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March 2, 1992

Mr. James Ridenour
Director
National Park Service
P.O. Box 37127,
Washington, D.C. 20013-8129

Dear Mr. Ridenour:

The State of Alaska has reviewed the proposed rule at 36 CFR Part 62 concerning the National Natural Landmark Program established in 1962. Unlike national parklands, designated National Natural Landmarks need not be located on federally-owned land. Indeed, the background provided with the proposed regulations stress the voluntary commitment of public and private owners, and balancing preservation of the nation's natural heritage with the need to ensure that "owner interests are fully acknowledged and respected at all times."

Given the voluntary nature of this program, the State is pleased that, through these regulations, the National Park Service intends to reform it's evaluation and designation process to better protect and respect the interests and wishes of the non-federal landowner. The State strongly supports the proposal to notify property owners when sites are under consideration for designation, as well as the provision requiring prior permission to enter property for the purpose of evaluation. To protect all parties, however, we request that the regulations specify written permission. This small step would maintain an appropriate administrative record of activities and communication with the landowner.

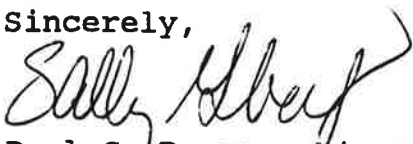
While this program theoretically "does not dictate activity" on designated lands according to the supplementary background information provided, various federal laws do require consideration of these designations, e.g. National Environmental Policy Act, General Authorities Act, Mining in Parks Act. For this reason, the State supports provisions that require the NPS to advise property owners of possible effects of any federal, state and local requirements that may apply to designated National Natural Landmarks.

The State also supports provisions that provide property owners with several opportunities to prevent further on-site study or designation, or even have a designation removed at a later date. These steps, as outlined in greater detail in the regulations themselves, should enhance the success of the National Natural Landmarks Program by fostering the effective participation of property owners. The proposals also address the concerns of those individuals and organizations who have faced past procedural abuses where owners' rights have not been so protected.

While the State is generally pleased with the intent of these regulations, we are, however, disappointed that the National Park Service has not done a better job of notifying interested parties of the proposals. If one purpose of this action is to increase public awareness, understanding and acceptance of the program, then a greater effort to notify affected landowners should have been attempted through direct mailings and/or regional press releases. We are unaware of such efforts in Alaska despite the fact that over 200 potential National Natural Landmarks have been identified by the NPS to date statewide.

Thank you for the opportunity to comment on these proposed regulations. If you have any questions, please feel free to contact this office.

Sincerely,


for Paul C. Rusanowski, Ph.D.
Director

cc: Anne Frondorf, NPS Wildlife and Vegetation Division
John Morehead, Regional Director, NPS Alaska Region
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State CSU Coordination Distribution

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Document: National Natural Landmarks Letter

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