163 175	11 196	12 16 164 176

consultation of specialists, literature reviews or data collections to measure the extent of pre-ANILCA ORV use. Determination of this sort supports the general impression that the NPS intends reduce or phase out existing uses wherever possible. We recognize that restrictions on or prohibitions of traditional activities such as ORV use will be necessary in certain instances to protect resource values. However, the NPS has not adequately addressed ANILCA and regulatory intent that clearly spells out the process for initiating such action.

Three of the summary statements included in the Aniakchak example (as footnoted) raise the following questions: (1) Who will determine if the access is traditional? When? Has "traditional" or "customary" been defined? (2) Who will review traditional ORV use? When? Who will be consulted? Will verbal history of local users be considered? (3) Is the burden of demonstration on the subsistence user? These elementary questions are key to future management decisions but are not answered in any GMP.

To resolve these problems NPS' policy needs to be clarified on a statewide basis and reflected in the GMPs. Consistent with Congressional intent, limitations on customary and traditional activities should not be proposed until demonstrated to be necessary and then only after every avenue which avoids restrictions has been pursued. In the case of ORV access for subsistence uses, the intent described in the left column of Table 1 should be reflected in all GMPs whenever discussing access, subsistence, and existing uses.

The following statements should be in each GMP regarding Subsistence access by ORV. Are they?

ORVs are a traditional means of access.

Unit	ANITA		BELA		CAKR		DENA		GAAR		KATM		KOVA		NOAT		WRST	
	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes

The use of ORVs, if traditionally used by local rural residents for subsistence purposes, shall be permitted pursuant to section 811 of ANILCA.

18a	IV	2-53	2-51	34	12	V	14	2-17	12
19d	V	2-56			15	29	47	3-33	16
	96	3-40			73	113	66	3-34	125
					112		69	G-1	
					114		81		
					233		138		
							189		
19d	IV	2-56		34	73	V	66	3-22	11 ^{3/}
	68	3-40			93 ^{3/}	29 ^{3/}	69	3-33	16 ^{3/}
	84				114		81	3-34	125 ^{3/}
	96 ^{3/}							3-35	164 ^{3/}
									176 ^{3/}

ORV usage will be studied to determine degree and areas of traditional use; these studies will be conducted cooperatively with persons and agencies having special knowledge, and in consultation with local rural residents and Subsistence Resource Commissions.

After completing the studies, the State and the NPS, in consultation with affected persons and organizations, will determine any necessary regulations to protect environmental values while continuing access for subsistence as guaranteed by the ANILCA. Any NPS or State regulation changes will be subject to notice and public hearings in the affected area.

- 1/ Incorrect -- may be permitted, is permitted, is allowed.
- 2/ Includes intent to study, but not cooperatively and in consultation with agencies, local residents, Subsistence Resource Commissions, etc.
- 3/ Partial intent is already included.

In addition to the statements included in Table 1, we request that the following intent be included in discussions of ORV access for subsistence uses to clarify allowed uses. Most of the language has been excerpted from the revised drafts (as credited in parentheses) with necessary modifications. Please note that the language comprehensively addresses only ORV-related management intent.

GENERAL ACCESS

Current access includes motorized vehicles on unpaved roads, airplanes, ATVs (all-terrain vehicles), snowmachines, horses, dogsleds, and watercraft. Visitors also enter on foot and cross-country skis. A brief description of existing transportation and access is included in the "Affected Environment" section. Access will be managed consistent with park/preserve values and applicable laws and regulations as discussed below. Access provisions are summarized in (tables or charts). (WRST, Page 10)

Airplanes, motorboats, and snowmachines are used within (unit), including the designated wilderness area. The continued use of these forms of motorized equipment in the designated wilderness is allowed under ANILCA and federal regulations. Helicopter landings are prohibited on park lands except in compliance with a permit issued by the superintendent. No other forms of motorized access are permitted except as provided by ANILCA sections 811, 1110, and 1111. (KOVA, Page 138)

Exceptions to the general prohibition on the use of ORVs off established roads and parking areas include: access to inholdings allowed under section 1110 and access for subsistence purposes authorized by section 811 of ANILCA. These exceptions are discussed later. (See Access to Inholdings and Access for Subsistence Uses.) The use of off-road vehicles (ORVs), including all-terrain vehicles (ATVs), off established roads and parking areas designated routes, sites, and areas is generally prohibited. (36 CFR Part 13) (WRST, Page 12) (KATM, Page 25)

The terms ORV and ATV are used interchangeably in this section. An off-road vehicle is any motor vehicle designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, wetland, or other natural terrain, except snowmachines or snowmobiles (36 CFR 13.1). Snowmachines are covered in other provisions (see appendix ___). This definition does not include ultralights, Hovercraft, or airboats whose use within the park/preserve is prohibited. Likewise, it does not include bulldozers, loaders, or other pieces of equipment which are covered

(Proposed ORV intent, continued)

under Section 1110 of ANILCA (see ACCESS section). (WRST, Page 10)

Traditional methods of access will be allowed to continue for subsistence purposes. Reasonable means of access to inholdings, such as native allotments or mining claims, will also be allowed. Such access will be subject to regulations to protect the natural and cultural values of the preserve. In addition, temporary access will be permitted for the purposes of survey, geophysical, exploratory, or other temporary uses as long as such access will not result in permanent harm to the resources of the preserve. (BELA, Page 84)

Section 1316 states that wilderness designation will not prohibit or otherwise restrict sport hunting, fishing, trapping, or traditional subsistence activities permitted by section 203. (GAAR, Page 87). Airplane, snowmachine, and motorboat access for recreational activities within the designated wilderness is currently permitted where such use is already established (Section 4 of the Wilderness Act and Section 1110 of ANILCA). The use of ORVs for subsistence purposes and access to inholdings within designated wilderness is permitted pursuant to Sections 811 and 1110(b) of ANILCA (see appropriate headings in this section). Wilderness management is discussed further in Appendix _____. (WRST, Page 16)

Under all management designations, access to NPS units for subsistence purposes is guaranteed by Section 811 of ANILCA. Use of snowmachines, motorboats, and other means of surface transportation traditionally employed for subsistence purposes by local rural residents is allowed pursuant to Section 811. The superintendent will designate routes and areas in accordance with 36 CFR 13.46. Transportation methods may also be regulated or restricted to protect the resources of the unit. Existing regulations (36 CFR 13.46) govern access for subsistence purposes. (WRST, Pages 175-176)

Access to Inholdings

An exception to the general prohibition on the use of ORVs off established roads and parking areas and designated routes, sites, and areas is access to inholdings allowed under section 1110 of ANILCA. Section 1110(b) guarantees the right of access to inholdings within park areas, subject to reasonable regulations to protect natural and other values of park lands. Access to inholdings is covered in existing regulations (36 CFR 13.15). The use of ORVS will be permitted by the superintendent on a case-by-case basis

(Proposed ORV intent, continued)

on designated routes or areas. In determining what routes or areas and restrictions should apply, the superintendent will consider the potential for resource damage and user conflicts and the availability of alternative routes and methods of transportation. The use of ORVs for access to inholdings will be allowed only upon a finding that other customary and traditional methods of access will not provide adequate and feasible access. All ORV use will be subject to applicable state and federal laws and to permits and restrictions necessary to prevent resource damage. These restrictions may limit the size and type of vehicle, vehicle weight, season of use, number of trips, and other conditions necessary to protect park resources and values. (KATM, Page 26)

Access Studies

Some methods of access have greater potential than others for causing resource damage or degrading natural values. Limitations on access also affect the type of activities that park users can pursue. An inventory will be cooperatively conducted to identify routes and areas traditionally used by motorboats, aircraft, horses and other pack animals, aircraft, snowmachines, and off-road vehicles (ORVs), including all-terrain vehicles (ATVs). This will be important information for future planning to deal with user conflicts and resource damage. The initial stages of the inventory will focus on ORV/ATV use within the unit. In addition to the inventory, a cooperative off-road vehicle (including all-terrain vehicles) study will be initiated to determine the type and extent of damage and to recommend corrective actions and allowable use levels. The coordinated access inventory and cooperative ORV/ATV study will provide park management with information upon which to make decisions for the designation and management (including rehabilitation) of access routes pursuant to applicable law, executive orders, and regulations. Cooperation and consultation efforts will include State agencies, Subsistence Resource Commission, Regional Advisory Councils, local fish and game advisory committees, Alaska habitat scientists, subsistence specialists, and local residents. (WRST, Page 11)

Transportation and Access Plan

Because of the complexity of access and transportation issues related to the (unit), planning for the various issues described in this access section will be an ongoing process. The National Park Service will inventory access routes and study special issues as described above. As information is sufficiently formulated, an access and

(Proposed ORV intent, continued)

transportation plan will be prepared. The plan will address location of routes and areas; applicable laws, regulations, and policies; proposed management including restrictions, closures, or openings; and any circumstances which are unique to the (unit). Pursuant to Section 1110(a) of ANILCA and 36 CFR 13.30 and 13.46, adequate public notice and opportunity to participate in the preparation of various components will be provided to the Subsistence Resource Commissions and interested parties, including Native corporations and the State of Alaska. (WRST, Page 11)

Access for Subsistence Uses

ANILCA, Section 811, provides for access to subsistence resources as follows:

- (a) The Secretary shall ensure that rural residents engaged in subsistence uses shall have reasonable access to subsistence resources on the public lands.
- (b) Notwithstanding any other provision of this Act or other law, the Secretary shall permit on the public lands appropriate use for subsistence purposes of snowmobiles, motorboats, and other means of surface transportation traditionally employed for such purposes by local residents, subject to reasonable regulation. (DENA, Pages 33-34)

In (unit), subsistence activities are authorized. Traditional means of transportation are those used prior to creation of the unit (Section by Section Analysis, 36 CFR Part 13). Existing traditional methods and patterns of access and circulation within (unit) will continue, subject to applicable laws and regulations (see tables or charts). (BELA, Page 84)

An inventory is being cooperatively conducted to identify routes and areas traditionally used by motorboats, aircraft, horses and other pack animals, snowmachines, and off-road vehicles (ORVs), including ATVs. This information will form the basis for future decision making related to access. (WRST, Page 125)

In addition to inventorying existing and traditional uses (as of 1978 or 1980 as appropriate) these cooperative studies will include impacts on fish and wildlife from access routes and means, impacts of ORVs, recreational use, and mining; and general subsistence use areas, primary resource sites, and subsistence customs and traditions. Human use studies which would lead to further information about ORVs will include: past and current regulations and

(Proposed ORV intent, continued)

harvests, history of trapping and the use and sale of fur; subsistence customs and traditions, general use areas, and primary resource sites; impacts on fish and wildlife from access routes and means, recreations use, and mining. The studies will be done in cooperation or consultation with the Alaska Department of Fish and Game, Subsistence Resource Commissions, local residents, and other agencies and public. (GAAR, Pages 93 and 99)

Presently it is known that in (unit), traditional means of surface access include motorized vehicles on unpaved roads, snowmachines, ORVs, motorboats and other watercraft, horses, and dog teams. These means are governed by existing regulations (36 CFR 13.46). If another means of surface access is determined to have been traditionally employed in the unit for subsistence purposes, it may be permitted in that area subject to reasonable regulations. (KOVA, Page 81; and WRST, Page 10.)

The use of ORVs by local rural residents for subsistence purposes shall be permitted on designated routes or areas, where their use was customary and traditional. The superintendent will designate routes and areas in accordance with 36 CFR 13.46. Based on the access study, the superintendent may propose to close routes or areas, designate routes or areas, or impose restrictions on the season of use, type and size of ORV vehicles, vehicle weight, or the number of vehicles or trips (pursuant to 36 CFR 1.5 and 13.46). Such restrictions will be pursued where necessary, after completion of cooperative ORV studies, to protect the unit resources and values by preventing the damage that ORV use can cause, while at the same time providing reasonable access pursuant to ANILCA Section 811. Any closures, designations, or restrictions will be implemented pursuant to 36 CFR 13.46. The public will have the opportunity to review and comment on any proposed amendments to the subsistence access regulations (36 CFR 13.46). Notice and public hearing will be conducted, and affected agencies and Subsistence Resource Commission will be consulted prior to promulgation of regulations changes. The studies will be conducted cooperatively as previously described in Access Studies. (WRST, Page 175)

The above policies are not intended to foreclose the use of new or currently unidentified means of surface transportation. Any such new means or additional information about traditional means will be reviewed on a case-by-case basis in consultation with the Subsistence Resource Commissions, State agencies, public advisory committees, and the public affected by such review. (WRST, Page 176)

Aircraft Access

Management intent regarding the use, construction, and maintenance of airstrips in the GMPs is generally lacking or unclear. Examples of this can be found in each of the GMPs, as is evidenced below:

Aniakchak

Page 18 - "The current access by private amphibious or float-plane air charter . . . is anticipated to continue Areas such as lakes, gravel bars, beaches, and ash fields that can be safely used as landing and takeoff points within either the monument 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." (emphasis added)

In the section above, NPS intent to allow continued air access is obscure. The language should be clarified to be made consistent with NPS regulations (36 CFR 13.13) which clearly state that "fixed-wing aircraft may be operated on lands and waters within park areas . . .". The GMP should also clarify that if NPS wishes to seek restrictions on use of fixed-wing aircraft, that guidelines set out in Sections 13.13 and 13.30 would be followed.

Bering Land Bridge

Page 84 - "Aircraft use in the preserve will be monitored. Two existing airstrips, various floatplane landing areas, and landing areas on beaches and gravel bars will continue to be open to traditional uses." (Emphasis added)

This section begins with a statement of NPS intent to monitor use of aircraft, rather than a statement which affirms that aircraft use is allowed. We request that this emphasis be reversed in the final BELA GMP. We also request the limitation of "traditional uses" that this statement be clarified and/or corrected in the final GMP.

Page 84 - "Airstrips may be maintained as needed with hand tools by people using them. Improvements to existing airstrips involving equipment other than hand tools will have to be accomplished under a permit from the superintendent."

We request that the criteria for issuance of such a permit be outlined in each of the GMPs. These criteria will have a direct effect on the ability of users to maintain airstrips and therefore on the use of aircraft in general. We recommend that permits be issued routinely as airstrip conditions dictate to

avoid creating hazardous conditions. In addition, we request that the NPS explicitly state its intent (as reflected in 36 CFR 13.13) to provide for the continued use of aircraft in the parks/preserves by ensuring that aircraft landing areas remain open and safe.

Cape Krusenstern

Page 3-44 - "There is one existing airstrip within the monument in the Kakaqrak Hill . . . this airstrip may be maintained as needed . . . no new airstrips will be built in the monument."

We request that the final GMP explicitly state intent to maintain existing air access in the monument by permitting (amongst other things) maintenance of the Kakaqrak airstrip. In addition, we request clarification and/or correction of the statement that no new airstrips will be built in the monument. The GMP should not preclude construction of new airstrips, given the assurance provided in Title XI of ANILCA that future transportation developments will be considered on a case-by-case basis.

Page 6-6 - "The existing airstrip in Kakaqrak Hills . . . will receive minimum maintenance. As such, the airstrip does not preclude the area's suitability for wilderness." (Emphasis added)

We note that this second reference to the Kakaqrak airstrip limits maintenance to a minimum level. If the NPS intends for this limitation to be in effect, we request that this be made clear in The Plan chapter of the GMP; however, the State strenuously objects to limitations being placed on airstrip maintenance which might ultimately lead to unsafe conditions and/or closure of the airstrip.

In addition, we believe the existence of this airstrip in the Kakaqrak Hills precludes the area's suitability for wilderness designation. This airstrip is not representative of the area's primeval character, nor is it untraveled by man.

Denali

Page 30 - "For the immediate future, the primary method of access into the southside of the national park will continue to be aircraft. As part of more detailed studies, the feasibility of expanded aircraft service from a nearby location will be evaluated. Studies will also be conducted to determine the feasibility of other forms of access to features in the state and national parks."

We request clarification regarding the "other forms of access to features in the . . . national park" which the NPS intends to study. We further request clarification regarding other forms of access which the NPS thinks might replace aircraft as "the primary method of access in the southside of the national park".

Gates of the Arctic

Pages 124-125 - Fixed-wing aircraft remain the primary means of recreational access into the area . . . no alteration of vegetation or terrain to improve a landing area is allowed."

Again, the State requests that the NPS permit sufficient maintenance of aircraft landing areas to ensure that existing landing areas remain safe and usable. It appears that eventual "closure" of many strips due to lack of maintenance is inevitable. The GMP does not acknowledge or elaborate on this scenario.

Page 125 - "The use of fixed-wing aircraft for recreational access is appropriate and necessary in Gates of the Arctic . . . if problems are identified, the issues will be re-evaluated with the public." (emphasis added)

This paragraph provides examples of the clarity of management intent which the State seeks. It clearly affirms, consistent with 36 CFR 13.13, that aircraft use is permitted and that future proposals to restrict this use will be evaluated with the public. We request that this approach be used in each of the GMPs.

Katmai

Page 113 - "It is estimated that 4,000 - 6,000 people annually enter the park by means of aircraft. All lakes within the park and preserve are presently accessible by floatplanes."

We recommend that this language be revised to be consistent with the above. This comment also applies to page 18.

Kobuk Valley

Page 67 - "No maintenance of aircraft landing sites will be allowed in the park, with the exception of maintenance using hand tools on landing sites along the Salmon Rivers."

To be consistent with most other GMPs we request that provision be made for use of equipment other than hand tools for landing site maintenance, if necessary.

Page 83 - "The entire park is open to fixed-wing aircraft

landings . . . if it is determined that restrictions or closures are required . . . closure procedures will be initiated."

We commend the NPS for its inclusion of this section on Closures. This provides the public with a clear understanding of the relationship of the GMP to NPS procedures.

Noatak

Page 3-18 - "Existing gravel bar and tundra airstrips on federal land will remain open to traditional public uses and may be maintained as needed with hand tools . . ."

See comments above on the need for adequate airstrip maintenance and clarification/correction of "traditional."

Wrangell-St. Elias

Page 15 - "No new airstrips will be constructed on federal land unless as part of an approved development plan. Improvements to existing airstrips involving equipment other than hand tools must be accomplished under a permit from the superintendent."

See earlier comments regarding airstrip maintenance and construction of new airstrips under Title XI.

Page 124 - "Access to the interior is also available by air. The length, surrounding terrain, and condition of backcountry strips vary considerably, greatly affecting access . . ."

The State recognizes the accuracy of this statement and, for this reason, encourages the NPS to maintain existing air access by permitting necessary maintenance of airstrips.

Access and Transportation

The access and transportation sections of the GMPs have been improved but are still confusing, as shown in the earlier discussions of pack animals, aircraft access and ORV's. The sections as currently written cite legislation and regulations that affect access, but do not clearly convey specifically what one is allowed to do where. We continue to believe that thorough and detailed descriptions and recognition of allowable existing uses at the time of ANILCA is critical, along with clear policy direction for management which is consistent with ANILCA and Congressional intent.

Prior to revising the individual GMPs or initiating new access planning, it would be valuable to outline or mock-up a standard approach to address this complex subject. To conserve time and ensure consistent and thorough evaluation of existing access in each unit, we request opportunities to assist in development of this outline. We strongly recommend that all plans follow a consistent format. To alleviate our concerns, the State suggests the following systematic process be used for each unit.

First, NPS should describe existing uses in each of the units, including a statement about each use even if it says that this use has not occurred in a given unit. Outlined below are the various categories and combinations of purposes and methods of travel that need to be addressed. For example, subsistence use can and does involve all of the categories listed in the method of travel and location of use columns. All of the plans currently address some of these topics, while not mentioning others.

<u>Purpose of Travel</u>	<u>Method of Travel</u>	<u>General Location, e.g.</u>
Subsistence	Dogs	Lakes
Recreational	Other pack animals	Rivers
Commercial	ORV	Valleys
Mining	Foot	Uplands
Inholdings	Airplane	Trails/Routes
Intervillage	Motorboat	Dispersed
Other	Non-motorized boat	Airstrips, improved
17(b)	Helicopter	Unimproved landing areas
2477's	Pogo Stick	

For some units such as Cape Krusenstern where the access picture is fairly simple, consolidating the above information should not be too difficult. For other units, such as Wrangell-St. Elias, this is a more complex and challenging task. NPS should place particular emphasis on documenting uses for which restrictions or prohibitions are envisioned.

A map or maps with standardized legends that show graphically these overall public access patterns should also be developed. It seems only reasonable that human use deserves the same clarity and emphasis as wildlife species for which maps of use already exist. The inclusion of maps would also reduce the need for lengthy narratives.

Second, there needs to be a clear statement about which of these uses are specifically provided for in Title VIII or Title XI of ANILCA so that managers know in their day-to-day management decisions that these uses must be treated differently than they would in a lower 48 park.

Third, the NPS needs to provide clear management intent which is consistent with ANILCA, regulations and Congressional intent for all of the uses referenced above. This policy guidance should be specific and detailed enough so that the public has a good understanding of access "do's" and "don't's" in each of these units. Where this detail is not currently available (which we believe to be the case for all units), overall policy guidance should be provided with recognition that additional decisions will be made later.

To address the obvious complexity of this subject, the NPS currently intends to do a supplemental access and transportation plan in the Wrangell-St. Elias NPPr. We commend this decision. Wrangell-St. Elias, however, is the only GMP that includes a commitment to work out the details of access and transportation that were not included in the GMPs. We have been informed that the decision to develop a separate transportation plan for the Wrangells and not in other units is based on the Wrangells being more complicated than other units. This is not the issue however. Regardless of complexity, many of the specific decisions in all plans are still unclear, lack policy guidance or are deferred and there is no process illustrating how certain issues will be addressed.

For this reason, all GMPs should include a commitment to a process where these later decisions will be made in a comprehensive manner, with provision for public and State participation. This is consistent with Congressional directives and federal regulations regarding access.

If NPS takes the Wrangell-St. Elias approach as a starting point for all nine units, we suggest that the description of the issues to be addressed and the process envisioned be further refined. As written, the language describing the process does not provide the direction needed in an access plan so that the public understands what will happen and how they will be involved. As currently described (page 11) there are many unanswered questions. For example:

1. What are the specific issues the plan will address? What does this mean: "As information on a particular issue becomes sufficient, a component of the access and transportation plan will be prepared." Sufficient for what? What are the various "components of the plan" that will be prepared? Is there a list of them? How will they inter-relate?
2. What is meant that the plan will address laws, regulations and policies? What does "address" mean? Identify specific routes? Propose changes in the authorized uses in the conveyance documents on 17(b) easements? What is meant that

the plan will address laws, regulations and policies? Why and how are these issues being addressed? To determine what?

3. What is "adequate public notice"? What does this mean for 17(b) easement management, or closures of traditionally used areas, or the management of potential RS 2477 rights-of-way? Will the NPS solicit comments and review of drafts of the plan in addition to amendments to existing regulations as noted on page 12? When will this be done? What are the specifics?
4. What exactly is the process the NPS intends to follow to resolve the various access issues and management concerns that the NPS has stated will be resolved through later planning efforts?

In addition to answering the questions above, the access plan should inventory existing access routes and methods (as noted above), access problems, current needs, projected needs, recommendations for how those needs can be satisfied, and maintenance requirements (including sand and gravel extraction). Some of this information is scattered throughout the draft GMPs. It should be expanded and consolidated into a single plan for each unit.

RS 2477 RIGHTS-OF-WAY

Because it is important that the NPS recognize that valid RS 2477 rights-of-way may exist within the parks, preserves, and monuments, the State has suggested in the past that the GMPs include maps of possible RS 2477 rights-of-way (ROWs). Since our recommendation last summer, it has become clear that private landowners are concerned that the depiction of possible RS 2477 ROWs in the GMPs may lead to unauthorized use of adjacent private land or inholdings. Furthermore, since the GMPs have now acknowledged that the units are subject to valid existing rights, including RS 2477 ROWs, and the State has provided information to NPS concerning possible routes, including their location, the State believes that it is no longer necessary to include such maps in the plans. Rather, the State recommends that these maps be kept on file in NPS offices and be available for public review. Additionally, the State recommends that each GMP include a statement that additional RS 2477 ROW information is available from the NPS regional office or the State of Alaska.

If the NPS does not include the maps in the final GMPs, the State assumes that the narrative portion of the GMPs addressing and listing RS 2477 ROWs will remain as written, (except for the map references as shown below). The Denali GMP is the only plan that has not included the RS 2477 ROWs language properly. The second

and third paragraphs on page 30 of the Denali GMP discussing RS 2477 ROWs should be corrected to read as follows:

(THE ADDITIONS TO) Denali National Park and Preserve are subject to valid existing rights, including rights-of-way established under RS 2477. The validity of these rights-of-way will be determined on a case-by-case basis. The rights-of-way that the State contends may be valid under RS 2477 are listed below: (AND ILLUSTRATED ON THE POSSIBLE RIGHTS-OF-WAY MAP:)

(list of trails)

A map of these possible RS 2477 rights-of-way has been provided by the State and is on file at park headquarters and the regional office. The list and map are not necessarily all-inclusive. Private parties or the State of Alaska may identify and seek recognition of additional RS 2477 rights-of-way within (THE ADDITIONS TO) Denali Park and Preserve. Supporting material regarding potential rights-of-way identified by the State may be obtained through the Alaska Department of Transportation and Public Facilities or the Alaska Department of Natural Resources.

[(DELETIONS); Additions]

In the Katmai, Bering Land Bridge and Kobuk Valley revised draft GMPs, the table summarizing land status includes a notation that an undetermined amount of land may be included in RS 2477 rights-of-way if they are determined to be valid. Such a notation should be included in the land status table for each of the remaining park/preserve.

We also suggest that the list of cooperative agreements to be sought by NPS for each unit include one with the State of Alaska covering management of RS 2477 rights-of-way. Several of the GMPs indicate that some methods of travel are prohibited in certain areas of the parks/preserves. It should be made clear that, in the absence of such a cooperative agreement, such prohibition does not apply to State rights-of-way such as valid RS 2477 rights-of-way.

17(b) EASEMENTS

The State is pleased to see that the NPS added a section to the plans that describes how it intends to manage easements reserved under section 17(b) of the Alaska Native Claims Settlement Act (ANCSA). The section is a great improvement. There are only a few sections in the discussion that remain unclear and need to be clarified. Most changes are needed to clarify the process the NPS will follow if it intends to restrict use of an easement

beyond those allowable uses identified in the conveyance document. A few examples of the language that should be improved are outlined below.

The sentence in the first paragraph of the generic language that reads "As the easements are reserved and the National Park Service assumes management responsibilities for them, the locations, mileage, acreage and management strategy will be identified" is a confusing statement since the management strategy for these has already been identified. The State and other interested parties have been involved in negotiating the allowable uses and widths on these easements for the last several years. If the NPS want to "identify" or alter the original provisions that are included in the conveyance document concerning the width or allowed uses on an easement, it must negotiate with the State, the underlying fee owner and the other parties involved in negotiating the original management strategy for the easement. This is unclear as the sentence is currently written.

The sentence in the second paragraph of the generic language that reads "The NPS may also propose to place additional restrictions on the use of an easement if existing uses are in conflict with the purposes of the unit" has a similar problem. The statement needs to be expanded to make clear the process the NPS will follow prior to changes being made to the allowable uses.

To clarify the generic language, the State recommends that the current language be revised as follows:

Campsite and linear access easements may be reserved on Native corporation lands that are within or adjoin the park, as authorized by Section 17(b) of ANSCA. The NPS will be responsible for the management of these public access easements inside the park unit and over those assigned to NPS outside of the unit. Pursuant to Part 601, Chapter 4.2 of the Department of the Interior Departmental Manual (601 DM 4.2) where these easement access or are part of the access to a conservation system unit, the easements shall become part of the unit and be administered accordingly. The purpose for these easements is to provide access from public lands across these private lands to other public lands. The routes and locations of these easements are identified on maps contained in the conveyance documents. The conveyance documents also specify the terms and conditions of use including periods and methods of public access. A list of these easements and authorized uses is included on page _____ of this plan. These easements are mapped on the land status map on page _____ of this document. The NPS will manage these easements consistent with the authorized uses and terms that are outlined in the conveyance document.

If NPS proposes to change the location or apply further restrictions than those authorized in the conveyance document, the NPS will follow the procedures outlined below. (The conditions governing allowable uses of each easement may vary. The NPS will work cooperatively with the affected Native corporation and other interested parties, including the State of Alaska to develop a management strategy for the easements. Management of these easements will be in accord with the specific terms and conditions for the individual easements applicable park regulation pursuant to 43 CFR 2650.4 - 7(D)(4) and 36 CFR 1.2). As the easements are reserved and the NPS assumes management responsibilities for them, the locations, mileage, acreage and management strategy will be identified. This information will be maintained at park headquarters.

As authorized in 601 DM 4.3G, an easement may be relocated to rectify a usability problem or to accommodate the underlying landowner's development of the lands if both the NPS and the landowner agree to the relocation. Easements may also be exchanged if an acceptable alternate easement or benefit is offered by the underlying landowner and the exchange would be in the public interest. An easement may be relinquished to the underlying landowner if an alternate easement has been offered by the landowner or termination of the easement is required by law. The NPS may also propose to place additional restrictions than those authorized in the conveyance document on the use of an easement if existing uses are in conflict with the purposes of the unit. In all cases, where a change in authorized uses or location (STATUS) from the original conveyance is proposed, the NPS will notify (GIVE ADEQUATE PUBLIC NOTICE AND OPPORTUNITY TO COMMENT TO) the affected Native corporation and other interested parties, including the State of Alaska and work with affected parties to develop new terms for the management of the 17(b) easement that all affected parties agree to. The (PROPOSAL) NPS, in its notification of the proposed change will (CONTAIN) include a justification for the proposed change, and evaluation of alternatives considered, if any, and an evaluation of the potential impacts of the proposed action.

Subsistence Resource Commissions

The ANILCA Section 808(a) establishes Subsistence Resource Commissions whose responsibilities are to make recommendations to the Secretary of Interior and the Governor dealing with subsistence within each park/monument. Each of the Commission's major responsibilities requires State agency and public involvement. However, NPS has not fully implemented these requirements.

The descriptions of the Commissions and their responsibilities in each GMP are inconsistent. Moreover, they all lack the following significant responsibilities: required public hearing(s), coordination with State and other DOI agencies, and consultation with local advisory committees and regional advisory councils. These omissions and inconsistencies are clearly illustrated in Table 7. Each GMP should include complete and consistent policy and discussions for each of these responsibilities, and NPS implementation should conform to these policies as intended by ANILCA.

Every portion of the Commissions' responsibilities in Section 808(a) involves the State or public as noted by the [*] mark in the outline below. Correspondingly, all discussions of NPS support of the Commissions should recognize the role of the State and required public consultation. Both aspects are missing or inadequate in the GMPs. We have anticipated NPS and the State cooperating in support of the Commissions, principally in providing data (3a below), conducting necessary studies (3a below), consultations with fish and game local advisory committees and regional councils (3b below), and conducting public hearings (3c below). Particularly where technical information and wildlife harvest data are involved, we believe the State and NPS should be coordinating efforts and cooperating with other DOI agencies (3a below). This would enable the Commissions to have accurate and complete information for their deliberations.

Outline of Section 808(a) Directives:

1. The Secretary, Governor, and regional advisory council each appoint 3 members.
2. "each commission shall devise and recommend to the Secretary and the Governor [*] a program for subsistence hunting within the park or park monument."
3. "Such program shall be prepared using":
 - a. "technical information and other pertinent data assembled or produced by necessary field studies or investigations conducted jointly or separately by the technical and administrative personnel of the State [*] and the Department of the Interior,"
 - b. "information submitted by, and after consultation with the appropriate local advisory committee [*] and regional advisory councils [*], and"
 - c. "any testimony received in a public hearing or hearings [*] held by the commission prior to preparation of the

plan at a convenient location or locations in the vicinity of the park or park monument."

4. "Each year thereafter, the Commission,"
 - a. "after"
 - (1) "consultation with all appropriate local committees [*] and regional councils [*],"
 - (2) "considering all relevant data [*] and "
 - (3) "holding one or more additional hearings [*] in the vicinity of the park or park monument,"
 - b. "shall make recommendations to the Secretary and the Governor [*] for any changes in the program or its implementation which the commission deems necessary."

The complete omission of the State and public's role in any GMP discussions of the Commissions has rendered the impression that the Commissions' role is simply to assist the NPS in development of NPS' subsistence management plans. Thus it appears that the State is excluded from participating in management of subsistence in park units. We believe the Commissions' responsibilities are to prepare program recommendations after consultation with the public and affected agencies' support and input. NPS, however, proposes that the Commissions' recommendations be incorporated into their own subsistence management plans. The GMPs include intent to involve the public in data gathering for the NPS subsistence management plans but generally omit public input to the Commissions.

We remain optimistic that NPS will correct these problems by promptly initiating a policy of cooperating with the State in support of the Subsistence Resource Commission. This policy should also include intent to assist the Commissions in conducting the required data gathering, consultation and hearings to assure involvement of the State and public. We request revised language consistent with such policy revisions be prepared in consultation with the State and be adopted for all applicable park/monuments.

Subsistence Trapping

The NPS proposes to prohibit all trapping on NPS lands except trapping categorized as "subsistence trapping." The NPS appears to interpret "subsistence trapping" to mean trapping only for immediate consumption or use, but not for customary trade or sale. (See Appendix A for consolidation of all trapping references in each GMP.) This prohibition is unacceptable

because it is inconsistent with Congressional directives. Congress discussed conceptual handling of trapping on NPS land on several occasions (Appendix B). Congress clearly intended to allow trapping to continue on all the NPS lands in Alaska as follows:

1. Trapping for subsistence uses, including for customary trade, is allowed to continue within parks and monuments in which subsistence uses are permitted.
2. Trapping is allowed in the preserves where permitted under state regulations, whether or not it qualifies as a subsistence use.
3. "Commercial trapping," defined as that which involves employment of other persons, is prohibited on all NPS lands.

Limiting trapping on all park lands, including preserves, to only "subsistence trapping," as defined above, would eliminate all trappers but those who qualify as residents of subsistence zones. This limitation should apply to parks and monuments, but not to preserves. Congress recognized the economic importance of trapping to communities and families, as well as individuals in support of their way of life. Consequently Congress defined and prohibited commercial trapping but did not distinguish other categories. State efforts are directed at managing and protecting furbearer populations rather than categorizing the user of the furs. This is consistent with federal and state regulations which do not distinguish trapping categories. Similarly Congress directed that NPS monitor trapping to assure no harm to wildlife populations (Senate Committee Report 96-413, pages 307-308).

We request recognition of Congressional directives and implementation of existing federal regulations for Alaska through the following changes in the GMPs:

1. Delete "subsistence" and "sport" categories of trapping. Locations where trapping is inappropriately categorized are listed in Table 2.
2. Within the discussions of management intent for trapping, each GMP should specify the congressional definition and prohibition of commercial trapping as follows: "a precise definition of 'National Park' has emerged internationally This definition excludes . . . commercial trapping" and "Congress does not intend that the more extensive forms of commercial trapping would be allowed in Preserves, for example where the trapping becomes a business with employees paid to support the trapping operation." This definition and prohibition is reflected in Title 36 Part 13 Regulations

for Alaska Park Unit, 13.21(c) "engaging in trapping activities as the employee of another person is prohibited." The discussions on trapping should further clarify Congress's intent that trapping not be limited to personal and family consumption only, but also include customary trade, including sale of furs. (HCR, Udall, November 12, 1980; H10549).

3. Discussions of trapping should reference existing federal regulations which adopt State trapping regulations within the NPS system. Title 36, 13.21(c) "Hunting and Trapping. Hunting and trapping are permitted in all National Preserves in accordance with applicable State and Federal law, and such laws are hereby adopted and made a part of these regulations:"

Title 36, 13.48 "Subsistence hunting and trapping. Local rural residents may hunt and trap wildlife for subsistence uses in park areas where subsistence uses are allowed in compliance with applicable State and Federal law. To the extent consistent with the provisions of this chapter, applicable State laws and regulations governing the taking of wildlife which are now or will hereafter be in effect are hereby incorporated by reference as a part of these regulations."

4. Discussions of trapping should also appropriately identify needed education and regulation enforcement, including avenues for cooperative implementation among various affected/interested organizations. Other cooperative efforts which would assist protection of furbearer populations should be discussed and included or referenced. These could include cooperative furbearer populations assessment programs and coordinated monitoring of furbearers and their harvests.

This subject was researched and discussed at considerable length during 1985 by representatives of the NPS and DF&G. Language was explored which would be acceptable to both agencies and consistent with Congressional directives and State regulations. We are disappointed to find that such language was not adopted in the revised GMPs. Many simple information corrections were also apparently ignored. Resolution of this subject is critical to adoption of the final management plans. We welcome opportunities to repeat our previous discussions.

Table 2. Summary illustration of where trapping is incorrectly categorized in each plan.

Unit	Is Trapping Correctly Referenced		Location of Requested Correction*
	NO	YES	
ANIA NM&Pr	6	11(a)	Page 6, P 2, lines 3-6
	11	19(c)	Page 6, P 4, lines 1-3
	11(a)	96	Page 11, P 5, lines 4-6
	16	98	Page 11(a), P 4, line 1
	93		Page 16, P 3, lines 2-3
			Page 93, P 4, line 2
BELA NPr			Page 130, P 2; need to recognize trapping
	7	iii	Page 7, P 1; Under <u>General</u>
		11	Page 60A; need to recognize trapping
		68	Page 99, P 7; need to recognize trapping
		74	810 Evaluation needs to include trapping
		114	
CAKR NM		132	
	3-11	2-58	Page 3-11, P 2, lines 1-2
	3-40	2-61	Page 3-40, P 1, lines 1 and 11
		2-62	
		7-21	
DENA NP&Pr	38	121	Page 38, P 6, lines 1-3
	44	145	Page 44, P 3, lines 4-6
	122		Page 122, P continued, lines 6-8
GAAR NP&Pr	49	12	Page 49, P 4, line 9
	73	13	Page 73, P 5, line 4; simply reverse order
	87	35	Page 87, P 4, lines 12-13
	91	93	Page 91, P 2, line 1
	114	99	Page 114, P 6, line 1
	115	241	Page 115, P continued, line 9
KATM NP&Pr	17	7	Page 17, P 3, line 2
	128	42	Page 42, P 2; uses in Park additions
		47	Page 114, P 7; uses in Park additions
		64	Page 128, P 3, lines 1-2
		111	Page 135, P 1; need to recognize trapping
		114	
KOVA NP	54	7	Page 45, P 1, line 1; simply reverse order
	72	17	Page 54, P 4, line 1
	81	45	Page 72, P 2, lines 9-10
	190	47	Page 81, P 1, lines 1 and 9-10
		48	Page 190, Section 2.2 (a) and (b); reverse order
		49	
NOAT NPr		191	
	3-10	2-50	Page 3-10, P 1, lines 1-2
	3-33	2-51	Page 3-33, P 1, line 13; limitation is not
	G-3	3-25	applicable in preserve
		D-2	Page G-3; Section 2.2(a) and (b); reverse order
		G-3	
WRST NP&Pr	33	120	Page 33, P 4, line 1
		123	
		126	
		160	

*Corrections are needed to eliminate categorization unless otherwise described.

Temporary Facilities

We do not support the highly restrictive stance the NPS has taken with regard to temporary facilities. ANILCA Section 1316(a) permits (1) the continuing use of existing facilities and (2) the establishment and use of new facilities. Congress clearly intended that temporary facilities directly and necessarily related to the taking of fish and game on public lands be permitted.

The GMPs erroneously state that Section 1316 of ANILCA addresses temporary facilities related to the taking of fish and game in national preserves -- not parks and monuments. Section 1316(a) refers to "all public lands." As sport fishing is allowed in national parks and monuments, the GMPs should be corrected to state that ANILCA Section 1316 addresses the continuing and future use of temporary facilities in parks, preserves, and monuments.

Although Congress clearly authorized the use and establishment of temporary facilities, it gave the Secretary flexibility to prohibit the establishment and use of new facilities if such use "would constitute a significant expansion of existing facilities or uses which would be detrimental to the purposes for which the affected conservation system unit was established." (emphasis added). In all nine GMPs, the NPS proposes to prohibit the establishment of new temporary facilities, although no evidence is provided to the effect that new facilities would constitute a significant expansion which would in fact be detrimental.

The State questions whether a blanket prohibition of new temporary facilities on all lands is a reasonable action, particularly given the relatively small number of existing facilities. ANILCA specifically authorizes the implementation of reasonable regulations to insure the compatibility of existing and future facilities with the purposes of affected conservation units. The NPS thus has a range of options available, none of which appear to have been explored.

The State further objects to the proposed prohibition on the basis that the NPS has not provided "adequate notice" of the prohibition to the public, as required by ANILCA Section 1316(b). The GMPs are routinely described as non-legal documents. Therefore notice concerning major actions such as the proposed prohibition should not be buried in a GMP, but should be proposed through the Federal Register as a revision to existing regulations.

In past discussions with the NPS, the State has maintained that, at a minimum, the NPS should permit continuation of the existing number (1980 level) of temporary facilities in each unit.

Consistent with this, the GMPs state that "it is the intention of the National Park Service to keep the number of temporary facilities for the taking of fish and wildlife at or near existing levels." However, one mechanism for accomplishing this --permitting the relocation or replacement of existing facilities which are removed, no longer used, or destroyed--is located in only five of the GMPs and is missing in four. The GMPs should provide for replacement and/or relocation of existing facilities on a consistent basis. To accomplish this, the generic language in the five GMPs which address replacement and/or relocation should be revised and included in all nine as follows: "If the existing facilities are removed, no longer used, or destroyed, the superintendent will work with the facility user to locate a replacement facility in a suitable area of the unit." This section currently states that "The superintendent may authorize the replacement of temporary facilities in other suitable areas of the preserve."

Finally, the State requests that the NPS clearly define what constitutes a temporary facility and/or equipment in the final GMPs. For instance, it is currently unclear whether a wall tent is considered a temporary facility or a "recreational tent." We would appreciate opportunities to work with appropriate NPS staff in developing a definition consistent with what is understood by users of such facilities.

Cabin Policy

The GMPs do not provide sufficient policy guidance on the use of cabins on NPS lands. Such guidance is needed in light of the importance and history of cabin use on NPS land, the public perception that the NPS wishes to discourage legitimate cabin use, and the fact that NPS cabin regulations are not yet in place. In the absence of final cabin regulations, it is particularly important for the GMPs to state the interim policy that NPS is currently using or considering. Some GMPs currently cover certain aspects of cabin use, however, other GMPs are inconsistent or are silent on the issue.

As an overview, we request that the GMPs state the management policy as contained in the proposed cabin regulations of April 3, 1984, which read as follows: "Consistent with the purposes of park areas the intent of today's proposed regulation is to permit both the continuation of appropriate existing cabin use and the development of appropriate new cabins use where the laws allows. The Department is persuaded that much existing cabin use in Alaska is compatible with the purposes and values of the park areas."

The State has several specific concerns and recommendations regarding NPS cabin management policy:

1. The GMPs should state that the NPS will respect traditional cabin use, as authorized and defined by section 1303 of ANILCA. The GMPs should also summarize the conditions under which permits for cabin use are being and will be issued.

Specifically, the GMPs should provide the public with a clear and consistent understanding of the conditions under which permits for the "temporary use, occupancy, construction, and maintenance" of cabins for subsistence use will be issued. Currently five of the nine GMPs describe the general criteria used in establishing whether use of a cabin is "necessary to reasonably accommodate subsistence uses." (ANIA, BELA, CAKR, KOVA, NOAT). Of these, the criteria are consistent in four of the five plans. The criteria in the Bering Land Bridge GMP appear to be essentially the same; however, we request that the language used be consistent to minimize confusion. Sections on subsistence use of cabins are either lacking entirely in some GMPs (DENA, KATM, WRST), or criteria needs to be added to provide subsistence users with a sense of how decisions will be made (GAAR).

2. In several of the plans, NPS states that no additional public use cabins will be built or permitted over the life of the plan (CAKR, GAAR, KOVA, NOAT). We believe it is unwise for the NPS to rule out the construction and/or use of additional cabins, given that such cabins may be necessary for the health and safety of park users, especially if visitation levels in the units increase. At a minimum, provisions should be made in the GMPs for the authorization of additional public use cabins on a case-by-case basis.
3. The State is also concerned about the maintenance of public use cabins. The GMPs are currently silent on this issue. ANILCA Section 1315(c) authorizes the maintenance and replacement of public use cabins in designated wilderness subject to such restrictions as the Secretary deems necessary to "preserve the wilderness character of the area". Maintenance of the existing public use cabins would not impair existing wilderness character since such cabins pre-date the wilderness designation. We request that the GMPs include intent language which provides for maintenance and/or replacement of cabins.
4. We also request that the GMPs clarify how cabin permits are being and will be issued prior to finalization of the new cabin regulations. Agency staff have heard reports of permits being denied pending finalization of the new regulations. If this is NPS policy, then the NPS should outline this interim cabin management approach in the GMPs.

5. Documentation of the number of cabins (with and without permits); and whether they are occupied or unoccupied, and used for subsistence, commercial, government, and/or other purposes should be compiled and summarized in the plans. Such information is essential in order to adequately understand and measure the extent of existing uses.

We are concerned that the lack of direction in the GMPs will set the stage for case-by-case decisions which, over time and without public scrutiny, could evolve into a defacto policy that is inconsistent with ANILCA's general intent to protect legitimate cabin use in Alaska.

Wilderness

The Wilderness Suitability sections in the GMPs vary considerably and do not consistently contain or portray statewide policies or management intent. This should be corrected in the final GMPs. The following highlights our primary concerns.

Three of the GMPs (ANIA, GAAR, WRST) do not contain statements regarding the management implications, if any, of a suitability determination. The remaining six, however, contain statements to the effect that lands suitable for wilderness designation will be managed as wilderness, though none elaborate on what this means. If such statements are included to confirm that existing policies in the GMP already protect basic wilderness values, then this should be clarified. If additional management implications are intended, then these should be clearly spelled out. Without such basic information, it is impossible to provide meaningful comments.

We are pleased that the wilderness suitability criteria have been made consistent in the revised drafts. However, we are concerned that, with the exception of Denali, the maps showing suitability have not changed. (No maps are included for ANIA, WRST). We thus question whether NPS has seriously attempted to re-evaluate its suitability determinations based on the new criteria.

The wilderness discussions treat RS 2477 rights-of-way (ROW) differently. Most plans state that suitability determinations for RS 2477 ROWs will be made later (ANIA, for example); some say they have already been evaluated and that none have been used enough to make them unsuitable for wilderness (GAAR, for example); others indicate that evaluations have been completed, but do not indicate the results of the evaluations (WRST and KATM, for example). Such statements ignore the fact that valid RS 2477 ROWs are non-federal interests that are not suitable for wilderness regardless of their current use or condition. Most plans appropriately state that wilderness suitability is subject to valid existing rights, however the applicability of this

statement to RS 2477 ROWs is obscured in the current treatment of RS 2477 ROWs. The condition and amount of use of all trails is already covered in the suitability criteria, so all that is necessary is recognition that the valid RS 2477 ROWs are not suitable or that their suitability is pending determination of their validity.

Some of the plans have a section or an appendix which outlines the exceptions that ANILCA made to the Wilderness Act (WRST for example). We request that all plans contain such a summary so that the public has a consistent understanding of this issue.

Land Protection Plans

The Land Protection Plans (LPP) in the nine revised draft GMPs have been significantly improved. In particular, the State wishes to commend the NPS for the 1) greater emphasis on cooperation and negotiation as opposed to acquisition; 2) increased guidance regarding compatible and incompatible uses of non-federal land; 3) increased recognition of the rights of non-federal landowners within the park/preserve; 4) assurances that affected landowners and the general public that they will have the opportunity to comment on revisions of the LPPs; and 5) recognition of the trust responsibility of the BIA relating to native allotments. The State has a few remaining concerns which we request be addressed in the final GMPs.

The State does not have the legal option to donate land to the NPS. The State would appreciate this clarification in the GMPs where discussions of potential State land donations occur. Alternatively, mention of such donations should be deleted.

The GMPs discuss several land exchanges the NPS would like to pursue with the State. For example, the GMP for the Wrangell-St. Elias NPPr (WRST) discusses exchange of land on the south end of Guyot Glacier. In its comments on the draft WRST GMP (dated August 30, 1985), the State indicated that it currently has no interest in this exchange. The revised draft does not acknowledge the State's position. We request that such acknowledgement be added to the WRST GMP and other plans where land exchanges in which the State has indicated its lack of interest are discussed. Similarly, we note that none of the GMPs reference boundary changes that have been suggested by the State in the past. We request that, at a minimum, the land protection plans acknowledge that certain boundary adjustments have been proposed by the State and may be considered in the future.

The State previously requested that cost estimates be included in the LPPs. In response to this request NPS drafted language which addressed this topic; however, some of this information was not covered in some of the revised drafts (ANIA, DENA for example).

We request that this or similar language be included in all final LPPs, particularly the last two paragraphs as shown below: (Pages 80-81 of the Wrangell-St. Elias LPP also contains similar clarifying statements that would be useful in all the LPPs.)

In most cases it will probably be years before an easement or tract is purchased. Few easements will be placed on any schedule for purchase and most acquisition will occur when owners wish to sell, funds are available, and the property is of high priority. In the meantime, "highest and best use" of non-federal lands may change, thereby affecting value. Though a minimum interest as necessary for protection is identified, the eventual interest that may be acquired after negotiation is not known.

Clearly, the cost of acquiring interests in non-federal lands in parks could be expensive. NPS and department policy recognize this and only those lands or interests that must be acquired to assure long term protection or public use or access are likely to be acquired because of the considerable cost and limited funding available. Furthermore, larger tracts are more likely to be exchanged for mutual benefit rather than purchased.

At the State's request for additional management intent, the revised draft LPPs state that new lands which the NPS acquires will be designated as either park, monument or preserve based on the designation of adjacent NPS lands. We appreciate this additional guidance. We request that this policy be expanded to allow for additional review of this preliminary determination on a case-by-case basis as part of the implementation process.

Resource Management Plans

We believe it is imperative that NPS implement agreements achieved to date regarding public and State involvement in resource management planning. All the GMPs emphasize the importance of Resource Management Plans (RMP) for making all resource management program decisions. However, an adequate mechanism for ensuring public and State involvement is clearly lacking. Furthermore, each GMP discusses RMPs and associated public participation differently. (These inconsistencies, and in many cases, incomplete discussions are clearly illustrated in Appendix E.)

The Alaska National Interest Lands Conservation Act (ANILCA) Section 1301(b)(2) requires the NPS to include a detailed "description of the programs and methods that will be employed to manage fish and wildlife resources" within the GMP for each unit. The description of the programs should include aspects such as "research, protection, restoration, development and

interpretation" of the resources, as well as "how each conservation system unit will contribute to overall resources management goals of that region." We have requested and received agreements from the NPS "to participate in the development, preparation, and revision of such plan" as mandated in the ANILCA Section [1301(d)(2) and (4)]. We have also supported ALUC endorsement of general management plans for four units which lacked the required details in lieu of agreements with the NPS that we would have full participation in the supplemental resource management plans.

For your information, we have attached pertinent correspondence regarding these agreements in Appendix F. A historical summary of the situation is as follows: Meetings with NPS officials in 1981 resulted in agreements to our involvement in their management plans and an invitation to assist them by providing information early in preparation of the RMP's. To facilitate the latter, the State developed and subsequently revised detailed "Resource Management Recommendations" for each unit and submitted them to the NPS. However, the NPS RMP's were never submitted for state review or participation. As general management plans were issued beginning in 1982, the State consistently rejected them because they lacked the specific information required by ANILCA. As a compromise developed by the Alaska Land Use Council, the NPS agreed to delineate its management intent in the general management plans and to identify which specific RMP's would contain the required management details with a schedule of their preparation and provisions for the required participation. This information was subsequently included in the general management plans for Kenai Fjords, Lake Clark, Glacier Bay and Yukon-Charley along with this statement: "If they [specific action plans] are prepared after the general plan, the NPS public involvement and cooperative planning efforts are continued until all of the implementation plans are completed."

Despite these assurances regarding public involvement, we are still not receiving these documents for review nor being provided opportunities to participate in revisions and preparation. The NPS RMP's are prepared or revised annually. This is particularly disconcerting because all nine revised draft GMPs state that the RMPs are being finalized. Specific language regarding the RMPs in eight of the nine revised draft GMPs preclude any meaningful "participation" although the NPS planning chart (Page ii, ANIA, for example) continues to stress public involvement, cooperation, and consensus.

The State's support of the Alaska Land Use Council endorsements of four previous NPS plans was contingent upon several understandings, including the state and public's participation in development, preparation, and revisions of supplemental RMPs in lieu of meeting the 1301 requirements in the GMPs. Three years

later, it appears we are still not assured implementation of these understandings. If NPS is revising its part of these understandings, such revisions would render our support of ALUC endorsements of the previous plans void. We cannot support any GMPs which do not meet the plan requirements and participation provided by ANILCA 1301.

Chronological summary which illustrates the above historical analysis (copies of the correspondence below are attached in Appendix E)

1. "Resources Management Program Analysis and Planning Guidelines" received from NPS in October 1981 (Provision for involvement of concerned institutions and public on appears pages 2, 4, 5).
2. NPS letter of 6 November 1981 to State CSU Coordinator: "Resource Management Plan drafts, currently being prepared, will be provided to you concurrently with Alaska Regional Office review."
3. State CSU Coordinator's memo of 10 November 1981 to State CSU Contacts summarizing RMP information and understandings of preparation. ("The NPS Superintendents are preparing these informal consultations with area [State] staff.")
4. CSU Contacts Meeting Minutes, 24 November 1981; summary of RMP information and NPS' request for information (per verbal instructions from NPS Planning Chief). "When NPS completes their RMP's the State agencies may have only 4 weeks to respond. At the present time, NPS has asked what the State's planning and positions are for each of the units regarding 1) land disposal, 2) regional department plans, 3) transportation corridors."
5. 25 November 1981 and 16 December 1981 internal ADF&G memos documenting staff solicitations for information to fulfill NPS needs for the RMP's.
6. State CSU Coordinator's 29 December 1981 letter to NPS Planning Chief: "We are in receipt of . . . letter which allows the State 'internal review and comment' of the draft plans We are very appreciative of this forthcoming opportunity to participate If possible, would you please clarify the extent to which the National Park Service will consider any comments the State may make and will incorporate changes or additions that the State presents."
7. NPS Regional Director letter of 15 January 1982 to the State: "We will consider fully any comments from the State. The changes or additions will depend entirely upon the

- relevancy of the comments consistent with laws, regulations, and policies governing our management. We want to have the best plans possible considering the short time frame and limited personnel available for their preparation. We thus welcome the State's comments and will give them every consideration The plans must be reviewed and revised by the park staffs at least annually. While we will be most appreciative for the State's comments on the first drafts, we will accept comments concerning them at any time."
8. Example of 7 April 1982 letters from State CSU Coordinator to each Park Superintendent "Attached is a Draft Resource Management Plan for your conservation system unit planning efforts. Additional information is still being gathered and, once the drafts have been corrected, an updated plan will be sent to you."
 9. Minutes of 11 May 1982 State CSU Contacts meeting which noted that the "NPS RMP's have not been made available for State review yet.", even though they were promised to be available in April as drafts.
 10. State CSU Coordinator's memo of 11 October 1982 to State CSU Contacts distributing State's Resource Management Recommendations (RMR's) for NPS RMP's. "Enclosed are Resource Management Recommendations developed in cooperation with your agencies for each of the 13 conservation system units under management by the National Park Service. Copies of each are being provided to the National Park Service to assist their unit planning efforts."
 11. State CSU Coordinator's letter of 9 November 1982 to NPS transmitting the State RMP's for each unit and clarifying "Information and recommendations contained in these documents represent existing management policies and objectives, as well as identification of management issues and solutions, for the areas adjacent to, and within, National Park System units in Alaska."
 12. NPS Regional Director letter of 29 December 1982 to State CSU Coordinator acknowledging receipt of the State's RMR's and stating " . . . we will adopt those recommendations which are in agreement with the purposes for which the areas in the National Park System in Alaska were established. The adopted recommendations will be included in the appropriate planning documents to be developed for each individual park unit."
 13. 8 March 1983 letter from ADF&G to Staff Committee of the Alaska Land Use Council (ALUC) documenting the problems the

State agencies were having with the NPS lack of specifying intended management or detailed plans as required by ANILCA.

14. 9 March 1983 minutes of Staff Committee meeting setting up a project group to review NPS' Lake Clark plan for compliance with ANILCA.
15. 15 April 1983 report of the Staff Committee's Technical Group on Lake Clark GMP compliance with ANILCA: ". . . the groups felt ANILCA infers a single plan to address all 1301 requirements, however, NPS suggested that the current GMP and future planning documents can fulfill ANILCA requirements."
16. 20 April 1983 memo from Staff Committee to ALUC: "The review team identified three major problems with the plan [Lake Clark GMP]. These deal with the contents of the plan and the method in which the plan was developed . . . The review team recommends: -- all management plans . . . be written to comply with the requirements of Section 1301; -- Park Service general management plans should be written to address, in detail, immediate management concerns and should express management intent for potential management concerns; and -- there should be increased contact with local, State, and Native representatives in the development, preparation revision, and implementation of plans prepared for Park Service units."
17. State's letter of 15 June 1983 to NPS regarding Lake Clark GMP: "Since ANILCA requires detailed plans which are not required in NPS units in other states, the State recommends Wherever NPS intends to develop supplemental plans to a GMP, the GMP should clearly specify management intent which will be implemented by such plans and include a list and schedule of such plans. Opportunities should be provided for active participation by the State, local, and Native entities in the preparation and review of supplemental plans, as well as GMP's."
18. September 1983 Alaska Planning Notebook by Special Assistant to Assistant Secretary of FWP for DOI adopted required page titled "Planning Requirements and Process" be included in each GMP. "Depending largely on the complexity of each individual planning effort, specific action plans may or may not be prepared simultaneously with the general management plans. If they are prepared after the general plan, the NPS public involvement and cooperative planning efforts are continued until all of the implementation plans are completed."

19. 11 April 1984 letter to NPS Regional Director from State CSU Coordinator regarding Kenai Fjords GMP: ". . . a general plan which identifies major issues and outlines many of NPS's management intentions . . . and it provides a solid framework on which NPS can base its more specific plans. These specific plans should provide the level of detail and the participation required by ANILCA Section 1301 as well as requested by the State. We look forward to actively participating in the development of each of these specific plans."
20. 17 April 1984 letter from State CSU Coordinator to NPS's Regional Director regarding Lake Clark GMP: "We look forward to continued cooperation in the development of the specific resource management plans which will implement the general management plan . . ."
21. 19 April 1984 letter from State CSU Coordinator to NPS's Planning Chief transmitting revised State RMR's.
22. Appendix D of the Kenai Fjords GMP printed July 1984 which states exactly the same sentence quoted in #18 above, as required by the Alaska Planning Notebook.
23. Copy of page from inside front cover of In press Lake Clark final GMP as adopted in March 1984.
24. October 1984 letter to State CSU Coordinator from Associate Regional Director: "Each superintendent is responsible for the preparation of a park RMP and is expected to consult with the interested parties and appropriate state representatives. Upon submission of a final draft RMP to the regional director we will seek additional public involvement and transmit a copy to the state CSU coordinator and invite state comments. I have enclosed a copy of the approved Kenai Fjords plan (which will be revised), and in the next four months you can anticipate receiving a draft copy of Glacier Bay, followed by other RMPs as they become available." We have yet to see any of these RMPs and have never been consulted as to who are "appropriate state representatives."
25. Most of the second draft finals of the NPS GMP's state (see Appendix F): "A draft resource management plan has been prepared for [unit] and is in the process of being finalized . . . The resource management plan will be reviewed at least once each year and updated as needed. The plans will be available for public review by interested parties, including state agencies and Native corporations."
(Emphasis added.)

Management Objectives

As we have demonstrated previously, the lack of detailed management intent is a consistent problem with all the plans. Overall, they do not provide enough specific information to adequately assess the proposed actions. Specific information which is presented often lacks citations of reference sources. These problems were noted in previous State comments on the draft Statement for Management and draft GMPs for these areas. While the current documents have improved in many ways, we find that there has been little recognition of these broader concerns.

When NPS began the planning process, it was suggested that the State detail its concerns to be resolved during the process. Accordingly, the State drafted detailed Resource Management Recommendations (RMRs) for the NPS to incorporate or address in the GMPs. However, the NPS failed to address most of the recommendations or initiate dialogue with the State on issues of potential conflict. During this early period, NPS issued Statements for Management which included management objectives for each of the units. The State's comments were largely disregarded on the basis that they would be addressed later in the GMPs, or even later in the specific resource management plans.

Based on the planning requirements in ANILCA 1301, the State had been expecting to participate in all phases of the planning process for the units from the ground floor up. However the State has generally only been involved as reviewers. In the case of management objectives, they were finalized with little dialogue with the State or public. This is the basis for two of our long-standing concerns. The first is our concern that most of the State's detailed resource issues (RMRs) have yet to be addressed (as discussed previously under Resource Management Plans.)

Secondly, we are concerned that the management objectives in these documents were not subject to adequate public participation as required by ANILCA for GMPs, yet are used as a foundation for management decisions. We originally asked that the management objectives be located in the beginning of each plan in order to receive full public review. The objectives have consistently been included as an Appendix in eight out of nine plans, consequently not drawing adequate public review. The previously published Statements for Management are not the GMPs required by the ANILCA Section 1301; yet the objectives serve as an important base from which the GMPs have been developed and should thus receive appropriate attention. Our previous comments on the Statements for Management for each unit are generally still applicable and consistent with our current concerns, and we request they be appropriately discussed and/or addressed.

Table 6. Managment Objectives

<u>Plan</u>	<u>Location in Plan</u>		<u>Basis for GMP</u>	<u>Acknowledged Public Review</u>
	<u>Front</u>	<u>Appendix</u>		
ANIA		A - P. 104		
BELA	P. 7		P. 7	
CAKR		E - 7 - 24		P. 1-3
DENA		C - P. 133	P. 4	
GAAR		A - P. 215		
KATM		C - P. 217		
KOVA		B - P. 164		P. 164
NOAT		B - P. B-1		P. 1-7
WRST		A - P. 151		

Water Rights

The GMPs still need to be specific about the purposes for which the National Park Service (NPS) feels federal reserve water rights are reserved. As currently written, the GMPs allude to the purposes for which the unit was established ("The reservation doctrine established federal water rights on lands reserved, withdrawn or set aside from the public domain for the purposes identified in the document establishing the unit"), but do not explicitly state what these purposes are or which document is "the document" where the purposes are outlined. To address this concern the State recommends that the section be rewritten to read as follows:

In Alaska, two basic types of water rights doctrines are recognized: federal reserved water rights and appropriative water rights. The reservation doctrine established federal water rights on lands reserved, withdrawn or set aside from the public domain for the purposes [IDENTIFIED IN THE DOCUMENT ESTABLISHING THE UNIT] for which the unit was established. State appropriative rights exist for beneficial uses recognized by the State, including instream

flows, and are applied to lands where federal reserved water rights are not applicable. No appropriative rights (federal or State) have been applied for in the unit (or describe existing rights if there are some).

For waters available under the reservation doctrine, unless the United States is a proper party to a stream adjudication, the NPS will quantify and inform the State of Alaska of its existing water uses and those future water needs necessary to carry out the purposes [OF THE RESERVATION] for which the unit was established, as identified in the following legislation establishing this unit (cite legislation) OR as identified on pages and of this plan. When the reserve doctrine or other federal law is not applicable, water rights will be applied for in accordance with Alaska laws and regulations. In all matters related to water use and water rights, the NPS will work cooperatively with the State of Alaska.

[deletions from original GMP language], recommended additions.

Navigability and Management of Watercolumns

The sections of the revised drafts titled Navigability, Shorelands, Tidelands and Submerged Lands are greatly improved from the draft GMPs. However, there are still changes that need to be made. There are two separate issues that are being dealt with in this section: (1) the State management authority over shorelands (land under navigable waters), tidelands and submerged lands; and (2) the State's ownership and management authority over water in the unit. The current discussion confuses these two issues. They could be better dealt with separately. The State recommends that the existing language in the revised drafts be reorganized as follows:

Shorelands, Tidelands and Submerged Lands

The Submerged Lands Act of 1953, the Alaska Statehood Act of 1958 and the State constitution provide for State ownership of the water (subject to the reservation doctrine discussed in the water rights section), shorelands (the beds of navigable waters), tidelands (lands subject to tidal influence and submerged lands (lands seaward from tidelands) to the "ordinary high water mark."

Determinations of what waters are navigable is an ongoing process in Alaska at both the administrative and judicial levels. At present the _____ River upstream or downstream to _____ (add other streams descriptions here if navigable) have been determined

navigable by the Bureau of Land Management. Other rivers may be determined to be navigable at a later date. (Add description here of any tidelands and or submerged lands within the unit or state there are none within the unit.)

The NPS will work cooperatively with the State to ensure that existing and future activities occurring on these shorelands, submerged lands or tidelands underlying the waters within and adjacent to the unit boundary are compatible with the purposes for which the unit was created. Any actions, activities or uses of non-federal lands that will alter the beds of these lands or result in adverse effects on water quality or on the abundance and diversity of fish and wildlife species will be opposed by the NPS. The NPS will manage the monument/park/preserve uplands adjacent to shorelands, submerged lands, and tidelands to protect their natural character.

Additionally, the NPS recommends that the State close these areas to new mineral entry, extraction of oil and gas, and sand and gravel resources, and will apply to the State for these closures. The NPS will also pursue cooperative agreements with the State for the management of lands under navigable water bodies (shorelands) and tidelands.

Management of Watercolumns

The NPS will oppose any actions or activities of the uses of waters that will adversely affect water quality or the abundance and diversity of fish and wildlife species in the unit. The NPS will work with the State on a case-by-case basis to resolve issues concerning the use of the various waterways where management conflicts arise. Cooperative agreements for the management of uses on the water will be pursued if a case-by-case resolution of management issues proves unacceptable to the NPS and the State.

The above reorganization of the existing language from the revised drafts would clarify that there are two different issues being discussed. In addition to this reorganization, the State recommends that several additions and deletions be made to the discussion. These changes have been made in the above language and are explained below.

The addition of the words "or downstream" to the discussion under shorelands is minor and not substantive. The section addition, "Other rivers may be determined to be navigable at a later date," was added to acknowledge that the rivers listed in the text are not necessarily the only navigable rivers in the unit and to alert the reader to the possibility that the status of certain rivers in the unit may change.

The sections of the discussion in the revised drafts that describe the NPS's and State's authorities concerning the management of uses on the watercolumns has been deleted in the above language. The language that was included in the revised drafts but that the State is recommending be deleted follows:

"ANILCA (Sections 101 and 201) and the United States Code (16 USC 1a-2(h) and 1c directs the NPS to manage all waters within the boundaries of the unit. The submerged Lands Act of 1953, the Alaska Statehood Act of 1958, and the State constitution provide for State ownership of the water (subject to the reservation doctrine discussed in the Water Rights section), and shorelands (the beds of navigable waters) to the "ordinary high water mark." These acts provide for water management by both the State and NPS.

The State appreciates the NPS effort to acknowledge the complexity of the management situation concerning management of uses on the watercolumns. However, the discussion as currently written in the GMPs fails to convey the complexity of the legal questions that surround this issue. The State feels that rather than get into the legal questions concerning this topic in the GMP, for the purposes of these plans the language included in the above discussion is adequate. This is particularly true since the plans also include the discussion below in the section about cooperative agreements addressing NPS and State management of public uses on waterways.

An agreement for cooperative management with the State of Alaska regarding public uses on waterways (in the unit). To be pursued only if case-by-case resolution of management issues proves unacceptable to the NPS and the State.

The State reads the sections recommended above and those written by NPS in the revised drafts to mean that the NPS acknowledges that the State has certain authorities and the NPS intends to, if necessary, cooperate and work with the State to manage the public uses of waterways in the units.

Fish and Wildlife Management Policy Statement

We commend the NPS for the major clarification of fisheries and wildlife management policy, which has been adopted in all nine plan, (except as noted in Table 3: Variations in NPS Management Fish and Wildlife Policy Statement). As noted in the cover letter, this is a significant example of how cooperative discussions and information sharing can resolve differences. The language describing management intent is clear and provides sufficient detail on a number of topics of common concern to NPS and ADF&G. It is of mutual interest that this policy be

implemented and that similar cooperative efforts be pursued to resolve remaining issues regarding fish and wildlife management.

Two primary aspects of fish and wildlife management remain unresolved:

1. The need to discuss the general direction NPS proposes it make its resource management programs consistent with 1301(b)(2). To meet ANILCA 1301 requirements the GMPs should include a list of the highest priorities for the unit's resources management program as currently envisioned for the period of each GMP (5-10 years). Such a list should be cooperatively developed with the State to reduce duplication or omission of efforts. The list should be accompanied by appropriate commitment to cooperative efforts to fulfill these priorities. We understand that the RMPs (which are nearly finalized as stated in the GMP's) will contain a more complete discussion of the resources management programs. Thus, discussions with ADF&G to coordinate the existing RMP priorities and insertion of a resulting listing into the GMPs is expected to be a relatively simple but significant solution.
2. The need to provide for our active direct involvement in development, preparation and revision of the NPS Resource Management Plans (RMP's). Current drafts only provide for our review of final RMP's. (This issue is more fully discussed under Resource Management Plans.)

Introduction to Table 3 (next page)

Discussions between NPS and ADF&G in 1985 resulted in cooperative development of a policy statement clarifying their interrelated fish and wildlife management responsibilities. Both agencies approved the statement's adoption. Subsequently slight revisions were made within most plans which changed sections of the policy statement; some are merely minor editing but other changes have subtle but substantive effects. We request the changes listed below be corrected as previously adopted so that the policy is consistent for all units, as originally intended:

Table 3. Variations in NPS Fish and Wildlife Management Policy Statement.

Unit Name; Pages	Variations
Aniakchak NM&Pr [11-11(c)]	NA; Included as approved
Bering Land Bridge NPr (76-76)	P.74, ¶ 4; revised first sentence. Is more accurate than original (similar correction should be made in all plans)
Cape Krusenstern NM (3-10 - 3-13)	P.3/12, ¶ 1; deleted committment date for completion of subsistence hunting program
Denali NPPr (38-42)	P.38, ¶ 1; Miscellaneous rephrasing P.38, ¶ 4; modified so only recognizes subsistence trapping; uncategorized trapping is allowed in park additions and preserve P.41, ¶ 4; sentence defining Subsistence Park Commission responsibilities incorrectly rewritten; also, Congress did not delegate their responsibilities to address trapping P.41, ¶ 4; deleted reference to further discussion on Commissions in Subsistence Use Management section (which is missing from plan)
Gates of the Arctic NPPr (90-92)	P.91, ¶ 4; changed recognition that state "establishes" regulations to "may establish"
Katmai NPPr (41-43)	P.41, ¶ 1, lines 4-5; added Presidential Proclamation Numbers P.42, ¶ 2; deletes acknowledgement of subsistence uses in unit P.42, ¶ 4, lines 2-3; distinguished park from preserve for application of state regulations
Kobuk NP (54-56)	P.54, ¶ 4; deleted discussion of differences between FWS and NPS management parameters
Noatak NPr (3/9-3/12)	P.3/10, ¶ 1; rewrote sentence describing allowed consumptive uses; inaccurately categorizes trapping P.3/11, ¶ 4; added sentence assuring state official access; added sentence describing cooperative surveys and studies (these would be positive additions in every plan)
Wrangell-St. Elias NPPr (32-35)	P.34, ¶ 5; deleted reference to MOU and State management plans P.35, ¶ 3; added policy on fish in direct conflict with cooperative process described previously in policy

Fish and Wildlife Information

In our previous reviews of the nine GMPs, information was provided to correct errors, clarify misconceptions, and add omitted pertinent data regarding fisheries, wildlife, and habitat resources or their management and uses. Appendix C reiterates the information -- only 32 percent of which was corrected. The remainder were partially corrected, disregarded, or deleted along with the Environmental Assessments in the second draft plans. Table 4 summarizes the percentages of NPS incorporation of comments.

Table 4. Totals demonstrating NPS incorporation of the State's information provided in previous review; details are provided in Appendix C.

	<u>ANIA</u>	<u>BELA</u>	<u>CAKR</u>	<u>DENA</u>	<u>GAAR</u>	<u>KATM</u>	<u>KOVA</u>	<u>NOAT</u>	<u>WRST</u>	Total/ Percentage
#Corrected	20	23	18	3	29	26	15	20	34	188/32%
#Partially Corrected	1	7	5	7	14	10	4	3	11	62/11%
#Not located or Deleted	14	9	1	3	46	14	4	13	22	126/22%
#Not Corrected	9	11	19	20	51	33	12	24	26	205/35%
TOTAL Number	44	50	43	33	140	83	35	60	93	581

It is essential the NPS incorporate accurate and current fisheries and wildlife information. The state has local and regional biologists and historical data which should be consulted. In almost all cases where errors or misrepresentations occurred, we provided correct information or sources to ease NPS' job correcting the GMPs. We offer our services to further refine and correct fisheries and wildlife information as NPS prepares future draft and final plans. At a bare minimum, we anticipate NPS making the corrections already provided and repeated in Appendix D. Where NPS has information differing from the state's, discussions should transpire to resolve those differences or acknowledgement of future forums to cooperatively address.

OTHER COMMENTS SPECIFIC TO ANIAKCHAK NM&Pr

- Page 38 - The plan should state that most State lands adjacent to the NM&P are State owned, not selected.
- Page 69 - We assume that the legend for the oil and gas map will be corrected in the final as requested in the State's comments on the draft plan.
- Page 92(a) - The discussion should be expanded to include trails. In this discussion the Chignik Lagoon trail should be mentioned.

OTHER COMMENTS SPECIFIC TO BERING LAND BRIDGE NPr

- Page 4, Last Paragraph - Besides being "accessible by aircraft", Serpentine Hot Springs is accessible by trails from Deering and Shishmaref and from the Nome-Taylor Highway.
- Page 19, Last Paragraph - The first sentence states that "employment on the Seward Peninsula is seasonal." This should be corrected; not all Seward Peninsula employment is seasonal.
- Page 34, Fossil Fuels and Geothermal Resources - The third paragraph of this section indicates that coal deposits in the Deering area apparently have no commercial value. A more meaningful and realistic indication of their value could be offered by indicating that the coal is of low quality, that it has been used locally in the past and that possible future use would depend on economics.
- Page 59, Access and Circulation - The reference to the Alaska Railroad Commission in the second paragraph should be changed to the Alaska Road Commission.
- Page 59, paragraph 4 - This refers to a former road or tractor trail from the Kougaruk airstrip to Taylor and on to Serpentine Hot Springs. The reference to "former" is inaccurate. The portion from Kougaruk to Taylor is on the State Highway System. The remainder is well-traveled during periods when it is passable.
- Page 67, Serpentine Hot Springs - The first paragraph states that Serpentine Hot Springs is not accessible by road. This is not accurate. It is accessible by road when conditions

allow travel on the road. Even though the road is not maintained, and is often passable, people do use it when they are able to.

Page 93, Revised Statute 2477 - Trail 122 is inaccurately listed as a winter trail. Part of it is a winter trail, but part of it is used the year round, as conditions allow.

Page 141, Serpentine Hot Springs - The statement that Serpentine Hot Springs is not accessible by road is inaccurate. It is accessible by a road that is used frequently when surface conditions permit.

Page 156, Roads - As stated in previous comments, there are unimproved roads within the preserve. This management plan should not state, or imply, that they do not exist.

Page 157, Historic and Archeological Sites - Considering the combination of development, activity, access and proposed management, it seems unlikely that Serpentine Hot Springs is suitable for wilderness.

The State assumes that its original comments on the maps in the draft plan will be addressed in the final document.

Land Status Map - This map shows tidelands in Shishmaref Inlet, Arctic Lagoon, Lopp Lagoon and the Bering Sea Coast as being intermly conveyed or patented to village corporations. This is incorrect, as these are State lands which are not available for federal conveyance or patent to village corporations. We suggest inclusion of a note in the legend which clarifies that State tidelands are not subject to conveyance.

Boundary Adjustment and Land Exchange Map - This map labels tidelands within Arctic Lagoon and the northeastern-most portion of Lopp Lagoon as "boundary adjustment(s) or land exchange(s) negotiated with village corporations, BLM, and NPS." This land is not available for federal land conveyance for the same reasons as stated in the above paragraph.

OTHER COMMENTS SPECIFIC TO CAPE KRUSENSTERN NM

Page 3-47, First paragraph - We commend NPS for this management intent which reflects a degree of cooperation that will be beneficial to the resources as well as managers. We request that this language (repeated below) be included in all other GMPs:

"Consistent with the memorandum of understanding, the National Park Service proposes to continue to allow temporary facilities for both management and research projects. However, permits must be obtained from the superintendent before any projects may be undertaken. The National Park Service proposes that annual blanket permits may simplify this procedure for agencies. The procedure for application and the granting or denying of requests for permits are found in 36 CFR Section 13.31."

Page 3-47, First Paragraph - We commend NPS for this management intent which reflects a degree of cooperation that will be beneficial to the resources as well as managers. We request that this language (repeated below) be included in all other GMPS:

"Consistent with that memorandum of understanding, the National Park Service proposes to continue to allow temporary facilities for both management and research projects. However, permits must be obtained from the superintendent before any projects may be undertaken. The National Park Service proposes that annual blanket permits may simplify this procedure for agencies. The procedure for application and the granting or denying of requests for permits are found in 36 CFR Section 13.31."

Page 3-50, Aircraft Hanger (sic) - The Cape Krusenstern GMPS call for construction of an aircraft hangar at Kotzebue to house NPS aircraft. The NPS should be advised that lease lot space on the Kotzebue airport is severely limited. An airport master plan is presently underway that will plan development for the Kotzebue airport for the next 20 years. The NPS should be advised that a long lead time may be required before the State will be capable of providing a lease lot suitable for an aircraft hangar. Any construction cost estimate for a new hangar should include the costs for lease lot fill material. These costs, which are expected to be substantial, may be the responsibility of the lessee.

Page 2-62, Paragraph 3 - This references the transportation corridors identified in the (DOT/PF) Western and Arctic Alaska Transportation Study (WAATS) that would cross the Cape Krusenstern National Monument. It suggests that if the Red Dog Mine proposal is constructed, the other alternatives identified in WAATS will no longer be necessary. This is not accurate. The transportation alternatives and corridors identified in WAATS are not limited to providing access to the Red Dog deposits. For example, the identified transportation corridors are also a means of access to the Ambler Mining District located in the Upper Kobuk River

"Consistent with the memorandum of understanding, the National Park Service proposes to continue to allow temporary facilities for both management and research projects. However, permits must be obtained from the superintendent before any projects may be undertaken. The National Park Service proposes that annual blanket permits may simplify this procedure for agencies. The procedure for application and the granting or denying of requests for permits are found in 36 CFR Section 13.31."

Page 3-47, First Paragraph - We commend NPS for this management intent which reflects a degree of cooperation that will be beneficial to the resources as well as managers. We request that this language (repeated below) be included in all other GMPS:

"Consistent with that memorandum of understanding, the National Park Service proposes to continue to allow temporary facilities for both management and research projects. However, permits must be obtained from the superintendent before any projects may be undertaken. The National Park Service proposes that annual blanket permits may simplify this procedure for agencies. The procedure for application and the granting or denying of requests for permits are found in 36 CFR Section 13.31."

Page 3-50, Aircraft Hanger (sic) - The Cape Krusenstern GMPs call for construction of an aircraft hangar at Kotzebue to house NPS aircraft. The NPS should be advised that lease lot space on the Kotzebue airport is severely limited. An airport master plan is presently underway that will plan development for the Kotzebue airport for the next 20 years. The NPS should be advised that a long lead time may be required before the State will be capable of providing a lease lot suitable for an aircraft hangar. Any construction cost estimate for a new hangar should include the costs for lease lot fill material. These costs, which are expected to be substantial, may be the responsibility of the lessee.

Page 2-62, Paragraph 3 - This references the transportation corridors identified in the (DOT/PF) Western and Arctic Alaska Transportation Study (WAATS) that would cross the Cape Krusenstern National Monument. It suggests that if the Red Dog Mine proposal is constructed, the other alternatives identified in WAATS will no longer be necessary. This is not accurate. The transportation alternatives and corridors identified in WAATS are not limited to providing access to the Red Dog deposits. For example, the identified transportation corridors are also a means of access to the Ambler Mining District located in the Upper Kobuk River

Area. Although an east-west transportation corridor for Ambler would most likely connect to the road and port system proposed for the Red Dog Mine, the Red Dog development cannot be viewed as fulfilling all future regional access needs. All transportation alternatives identified in WAATS need to be considered as valid potential future developments, regardless of the system that may be developed for Red Dog.

This comment was made in our July 3, 1985 review of the draft GMP. The revised draft indicates that there have been deletions made in this section of the GMP, however, we have compared the two drafts and are unable to locate where any deletions have been made.

Pages 6-3 to 6-6, Wilderness Suitability Review - There appears to be a conflict between the definition of wilderness described on page 6-3 and the GMP's determination of which lands within the Monument are suitable for designation as "Wilderness."

On page 6-3, the third paragraph defines wilderness according to the Wilderness Act of 1964 as, ". . . an area where the earth and its community of life are untrammelled by man . . . , an area of Federal land retaining its primeval character." We believe the existence of the airstrip in the Kakagrak Hills precludes the area's suitability for wilderness. This airstrip is not representative of the area's primeval character, nor is it untrammelled by man. The airstrip is needed to provide a continued means of access to the Monument, and routine maintenance of the remaining 1500 usable feet of the runway will be necessary. The NPS should ensure that a wilderness suitability determination, recommendation or designation does not preclude maintenance activities necessary to maintain the integrity of the public use airstrip in the Kakagrak Hills.

Page 3-18, The full generic water rights language should be included here, not just a portion of it.

Page 2-63, (Revised Draft) - In this section, as well as numerous other locations throughout the document, reference is made to the potential Cape Krusenstern land exchange between NPS and NANA which would accommodate the Red Dog Mine transportation access. It would be helpful and useful for the GMP to include a map of the area that would be affected by a land exchange. A discussion of how management of the monument might be affected by the land exchange would also be very useful. The transportation system for Red Dog will be State-owned and is now under design by DOT/PF.

Page 2-62, The discussion on page 2-62 still includes the sentence, "Current thinking suggest that if the Red Dog Mine proposal is constructed, the alternatives in the WAATS study could be put aside." This sentence should be deleted. See comments on page 5 of the State letter on the draft plan.

Page 3-44, Airstrips - In this discussion about the Kakagarak airstrip, a minor addition was made in the revised draft allowing for equipment to be used by permit for maintaining the airstrip. However, this still does not address the concerns raised by the State in its letter on the draft plan.

The State wants the NPS to be explicit about the overall management intent for the use of this airstrip. The State is concerned that the NPS may not view the use of the airstrip to be consistent with the overall management objectives of the area and in time may incrementally restrict use of the airstrip. We request a clear statement of how the NPS perceives this airstrip, so that the manager has some guidance in how to evaluate whether or not to issue a permit for the use of equipment to maintain the strip. We urge that the intent statement show that the strip is a benefit to the monument and that its continued use is encouraged for traditional activities and for access to the monument.

OTHER COMMENTS SPECIFIC TO DENALI NP&Pr

State comments dated November 30, 1985 should be considered and addressed in the final GMP for Denali NPPr. We are particularly concerned that proposed northern access in the park/preserve be considered and that the south-side development concept be more clearly discussed. We note that discussions of south Denali development and its relationship to overall NPS management direction have largely been delted from the revised draft. We request that the State's previous comments on this topic be addressed. Of course we recognize that the proposed development is a State project, however the concept is inextricably linked to the overall management strategy and this must be addressed. Once this has been done, the State would like to review the changes.

The Denali GMP is the only plan of the nine plans that seems to be devoid of many generic sections that are included in other plans, especially regarding access and circulation. This includes the access summary chart. We question why this plan is so different from all the others. We request that this GMP be revised so that it is consistent with the others.

The State's comments on the Wolf-Dunkle land exchange in the draft plan still need to be addressed. The proposed will serve both State and federal interests, provided the State acquires full management rights for the Dunkle Township and retains its valid existing access rights on the Wolf Townships. The State is concerned that any land exchange involving the Dunkle Township not encumber the area with restrictions that would delay or jeopardize mineral development. The GMP should clarify that one of the purposes of the proposed exchange is to provide for mineral development.

The sections on north-side development that were included in the State's previous comments on the draft GMP still need to be addressed.

Page 62 - The land status table should note the acreage included in existing highway and railroad rights-of-way.

Page 73 - The State's comment on the draft plan still needs to be addressed: The GMP references a possible road corridor to Kantishna that would follow the Stampede trail. It should be noted that such a route is one of several possible locations for a Kantishna access route. Identified alternative routes vary in length from approximately 80 miles to approximately 120 miles. Updated cost estimates for development for those routes range from \$85 million to \$125 million.

The Interior Alaska Transportation Study has been completed. The reference to its "draft" should be deleted.

Page 82 - NPS misinterprets the Tanana Basin Area Plan when it suggests "exchange or relinquishment of approximately 95,000 acres is fully supported by the State of Alaska." The Tanana Basin Area Plan states that the planning team "recommends that the Stampede Trail Area (three townships) be exchanged with the Park Service." Recommendations were not made in the area plan for relinquishments, only for exchange. The first sentence in this paragraph should be rewritten to reflect this.

Land Status Map - The State's comment on the draft plan still needs to be addressed. The land status map should be revised to show that the entire township is selected by the State for T.11S. R.21W, F.M. (Muddy River).

OTHER COMMENTS SPECIFIC TO GATES OF THE ARCTIC NPPr

We commend inclusion of Issues, Public Comment, and Changes in the revised draft GMP (pages 5-27). We would have appreciated a similar section in each of the other GMPs. It gives the reader an indication of what comments were made on the draft and what action, if any, the NPS has taken in response to them. This is yet another way of communicating to the public the GMP's proposed intentions.

We request that NPS clarify what it means in the discussion on page 109 about Title XI in the Gates of the Arctic plan. The current wording is troublesome:

Because of the wilderness and other purposes of Gates of the Arctic, future transportation or utility systems across the unit would be considered inconsistent with the congressional mandate. Any application laws on a case-by-case basis.

These two sentences contradict each other. On the one hand, the NPS is saying that application will be reviewed on a case-by-case basis. On the other hand the NPS is saying that it has already decided the outcome of any case-by-case evaluation: all proposals would be considered inconsistent with the congressional mandate.

Given the ANILCA Title XI congressional mandate that consideration be given to future needed transportation and utility systems in and across conservation system units, this statement is premature and should not be included in a GMP. A determination of consistency (inconsistency) cannot be made until application has been made and the provisions of Title XI have been satisfied.

If similar statements are included in other plans this comment also applies. We assume that NPS will let us know which of the other plans treat this issue the same way.

The State is still concerned that the GMP does not adequately acknowledge the potential the Dalton Highway has for providing for visitor use and enjoyment of the National Park. Somewhere in the document there should be a statement about the NPS position concerning the use of the corridor for access to the park.

At the top of page 124 there is mention of the highway becoming an increasingly popular access point for recreational visitors, but does not say how the NPS views trend. The State would hope that the NPS views the corridor as a positive opportunity to provide for public enjoyment of the park, and treat it as such. A statement should be included outlining how the NPS views the type of use that is possible because of this corridor, and give more specifics about how it will manage the use. If specifics can not be provided, then as a minimum, the day-to-day managers

need a statement of overall management intent for the corridor against which they can evaluate and make decisions about specific actions as use patterns develop and/or increase.

The Arctic Slope Regional Corporation easements need to be described in greater detail, including the history of these easements, a description of what they are, and a better organized discussion about how they will be managed. It is currently very unclear. Also, a reference to this discussion would be helpful on the land status map. Once this is done, the State would appreciate the opportunity to review the management intent for these easements. Until the discussion has been clarified as noted above, we are unable to provide any meaningful comments.

Page 31-35 - Regional Access and Land Use - Although this section contains discussion of the Dalton Highway and the proposed improvements to the 40-mile road to connect Bettles to the Dalton Highway, there is no mention of the numerous other traditional regional access routes that exist in the park and preserve. These access routes are discussed in other sections of GMP, but should also be acknowledged and discussed in this section as we requested previously.

Page 37 - Communities - The third paragraph on this page indicates that the community of Nuiqsut is sometimes accessible by winter roads from Barrow and Prudhoe Bay. It may be appropriate to reference here that the 1985 legislature appropriated funds to construct a year round access road from the community of Nuiqsut to the Dalton Highway.

Page 86 - General Development - The final paragraph on this page acknowledges that there are several abandoned airstrips within the unit. This section should also acknowledge the numerous historical trails and potential RS 2477 rights-of-way that are located within the unit.

Page 87 - Wilderness Management - This section contains a discussion of the exceptions to the Wilderness Act as mandated by ANILCA for management of wilderness areas in Alaska. As requested previously, reference should be made directly in this section to Title XI of ANILCA which addressed transportation and utility systems in and across conservation system units as well as the specific allowance in ANILCA for the surface transportation route from the Ambler mining district to the Dalton Highway [ANILCA, Section 201(4)]. Because of the significance of this particular section, we believe the Title XI corridor allowance merits specific reference here, along with the discussion of Wilderness Management.

Page 124 - Aircraft - The first paragraph in this section states that fixed-wing aircraft remain the primary means of recreational access into the Gates of the Arctic National Park and Preserve. However, this proposed management plan differs from the other GMPs in that it appears to not allow any maintenance of airstrips. No alteration of vegetation or terrain to improve a landing area is allowed. This policy presents a management conflict as we noted in the Aircraft Access discussion.

The NPS has forecasted that fixed-wing aircraft will continue to be the primary access into the unit because of the limited surface access alternatives. The airstrip maintenance restrictions proposed in the GMP would result in deterioration of airstrips to the extent that they would eventually become hazardous and unusable. The GMP should not preclude maintenance activity necessary to provide safe, usable airstrips for park visitors.

We made this same comment in our review of the March 1985 draft GMP. In the revised GMP, the NPS has made minor wording changes to this section, but their conclusion is unchanged. According to the GMP, a user could be considered in violation of the management guidelines if even minor maintenance activity, such as the removal of large loose gravel from an airstrip, were to occur. The NPS should acknowledge that to be a responsible resource management plan, the GMP must permit reasonable access.

The third paragraph of this section refers to the monitoring of aircraft activity in the area between the North Fork of the Koyukuk and the Dalton Highway with consideration given to designating the area as a no landing zone. Much of the area as described is not in Gates of the Arctic Park and Preserve. The area in question should be redescribed to include the area between the North Fork of the Koyukuk River and the east park/preserve boundary. Any discussion of potentially closing this area to aircraft landings should note the following considerations. The subject area which is inside of the park/preserve includes active mining claims which rely on air access. No closure to aircraft landings should be considered that would interfere with air access to mining operations, nor should it restrict traditional access provided for by ANILCA.

Page 169 - The State appreciates the NPS attempt to modify the tone of the discussion about mining by changing a few words. However, the tone remains the same and needs further revision. The State recommends the following language:

The development and operation of valid claims have the potential of affecting the existing environment. However, adverse effects of mining on park resources can be reduced or eliminated if mitigating measures are applied to mining activities. The various values that may be affected and require mitigating measures are as follows: fisheries habitat, soils, vegetation, water quality, stream flow, the sense of solitude, subsistence activities and cultural resources.

Page 171 - State Lands and Interest - In this section, the GMP states that the NPS recommends that the State close the beds of navigable water to new mineral entry, extraction of oil and gas and sand and gravel resources. In several other locations throughout the document this same recommendation is referenced.

A regional transportation corridor has been identified and may be developed at some time in the future, creating a demand for materials which could require gravel extraction from the bed of a navigable stream. DOT/PF recommends that such activity not be precluded by closure. Instead, the GMP should provide guidelines for mitigating measures that would be necessary if sand and gravel extraction is to take place in the future and identify means to obtain material sources on NPS land. (See our previous comments.)

OTHER COMMENTS SPECIFIC TO KOBUK VALLEY NP

The Kobuk Valley GMPs call for construction of an aircraft hangar at Kotzebue to house NPS aircraft. The NPS should be advised that lease lot space on the Kotzebue airport is severely limited. An airport master plan is presently underway that will plan development for the Kotzebue airport for the next 20 years. The NPS should be advised that a long lead time may be required before the State will be capable of providing a lease lot suitable for an aircraft hangar. Any construction cost estimate for a new hangar should include the costs for lease lot fill material. These costs, which are expected to be substantial, may be the responsibility of the lessee.

Page 44 - The last sentence on the page should be rewritten to address the State's previous comment on the draft plan. The sentence could be revised to read as follows: "Most winter travel between the villages of Kiana and Ambler occurs on or adjacent to the frozen Kobuk River."

OTHER COMMENTS SPECIFIC TO NOATAK NPr

The Noatak GMPs call for construction of an aircraft hangar at Kotzebue to house NPS aircraft. The NPS should be advised that lease lot space on the Kotzebue airport is severely limited. An airport master plan is presently underway that will plan development for the Kotzebue airport for the next 20 years. The NPS should be advised that a long lead time may be required before the State will be capable of providing a lease lot suitable for an aircraft hangar. Any construction cost estimate for a new hangar should include the costs for lease lot fill material. These costs, which are expected to be substantial, may be the responsibility of the lessee.

Page 2-15 - The plan still needs to acknowledge that the mineral belt which hosts the Red Dog deposit which lies just west of the NPR, also crosses the northern portion of the NPr and is known to contain similar occurrences such as those found at Red Dog.

Page 2-47 - The original State comment still needs to be addressed.

Page 2-45 - The fourth paragraph states that although three transportation corridors to connect the Ambler Mining District to the coast near Cape Krusenstern have been identified, there is no current or proposed plans for further study of any of the three corridors.

While it may be true that further study of the three transportation corridors identified in the Western Arctic Alaska Transportation study has not yet been scheduled, further analysis of these routes is likely because of access to the Ambler Mining District. This should be acknowledged in the plan. To address this concern, the last section could be revised to read as follows. "There are no current or proposed plans to study further any of the three corridors. However, because of the mineral values in the Ambler Mining District, further studies are likely."

Land Protection Plan - The original State comment still needs to be addressed: The State does not support the inclusion of additional lands in T. 31 N., R. 17 W., K.R.M. into the NPr. State mining claims hosting significant potential for mineral deposits are located in this proposed addition. Adding this township to the preserve would place additional constraints upon these claimants and make developing those resources more difficult. The State selected this area for its high mineral development potential. We request that the plan acknowledge the State's position on this exchange.

OTHER COMMENTS SPECIFIC TO WRANGELL-ST. ELIAS NPPr

Page ii - We note that the NPS planning chart on page ii of draft GMP does not appear in the revised draft. We presume this was a simple oversight and request that it be re-inserted in the final.

Page 14 - Air Access - Discussion of ownership of the May Creek Airport should note that the State is claiming that airport under the Omnibus Act.

Page 17 - Last Paragraph - The term "primitive should not be used describe roads which "were constructed and are actual road beds." Also, it would be helpful if this paragraph included a statement on the correlation between these roads and possible RS 2477 rights-of-way claims of the State.

Pages 29-31 - Wilderness Suitability - The wilderness suitability status of the main road corridors (McCarthy Road, Nabesna Road, Dan Creek Road, Chitina Road, Kennicott Road) should be clearly indicated in the text. These State roads are clearly not suitable for wilderness designation.

Page 61 - The land status table for Wrangell-St. Elias should note the acreage included in existing highway and railroad rights-of-way.

Page 68 - Second Paragraph - The words "to Chitina" should be deleted from the reference to extension of the Copper river Highway. The route to Chitina is only one of three alternative alignments being studied. At least part of each alignment is adjacent to the park/preserve.

Page 27 - Concerning the boundary change and the exchange of State land on the south end of Guyot Glacier. The State's original comment included in the August 30, 1985 letter still applies:

Nothing in section 103(b) of ANILCA (or anywhere else allows NPS to "acquire" 3,200 acres of State land at Guyot Glacier as a "minor boundary change." If NPS wants to acquire these lands, it may propose an exchange with the State under their authority in section 1302(h) and under the State's authority contained in AS 38.50. Any application will be properly considered' however, the State currently has no interest in pursuing this exchange. The proposed boundary change should be otherwise abandoned. The section that discusses this issue should be rewritten to reflect this concern.

Page 26-29 - What will the NPS do in the event that it receives additional Native corporation land? The State's original comment has not been addressed:

The proposed additions to Wrangell-St. Elias NPPr presently net 21,800 acres. The GMP indicates that it will pursue legislation to automatically add Native corporation lands to the park if those lands are made available to the federal government through any means. If a substantial amount of land becomes available, this might add sufficient acreage to exceed the 2300 acre limit set by congress. To stay within that limit we request that a priority listing of additions be included in the plan.

Page 62 - Second paragraph - The State's original comment still needs to be addressed: "This states that any development adjacent to the NPPr will cause undesirable development." The GMP should clarify what is meant by this statement.

Page 63 - The fireweed disposal has been cut to approximately 400 to 500 acres, not 2,900 as stated in the GMP. This should be corrected.

Page 85 - Bottom - The State has no plans to donate land to NPS. The text should be changed to acknowledge this.

Land Protection Plan - The entire land protection plan seems unrealistic. The NPS wants to eventually acquire everything through exchange, but doesn't identify anything that the NPS is willing to give up. This still needs to be addressed.

Little is said about management of mining impacts, (page 104), although active mining is acknowledged, (page 62), in the Bonanza Hills, Lakina, Kennecott - McCarthy and McCarthy Creek. Our previous comments regarding the Placer Mining Task Force are still appropriate and should be referenced in both the Wrangell-St. Elias and Denali plans.

Also, the prior comments in the Wrangell-St. Elias plan, concerning inholdings, are still appropriate (June 28, 1985), considering that as one of the largest units in the National Park System, the Wrangell-St. Elias unit attracts minimal visitation. The limited current use of the unit is largely by local residents and the guide services currently operating there. Considering the lack of planned investment by the NPS, and given some support and encouragement by the NPS, the inholders, in keeping with the intent of ANILCA, might well generate increased use of the unit in the long term.