

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DIVISION OF GOVERNMENTAL COORDINATION

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November 14, 1988

Mr. Boyd Evison
Regional Director
National Park Service
2525 Gambell Street, Room 107
Anchorage, AK 99503-2892

Dear Mr. Evison:

The State of Alaska has reviewed the thirteen final Wilderness Environmental Impact Statements (EISs) prepared by the National Park Service (NPS) pursuant to Section 1317 of the Alaska National Interest Lands Conservation Act (ANILCA). Based on our review of these documents, the state cannot support designation of any additional Wilderness in Alaska's national parks and preserves at this time. The following letter summarizes our primary concerns with the EISs and with NPS' Wilderness recommendations. Our comments are divided into three sections: I. National Environmental Policy Act (NEPA) Compliance, II. EIS Deficiencies, and III. Inappropriate Wilderness Recommendations. Comments on the specific Wilderness recommendations for each park were contained in the state's review of the draft EISs and are attached.

I. MINIMAL NEPA COMPLIANCE - SUPERFICIAL PUBLIC INVOLVEMENT

The NPS has not demonstrated genuine interest in working with the public and state to develop supportable Wilderness recommendations. NPS appears to have sought to meet the minimum legal requirements of the NEPA, without meeting NEPA's intent that the public be provided meaningful opportunities to participate in the development of these recommendations.

A. Public Comments Produce No Changes

Although NPS received extensive public comment on its wilderness proposals, including detailed, site-specific comments from the State of Alaska, NPS did not significantly modify any of its 13 recommendations. Given that NPS is studying approximately 18 million acres for possible wilderness designation and recommending approximately 7 million

acres for designation, one would expect that NPS would make at least a few significant changes to its proposals in response to public comment. Instead, there is little, if any, difference between the proposals contained in the draft and final EISSs.

B. Response to Comments Unsatisfactory

The state found NPS' written responses to many public comments to be unsatisfactory. For example, in response to requests from the state and public that the NPS explain why it is recommending certain lands for wilderness and not recommending others, NPS writes: "It is not the purpose of an EIS to justify the proposal. The regulations of the Council on Environmental Quality caution against self-serving justification of proposals. The areas proposed qualify as wilderness and they are proposed because of this qualification." (Gates of the Arctic final EIS, page 141.) The state believes, however, that there is a middle ground between "self-serving justification of proposals" and providing the public with information with which to understand and assess a given proposal. NPS' response is also inconsistent with the fact that NPS is recommending only a third of the acreage which it determined qualifies for Wilderness designation.

C. Accelerated Review Schedule Evident in Quality of Documents

Though the official "task directive" for these EISSs called for a 4-month public review period and a full year for the NPS to consider public comments and prepare final EISSs, the public was ultimately given 67 to 102 days to review respective draft EISSs, and the NPS spent less than three months preparing final EISSs. This schedule was developed after the public and state protested a plan, initially defended by the NPS, to release three final EISSs one day after the close of the comment period on draft EISSs for the same parks. Although the state recognizes that NPS was directed to expedite completion of the EISSs, we regret that the EIS project was not managed differently so that public involvement in the EIS process would not have been short-changed.

II. EIS DEFICIENCIES

A wide range of interest groups and individuals, as well as the State of Alaska, found the EISSs to be seriously flawed.

A. Important Issues Dismissed

The NPS dismissed as insignificant many important issues raised by the public during preparation of the EISSs.

Examples include the effect of wilderness designation on construction of a road from the Parks Highway to Kantishna, and from the Ambler mining district to the Red Dog port facility. (See Kobuk Valley draft EIS, page 59, and Denali draft EIS, page 94.) In both cases, the NPS argued that the effect of wilderness on these potential access corridors did not need to be addressed because road construction was not likely to be feasible. This questionable argument does not justify ignoring such important issues.

B. Description of Wilderness Management Lacking

Although the state recommended during "scoping" that the EISs clearly describe the differences between NPS management of Wilderness and non-Wilderness areas, the draft EISs did not clearly or comprehensively describe these differences. The state reiterated its recommendation following review of the draft EISs. In response, NPS did include a table in the final documents which identifies many of these differences. Though we appreciate the inclusion of this table, we believe it was provided too late in the process to help the public to fully assess the impacts of Wilderness designation.

C. Impacts Overstated

Without adequate justification, the EISs consistently predict degradation of wilderness values if parklands are not designated as wilderness. This conclusion is not supported by NPS' own estimates of future development and use of the parks. In contrast, NPS appears to have underestimated the effects of wilderness on human use of the parks. For example, the EISs state that Wilderness will have no effect on subsistence activities or access. In fact, however, Wilderness designation can effect both of these. For example, Wilderness precludes the designation of routes and areas where off-road vehicles can be used for subsistence purposes.

D. Wilderness Criteria Lacking

The EISs omit basic information regarding the wilderness recommendations, e.g., why the NPS is recommending certain lands for wilderness designation and not others. Little, if any, information is provided regarding the criteria used to develop wilderness proposals or the specific resources and Wilderness values each proposal seeks to protect. The following quotations from public comment letters to the NPS address this deficiency:

"We would like to see greater emphasis on criteria, analysis, and rationale in the wilderness

recommendations Decisions concerning vast land areas such as these, some with millions of acres in question, deserve to be supported by detailed analyses. Yet these recommendations for management units the size of some states contain about the same level of analytic detail as a typical conceptual plan for a town square or city park." (Land Use Advisors Committee, July 15, 1988).

"The draft EIS does not describe any of the methodology, quantitative or qualitative, that was used to generate the alternatives." (Resource Development Council, May 27, 1988, comments on the Yukon-Charley Rivers draft EIS.)

"The real issues of criteria for wilderness/non-wilderness recommendation, alternative formulation, and boundary determination are obscured. What little real information is contained in these questionable documents is endlessly repeated in slightly altered 'boilerplate' fashion throughout each draft EIS. Such capricious waste of public time and money is reprehensible." (Northern Alaska Environmental Center, June 15, 1988.)

III. INAPPROPRIATE WILDERNESS PROPOSALS

As clearly delineated in our comments on the draft EISs, the state objects to inclusion of certain parklands in NPS Wilderness proposals. The following are examples of lands determined by the state to be inappropriate for wilderness.

A. Access

Several areas proposed for wilderness designation may be needed in the future for construction of roads. Examples include the northern addition of Denali National Park and Preserve, where a road connecting the Parks Highway and the Kantishna Hills has been proposed; and portions of Noatak, Kobuk Valley, and Cape Krusenstern, where a road connecting the Ambler mining district with the Red Dog port facility has been proposed. Gaining federal approval for a transportation right-of-way would likely be more difficult through wilderness than non-wilderness parklands.

B. Visitor Facilities/Tourism

Some areas proposed for Wilderness may be needed in the future for visitor facilities, which are not allowed in wilderness areas. Since such a high percentage (65%) of NPS lands in Alaska are already in Wilderness status, the state

believes options for future visitor-related development should be maintained on existing non-Wilderness parklands, unless a compelling reason exists to preclude these options. The NPS has not provided such compelling rationale in its EISs. Examples of where additional or new facilities may be needed include Katmai, Kenai Fjords, and Denali.

C. Incompatible Uses

Several areas proposed for wilderness are currently used in ways that are not compatible with wilderness management. For example, Dundas Bay, Charpentier Inlet, and Skidmore Bay within Glacier Bay National Park and Preserve have been for many years by commercial fishermen. The proposed wilderness area in Cape Krusenstern contains 37 Native allotments and is used extensively by local residents. The nearby Wilderness proposal for Kobuk Valley contains 13 Native allotments and also receives regular use. Much of the activity in these areas is supported by mechanized forms of access, which local residents fear may eventually be regulated more stringently in Wilderness than in non-Wilderness areas. (This concern is supported by the NPS proposal in the Glacier Bay EIS to prohibit motorized access in marine waters within the Wilderness boundaries.) The state has identified areas in Wrangell-St. Elias, Katmai, Glacier Bay, and other park units where wilderness would be inappropriate for this reason.

D. Mining Claims

Several areas proposed for wilderness contain mining claims (e.g., in Katmai, Denali, and Kenai Fjords). Wilderness designation in these areas would likely make mineral development more difficult, since claimants would be required to show that their activities would not degrade the wilderness character of adjoining areas.

E. Navigable Waters and Revised Statute (RS) 2477 Rights-of-Way

Several areas proposed for wilderness include possible RS 2477 rights-of-way and waterbodies which are or will likely be determined navigable. The state opposes inclusion of these areas in NPS wilderness recommendations to minimize the potential for conflicts between the state and federal government over management of these areas. Examples of navigable water bodies within wilderness proposals include the Chitina River, Naknek Lake, and Charley River; examples of possible RS 2477 rights-of-way include the Stampede Trail in Denali and the Kotsina trail in Wrangell-St. Elias.

Based on our comments on the draft EISs, as well as the concerns summarized above, the State of Alaska urges the NPS to withdraw the Wilderness recommendations contained in these EISs. We urge the NPS to recommend no additional wilderness unless and until the NPS:

- 1) better analyzes the socio-economic effects of designating more Wilderness in Alaska;
- 2) provides more comprehensive and forthright information on the differences between management of Wilderness and non-Wilderness parklands;
- 3) provides clear rationale for recommending additional wilderness and for recommending particular parklands for designation; and,
- 4) works more closely with the state and public to identify areas where Wilderness designation is and is not appropriate, consistent with the attached state recommendations.

We appreciate the opportunity to summarize our concerns regarding the final EISs. Please do not hesitate to call this office if we can be of assistance in clarifying these comments.

Sincerely,

Robert L. Grogan
Director



By Michelle Sydeman
State CSU Coordinator

Attachments

cc: Commissioner Brady, DNR
Commissioner Collinsworth, DFG
Commissioner Hickey, DOT/PF
Commissioner Kelso, DEC
Mr. Rod Swope, Office of the Governor
Mr. John Katz, Office of the Governor
Alaska Land Use Council Members
Land Use Advisors Committee Members

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STATE OF ALASKA

WILDERNESS RECOMMENDATION SUMMARY

DENALI NATIONAL PARK AND PRESERVE

(See State of Alaska comments dated August 29, 1988.)

RECOMMENDATION:

The State of Alaska opposes designation of the northern park addition as Wilderness.

RATIONALE:

- 1) Designation of this area as Wilderness would make development of a northern access route from the Parks Highway to Kantishna more difficult. Such a route would alleviate pressure on the existing park road, provide additional opportunities for visitors to enjoy the park, and facilitate mineral development in the Kantishna area.
- 2) There are numerous possible Revised Statute (RS) 2477 rights-of-way within the northern park addition. (See the map provided on page 189 of the Denali General Management Plan [GMP].) Although Wilderness designation would not affect validity determinations for these rights-of-way, Wilderness management could conflict with future uses and/or development of these routes.
- 3) The state asserts that portions of the Tokositna, Muddy, and Kantishna rivers are navigable. Designation of lands adjacent to these rivers as wilderness could increase the potential for state/federal management conflicts.

RECOMMENDATION:

The State of Alaska opposes Wilderness designation of the southern park addition from the east side of the Eldridge Glacier to the eastern boundary of the park, near Cantwell.

RATIONALE:

- 1) This area encompasses the Cantwell/Dunkle Mine area and contains more than 100 unpatented mining claims. Designation of this area as Wilderness would likely make development of these claims more difficult.
- 2) This area also contains state, regional, and village corporation lands and selections. Future use and development of these lands may not be consistent with Wilderness management. The state urges the National Park Service (NPS) to avoid potential Wilderness conflicts by deleting this area from the Wilderness proposal.

- 3) Both this area and the northern park addition are used regularly by local rural residents engaged in traditional activities. The state is concerned that, over time, Wilderness designation may lead to restrictions or access methods and activities currently allowed within Wilderness. The state therefore does not support Wilderness designation in these areas.

GLACIER BAY NATIONAL PARK AND PRESERVE

(See State of Alaska comments dated August 29, 1988.)

RECOMMENDATION:

The state is appreciative of the substantial effort the NPS has invested in working with local user groups to find an appropriate management strategy for Glacier Bay's Wilderness waters.¹ We recognize that the NPS' proposed action represents an attempt to accommodate diverse interest groups, and that no solution will be entirely satisfactory to any one interest.

The state offers the following new alternative with the same objective in mind. We support deletion of certain Wilderness waters, designation of a limited acreage of new Wilderness waters, closure of certain Wilderness waters to motorized vessels and aircraft landings, and seasonal restrictions on commercial fishing activity and motorized vessel use in a limited number of areas. The state's preferred alternative is described below:

WATERS:

Areas to be retained as existing Wilderness

Adams Inlet (starting 2 miles East of the inlet entrance)

Areas to be deleted from existing Wilderness

Beardslee Islands
Adams Entrance
Rendu Inlet
Hugh Miller Inlet
Dundas Bay
Charpentier Inlet
Skidmore Bay

Added Wilderness

¹The State of Alaska does not waive or otherwise concede its claims of ownership to the submerged lands in the territorial waters adjacent to Glacier Bay. See United States v. California, 436 U.S. 32 (1978) (California has dominion over submerged lands surrounding Channel Islands National Monument established by Presidential Proclamation): cf. Utah Divisino of State Lands v. United States, 107 S. Ct.n 2318 (1987) (Title to submerged lands passes to state upon admission to Union).

Muir Inlet above Sealers Island
Wachusett Inlet (starting 3 miles west of the inlet entrance)

LANDS:

The state does not support designation of any additional Glacier Bay lands as Wilderness.

RATIONALE:

Commercial fishing has been occurring in Glacier Bay waters since before the Glacier Bay National Monument was established in 1925. To date, there is no evidence that this activity is harming local resources, and no evidence to this effect is presented in the Environmental Impact Statement (EIS). Given this lack of substantiating evidence, the state supports the NPS' efforts to delete waters used for commercial fishing from Wilderness.

The NPS' proposed action recommends deletion of the Beardslee Islands, Adams Entrance, Rendu Inlet, High Miller Inlet, and Dundas Bay Narrows. The state believes three additional areas should be excluded: the remainder of Dundas Bay, Charpentier Inlet, and Skidmore Bay. Dundas Bay is an important area for commercial crabbing. As the NPS notes in its Commercial Fishing in Glacier Bay National Park (1987), 452 crab pots were counted in Dundas in July 1987. This represents a substantial crabbing effort. In addition, the state supports deletion of Charpentier Inlet and Skidmore Bay. These areas are also used for commercial fishing.

The state recognizes that Charpentier Inlet and Skidmore Bay offer significant opportunities for solitude and primitive recreation (e.g., kayaking). The state suggests that the NPS consider implementing seasonal closures on motorized vessel use and aircraft landings in these areas during the summer months, as most commercial fishing occurs during the winter.

The state would also support motorized access closures for Wachusett Inlet and Muir Inlet above Sealers Island. Closure of these areas would provide significant opportunities for solitude and primitive recreation.

The state does not support designation as Wilderness of the Deception Hills east of Doame River, the two parcels adjacent to Gateway Knob, the island adjacent to Blue Mouse Cove, and Cenotaph Island. Approximately 81 percent of Glacier Bay National Park and Preserve is already in Wilderness status. We do not see the need for adding additional land-based Wilderness areas. In addition, we are concerned that, overtime, wilderness designation may lead to restrictions on traditional activities (e.g., use of aircraft), which the state would not support.

RECOMMENDATION:

The state requests that the Wilderness boundary in the Deception Hills area be moved to the western edge of the Grand Plateau Glacier.

RATIONALE:

- 1) Section 103(b) of the Alaska National Interest Lands Conservation Act (ANILCA) states Congress' intent that "wherever possible boundaries shall follow hydrographic divides or embrace other topographic features." The NPS took advantage of the opportunity provided by Section 1317 of ANILCA and included recommended Wilderness boundary adjustments in its Wilderness EIS for the Wrangell-St. Elias National Park and Preserve. The state supports this approach and requests that revisions to the Glacier Bay boundary be recommended in this EIS.
- 2) The boundary in the Deception Hills area northward to the outlet of Alsek Lake is nearly impossible to locate in the field. Consistent with our previous recommendations to the NPS during GMP preparation, we recommend the wilderness boundary (and eventually the Park boundary) be moved to the western edge of the Grand Plateau Glacier. It is our understanding that NPS management in this area would be simplified by this change. This would also simplify continued use of the area by local citizens who currently have difficulty in identifying the boundary.

Considerable local boating and aircraft activity is conducted on the Alsek River and Lake. The river and lake are navigable for a long distance into the park. We believe it would help NPS management if a portion of the Wilderness boundary on the lake shore were deleted. This would reduce conflicts between continued uses of the area and perceived management needs.

WRANGELL-ST. ELIAS NATIONAL PARK AND PRESERVE

(See State of Alaska comments dated July 18, 1988.)

The state supports NPS' objective to create more identifiable field boundaries for Wilderness areas and to eliminate the potential for land uses that might conflict with Wilderness and/or park/preserve purposes. To further these objectives, the state requests that the NPS make the following changes to the Proposed Action (Alternative 2).

RECOMMENDATION:

The state requests that the Wilderness boundary in the preserve adjacent to the Malaspina Glacier be modified to follow more recognizable hydrographic features (see Map A).

RATIONALE:

- 1) This recommendation would exclude a large, un-named, state-owned lake from the Wilderness boundary.
- 2) This boundary follows more easily identifiable hydrographic features and elevation contours. The glacier's edge has substantially retreated since the topographic map was made in 1961. The exposed land has re-vegetated in recent years and much of the proposed boundary is no longer recognizable in the field, even though it appears to make sense on the map. The state's proposed boundary follows more definable water bodies or steep slopes.
- 3) The lakes and washes in this portion of the preserve are relatively well used by nearby Yakutat residents for aircraft landings, boats, hunting, fishing, etc. These use levels make this area undesirable for Wilderness.

RECOMMENDATION:

The state requests that the Bremner Bar be deleted from the Bremner River Wilderness recommendation (see Map B).

RATIONALE:

- 1) The Bremner Bar is a broad, sandy, partially vegetated river bar, portions of which are likely state-owned based on the navigability status of the Copper and Bremner rivers. Given that the land status of this bar has not been determined (and it would be difficult to base a Wilderness boundary on such uncertain status), the state recommends that the Bremner River Wilderness boundary end at the point at which it enters the Copper River flat lands.

- 2) The modified boundary would be easier to locate in the field, and would thus be more manageable.

RECOMMENDATION:

The state requests that the northwest Wilderness boundary from the Kotsina River to Copper River and Copper Lake be moved from the 3,000-foot contour, as proposed, to the 4,000-foot contour. (Map C shows a portion of this boundary adjustment.) This revision would exclude the broad valley north of the Copper Glacier and the isolated mountain in T. 6 N., R. 9 E.

RATIONALE:

- 1) Much public use of the flanks of Mount Drum, Mount Sanford, and Mount Wrangell occurs between 2,500-3,500 feet. This band contains numerous winter and summer trails, cabins, and air access points (strips and gravel bars). To reduce management conflicts, these areas should be excluded.
- 2) A major access trail from the Kotsina River crosses several drainages in this area, including the Nadina, Dadina, Chetaslina, and Cheshnina Rivers. Both the existing and proposed Wilderness boundaries cross back and forth over this trail. The trail is used by motorized vehicles, including off-road vehicles (ORVs), and should be excluded from Wilderness.
- 3) The 3,000-foot contour proposed by the NPS generally follows gentle slopes and would therefore be more difficult to identify in the field. The 4,000-foot contour more closely corresponds to steeper slopes, making field identification and management easier.

RECOMMENDATION:

The state requests that the Sheep Lake (T. 6 N., R. 11 E.) and Grizzly Lake (T. 5 N., R. 11 E.) be excluded from the Wilderness recommendation. This could be accomplished by moving the boundary to the 4,000-foot contour along Goat Creek to the junction of Jacksina Creek (see Map D).

RATIONALE:

- 1) These lakes and the access trail to them are heavily used and therefore inappropriate for Wilderness. Access to the lakes and surrounding area has traditionally been gained by aircraft, ORVs and horses, creating a difficult management situation in its present status. Excluding the lakes and trail from Wilderness would help alleviate these management conflicts.

- 2) The 4,000-foot contour boundary would be more easily recognizable in the field than the straight line boundary cutting across Goat Creek.

RECOMMENDATION:

The state requests that the Wilderness boundary between Goat Creek and Gold Hill be redrawn along more easily recognizable features (see Map D). From Goat Creek, the boundary should follow the south side of the valley floor along Pass Creek, excluding the existing trail from Wilderness. At the pass, the boundary should follow Wait Creek to the 3,000-foot contour, then to the north end of Gold Hill at the same elevation.

RATIONALE:

This change would improve identification of the boundary in the field, and exclude Pass Creek trail from Wilderness.

RECOMMENDATION:

The state requests that the boundary from Gold Hill to the Nabesna Glacier be modified along the 4,000-foot contour (see Map E).

RATIONALE:

- 1) This relatively minor change places the Wilderness boundary along the steeper slopes above the Nabesna River, thereby alleviating possible confusion in and south of the Fish Creek drainage. The crossing of the Nabesna Glacier could either remain unchanged, or be moved to the 4,000-foot contour.
- 2) The 4,000-foot contour more nearly approximates the original congressional boundary.

RECOMMENDATION:

The state requests that the portion of the upper Chitina Valley in the vicinity of Bryson Bar be excluded from existing Wilderness (see Map E). Ideally, the state suggests that the Wilderness boundary follow Canyon Creek to T. 7 S., R. 18 E., then to the slope of Canyon Creek at the 4,000-foot contour, then continue east across to Barnard Glacier to the face of the Chitina Glacier before re-joining the park/preserve boundary south of the Chitina River. At a minimum, the land below the 2,000-foot contour in this area should be deleted from Wilderness.

RATIONALE:

- 1) This area is heavily used for recreation, including use of aircraft, ORVs, and other mechanized equipment. It has reportedly been a difficult area for the NPS to manage because of traditional uses, including extensive recreational access. This boundary adjustment would reduce these conflicts.
- 2) This area contains active horse grazing leases, (e.g., at Bryson Bar). Wilderness designation may jeopardize these leases and the historical use of horses in the upper Chitina Valley.

RECOMMENDATION:

The state requests that the remaining section of the Beaver Creek Trail between Beaver Lake and Horsefeld be deleted (see Map F).

RATIONALE:

- 1) We appreciate the fact that the NPS has proposed deletion of Beaver Lake, and that the small addition to the south avoids the Beaver Creek Trail. However, the remaining segment of trail east of Beaver Lake is still in Wilderness, which legally precludes the ORV use this trail has historically accommodated. It would make sense to revise the Beaver Lake deletion to ensure that the entire trail is outside the Wilderness boundary for management consistency.

RECOMMENDATION:

The state requests that the proposed Wilderness recommendation encompassing the south slope of MacColl Ridge and the adjacent Chitina River be deleted.

RATIONALE:

- 1) This area is one of high use, both currently and historically. While the current types of use are technically compatible with Wilderness management according to ANILCA, the state is concerned that these activities (e.g., air access) may be restricted in the future to protect Wilderness values. Further, the state believes existing use levels on MacColl Ridge are not compatible with Wilderness designation.
- 2) The proposed addition includes the navigable Chitina River. The state opposes the inclusion of state-owned navigable waterways in new Wilderness recommendations.

Some of the Wilderness boundaries that the NPS and/or the state are proposing to adjust to ease management and increase recognition in the field are also park/preserve boundaries. In most instances, if the Wilderness boundary is adjusted, the corresponding park/preserve boundary should also be adjusted so that they conform. We recognize that changes to the park/preserve boundaries are not addressed in these EISs; however, we wish to raise the issue for consideration as the Wilderness recommendations are forwarded to Congress. If the Wilderness boundaries are improved to follow more readily discernible geographic features, then it makes sense for the park/preserve boundaries to follow the same features, unless there is some negative consequence to doing so. This rationale applies equally to Wilderness additions as well as deletions, (e.g., at Icy Bay, Goat Creek, Copper Lake, Bremner Bar, and the west flank of Mount Drum).

NOATAK NATIONAL PARK AND PRESERVE

(See State of Alaska comments dated August 29, 1988.)

RECOMMENDATION:

The state opposes designation of 757,175 acres or 100 percent of the non-Wilderness lands in the Noatak National Preserve as Wilderness.

RATIONALE:

- 1) Of the 6.5 million acres comprising Noatak National Preserve, approximately 5.8 million acres, or 89 percent of the preserve, were designated as Wilderness by ANILCA in 1980. Thus, significant acreage within the preserve is already being managed to maintain its natural undeveloped character, and to provide for solitude and primitive recreation experiences. The EIS does not clearly describe why additional Wilderness lands are needed.
- 2) The Alaska Department of Transportation and Public Facilities, in its 1981 Western and Arctic Transportation Study, identified three corridors that could potentially cross and/or affect the Noatak National Preserve. These three possible corridors are a road, railroad, and slurry pipeline that would connect the Ambler Mining District with the coast near Cape Krusenstern. The state cannot support Wilderness designation for the southwest preserve since Wilderness would likely make development of an access route more difficult. (Applications for transportation and utility systems in and across Wilderness areas require congressional review and approval, per Title XI.)
- 3) Approximately 290,000 acres of land within the area being proposed for Wilderness designation have been selected by Native regional and village corporations under the Alaska Native Claims Settlement Act (ANCSA) of 1971. In addition, 1,825 acres in the southwest portion of the preserve have been conveyed to Native corporations and individuals, and there are 13 Native allotments within the proposed Wilderness. Given the potential for a large amount of private land within the study area and the potential for conflicting land uses, the state believes it would be appropriate to avoid Wilderness designation in the southwest preserve.
- 4) At least one possible RS 2477 right-of-way falls within a portion of the proposed Wilderness area. The Noatak Coastal Winter Trail #22 runs two miles north of the village of Noatak, downstream along the Noatak River. The state does

not support inclusion of possible RS 2477 rights-of-way in Wilderness.

- 5) Consistent with our concern regarding the effects of land management decisions on local residents, we note that residents of northwest Alaska do not appear to favor designation of additional Wilderness. Representatives of the Northwest Arctic Native Association Regional Corporation, the North Slope Borough, and the Northwest Arctic Borough have submitted comments and/or testified in opposition to additional Wilderness.
- 6) Since 89 percent of the preserve is already in Wilderness status, the state believes it would be prudent to leave some preserve areas as non-Wilderness to provide for the establishment of administrative or interpretative facilities, if deemed desirable and appropriate in the future.
- 7) The state is concerned that, over time, the NPS may manage traditional subsistence, commercial, and recreational uses in Wilderness areas more stringently than is currently envisioned by the NPS or described in the EIS. For instance, the NPS may be pressured to impose restrictions in Wilderness on local activities, such as use of mechanized access. The state therefore does not support designation of additional Wilderness in the Noatak Preserve.

RECOMMENDATION:

The state requests that the boundary of the existing wilderness on the Township 27/28 North township line be modified to meet the north bank of the Eli River (see attached map).

RATIONALE:

This adjustment would create a more identifiable field boundary, consistent with Congressional intent as stated in Section 103(b) of ANILCA.

CAPE KRUSENSTERN NATIONAL MONUMENT

(See State of Alaska comments dated August 12, 1988.)

RECOMMENDATION:

The state requests that the state lands, including state-owned tide and submerged lands, be deleted from the Wilderness recommendation.

RATIONALE:

It is unreasonable to consider that the state might someday convey ownership of the state-owned lagoons to the NPS, as could be implied by the discussion on page 17 of the draft EIS. The state has very limited authority to convey tide and submerged lands, and this authority rests only with the state legislature. Since there is virtually no chance that the NPS will acquire these lands, such a contingency-based recommendation is misleading and inappropriate.

If the NPS has certain management preferences for state-owned lands, a cooperative agreement would be a more reasonable and potentially productive method of influencing management of these areas.

RECOMMENDATION:

The state requests that the coastal areas be deleted from the Wilderness recommendation.

RATIONALE:

- 1) The coastal fringe contains numerous inholdings, including over 70 Native allotments. These inholdings and their associated uses would make Wilderness management more difficult. The coastal fringe is also used extensively for commercial and subsistence fishing support facilities, ORVs, and mechanized equipment.
- 2) A well-used trail (and possible RS 2477 right-of-way, the Coastal Winter Trail) runs along the coast. Associated with this trail are other access trails and shelters. Avoiding Wilderness in the vicinity of this trail would help insure that year-round traditional activities and access patterns are protected from more stringent regulation.
- 3) If state lands (e.g., offshore oil and gas activities in the Hope Basin) are ever developed, a modified boundary would protect the Wilderness area from the possible visual and other impacts of adjacent development. While no oil and gas

lease sales in the Hope Basin are currently scheduled, they have been discussed and could occur in the future.

RECOMMENDATION:

The state requests that the portions of the monument that are crossed by trails that have been used for subsistence and other traditional uses (see attached map) be deleted from Wilderness.

RATIONALE:

Wilderness would not automatically preclude the extensive use and access patterns in Cape Krusenstern. However, we believe that, over time, management of these uses may become unnecessarily stringent under Wilderness designation. The state's December 5, 1986, letter to the NPS provided information on trails used for access to inholdings, subsistence and other traditional uses. In the absence of a thorough discussion of these trails and related cabins and fishing sites, it appears that Wilderness designation could significantly impact these uses. Thus, we recommend that the NPS delete these trails from Wilderness, or provide assurances that existing patterns of use and mechanized access (including ORVs and snowmobiles) will be maintained in the future, if any areas are recommended for Wilderness.

RECOMMENDATION:

The state requests that the upland areas of the monument which are underlain by bedrock similar to those containing the Red Dog deposits (see attached map) be deleted from Wilderness.

RATIONALE:

The state recognizes that park lands, regardless of Wilderness status, are closed to new mineral entry. However, Wilderness designation would likely make it more difficult for adjacent landowners to conduct geological investigations. Such studies could be integral to understanding the mineral potential of adjacent non-federal lands.

RECOMMENDATION:

The state requests that the portion(s) of the Wilderness recommendation covering possible routes of a transportation corridor from the Red Dog port facility to the Ambler mining district be deleted.

RATIONALE:

Maximum flexibility should be maintained for a corridor from the Red Dog port to the Ambler mining district. Technically,

Title XI does provide a mechanism for developing such a corridor within Wilderness. There is no doubt, however, that a Wilderness designation would make successful application of Title XI more difficult.

SUMMARY RECOMMENDATION:

In light of the specific recommendations above, the numerous conflicts identified, and the lack of compelling benefit from designation of any Wilderness, the state suggests that the no action alternative may be the most appropriate in this instance. The attached map roughly outlines the potential conflict areas identified in Cape Krusenstern. It appears that the remaining areas would not be manageable or particularly valuable if placed in Wilderness status.

KATMAI NATIONAL PARK AND PRESERVE

(See State of Alaska comments dated August 29, 1988.)

RECOMMENDATION:

The state opposes the NPS proposal to designate Battle and Kulik lakes, Lake Colville, the northern portion of Naknek Lake, and Naknek Lake's North Arm and Iliuk Arm as Wilderness.

RATIONALE:

- 1) The state asserts that these waterbodies are navigable and, therefore, the state owns and has management authority over the submerged lands (shorelands) and the watercolumns above them. Designation of these waters as Wilderness would be inappropriate. In addition, designation of adjacent uplands as Wilderness could increase the potential for state/federal management conflicts.

RECOMMENDATION:

The state opposes designation of 2,605 acres at Geographic Harbor and 3,370 acres on the southeast side of Kukak Bay as Wilderness. Furthermore, should the NPS acquire the three small parcels of privately-owned land along the Pacific Coast at Katmai Bay, Kukak, and Kaguyak, the state recommends that they remain in non-Wilderness status.

RATIONALE:

- 1) Each spring, the Alaska Department of Fish and Game uses a cabin at Geographic Harbor as a staging area for fisheries studies. These studies typically require several biologists and the use of a helicopter. To avoid any possible conflicts with Wilderness management, the state opposes inclusion of this area in Wilderness.
- 2) Kukak Bay is used by commercial fishermen harvesting salmon, herring, crab, and clams. As noted in the EIS, the remains of a clam cannery are still standing in the area proposed for Wilderness designation. The state believes it may be advantageous to leave this area in non-Wilderness status to provide for uses incidental to commercial fishing activity.
- 3) In addition, the five sites being proposed for Wilderness designation along the Pacific Coast are the only coastal (e.g., shore-based temporary facilities) areas in Katmai where visitor facilities could be built in the future, if deemed desirable and appropriate. The state believes

opportunities for future visitor development in these areas should be maintained.

RECOMMENDATION:

The state opposes designation as Wilderness of the area north of Battle Lake and the divide between the park and preserve.

RATIONALE:

- 1) A 60-acre mining claim group, which contains three unpatented lode claims, is located in this area. Wilderness designation would likely make development of these claims more difficult.
- 2) There are two private lodges in this vicinity, Battle Lake Camp and Kulik Lodge. Expansion of these facilities in the future may be seen as inconsistent with Wilderness management.

KENAI FJORDS NATIONAL PARK

(See State of Alaska comments dated May 27, 1988.)

RECOMMENDATION:

The state requests that the Nuka River drainage be excluded from the Wilderness recommendation.

RATIONALE:

The Alaska Power Authority (APA) and the NPS signed an agreement on June 16, 1986, regarding the diversion of Nuka River headwaters to provide water for the Bradley Lake hydroelectric project. There is a re-opener clause in the agreement which would allow NPS to modify the agreement after ten years, if it is determined to be in conflict with park purposes. The APA is concerned that, if this area were designated as Wilderness, it could be argued that the purpose of the park is to preserve Wilderness and, therefore, natural flows should be restored. Although the state would disagree with this position, we believe it is prudent to avoid this potential conflict by deleting the Nuka River drainage from the Wilderness recommendation.

RECOMMENDATION:

The state requests that Aialik Bay, McCarty Fjord, and West Arm be deleted from the Wilderness recommendation.

RATIONALE:

- 1) The state believes the NPS should retain the option of developing visitor facilities along some portions of the Kenai Fjords coastline. Wilderness designation would preclude development of most visitor facilities.

The state recognizes that excluding Aialik Bay, McCarty Fjord, and West Arm from the Wilderness recommendation may not be the only way to retain NPS management options for visitor developments. These exclusions are proposed as one example of an appropriate mix of Wilderness and non-Wilderness lands.

- 2) The state owns all tide and submerged lands adjacent to the park and is responsible for issuing tideland leases and permits for docks, mariculture facilities, temporary camps, and other activities. Designation of coastal uplands as Wilderness may increase the potential for conflicts between the NPS and the state regarding state management of tide and submerged lands. Reducing the amount of coastline

recommended for Wilderness may minimize this potential for conflict.

- 3) There are eight unpatented gold mining claims near West Arm and McCarty Fjord within the area recommended for Wilderness. Wilderness designation in this area may make it more difficult to mine these claims.

GATES OF THE ARCTIC NATIONAL PARK AND PRESERVE

(See State of Alaska comments dated July 18, 1988.)

RECOMMENDATION:

The state does not support designation of the northeast preserve as Wilderness, as recommended by the NPS in the preferred alternative.

RATIONALE:

- 1) Approximately 85 percent of the preserve (or 7.3 of 8.5 million acres) is already in Wilderness status. The EIS does not present clear rationale for designating an additional 330,846 acres as Wilderness.
- 2) ANILCA provides the NPS with ample authority to protect the land and resources of the northeast preserve. Section 201(4)(a) of ANILCA directs the NPS to manage the entire park and preserve for the following purposes, among others:

"To maintain the wild and undeveloped character of the area, including opportunities for visitors to experience solitude, and the natural environmental integrity and scenic beauty of the mountains, forelands, rivers, lakes, and other natural features; to provide continued opportunities, including reasonable access, for mountain climbing, mountaineering, and other Wilderness recreational activities; and to protect habitat for and the population of fish and wildlife, including, but not limited to, caribou, grizzly bears, dall sheep, moose, wolves, and raptorial birds."

- 3) The state understands that the northeast corner of the preserve was designated as non-wilderness preserve by ANILCA primarily to protect opportunities for sport hunting. Most hunters reach this area by aircraft. Although technically Wilderness does not prohibit or restrict aircraft access, Wilderness designation may, over time, lead to restrictions on mechanized access, including use of aircraft. Because the northeast preserve is remote and inaccessible, as noted on page 14, the state would not support curtailment of current access opportunities.
- 4) The draft EIS notes on page 55 that the Dalton Highway, part of which was opened to public use in 1981, may spur new development and demands for additional recreational access. Because most of the preserve is in Wilderness status, opportunities for the development of visitor facilities within the preserve near the road corridor are limited to

the northeast preserve. As the EIS states on page 72, "this area would not remain available for possible future development of facilities," if designated as Wilderness. As an example, the docking facilities and primitive campgrounds at Itkillik and Oolah lakes, which are contemplated under Alternative 1, (the no action alternative) would likely not be constructed if this area were designated as Wilderness.

- 5) Local sentiment does not appear to favor the designation of additional Wilderness areas in the preserve. Some residents of Anuktuvuk Pass fear that Wilderness designation will lead to eventual restrictions on subsistence hunting in the area. Residents of Coldfoot, Wiseman, and Nolan expressed their opposition to the Wilderness proposal at NPS' Wilderness public meeting on June 8, 1988, in Coldfoot.

YUKON-CHARLEY RIVERS NATIONAL PRESERVE

(See State of Alaska comments dated May 27, 1988.)

RECOMMENDATION:

The state requests that the Charley River corridor (one half mile on either side of the river) be excluded from the Wilderness recommendation.

RATIONALE:

- 1) The state asserts that the Charley River is navigable. Designation of the corridor as Wilderness could increase the potential for conflicts between the NPS and state regarding state management of the river.
- 2) The Charley River is a National Wild and Scenic River. This designation provides adequate protection of federal interests in the river corridor.

RECOMMENDATION:

The state requests that the the proposed Circle Hot Springs to Eagle road corridor and one half mile on either side of the proposed alignment be excluded from Wilderness designation.

RATIONALE:

Development of a road from Circle Hot Springs to Eagle has been discussed for years. The Alaska Department of Transportation and Public Facilities recently completed a reconnaissance study on the route. If this area were designated as Wilderness, it would be more difficult to receive approval for any future road development, as Congress must approve Title XI applications for projects within Wilderness areas.

The state notes that it will be continuing to review the Yukon-Charley Rivers recommendation based on information currently being requested from the NPS. Following this review, the state may have additional comments on this proposal.

BERING LAND BRIDGE NATIONAL PRESERVE

(See State of Alaska comments dated May 27, 1988.)

RECOMMENDATION:

The state requests that the Imuruk Lake and lands within one half mile of the lake be excluded from the Wilderness recommendation.

RATIONALE:

- 1) Options for future development in this area would be restricted if designated Wilderness. Possible developments include visitor facilities, docks, campgrounds, trails, research structures, and cabins. The EISs, in fact, list several "reasonably foreseeable" developments which would be precluded by Wilderness designation, including a dock at Imuruk Lake, a permanent air/water quality monitoring station, a permanent research structure, a five-site campground, 30 miles of trail, an interpretive sign, and a permanent reindeer herders, cabin. While it may be premature to decide to develop these facilities, the state believes that these options should not be precluded.
- 2) The state asserts that Imuruk Lake is navigable, and therefore holds title to the submerged lands. Wilderness designation of uplands surrounding the lake could increase the potential for conflicts between the NPS and state regarding state management of the lake.

ANIAKCHAK NATIONAL MONUMENT AND PRESERVE

(See State of Alaska comments dated August 12, 1988.)

RECOMMENDATION:

The state requests that the portion of the Wilderness recommendation adjacent to the possible RS 2477 right-of-way from Kujulik Bay to the headwaters of Lava Creek be deleted.

RATIONALE:

While development of this possible RS 2477 right-of-way is not envisioned, the state wishes to preserve maximum flexibility to improve this corridor if needed in the future. A Wilderness designation would not automatically preclude such development, but would undoubtedly make the process more difficult. Wilderness designation would also further complicate management of potential user conflicts.

RECOMMENDATION:

The NPS may wish to modify its proposed Wilderness boundary in the vicinity of state lands to protect Wilderness values from the possible impacts of adjacent development.

RATIONALE:

Wilderness values could be affected by oil and gas development occurring on state lands to the northwest of the unit. No oil and gas lease sales are currently scheduled or anticipated, but the long-term possibility of such activities should be considered by NPS.

LAKE CLARK NATIONAL PARK AND PRESERVE

(See State of Alaska comments dated July 18, 1988.)

RECOMMENDATION:

The state supports adoption of the Proposed Action (Alternative 1), which does not recommend any additional land for Wilderness designation.

RATIONALE:

- 1) Approximately 65 percent of Lake Clark National Park and Preserve (or 2.6 of 4 million acres) is already in Wilderness status.
- 2) Several areas of the park which the NPS identified as suitable for Wilderness designation have complex land ownership patterns. In particular, the Cook Inlet coast between Redoubt Bay and Chinitna Bay includes extensive non-federal interests. Wilderness designation in this area would not be appropriate.
- 3) Wilderness designation could limit the NPS' ability to respond to the increasing level of visitation expected in Lake Clark. The EIS, on page 42, estimates that recreational visits will increase from 22,000 (1987 level) to 133,000 by the year 2020. Wilderness designation would restrict development of visitor facilities (e.g., campgrounds, trails, and public use cabins) and other uses and activities. The EIS, on page 47, describes several effects Wilderness designation can have over the long-term, including effects on "road locations and mileage, landing sites, extent and location of facilities, and degree of controls applied to activities such as mining, vehicle use, open and closed areas of use, and physical developments." The state believes NPS should maintain management flexibility in these areas.

KOBUK VALLEY NATIONAL PARK

(See State of Alaska comments dated August 29, 1988.)

RECOMMENDATION:

The state opposes designation of additional lands within the Kobuk Valley National Park as Wilderness.

RATIONALE:

- 1) Wilderness designation of the Salmon River drainage would increase the difficulty involved in gaining federal approval for a potential access route from the Red Dog port facility to the Ambler mining district. Given the scope of the Ambler district mineral deposits and the likelihood that they will be developed, the state can not support adoption of a land use designation which could complicate development of the access route.
- 2) Residents of northwest Alaska do not appear to favor designation of additional Wilderness lands. At the public meeting the NPS held on July 29, 1988, in Kotzebue, representatives of the Northwest Arctic Borough, Maniilaq Association, and NANA Regional Corporation spoke against additional Wilderness. In addition, many local residents expressed concern at the public meeting on July 28, 1988, in Kiana about the effects of Wilderness designation on their traditional lifestyles.
- 3) The state is concerned that, over time, public pressures could lead NPS to manage traditional subsistence, recreational and commercial uses in designated Wilderness areas more stringently than is currently envisioned by the NPS or described in the EIS. We are concerned that rural Alaskans who use the park will see rights and opportunities accorded to them under ANILCA (e.g., use of snowmachines, motorboats, and airplanes) eroded as the NPS responds to pressures from other park users and national constituencies.
- 4) Wilderness management of lands adjacent to the Kobuk River could be complicated by the presence of 13 Native allotments and extensive motorized traffic along the Kobuk River. The state does not believe Wilderness designation would be appropriate in this highly used area.