HB

211

relating to the Alaska Land Commission; and providing for an effective date.

COMMITTEE REPORT

2-11-77

HOUSE

JUDICIARY

April 13, 1978 Date

Mr. Speaker:

The Committee on RESOURCES has had HB 211 under consideration. A majority of the members of the Committee

☐ recommends it do pass

☐ recommends it do not pass

☐ recommends it do pass with attached amendment(s)

☐ recommends it be replaced with CS for HB 211 and that CS for HB 211 do pass

☐ (and) recommends it be referred to the _____ committee

☐ reports it back without recommendation

☐ AND attaches a report of its intent

☒ (other) COMMITTEE LETTER ATTACHED

MEMBERS SIGNING THE MAJORITY REPORT:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

_____
Chairman

0

16 February 1978

The House Resources Committee was called to order at approximately 2:25 p.m. by Chairman Alvin Osterback in Room 118 of the Capitol Building in Juneau, Alaska. All members were present

HB 211 Creating the Alaska Land Commission

TRANSCRIPT

MR. GRAVEL:

I really appreciate the opportunity to come forward. I received the invitation from the Speaker and President of the Senate to give my annual talk as other members of the delegation to the legislature. I'll be doing that. I think we have communicated back in March, about the 28th in the morning, if that would be the morning most desirable. From my point of view that is when we are having our Easter recess and I'll be in State for that whole period. What I wanted to do at this particular meeting in which you graciously afforded me the opportunity to do is to float, literally float, the draft of legislation on d-2 which I have promised to our collective constituencies that I would do at the beginning of the year, and I have it here and I met previously with the Steering Council and gave them copies of it since it is germane to their area of inquiry. And, also as I understand it, it is also germane to your area as a committee as the subject you are going through, so I would (indisc) submit for deliberation a copy of this Bill. Would appreciate your input and would hope to introduce this in the Senate sometime right around the 15th of March. The Bill does not have the magic numbers of acreage for the very simple reason, we could have easily done it, but since all of our attention is focused on acreage I thought it would detract from the substance of legal language in question to just worry about acreage and I thought it would be more advantageous to concentrate of substance, it would be easy to put some figures together that would hopefully cast us in a compromise mood with other pieces of legislation in that regard.

Before launching into this in some detail, because there is one element from my personal point of view in paramount. I would like to speak about two pieces of legislation. I think one is the reason you are having these hearings. Two pieces of legislation that involve land in Alaska and would have some unusual impact. One piece of legislation is HB 720 which apparently

is a substitute piece of legislation for HB 211. The Beirne bill is -- which is the Beirne bill?

UNIDENTIFIED VOICE: 720

MR. GRAVEL

720 - let me speak on that one first. If I were to suggest a piece of legislation that would destroy Alaska's position in Washington on d-2 I would think that this would be the piece of legislation. I want to make sure I've got the legislation properly. HB 720 as I understand it is a substitute. That is a new piece of legislation. If the initiative were to pass I think you would see the Congress react and this would foreclose the need of my -- initiatives. My testimony to you today is very (indisc). I would hope that this legislation would come into being and it would foreclose the need for (indisc). The reason is that, and I will use two cliches, we have federal laws right now that keeps us from doing what that initiative would do. As a result of those land scandals we have had in Florida and Arizona. If we were to parcel out chunks of land to the people wholesale, as I understand it, during the initial 15 year period there would be no responsibility at all for providing utilities or any planning process whatsoever, that essentially we would be selling unsubdivided land and this would be viewed by the Congress of (indisc) responsibility and would give real credence to the environmentalist community's charge, some elements of the environmentalist community, that Alaskan's are irresponsible and therefore we need a very strong d-2 bill because we don't know how to handle our own situation. Yet I can appreciate that the referendum, the initiative, would have a great deal of popular support. In fact one of the fears I would have and it's the reason why I'm talking about it now publicly -- I only found out about the initiative, I confess, not all that long ago and I couldn't believe it when somebody described to me what this initiative was going to do. And so realizing that it has a great deal of popularity and realizing that I may be treading on some individuals' toes -- I would respectfully apologize for treading on anybody's toes -- but the utilization of land and development of land is something that I feel a certain professional confidence in. I made my living in it. I've seen how people have butchered land from the state and how unconscionable this impact can be on the balance of society because once you've butchered it up, you spend the rest of your life paying to correct the deficiencies you've created structurally. And so what we'd be doing with this kind of initiative (indisc). And like I say, if you try to do this in the private sector, you'd be put in jail for trying to do it. And so trying to do it collectively as a society, you've got to realize what kind of an impact this would have in the United States and on the Congress. Therefore, the approach that's been taken with HB 70 in my mind is a very mature approach to try and sort of save the day because we've got so far down the road in the other approach. I can only commend to

your attention the capacity to effect legislation. (indisc) in general terms.

The next item I'd like to speak to is HB 211 which is a piece of legislation that was introduced last year, (indisc) Mike Miller, Mr. Speckling. I don't know if they have other co-sponsors. I was very impressed with it. Here again I find by noticing a lot of things that you're doing, that you're just doing a lot of good work and this essentially is the tactic that I'm here to recommend that the state employ in order to regain the initiative that we lost on the entire d-2 issue. We've got a chance now as the legislation comes into the Senate to take up the initiative. If we don't coalesce to some degree -- and I'll speak to how we can coalesce and still maintain our individual positions. But if we don't coalesce, we're just going to get run over as we have in the House. But one of the recourses that we will have at our disposal would be Senator Stevens and I would just wage a filibuster. I think we have the seniority and the capability and experience to wage a very effective one and I think we (indisc) legislation. I have never been one to be proud of negative acts because you're really not contributing anything, you're just stopping something from happening. But I think the task at hand is to bring something about not just stop something -- to bring something about that's worthwhile. So we have the opportunity to do this. In the legislation that I have here, there presupposes state legislation to accompany this. That's essentially what you have in HB 211, is state legislation. So if that could be flushed out and developed and passed in a reasonable period of time, that could be our position in the Congress. It wouldn't be Mike Gravel's position or Don Young's position or Steven's position, it would be the Alaska Legislature has so spoken. There's no question it's not going to be cast in concrete but it'll be a darn sight more powerful than anything else I can think about (indisc) that anybody else would have. And so if you can meet a time frame of early mid-March before the hearings reconvene, we could have a new product to present to the Congress -- the parties behind it, the State Legislature, the Governor would probably endorse it. I certainly endorse it and I think the balance of the delegation would endorse it. Let me now speak as to what would be the key elements of my endorsement and I've tried in the past to discuss the subject to varying degrees with success, with varying degrees of comprehension. Where I am right now I can say very simply, last year this document would not have been politically possible to introduce or to float under any elective official's name. We talked privately last year as to the efficacy of having cooperative management over the entire sub-continent of Alaska. And mind you, I'm specifically using the word sub-continent and not the state, the entire sub-continent. That would have been viewed quite oddly and very suspiciously, but we've all gone through a maturing process since last year and taking the position that they just can't do it to us is not a position, it's merely a reaction. That's all we've been

doing. They can't do it to us. That's why we have no initiative. That's why we have no collective posture. But what has happened is that we now see that every one of the state-wide leaders are talking the same rhetoric. They're talking the rhetoric of collective management. And so we're not far at all. When people in politics and society can begin to use the same words, then the only transition is to go from interpretative approaches to these words. So I would just like to share with you an analysis of what does collective cooperative management mean? And what would it mean from a tactical point of view as we would try to affect a compromise in the Congress. Let's take the first part of it. What does cooperative management mean? We could say in Alaska, in this area where they have federal lands, and part of those federal lands will be in four systems, one area, one level. Next we are going to have lands not in the four systems which would be under the BLM, which would be general lands under the Organic Act. That could quote be a fifth system, if you want to use that (indisc.) Then you've got state lands. That could be a sixth system. Then you've got Native lands, that could be a seventh system. And then somebody decides, well, there's a chunk of land here that maybe we ought to study or (indisc.) a little different, so let's make that a seventh (sic) system and we'll call that -- that's land that we think we're going to work and study together. And then you could have municipal lands, that's the eighth system and whatever lands that are held in patent today, you could develop and call it a system. You've just got a whole plethora of activity and definition on lands. And, in only one area where you have federal/state cooperation do you call that cooperative management. For my mind, if it's worthwhile to have cooperative management on one acre of ground -- if there's any merit to that concept at all, since there's really only two governmental entities on to themselves (indisc.) the federal government and the state government, then if it's worthy of having some cooperative management, then why just put it as part of it? Why pick up capriciously or arbitrarily ten million acres and say we're going to study that as cooperative management. If there's some merit to cooperative management, let's just do the whole thing in cooperative management. And then when you begin to think of it in that respect and the rhetoric is there for that, every one of the elected high officials quote, so to speak, are talking that rhetoric. We may have differences in the definition of cooperative management, but at least we're there.

Now let's look at what that would do. On the four systems lands, there's no way that you're going to have cooperative management. You usurp the powers of the Congress, literally. But (indisc.) you could very well do that. In a society of representative government, power is many times knowledge. Not always, but many times. And so if we set up a system, like the Land Use Planning Commission which is a vehicle for cooperative management, that Land Use Planning Commission has the ability to acquire knowledge

through research efforts, then that knowledge places them in a superior position than the individual members of Congress, or for that matter even yourselves, as individual legislators. And the reason why they have more knowledge is because they'd be more expert in the one particular area. The legislature and the Congress have a whole (indisc.) of issues that effect all facets of human life that we have to deal with continuously. So that simple fact that the Land Use Planning Commission in Alaska would be the major repository of land information and its use and adjudication would give it an edge that when it made a pronouncement or a study on something, that study would have great credibility in the Congress and I mean considerable credibility. Just as the present Land Use Planning Commission today, which is merely a voluntary organization, so to speak, when they'd come in and testify before the Interior Committee, it carried every bit as much weight as an individual member of the Congress. So you begin to see where the shift would take place. Ask youself why the House of Representatives under the leadership of Mr. Udahl and Seiberling don't want a Land Use Planning Commission that has any muscle. In fact the one that I introduced in 1971 had police powers and came out of the Senate that way. It was diluted in the conference on the House side. The reason why it was diluted was because they did not want to see a diminution in the power at the federal level. Well if those fellows back there think that there's a diminution of power at the federal level, where do you think that power goes. It's going to come back at this level, maybe in federal hands, but really what's happening just in that process alone and in the process that takes place on federal lands that are handled by the Bureau of Land Management, you've shifted the center of gravity from the federal government in Washington to the federal government in Alaska, meaning that there's a great principle of government that's closest to the people (indisc.). So if we now have the Land Use Planning Commission that will adjudicate all federal lands save the four systems, but will have an effect on the four systems because of their superior knowledge, we've made quite a gain. Now that's on the federal side. On the state side, if we take all the state lands that are presently there except lands that are in municipalities and boroughs and that they would come under (indisc.) of the Land Use Planning Commission and then offer entry into this to the Native community so that the Natives would voluntarily bring their lands in -- that could be very simply -- you could initiate a study of possible taxation would take place -- the Native community, properly so, has great fear over the possibility of future property taxes. They could be land poor. Their land could be under development and that they would have no ability to have a cash flow to handle that form of taxation. So they rightfully, from their point of view, would like to see them absolved of this. That could be the ingredient that would bring them in on a voluntary basis. I think not to do it more than on a voluntary basis might cause some real acrimony since they would feel that they received

their lands as part of a legacy, the land claims, and then if we pulled a win by fiat, I think they'd feel that they had been violated. And rightly so in the one sense. The balance of the land that's in boroughs is already subject to a planning process. We have that in state law and so there need not be a duplication. There need but be a liaison relationship established so that a community that develops a plan, or borough or municipality, it would have a five year projection of what that plan would be, they'd submit that plan to the Land Use Planning Commission, and the Land Use Planning Commission would give it it's seal, would sign off on it. But the function would be done by the municipality. This would solve the obvious problem of where individual governments come together, the frictions and the discoordinated activity is handled intelligently. So in this way, you look at the continent and I've just enumerated a process where all lands in Alaska is now under the aegis either directly, the Land Use Planning Commission or (indisc.) through the knowledge process of the four systems. Where that becomes a valuable tactic is that when we now talk to and negotiate in the Senate with the environmental community, national community and say we don't think that we need to put in a hundred million acres or ninety million acres into the four systems because we have a device that will continually adjudicate the use of land on an intelligent basis as a product of study. And so they're cast in a mode of saying well no we don't want to do something before we study it. Let's put it there before we study it. I don't think that's a very credible position for anybody to have. In fact when you look historically at why the environmental community has its extreme posture in some areas, it's because they could not get a resolution of the problem as they saw it in a legitimate fashion. And so what happens -- it's a simple process -- if you don't permit evolution, you have revolution. And so since we don't have a (indisc.) process in the United States of America, those people who are deeply concerned about the misuse of land and the atrocities that took place in the past and you need to travel this great country to see these atrocities then they are so fed up and their cup runith over with such reaction, that all they can think of is that we just don't trust anybody. We don't trust anybody so let's just lock it up. And in some cases you can look around and there's valid reasons for that posture. And I would say that if we passed that referendum, that on the national point of view there would be a valid reason to lock up major portions of Alaska. So they're at where they're at because there wasn't a process that permitted the intelligent organized adjudication of land. So what I'm proposing here is that we lay down a device that will have definitive powers which will be able to adjudicate the land on the sub-continent. Of course you get this attitude -- the brokers say well I'm not too keen on that commission because obviously they're going to put a bunch of environmentalists on that commission and they're going to stop growth. Then you talk to some environmentalist and they say

well boy I'm not to keen on that commission because they are going to put a bunch of chamber of commerce types on there and they'll rip up the country. Essentially what both parties are saying is that they have no confidence in our system of representative government because, you know, what's the point of having a legislature, you might get some dingalings elected to it and many times we do. We've had them in the Congress and we've had them here occasionally. So that doesn't mean that we don't develop a system of representative government because sometimes it fails to work. We don't have any options. Either anarchy or we develop a pattern of evolving things in an orderly fashion and this, of course, is what I think would be a most compelling argument in the Congress. Looking at individuals, Scoop Jackson has passed a land using planning bill twice in the Senate. It's failed both times in the House. I think (indisc.) I think many other members would view this from the environmental community, Senators in that area, would view this as an unusual opportunity to establish a prototype. I think that we could -- in the future I would recommend that we have a sunset feature in this. We don't know if this is going to work. We'll say this law is going into effect for ten years. At the end of ten years the Congress has to renew its charter of the law, of the situation, and so would the state legislature. So if it succeeds, it will build its constituency of success and it will be easy to renew and if it's not working very well, it will have an alternate constituency and it will be very easy to stop its renewal. And I think that that really could ward off a lot of serious criticism and would permit us to negotiate down the quantity of acres to something reasonable and something obvious because there are obvious easy decisions to be made in placing land in the four systems. But it's the quantities that we find disturbing and the fact that we don't have the vehicle to make changes. But if we've learned anything from the Statehood Act and from the Native Claims Act is that we've had a steady stream of people to Washington trying to resolve all of those problems that have been placed with the Congress. Well if that doesn't tell us something that we should have a body that should be deliberating on these problems daily. The other thing that I would recommend is that we take the Clean Air Act, the Solid Waste Act, the Coastal Zone Management Act and the Clean Water Act and place this under the aegis of the Land Use Planning Commission. Let me give you an example. Right now supposing we took the interior of Alaska -- somebody wanted to build an asbestos mine and a cement factory, let's say two of the real bad polluting elements, and it was a group of Natives that had a mountain and they made a joint venture with some Japanese interests and New York interests and they're going to come in and they're going to build a cement plant, maybe we'll build a dam and other devices, that we'll need some cement and the economic success would warrant it here in Alaska. How does that take place? Well presently what you do is you deal at the borough level, then you turn around -- if it's in the borough, if not you just go to the state level and you're bicycled

around to the various interests be it land, be it for water, be it for access. The access is very much undetermined. You don't know what the access is going to be. But under the plan I'm suggesting, you'd develop your plan and you'd go to the Land Use Planning Commission. The Land Use Planning Commission would do exactly what the legislature's done which I think has shown great maturity. You've got to hire some consultants to evaluate this for me, I'm not in the cement business, I don't know anything about cement. Come in and tell me what that means. Come in and tell me what the access requirements are going to be and how (indisc.) with this possible development up there. Analyze for me if (indisc.) what the air pollution will be. Do all those things as one coordinated body. And then when you know all the facts, these nine individuals will say yes or no. That's it. And when they state their approval, that's it. You don't have to go over there, or getting dragged here or having a catch-22 there. You're getting it all done at once. That to me is efficient from an economic point of view and from a knowledged decision judgmental point of view, it's just excellent. Because the people will be expert in this area. That's all they will do. They'll be handsomely paid and they will have research capabilities. And then a decision will be made. Yes or no (indisc.). Another question -- people want land. There's no reason why people cannot have land and I certainly in my opposition to the referendum, I hope that it won't ever be construed that Mike Gravel's against people having land in this state. I believe in private property. I think it's an excellent base to our free enterprise system. But there's got to be something reasonable to it, because when you give somebody a piece of property, it's got to be a legitimate piece of property. And legitimate means you've got to have access to it, he's got to have water, he's got to have air that he can breathe on his property. He's got to be sure that he's not invaded or polluted by his neighbors in that regard. So there's got to be an orderly process. There's no reason why if a person wants to go out and live in a wilderness, that he can't go to the Land Use Planning Commission and say hey, I want five acres. I want to go out and chop trees and haul water to a cabin in a bucket. And there's no reason why the Land Use Planning Commission can't look at this and say, hey, here's your five acres, go at it -- and bring an orderly process to that type of existence. There's no reason why that can't be done. So we can handle every facet of this. The only thing that I'm (indisc.) begging for is that by God we're intelligent human beings, let's do it in an orderly fashion and set up a vehicle to do it in an orderly fashion and essentially that's the case. I could go through and perhaps we could stop at this point for some question and answers and then in this draft proposal, this deals specifically with the Land Use Planning Commission which is really the guts of this proposal. This proposal is essentially the collective conventional wisdom of where we're at in the whole d-2 situation. Subsistence is no longer a gut, backbreaking issue. The fact that we're going to legislate state land, title land, Native land titles is something that's pretty well accepted, a whole host of things. What's new probably in here is an authorization for five hundred million dollars for a

transportation system to Mt. McKinley. That would be a new element in there. That's a simple thought that if it works this way, we're going to have the greatest park in the United States and probably the greatest park in the world, we'd darn well better make it accessible to the American people. It's tough to get there right now. I get there, I get there in a helicopter, but that's not the way it should be available to the American people. So I've got an authorization in there if Congress wants to make a great park, they've got to pay to let the American people see it.

The other key element (indisc. -- cough) this draft here of the language. On the second page of this draft I've detailed what I would recommend as suggestions and I really want to underline suggestions. It's all a product of how much thought you want to effect on an issue and so when you people start your deliberations and marking up the legislation, you're going to think of things that we haven't thought of and to that end, when you get to that point, where you decide to go that, I would have Pat Prusho (ph) on my staff spend some time in Juneau so we can monitor what's going on so that we understand your thinking processes so that we stay on the same wave length. These are just, these are suggestions of what I think the state legislation should encompass and I can't help but be struck by the parallel with HB 211 and so HB 211 in my mind is a vehicle that you should ---. You already have introduced. It's under hearing now. When your hearings are complete, you can begin markup on it. I would hope you'll just consider these suggestions to be incorporated into HB 211 and if you have HB 211 out as a product by mid-March -- and if CMAL -- and I have every reason to beleive that CMAL might be willing to endorse such a proposal. I can't speak for the other members of the delegation but I think that they would all be happy with a coalesce that might take place as a result of your actions. So let me just close with that point and you can proceed with questions and answers.

CHAIRMAN OSTERBACK:

Representative Malone.

MR. MALONE:

Thank you Mr. Chairman. Senator, first I'd like to thank you for making yourself available to the committee in this type of setting. As far as I know this is the first time a committee of the legislature during this legislature at least on the (indisc.) question has had an opportunity to meet in a hearing setting with a member of our congressional delegation. As legislator to legislator, I appreciate that. To begin with, some of the legislation that you

discussed at the beginning of your presentation, specifically HB 359 and the initiative which is now certified to the ballot in Alaska (indisc.) initiative, while I personally think that there's some problems with that legislation (indisc.) approaches that were set out in HB (indisc.) last year and HB 720, to be candid about it I would have to say with regards to this position of state lands, I'm usually relatively suspicious of recommendations coming from the federal arena. (Indisc.). On the two different approaches the homestead initiative versus the home site program, I think of the two that the more modern one is probably the better at least at this time. Coming down to HB 211 -- I don't think it's really any accident that that legislation parallels the possible compromise position that might be reached in the Senate. It did go out of consultation between members of the legislature and I think the congressional delegation and state administration last year and also through consultation with members of the Federal/State Land Use Planning Commission but my basic question on that approach, the management program approach as opposed to the classification and lockup of large amounts of federal land in Alaska is how realistic is the approach? How likely is the Congress, at least the Senate, to adopt on a consensus basis, or adopt that approach as a compromise position because that's the information we need to know in the legislature in order make a realistic determination as to what strategy we should pursue on the whole d-2 question. I gather from some of your remarks, that I think a compromise is possible. That Senator Jackson, yourself and others would be able to adopt an approach like this and perhaps sell it to the Senate and that work by the legislature on this question and putting an effort and interest in the concept would be valuable in reaching a compromise position on d-2 lands in the U. S. Congress. Is that correct then? Do you think that there's a real chance of a compromise being developed perhaps along these lines in the Congress?

MR. GRAVEL:

(Indisc.) I think the international environmental community has felt (indisc.) over their success and support both in the White House and the House of Representatives. In order for them to be placed into a compromise mode they have to fear that they will lose something. I've tried to convey as much as possible from my particular office that without this land use planning process, without a mechanism that I would be prepared to filibuster the bill. And the very simple reason is that I just feel that we'll never have an opportunity again to effect a planning process. It's such a complicated issue in the national arena. People are so afraid of it. And we're now pressured into a situation that we're prepared to now accept a planning process. And it's because we're about to be run over and so if that is what saves the day, I think it will turn around and be constructed to not only save the day but making

a significant contribution to human advancement in the process of how we deal with ourselves in society. We have to develop a planning process. I think that when they're faced with a situation that they're not going to get entirely what they want, and realize some of the things that we have (indisc.) compromise may prevail on their side. I have not been criticized in this approach and like I say I've covered it now for over a year or more privately, sometimes publicly, depending on the forum and I've never been criticized by anybody in the community for the idea. The only negative criticism has been well, that kind of people won't be appointed to the commission. To me that's not a valid criticism. That's the only criticism that's been heard. So I think it will be appreciated. And some environmentalists will realize that if this succeeds in Alaska, this is the (indisc.) of the nation. And if it doesn't succeed in Alaska, we'll go back to square 1. So both sides are going to have to give a little bit. Where the acreage will finally wind up, anybody can guess. That's really (indisc.) conference where you're shouting each other down and that process is not going to be all that logical. But the question is (indisc. -- pounding) to the conference. And so if we can do our work in the Senate in the conference, it's every man for himself. I think we'll clear ourselves very well on that. It's tough to argue against this. We're talking about -- it's tough to argue an orderly approach to things, regardless of how you feel, very tough to argue against that. That's the essence of what I'm proposing. The rest is already accepted by and large. So it's land use planning, how much it covers and the size -- how many acres. That's what we're down to in the whole process. How many acres, land use planning process and one sort of can balance out the others because if you have a process, you don't need so much acreage and you don't have to be afraid of locking up or putting away so much acreage into a system. You've got a process to deal with it. So in brief, to answer your question, I think we have a good chance to develop the elements of a compromise. Not to speak of the coalesce thing that will take place within the Alaska community which is lacking now for -- and probably for a very fundamental reason -- not so much I've got a personality and they have their personality -- we are all representatives of some degree of element in our contituency and I think the lack of coalesce is because we weren't at a mature level to coalesce. And I don't mean just the four of us in state-wide office, I mean just the whole (indisc. -- cough). This year has been a very sobering year. And I think we're getting there fast. The question is, we'd better get there real fast if we want to take the positive approach. If we don't get there fast enough then we can take the destructive negative approach.

CHAIRMAN OSTERBACK:

Thank you Senator. Are there any more questions from the committee.

MR. MILLER:

Yes, Senator Gravel, you were talking about the four systems -- (indisc.) but do I understand that what you're proposing still does

have a generous (indisc) of national park, wild scenic rivers, residues of the national forest and that sort of thing? More then 25 million acres.

MR. GRAVEL.

Considerably. The base would be twice that much, as I would say the negotiations would begin somewhere between 50 and 80. So we will tighten up between 50 and 80 and enlarge and be guided by your reaction in that area. I obviously would, with my staff, sit down with Pat and others and yourself when you get back there and go over maps. It truly is somewhat ...You know there is and I know there is, The summer season is nothing. You know areas and I certainly know areas that I would have no difficulty at all in making decisions as to what system we go to.

MR. CHAIRMAN.

Are there any other questions?

I would like to ask a question. Since we have native land claim settlement going on in our communities to determine land to build a home on, how long do you think it would be before title to your land, where they could build?

MR. GRAVEL.

The title problem in this proposal we are talking about here again I think we are (indisc.) at this point when we settle d-2 we are going to settle the land transfer question right then and there. We are tired of being dragged and delayed and working with an uncooperative bureaucracy, so it's (indisc) for this process here.

MR. MALONE.

Could I bring up one ...

MR. GRAVEL.

I have had, not from you, Hugh, but a couple of members of the legislature called me for my views on a trip back in Washington and characterized by some that they all want to get together and go back to Washington. I think that would be a terrible mistake for everybody to get on a plane and go back to Washington for several reasons. One: You would gobble up all the offices of Senator Stevens, myself and Don Young, and we would be doing nothing but handling your presence which would not permit us to be working effectively. Two: It would be viewed very much

by the Congress and by the national media as conspicuous consumption, and three, that many people visiting Washington the members of Congress would be a little oppressed. What I would suggest would be to appropriate monies for every member of the Alaska legislature to come to Washington and that they be staggered out, come in pairs, two and threes, not too much more than that and they would start right after your session has been terminated and I think it would be very beneficial as to what could be accomplished and I think you could do effective lobbying and come in and talk about areas of your expertise and interest to various members of the committee, the staff and Congress. Too, I think when you come back there you are going to get a feeling of what's going on in Washington, perceptions and I think that base of knowledge (indisc) regardless of the d-2 issue and as you pursue your political careers it will help you very much. There is one detriment to that and that is obviously some of you will come back and covet the offices of those of us that are already there. That is a gamble that we will have to take and if we treat you nice in the future we might not have to be harassed so extensively, in forms of a challenge I might say. I have never seen harassment in any other form. You have always been gracious. So in responding to those phone calls privately I have outlined this and I don't think I went into this much detail because I hadn't given that much thought to it but I would hope that you would look at it in those terms and that it would be a good investment for the public officials to come back, but to come back in very small numbers and to come back stretched out over a period of time and you will be surprised because this issue is not going to be solved either beneficially or negatively prior to the probably the first of October of next year. We have all summer.

CHAIRMAN OSTERBACK.

Representative Malone.

MR. MALONE.

Thank you, Mr. Chairman. First of all (indisc - cough) follow up statement on your last questions, in this question of transfer of title and the disposition of the different land settlements, it occurs to me that in addition to the resolution and legal entanglements there may be, and I haven't (indisc.) there may be a problem with the ability of bureaucracy to deal with the sheer volume that they are facing. Recently I think we have come to the conclusion in the State of Alaska that a similar situation exists with respect to the dispostion of some of the state lands they are owning and quite often the answer is money so I would think that in addition to the legal resolution that if the Congress is serious about expediting settlements that they would respond to your urgency to appropriate money to make the process take place within a reasonable period of time. A certain question with regard to trips by members of the legislature to go to Washington on the d-2 crisis, an additional suggestion was made by Senator Stevens during his visit with the legislature

that it might be his thought to appropriate funds for allowing members of the Congress to visit the State and meet with people and perhaps view some of the areas that are proposed for the classification. What is your reaction to that?

MR. GRAVEL.

Last year I felt very strongly about that and suggested that in our deliberations when the four of us were meeting. I felt strongly then because we had the whole month of August of last year and I had about ten members of the Senate that had agreed to come up here and that was just the beginning and it expanded that we had thirty or forty members of the Senate. We were unsucessful in getting federal money at the time and the subject did not have the (indisc.) of state legislature coming up with the money to do this. Now you have only got two opportunities. You have the 4th of July recess and you've got the Labor Day recess. There is no August recess because it's election year and they are going to try and get out early to campaign. The time frame is so short and it is a very difficult time to bring people up in that regard. The other is, you know it becomes a little sobering, it's not an easy task to do that and it cost a lot, a lot of money. I'm told (indisc. cough) that it was over a million dollars (indisc. cough) to bring us up here so you are talking about a considerable commitment of money and a million dollars would only be for four, five or six members to come up here and handle it properly. Whenever members come up, I am sure Senator Stevens devotes a lot of time, and I know that two years ago when I had five members of the Senate coming to Alaska, it took literally over forty days of the time of my Administrative Assistant and then a lot of time within staff and during the trip I spent all my time with each member making sure that each detail functioned during that whole ten day period, so these are all the things you would have to provide for and if they came here and didn't have a good trip you would have spent your money and done as much damage as you could have possibly have done. The other thing is that we have had -- Udal and Seiberling spent a lot of time in Alaska and didn't do us that much good on the particular views that we hold, but it cuts several different ways and I think that as we get closer to the frame here I would hope that we would not panic and you know throw things every different way and I remember that old cliche that when the going gets tough - the tough get going. That is where we are at. That is where we are going to take the measure of ourselves. We aren't going to run around like a little white mouse holding our hands (indisc) so just throwing money isn't going to be the answer. It could be very damaging. Alaska does have the perception in the eyes of the American people of being very wealthy. We confirm that perception every time we do something out of the ordinary. Sending the Alaska Legislature to Washington is (indisc.). I don't know if it ever has been done in American history. Inviting the entire United States Senate and the House of Representatives on us to Alaska and prepare to

pay their way is a little out of the ordinary. You know there would be a greater exodus then they had at the Battle of Bull Run if the time were right, so we have to be careful. I think there is some merit in it but I think it should be done (indisc.)

CHAIRMAN OSTERBACK.

Thank You. Mr. Parker.

MR. PARKER.

$31,500 is not a great deal of money. We spent over $800,000 on the Steering Committee to go back and convince certain people in Congress that we would like to have a little bit more of input on the d-2 lands, so if we are talking about $31,500 (indisc) I don't know for each member.

That's for each member.

MR. PARKER.

That's the total. (Indisc. simultaneous speech). We get per diem. We get per diem while we are here. $31,500. You could spend the rest of the year saying it didn't cost very much money but it looks like a hell of a lot. (indisc.)

I think this is the time Alaska should make full determinations and something like this might catch your imagination.

MR. GRAVEL.

You know the old days of rah-rah type of activities, you know like statehood, that's not what we are asking for. We are asking for the Congress to be generous in its adjudication of federal land - not state land - federal land. This land belongs to everybody so the guy, remember Seiberling's statement, remember the cliche that was used by an Alaska, boy this is a big federal land grab and the environmentalists are grabbing all this land in Alaska and Seiberling came along and said yah there is a land grab going on. The people of Alaska are trying to grab our land. Our means federal government. We live here, we get confused with the language as to whether its federal or state, but remind you the state it is 430,000 and with the federal it is 220 million. A big difference. If you were to send back the whole Alaska legislature all at once -- you know the only place I think we differ is that I think it is very important for you to go back. I would only differ in the way you go back. I would like to see you go back quietly without fanfare and do things in a nice

(indisc) fashion rather than swamp us back there and that is literally -- literally swamp us, and we couldn't be able to handle it, the appointments -- you might plan the trip and then all of a sudden we might have four or five key votes in the Senate on the Panama Canal Treaty in the House and you might have four or five key votes on some (indisc) legislation and you would all be sitting there with your bare faces hanging out. You can't plan, things change very quickly. So the worst that could happen if you string it out you might have a couple bad visits by two, three or four people, not by the whole (indisc.) I don't think -- there is a page out of the book of the Wealthy Philadelphian, it was during the depression, and it was one of the few places in the world that they did this, was that when the depression is (indisc) you don't drive Cadillacs. (indisc. cough). Just keep a low profile. And that is why Texas has had such difficulty it is because they have been too spectacularized, and what we in Alaska have to do is give a low profile and just go get the goods. That's what the natives have done, they handle the federal bureaucracy very well. Just come in slowly, two or three at a time, the only time we ever had the whole native (indisc) was on Alaska Day. But up until that it was a steady stream and we still have a steady stream. There is probably no crowd of people on this earth that better handled the federal government than these Alaska Indians and I think we should take a page out of their book and keep a fairly low profile, and they got in trouble when they had high profile, you know when you heard statements well we are going to do this and we are going to vote, and that always hurt their cause. When they kept a low profile and did their homework they did well. I didn't mean to (indisc.)

No, No, it's getting back to a initiative, you know, it might be far out, but nevertheless it's a serious initiative and 22,000 people (indisc.). People are frustrated with the fact that they are surrounded by land can't (indisc.) $20,000 for a lot to build on undeveloped land and we have nothing but land so I can understand (indisc).

MR. GRAVEL.

The worst thing we could do is pass a law telling people we are doing something for them when you are not. When you talk in terms of giving somebody land you have got to give them access, you have got to give them air, you have got to give them water, you have got to give them all those things, otherwise if it just a little piece of paper that they own land and they can't experience that ownership you thought they were frustrated before they'll go beserk, because you cheated them.

MR. PARKER.

I'm not speaking in favor of it, I am just speaking the way it is.

MR. GRAVEL.

Oh, no, I agree with you. That is exactly the way it is.

MR. PARKER.

Of course we have a problem here is that we have endorsed more or less a compromise, it might not be much, (indisc.) but what would happen if it was approved by the voters of Alaska how would that affect d-2 specifically. Would they lock everything else up?

MR. GRAVEL.

Like I said I don't (indisc.) the last month. I am supposed to be generally informed. I know that the Congress is not knowlegeable about this referendum and I'll bet you that when it does become known, and this public meeting here is going to carry it to the Congress. I mean, the environmentalists would absolutely be fools from their practical point of view if they didn't jamb this down our throat one little piece of paper at a time, and I would have no response. If I were testifying (indisc. cough) and somebody said well, Senator, you say that you people can handle the management process up there, the referendum has 22,000 Alaskans that want to carve up the land the way they used to do it in the land frauds of Arizona and Florida, do you really think that you can make the people in Alaska mature enough to handle the problem. Don't you think we should lock up a major part of Alaska. How do you think I would be able to answer that? How would you answer it?

MR. PARKER.

That's after the fact. (indisc). Wouldn't it be just as bad to give them, say through this piece of legislation, 20 million acres as a sort of a compromise, wouldn't that be (indisc).

MR. GRAVEL.

The process here would be to give them the land and the other process is to give them a piece of paper, which has evidence of land. The paper could be fraudulant. See, that's the difference between, you know I could buy land in Florida and go down there and plot it and see that it's got a road to it, see that there is electricity to it, see that there is a municipality, proper plan, and that it is zoned properly, or I could have sent in my $100 down payment, my $5.00 a month for the next twenty years and then I go down there later when I am ready to retire and I find out that it is under water. It's a valid piece of land, you know, but it floods four or five times a week. I have been cheated. There is no road to it. I have been cheated. That's why we pass federal laws so we can't - we can't sell these mail order properties, so

what we did, we designed a referendum capitalizing on the frustration and the lack of knowledge of the people, and we are going to give them a bunch of pieces of paper that's going to be useless, absolutely useless. (Indisc.) supposing I send in and say I want a piece of land right here. It is not in any native entitlement. I want that piece of land, I want 200 acres. So somebody sends, the Department of Natural Resources or whoever sends me a deed. I've got my deed. I wait around and then I finally take a plane up there and maybe hire somebody to drive me out to my property and it's nothing but a sheer cliff. You know, it's about a 45 degree angle (indisc.) What do I do, I've got my deed in my hand, I've spent a lot of money to get it. I would be so hopping mad at whoever was elected to office, whoever thought of this concocted scheme I would shoot them on sight.

MR. PARKER.

Let me finish this, I guess my question is, what do we do about it now? (indisc. simultaneous speech and laughter).

I think Hugh said it, I am here to legislate (indisc.) I don't pay (indisc.) answers. I think we have one heck of a problem.

MR. GRAVEL.

I thought of one, are all of these things valid that people just thought out (indisc. simultaneous speech - laughter). I am starting to do things in my life that I haven't thought out. It is a real tragedy, it really is. The fact that 20 some odd thousand signatures you know the only thing I can say is that that is not a majority of Alaska.

MR. CHAIRMAN.

Mr. Malone.

MR. MALONE.

Thank you, Mr. Chairman. On that subject, of course, I think that the referendum to a large extent does capitalize on people's frustrations and I think those frustrations are unlikely to be relieved if the referendum should be adopted. There will be problems of access, there will be problems of services, there will be problems of getting clear titles and there are only really two courses of action that the legislature can take at this time. One is to adopt an alternative program that would preclude the ballot measures, I don't know if there is a responsible program that would really preclude the ballot measures under the laws of the Constitution, of the State of Alaska and make an attempt

in that direction. The other thing is responsible measures at least to point out the shortcomings of the proposed initiative. I think the ideas behind it are probably valid at least at the root but I think it something that is not going to work once adopted and I expect it to be adopted because on the ballot at least it would be today. It might be time to change the (indisc.) between now and the election,not right now, I admit, but I think there are going to be some problems in even gaining the piece of paper that Senator Gravel is talking about there will be worse problems when it comes to access and should people manage to settle on the land they will need some kind of access and get their title. They are not going to get any form of governmental services whatsoever or most likely an economic basis to generate anything for a long, long time. In addition to the problems that might create in terms of perceptions in the Congress of the United States, I think the problems are of internal program that should be raised on the question on the ballot and I don't see any other course or anything other than those two courses of action (indisc.) I don't think that the question should be ignored. I don't think that is responsibility either even if the ballot measure should fail it is going to come back again.

MR. GRAVEL.

I was hoping to sit this year out, but if that's the situation that the legislature does not have the power to correct, change the setbacks we have, I am sure I will be out there campaigning against this and the only way that would be possible if a lot of others like you would join me and be out there campaigning (indisc.) I'll volunteer to lead the charge and reap whatever I reap figures in.

MR. PARKER.

Senator, getting back to HR39. I mentioned earlier that if all else fails you and Senator Stevens would engage in a filibuster wouldn't that also preclude any hope at all for next years (indisc.) of state land transference and land (indisc.).

MR. GRAVEL.

The question is that everything is delayed. We are held in suspension, it might even trigger a freeze by the executives in retaliation, but that could be in my mind a better situation then having a permanent bad situation forced upon us. So, you know, it's not much but again it's better (indisc.). I think the environmentalist and the leadership in the House certainly recognize that this is serious business. I've seen many times where you march up the hill and all of a sudden you pull the power and you don't have the ability to get back up the hill again and they are marching up the hill, they are doing quite well, you know maybe it is the time to compromise. It's only a fool in a moral contest that doesn't compromise.

MR. CHAIRMAN.

(Indisc.) any other questions? (Indisc.)

No thank you, Mr. Chairman, I am going to be testifying on this other committee.

CHAIRMAN OSTERBACK:

Any other questions. Representative

Just one point, Mike, you were talking about low profile. This is in view of the Capital move and even worse financing the gap of the pipeline.

MR. GRAVEL.

On the gas pipeline you have just been given a presentation. I'll have some real specific requirements in that area. I need some time myself to study that. I'll be going to New York I think on the second to speak to a group on Wall Street, a group of Bankers, which is what I did several times during the Alyeska deal (indisc.) to talk to them about Alaska's future and so I will have a little better feel on that situation. (indisc. simultaneous speech, laughter). It used to be back in Washington and travelling around the country, it used to be I would be asked about wolves, in fact I can recall once in my hotel on my pillow there was a little note stating save the wolves. Probably the (indisc.) historically has been about wolves. Our mail has not run heavily nationally but wherever I go it used to be how cold is it in Alaska, now it is oh, you are moving your Capital, huh? How is that going? For some reason it has captured the imagination of the American people. I think I stated earlier that I felt it had some (indisc.) because anybody who could afford to move the Capital has got to have a little wealth, and, now I must confess, I don't feel all those decrements (ph) taking place in the quarry but they could be there subconsciously and you just don't know. Of course you can't psychoanalyze every body that you meet, but you do know that every so often when you propose a piece of legislation where you are going for an appropriation all of a sudden everybody in the room votes against you, you smellyour breath to see if you have bad breath, you can't understand why out of no where everybody is against you. When that phenomena occurs and its occurred to me several times, I know it's occurred to Senator Stevens, I know it has occurred to Don Young. You ask yourself, is there something wrong with me or is there something going on that I can't perceive in the subconscience of the bodies I am dealing with. I went to a hearing once on a housing issue unbelievably meritorious and my colleagues in the Senate they were having to hear it (indisc) and they started making statements, well you Alaskans got it all, (indisc.) this (indisc.) is a very very serious thing. It is almost impossible to handle, so you know we can talk about the Capital move contributing to that, I don't know. I suspect that that is about the extent of it. So far it is just an oddity.

(indisc. simultaneous speech - laughter)

It occurred to me when you said it might not be too smart for us to be out of the ordinary does the figure 4.4 billion dollars (indisc.). Is that a little out of the ordinary? Is that the figure you are talking about?

MR. GRAVEL.

Let me respond by saying this. When the Congress focuses on whatever the cost is and they focus on the fact that maybe it is a conspicuous consumption you can bet your bottom dollar that somebody is going to say if you want to do it you do it on your money. You are not going to use my money. I think that will eventually happen. Roberto Compos (ph), I don't know if you know the name, is the Brazilian Ambassador to the Court of St. James. He is the architect of the economics of Brazil, (indisc.) Brazil. Brazil is one of the five super powers of the world. It is unbelievable what is going on and Roberto is one of the great renaissance of our society in his area, he is every bit as important of a person as Henry Kissinger. He resigned from his position over the Brazilian question, and when I saw him in London when I was coming out of the North Sea,boy he just assaulted me on (indisc)so if anyone wants to get a speaker up here that wants to take that side invite him and three good speakers on the other side. I didn't mean to dodge your question. (indisc. simultaneous speech - laughter).

(indisc.) you had a question?

CHAIRMAN OSTERBACK.

Just one before we let you go. (indisc.) I have been there twice and they have a different system than we have. If they have a big buzzer in a committee room. (indisc.) a couple times we went in to see a couple Senators, and the buzzer rang and they said we have to go, there is an issue on the floor and we have to go to vote, and then they leave, so if the buzzer rings you are left standing by yourself. And their committee rooms are real small. Sometimes two chairs and I don't know what 60 people would do. They don't have room to stand. Like you said get the money and travel two or three at a time.

MR. GRAVEL.

I think this may be the beginning of doing it every two or three years. Maybe during your two year tenure that one trip should be authorized for each member so they could get acquainted with their interrelationship with federal government.

Not only d-2 and looking into the future, but do you anticipate anything more important in Washington, D.C. then d-2 in Alaska?

MR. GRAVEL.

Not at this time.

Down the road?

MR. GRAVEL.

Yes. In economic terms, yes, but nothing of permanent nature. D-2 is on the order of native claims, on the order of statehood, on the order of purchase of Alaska. Once we are by that we are by the issue, the rest will warrant attention and will obviously be important as was the pipeline. But nothing of a permanent nature, d-2 is the biggest thing we have got going. No question about that. But I am persuaded that you do your jobs much better here when you interface more directly with your Congress rather than through our office. Thank you very much. It has been a pleasure being here.

CHAIRMAN OSTERBACK. Thank you very much, Senator.

MR. COWPER:

It is going to be a great help to the Congressional Delegation and instead of going into all the reasons why we should have this and why it is such a good thing, I think that has been pretty well covered, I would like to bring up one thing and I have a specific suggestion for an amendment on the Bill. The AFN has suggested that we place in any such legislation as this an authorization for the commission or whatever it is called, to enter into cooperative agreements with private land owners and the incentive for submitting our private to the jurisdiction of the commission would be that there would be no real estate taxes on any lands put in under the jurisdiction of the commission for a period of not less than five years. This is endorsed by AFN and I think it is a good idea and I think we should have a joint management agency or joint management system as to what land is being managed, particularly contiguous land (indisc.) I would like to suggest the following amendments and then I will yield to Mr. Parker. On Page 3, line 12, omit all the language after the word "land owner". Because we would like to, I think it might be well not to restrict those agreements just to contiguous land. Then add the following section in the appropriate place. SEction 41.45.085 seems like a good place to add it. If a private land owner, including any entity established under the Alaska Native Claims Settlement Act, enters into an agreement by which the commission manages undeveloped land, cross out undeveloped, I think, by which the commission manages land owned or selected under an Act of Congress by such private land owners, for a minimum of five years such land shall be exempt from any property tax on the land for the time it is managed by the commission. If the land is withdrawn from the commission's management before the minimum five year period then all property taxes on such land which would otherwise have been payable shall be due at the time the land is withdrawn. Now as you know we don't have a tax on unorganized borough right now but we might at some future time and I believe that this concept has been endorsed not only by the AFN but also at least by certain members of the congressional delegation. I think it is a good idea and it provides (indisc.) that consistent management plan spread not only the public land but the private land. Mr. Chairman that's all I have and I have this Amendment which I'll be glad to pass to the staff. Unfortunately it is not typed and it is sorta scratched out.

CHAIRMAN OSTERBACK.

Representative Malone.

MR. MALONE.

I just have one quick question, Mr. Chairman. Steve, you have been working on this stuff and all, what's your ideas in respect to the reality of adopting common management approach as an alternative, I won't say compromise, because it is not a compromise.

MR. COWPER.

Well, I think that the possibility is very real. I think what we have to do is take care of the fear that people have and I am speaking very frankly of the environmental community that the State will have effective control over the management of all federal lands in Alaska, or a substantial portion of it, without any (indisc.) I think if we come in and we establish a management system by which a joint commission manages not only federal but also state and native lands or private land, and we also provide a (indisc) by the land owners so that if the land owner doesn't like the decision being made it goes back to the drawing board and I think it should be acceptable, as Senator Gravel said, the main problem is not in the concept really but everybody says this isn't acceptable because they'll appoint somebody who is unacceptable to run it. They are afraid the system won't work just because they are not sure who is going to be administering the system. That's the problem everywhere. No system works if it isn't administered by good people. But I think there is a real chance of doing it. There is not any chance of doing it in the House. But I think it is a concept that has been advanced so many times at that level that when it comes back to them from the Senate they do not even look at it twice. That's my interpretation of what I have seen of it.

CHAIRMAN OSTERBACK.

Are there any other questions? (indisc.)

Why did you leave out the undeveloped (indisc.)

MR. COWPER.

Ah, Rick (ph) this is just to be consistent with AFN's position. I don't think that a real estate tax as such is all that way of getting into that sort of thing anyway. But, it it is consistent with AFN's position. I rather suspect that land which is developed in the sense of having a village on it or something like that isn't going to be turned over to the land (indisc) commission to manage. It is not precluded for instance personal property tax is the (indisc.) on pipeline property or production property on the slope. It would not preclude that and also it wouldn't preclude the severance taxes. I would think that the way you would get income being generated into land that is under the commission's jurisdiction would be through income taxes.

CHAIRMAN OSTERBACK.

Any other questions?

MR. COWPER.

Thank you, Mr. Chairman. I will have this proposed amendment

typed out and sent down to Committee (indisc.)

CHAIRMAN OSTERBACK.

Thank you. Mr.

Thank you, Mr. Chairman and Committee members. I would like to note that Commissioner Holdsworth(ph) is here also and he tells me he testified before you yesterday. This is the second time I have testified on House Bill 211. I testified last year. I didn't have much to offer except my personal opinions because the commission had not taken a (indisc.) position on the future land use planning commission. They finalized their position at a meeting in September of 1977 and that is contained in a Position paper which I will submit for the record for your concurrence as part of this testimony. I have some brief record testimony also which I would like to submit for the record and just highlight that, if that's alright. The need for a continuing commission as well said by Senator Gravel and Representative Cowper, I think that the main point that needs to be made what does a continuing commission offer for the state that the existing federal - state relationship does not offer. I think for me the important thing it offers is a thermo entry for the state through the commission into the federal planning process in the early stage. It also offers a form for mitigating and coordinating effects of single agency management. Whatever comes out of the d-2 legislation we are going to see a substantially stronger position for all federal land management and resource management agencies in Alaska. I think it's to the advantage of the people of Alaska that they have some form in which they don't have to be (indisc.) in which all the agencies are brought together and force to bounce from one position to another. It would be (indisc.) under its new organic act the thing that has extremely strong powers and if Alaskans are going to have any real say in future management of federal lands in the state I think that some form of commission structure is vitally important and therefore I strongly support the concepts expressed in HB 211. The points that Representative Cowper made on the native lands I strongly support also because as both the commission's inventory reveals and the state inventory, the native selected lands are prime lands for wildlife habitat and resource development (indisc.). They are also key strategic lands of transportation and are in effect the strategic lands of the state because of their relationship to the coast line and the rivers, primarily. So it is imperative that they be encouraged to cooperate to the maximum extent in the future system.(indisc.) has not taken a real position on state lands in this and the reason for that is that in dealing with the d-2 situation it did restrict itself to dealing with the federal lands and in dealing with the state land, of course was recently made a good many recommendations

to this committee and I think if you want a position from the commission on whether it feels all state lands should come under a future commission or a portion of the state lands we could certainly attempt to give you that but we have not had one as yet. In any case, to get to the specifics of HB 211 as our recommendations relate to it, the commission has recommended to continue the membership of 10 members with 2 co-chairmans rather than 7 members recommended in HB 211 and also recommends the continuation of the presidential appointment on the federal side and the governor's designation on the state side to continue to provide strong leadership with such a commission. The difference between the assembly chairman and the co-chairman is an important one. As a single chairman I think would be extremely powerful individual. He would probably be appointed by the President with the concurrence of the Governor and Legislature and the advice and consent of the U.S. Senate, and if he was able to get through all those steps then there is no doubt about it he would have a predominant role in the state. Whereas, if you have the two co-chairman, they tend between them to adjust a good many federal state conflicts before they get to the full commission or to the congress or to the legislature, so it depends between a single chairman and co-chairman how strong you would want the future commission to be in its relationship to both governments. The commission agrees with HB 211 in that the commission members do not be institutional or ex-officio. We found that having state commissioners sit on the commission is not in the best interest of the state commission or the commission because he has to represent the administrations point of view in his particular area and very strongly rather then reasonably independent point of view. And we also recommend the appointants not be representatives of special interests because the sub-committee that worked on this felt that special interest representation tended to institutionalize conflict rather than to contribute to problems solution. What the commission is supposed to do is to resolve problems before they become problems that require either legislative action or extreme action by the President or the Governor. They also felt that the commissioner should continue to be part time except for the co-chairman. The general feeling was that full time commissioners would tend to institutionalize its own perspective while part time commissioners were subject to other pressures and open to other viewpoints from the various sectors in which they operate when they are not being commission members. Also part time was felt to be more open to public input then full time. And, the present commission also felt that the commission should serve at the pleasure of the appointed official rather than (indisc.) this position differs from HB 211. The primary reason for this was that it was felt that the commission should relate strongly to whatever political views of either federal administration and state administration was. Of course, if you are appointed for a term then the commission once again has much more independence in itself so once again it depends on how strong you want that commission to be.

Regarding the duties of the commission our recommendations differ only in degress to those contained in HB 211. The major difference Commissioner Holdsworth(ph) went into with you yesterday. We see the commission's role on (indisc.) plans as classified. Whereas management would be continued by the land agencies for any of the federal and state side. That is an important distinction. You don't want to create another bureaucracy in this position to give the management powers well then you have to give him the man power to manage. The idea is to keep the commission very small in policy making and research groups, and certainly no larger then the federal commission. If it does expand why then it would inevitably tend to become another government agency and (indisc.) One of the things that we have felt to be a real power in the present commission in which future commissions should continue, the commission should be (indisc. cough) the Governor and the Legislature and to the President and the Congress, and being an advisory role only you certainly have (indisc.) committee programs (indisc.) if you have program responsibility. We think that needs to be continued and the only exception would be the classification of common management plans. Also in some spelled out roles in cooperative planning insuring both governments that Fish and Game managements would lean towards acceptable manner, the transportation planning would lean toward acceptable manner, research coordination and day assistance coordination are the four areas where we felt we really need a lot of mileage if you can coordinate them strongly and keep the agencies on either side from dealing in the territorial (indisc.) too heavily. The other area strongly stressed is the system of joint classification. As we have seen the future thus far the difference between the commission classifying common management land and the joint classification would be the commission would bring the two governments together to establish joint classification standards and (indisc. cough) the state and then BLM on one side or the other federal agency and the Division of Lands would use those classification standards and work them between the two of them with some commission over sight would arrive at joint classification for those particular areas. So in those areas rather then doing it yourself well the commission would encourage the cooperation existing to the maximum extent possible.In time we would approach what we would call total (indisc) HR 39. We would do it with cooperation between the two governments rather than proposed by HR 39 by standard refuge of park boundaries. (Indisc. cough) Because no matter how much those refuge or park boundaries they are going to protect those refuge and park boundaries you are not going to protect the entire critical areas that are entire watersheds. Eventually you have to get to this strong cooperating system anyway. One thing that is missing from HB 211 is the veto power on the state and federal side. We think it is important that you protect the sovereignty of both governments by incorporating that veto power. One thing that this present commission has that no other federal-state entity we studied has is the veto power of the state and that is very important to retain. It certainly made the present commission operate totally different from any other state organization that I have been associated with, and we did some research on some other organizations

and I will offer that for the record, Commission Memo dated March 15th, 1977, which has a rather comprehensive research on other federal-state entities. When we made our position we examined HB 211 of course, from last year, and we Secretary Andres (ph) amendments to HR39 (indisc. cough) operating management and we also had Senator Steven's Bill on cooperating management and so we considered all of those in reaching our decision. We then had the Seiberling which was contained in committee print 3 of HR39 before us but as I understand it that's changed little from committee print 2, so the comments which we enclosed in our letter to Congressman Seiberling on January 17th of this year would still be germane as to how we feel about that particular language and also that's for the record with this testimony. I am getting a big mound of paper here dealing with cooperative management and hopefully it will shed a little more light in particular areas. One other important area that we feel very strongly about is the executive coordination committees being established by both the state and federal government to review the commission's work. This is especially important at the federal level because you can coordinate all you want to in Alaska and get all the agencies meeting in unison and take it back to Washington you will have to go in and deal with each department separately. It wasn't always that way, the old Federal Appeal Committee for Development Planning Alaska we did have an executive review agency which was chaired by the Secretary of Commerce but which also reported to the White House but we were able to get good use out of that executive review committee during the earthquake relief and during the early stages of the land claim settlement. I think we just erred in not re-establishing that to relate to the present commission. We should have made sure Congress put it in the legislation report and it's not as critical at the state level to have that kind of executive review since the commission works on a continuing basis review level committees where the commission is concerned to review the commissioner's work on a state level also.

We do feel also that you need a more direct relationship between the commission and the land and resource management agencies on both sides. The way we do that is simply forming them together into a technical advisory committee to the commission which would have to come together composed of the land and resource managers on both state and federal sides that would have to come together and either relate to commission for the propositions that were put before them or they could develop propositions which they wish to put before the commission. Right now we don't have that kind of institutionalized dialogue between management agencies and the commissions and we try to institute it constantly but it's not spelled out in the legislation so the agencies can either come together or not if they feel whether they can get away with it or not, and usually they are pretty good about coming together on the issues we've developed but having it in the language would give the commission much stronger coordinating powers and that briefly are the major concepts that we would like to see incorporated in HB 211. We would certainly be willing to either

draft suggested amendments or work with you in any way we can.

CHAIRMAN OSTERBACK.

Representative Malone.

Mr. Malone.

Thank you, Chairman. Well, I would like to start out by asking my basic question on this thing. In your understanding and knowlege of activities that take place in the Congress and also the attitudes that may exist in the different federal bureaucracies, how realistic is this approach if it could work if it were adopted?

MR.

Of course it has been a while since I came on the commission and I can't -- don't know what the relationship was with the previous federal chairman or the previous state chairman of the federal agency, but the commission was able to make some steps forward when the federal administration changed and the d-2 perceptions in the interior and the conveyance of native lands in several other areas. I was the only chairman at that time in the interim between Mr. Sokof (ph) leaving and Mrs. Warnecke (ph) appointment but even though I wasn't the federal chairman, even though I was a state chairman why the door was open and we were able to get initiatives launched last spring that probably would have been delayed until late summer or fall, the spring of '77 I am talking about now, which if it had to have gone through the conventional route through the agencies and the difference, of course, that I was saying that I was going in and saying to the secretary was on native conveyances you've got a problem. The natives are not getting their land fast enough, BLM isn't working fast enough and obviously BLM isn't going to go say that to him, or the Assistant Secretary for Lands and Waters. On the d-2 issue HR 39 had just come out and of course that was Secretary Andres (ph) (indisc) and was able to immediately put before him critical areas on Fish and Game Management and Wilderness and the other points of disagreement with HR 39 so he could start relating to those. It's unfortunate that in the House of Representatives the sub-committee who handled that took its original draft from the Alaska Coalition and represented only that perspective and since the commission didn't agree with the original HR 39 they really hand's used it to the extent that they could. In April they practically threw us out of the hearing and by July they said well, this is good stuff and they started to use it but on the Senate side we have always had an excellent relationship directly and you know, we don't go through administration, we go directly to Congress.

CHAIRMAN OSTERBACK.

Representative Malone.

Mr. MALONE.

Yes I have a number of questions, but I have a follow-up question on that one. Considering that the commission is basically is a (indisc.) of Congress in the first place how come the House at least in the early stages decided to by-pass. (Indisc.)

MR.

The sequence of events is simply that the committee chairman and the sub-committee chairman knew that the commission's position wasn't the position they wanted so they (indisc. blank tape)

MR. MALONE.

How is it they work again at present, how is it they work?

On the Washington level there is no institutionalized coordination on Alaska matters. Right now they've got a group which was set up to coordinate gas lines for the gas pipe line. There is no d-2 coordinating group that brings all departments together to coordinate d-2 matters so the way d-2 is coordinated in the federal government is that in the last days of August and the last week of August and the first week of September the Interior sent out its information for comments and comments came back and they all put it together at a meeting and it was kind of a rushed process. If there had been a continuing executive review committee of the commission's actions why all these things that the commission had developed over the last five years would have been considered by these departments in Washington on a continuing basis, as it was every department just reacted to the Department of Interiors initiative. The only reason things went (indisc.) was that we took it upon ourselves in the spring of '76 to coordinate d-2 with all of the federal agencies concerned, transportation, energy, defense, and so forth, but it would be a lot easier to have them all in the same room rather than to have to go to each one individually but that's what we were up against.

MR. MALONE.

One final question. What would be possible in addition to us getting an advanced copies of proposed amendments of HB 211. Would it be possible for the commission to provide somebody to sit in on a mark up session of the bill?

CHAIRMAN OSTERBACK.

Yes, we could do that.

MR. MALONE.

Thank you.

CHAIRMAN OSTERBACK.

What we discussed, we had a meeting with Senator Mike Gravel and(indisc.) and he will send one of his staff members to work up a mark up session and we have a holiday coming up now. But the thing is you said you wanted to get something in from the legislators what we are all going to back and bring it in and he will take it up before the Senate or down there, correct me if I am wrong, and with the legislators behind he thinks it will carry a lot of weight instead of someone coming in with a different amendment all the time, come up with a package saying this is what the state is backing. Diann?

MS. NELSON.

One thing that we discussed is that we would assign Mr. George (indisc.) and Bill Berrier(ph) and Jack (indisc.) and would work with one member of the Steering Council staff and your office, Walt, and possibly come up with a committee substitute within a week or so. Something that we could bring before this committee as a mark-up copy and bring it back.

CHAIRMAN OSTERBACK.

Representative Malone.

MR. MALONE.

Mr. Chairman, I wonder if that schedule isn't a little optomistic. I don't object to the speed except (indisc. noisy tape)

MS. NELSON.

Can we schedule a meeting for next week in the evening?

(WHEREUPON due to bad noise on the tape I was only able to pick up selected portions of the discussions)

CHAIRMAN OSTERBACK.

What I was going to suggest is that we get everything together for a mark up (Indisc.)

C E R T I F I C A T E

STATE OF ALASKA)
: SS.
FIRST JUDICIAL DISTRICT)

I do hereby certify that I am a Notary Public in and for the State of Alaska and that the foregoing transcript numbered 1 through 31 was transcribed be me or someone under my direction from a tape recorded by a person or persons unknown to me. I further certify that it is as complete and accurate a transcript as was possible based on the quality of the tape and the information furnished to me.

I further certify that I am not a relative or employee or attorney or counsel of any of the parties, nor financially or in any other manner interested in the outcome of the proceeding.

Rita Stanich
Notary Public, State of Alaska
My Commission Expires: 6-4-78

DRAFT D-2 BILL--SENATOR MIKE GRAVEL

George

A BILL

To designate certain lands in the State of Alaska as units of the National Park, National Wildlife Refuge, National Wild and Scenic Rivers, and National Forest Systems, to create a Federal-State Land Use Planning Commission, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alaska Lands Conservation and Management Act."

SEC. 2 (a) In order to preserve for the benefit, use, education, and inspiration of present and future generations certain natural lands and rivers in the State of Alaska that contain nationally significant natural scenic, historic, archeological, geological, scientific, wilderness, cultural, recreational, and wildlife values, the areas described in Title I are, subject to valid existing rights, hereby declared to be units of the National Park System; the areas described in Title II are, subject to valid existing rights, hereby declared to be units of the National Wildlife Refuge System; the areas described in Title III are, subject to valid existing rights, hereby declared to be units of the National Wild and Scenic Rivers System; lands described in Title IV are, subject to valid existing rights, hereby declared to be added to units of the National Forest System; and lands designated in Title V are, subject to valid existing rights, hereby declared to be units of the National Wilderness Preservation System.

(b) It is the intent of Congress in this Act to preserve unrivaled scenic and geological values associated with natural landscapes; to provide for the maintenance of sound populations of, and habitat for, resident and nonresident wildlife species; to preserve in their natural state unaltered ecosystems; to protect the resources related to subsistence needs; to protect and preserve the historic and archeological heritage of Alaska and the nation; to preserve wilderness resource values and related recreational opportunities; and to maintain opportunities for scientific research in undisturbed ecosystems.

(c) It is also the intent of Congress to provide a management system for the lands which are not located within the conservation system units designated in the Act which will be provide a mechanism for making sound land use decisions on lands owned by one or more governmental or private entities but which contain common resources requiring complementary management decisions and actions.

(d) It is also the intent of Congress to encourage the use and appreciation of the various conservation system units designated by this Act by the public. To the extent that it is compatible with the resources and values for which the unit was established, access and facilities to accommodate visitors and recreationists to and within the designated units would be developed in connection with the management plans for the areas.

and nonresident wildlife species of inestimable value to the citizens of Alaska and the Nation, including those species dependent on vast relatively undeveloped areas; to preserve in their natural state extensive unaltered arctic tundra, boreal forest, and coastal rainforest ecosystems; to protect the resources related to subsistence needs; to protect and preserve historic and archeological sites, rivers, and lands, and to preserve wilderness resource values and related recreational opportunities within large arctic and subarctic wildlands and on freeflowing rivers; and to maintain opportunities for scientific research and undisturbed ecosystems.

(c)(1) Areas established in titles I ~~and~~ II, +IV of this Act shall, subject to valid existing rights, comprise the lands, waters, and interests therein within the boundaries generally depicted on the maps bearing the following designations:

The boundaries of areas added to the National Park and Wildlife Refuge Systems shall, in coastal areas, not extend seaward beyond the mean high tide line to include lands owned by the State of Alaska unless the State shall have concurred in such boundary extension and such extension is accomplished under the notice and reporting requirements of this Act.

(2) The maps described in subsection (c) of this section shall be on file and available for public inspection in the office of the Secretary of the Interior (hereafter referred to as the "Secretary"), or the Secretary of Agriculture with regard to the National Forest System.

(3) As soon as practicable after enactment of this Act, a map and legal description of each change in land management status effected by this Act in the four national conservation systems, including the National Wilderness Preservation System, shall be published in the Federal Register and filed with the Speaker of the House of Representatives and the President of the Senate, and each such description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in each such legal description and map may be made. Each such map and legal description shall be on file and available for public inspection in the office of the Secretary. Whenever possible, boundaries shall follow hydrographic divides or embrace other topographic features in all cases where straight line map boundaries approximate such features. Following reasonable notice in writing to the Congress of his intention to do so, the Secretary of Interior and the Secretary of Agriculture may make minor adjustments in the boundaries of the areas added to or established as units of the National Park, Wildlife Refuge, Wild and Scenic Rivers, and the National Forest Systems by this Act.

TITLE I-NATIONAL PARK SYSTEM

~~Purpose~~-Establishment of New Areas

SEC. 101. (a) The following areas are hereby established as units of the National Park System and shall be administered by the Secretary under the laws governing the administration of such lands and under the provisions of this Act:

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(1) Wrangell-St. Elias Park and Preserve, containing approximately _____acres of Federal lands;

(2) Gates of the Arctic Park, containing approximately _____ acres of Federal lands;

(3) Lake Clark Park and Preserve, containing approximately _____acres of Federal lands;

(4) Kobuk Valley Monument, containing approximately _____ acres of Federal lands;

(5) Cape Krusenstern Monument and Preserve, containing approximately _____acres of Federal lands;

(6) Aniakchak Monument and Preserve, containing approximately _____acres of Federal lands;

(7) Yukon-Charley National Rivers, containing _____acres;

ADDITIONS TO EXISTING AREAS

SEC. 102. (a) The following units of the National Park System are hereby expanded:

(1) Mount McKinley National Park by the addition of _____ acres of Federal land;
(i) the park is hereby redesignated as "Denali National Park, and
(ii) the mountain known as Mount McKinley shall hereafter be known as "Denali". Any law, regulation, map, document, or record of the United States in which such mountain is designated or referred to under the name Mount McKinley shall be held to refer to such mountain under and by the name of "Denali."

(2) Katmai National Monument by the addition of _____ acres of Federal land, and the monument is hereby redesignated as "Katmai National Park" ;

ADMINISTRATIVE PROVISIONS

SEC. 103. (a) The Secretary shall administer the lands, waters and interests therein added to existing units, or established by the foregoing sections of this title as new units, of the National Park System in accordance with the provisions of law applicable to the National Park System, except that the taking of fish and wildlife may be permitted under the provisions of Title VII of this Act, and transportation and utility rights-of-way may be granted by the Secretary across units of the National Park System under the provisions of Title X of this Act.

(b) All valid Native selections or nominations of lands within the boundaries of the Gates of the Arctic National Park or

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the Wrangell-St. Elias National Park,as established under this Act, are hereby recognized and shall be honored and conveyed by the Secretary in accordance with the Alaska Native Claims Settlement Act and Title VIII of this Act.

TITLE II--NATIONAL WILDLIFE REFUGE SYSTEM

Establishment of new areas

SEC. 201. The following areas are hereby established as units of the National Wildlife Refuge System, and shall subject to valid existing rights, be administered by the Secretary pursuant to the provisions of law governing the administration of such units and under the provisions of this Act:

(1) Selawik Refuge, containing approximately _____acres of Federal lands;

(2)Koyukuk Refuge, containing approximately _____acres of Federal lands;

(3) Innoko Refuge, containing approximately _____acres of Federal lands;

(4) Shishmaref Refuge, containing approximately _____ acres of Federal lands;

(5) Kanuti Refuge, containing approximately _____acres of Federal lands;

(6) Kaiyuh Refuge, containing approximately _____acres of Federal lands;

(7) Alaska Marine Resources Refuge, containing approximately _____acres of Federal lands;

ADDITIONS TO EXISTING REFUGES

SEC. 202. The following units of National Wildlife Refuge System are hereby expanded:

(1) Arctic National Wildlife Range by the addition of approximately _____acres of Federal lands.

(2) Clarence Rhode National Wildlife Range and Hazen Bay National Wildlife Refuge by the addition of approximately _____acres of Federal lands; furthermore, the Clarence Rhode National Wildlife Range and Hazen Bay National Wildlife Refuge are hereby redesignated as the Yukon Delta National Wildlife Refuge.

(3) Cape Newenham National Wildlife Refuge by the addition

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of approximately _____acres of Federal lands;

(4) Kenai National Moose Range by the addition of approximately _____acres of Federal lands;

ARCTIC NATIONAL WILDLIFE RANGE EXCHANGE

SEC. 203. The subsurface estate of approximately 280,000 acres of land described on the map numbered _____within the existing Arctic National Wildlife Range are hereby removed from the Range. After concurrence by the Governor of the State and the Secretary _____acres of lands selected, tentatively aprroved for patent, or patented to the State which are located adjacent to one or more of the areas designated in Title I or II of this Act shall be conveyed to the Federal Government or retained in Federal ownership and shall be added to the respective unit designated in Title I or II. Upon concurrence of these State lands by the Governor and the Secretary, the subsurface estate of those lands described in this section within the Arctic National Wildlife Range shall be conveyed to the State of Alaska.

SEC. 204.(a) The Congress finds that despite the authority of the Secretary to grant leases for the exploration and development of oil and gas resources on units of the National Wildlife Refuge System, oil and gas leases have not been let for all intents and purposes on refuge system lands in Alaska. Furthermore, the Congress finds that with strict regulations governing surface uses within refuge system lands oil and gas exploration and possible development could occur with minimal and acceptable impact on the resources and values for which the unit was established.

(b) The Secretary shall initiate a leasing program for oil and gas resources of lands designed in this Title. In his determination of those lands for which leases would be let he shall seek the recommendations of representatives of the oil and gas industry, conservation groups, the State of Alaska, local governments, Native corporations, and other interested parties. The Secretary shall prescribe such regulations as may be reasonably necessary to insure that exploration and development occurs in a manner which does not result in significant adverse impacts on the resources or values for which the refuge unit was established.

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TITLE III---NATIONAL WILD AND SCENIC RIVERS SYSTEM

Additions to the National Wild and Scenic Rivers System

SEC. 301(a) Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1247(a)) is amended by adding the following new paragraphs at the end thereof:

(16) .....
(17) .....
etc.

(b) Detailed boundaries and development plans referred to in this section shall be established and prepared within one year of enactment of this Act. Such boundaries shall include an area up to one mile from either side of the mean high water level of the river segments designated in Section 301(a)

(c) The units designed in this section would be managed by the federal agency designated as manager of the lands adjacent the designated river.

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TITLE IV--NATIONAL FOREST SYSTEM

SEC. 401. The following units of the National Forest System are hereby expanded:

(1) Tongass National Forest by the addition of ___areas, containing _____acres of Federal lands;

(2) Chugach National Forest by the addition of _____areas, containing _____acres of Federal lands;

TITLE V--DESIGNATION OF WILDERNESS AREAS AND WILDERNESS STUDY AREAS WITHIN UNITS OR ADDITIONS TO UNITS OF THE NATIONAL FOREST SYSTEM

SEC. 501. In furtherance of the purposes of the Wilderness Act, and subject to valid existing rights, the following lands are hereby designated as wilderness and , therefore, as components of the National wilderness Preservation System:

(1) Within the Tongass National Forest the following areas are hereby designated:
(i) the area known as _____comprised of _____ acres of land
(ii) the area known as _____comprised of _____ acres of land
etc.

SEC. 502. In furtherance of the purposes of the Wilderness Act, the Secretary of Agriculture shall review each area designated by this section as to the suitability or nonsuitability of such area for preservation as wilderness and report his findings to the President and to Congress within three years after enactment of this Act:

(1) Within the Tongass National Forest the following areas are hereby designated for study:
(i) the area known as _____comprised of _____ acres of land;
(ii) the area known as _____comprised of _____acres of land;

ADMINISTRATIVE PROVISIONS

SEC. 503. (a) The provisions of this section are enacted in recognition of the unique character of the wilderness in Alaska. Nothing in this section shall be construed to expand, diminish, or modify the provisions of the Wilderness Act or the application or interpretation of such provisions with respect to lands outside of Alaska.

(b) Such measures may be taken as the concerned Secretary finds are necessary for the control of fire, insects, and diseases, subject to such conditions as he deems desirable to maintain the wilderness character of the area.

(c) Customary use of aircraft, motorboats, and snowmobiles where such use has already become established, shall be permitted to continue in areas designated as wilderness, subject to such restrictions as the concerned Secretary determines necessary to maintain the wilderness character of the area.

(d) Within national forest wilderness areas designated by this Act, the Secretary of Agriculture shall permit the taking of fish and wildlife on lands under his jurisdiction in accordance with applicable laws of the United States and the State of Alaska. Subsistence activities described in Title VII of this Act, including access by motorized vehicles shall also be permitted within wilderness areas designated under this Act.

(e) Previously existing public use cabins within national forest wilderness areas de ignated by this Act, may be permitted to continue and may be maintained or replaced subject to such restrictions as the Secretary of Agriculture deems necessary to preserve the wilderness character of the area. Also subject to such restrictions, the Secretary is authorized to permit the construction and maintainance of new cabins and shelters with wilderness areas designated under this Act for the purpose of protection of public health and safety, for the protection and preservation of the wilderness character of the area, or to meet minimum requirements for the administration of the area.

(f) Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purpose of the areas.

(g) In any case where State-owned or privately owned land or mining claim land is completely surrounded by national forest lands ##### designated by this Act as wilderness areas, the State or private owner or interest holder shall be given such rights as may be necessary to assure adequate access to such State-owned, privately owned land, or ##### mining claim.

(h) In accord with principles of sound fisheries management, the appropriate Secretary is authorized to permit research, fish stocking, enhancement, rehabilitation and development activities and

the development of fish aquaculture and research sites within wilderness areas designated by this Act, ȣȿ/ȟȩ/ȣȩȴȩȓȓȋȟȩȡ/ȴȹ ƀȩ/ȟȩȩȩȿȿȣȳ/ȣȟȣ/ȣȩȿȋȓȿƀƚȩ to study, restore, augment, or sustain fish populations. Structures for any such research or fish aquaculture sites shall consist of only facilities essential to these operations. Such facilities shall be constructed in such manner as to minimize impact on the natural environment and the wilderness values for which the area was established. The Secretary of Agriculture is authorized to allow the State and/or holder of a permit for fish enhancement program or development reasonable access, including possible motorized access, for necessary fish and wildlife management activities. In addition, such reasonable access shall be provided for the evaluation of sites needed for fisheries research, enhancement, rehabilitation, and development and for the construction, operation and maintenance of authorized projects.

SENATOR MIKE GRAVEL

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TITLE VI -- ALASKA FEDERAL-STATE LAND USE PLANNING COMMISSION

Sec. 601. (a) Following designation under Alaska State law of all lands patented or tentatively approved for patent to the State to be cooperatively managed with designated Federal lands, there is hereby established the Alaska Federal-State Land Use Planning Commission (hereinafter referred to as the "Commission").

(b) In addition to the designated State lands, the Commission shall have jurisdiction over all public lands in the State of Alaska under the management of the Bureau of Land Management, including the National Petroleum Reserve in Alaska.

(c) With the approval of the Commission, lands for which patents or interim conveyances have been issued to Native corporations under the terms of the Alaska Native Claims Settlement Act may be placed under the jurisdiction of the Commission pursuant to the procedures and conditions which shall be enacted by the State of Alaska.

Sec. 602. (a) (1) The Commission shall, subject to the provisions of Section 101, be composed of nine members as follows:

(A) One member appointed, after consultation with and concurrence by the Governor of Alaska, by the President of the United States, with the advice and consent of the

Senate, who shall be Chairman of the Commission;

(B) Four members appointed by the President of the United States, with the advice and consent of the Senate;

(C) Four members appointed by the Governor of the State of Alaska with the advice and consent of the State Legislature.

(2) Upon the first vacancy of a position under subparagraph (B) and subparagraph (C) (whether created by expiration of a member's term or otherwise) occurring on or after the date on which 80 per centum or more of all lands for which patents or interim conveyances have been issued have been dedicated by Native corporations for jurisdiction under the Commission, the President and the Governor, in filling those vacancies, shall appoint a Native (as that term is defined in the Alaska Native Claims Settlement Act) to fill the respective vacancy, and thereafter, as long as such lands remain so dedicated, at least one of such members appointed pursuant to subparagraph (B) and subparagraph (C) of subsection (a)(1) shall be a Native.

(b) (1) The Chairman shall be compensated at a rate to be determined by the president not to exceed the rate provided for GS-18 of the General Schedule under Section 5332 of Title 5, United States Code.

(2) All other members of the Commission shall be compensated at a rate to be determined by the President,

after consultation with and concurrence by the Governor of Alaska, not to exceed the rate provided for GS-16 of such General Schedule.

(3) Upon vouchers approved by the Chairman, all members of the Commission shall be reimbursed for necessary expenses incurred by them in carrying out their duties under this Act.

(c) The Commission, with the approval of the Chairman, is authorized to obtain the services of experts and consultants in accordance with Section 3109 of Title 5, United States Code.

(d) Members shall serve for a four-year term except that, of the initial members appointed pursuant to subparagraph (B) of subsection (a)(1), two members shall be appointed for two-year terms, and of the initial members appointed pursuant to subparagraph (C) of subsection (a)(1), two members shall be appointed for two-year terms. A vacancy in the membership shall not affect the Commission's powers but shall be filled in the manner provided in paragraph (2) of subsection (a). Any person appointed to fill a vacancy involving an unexpired term shall serve for the duration of that term. Except to the extent otherwise provided in subsection (a), members may be reappointed to serve additional terms.

(e) Six members of the Commission shall constitute a quorum, except that the Commission may establish a

lesser number for purposes of subsection (g).

(f) All Commission meetings shall be public and shall be duly noticed at least fifteen days prior to the date when the meeting is to take place.

(g) The Commission, or on its authorization, any subcommittee or member thereof, may hold such hearings, take such testimony, receive such evidence, and print such reports as are deemed necessary to carry out the functions specified in this Title.

(h) The Chairman shall have the authority, in accordance with regulations prescribed by the Commission, to create and abolish employments and position, including temporary and intermittent employments; to fix and provide for the qualification, appointment, removal, compensation, pension and retirement rights of Commission employees; and to procure needed office space, supplies and equipment.

(i) The principal office of the Commission shall be located in the State of Alaska.

(j) The federal government shall pay only 50 per centum of the costs and other expenses incurred in each fiscal year by the Commission in carrying out its duties under this Act.

(k) The Commission is authorized to use the services, equipment, personnel and facilities of Federal departments and other agencies, with or without reimbursement. Each department and agency of the Federal government shall cooperate

fully in making its services, equipment, personnel and facilities available to the Commission.

(l) The Commission is authorized to accept donations, gifts and other contributions and to utilize such donations, gifts and contributions in carrying out its functions under this Act.

(m) The Commission shall keep and maintain complete accounts and records of its activities and transactions, and such accounts and records shall be available for public inspection.

(n) The Commission shall, on or before March 1 of each year, prepare and submit to the President, the Governor of Alaska and the Congress an annual report summarizing its activities during the preceding calendar year, together with its recommendations.

Sec. 603. (a) It shall be the function of the Commission:

(1) to review resource inventories prepared by the managing agencies and other affected or concerned Federal and State agencies on lands under the jurisdiction of the Commission; and to initiate and conduct other such inventories and resource studies as may be needed;

(2) to develop comprehensive land use plans with respect to lands under the jurisdiction of the Commission;

(3) to make land classifications pursuant

to such plans, and to approve and to supervise the regulation of uses in accordance with such plans and classifications;

(4) to assure that such classifications would specifically identify lands which are suitable and open for the following primary uses:

(A) oil and gas exploration and possible development;

(B) mineral exploration and possible development;

(C) human habitation, permanent and seasonal;

(D) agricultural and aquaculture development;

(E) timber harvesting;

(F) tourism/recreational development;

(G) primitive or wilderness use;

(H) fish and wildlife habitat; and

(I) other resource uses as may be appropriate.

(5) to assist in the development and review of land-use plans for lands selected by Native corporations under the terms of the Alaska Native Claims Settlement Act which may not be designated for jurisdiction by the Commission; ~~to assist in the development and review of land use plans for State lands not designated for jurisdiction by the Commission;~~ and to assist in the development and review of land-use plans of municipal governments;

(6) to review existing withdrawals of Federal public lands and recommend to the President and Congress such additions to or modifications of such withdrawals as the Commission deems appropriate;

(7) to make recommendations to the President and the Governor regarding the programs and budgets of the Federal and State agencies responsible for the administration of the public lands of the United States and the State of Alaska;

(8) to make recommendations, from time to time, to the President, Congress and the Governor and the Legislature of the State of Alaska as to changes in laws, policies and programs relating to the public lands which the Commission deems necessary or desirable;

(9) to make recommendations to the appropriate officers of the governments of the United States and the State of Alaska to develop general plans which would insure that economic growth and development are orderly, planned and compatible with State and national economic, social and environmental objectives;

(10) to make recommendations to appropriate officers of the United States, the State of Alaska and municipal officials to improve coordination and consultation between the Federal, State and municipal governments in making resource allocations and land use decisions;

(11) to coordinate the implementation by Federal and State agencies the provisions of the following laws as they may affect lands under the jurisdiction of the Commission:

(i) Federal Water Pollution Control Act as amended;
(ii)Clean Air Act as amended;
(iii) Solid Waste Disposal Act;
(iv) National Environmental Policy Act of 1969;
(v) Coastal Zone Management Act of 1972 as amended;
(vi) Safe Drinking Water Act;

In order that Commission may review all pertinent actions in regard to the above mentioned laws, to insure that conflicts do not occur between the rules, regulations, or policies of the various federal and state agencies involved with the implementation of these laws, and to insure that uses being permitted under these laws are consistent with the overall land use plans and classifications developed by the Commission for particular lands under their jurisdiction, the federal agencies authorized with the administration of the various provisions of the above-described laws shall provide the Commission with copies of all orders, notices, or other material initiated by the agency concerning the implementation of the above-mentioned laws affecting any lands under the jurisdiction of the Commission.

Prior to the finalization of any rule, regulation, stipulation, policy or other action affecting uses of lands under the jurisdiction of the Commission, any federal agency authorized to implement terms or provisions of the above-mentioned laws shall solicit and receive comments on the proposed action from the Commission. The agency or Department shall take whatever actions or make modifications as are reasonable and in keeping with the provisions of the above-mentioned laws to obviate conflicts or problems which the Commission may identify in its comments.

(12) to determine the location of specific routes or corridors which would serve identified regional, statewide or national transportation or utility needs; approve rights-of-way across lands under its jurisdiction and make specific recommendations to the appropriate Federal or State officer or private landowner where such rights-of-way would cross lands not under the Commission's jurisdiction, and in

connection therewith the Commission shall evaluate alternative routes and modes and shall seek to recommend prudent and feasible routes and corridors which minimize environmental impacts.

(b) With respect to the uses under paragraph (4) of subsection (a), the Commission shall have the authority to pursue such uses on a lease basis under such terms as it may prescribe or under applicable provisions of the public land laws.

(c) With respect to all Federal lands subject to the jurisdiction of the Commission, the Secretary may veto a decision of the Commission. With respect to all State lands subject to the jurisdiction of the Commission, the Governor of Alaska may veto a decision of the Commission. With respect to any lands owned by Native corporations subject to the jurisdiction of the Commission, either the Secretary or the Governor may veto a decision by the Commission.

(d) Federal, State and Native corporation lands under the jurisdiction of the Commission shall continue to be managed by the respective agencies established under Federal and State law, and in the case of corporation lands, by the respective corporation owner, provided that uses shall be regulated in accordance with classifications made by the Commission. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use management decisions made by an agency shall be in accordance with the laws

and regulations which generally govern the functions of such agency.

(e) Lands under the jurisdiction of the Commission shall be withdrawn from all forms of disposition or appropriation under Federal or State public land laws, including mining and mineral leasing laws, until a land use plan has been completed for the particular area by the Commission and classifications imposed in regard to permissable land uses.

(f) In performing the functions described in Section 103 (a) the Commission shall hold public hearings in the specific locale or region for which specific land use plans, classifications or actions are being proposed or considered.

Sec. 604. Notwithstanding any other provision of law, Federal participation in the Joint Federal-State Land Use Planning Commission for Alaska, established in Section 17(a) of the Alaska Native Claims Settlement Act, shall cease 180 days following the date of enactment of this Act or upon establishment of the Commission provided for in Section 101 of this Title, whichever first occurs. Immediately upon termination of Federal participation, all unexpended funds appropriate to the Joint Commission and all property shall be returned, as appropriate, to the United States and the State of Alaska, unless the Commission provided for in Section 101 of this Title has been established, in which case all Federal funds and property shall be transferred to the Commission.

Sec. 605. (a) On or before the ninety-day period immediately preceding the date of the expiration of the ten calendar year period following the date on which the Commission takes effect, the Secretary of the Interior shall report to the President and the Congress with respect to the Secretary's views and recommendations concerning the desirability or non-desirability of continued Federal participation in the Commission.

(b) Unless otherwise hereafter provided by law, Federal participation in the Commission shall terminate upon the expiration of the ten calendar year period following the date on which the Commission takes effect.

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TITLE VII-SUBSISTENCE

Findings

Sec. 701. The Congress finds and declares that-

(1) The continuation of subsistence uses by Natives of Alaska on the public lands and on their Native lands is essential to their physical, economic, and cultural existence.

(2) The continuation of subsistence uses by some other residents of the State of Alaska on the public lands is essential to their physical, economic, and traditional existence.

(3) The situation in Alaska is unique in that, in most cases, no practical alternative means are available to replace the food supplies and other items gathered from fish and wildlife which supply persons dependent on subsistence uses.

(4) Continuation of subsistence uses of resources on public and other lands in Alaska is threatened by the increasing population of Alaska, with resultant pressure on subsistence resources, by sudden decline in the populations of some wildlife species which are crucial subsistence resources, and by increased accessibility of

(5) In order to fulfill the policies and purposes of the Alaska Native Claims Settlement Act, and as a matter of equity, it is necessary for the Congress to invoke its constitutional authority over Native affairs and over management of the public lands to protect and continue subsistence uses on public lands by Alaska Natives and other Alaska residents.

(6) The national interest in the proper regulation, protection, and conservation of fish and wildlife on the public lands in Alaska and the continuation of the opportunity for a subsistence way of life by the inhabitants of Alaska require that an administrative structure be established for the purpose of enabling people who have personal knowledge of local conditions and requirements to have a meaningful role in the management of fish and wildlife (including habitat) and of subsistence uses on the public lands in Alaska.

Policy

Sec. 702. It is hereby declared to be the policy of Congress that-

(1) It is the purpose of this title to ensure that management policies on the public lands in Alaska will cause the least adverse impact possible on rural people who traditionally and consistently depend upon

constraints of sound biological management and the purposes for which conservation system units are established, designated, or expanded by or under this Act, the purpose of this title is to provide the opportunity for people engaged in a genuinely subsistence-oriented lifestyle to continue to do so if they desire and to allow such people to decide for themselves their own degree of subsistence dependency and the rate at which acculturation or adjustment to a nonsubsistence way of life may take place.

(2) Subsistence use of wildlife and other renewable resources shall be the first priority consumptive use of all such resources on the public lands of Alaska, and where it is necessary to restrict taking in order to assure the continued viability of a fish or wildlife resource or the continuation of subsistence uses of such resource, the taking of such resource for subsistence uses shall be given preference on the public lands over recreational, sport, or other consumptive uses.

(3) Except as otherwise provided by this Act or other Federal laws, Federal land managing agencies, in managing subsistence activities on the public lands and in protecting the continued viability of all wild renewable resources in Alaska, shall cooperate with

Corporations, appropriate State and Federal agencies, and other nations.

Definition

Sec. 723. As used in this Act, the term ''subsistence uses'' means customary and traditional uses in Alaska of wild, renewable resources for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation, for the making and selling of handicraft articles including clothing, or for the customary trade or barter among subsistence users for personal or family consumption. Such uses may provide nominal cash supplement.

State Regulation

Sec. 724. (a) Except as otherwise provided by this Act and other Federal laws, during an interim period of 18 months beginning on the date of the enactment of this Act, the State of Alaska is authorized to regulate, in a manner not inconsistent with the policies set forth in section 722, the taking of fish and wildlife for subsistence uses on the public lands in Alaska. If the State fails to accept such authority, the Secretary shall regulate such taking during such period in a manner not inconsistent with such plicies.

(b) At the end of the 18-month interim period, the State of Alaska is authorized to regulate, in a manner consistent with the provisions of this Act, the taking of fish and

If the State fails to accept such authority, the Secretary shall regulate such taking in a manner consistent with the provisions of this Act, including applicable provisions of ~~this section concerning State regulation~~.

(c) If the State wishes to exercise the authority conferred under paragraph (b) of this section, then within 18 months after the date of the enactment of this Act, the Governor of the State of Alaska shall submit to the Secretary a State program which shall include at least the following elements:

~~(1) A management plan which has as its central elements (A) the maintenance of the continued viability of the populations of fish and wildlife species on the public lands, and~~ (1) a system capable of monitoring subsistence and other consumptive uses of such species to ensure that timely and appropriate State action will be taken to carry out the purposes and policies of this title.

(2) The establishment of not less than five or more than twelve fish and game management regions which, taken together, shall include all public lands where the State is exercising regulatory authority under this title. After consultation with the Secretary, the Native Corporations, rural residents, and other

time determine the number and boundaries of such regions taking into account the exterior boundaries of Native Corporations, State fish and game management unit boundaries, ecosystems, the migration and movement of fish and wildlife utilized for subsistence purposes, the boundaries of boroughs, cities, towns, and unincorporated municipalities, and other relevant factors.

(3) A State law or regulation which-

~~(A) provides for the regulation of the taking of fish and wildlife on the public lands by a professionally staffed State agency which has an administrative structure compatible with the provisions of this section and which has adequate enforcement authority;~~

(A) provides priority for subsistence uses over other consumptive uses of fish and wildlife on the public lands; and

(B) provides that, when it is necessary to restrict the taking or other consumptive uses of subsistence resources in order to protect the continued viability of such resources or the continuation of subsistence uses of such resources, restrictions and limitations on and priorities for

basis of the following criteria: (i) customary and direct dependence upon the resource as the mainstay of one's livelihood, (ii) local residency, and (iii) availability of alternative resources.

(4) A system of local and regional fish and game councils within each management region referred to in paragraph (3). Each such council shall be composed of residents of the concerned region and shall have the following functions:

(A) Reviewing, developing, and evaluating proposals for regulations, policies, management plans, and other matters relating to the conservation and utilization of fish and wildlife in such region.

(B) Providing a forum for the expression of opinions and recommendations by persons interested in any phase of fish and game conservation and utilization.

(C) Maximizing local and regional participation in the fish and wildlife decisionmaking process.

(D) Preparing a subsistence management plan ~~for such region~~ or a general fish+wildlife management plan which includes subsistence uses for such region. The plan shall ~~be updated annually and shall~~ contain (i) an identification of current and anticipated subsistence uses of fish and wildlife in

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(B) Providing a forum for the expression of opinions and recommendations by persons interested in any phase of fish and game conservation and utilization.

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(B) Providing a forum for the expression of opinions and recommendations by persons interested in any phase of fish and game conservation and utilization.

(C) Maximizing local and regional participation in the fish and wildlife decisionmaking process.

(D) Preparing a subsistence management plan ~~for such region~~ or a general fish+wildlife management plan which includes subsistence uses for such region. The plan shall ~~be updated annually and shall~~ contain (i) an identification of current and anticipated subsistence uses of fish and wildlife in

anticipated subsistence needs for fish and wildlife in such region, (iii) a subsistence management strategy for fish and wildlife resources of such region, and (iv) proposals for policies, standards, guidelines, and regulations necessary to implement the plan.

(5) The ~~assignment of adequate and~~ provision of necessary staff to the regional councils and the distribution of all available, relevant technical and scientific support data to the local and regional councils.

(6) A requirement that the State agency referred to in paragraph (3)(A) or any other rulemaking authority shall adopt recommendations of the regional councils concerning the taking of fish and wildlife within their respective regions unless any such recommendation is not supported by substantial evidence, is violative of recognized principles of sound fish and wildlife management, or would be detrimental to the satisfaction of local subsistence needs.

(7) A requirement that if a recommendation of a regional council is rejected by the State agency referred to in paragraph (3)(A) or any other rulemaking authority, such agency or authority shall make findings of fact detailing the basis for its failure to adopt the

(d) The Secretary shall issue a certificate of approval for the State program and publish such program in the Federal Register if he finds that such program complies with the provisions of this section and is well adapted to achieve the purposes and policies of this Act. If the Secretary is unable to make such finding, he shall so notify the State and shall afford the State an opportunity to modify its program under a procedure similar to the procedure set forth in section 705. If the State fails to submit a State program within the 18-month period established in section 704(b), the State shall be deemed to have failed to accept the authority to regulate the taking of fish and wildlife on public lands in Alaska granted by this section.

Enforcement Duties of Secretary of the Interior

Sec. 705. (a) After issuance of a certificate of approval under section 704(d) of this title, the Secretary of the Interior shall monitor the implementation of the State program. If the Secretary determines that the program or its implementation is not in compliance with the requirements, purposes, or policies of this Act, he shall so notify the State and shall indicate changes in its program or its implementation which he considers necessary to bring the State into compliance.

In his review the Secretary shall consult with the local and regional councils referred to in Section 704(c)(4).

(b) Following any such notification of deficiencies in the State's program by the Secretary, the Secretary shall afford the State a hearing pursuant to the Administrative Procedures Act. If, after such hearing, the Secretary is not satisfied that the State is compliance with the provisions of this Act he shall issue a final notification to the State specifically indicating those provisions which he deems the State not to be in compliance with and indicating specific actions he believes the State need take to be in compliance with the provisions.

(c) If, after a reasonable opportunity, the State fails to make the changes in its program or its implementation as indicated by the Secretary of the Interior under subsection (b) of this section, the Secretary may temporarily suspend, in whole or in part, the certificate of approval issued under Section 704(d). Following any such temporary suspension, the Secretary shall afford the State an opportunity to appeal such temporary suspension. Within 30 days after receipt of such appeal, the Secretary shall afford the State a hearing pursuant to the Administrative Procedures Act, and within 30 days after such hearing, shall make his final decision of such appeal. If the Secretary

finds the State is in compliance with the State program and the requirements, purposes, and policies of this Act, he shall revoke his temporary suspension. If the Secretary finds the State is not in such compliance, he may suspend the certificate in whole or in part. Upon any such suspension, the Secretary of the Interior (or, as to lands under his jurisdiction, the Secretary of Agriculture) shall assume, in accordance with the requirements, purposes, and policies of this Act (including applicable provisions of section 704 pertaining to State regulation), responsibility for the regulation of taking of fish and wildlife on the public lands to which such suspension applies, until such time as the Secretary revokes such suspension or certifies that the State is in compliance with respect to such public lands.

(d) Notwithstanding any other provision of law, the Secretary, after adequate notice and public hearing, may temporarily close any of the public lands in Alaska (including those within a conservation system unit) or any portion thereof to subsistence or other uses when necessary for reasons of public safety or to assure the continued viability of one or more fish or wildlife species.

Cooperative Arrangements

Sec. 706. The Secretary is authorized to enter into cooperative agreements or otherwise cooperate with other

Federal agencies, the State of Alaska, Native corporations, and other appropriate persons and organizations (including, through coordination with the Secretary of State, and other nations) to effectuate the purposes and policies of this title.

Subsistence and Land Use Decisions

Sec. 707. In determining whether to withdraw, reserve, lease, or otherwise permit the use, occupancy, or disposition of public lands under any provision of law authorizing such actions, the head of the Federal agency having primary jurisdiction over such lands or his designee shall evaluate the subsistence needs of the persons who would be affected, the availability of other lands for the purposes sought to be achieved, and other alternatives which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes. No such withdrawal, reservation, lease, permit, or other use, occupancy, or disposition of such lands which would significantly restrict subsistence uses shall be effected until the head of such Federal agency-

(1) gives notice to the appropriate local and regional councils described in section 704(c)(4) if such councils have been established,

(2) gives notice of, and holds, a hearing in the vicinity of the area involved, and

(3) determines that such significant restriction of subsistence uses is necessary and unavoidable.

Access

Sec. 708. The Secretary shall ensure that persons engaged in traditional or customary subsistence activities shall have appropriate access to subsistence resources on the public lands.

Snowmobiles and Motorboats

Sec. 709. Notwithstanding any other provision of this Act or other law, the Secretary shall permit appropriate use for subsistence purposes of snowmobiles, motorboats, and other means of surface transportation traditionally employed for such purposes, on the public lands, subject only to such reasonable regulations as are necessary to prevent abuse, waste, or damage to terrain or other natural values.

Research

Sec. 710. The Secretary of the Interior and the Secretary of Agriculture shall each undertake research on fish and wildlife and subsistence activities on the public lands, seek data thereon from subsistence users, consult such users frequently, and make findings concerning such research available to the State of Alaska, the local and regional councils described in section 724(b)(5), subsistence users, and other appropriate persons and organizations.

Periodic Reports

Sec. 711. Within five years after the date of the enactment of this Act and every two years thereafter, the Secretary of the Interior, in consultation with the Secretary of Agriculture, shall prepare and submit a report to the President of the Senate and the Speaker of the House of Representatives on the current status of fish and wildlife and subsistence and other uses of those resources on the public lands. The report shall include the following:

(1) An evaluation of the performance of the State of Alaska, if the State is then regulating the management and taking of fish and wildlife under this title.

(2) The status of fish and wildlife populations on the public lands.

(3) The number of persons engaged in subsistence uses and in other uses of fish and wildlife on the public lands.

(4) The status of subsistence uses in the economy and culture of rural Alaska.

(5) Any comments on the report made by the State of Alaska, the local and regional councils described in section 704(c)(4), and other appropriate persons and organizations.

(6) A description of those actions taken, or which

may need to be taken in the future, to permit the continuation of subsistence activities on the public lands, as well as recommendations for any legislation the Secretary deems desirable.

The report shall be published in the Federal Register and made available to the public.

Regulations

Sec. 712. The Secretary of the Interior and the Secretary of Agriculture shall each prescribe such regulations as are necessary and appropriate to carry out their respective responsibilities under this title.

Other Laws

Sec. 713. Nothing in this title shall be deemed to modify or repeal the provisions of the Fur Seal Act of 1966 (16 U.S.C. 1151 et. seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et. seq.), the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et. seq.), the Bald and Golden Eagles Protection Act (54 Stat. 250; 16 U.S.C. 668), the Fish and Wildlife Act of 1956 (70 Stat. 1119), the Migratory Bird Treaty Act (16 U.S.C. 701 et. seq.), or the Airborne Hunting Act (P.L. 92-159, as amended).

Limitations

Sec. 714. (a) Nothing in this title shall be construed as granting any property right in any fish, wildlife, or other resource of the public lands in Alaska.

(b) Nothing in this title shall be construed as permitting any subsistence use of the resources of any portion of the public lands (including any unit of the National Park System) where any such use was prohibited on the date of the enactment of this Act.

Reimbursement to State

Sec. 715(a). Upon the issuance of a certificate of approval described in Section 704(d) of this Title, the Secretary is authorized to reimburse the State agency described in Section 704(c)(3)(A), from funds appropriated for the Department of the Interior, for costs relating to the implementation of the State program. Sums paid under this section shall be in addition to any grants, payments or other sums to which the State is entitled under existing law. The purpose of such reimbursements shall be to assist the State in developing and implementing the State program described in Section 704. Such reimbursements shall not exceed 50 per centum of the costs of the program's development, implementation or support, as verified in such statement as the Secretary determines to be an adequate, accurate account.

(b) No reimbursements shall be paid under this Section for any costs incurred by the State during the period of a temporary or other suspension of the State program under Section 705.

(c) Total payments to the State under this Section shall not exceed the sum of $5 million in any one fiscal year.

(d) The Secretary shall periodically review the financial aspects of implementation of the State program, and shall advise the Congress at least once in every ten years as to the sufficiency of funds authorized by this Section to the proper implementation of the State program.

(e) In the event that adequate funds, are not appropriated for a particular fiscal year, the Secretary and the State shall, after public hearing, prioritize the requirements of this Title consistent with the policy and purposes of the Title and the availability of funds.

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TITLE VIII - Native + State Land Conveyance

Conveyance of Core Township Lands

Sec. 801. (a)(1) Except to the extent that conveyance of a surface estate would be inconsistent with section 22(1) of such Act there is hereby conveyed to and vested in each Village Corporation (other than those Village Corporations to which the provisions of paragraph (2) of this subsection apply) for a village which has, by the date of enactment of this Act, been determined to be eligible for land pursuant to the Alaska Native Claims Settlement Act all of the right, title, and interest of the United States in and to the surface estate in the township or townships withdrawn for that village pursuant to section 11(a)(1)(A) or section 16(a) of such Act in which all or any part of that village is located.

(2) There is hereby conveyed to and vested in each Village Corportion which has, by the date of enactment of this Act, elected to acquire title to any estate pursuant to section 19(b) of the Alaska Native Claims Settlement Act all right, title, and interest of the United States in and to

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those estates in a reserve set aside with respect to such Corporation referred to in such section.

(3) There is hereby conveyed to and vested in the appropriate Regional Corporation all of the right, title, and interest of the United States in and to the subsurface estate to which each Regional Corporation is entitled under the Alaska Native Claims Settlement Act by reason of the vesting of title under paragraph (1) of this subsection.

(b) As soon as possible after the date of enactment of this Act, the Secretary shall issue to the Native Corporations referred to in subsection (a) interim conveyances or patents to the lands identified in such subsection, but title shall be deemed to have passed on the date of enactment of this Act, notwithstanding any delay in the issuance of the interim conveyances or patents.

(c) A Village Corporation's obligation to reconvey lands under section 14(c) of the Alaska Native Claims Settlement Act shall arise only upon receipt of an interim conveyance or patent under subsection (b) of this section or under such Act. For purposes of sections 14(c), 14(f), and 22(g) of the Alaska Native Claims Settlement Act, interim conveyances and patents issued pursuant to this Act shall have the same effect as if issued pursuant to sections 14(a) and 14(b) of the Alaska Native Claims Settlement Act and shall be deemed to have been so issued. Disputes between or among Native

Corporations arising from conveyances under this Act shall be resolved in the same manner as described in section 12(e) of the Alaska Native Claims Settlement Act with respect to disputes over land selection rights and the boundaries of Village Corporations.

(d) With respect to all conveyances made by sections 801 and 802 of this Act, the provisions of the first two sentences of section 14(g) of the Alaska Native Claims Settlement Act, pertaining to valid existing rights, apply as if such conveyances were made under the Alaska Native Claims Settlement Act.

Other Conveyances to Native Corporations

Sec. 802. (a) If a Native Corporation qualified to receive land under the Alaska Native Claims Settlement Act wishes to utilize the expedited conveyance procedure of this section, then, within 180 days after the date of enactment of this Act, such Corporation shall file with the Secretary a document or documents which shall identify such Corporation's priorities for the conveyance of all their entitlement to lands under the Alaska Native Claims Settlement Act, other than those lands to which the provisions of section 801(a) of this Act apply.

(b)(1) Within 180 days after the filing of a priority identification by a Native Corporation under subsection (a) of this section, the Secretary shall-

(A) determine the extent to which each land selection contained in such priority identification is valid under the Alaska Native Claims Settlement Act; and

(B) subject to the provisions of subsection (c) of this section, determine the amount of such Corporation's total land entitlement under such Act, excluding land entitlements of such Corporation to which the provisions of section 821(a) of this Act apply.

Except as provided in paragraphs (2) and (3) of this subsection, or the tenth day following the making of such determinations, all of the right, title, and interest of the United States in and to the lands to which such Corporation is entitled according to such determinations and in accordance with such priority identification shall vest in and be conveyed to such Corporation.

(2) In any case in which the Secretary determines under paragraph (1)(A) of this subsection that a land selection-

(A) which is contained in the pricrity identification of a Native Corporation filed under subsection (a) of this section, and

(B) which appears in such priority identification at a level where the cumulative total of acreages of valid land selections ranked above such selection does not exceed the amount of such Corporation's total land entitlement determined under paragraph (1)(B) of this

subsection,

is ~~valid~~ invalid, total amount of lands conveyed by paragraph (1) of this subsection shall be reduced by an acreage which equals the acreage of the land selection determined to be invalid.

(3) In any case in which the Secretary, before the conveyance of lands to a Native Corporation by paragraph (1) of this subsection, determines that a Native Corporation's land selection described in subparagraphs (A) and (B) of paragraph (2) of this subsection is subject to valid selections under the Alaska Native Claims Settlement Act by one or more other Native Corporations, the total amount of lands conveyed by paragraph (1) of this subsection shall be reduced by an acreage which equals the acreage of the land selection determined to be validly selected by such other Corporations.

(4) Any reduction made under paragraph (2) or (3) of this subsection shall be effective until—

(A) the concerned Native Corporation accepts the Secretary's determination in writing;

(B) a final decision is rendered upon any contest by such Corporation of the Secretary's determination; or

(C) a final settlement or final decision settling the concerned contest among such Corporation and other Native Corporations is rendered.

On the tenth day following the occurrence of any one of the

events listed in the preceding sentence, all right, title, and interest of the United States in and to the lands to which such Corporaton is entitled as a result of such occurrence and in accordance with the priority identification filed by such Corporation under subsection (a) and the provisions of paragraph (1) of this subsection shall vest in and be conveyed to such Corporation.

(5) Within 90 days after the date of a conveyance under paragraph (1) or (4) of this subsection, the Secretary shall issue to the concerned native Corporation itserim conveyances or patents to the lands subject to such conveyance, but title shall be deemed to have passed on the date of such conveyance, notwithstanding any delay in the issuance of this itnerim conveyances or patents.

(c) In any case in which the land entitlement of a Native Corporaton under the Alaska Native Claims Settlement Act (other than the land entitlements of such Corporation to which the provisions of section 801(a) of this Act apply) has not been or cannot be precisely determined on the date of enactment of this Act, the Secretary shall determine such Corporation's minimum entitlement under the Alaska Native Claims Settlement Act and shall publish this figure in the Federal Register within 90 days after the date of enactment of this Act. Such minimum land entitlements shall be redetermined and any change therein published in the Federal

Register not less frequently than every six months thereafter. For purposes of subsection (b) of this section, the land entitlement under the Alaska Native Claims Settlement Act of any such Native Corporation shall be the most recent minimum figure published in accordance with this subsection until the total land entitlement of such Corporation is finally determined.

(d) Within 180 days after the date of each determination and redetermination made under subsection (c) of this section, the Secretary shall issue to the concerned Native Corporation interim conveyances or patents to those additional lands to which such Corporation, as a result of such determination or redetermination and in accordance with the priority identification made by such Corporation under subsection (a) of this section, is entitled under subsection (b) of this section, but title shall be deemed to have passed on the date of such determination or redetermination, notwithstanding any delay in the issuance of the interim conveyances or patents.

(e) Wh

conveyance procedure under Subsection (a) of this Section, the Secretary shall, at the time he determines the entitlement and validity of priority selections pursuant to subsection (b)(1) of this section, reduce the total excess land selections of such corporation to twenty-five percent of the amount of remaining land entitlement to which the corporation has not yet received all right, title and interest of the United States. Upon subsequent receipt by such corporation of all right, title and interest of the United States to other lands toward fulfillment of its entitlement, the excess land selections of such corporation shall be reduced pro rata to maintain a total of excess selections of twenty-five percent of the remaining entitlement which has not yet been conveyed to such corporation.

(e) For purposes of this section and sections 801(c) and 803 of this title, the term ''Native Corporation'' means any Village Corporation, any Regional Corporation, and any native group as such term is defined in section 3(d) of the Alaska Native Claims Settlement Act.

Administrative Provisions

Sec. 823. (a) Any other provision of law to the contrary notwithstanding, no conveyance of lands by section 821(a) of this Act made to a Village Corporation shall be subject to any easement, except an easement required to be reserved pursuant to section 14(g) of the Alaska Native Claims Settlement Act.

(b) With respect to Native lands (other than those lands conveyed by section 821(a) of this Act) hereby or hereafter conveyed, the Secretary shall only reserve those easements which are of a type described in section 14(g) or 17(b)(1) of the Alaska Native Claims Settlement Act.

(c) Whenever, after conveyances have been made pursuant to this Act or the Alaska Native Claims Settlement Act, the Secretary determines that an easement not reserved at the time of conveyance is required for any purpose specified in section 17(b)(1) of the Alaska Native Claims Settlement Act, he is authorized to acquire such easement by purchase or otherwise. The acquisition of such an easement shall be deemed a public purpose for which the Secretary may exercise his exchange authority pursuant to section 22(f) of the Alaska Native Claims Settlement Act.

withdrawn for selection by the Corporation under the Alaska Native Claims Settlement Act and to which no valid third-party rights have attached. To the extent lands described in the preceding sentence are insufficient to satisfy the entitlement of the Corporation to additional land under paragraph (2) of this subsection, the Secretary shall make available for selection by the Corporation other lands of like kind and character from the nearest available public lands which are outside the boundaries of a conservation system unit.

(d) Offers for noncompetitive oil and gas leases pursuant to the Mineral Leasing Act of 1920, as amended, which were filed over-the-counter or by simultaneous drawing but not accepted or approved on or before January 1, 1970, on lands selected by and conveyed to Native Corporations as part of their entitlement under the Alaska Native Claims Settlement Act shall not constitute a valid existing right within the meaning of section 14(g) of such Act or under this Act.

(e) This Act is not intended to modify, repeal, or otherwise affect any provision of the Act of January 2, 1976 (P.L. 94-224; 89 Stat. 1145), and shall not impose any additional restriction on the use or management of those lands described in section 22(k) of the Alaska Native Claims Settlement Act.

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Sec. 805 State of Alaska Land Selections and Conveyances.

(a) In furtherance and confirmation of the State of Alaska's entitlement to certain National forest and other Public lands in Alaska for community development and expansion purposes, Section 6(a) of the Act of July 7, 1958, 72 Stat. 339, as amended, hereinafter referred to as the Alaska Statehood Act, is amended in part by addition of the following provision immediately following the last sentence of said subsection: "The State is hereby provided a ten-year extension of the time limit originally specified in this Act, that is, until January 3, 1994, within which to select its land entitlement under this subsection in its entirety."

(b) In furtherance and confirmation of the State of Alaska's entitlement to certain public lands in Alaska, Section 6(b) of the Alaska Statehood Act is amended in part by addition of the following provisions immediately following the last sentence of said subsection:

(1). The State is hereby provided a ten-year extension of the time limit originally specified in this Act, that is, until January 3, 1994, within which to select its land entitlement under this subsection in its entirety.

(2). The proviso regarding Presidential approval of land selections north and west of that line described in Section 10 of this Act is hereby repealed.

(c) The State of Alaska is hereby granted and shall be entitled to select until January 3, 1994, from surveyed or unsurveyed federal lands which are vacant, unappropriated and unreserved at the

time of their selection, those school indemnity lands to which the Territory of Alaska was entitled under Section 1 of the Act of March 4, 1915, as amended by the Act of March 5, 1952, and the Act of August 27, 1958, 72 Stat. 928; Provided, however, that this entitlement of the State to school indemnity lands is limited to lands in lieu of surveyed sections made unavailable for school reservation purposes by prior Federal disposal, appropriation or reservation for other purposes as of July 7, 1958, and shall not exceed 80,000 acres. The provisions of the Act of February 28, 1891 (26 Stat. 791, 43 USC Sec. 852), as amended, are made applicable to the selection and conveyance of indemnity lands granted by this subsection, insofar as such Act does not conflict with this subsection.

(d) All tentative approvals of State of Alaska land selections pursuant to the Alaska Statehood Act are hereby ratified and confirmed, subject only to valid existing rights and to land conveyances made pursuant to lawful selections filed by Native village corporations on or before December 18, 1974, pursuant to Sections 12(a) or 12(b) of the Alaska Native Claims Settlement Act, 85 Stat. 688 (1971), as amended, and the United States hereby confirms that all right, title and interest of the United States in and to such lands is deemed to have vested in the State of Alaska as of the date of tentative approval.

(1). Upon approval of land survey by the Secretary, such lands shall be patented to the State of Alaska.

(2). If the State elects to receive patent to any of the lands which are the subject of this subsection on the basis of protection surveys in lieu of field surveys, the Secretary shall issue patent to the State on that basis within six months after notice of such election.

(3). Future tentative approvals of State of Alaska Land Selections, when issued, shall have the same force and effect, and shall be treated in the same manner as those existing tentative approvals specified in this subsection.

(e) All valid State of Alaska land selections heretofore made pursuant to the Alaska Statehood Act are hereby confirmed, subject only to valid existing rights, conveyances made pursuant to lawful selections filed by Native village corporations on or before December 18, 1974 pursuant to Sections 12(a) or 12(b) of the Alaska Native Claims Settlement Act, 85, Stat. 688 (1971), as amended, and tentative approval and patent pursuant to Section 6(g) of the Alaska Statehood Act.

(1). Within one year after the date of passage of this Act, the Secretary shall issue tentative approvals to such State selections as required by section 6(g) of the Alaska Statehood Act, and pursuant to subsection (j) of this section. All right, title and interest of the United States shall vest in the State of Alaska upon issuance of such tentative approvals.

(2). Upon approval of land survey by the Secretary, such lands shall be patented to the State of Alaska.

(3). If the State elects to receive patent to any of the lands which are the subject of this subsection on the basis of protraction surveys in lieu of field surveys, the Secretary shall issue patent to the State on that basis within six months after notice of such election.

(4). Future ~~levid~~ valid State of Alaska Land Selections, when filed, shall be treated in the same manner as those existing State Land Selections specified in this subsection.

(f) The State, at its option, shall be permitted to file selection applications for lands which are not, on the date of their selection, available lands within the meaning of section 6 of the Alaska Statehood Act. Each such selection application shall remain in effect as long as the State's entitlement under the specific grant remains unfulfilled, and shall become an effective selection upon the date such lands subsequently became available within the meaning of said section 6. Selections by the State made prior to the adoption of this Act shall be treated in the same manner, subject only to valid existing rights and to the provisions of the Alaska Native Claims Settlement Act, 85 Stat. 688 (1971), as amended.

(g) The State of Alaska may select lands exceeding by twenty-five per cent in total area the amount of State entitlement which has not been tentatively approved under each grant or confirmation of lands contained in the Alaska Statehood Act or other law. If its selections under a particular grant exceed such remaining entitlement, the State shall thereupon list all selections for that grant which have not been tentatively approved in desired priority order of conveyance, in blocs no larger than one township in size; Provided, however, that the State may alter such priorities prior to receipt of tentative approval. Upon receipt by the State of subsequent tentative approvals, such excess selections shall be reduced pro rata to maintain a maximum excess selection of twenty-five per cent of the entitlement which has not yet been tentatively approved to the State under each grant.

(1). The State of Alaska may, by written notification to the Secretary, relinquish any previously-filed selections of land prior to receipt by the State of tentative approval.

(2). Section 6(g) of the Alaska Statehood Act is amended in part by addition of the following provision immediately following the last sentence of said subsection: "As to all selections made by the State after January 1, 1979 pursuant to section 6(b) of this Act, the Secretary of the Interior, in his discretion, may waive the minimum tract selection size where such a reduced selection size would result in a better land ownership pattern or provide for improved land or resource management opportunities."

(h) In furtherance of its entitlement to lands under section 6(b) of the Alaska Statehood Act, the United States hereby conveys to the State of Alaska all right, title and interest of the United States in and to the following described vacant, unappropriated, and unreserved lands:

Description of Lands Listed Here

(i) Lands identified in subsection (h) shall be conveyed to the State subject to valid existing rights. All right, title and interest of the United States in and to such lands shall vest in the State of Alaska as of the date of this Act.

(1). Within one year after the date of passage of his Act, the Secretary shall issue to the State tentative approvals to such lands as required by section 6(g) of the Alaska Statehood Act and pursuant to subsection (j) of this section.

(2). Upon approval of land survey by the Secretary, those lands identified in subsection (h) shall be patented to the State of Alaska.

(3). If the State elects to receive patent to any of the lands which are identified in subsection (h) on the basis of protraction surveys in lieu of field surveys, the Secretary shall issue patent to the State on that basis within six months after notice of such election.

(j) Nothing contained in this section shall relieve the Secretary of the duty to adjudicate conflicting claims regarding the lands specified herein or otherwise selected under authority of the Alaska Statehood Act prior to the issuance of tentative approval, pursuant to the requirements of that Act and this section.

(k) The following withdrawals, classifications, or designations shall not, of themselves, remove the lands involved from the status of "vacant, unappropriated, and unreserved" lands for the purposes of this Act and the Alaska Statehood Act:

(1). Withdrawals for classification pursuant to section 17(d)(1) of the Alaska Native Claims Settlement Act, 85 Stat. 688 (1971), as amended;

(2). Withdrawals pursuant to section 17(d)(2) of said Act;

(3). Withdrawals pursuant to section 11 of said Act, and which are not conveyed pursuant to sections 12, 14, or 19 of said Act;

(4). Classifications pursuant to the Classification and Multiple Use Act, 78 Stat. 987 (1974);

(5) Classifications or designations pursuant to the Federal Land Policy and Management Act, 90 Stat. 2743 (1976).

(1) Nothing in this Act shall alter the rights or obligations of any party with regard to section 12 of the Act of Jaunuary 2, 1976, P.L. 94-204, and sections 4 and 5 of the Act of October 4, 1976, P.L. 94-456.

ACTION TO ENFORCE: JURISDICTION

SEC. 806. For a period of three years after the date of enactment of this Act any appropriate Federal district court shall have jurisdiction to hear, consider, and decide any action brought by the State or by any Native Corporation to enforce the provision of this title and to award appropriate attorney and witness fees and other costs of litigation to the prevailing party.

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TITLE IX--TRANSPORTATION AND UTILITY RIGHTS-OF-WAY

SEC. 901(a) Notwithstanding any provisions of existing law to the contrary, the Secretary is hereby authorized to permit rights-of-way for a transportation or utility system across any lands designated under Title I, II, III, IV, or V of this Act.

(b) Upon receipt of any application for such transportation or utility right-of-way from any federal, state, or local agency, or any private person or organization, the Secretary shall afford the Commission established in Title VI of this Act the opportunity to review, study, and make recommendations on the application. ~~If, after receiving the recommendations from the~~

(c) In accordance with the provisions contained in Title VI of this Act, the Commission shall make recommendations to the Secretary regarding the approval of rights-of-way for transportation and utility systems across lands designated under Title I, II, III, IV, or V of this Act. Should the Secretary not approve a right-of-way recommended by the Commission he shall issue detailed findings which shall include the following:

(i) information indicating that the system subject to the application can not be constructed in a manner which would avoid significant damage or degradation to the natural resources and values for which the affected conservation system unit was established; and

(ii) findings that the natural values for which the unit was established and which would be potentially damaged or degraded by

the applied for transportation or utility system outweigh those public interest benefits which may be associated with development of the transportation or utility system; and

(iii) demonstration that there exists a feasible and prudent alternative to the applied for transportation or utility system which would result in less potential damage or degradation to the natural values of the conservation system unit involved or would be more compatible with the purposes for which the unit was established.

(d) Nothing contained in Section 603 (c) of Title VI relating to the veto authority of the Secretary over decisions of the Commission shall be construed as negating the Secretary's responsibilities under the terms of Section 901(c) of this Title.

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TITLE X—ADMINISTRATIVE PROVISIONS

LAND ACQUISITIONS AND EXCHANGES

SEC. 1001. (a) Except as otherwise provided in this Act, in order to carry out the purposes of this Act, the Secretary is authorized to acquire by purchase, donation, or exchange any lands within the boundaries of any conservation system unit. Land owned by the State, a political subdivision of the State, a Native Corporation, or private owner may only be acquired for such purposes with the consent of the State, political subdivision of the State, Native Corporation, or private owner.

(b) The owner of an improved property on the date of its acquisition, as a condition of such acquisition, may

retain for himself, his heirs and assigns, a right of use and occupancy of the improved property for noncommercial residential or recreational purposes, as the case may be, for a definite term of not more than twenty-five years or, in lieu thereof, for a term ending at the death of the owner or the death of his spouse, whichever is later. The owner shall elect the term to be reserved. Unless the property is wholly or partially donated, the Secretary shall pay to the owner the fair market value of the property on the date of its acquisition, less the fair market value on that date of the right retained by the owner. A right retained by the owner pursuant to this section shall be subject to termination by the Secretary upon his determination that such right is being exercised in a manner inconsistent with the purposes of this Act, and it shall terminate by operation of law upon notification by the Secretary to the holder of the right of such determination and tendering to him the amount equal to the fair market value of that portion which remains unexpired.

(d) For the purposes of this section, the term "improved property" means: (1) a detached single family dwelling, the construction of which was begun before January 1, 1977 (hereinafter in this section referred to as the "dwelling"), together with so much of the land on which the dwelling is situated, such land being in the same ownership as the dwell-

ing, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures necessary to the dwelling which are situated on the land so designated, or (2) property developed for noncommercial recreational uses, together with any structures accessory thereto which were so used on or before January 1, 1977. In determining when and to what extent a property is to be considered an "improved property", the Secretary shall take into consideration the manner of use of such buildings and lands prior to January 1, 1977, and shall designate such lands as are reasonably necessary for the continued enjoyment of the property in the same manner and to the same extent as existed prior to such date.

(c) The Secretary shall give prompt and careful consideration to any offer made by the owner of any property within a conservation system unit to sell such property, if such owner notifies the Secretary that the continued ownership is causing, or would result in, undue hardship.

(d) In acquiring lands for the purposes of this Act, the Secretary is authorized to exchange lands (including lands within the National Forest System) or interests therein (including Native selection rights) with the corporations organized by the Native groups, Village Corporations, Regional Corporations, and the corporations organized by Natives

residing in Juneau, Sitka, Kodiak, and Kenai, all as defined in the Alaska Native Claims Settlement Act, and other municipalities and corporations or individuals, the State (acting free of the restrictions of section 6(i) of the Alaska Statehood Act (72 Stat. 342)), or any Federal agency. Exchanges shall be on the basis of equal value, and either party to the exchange may pay or accept cash in order to equalize the value of the property exchanged, except that if the parties agree to an exchange and the concerned Secretary determines it is in the public interest, such exchanges may be made for other than equal value.

(f) All lands, water, and interests therein acquired by the Secretary and located within the boundaries of any conservation system unit shall become part of such unit and subject to the laws and regulations applicable to such unit.

ACCESS

SEC. 1002. (a) The Secretary shall take such actions within (or outside the boundaries of conservation system units as may be necessary, including acquiring or providing easements or other interests in lands in accordance with the provisions of section 1201, to carry out any or more of the following purposes:

(1) providing access to subsistence lands for purposes of subsistence uses under this Act;

(2) providing access for purposes of administering units of the National Park, National Wildlife Refuge, National Forest, or Wild and Scenic Rivers Systems established or expanded by this Act;

(3) providing public access to conservation system units, consistent with the purposes for which the units are established or expanded;

(4) ensuring continued public access to areas conveyed to the State, particularly in cases where such areas are enclosed by one or more conservation system units, in such manner as is established by this Act and is consistent with the purposes for which the concerned conservation system units were established or expanded; or

(5) ensuring continued access to areas conveyed to the Native Corporations by those persons entitled to such access.

(b) Except as otherwise provided in ~~section 10(c) of the Wild and Scenic Rivers Act, section 607(b), section 710, or section 1323 of this Act, or~~ any other provision of this Act, in administering the conservation system units in Alaska, the Secretary shall permit the continuation of customary patterns of travel across such units. Such travel, including the modes of travel, may be conditioned by such reasonable regulations as the Secretary shall promulgate to assure that such travel is consistent with the

purposes for which such unit was established. Before promulgating regulations under this section, the Secretary shall give at least sixty days public notice of the proposed regulations, including at least publication of the proposed regulations in a newspaper or newspapers having general circulation in each State judicial district in Alaska where the unit or units affected by the proposed regulations are located, and shall hold a public hearing or hearings concerning the proposed regulations at one or more locations convenient to the unit or units affected.

ARCHEOLOGICAL AND PALEONTOLOGICAL SITES

SEC. 1003. Notwithstanding any acreage or boundary limitations contained in this Act with respect to the conservation system units described in sections 201(2), 201(6), and 201(10), the Secretary of the Interior may acquire, by purchase, donation, or exchange any significant archeological or paleontological site in Alaska located outside of any such unit and containing resources which are closely associated with such unit. If any such site is so acquired, it shall be included in and managed as part of such unit. Property ~~owned by a State or unit of local government~~ may be acquired under this section only by donation or exchange. Not more than seven thousand five hundred acres of land may be acquired under this section for inclusion in a single conservation system unit. Before acquisition of any property

in excess of one hundred acres under the provisions of this section, the Secretary shall—

(1) submit notice of such proposed acquisition to the Committee on Interior and Insular Affairs of the House of Representatives and the Energy and Natural Resources Committee of the Senate; and

(2) publish notice of such proposed acquisition in the Federal Register.

COOPERATIVE INFORMATION CENTERS

SEC. 1004. (a) The Secretary of the Interior is authorized to establish, after consultation with other appropriate Federal agencies, on not to exceed one thousand acres of ~~Federal~~ State land at a site adjacent to the Alcan Highway, an information and education center for visitors to Alaska. The Secretary ~~shall seek~~ and the Governor of the State shall jointly participate in the program planning, construction, and operation of the center ~~from appropriate agencies of the State and~~ and shall seek participation of representatives of Native groups in Alaska and may accept contributions of funds, personnel, and planning and program assistance from such State agencies, local agencies, Federal agencies, Native representatives, and other persons for purposes of such planning, construction, and operation. Before establishing any such center on any such site, the Secretary shall notify the appropriate committees of Congress of his intention to do so. The Secretary and the State shall administer the center and its facilities in

accordance with the Act of August 25, 1916 (39 Stat. 535), and other provisions of law applicable to units of the National Park System and in accordance with such ~~special regulations~~ state laws as ~~he~~ may ~~promulgate~~ be applicable.

(b) The Secretary of the Interior is authorized to establish in both Anchorage and Fairbanks, Alaska, an information and education center for visitors to Alaska. The Secretary shall seek participation from the State, units of local government, and representatives of Native groups in Alaska and may accept contributions from State agencies, local agencies, Federal agencies, Native representatives, and other persons in the same manner and to the same extent as is authorized under subsection (a) in connection with the Alcan Highway Center. Before establishing any such center in any such city, the Secretary shall notify the appropriate committees of the Congress of his intention to do so. The Secretary is authorized to lease or acquire by purchase, donation, or exchange such property in Anchorage and Fairbanks, Alaska, as may be necessary to carry out the purposes of this subsection, except that (1) any property owned by a State or local government may be acquired for such purposes only by donation or exchange, and (2) any property owned by any other person may be acquired for such purposes only with the consent of such person.

ADMINISTRATIVE SITES AND VISITOR FACILITIES

SEC. 1005. (a) In conformity with the management plans prepared under section 1008 and the purposes of assuring the preservation, protection, and proper management of any conservation system unit, the Secretary may establish administrative sites and visitor facilities (1) within the unit, if compatible with the purposes of the unit and the other provisions of this Act, or (2) outside the boundaries of, and in the vicinity of, the unit. To the extent practicable and desirable, the Secretary shall attempt to locate such sites and facilities on Native lands in the vicinity of the unit.

(b) For the purpose of establishing administrative sites and visitor facilities under subsection (a)—

(1) The Secretary and the head of the Federal agency having primary authority over the administration of any Federal land which the Secretary determines is suitable for use in carrying out such purpose may enter into agreements permitting the Secretary to use such land for such purpose.

(2) The Secretary, under such terms and conditions as he determines are reasonable, may lease or acquire by purchase, donation, exchange, or any other method (except condemnation) real property (other than Federal land) which the Secretary determines is suitable for carrying out such purpose.

(3) The Secretary may construct, operate, and maintain such permanent and temporary buildings and facilities as he deems appropriate on land which is within, or in the vicinity of, any conservation system unit and with respect to which the Secretary has acquired authority under this subsection to use the property for the purpose of establishing an administrative site or visitor facility under subsection (a), except that the Secretary may not begin construction of buildings and facilities on land not owned by the United States until the owner of such land has entered with the Secretary into agreements the terms of which assure the continued use of such buildings and facilities to carry out the purposes of this Act.

REVENUE-PRODUCING VISITOR SERVICES

SEC. 1006. (a) Notwithstanding any other provision of law, the Secretary, under such terms and conditions as he determines are reasonable, shall permit any person who, on or before January 1, 1977, was engaged in adequately providing any type of visitor service within any area established or added to a conservation system unit to continue providing such type of service and similar types of visitor services within such area if such service or services are consistent with the purposes for which such unit is established or expanded.

(b) Notwithstanding provisions of law other than those

contained in subsection (a), in selecting persons to provide (and in contracting for the provision of) any type of visitor service for any conservation system unit, the Secretary, ~~in the following order:~~

(1) shall give preference to the Native Corporation which the Secretary determines is most directly affected by the establishment or expansion of such unit by or under the provisions of this Act; and

(2) shall give preference to persons whom he determines, by rule, are local residents.

(c) As used in this section, the term "visitor service" means any service made available for a fee or charge to persons who visit a conservation system unit, including such services as providing food, accommodations, transportation, tours, and guides.

LOCAL HIRE

SEC. 1007. (a) The Secretary shall establish a program under which any individual who, by reason of having lived or worked in or near a conservation system unit, has special knowledge or expertise concerning the natural or cultural resources of such unit and the management thereof (as determined by the Secretary) shall be considered for selection for any position within such unit without regard to—

(1) any provision of the civil service laws or regu-

(2)

lations thereunder which require minimum periods of formal training or experience,

(2) any such provision which provides an employment preference to any other class of applicant in such selection, and

(3) any numerical limitation on personnel otherwise applicable.

Individuals appointed under this subsection shall not be taken into account in applying any personnel limitation described in paragraph (3).

(b) Within one year after the date of the enactment of this Act, and annually thereafter during each of the following ten years, the Secretary shall prepare and submit to the Congress a report indicating the actions taken in carrying out the provisions of subsection (a) of this section together with any recommendations for legislation in furtherance of the purposes of this section.

MANAGEMENT PLANS

SEC. 1008. (a) At any time within five years after the date of the enactment of this Act ~~or, in the case of any conservation system unit established or expanded by title III with respect to which a wilderness review is required under section 601, at the same time the President submits his recommendation concerning such unit under such section~~

~~to the Congress~~, the Secretary shall submit, in writing, to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate plans for managing each of the conservation system units established or expanded by titles I, II, ~~and~~ III, IV, and V of this Act. At any time after submitting a plan under this subsection, the Secretary may revise such plan in accordance with the provisions of this section.

(b) The Secretary shall coordinate the development and preparation of management plans for conservation system units which have similar characteristics.

(c) Each plan described in subsection (a) shall identify management practices which will carry out the policies of this Act and will accomplish the purposes for which the concerned conservation system unit was established or expanded and shall include at least the following:

(1) Maps indicating areas of particular importance as to wilderness, natural, historical, wildlife, cultural, archeological, paleontological, geological, recreational, and similar resources and also indicating the areas into which such unit will be divided for administrative purposes.

(2) A description of the activities which will be permitted in such unit and of any restrictions or limitations which will be imposed with respect to such activi-

ties (including the maximum number of individuals who will be permitted to use such unit at any particular time for any particular purpose) and a list of the locations where such activities will be permitted.

(3) A description of the areas of potential or proposed development, indicating types of visitor services and facilities to be provided, the estimated costs of such services and facilities, and whether or not such services and facilities could and should be provided outside the boundaries of such unit.

(4) A plan for access to, and circulation within, such unit, indicating the type and location of transportation routes and facilities.

(5) A description of the programs and methods which the Secretary plans to use for the purposes of (A) encouraging the recognition and protection of the culture and history of the individuals residing, on the date of the enactment of this Act, in such unit and areas in the vicinity of such unit, and (B) providing and encouraging employment of such individuals.

(6) A plan for acquiring land with respect to such unit, including proposed modifications in the boundaries of such unit.

(7) A description (A) of privately-owned areas, if any, which are within such unit, (B) of activities

carried out in, or proposed for, such areas, (C) of the present and potential effects of such activities on such unit, (D) of the purposes for which such areas are used, and (E) of methods (such as cooperative agreements and issuance or enforcement of regulations) of controlling the use of such activities to carry out the policies of this Act and the purposes for which such unit is established or expanded.

(8) A plan indicating the relationship between the management of such unit and activities being carried out in, or proposed for, surrounding areas and also indicating cooperative agreements which could and should be entered into for the purpose of improving such management.

(d) In developing, preparing, and revising a plan under this section, the Secretary shall take into consideration at least the following factors:

(1) The specific purposes for which the concerned conservation system unit was established or expanded.

(2) Protection and preservation of the ecological, environmental, wildlife, cultural, historical, archeological, geological, recreational, wilderness, and scenic character of the concerned unit and of areas in the vicinity of such unit.

(3) Providing opportunities for native Alaskans

residing in the concerned unit and areas adjacent to such unit to continue performing in such unit activities which they have traditionally or historically performed in such unit.

(4) Activities being carried in areas adjacent to, or surrounded by, the concerned unit.

(5) The need to provide facilities & access to accommodate appreciation of the unit's values by the public.

(e) In developing, preparing, and revising a plan under this section, the Secretary shall hold at least one public hearing in the vicinity of the concerned conservation unit, hold at least one public hearing in a metropolitan area of Alaska, and, to the extent practicable, permit the following persons to participate in the development, preparation, and revision of such plan:

(1) Officials of the Forest Service, the Environmental Protection Agency, the Department of Energy, the Alaska Coordinating Council, and other Federal agencies whose activities will be affected by implementation of such plan.

(2) Officials of the State and of political subdivisions of the State whose activities will be affected by implementation of such plan.

(3) Officials of Native Corporations which will be affected by implementation of such plan.

(4) Concerned local, State, and national organizations and interested individuals.

(f) During the period beginning on the date of the enactment of this Act and ending on the date the final plan described in subsection (a) is submitted to the committees of the House of Representatives and the Senate referred to in subsection (a), the Secretary—

(1) shall keep such committees advised of the status of the plans described in subsection (a), of activities being carried out under this section, and of any information which the Department of the Interior has pertaining to any conservation system unit; and

(2) shall, at least once every twelve months, submit to such committees a report indicating the status of the plans described in subsection (a), particular problems being encountered with respect to developing such plans and managing conservation system units, and the anticipated date of submission of such plans.

SEC. 1009. As soon as practicable after this Act takes effect, a map and legal description of each conservation system unit, including each wilderness study area and each wilderness area, shall be filed with the Committee on Interior and Insular Affairs of the House of Representatives and with the Committee on Energy and Natural Resources of the Senate. Each such map and legal description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in each such legal description and map may be made. Each such map and legal description shall be on file and available for public inspection in the appropriate Offices of (1) the Director of the National Park Service, (2) the Director of the United States Fish and Wildlife Service, and (3) the Chief of the United States Forest Service, and appropriate offices of the

Alaska field directors of such services. Whenever possible, boundaries shall follow hydrographic divides or embrace other topographic features in all cases where straight line map boundaries approximate such features. Following publication of notice in the Federal Register and reasonable notice in writing to the Committee on Interior and Insular Affairs in the House of Representatives and the Committee on Energy and Natural Resources in the Senate of his intention to do so, the Secretary may make minor adjustments in the boundaries of any of the conservation system units.

MAJOR FEDERAL ACTIONS

SEC. 1010. No action concerning any conservation system unit in Alaska which is a major Federal action within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969 may be taken by the Secretary unless, in addition to meeting the other requirements of such Act, a report explaining in detail the action (and the basis and reasons therefor) and an environmental impact statement concerning such action, have been submitted to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate at least sixty days prior to the commencement of such action.

DRAFT

TITLE XI--MISCELLANEOUS

MT.MCKINLEY (DENALI) STUDY AND DEVELOPMENT

SEC. 1101. (a) The purpose of this section is to initiate a study process leading to the construction of visitor facilities in and near the expanded Denali National Park designated in Title I of this Act. It is findings of Congress that due to the superlative natural scenery associated with the expanded Denali National Park, the close proximity of this area to most of the residents of Alaska and to major transportation systems utilized by out-of-state visitors to Alaska,&the present lack of access and facilities in or near the designated additions to this unit on the south side that it is deemed necessary and desireable that authorization be made for study and construction of visitor facilities to, adjacent, and within the southern addition to the Denali National Park designated in Title I of this Act.

(b) The Secretary is authorized to enter into cooperative agreements with the State, local governments and local organizations for the purpose of conducting studies and making recommendations regarding the location, design and other factors relating to the development of facilities necessary for the provision visitor services and accommodations to, adjacent and within the Denali National Park area.

(c) Within two years of passage of this Act, the Secretary shall submit a report to Congress containing detailed

proposals for development of visitor facilities and services to, adjacent, and within the designated Denali Park unit. Such report shall include the following:

(1) the findings of an economic evaluation indicating the potential visitation and market which facilities should and could be developed for;

(2) The findings of a transportation study indicating the cost and feasibility of development of a mass transportation system connecting the unit to Anchorage, Alaska, the cost and feasibility of development of a road connecting a new development site with the existing State highway system, the cost and feasibility of connecting a new development site with the existing Alaska Railroad, the cost and feasibility of the development of an airport near the unit;

(3) the findings of an engineering study indicating the cost and feasibility of developing an interpretive center, lodging facilities, related recreational facilities (including trails and a downhill ski area), a tramway and related viewing facilities and other related visitor facilities at or surrounding a site principally located within Denali State Park adjacent the designated expanded unit. Such a study should provide a range of costs and facilities designed to accommodate up to 10,000 overnight visitors and residents with the facilities necessary to accommodate

visitors and residents on a year-round basis.

(4) the findings of environmental study indicating potential impacts of facility development, actions which would mitigate any adverse impacts on the values for which the unit was established, and plans and data for such environmental considerations as sewage disposal, domestic water supply, local climatological information, avalanche or earthquake hazards and other such environmental components;

SEC. 1102. (a) There is hereby authorized to be appropriated the amount of two million dollars ($2,000,000) to carry out the provisions of Section 1101 of this Act for fiscal years beginning after the fiscal year 1978.

(b) There is hereby authorized to be appropriated the amount of $500,000,000 for the construction of mass transit system connecting Anchorage, Alaska, with a visitor center and development site in or near the Denali National Park designated in Title I of this Act, construction of visitor center associated with related visitor facilities within Denali State Park, and the construction of a tramway to provide visitor access from a visitor center and other facilities within Denali State Park to an observation site within Denali National Park.

IDITAROD NATIONAL HISTORIC TRAIL

SEC. 1103. (The language to create a new system of historic trails within the National Trails System and to designate the Iditarod as a national historic trail would come from S.929 sponsored by Senator Gravel) .

SEC. 1104.(a) It is the findings of Congress that under the terms of the Alaska Native Land Claims Settlement Act provision was made for reconveyance of lands to occupants of land located within areas selected and conveyed to Native corporations regardless of prior legal rights, that residents on lands withdrawn under Section 17 (d)(2) of the Alaska Native Claims Settlement Act were denied an opportunity to gain legal title to their primary places of residence, and furthermore, that such residents are not inconsistent with designations of these lands within nationalconservation systems in Alaska.

(b) The Secretary is authorized to convey to any person, upon application within one year from the date of enactment of this Act, the surface estate, not to exceed 5 acres of land, of land occupied by such person as a primary place of residence for a period of time exceeding 5 years commencing prior to enactment of the Alaska Native Claims Settlement Act of 1971 and continuing to the time of enactment of this Act which may be included within the boundaries of units designated in Title I, II, III, or IV of this Act. The Secretary shall make such conveyances unless he finds

that such conveyances would result in direct, significant adverse impact on the values for which the unit was established.

KLONDIKE GOLD RUSH NATIONAL HISTORICAL PARK

SEC. ~~1302~~ 1107. The second sentence of subsection (b) (1) of the first section of the Act entitled "An Act to authorize the Secretary of the Interior to establish the Klondike Gold Rush National Historical Park in the States of Alaska and Washington, and for other purposes", approved June 30, 1976 (90 Stat. 717), is amended to read as follows: "Lands or interests in lands owned by the State of Alaska or any political subdivision thereof may be acquired only by donation or exchange, and notwithstanding the provisions of subsection 6 (i) of the Act of July 7, 1958 (72 Stat. 339, 342), commonly known as the Alaska Statehood Act, the State may include the minerals in any such transaction.".

NAVIGATION AIDS AND OTHER FACILITIES

SEC. ~~1303~~ 1106. Within the conservation system units, reasonable access to, and operation and maintenance of, existing air and water navigation aids and related facilities and existing facilities for weather, climate, and fisheries research and monitoring shall be permitted in accordance with the laws and regulations applicable to the National Park, Wildlife Refuge, National Forest, and Wild and Scenic Rivers Sys-

SCENIC HIGHWAY STUDY

SEC. 1307. (a) Subject to valid existing rights, all public lands within an area, the centerline of which is the centerline of the "Denali Highway" between Cantwell and Paxson and the "Richardson Highway" between Paxson and Gakona (as those highways are depicted on the official maps of the Department of Transportation of the State of Alaska) and the boundaries of which are parallel to the centerline and one mile distant therefrom on either side, are hereby withdrawn from all forms of entry or appropriation under the mining laws and from operation of the mineral leasing laws of the United States.

(b) During the three year period beginning on the date of enactment of this Act, the Secretary shall study the desirability of establishing a Denali Scenic Highway to consist of all or part of the lands described in subsection (a) of this section. In conducting the studies, the Secretary, through a study team which includes representatives of the National Park Service, the State, and of each Regional Corporation within whose area of operation the lands described in subsection (a) are located, shall consider the scenic and recreational values of the lands withdrawn under this section, and the importance of providing protection to

those values, as well as the desirability of providing a symbolic and actual physical connection between the national parks in south-central Alaska and the desirability of enhancing the experience of persons traveling between those parks by motor vehicles. Members of the study team who are not Federal employees shall receive from the Secretary per diem (in lieu of expenses) and travel allowances at the rates provided for employees of the Bureau of Indian Affairs in Alaska in grade GS–15.

(c) In conducting the studies required by this section, the Secretary shall consult with the State, with each Village Corporation within whose area of operation lands described in this section are located, and with the owners of any lands adjoining the lands described in subsection (a), concerning the desirability of establishing a Denali Scenic Highway. The Secretary, through the National Park Service, shall also give such public notice of the study as he deems appropriate, including at least publication in a newspaper or newspapers having general circulation in the area or areas of the lands described in subsection (a), and shall hold a public hearing or hearings at one or more locations convenient to the areas affected.

(d) Within three years after the date of enactment of this Act, the Secretary shall report to the President the results of the studies carried out pursuant to this section

together with his recommendation as to whether the scenic highway studied should be established, and which of the lands described in subsection (a) should be included therein. The President shall advise the President of the Senate and the Speaker of the House of Representatives of his recommendations with respect to creation of one or both of the scenic highways, together with maps thereof, a definition of boundaries thereof, an estimate of costs, recommendations on administration, and proposed legislation to create such a scenic highway, if creation of one is recommended.

(e) The lands withdrawn under subsection (a) of this section shall remain withdrawn until such time as the Congress acts on the President's recommendation, but not to exceed two years after the recommendation is transmitted to the Congress.

AUTHORIZATION FOR APPROPRIATION

SEC. 1308. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act for fiscal years beginning after the fiscal year 1978.

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SECTION-BY-SECTION SUMMARY
OF DRAFT CS HB 211 (Dated 4/10/78)

* SECTION I

AS 41.45.010 PURPOSE.

This section sets forth the purpose of this bill. This bill provides for the establishment of a common system of land use planning and classification for certain public and private lands in Alaska. Participation in this system is voluntary for all parties.

The effect of amendments to this section by the House Resources Committee was to; one, emphasize the authority of the Commission to classify land under its jurisdiction and not to manage those lands, and; two, emphasize the voluntary nature of participation in common management under this bill.

AS 41.45.020 POLICY.

This section states that it is state policy to accommodate to the rapidly changing demands upon land in Alaska through a flexible system of land classification for both state and federal land.

The effect of amendments to this section is to emphasize that this bill establishes a system of common classification for certain state, federal, and private lands and not a common management system.

AS 41.45.030 COMMISSION.

This section establishes the Alaska Land Commission.

AS 41.45.040 MEMBERSHIP.

The membership of the Alaska Land Commission is set at six members. Three of the six members are appointed by the Governor and confirmed by the Legislature. The Governor must designate one of the three state appointees to the Commission as state co-chairman.

The membership of the Commission was set at an even number (six) with equal number of state and federal appointees at the recommendation of Senator Ted Stevens, Representative Don Young, and members of the Federal-State Land Use Planning Commission.

AS 41.45.050 TERM.

This section establishes the term of state appointees to the Commission as four years to coincide with the term of the Governor. The effect of this section would be to ensure the accountability of state appointees to the Commission. The provisions of this section were adopted at the recommendation of the staffs of the Federal State Land Use Planning Commission and the Steering Council for Alaska Lands.

AS 41.45.060 COMPENSATION.

This section provides that the salary for the state members of the Commission is set by the Alaska Salary Commission. This amendment would put the state commissioners to the Alaska Land Commission in the same position as commissioners of the Public Utilities Commission and the Pipeline Commission.

AS 41.45.070 DUTIES.

This section enumerates the duties of the Alaska Land Commission:

1) initiate and maintain a process of land use planning and classification for state and federal land in Alaska;
2) classify lands included in common management areas;
3) establish policies and procedures to guide the operation of the Commission;
4) recommend changes in state and federal laws and regulations;
5) review resource inventories prepared for common management areas;
6) recommend procedures which would enhance cooperation between state and federal agencies;
7) recommend procedures to ensure orderly economic growth;
8) recommend changes in state and federal land policies and programs;
9) comment upon inventory, planning, classification, management, and use of state and federal lands and to provide assistance to Native corporations;
10) recommend needed modifications in existing withdrawls of state and federal land;
11) recommend to the appropriate officials amendments to the programs and budgets of state and federal agencies responsible for the administration of land in Alaska; and
12) establish citizens' advisory committees to assist the Commission in fulfilling its legislative mandate and to offer to affected parties the opportunity to comment upon proposed actions of the Commission.

The substance of this section was adopted from the mandate of the existing Federal-State Land Use Planning Commission and the recommendations of Senators Stevens, and Gravel, Representative Young, and the Federal-State Land Use Planning Commission.

AS 41.45.080 POWERS.

The Alaska Land Commission shall have the authority to:

1) classify land within a common management area;
2) enter into common management agreements with private land owners and municipal corporations;
3) enter into agreements with state and federal agencies to accomplish the work of the commission; and
4) hire employees and consultants.

The effect of amendments to this section was to clarify the authority the commission to classify, but not manage, land within common management areas, to authorize the Commission to hire staff and consultants, and to authorize the Commission to enter into agreements with private land owners and municipal corporations.

AS 41.45.090 LAND MANAGEMENT IN COMMON MANAGEMENT AREAS.

The effect of this section is to clearly distinguish between the authority of the state and federal land managing agencies to manage land and the authority of the Alaska Land Commission to classify land within a common management area.

AS 41.45.100 PROPERTY TAX EXEMPTION.

This section provides for an exemption from property taxes and special assessments for those private lands covered by a common management agreement between the land owner and the Alaska Land Commission. Though Native regional and village corporations are cited as private entities which are eligible to receive the benefits of this section, they are not the only class of private land owners eligible to benefit from this section. If the land is withdrawn from a "common management area" before the end of a five year period, all taxes and special assessments against the land must be paid.

The committee was aware of the distinction between property taxes and special assessments for capital improvements and decided to include an exemption from special assments levied by local governments as well as property taxes for the period during which private land is included within a "common management area".

AS 41.45.110 TECHNICAL ASSISTANCE.

This section authorizes state agencies, at their discretion, to provide technical assistance in the form of trespass control, fire suppression, and mineral exploration to private land owners who have land included within a common management area.

AS 41.45.120 HEARINGS.

This section authorizes the Commission to hold hearings, receive testimony and evidence as it determines necessary.

AS 41.45.130 MEETINGS

The effect of this section is to require advance notice of Commission meetings be given and that all Commission meetings be public. This section was recommended by the staff of the Federal-State Land Use Commission.

AS 41.45.140 ANNUAL REPORT.

This section requires the Commission to submit annual report to the Legislature and the Governor on the activities of the Commission during the preceding calendar year.

AS 41.45.150 LAND FOR INCLUSION WITHIN COMMON MANAGEMENT AREAS.

This section establishes a procedure by which state land may be included within a common management area. If the Commission wishes to include state land within a common management area it must submit its recommendation to the Legislature. If the recommendation of the Commission is not disapproved in whole or in part, then it takes effect upon the adjournment of the session. Once state land is included within a common management area the authority of the Commission to classify land supersedes that of the Division of Lands. The state may withdraw any of its lands from a common management area after six months notice to the Commission.

AS 41.45.160 VETO.

This section grants to the Governor the authority to veto a decision of the Commission with respect to state land. The Governor must exercise his veto authority over the action of the Commission within 45 days after the action occurs.

This section was suggested by Senators Stevens and Gravel.

AS 41.45.170 EXECUTIVE COORDINATION COMMITTEE.

The effect of this section is to create a state cabinet level committee to coordinate state involvement with the Commission and its work. This section was suggested by the staffs of the Federal-State Land Use Planning Commission and the Steering Council for Alaska Lands.

AS 41.45.180 PRINCIPAL OFFICE.

The effect of this section is to require that the Commission locate its principal office in Alaska.

AS 41.45.190 FUNDING.

The effect of this section would be to commit the state to pay 50% of the costs of the Commission.

AS 41.45.200 EXPIRATION OF THE COMMISSION.

This section is a sunset provision. Unless the state decides to continue its participation in the Commission, the Commission will expire in ten years. This amendment is recommended by Senator Gravel and the Federal-State Land Use Planning Commission.

AS 41.45.210 JUDICIAL REVIEW.

This section specifically sets forth the right of a citizen to challenge the decision of the commission, if that decision adversely affects the citizen's interest in state land.

* SECTION 2

AS 39.23.060 REVIEW OF COMPENSATION AND BENEFITS; OFFICERS COVERED.

This section amends the existing law relating to the Salary Commission by making the salary of state commissioners to the Alaska Land Commission subject to the purview of the Salary Commission.

* SECTION 3

This section extends the Federal-State Land Use Planning Commission until 120 days after the Alaska Land Commission is established or until April 30, 1981, whichever comes first. The Land Use Planning Commission is scheduled to expire in 1979. This section will provide for the continuation of the Federal-State Land Use Planning Commission until the Alaska Land Commission is established in order to provide for continuity between the commissions.

* SECTION 4 FEDERAL MEMBERSHIP ON THE COMMISSION.

This section invites Congress to join the Legislature in establishing an Alaska Land Commission by authorizing federal participation in the Commission and by providing for the appointment of three members to the Commission.

* SECTION 5 EFFECTIVE DATE CLAUSE.

This clause extends the Federal-State Land Use Planning Commission until 1981 or until the Alaska Land Commission is established. The remainder of this bill takes effect on the same day as similar legislation passed by Congress. If Congress does not pass similar legislation by January 1, 1981, this act expires.

To:

From: Kathy Brown, A.A.
Bush Caucus

Date: April 12, 1977

Subject: House Bill 211 establishing the Alaska Land Commission

This bill will be up in House Resources on Thursday the 13th at 1:30. The bill will need a lot more work in order to satisfy the concerns of the bush caucus. The Resources Committee is under a great deal of pressure to move the bill out. Please review and comment on the attached paste-up of suggested amendments which I cooked up. The suggestions I made were just off the top of my head --- please let me know if there are any further critical changes which I may have overlooked.

Thanks.

IN THE HOUSE

CS FOR HOUSE BILL NO. 211

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to the Alaska Land Commission; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 41 is amended by adding a new chapter to read:

CHAPTER 45. ALASKA LAND COMMISSION.

Sec. 41.45.010. PURPOSE. The purpose of this chapter is to provide for a common system of planning and classification by the state, [a] AND PRIVATE LANDHOLDERS the United States, of mutually agreed upon areas of [public] land in Alas by establishing land use planning and classification institutions whic provide full protection of [nationally] significant natural values, enab a flexible response to energy and other commodity needs as they arise, and minimize conflicts among landowners and between competing land use

Comment: Throughout the bill I have included "private landholders" wherever there is reference to state and federal land. This is to make clear that Private and Native land owners should be included in any planning and classification scheme the state may enter into with the federal government. They should be considered equal partners with the state on the commission. It is hoped that by doing this, potential conflicts can be avoided or at least minimized.

Sec. 41.45.020. POLICY. The legislature recognizes the best use of the public domain will change with time and that only an active classification system can meet these changing needs. The legislature further recognizes that there is a valid national public interest in public land in Alaska, including state land, as well as a valid interest on the part of the people of Alaska in federal land in Alaska. *

Sec. 41.45.030. COMMISSION. There is established the Alaska Land Commission.

* THE LEGISLATURE ALSO FINDS THAT PARTICIPATION BY PRIVATE LAND HOLDERS IS CRUCIAL TO THE SUCCESS OF AN ACTIVE CLASSIFICATION & PLANNING SYSTEM.

Sec. 41.45.040. MEMBERSHIP. (a) The commission shall consist of six full-time members.

(b) Three members of the commission, one of whom shall be designated as state co-chairman, shall be appointed by the governor and shall serve at his pleasure. * AT LEAST ONE MEMBER SHALL REPRESENT NATIVE CORPORATION LAND HOLDERS IF THE CORPORATIONS COMMIT LANDS FOR CO-MANAGEMENT.

Comment: One member on the Commission will not necessarily give native groups any leverage in political decisions of the Commission. But the native member will provide a means for input from native groups and will help anticipate potential conflicts.

(c) Members appointed by the governor are subject to confirmation by a majority of the members of the legislature in joint session.

Sec. 41.45.050. TERM. The term of office of a state member of th commission is four years and//shall coincide with that of the governor.// A vacancy in the office of a member representing the state shall be filled by appointment by the governor. The appointee selected to fill the vacancy shall hold office for the balance of the full term for whic his predecessor was appointed. An appointee to an unexpired term shall be subject to the same confirmation requirements as any other appointee

Sec. 41.45.060. COMPENSATION. The three members of the commissio appointed by the governor shall receive an annual salary as established under AS 39.23. Members appointed by the governor are entitled to per diem and travel expenses authorized by law for boards and commissions.

Sec. 41.45.070. DUTIES. The commission shall

(1) initiate and maintain a continuing process of land use planning and classification, including but not limited to submitting recommendations to the governor and legislature of Alaska and the Congress of the United States concerning state and federal land to be designated as "common management areas", the identification of land amenable to special use designation, the determination of federal and state land which may be made available for disposal, and recommendations regarding the use of other land remaining in federal and state ownership;

(2) classify land included within common management areas;

(3) establish procedures to govern the performance of the business of the commission, including provision for public hearings to obtain public comment on existing and proposed land use planning and management programs of the state and federal governments;

(4) review and recommend to the federal government, and to the state, AND TO PRIVATE LANDHOLDERS changes in statutes and regulations affecting land in the state which is subject to cooperative management under this chapter which are necessary or desirable;

(5) review resource inventories prepared by the managing agencies of land designated as "common management areas";

(6) make recommendations to appropriate federal and state officials with respect to ways to improve coordination and consultation between the state and federal governments in wildlife management, transportation planning, wilderness review, and other governmental activities which appear to require regional or statewide coordination;

(7) make recommendations to appropriate federal and state officials with respect to ways to insure that economic development is orderly and planned and is compatible with state and national economic, social, and environmental objectives;

(8) make recommendations to appropriate federal and state officials with respect to those changes in laws, policies, and programs relating to public land and resources which the commission considers necessary;

(9) make recommendations to appropriate federal and state officials with respect to the inventory, planning, classification, management, and use of federal and state land, respectively, and to provide such assistance to Native corporations upon their request;

(10) make recommendations to appropriate federal and state officials with respect to needed modifications in existing withdrawals of federal and state public land;

(11) make recommendations to appropriate federal and state officials with respect to the programs and budgets of federal and state agencies responsible for the administration of public land in Alaska; and

(12) [establish citizens'] RECEIVE RECOMMENDATIONS FROM advisory committees to assist the commission in carrying out its duties and to ensure that affected [parties] PERSONS may comment upon actions proposed for consideration by the commission.

Comment: The amendments to this section absolve the commission from the duty of establishing advisory groups in favor of allowing all parties (federal, state and Native groups) to internally establish their own advisory groups for submitting recommendations to the commission.

Sec. 41.45.080. POWERS. The commission may

(1) classify state and federal land within a common management area;

(2) enter into common management agreements with private landowners and municipal corporations;

(3) enter into agreements with agencies of the state and federal government to implement the work of the commission;

(4) employ staff and consultants as necessary to perform the duties established in this chapter.

A new section should be added:

COMMON MANAGEMENT AGREEMENTS

The State and Federal Government may enter into common management agreements which are subject to the following constraints:

1) Agreements must be bilateral; both parties must agree to changes;

2) A Notice of Intent to Request Change in the Agreement must be given six months (?) prior to the proposed date of change.

3) Once an agreement has been reached, the State of Alaska and the U.S. government are bound for five years.

4) By mutual agreement, all parties may change classification of lands without loss of tax exemption to the private landholder

* * * * *

Comment: There were three major concerns expressed by the bush caucus in relevant to this bill. They were 1) representation on the commission should the Native Corporations commit their land for co-management, 2) provision for veto of commission decisions which the Native groups might find contrary to their best interests, and 3) assurance that taxation would not become a tool for blackmailing natives into committing their lands or, once Native lands have been committed, a means of keeping them in an unsatisfactory position under threat of having to pay back taxes.

All of these concerns could be satisfactorily dealt with by adding a new "Common Management Agreements" section. Representation on the commission and veto powers become less important when bilateral agreement is reached before land is committed. The rights of all parties are protected and each party is bound by the agreement for five years. any changes must be mutually agreeable to all. Either party may terminate the agreement with the concurrance of the other parties without payment of back taxes.

Requiring a Notice of Intent to Change the Agreement prior to the proposed date of change allows all parties sufficient time to reach a consensus on whether the change is acceptable or not. It also provides a means of identifying conflicts and issues that will have to be dealt with in subsequent five year agreements.

Sec. 41.45.090. LAND MANAGEMENT IN COMMON MANAGEMENT AREAS. The * NATIVE CEO OR CHIEF EXECUTIVE BODY
agency responsible under law for the management of that land included within a common management area shall retain that authority but shall b subject to the authority of the commission to classify land according t its beneficial uses.

Sec. 41.45.100. PROPERTY TAX EXEMPTION. If a private landowner, including, but not lmited to, any entity established under the Alaska Native Claims Settlement Act, enters into an agreement by which the commission classifies land owned or selected by the private landowner, for a minimum of five years, that land shall be exempt from any property tax or special assessment for capital improvements on the land during the time it is managed by the commission. [If the land is withdrawn from the common management area before the minimum five-year period, then all property taxes or special assessments for capital improvements on the land which would otherwise have been payable shall be due at the time the land is withdrawn.]

Comment: The deleted section is no longer needed since withdrawal from co-management is only possible with the consent of all parties, and therefore the tax penalty is not needed.

// Sec. 41.45.110. TECHNICAL ASSISTANCE. With respect to land which is the subject of a cooperative management agreement, state agencies may provide technical and other assistance in fire suppression, trespass control, and mineral exploration. This assistance may be provided without compensation if the agency determines that to do so would foster the intent of cooperative management and the public good. //

Sec. 41.45.120. HEARINGS. The commission or, on the authorization of the majority of its members, any subcommittee or member of the commission may, for the purpose of carrying out the provisions of this chapter, hold hearings, receive testimony and evidence, and sit and act at those times and places as the commission or subcommittee determines. Hearings shall be held, insofar as practicable, in communities and areas which are to be affected.

Sec. 41.45.130. MEETINGS. All commission meetings shall be public and notice of a meeting shall be given at least 15 days before the date when the meeting is to take place.

Sec. 41.45.140. ANNUAL REPORT. On or before January 10 of each year, the commission shall submit to the President of the United States, Congress, the governor and the legislature a written report with respect to its activities during the preceding calendar year. The report shall also include the activities that the commission contemplates over the next calendar year, and the amount of funding required.

Sec. 41.45.150. LAND FOR INCLUSION WITHIN COMMON MANAGEMENT AREAS. (a) The commission shall establish a process to provide for the identification and submission of recommendations concerning areas in federal and state ownership for inclusion in common management areas. Land designated for inclusion within common management areas shall be submitted by the commission to Congress and the legislature. A recommendation

land shall be presented to the legislature during the first 10 days of any regular session. The recommendation shall become effective at the adjournment of the session unless disapproved, in whole or in part, by a resolution concurred in by a majority of the members of each house of the legislature.

(b) Classification of state land within a common management area supersedes the authority of the director of the division of lands to classify the land under AS 38.05.300.

(c) The state may withdraw any portion of state land in a "common management area" with six months notice to the commission.

Sec. 41.45.160. VETO. With respect to all state land subject to this chapter, the governor may veto a decision of the commission, within 45 days of the action of the commission.

Sec. 41.45.170. EXECUTIVE COORDINATION COMMITTEE. There is established an Executive Coordination Committee composed of the commissioner of natural resources, fish and game, transportation and public facilities, environmental conservation, commerce and economic development, revenue, community and regional affairs, or their designees, and the state co-chairman of the Alaska Land Commission. The committee shall meet regularly in order to coordinate those programs and functions of their departments which could affect the administration of state and federal public land. The governor shall designate the chairman of the committee.

Sec. 41.45.180. PRINCIPAL OFFICE. The principal office of the commission shall be located in Alaska.

Sec. 41.45.190. FUNDING. The state shall pay 50 per cent of the costs and other expenses incurred by the commission in any one fiscal year.

Sec. 41.45.200. EXPIRATION OF THE COMMISSION. (a) On or before the ninth anniversary of the effective date of this Act, the governor shall present to the legislature a report on the desirability of continued state participation in the commission.

(b) State participation in the commission shall terminate on the tenth anniversary of the effective date of this Act, unless otherwise provided by law.

Sec. 41.45.210. JUDICIAL REVIEW. A person aggrieved by a decisio of the commission in any determination involving state land subject to the provisions of this chapter may seek review of the decision in the superior court.

MIKE GRAVEL
ALASKA

United States Senate

WASHINGTON, D.C. 20510

April 4, 1978

The Honorable Hugh Malone, Speaker
Alaska State House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Hugh:

I want to thank you for all your help, attention and indulgence during my recent trip to Juneau. I sincerely hope that under your leadership we shall see some of the things we discussed come to fruition.

One topic of particular concern to me is the creation of a new federal-state land use planning commission. I greatly appreciated the copy of your bill, H.B. 211, which contained provisions for the state side of such a commission to complement federal legislation. Passage of such legislation by the State would be a tremendous lever for passage of federal provisions in the upcoming (d)(2) legislation. In general, your bill appears to contain all the basic elements for the creation of an effective commission and I congratulate you on your efforts.

As you know, I have long advocated a very strong commission which would have classification powers on virtually all federal and state lands outside units of the four conservation systems. I recognize that the dynamics of the Legislature may be such that adoption of all the provisions contained in my (d)(2) bill regarding the commission may not be possible. However, I would like to briefly point out some of the major differences which currently exist between our respective bills and to urge your reconsideration of these issues prior to reporting your bill out of Committee.

H.B. 211 provides for the commission to recommend state and federal lands to be included under their jurisdiction. I like the open-ended feature of this provision as opposed to the demarcation of special 5th system-type areas, but I would take the further step and designate all State lands. The Governor would retain a veto power over decisions affecting these lands so there would be no loss of sovereignty. By designating all

State lands not only would we be gaining a comprehensive, flexible planning process for our lands, but we would be insuring that a maximum amount of federal lands be anteed up to match our commitment. The ability to influence land uses on adjacent federal lands can not be overstated as evidenced by the frustrations we have experienced in the past with our federal landlord-tenant relationship.

While my bill contains language providing for nine commissioners, H.B. 211 provides for three federal and three state members. I had originally contemplated four federal and four state members but decided that a single chairman would provide stronger, more effective leadership. Additionally, an odd number of commissioners would lend itself to more efficient decision-making procedurially through the use of a tie-breaking vote. Because the chairman would be jointly appointed by the Governor and the President, such a person would not necessarily "side" with either the feds or the State and his vote would not necessarily be the tie-breaking vote as witnessed by the voting pattern on the current land use planning commission (which breaks out along resource use philosophies rather than government affiliation).

I do recognize that both the feds and the State may feel uneasy with an odd-number of commissioners and that the chairman could get into a rather schizophrenic relationship with his appointers. If this is going to be a real stumbling block to passage of either the federal or state bill I would be prepared to concede this point. However, I still feel eight rather than six members will be necessary. In addition to the commission responsibilities contained in H.B. 211, my bill directs the commission to study and make recommendations on transportation and utility rights-of-way and to coordinate implementation and environmental protection laws such as the Clean Air Act, Coastal Zone Management Act, and other laws. These responsibilities would be more than sufficient to keep eight commissioners working full-time. I would certainly encourage you to consider expanding the commission's duties to include these responsibilities also.

I commend you for including provisions under which private lands, notably Native corporations, can be brought under the commission. The use of tax incentives will probably prove to be the most effective way to bring in private lands and thereby insure true comprehensive land use planning for Alaska. In addition, I would recommend that the provisions of my bill or the provisions of the existing commission regarding Native representation on the commission be incorporated in your bill to attract the dedication of Native lands under the commission. If a certain percentage of Native lands were dedicated, for example 80%, then the state would appoint a Native as one of its three or four members on the commission.

In Sec. 41.45.090 of H.B. 211 private landowners would enter into an agreement whereby the commission would "manage" these lands. Just as you revised the use of the word "manage" under the duties of the commission, I would suggest that you omit the references to "manage" in this section. Rather, language to the effect of dedicating private lands under the jurisdiction of the commission for the purpose of land use planning and classification by the commission would seem more appropriate. Actual on-the-ground management should probably remain with the private landowner as long as it was consistent with the direction and policies set by the commission.

Under my bill there is no specific provision for opting out of commission's jurisdiction. Federal lands would be permanently dedicated for the life of the commission. With the veto provisions and with the basic commitment to work out problems to the satisfaction of the feds, the State, and any private landowners, I strongly feel there is no reason to want to opt out. Furthermore, I think the purposes of the commission could be seriously threatened if there was not a full and more or less permanent commitment of land under the commission. Although I think a five or ten year nomination of lands could be workable, the six-month notification provision for withdrawal of state lands contained in H.B. 211 appears to avoid a sincere commitment to the process of statewide land use planning. I can not envision a situation where, through hard negotiation, the study of alternatives and the use or threat of the veto, the State could not

secure decisions which were in line with reasonable land use principles and sound resource uses. If such an opt-out provision were to stand we probably could expect no more commitment on the part of the federal government.

A small difference exists between our versions with regard to the terms of the commissioners. I believe that staggered terms would provide a continuity of effort over the long-run and would help allay the fears of those who believe that the federal or the state side would represent a stacked deck totally favoring the policies and philosophies of the appointing Governor or President. Although I think a four-year term coinciding with that of the Governor could be workable, I again would encourage you to reconsider this provision.

The chances of identically complementary legislation emerging from the State Legislature and the Congress on this matter are, of course, slight. Without a doubt we will have to come back either in the Congress or the Legislature or both to make adjustments or modifications to effect the purposes of the two pieces of legislation. Thus, I think we will have opportunities in the future to work out some of these differences. However, I can not stress enough how important it is for the State to "strike the first blow" on this vital issue. State legislation including the major provisions of a new land use planning commission with real authorities over state, federal and hopefully private lands would provide the ultimate proof to the Congress of the State's commitment to and solidarity on joint land use planning and management. State action on this issue in the next month or two would turn the commission from a concept to a reality warranting swift Congressional attention.

Hugh, I again commend you on your efforts and your commitment to securing this vital legislation. I hope you will consider my comments in any further changes in your bill. If I can provide any assistance to you or your staff in drafting language, briefing other legislators or in any other way securing passage of this legislation please let me or Pat Pourchot

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of my staff know.

With kind regards,

Sincerely,

Mike Gravel

cc: Kay Poland, Chairperson
Senate Resources Committee

Steve Cowper, Chairman
Steering Council on (d)(2) lands

Esther Wunnicke and Walt Parker, Co-Chairmen
Alaska Federal-State Land Use Planning Commission

THIS IS THE
ORIGINAL COPY
OF THE 4/6/78
VERSION OF CSHB 211

Work Order #3396 4-6-78

Utermohle

Original sponsors: Malone, Miller and Specking

IN THE HOUSE

CS FOR HOUSE BILL NO. 211

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to the Alaska Land Commission; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 41 is amended by adding a new chapter to read:

CHAPTER 45. ALASKA LAND COMMISSION.

Sec. 41.45.010. PURPOSE. The purpose of this chapter is to provide for a common system of planning and classification by the state and the United States of mutually agreed upon areas of public land in Alaska by establishing land use planning and classification institutions which provide full protection of nationally significant natural values, enable a flexible response to national energy and other commodity needs as they arise, and minimize conflicts among landowners and between competing land uses.

Sec. 41.45.020. POLICY. The legislature recognizes the best use of the public domain will change with time and that only an active classification system can meet these changing needs. The legislature further recognizes that there is a valid national public interest in public land in Alaska, including state land, as well as a valid interest on the part of the people of Alaska in federal land in Alaska.

Sec. 41.45.030. COMMISSION. There is established the Alaska Land Commission.

Sec. 41.45.040. MEMBERSHIP. (a) The commission shall consist of six full-time members.

(b) Three members of the commission, one of whom shall be desig-

nated as state co-chairman, shall be appointed by the governor and shall serve at his pleasure.

(c) Members appointed by the governor are subject to confirmation by a majority of the members of the legislature in joint session.

Sec. 41.45.050. TERM. The term of office of a state member of the commission is four years and shall coincide with that of the governor. A vacancy in the office of a member representing the state shall be filled by appointment by the governor. The appointee selected to fill the vacancy shall hold office for the balance of the full term for which his predecessor was appointed. An appointee to an unexpired term shall be subject to the same confirmation requirements as any other appointee.

Sec. 41.45.060. COMPENSATION. The three members of the commission appointed by the governor shall receive an annual salary as established under AS 39.23. Members appointed by the governor are entitled to per diem and travel expenses authorized by law for boards and commissions.

Sec. 41.45.070. DUTIES. The commission shall

(1) initiate and maintain a continuing process of land use planning and classification, including but not limited to submitting recommendations to the governor and legislature of Alaska and the Congress of the United States concerning state and federal land to be designated as "common management areas", the identification of land amenable to special use designation, the determination of federal and state land which may be made available for disposal, and recommendations regarding the use of other land remaining in federal and state ownership;

(2) classify land included within common management areas;

(3) establish procedures to govern the performance of the business of the commission, including provision for public hearings to obtain public comment on existing and proposed land use planning and

management programs of the state and federal governments;

(4) review and recommend to Congress and to the legislature changes in statutes and regulations affecting land in the state which is subject to cooperative management under this chapter which are necessary or desirable;

(5) review resource inventories prepared by the managing agencies of land designated as "common management areas";

(6) make recommendations to appropriate federal and state officials with respect to ways to improve coordination and consultation between the state and federal governments in wildlife management, transportation planning, wilderness review, and other governmental activities which appear to require regional or statewide coordination;

(7) make recommendations to appropriate federal and state officials with respect to ways to insure that economic development is orderly and planned and is compatible with state and national economic, social, and environmental objectives;

(8) make recommendations to appropriate federal and state officials with respect to those changes in laws, policies, and programs relating to public land and resources which the commission considers necessary;

(9) make recommendations to appropriate federal and state officials with respect to the inventory, planning, classification, management, and use of federal and state land, respectively, and to provide such assistance to Native corporations upon their request;

(10) make recommendations to appropriate federal and state officials with respect to needed modifications in existing withdrawals of federal and state public land;

(11) make recommendations to appropriate federal and state officials with respect to the programs and budgets of federal and state

agencies responsible for the administration of public land in Alaska; and

(12) establish citizens' advisory committees to assist the commission in carrying out its duties and to ensure that affected private parties are allowed input into the commission's decision-making process.

Sec. 41.45.080. POWERS. The commission may

(1) classify state and federal land subject to the authority granted in this chapter;

(2) enter into common management agreements with private landowners;

(3) enter into agreements with agencies of the state and federal government to implement the work of the commission;

(4) employ staff and consultants as necessary to perform the duties established in this chapter.

Sec. 41.45.090. LAND MANAGEMENT IN COMMON MANAGEMENT AREAS. The agency responsible under law for the management of that land included within a common management area shall retain that authority but shall be subject to the authority of the commission to classify land according to its beneficial uses.

Sec. 41.45.100. PROPERTY TAX EXEMPTION. If a private landowner, including, but not lmited to, any entity established under the Alaska Native Claims Settlement Act, enters into an agreement by which the commission manages land owned or selected under an Act of Congress by the private landowner, for a minimum of five years, that land shall be exempt from any property tax on the land during the time it is managed by the commission. If the land is withdrawn from the commission's management authority before the minimum five-year period, then all property taxes on the land which would otherwise have been payable shall

be due at the time the land is withdrawn.

Sec. 41.45.110. HEARINGS. The commission or, on the authorization of the majority of its members, any subcommittee or member of the commission may, for the purpose of carrying out the provisions of this chapter, hold hearings, receive testimony and evidence, and sit and act at those times and places as the commission or subcommittee determines. Hearings shall be held, insofar as practicable, in communities and areas which are to be affected.

Sec. 41.45.120. MEETINGS. All commission meetings shall be public and notice of a meeting shall be given at least 15 days before the date when the meeting is to take place.

Sec. 41.45.130. ANNUAL REPORT. On or before January 10 of each year, the commission shall submit to the President of the United States, Congress, the governor and the legislature a written report with respect to its activities during the preceding fiscal year. The report shall also include the activities that the commission contemplates over the next fiscal year, and the amount of funding required.

Sec. 41.45.140. LAND FOR INCLUSION WITHIN COMMON MANAGEMENT AREAS. (a) The commission shall establish a process to provide for the identification and submission of recommendations concerning areas in federal and state ownership for inclusion in common management areas. Land designated for inclusion within common management areas shall be submitted by the commission to Congress and the legislature. A recommendation which includes state land shall be presented to the legislature during the first 10 days of any regular session. The recommendation shall become effective at the adjournment of the session unless disapproved, in whole or in part, by a resolution concurred in by a majority of the members of each house of the legislature.

(b) Classification of state land within a common management area

supersedes the authority of the director of the division of lands to classify the land under AS 38.05.300.

(c) The state may withdraw any portion of state land in a "common management area" with six months notice to the commission.

Sec. 41.45.150. VETO. With respect to all state land subject to this chapter, the governor may veto a decision of the commission, within 45 days of the action of the commission.

Sec. 41.45.160. EXECUTIVE COORDINATION COMMITTEE. There is established an Executive Coordination Committee composed of the commissioners of natural resources, fish and game, transportation and public facilities, environmental conservation, commerce and economic development, revenue, community and regional affairs, or their designees, and the state co-chairman of the Alaska Land Commission. The committee shall meet regularly in order to coordinate those programs and functions of their departments which could affect the administration of state and federal public land. The governor shall designate the chairman of the committee.

Sec. 41.45.170. PRINCIPAL OFFICE. The principal office of the commission shall be located in Alaska.

Sec. 41.45.180. FUNDING. The state shall pay 50 per cent of the costs and other expenses incurred by the commission in any one fiscal year.

Sec. 41.45.190. EXPIRATION OF THE COMMISSION. (a) On or before the ninth anniversary of the effective date of this Act, the governor shall present to the legislature a report on the desirability of continued state participation in the commission.

(b) State participation in the commission shall terminate on the tenth anniversary of the effective date of this Act, unless otherwise provided by law.

Sec. 41.45.200. JUDICIAL REVIEW. A person aggrieved by a decision of the commission in any determination involving state land subject to the provisions of this chapter may seek review of the decision in the superior court.

* Sec. 2. AS 39.23.060 is amended to read:

Sec. 39.23.060. REVIEW OF COMPENSATION AND BENEFITS; OFFICERS COVERED. The commission shall conduct an on-going review of compensation and retirement benefits for members of the legislature; the governor; the lieutenant governor; commissioners, deputy commissioners, and division directors of each executive department; members of the Alaska Public Utilities Commission; members of the Alaska Pipeline Commission; members of the Alaska Transportation Commission; members of the Alaska Commercial Fisheries Entry Commission; state members of the Alaska Land Commission; and the judiciary, to determine the appropriateness of compensation and benefits.

* Sec. 3. AS 41.40.070 is amended to read:

Sec. 41.40.070. TERMINATION OF THE COMMISSION. The commission ceases to exist 120 days after the establishment of the Alaska Land Commission or on April 30, 1981, whichever comes first [ON JUNE 30, 1979].

* Sec. 4. FEDERAL MEMBERSHIP ON THE COMMISSION. Section 1 of this Act contemplates the authorization by Congress of legislation complementing the provisions of this Act. It is the intent of the legislature that Congress provide for the designation of three representatives to serve as members of the Alaska Land Commission.

* Sec. 5. Sections 1, 2, and 4 of this Act take effect on the effective date of legislation enacted by the Congress of the United States providing for the establishment of an Alaska Land Commission and containing provisions which are not in conflict with the provisions of this Act, if such legisla-

tion is passed by congress before January 1, 1981.

EFFECT OF AMENDMENTS TO HB 211

CONTAINED IN THE PROPOSED COMMITTEE SUBSTITUTE FOR HB 211

* Section 1

AS 41.45.010 PURPOSE.

This section is amended by adding new language after "Alaska" on line 13. The effect of this amendment is to enlarge the purpose of the act to include establishment of land use planning and management institutions which will minimize conflicting uses of land, provide for changing circumstances, and protect significant natural values on land in Alaska. This amendment was included at the suggestion of the staff of the Federal-State Land Use Planning Commission.

AS 41.45.020 POLICY.

This section is unchanged.

AS 41.45.030 COMMISSION.

This section is unchanged.

AS 41.45.040 MEMBERSHIP.

This section is amended as follows:

a) the membership is set at six full-time members; and

b) one of the three members appointed by the Governor is to be designated as state co-chairman.

The effect of these amendments is to set the membership of the commission at an even number (six) and to provide for a state co-chairman of the commission. The establishment of the membership of the commission at an even number with state and federal co-chairmen was recommended by Senator Ted Stevens, Representative Don Young and members of the Federal-State Land Use Planning Commission.

AS 41.45.050 TERM.

This section is amended to provide that the term of the state members of the commission coincides with that of the Governor. The effect of this amendment would be to ensure accountability of the state appointees to the commission. This amendment was recommended by the staffs of the Federal-State Land Use Planning Commission and the Steering Council for Alaska Lands.

AS 41.45.060 COMPENSATION.

This section is amended to provide that the salary for the state members of the commission is set by the Alaska Salary Commission. This amendment would put the state commissioners to the Alaska Land Commission in the same position as commissioners of the Public Utilities Commission and the Pipeline Commission.

AS 41.45.070 DUTIES.

This section is amended by substituting "classify" for "manage" (page 2, line 24) and by adding seven new subsections (page 3, lines 4-28). The effect of the first amendment is to make the commission responsible for classifying lands in the "common management areas". The responsibility for managing those lands would remain with the appropriate land management agency (i.e. Bureau of Land Management, Alaska Division of Lands, National Park Service, etc.). The management policies of the managing agencies would be guided by the land classifications of the commission. The second amendment the commission the responsible for participating in an advisory capacity in the land use planning, resource management, land management programs of the various land management agencies. The amendment to limit the commission's authority to land classification instead of land management was recommended by Senators Stevens and Gravel, Representative Young and the Federal-State Land Use Planning Commission. The additional duties of the commission contained in the second amendment were suggested by the Federal-State Land Use Planning Commission.

AS 41.45.080 POWERS.

The amendments to this section gives the commission authority to: a) classify land in the "common management areas" instead of managing them (page 4, line 1), b) authorizes the commission to hire staff and consultants as necessary (page 4, line 7-8), c) deleted the remainder of subsection (2) after "landowner". The effect of the last amendment is to permit the commission to enter into common management agreements with private landowners who own land that is not adjacent to other cooperative management areas. This last amendment was proposed by Representative Cowper.

AS 41.45.090 PROPERTY TAX EXEMPTION.

This entire section contains new language. The effect of this section is to grant an exemption from property taxes for those private lands covered by a common management agreement between the landowner and the commission. Native regional and village corporations are cited as specific private entities which are eligible to receive the benefit of this section. Private land committed to the jurisdiction of the commission must be subject to the commission for five years. If the land is withdrawn from a "common management area" before the end of five years, all taxes for the five year period must be paid.

AS 41.45.100 HEARINGS.

This section is unchanged.

AS 41.45.110 MEETINGS.

This is a new section. The effect of this section is to require advance notice of commission meetings be given and that all commission meetings be public. This amendment was recommended by the staff of the Federal-State Land Use Planning Commission.

AS 41.45.120 ANNUAL REPORT.

This section is unchanged.

AS 41.45.130 LAND FOR INCLUSION WITHIN COMMON MANAGEMENT AREAS.

This section is amended by adding a new subsection (c) which allows the state to withdraw its land from the jurisdiction of the commission following six months advance notice.

AS 41.45.140 VETO.

This is a new section which grants to the Governor the authority to veto a decision of the commission with respect to state land. This amendment was suggested by Senators Stevens and Gravel.

AS 41.45.150 EXECUTIVE COORDINATION COUNCIL.

This is a new section. The effect of this section is to create a state cabinet level committee to coordinate state involvement with the commission and its work. This amendment was suggested by the staffs of the Federal-State Land Use Planning Commission and the Steering Council for Alaska Lands.

AS 41.45.160 PRINCIPAL OFFICE.

This is a new section. The effect of this section will be to require that the commission have its principal office in Alaska.

AS 41.45.170 FUNDING.

This is a new section. The effect of this section would be to commit the State to pay 50% of the costs of the commission.

AS 41.45.170 EXPIRATION OF THE COMMISSION.

This is a new section. This section is a sunset provision. Unless the state decides to continue its participation in the commission, the commission will expire in ten years. This amendment is recommended by Senator Gravel and the Federal-State Land Use Planning Commission.

AS 41.45.180 JUDICIAL REVIEW.

This section is unchanged.

* Section 2

AS 39.23.060 REVIEW OF COMPENSATION AND BENEFITS; OFFICERS COVERED.

This section amends the existing law relating to the Salary Commission by making the salary of state commissioners to the Alaska Land Commission subject to the purview of the Salary Commission.

* Section

This section is amended by providing for the extension of the Federal-State Land Use Planning Commission until 120 days after the Alaska Land Commission is established or until April 30, 1981, whichever comes first. The Land Use Planning Commission is scheduled to expire in 1979 This section will provide for the continuation of the Federal-State Land Use Planning Commission until the Alaska Land Commission is established in order to provide for continuity between the commissions.

* Section 4

FEDERAL MEMBERSHIP ON THE COMMISSION.

This section is unchanged.

* Section 5

EFFECTIVE DATE CLAUSE.

This clause is amended to permit the extension of the Federal-State Land Use Planning Commission until 1981 or until the Alaska Land Commission is established. The remainder of this bill takes effect on the same day as similar legislation passed by Congress. If Congress does not pass similar legislation by January 1, 1981, this act expires.

Suggested Amendments to HB 211

by: Rep. Steve Cowper

p. 3, line 12: Omit all after "landowners".

Add new section:

Sec. 41.45.085. If a private landowner, including any entity established under the Alaska Native Claims Settlement Act, enters into an agreement by which the commission manages land owned or selected under an Act of Congress by such private landowner, for a minimum of five years, such land shall be exempt from any property tax on the land during the time it is managed by the commission. If the land is withdrawn from the commission's management authority before the minimum five-year period, then all property taxes on such land which would otherwise have been payable shall be due at the time the land is withdrawn.

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JAMES R. CALLOWAY
CHIEF COUNSEL AND STAFF DIRECTOR

United States Senate
COMMITTEE ON APPROPRIATIONS
WASHINGTON, D.C. 20510

February 24, 1978

Honorable Al Osterback
Chairman
House Resources Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Al:

It is my understanding that the House Resources Committee will soon be considering House Bill 211. That legislation deals directly with issues embodied in pending d-2 legislation now before the Congress. The Legislature is aware of my interest in cooperative management of federal, state, and private lands and the creation of a federal-state land classification commission. Legislation I have introduced in the Senate would establish such a commission and provide a procedure for dedicating federal, state and private lands to the classification authority of the commission. For the benefit of the House Resources Committee, a copy of that legislation is enclosed. The specific details dealing with the commission can be found in Title XXXXII, on pages 68-73.

Upon review of House Bill 211, a number of thoughts come to mind, and I would like to take this opportunity to transmit some comments on the bill to you. My thoughts on the legislation before your Committee fall into specific categories and will be dealt with below. I request that this letter and a copy of S. 1787 be made a part of the record the Committee is compiling in consideration of H.B. 211.

Lands Under the Jurisdiction of the Commission

A major question is which lands, federal and state, the Commission will have jurisdiction over. My position on the federal side of this question has been consistent and is reflected in S. 1787. The establishment of a land classification commission is being discussed as part of the consideration of d-2 lands and should be restricted to those lands involved in that process.

Management of remaining federal lands are adequately provided for under the Bureau of Land Management and Federal Land Policy and Management Act of 1976.

My concept of the Commission reflects the need to insure that closely related federal, state, and private lands being considered within the d-2 context are managed compatibly with options for future land use decisions remaining open. Hearings on both sides of Capitol Hill have demonstrated the lack of information on many resources contained within these lands. The creation of a cooperative management program will provide future generations with the ability to determine appropriate uses of lands as such decisions become necessary.

The extent to which state lands should be dedicated to cooperative management is a decision that rests with the Legislature, and I do not wish to comment on any specific acreage or formulas which have been proposed by others. My legislation provides that the State of Alaska must commit a "substantial amount of state land" to a program of cooperative management prior to state participation on a classification commission. This provision was drafted in this manner to insure that the State Legislature makes the decision on state participation and is not presented with a "fait accompli" in which a cooperative management depends upon the State dedicating all of its lands without a meaningful debate on the matter.

Management of Lands Under the Commission's Jurisdiction

House Bill 211 provides that the Commission will manage lands under its jurisdiction. To the best of my knowledge, those advocating the creation of such a commission are unanimous that the commission's duties should involve classification of uses rather than daily management. Existing federal and state agencies are better equipped to continue management of lands under the direction of the commission through classification authority.

My legislation embodies this concept, as does the proposal of the Federal-State Land Use Planning Commission. Further thought to the concept of the commission as a management agency should be given. The commission's strengths can be best achieved if it provides direction to on-the-ground managers.

Commission Membership

The makeup of the commission is important and most parties agree that the commission should consist of an equal

number of state and federal appointees. To insure that the sovereignty of the State of Alaska and the United States is not compromised, it is advisable that the commission be co-chaired by a federal and state appointee. This system has worked well with the existing Federal-State Land Use Planning Commission and should be utilized in the establishment of a new classification commission.

The Committee should also address itself to specific issues regarding the qualifications of appointees, their length of term, and the method of replacement for filling vacancies on the commission. The Federal-State Land Use Planning Commission is presently compiling a list of options regarding these issues, and the Committee may wish to consult the LUPC on these matters.

Functions of the Commission

The specific duties of the Commission are of utmost importance. I envision the commission as a body with classification authority on those lands under its jurisdiction. This will be its most important function. It will draw up land use plans and coordinate and monitor the implementation of these plans.

Additionally, the commission can continue a number of functions now performed by the existing Federal-State Land Use Planning Commission. Among these are providing assistance to the federal and state agencies and private landowners in the area of land use planning and making recommendations as to necessary amendments to existing state and federal public land laws. A full list of the functions I think the commission should perform can be found on pages 71 and 72 of S. 1787.

It should be noted that the commission can play a role of particular importance in regards to transportation and access. Most parties agree that a process to insure reasonable and adequate access is provided across federal and state lands is needed. The commission can become part of that process as the major arbiter of method and means of access when such access becomes necessary. My legislation provides the commission with such authority.

Veto Over Commission Decisions

As stated previously, the protection of the sovereignty

of the State of Alaska and the United States is all-important if the commission concept is to be successful. To insure such sovereignty is not compromised, the Secretary of Interior and the Governor must be given a veto power over federal and state lands, respectively, which are part of a cooperative management program. The rationale for such a veto has been adequately examined and articulated by the existing Federal-State Land Use Planning Commission, in their testimony on the functions of a commission before the House and Senate of the United States Congress and before your Committee.

These comments summarize my thoughts on the concepts being considered in House Bill 211. I would be happy to provide you and other members of the Committee with further details if you are interested. House Bill 211 contains language contemplating complementary legislation to be enacted by the Congress. If I can be of any assistance to the Legislature to insure that federal and state legislation do complement one another, please let me know.

With best wishes,

Cordially,

Ted

TED STEVENS
United States Senator

Enclosure

DRAFT

PROPOSAL BY SENATOR MIKE GRAVEL FOR A FEDERAL-STATE LAND USE PLANNING COMMISSION

TITLE VI

----THE COMMISSION WOULD BE ESTABLISHED UPON THE PASSAGE OF STATE LAW DEDICATING STATE LAND FOR JURISDICTION UNDER THE COMMISSION.

----ALL FEDERAL LAND NOT INCLUDED IN CONSERVATION SYSTEMS OR MILITARY RESERVES WOULD BE PLACED UNDER THE COMMISSION

----THE STATE WOULD LEGISLATE A PROCESS BY WHICH PRIVATE NATIVE CORPORATION LANDS COULD BE VOLUNTARILY PLACED UNDER THE COMMISSION'S JURISDICTION AND RECEIVE CERTAIN ADVANTAGES SUCH AS PROPERTY TAX DEFERMENT.

----THE COMMISSION WOULD BE COMPOSED OF 9 MEMBERS: 1 CHAIRMEN JOINTLY APPOINTED BY PRESIDENT AND GOVERNOR, 4 FEDERAL MEMBERS BY PRESIDENT, AND 4 STATE MEMBERS BY GOVERNOR. 1 FEDERAL MEMBER AND ONE STATE MEMBER WOULD BE NATIVE IF 80% OR MORE OF CORPORATION LAND DEDICATED.

----MEMBERS WOULD BE FULL-TIME AND SERVE STAGGERED 4-YEAR TERMS

----FUNCTIONS AND AUTHORITIES OF THE COMMISSION WOULD INCLUDE:

- ----DEVELOPMENT OF LAND USE PLANS AND LAND CLASSIFICATIONS FOR VARIOUS LAND USES;
- ----INSURING THAT FEDERAL, STATE, AND LOCAL PLANNING AND LAND USES ARE HARMONIOUS
- ----COORDINATE IMPLEMENTATION OF AIR AND WATER POLLUTION LAWS, COASTAL ZONE MANAGEMENT LAW, AND OTHER ENVIRONMENTAL LAWS;
- ----DETERMINE LOCATION OF TRANSPORTATION AND UTILITY SYSTEM RIGHTS-OF-WAY ACROSS FED, STATE, AND PRIVATE LANDS;

-----VETO POWER WOULD BE RETAINED BY THE GOVERNOR AND THE SECRETARY OF INTERIOR OVER THEIR RESPECTIVE LANDS. EITHER THE STATE OR THE SECRETARY WOULD HAVE VETO OVER NATIVE CORPORATION LANDS.

----ON-THE-GROUND MANAGEMENT WOULD BE RETAINED BY THE NORMAL FEDERAL (BLM) AND STATE (DNR) AGENCIES.

----LANDS UNDER THE COMMISSION WOULD BE WITHDRAWN FROM ALL ENTRIES AND APPROPRIATIONS PENDING CLASSIFICATION BY COMM.

----THE COMMISSION WOULD TERMINATE AFTER 10 YEARS UNLESS RENEWED BY CONGRESS.

DRAFT

SENATOR MIKE GRAVEL

STATE LEGISLATIVE NEEDS TO COMPLEMENT FEDERAL LEGISLATION ESTABLISHING AN ALASKA FEDERAL-STATE LAND USE PLANNING COMMISSION

----DESIGNATION OF ALL STATE LANDS AS LANDS TO BE COOPERATIVELY MANAGED UNDER THE JURISDICTION OF A FEDERAL-STATE LAND USE PLANNING COMMISSION.

----IDENTIFICATION OF A SYSTEM BY WHICH NATIVE CORPORATION LANDS AND PERHAPS OTHER PRIVATELY OWNED LANDS COULD BE DEDICATED UNDER THE JURISDICTION OF THE COMMISSION. SUCH INCENTIVES AS TAX DEFERMENTS COULD BE INCLUDED. A TWO-YEAR STUDY OF A POSSIBLE STATE PROPERTY TAX SHOULD ALSO BE INCLUDED.

----IDENTIFICATION OF A SYSTEM BY WHICH STATE MEMBERS WOULD BE APPOINTED, CONDITIONS OF APPOINTMENT, PAY, ETC.

----AUTHORIZATION AND APPROPRIATION OF FUNDS NECESSARY TO COVER ONE-HALF THE COST OF THE COMMISSION.

----FORMALIZATION OF SYSTEM OF OBTAINING INFORMATION, SERVICES, AND INPUT FROM VARIOUS STATE AGENCIES TO THE COMMISSION.

----TO REQUIRE THE SUBMISSION OF ALL LOCAL GOVERNMENT PLANS TO THE COMMISSION FOR COMMENT AND APPROVAL.

----TO REQUIRE THE SUBMISSION OF ALL RULES, ACTIONS BY STATE AGENCIES REGARDING AIR AND WATER POLLUTION LAWS, COASTAL ZONE MANAGEMENT AND OTHER ENVIRONMENTAL LAWS TO THE COMMISSION. THE STATE AGENCIES SHOULD BE REQUIRED TO MODIFY POLICIES, ACTIONS, ETC., WITHIN LEGAL REQUIREMENTS, IN RESPONSE TO COMMISSION COMMENTS AND RECOMMENDATIONS. WHERE APPROPRIATE, AUTHORITIES ASSIGNED TO THE STATE UNDER VARIOUS ENVIRONMENTAL LAWS SHOULD BE ASSIGNED TO THE COMMISSION.

----IF NECESSARY, AUTHORIZE THE APPLICATION OF LEASE SYSTEMS FOR ALL LAND USES ON STATE LANDS.

----TEMPORARILY WITHDRAW ALL STATE LANDS FROM DISPOSAL OR ENTRY PENDING STUDY AND CLASSIFICATION BY THE COMMISSION.

----REQUIRE TERMINATION OF STATE PARTICIPATION IN COMMISSION 10 YEARS FOLLOWING CREATION UNLESS REAFFIRMED BY LEGISLATUIE

SENATOR MIKE GRAVEL

DRAFT

TITLE VI -- ALASKA FEDERAL-STATE LAND USE PLANNING COMMISSION

Sec. 601. (a) Following designation under Alaska State law of all lands patented or tentatively approved for patent to the State to be cooperatively managed with designated Federal lands, there is hereby established the Alaska Federal-State Land Use Planning Commission (hereinafter referred to as the "Commission").

(b) In addition to the designated State lands, the Commission shall have jurisdiction over all public lands in the State of Alaska under the management of the Bureau of Land Management, including the National Petroleum Reserve in Alaska.

(c) With the approval of the Commission, lands for which patents or interim conveyances have been issued to Native corporations under the terms of the Alaska Native Claims Settlement Act may be placed under the jurisdiction of the Commission pursuant to the procedures and conditions which shall be enacted by the State of Alaska.

Sec. 602. (a) (1) The Commission shall, subject to the provisions of Section 101, be composed of nine members as follows:

(A) One member appointed, after consultation with and concurrence by the Governor of Alaska, by the President of the United States, with the advice and consent of the

Senate, who shall be Chairman of the Commission;

(B) Four members appointed by the President of the United States, with the advice and consent of the Senate;

(C) Four members appointed by the Governor of the State of Alaska with the advice and consent of the State Legislature.

(2) Upon the first vacancy of a position under subparagraph (B) and subparagraph (C) (whether created by expiration of a member's term or otherwise) occurring on or after the date on which 80 per centum or more of all lands for which patents or interim conveyances have been issued have been dedicated by Native corporations for jurisdiction under the Commission, the President and the Governor, in filling those vacancies, shall appoint a Native (as that term is defined in the Alaska Native Claims Settlement Act) to fill the respective vacancy, and thereafter, as long as such lands remain so dedicated, at least one of such members appointed pursuant to subparagraph (B) and subparagraph (C) of subsection (a)(1) shall be a Native.

(b) (1) The Chairman shall be compensated at a rate to be determined by the president not to exceed the rate provided for GS-18 of the General Schedule under Section 5332 of Title 5, United States Code.

(2) All other members of the Commission shall be compensated at a rate to be determined by the President,

after consultation with and concurrence by the Governor of Alaska, not to exceed the rate provided for GS-16 of such General Schedule.

(3) Upon vouchers approved by the Chairman, all members of the Commission shall be reimbursed for necessary expenses incurred by them in carrying out their duties under this Act.

(c) The Commission, with the approval of the Chairman, is authorized to obtain the services of experts and consultants in accordance with Section 3109 of Title 5, United States Code.

(d) Members shall serve for a four-year term except that, of the initial members appointed pursuant to subparagraph (B) of subsection (a)(1), two members shall be appointed for two-year terms, and of the initial members appointed pursuant to subparagraph (C) of subsection (a)(1), two members shall be appointed for two-year terms. A vacancy in the membership shall not affect the Commission's powers but shall be filled in the manner provided in paragraph (2) of subsection (a). Any person appointed to fill a vacancy involving an unexpired term shall serve for the duration of that term. Except to the extent otherwise provided in subsection (a), members may be reappointed to serve additional terms.

(e) Six members of the Commission shall constitute a quorum, except that the Commission may establish a

lesser number for purposes of subsection (g).

(f) All Commission meetings shall be public and shall be duly noticed at least fifteen days prior to the date when the meeting is to take place.

(g) The Commission, or on its authorization, any subcommittee or member thereof, may hold such hearings, take such testimony, receive such evidence, and print such reports as are deemed necessary to carry out the functions specified in this Title.

(h) The Chairman shall have the authority, in accordance with regulations prescribed by the Commission, to create and abolish employments and position, including temporary and intermittent employments; to fix and provide for the qualification, appointment, removal, compensation, pension and retirement rights of Commission employees; and to procure needed office space, supplies and equipment.

(i) The principal office of the Commission shall be located in the State of Alaska.

(j) The federal government shall pay only 50 per centum of the costs and other expenses incurred in each fiscal year by the Commission in carrying out its duties under this Act.

(k) The Commission is authorized to use the services, equipment, personnel and facilities of Federal departments and other agencies, with or without reimbursement. Each department and agency of the Federal government shall cooperate

fully in making its services, equipment, personnel and facilities available to the Commission.

(l) The Commission is authorized to accept donations, gifts and other contributions and to utilize such donations, gifts and contributions in carrying out its functions under this Act.

(m) The Commission shall keep and maintain complete accounts and records of its activities and transactions, and such accounts and records shall be available for public inspection.

(n) The Commission shall, on or before March 1 of each year, prepare and submit to the President, the Governor of Alaska and the Congress an annual report summarizing its activities during the preceding calendar year, together with its recommendations.

Sec. 603. (a) It shall be the function of the Commission:

(1) to review resource inventories prepared by the managing agencies and other affected or concerned Federal and State agencies on lands under the jurisdiction of the Commission; and to initiate and conduct other such inventories and resource studies as may be needed;

(2) to develop comprehensive land use plans with respect to lands under the jurisdiction of the Commission;

(3) to make land classifications pursuant

to such plans, and to approve and to supervise the regulation of uses in accordance with such plans and classifications;

(4) to assure that such classifications would specifically identify lands which are suitable and open for the following primary uses:

(A) oil and gas exploration and possible development;

(B) mineral exploration and possible development;

(C) human habitation, permanent and seasonal;

(D) agricultural and aquaculture development;

(E) timber harvesting;

(F) tourism/recreational development;

(G) primitive or wilderness use;

(H) fish and wildlife habitat; and

(I) other resource uses as may be appropriate.

(5) to assist in the development and review of land-use plans for lands selected by Native corporations under the terms of the Alaska Native Claims Settlement Act which may not be designated for jurisdiction by the Commission; ~~to assist in the development and review of land-use plans for State lands not designated for jurisdiction by the Commission;~~ and to assist in the development and review of land-use plans of municipal governments;

(6) to review existing withdrawals of Federal public lands and recommend to the President and Congress such additions to or modifications of such withdrawals as the Commission deems appropriate;

(7) to make recommendations to the President and the Governor regarding the programs and budgets of the Federal and State agencies responsible for the administration of the public lands of the United States and the State of Alaska;

(8) to make recommendations, from time to time, to the President, Congress and the Governor and the Legislature of the State of Alaska as to changes in laws, policies and programs relating to the public lands which the Commission deems necessary or desirable;

(9) to make recommendations to the appropriate officers of the governments of the United States and the State of Alaska to develop general plans which would insure that economic growth and development are orderly, planned and compatible with State and national economic, social and environmental objectives;

(10) to make recommendations to appropriate officers of the United States, the State of Alaska and municipal officials to improve coordination and consultation between the Federal, State and municipal governments in making resource allocations and land use decisions;

(11) to coordinate the implementation by Federal and State agencies the provisions of the following laws as they may affect lands under the jurisdiction of the Commission:

(i) Federal Water Pollution Control Act as amended;
(ii)Clean Air Act as amended;
(iii) Solid Waste Disposal Act;
(iv) National Environmental Policy Act of 1969;
(v) Coastal Zone Management Act of 1972 as amended;
(vi) Safe Drinking Water Act;

In order that Commission may review all pertinent actions in regard to the above mentioned laws, to insure that conflicts do not occur between the rules, regulations, or policies of the various federal and state agencies involved with the implementation of these laws, and to insure that uses being permitted under these laws are consistent with the overall land use plans and classifications developed by the Commission for particular lands under their jurisdiction, the federal agencies authorized with the administration of the various provisions of the above-described laws shall provide the Commission with copies of all orders, notices, or other material initiated by the agency concerning the implementation of the above-mentioned laws affecting any lands under the jurisdiction of the Commission.

Prior to the finalization of any rule, regulation, stipulation, policy or other action affecting uses of lands under the jurisdiction of the Commission, any federal agency authorized to implement terms or provisions of the above-mentioned laws shall solicit and receive comments on the proposed action from the Commission. The agency or Department shall take whatever actions or make modifications as are reasonable and in keeping with the provisions of the above-mentioned laws to obviate conflicts or problems which the Commission may identify in its comments.

(12) to determine the location of specific routes or corridors which would serve identified regional, statewide or national transportation or utility needs; approve rights-of-way across lands under its jurisdiction and make specific recommendations to the appropriate Federal or State officer or private landowner where such rights-of-way would cross lands not under the Commission's jurisdiction, and in

connection therewith the Commission shall evaluate alternative routes and modes and shall seek to recommend prudent and feasible routes and corridors which minimize environmental impacts.

(b) With respect to the uses under paragraph (4) of subsection (a), the Commission shall have the authority to pursue such uses on a lease basis under such terms as it may prescribe or under applicable provisions of the public land laws.

(c) With respect to all Federal lands subject to the jurisdiction of the Commission, the Secretary may veto a decision of the Commission. With respect to all State lands subject to the jurisdiction of the Commission, the Governor of Alaska may veto a decision of the Commission. With respect to any lands owned by Native corporations subject to the jurisdiction of the Commission, either the Secretary or the Governor may veto a decision by the Commission.

(d) Federal, State and Native corporation lands under the jurisdiction of the Commission shall continue to be managed by the respective agencies established under Federal and State law, and in th case of corporation lands, by the respective corporation owner, provided that uses shall be regulated in accordance with classifications made by the Commission. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use management decisions made by an agency shall be in accordance with the laws

and regulations which generally govern the functions of such agency.

(e) Lands under the jurisdiction of the Commission shall be withdrawn from all forms of disposition or appropriation under Federal or State public land laws, including mining and mineral leasing laws, until a land use plan has been completed for the particular area by the Commission and classifications imposed in regard to permissable land uses.

(f) In performing the functions described in Section 103 (a) the Commission shall hold public hearings in the specific locale or region for which specific land use plans, classifications or actions are being proposed or considered.

Sec. 604. Notwithstanding any other provision of law, Federal participation in the Joint Federal-State Land Use Planning Commission for Alaska, established in Section 17(a) of the Alaska Native Claims Settlement Act, shall cease 180 days following the date of enactment of this Act or upon establishment of the Commission provided for in Section 101 of this Title, whichever first occurs. Immediately upon termination of Federal participation, all unexpended funds appropriate to the Joint Commission and all property shall be returned, as appropriate, to the United States and the State of Alaska, unless the Commission provided for in Section 101 of this Title has been established, in which case all Federal funds and property shall be transferred to the Commission.

Sec. 605. (a) On or before the ninety-day period immediately preceding the date of the expiration of the ten calendar year period following the date on which the Commission takes effect, the Secretary of the Interior shall report to the President and the Congress with respect to the Secretary's views and recommendations concerning the desirability or non-desirability of continued Federal participation in the Commission.

(b) Unless otherwise hereafter provided by law, Federal participation in the Commission shall terminate upon the expiration of the ten calendar year period following the date on which the Commission takes effect.

SENATOR GRAVEL'S DRAFT D-2 BILL--TITLE OUTLINE

TITLE I-IV---FOUR SYSTEMS DESIGNATIONS

------NO ACREAGES LISTED

------WILL DEVELOP MODERATE ACREAGE (50-80 MILLION)

-------WILL SEEK TO DRAW BOUNDARIES WHICH INCLUDE ONLY THOSE TRULY NATIONALLY SIGNIFICANT AREAS AND WHICH MINIMIZE CONFLICTS WITH OTHER SIGNIFICANT RESOURCES SUCH AS MINERALIZED AREAS.

------AREAS WOULD NOT TAKE AWAY ANY VALID STATE OR NATIVE SELECTIONS.

------BECAUSE PROPOSED REFUGES INVOLVE SO MUCH POTENTIAL OIL AND GAS SEDIMENTARY BASINS AND BECAUSE SECRETARY OF INTERIOR HAS NOT USED HIS AUTHORITIES TO LEASE FOR THESE RESOURCES ON EXISTING REFUGES IN ALASKA, THE BILL REQUIRES SECRETARY TO ESTABLISH SPECIFIC OIL AND GAS LEASE PROGRAM ON DESIGNATED REFUGES IN ALASKA.

------THE BILL AUTHORIZES A TRADE OF SUBSURFACE RIGHTS ON APPROXIMATELY 3% OF THE EXISTING ARCTIC GAME RANGE FOR STATE LANDS ADJACENT PROPOSED PARK OR REFUGE AREAS. EXPLORATION AND POSSIBLE DEVELOPMENT WOULD BE UNDER SURFACE REGULATIONS OF THE SECRETARY OF THE INTERIOR.

SENATOR GRAVEL'S DRAFT D-2 BILL--TITLE OUTLINE

TITLE V-------WILDERNESS

----------NOT ENOUGH KNOWN ABOUT RESOURCES OR POSSIBLE MANAGEMENT PLANS ON PROPOSED FOUR SYSTEMS LANDS TO DESIGNATE "INSTANT" WILDERNESS AT THIS TIME. NATURAL RESOURCES WILL NOT BE ENDANGERED IF WE WAIT SEVERAL YEARS TO MAKE WILDERNESS DETERMINATIONS; THIS WAS THE ORIGINAL MORTON PROPOSAL.

----------ONE EXCEPTION TO THIS IS SOUTHEAST ALASKA WHERE FOREST SERVICE PLANNING PROCESS NEARING COMPLETION. AFTER THE INFORMATION ALL IN AND ANALYZED THIS SPRING AND AFTER GETTING COMMENTS FROM CONCERNED GROUPS AND INDIVIDUALS IN SOUTHEAST, I PROPOSE TO COME BACK AND ADD IN WILDERNESS OR WILDERNESS STUDY AREAS IN THE TONGASS FOREST IN MY D-2 BILL.

----------INCLUDED IN BILL ARE SPECIAL MANAGEMENT GUIDELINES FOR WILDERNESS TO ALLOW FOR ACCESS AND CABIN USES WHICH ARE PRESENTLY GOING ON,PLUS POTENTIAL AQUACULTURE DEVELOPMENTS.

----------IT IS VERY UNFORTUNATE THAT THE DEPT OF AGRICULTURE BOWED TO POLITICAL PRESSURES AND JUMPED THE GUN ON THEIR WILDERNESS RECOMMENDATIONS FOR SOUTHEAST. THEY CUT THE MARGIN ON AVAILABLE TIMBER YIELD SO CLOSE AS TO ENDANGER THE JOBS AND WHOLE ECONOMY OF SOUTHEAST.

PROPOSAL BY SENATOR MIKE GRAVEL FOR A FEDERAL-
STATE LAND USE PLANNING COMMISSION

TITLE VI

----THE COMMISSION WOULD BE ESTABLISHED UPON THE PASSAGE OF STATE LAW DEDICATING STATE LAND FOR JURISDICTION UNDER T COMMISSION.

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----THE STATE WOULD LEGISLATE A PROCESS BY WHICH PRIVATE NATIVE CORPORATION LANDS COULD BE VOLUNTARILY PLACED UNDER THE COMMISSION'S JURISDICTION AND RECEIVE CERTAIN ADVANTAGES SUCH AS PROPERTY TAX DEFERMENT.

----THE COMMISSION WOULD BE COMPOSED OF 9 MEMBERS: 1 CHAIRMEN JOINTLY APPOINTED BY PRESIDENT AND GOVERNOR, 4 FEDERAL MEMBERS BY PRESIDENT, AND 4 STATE MEMBERS BY GOVERNOR. 1 FEDERAL MEMBER AND ONE STATE MEMBER WOULD BE NATIVE IF 80% OR MORE OF CORPORATION LAND DEDICATED.

----MEMBERS WOULD BE FULL-TIME AND SERVE STAGGERED 4-YEAR TERMS

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- ----DEVELOPMENT OF LAND USE PLANS AND LAND CLASSIFICATIONS FOR VARIOUS LAND USES;
- ----INSURING THAT FEDERAL, STATE, AND LOCAL PLANNING AND LAND USES ARE HARMONIOUS
- ----COORDINATE IMPLEMENTATION OF AIR AND WATER POLLUTION LAWS, COASTAL ZONE MANAGEMENT LAW, AND OTHER ENVIRONMENTAL LAWS;
- ----DETERMINE LOCATION OF TRANSPORTATION AND UTILITY SYSTEM RIGHTS-OF-WAY ACROSS FED, STATE, AND PRIVATE LANDS;

-----VETO POWER WOULD BE RETAINED BY THE GOVERNOR AND THE SECRETARY OF INTERIOR OVER THEIR RESPECTIVE LANDS. EITHER THE STATE OR THE SECRETARY WOULD HAVE VETO OVER NATIVE CORPORATION LANDS.

----ON-THE-GROUND MANAGEMENT WOULD BE RETAINED BY THE NORMAL FEDERAL (BLM) AND STATE (DNR) AGENCIES.

----LANDS UNDER THE COMMISSION WOULD BE WITHDRAWN FROM ALL ENTRIES AND APPROPRIATIONS PENDING CLASSIFICATION BY COMM.

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SENATOR GRAVEL'S DRAFT D-2 BILL--TITLE OUTLINE

TITLE VII--SUBSISTENCE

-------PROVISIONS VERY SIMILAR TO THE COMPROMISE PUT TOGETHER IN THE HOUSE SUBCOMMITTEE WHICH RECEIVED WIDE AGREEMENT OR ACCEPTANCE BY THE MANY SIDES OF THE ISSUE.

-------THE STATE WOULD RETAIN PRIME RESPONSIBILITY FOR FISH GAME MANAGEMENT.

-------WHEN FISH AND WILDLIFE RESOURCES WERE SCARCE, SUBSISTENCE USERS WOULD BE GIVEN PREFERENCE IN USING THOSE RESOURCES

-------SUBSISTENCE USERS WOULD BE DEFINED ON THE BASIS OF RESIDENCE AND DEPENDENCE ON THE RESOURCES, NOT RACE OR ETHNIC BACKGROUND.

-------ALL LANDS, INCLUDING NATIONAL PARK LANDS, WOULD BE OPEN FOR SUBSISTENCE USES. ACCESS BY CUSTOMARY MEANS, INCLUDING MOTORIZED VEHICLES, WOULD BE PERMITTED ON ALL LANDS.

-------THE STATE WOULD CREATE A SYSTEM A REGIONAL BOARDS AND LOCAL ADVISORS. REGIONAL BOARDS WOULD HAVE PRIMARY RESPONSIBILITY, SUBJECT TO STATE OVERVIEW, FOR DEVELOPMENT OF FISH AND WILDLIFE POLICIES AND REGULATIONS.

-------THE SECRETARY WOULD MONITOR STATE SUBSISTENCE PROGRAM AND COULD SUSPEND PROGRAM IF SUBSISTENCE PROVISIONS NOT BEING FOLLOWED. STATE WOULD HAVE AMPLE HEARING OPPORTUNITIES AND TIME TO CORRECT PROGRAM.

-------FEDERAL FUNDS WOULD BE AUTHORIZED AND GRANTED TO THE STATE TO OFF-SET THE EXTRAORDINARY COSTS TO SET UP AND RUN THIS SPECIAL SUBSISTENCE PROGRAM

SENATOR GRAVEL'S DRAFT D-2 BILL--TITLE OUTLINE

TITLE VIII--STATE AND NATIVE LAND CONVEYANCE

---------ADOPTS LANGUAGE DEVELOPED BY NATIVE COMMUNITY FOR MORE OR LESS INSTANT CONVEYANCE OF ALL VALIDLY SELECTED NATIVE LANDS TO WHICH THEY ARE ENTITLED UNDER THE PROVISIONS OF ANCSA.

---------ADOPTS LANGUAGE DEVELOPED BY THE STATE FOR SPEEDY CONVEYANCE OF STATE LANDS, INCLUDING ALL THOSE SELECTED TO DATE AND THOSE REMAINING TO BE SELECTED IN THE FUTURE.

---------WOULD ALSO AMEND STATEHOOD ACT TO ALLOW LONGER TIME FOR STATE SELECTIONS (IN REALITY WOULD ONLY BE A SMALL AMOUNT WHICH COULD BE USED TO TIDY UP MISC. OWNERSHIP PATTERNS IN YEARS TO COME), AND ALSO CLEAR UP OTHER SELECTION PROBLEMS.

SENATOR GRAVEL'S DRAFT D-2 BILL--TITLE OUTLINE

TITLE IX--TRANSPORTATION AND UTILITY CORRIDORS

------DUE TO THE VERY LARGE AREAS PROPOSED FOR FOUR SYSTEMS, DUE TO THE JUXTAPOSITION OF THESE AREAS TO STATE AND NATIVE LANDS, AND DUE TO THE PRESENT UNCERTAINTIES AND UNKNOWNS INVOLVED IN POSSIBLE FUTURE RESOURCE DEVELOPMENTS IN ALASKA, IT IS NECESSARY TO ESTABLISH A MECHANISM BY WHICH TO ESTABLISH TRANSPORTATION AND UTILITY CORRIDORS ACROSS FOUR SYSTEM LANDS WHICH MAY BE NEEDED IN THE FUTURE.

-----EXISTING FEDERAL POLICIES AND REGULATIONS SIMPLY CAN NOT BE RELIED ON OR ARE NOT ADEQUATE TO DEAL WITH THESE KINDS OF FUTURE NEEDS, THUS THE LAND USE PLANNING COMMISSION ESTABLISHED IN TITLE VI WOULD TAKE THE LEAD IN THIS CASE.

-----THE COMMISSION WOULD CONDUCT STUDIES OF ALL PROPOSED TRANSPORTATION OR UTILITY SYSTEMS WHICH MAY BE PROPOSED. BASED ON WHAT THEY DETERMINED TO BE THE MOST PRUDENT AND FEASIBLE ALTERNATIVE THEY WOULD GRANT RIGHTS-OF-WAY ACROSS LANDS UNDER THEIR JURISDICTION. WHERE THE ROUTE WOULD CROSS FOUR SYSTEMS LANDS , THEY WOULD MAKE SPECIFIC RECOMMENDATIONS TO THE SECRETARY INVOLVED. UNLESS THE SECRETARY ISSUED SPECIFIC FINDINGS SHOWING THAT THE ROUTE WOULD RESULT IN SIGNIFICANT ADVERSE HARM TO THE PARTICULAR NATURAL RESOURCES INVOLVED AND THAT THERE EXISTED ANOTHER PRUDENT AND FEASIBLE ALTERNATIVE WHICH AVOIDED THESE IMPACTS, THE SECRETARY WOULD GRANT THE RECOMMENDED RIGHT-OF-WAY.

SENATOR GRAVEL'S DRAFT D-2 BILL--TITLE OUTLINE

TITLE X--ADMINISTRATIVE PROVISIONS

-------ADOPTS MUCH OF THE LANGUAGE OF THE HOUSE SUBCOMMITTEE WHICH WAS WIDELY AGREED TO.

-------AUTHORIZES LAND AQUISITION BY DONATION, TRADE, PURCHASE. INHOLDINGS CAN NOT BE CONDEMNED.

-------PROVISION OF ACCESS TO AND IN UNITS OF FOUR SYSTEMS

-------ESTALBISHED ALCAN HIGHWAY VISITOR CENTER

-------PROVIDES FOR LOCAL HIRE IN MANAGEMENT OF FOUR SYSTEMS

-------CALLS FOR DEVELOPMENT OF MANAGEMENT PLANS FOR UNITS

-------AUTHORIZES PURCHASE OF ISOLATED ARCHEOLOGICAL SITES

SENATOR GRAVEL'S DRAFT D-2 BILL--TITLE OUTLINE

TITLE XI--MISCELLANEOUS

--------CALLS FOR SPECIAL STUDY OF DEVELOPMENT OF VISITOR ACCESS AND FACILITIES ON SOUTH SIDE OF PROPOSED DENALI (MT. MCKINLEY) NATIONAL PARK.

--------WITHIN TWO YEARS OF ACT, SECRETARY WOULD REPORT ON ECONOMIC, ENVIRONMENTAL, AND ENGINEERING COSTS, PLANS AND FEASIBILITY OF RANGE OF DEVELOPMENTS

--------$2 MILLION IS AUTHORIZED FOR STUDY

--------$500 MILLION IS AUTHORIZED FOR CONSTRUCTION OF MASS TRANSIT SYSTEM FROM ANCHORAGE, VISITOR CENTER, AND TRAMWAY.

-------USING MY BILL, S. 929, A NEW CATEGORY OF NATIONAL TRAILS WOULD BE ESTABLISHED, NATIONAL HISTORIC TRAILS, AND THE IDITAROD WOULD BE DESIGNATED AS A NATIONAL HISTORIC TRAIL

--------THE SECRETARY OF INTERIOR WOULD BE AUTHORIZED TO CONVEY UP TO 5 ACRES TO INDIVIDUALS WHO OCCUPIED LAND AS A PRIMARY PLACE OF RESIDENCE PRIOR TO ANCSA PASSAGE AND UP TO PRESENT WHICH MAY BE INCLUDED IN FOUR SYSTEMS LAND

-------WOULD ALLOW STATE OR OTHER LANDS TO BE DONATED OR ACQUIRED FOR KLONDIKE GOLD RUSH NATIONAL HISTORICAL PARK

------CALLS FOR A SCENIC HIGHWAY STUDY ALONG DENALI HIGHWAY BETWEEN PARKS HIGHWAY AND GLENNALLEN AREA.

SENATOR GRAVEL'S DRAFT D-2 BILL--TITLE OUTLINE

MINERALS

------DID NOT INCLUDE A SPECIAL TITLE IN BILL FOR MINERAL PROVISIONS.

------SPECIAL PROVISIONS DEVELOPED THUS FAR BY HOUSE, AND ADMINISTRATION HAVE BEEN A NIGHTMARE OF COMPLEXITIES AND HAVE NOT BEEN WORKABLE.

------MUCH OF THE PROBLEM CAN BE SOLVED BY NOT PLACING VALUABLE MINERALIZED AREAS IN FOUR SYSTEMS LANDS.

------SOME MINERALIZED AREAS WILL UNDOUBTEDLY BE "LOST" WITHIN FOUR SYSTEM DESIGNATIONS AND WE SHOULD NOT KID OURSELVES INTO THINKING THAT SOME SEVEN-STEP PROCESS ENDING IN CONGRESS WILL ENABLE THE MINERALS TO BE DEVELOPED WITHIN A NATIONAL PARK--CONGRESS HAS ALREADY SPOKEN TO THAT TYPE ISSUE IN THE MINING IN THE PARKS ACT, WHICH DESPITE OUR EFFORTS TO EXCLUDE THE NICKEL DEPOSITS IN GLACIER BAY, SHUT THE DOOR ON US.

------HOWEVER, THE LEGISLATION SHOULD CALL FOR CONTINUED EXPLOR ATION IN ALL AREAS TO GIVE US A CLUE AS TO WHAT WE HAVE; OBVIOUSLY HOWEVER, PRIVATE INDUSTRY WILL BE VERY RELUCTANT TO EXPLORE IN AREAS WHICH ARE CLOSED TO CLAIM STAKING AND WE SHOULD RECOGNIZE THIS. THUS, USGS AND CONTRACT WORK WILL PROBABLY HAVE TO BE RELIED ON.

------IN THE CASE OF OIL AND GAS, MY BILL DIRECTS THE SECRETARY TO INITIATE A LEASE PROGRAM ON WILDLIFE REFUGE LANDS WHERE HE CURRENTLY HAS UNUSED AUTHORITIES.

TESTIMONY
BEFORE
HOUSE RESOURCES COMMITTEE
HOUSE BILL 211
AN ACT ESTABLISHING THE ALASKA LAND COMMISSION
AND PROVIDING FOR AN EFFECTIVE DATE
PRESENTED BY
WALTER B. PARKER
STATE CO-CHAIRMAN
JOINT FEDERAL-STATE LAND USE PLANNING COMMISSION
Friday, February 17, 1978

Mr. Chairman, it is a pleasure to appear before you and testify again on House Bill 211. When I testified last spring, the Land Use Planning Commission position on a future forum of a cooperative planning and management system for Alaska lands had not been finalized. That position was finalized at a meeting in September, 1977, and I would now submit the position paper for the record. Its title is "A Report of the Joint Federal-State Land Use Planning Commission For Alaska on Cooperative Planning, Management, and Organization."

At its September meeting, the Commission had before it the structure represented in H.B. 211 and also the cooperative management structure proposed by Secretary of the Interior Andrus in his amendments submitted to H.R. 39. We also had the cooperative management system proposed in Senator Stevens' Bill, S. 1787. The Commission considered these and other structures in reaching its decisions.

The Land Use Planning Commission has, for a long time, considered that the adjustment of the decisions on land and resources necessitated by the Alaska Statehood Act and the Alaska Claims Settlement Act will probably extend well into

the next decade if not beyond that time. There will be a continuing range of adjustments which must be dealt with and there is no substitute for a continuing strong coordinating mechanism between the Federal and State governments. Thus far, the Commission has defined some areas of concentration in land use planning which are especially acute. These are fish and game management, transportation planning, research coordination, and data collection coordination. We also have underway efforts at achieving some level of joint classification standards for land managers.

It is also important to recognize that Alaska Native corporations are the propritors of some of the State's prime wildlife habitat and resource production areas. Thus, any system of cooperative management must offer incentives to the Native corporations to participate if it is going to be completely successful.

It would be a grave error to assume that the Federal-State relationship always consists of the State seeking to impact Federal planning and programs. There is just as acute a need for the Federal government to coordinate with the State on programs where the State, through its regulatory regime and ownership of State lands and submerged lands, can have a major impact on the success of those Federal programs. Thus, we are very much talking about a partnership on equal footing except in those areas such as defense, foreign policy, endangered species, and others where either the Constitution or the Congress has preempted state rights.

It is equally important to recognize that the equal footing doctrine of the Constitution requires that Alaska be treated substantially as other states in the union in its relationships to the Federal government.

A very carefully structured Federal-State planning process seems to us to offer the best solution to the above problems. Such a process must respect the sovereign rights of each government and act as a coordinator and facilitator of communications between the affected agencies of those governments and between the Congress and the Legislature. It should ensure that each government is well aware of the impact that its actions will have upon the other and make recommendations to each on means by which conflicts can be resolved. Everything else that is subsumed under the phrase "cooperative management," such as joint classifications of lands, common criteria for resource development stipulations, common data systems, and other mechansims are simply a means for furthering as much cooperation as can be achieved between two governments. They are not the essence of the cooperation. The essence of the cooperation comes from the structure of a Federal-State body and the commitment to its success. Above and beyond this, we have the requirement for both governments to relate to the boroughs and municipalities. Much of this has already been stated by the Legislature in coastal zone legislation and it is important that any form of Federal-State cooperative management have strong formal linkages with the coastal zone management program, the North Pacific

Fisheries program, and other forms of coordination that exist between the three levels of government now.

I would now like to deal with the specifics of H.B. 211. The Land Use Planning Commission has recommended a membership of ten members with a Federal co-chairman and a State co-chairman rather than the seven members recommended in H.B. 211. House Bill 211 establishes an executive director elected by the commission. We believe that Presidential appointment on the Federal side and Governor's designation on the State side should be continued to provide strong leadership.

The distinction between a single chairman or co-chairmen, such as is utilized by the present Commission, is an important one. With the co-chairmen principle, the commission operates as a body where a certain level of Federal-State conflict is constantly worked out between the two chairmen prior to placing issues before the full commission. With a single chairman, such conflicts would be worked out between the Governor and the Secretaries of concern in the Federal structure before requiring resolution by the full commission. Thus, a single chairman would undoubtedly have more individual power than either of the two co-chairmen. The Commission has, as I have said before, elected to retain the co-chairmen principle as reflecting the most cooperative arrangement.

The Commission agrees with H.B. 211 in that Commission members should not be ex officio or institutional, that is,

State commissioners or Federal department or agency heads. The Commission has also recommended that appointments not be representatives of special interest groups. The Commission subcommittees that worked on this problem felt that special interest representation tends to institutionalize conflict rather than contribute to problem solution.

We feel that the commissioners should continue to be part-time, except for the co-chairmen. The general feeling was that full-time commissioners would tend to institutionalize their own perspective, while part-time commissioners are subject to other pressures and open to other viewpoints from various sectors which they are able to bring to commission decisions. In essence, part-time is felt to be more open to public input than full-time.

The present Commission also felt that commissioners should continue to serve at the pleasure of the appointing official rather than for terms. In this, its position differs from H.B. 211.

Regarding the duties of the commission, our recommendations differ only in degrees contained in H.B. 211. We have recommended that rather than manage "common management areas," the future commission should have classification powers over such lands, but that they should be managed by the existing line agencies. Classifications powers, of course, would imply a planning process which would lead to ultimate classification. The Commission also recommended that the future commission serve a special role in transportation planning across common management areas.

The present Commission has felt that equal access to the Legislature, the Congress, the Governor, and the President and his Secretaries has been the most powerful feature of the Commission. We have not felt that having only advisory powers in this area has been a weakness. Rather, because we have no land interests or program interests to protect and enhance, we have felt that this advisory role gives us entree into many necessary areas where a more narrowly circumscribed role with stronger program responsibilities would make our advice suspect.

With regard to the power of a future commission, it is the opinion of the present Commission that such powers should continue to be largely advisory but that the classification powers over common management land is an important new power that should be considered. Classification would have two aspects; the first would be those lands which the commission itself would classify, and the second being joint classification areas where the commission would aid the State and Federal governments in establishing joint classification standards with the Federal or State land managers then doing the actual land classification.

We have already begun a substantial dialogue with the Bureau of Land Management and the Division of Lands, and a draft copy of the four proposed joint classification areas which are under consideration is also submitted for the record at this time. The four joint classifications that have been proposed thus far are: (1) Settlement and settlement impact which are lands designated for settlement together

with adjoining rural lands within the sphere of community influence. This category also includes lands adjoining existing or proposed highways or other points of access which may be designated into this category if development of other off-road land uses is in the public interest in the particular area under consideration. (2) Resource management. This category is intended to apply to areas where various forms of resource development would be permited an encouraged. (3) Public preserves. This would apply to areas where the prime purpose of management is to protect the natural environment but where other activities would be permitted if they could be conducted in accordance with the primary objective, and (4) Wildlands, which is intended to apply to areas where the purpose of management would be to maintain lands in a natural state. I wish to emphasize that these four classification areas are still under review and development.

The major powers of the commission should continue, however, to be of a coordinating and facilitating nature. This is adequately represented in H.B. 211.

The Commission considered several other elements regarding a future commission which are not incorporated into H.B. 211.

Any future commission should be created for a period of ten years. This time frame will permit the general land ownership pattern to be set or certainly become less fluid and will provide the time for a number of important decisions to be made. While it is unlikely that the need for cooperative planning and management will decrease during this time, a

Congressional and Legislative review should be provided for by statute to occur during the period of the eighth year of the commission's work. This review would cover the first seven years of experience, would redirect the commission's work if necessary, and would recommend whatever actions were deemed appropriate upon expiration of the commission's mandate two years later. Thus, there would be a built in "sunset" provision.

It is most important to maintain sovereignty by providing for the veto power on the State and Federal sides. The major difference between the present Commission and other State-Federal organizations is that the State has the veto power and is therefore, at the commission level at least, the equal of the Federal government. We examined all other Federal-State organizations that we knew of and could find none other where this situation obtained. We think that it is important to retain this concept in a new commission.

There should be executive coordination committees established by both the State and Federal governments. It is especially important that there be a Federal executive coordinative committee in Washington at the Secretarial level. This committee would meet periodically in order to coordinate those programs and functions of their respective agencies which could affect administration of the lands, water, and resources in Alaska. The problem has been often that things are well coordinated at the State or regional level and then must be coordinated all over again with each

individual agency in Washington. Sometimes this can take several years. Therefore, we felt that it was very important to have this coordination occur on a regular basis so that the Federal government could react to the commission's proposals on a continuing basis.

Because the commission will be working more closely with the State agencies, the need for a State executive coordination committee is not as great as the need for the Federal committee. However, I think it would be effective for those Cabinet members with special concerns in land, water, and resources to meet on a regular basis to review commission proposals.

The commission should have a technical advisory committee consisting of the heads of Federal agencies with land-related responsibilites in Alaska and their State counterparts. Other advisory committees or task forces should be appointed as needed either on an area, issue, or functional basis. We have formed some embryo organizations in these areas and work has been generally effective so far. This technical advisory committee would be similar in composition to the commission proposed by Secretary Andrus. The Commission disagreed with the proposals submitted by the Secretary because it felt that a commission made up of various agency heads could not bring the independent perspective to the commission which was desired. Their perspective is available in the present structure of government and should be coordinated in any case. We strongly feel that the commission should be an independent neutral voice and that the members of such a commission should be picked with this in mind.

The policy of joint and equal funding should be continued. This has been an effective control upon the present Commission, in keeping it within the bounds of its mission, and it also serves to insure that Federal and State interests are balanced and that one government does not out budget the other to secure control of the commission.

I have tried to keep this testimony brief. There are several other areas I would be willing to expand upon at the Committee's discretion. Thank you for the opportunity to appear here today.

REPORT OF THE

JOINT FEDERAL-STATE LAND USE PLANNING COMMISSION FOR ALASKA

COOPERATIVE PLANNING, MANAGEMENT, AND ORGANIZATION

With some five years of first hand experience, the Joint Federal-State Land Use Planning Commission for Alaska remains concerned about Federal-State, intra and interagency cooperative planning and management that occurs in Alaska. After staff work, investigation by a subcommittee, and intensive outside review, the Commission, at its meeting of September 15 and 16, adopted the following recommendations.

The discussion of the recommendation is divided into four parts. First, the basic reasons for cooperative planning and management; second, the reasons for a joint Federal-State commission; third, the powers; and fourth, the organization that such a commission would have. An appendix has been added to the report which translates the Commission recommendation into legislative language. A bibliography is also attached.

I. Reasons for Cooperative Management

Basic reasons for cooperative planning and management in Alaska include:

1. There is a continuing State-Federal re .lionship. This did not begin and will not end with the disposition of the d-2 lands.

2. The land ownership pattern in Alaska is growing evermore complex as a consequence of the implementation of the Alaska Statehood Act and the Alaska Native Claims Settlement Act. Lands owned by the Federal government, the State, Native corporations, and other parties lie adjacent to each other in tracts of varying size which do not necessarily follow rational boundary lines. This intermixture of land ownership can easily jeopardize prudent management. A systematic approach to resources which are similar but owned by different parties must be initated to insure consistent and complementary management.

3. Private and State lands may be the essential buffer zone for certain of the more sensitive areas in Federal control. In other cases, the Federal government will own and regulate the mountain tops while the valleys are in State control, or the Federal government will have the wild and primitive areas while State lands will contain the people. Cooperative management is essential to protect the commonality of interest and to protect the national interest.

4. Resources have been divided by mixed ownership across the surface of the land, and between the surface and subsurface. The State, for example, owns the bed of navigable waterways and tidelands, while the water column within the Federal withdrawals will be controlled by various State and Federal regulations and may be subject to claim under the Federal Reserve Water Rights Doctrine. Ownership of the land surface and the underlying minerals may also be split between private owners and Federal agencies.

5. Migratory wildlife, e.g., caribou, waterfowl, etc., require extensive habitat that will occur on all land ownerships. Habitat must be maintained, and movement must remain free if these species are to survive.

6. Even if parks or refuges are contained ecosystems to the extent possible, there will be elements of the ecosystem that cannot be contained in area boundaries. Protection of entire ecosystems, and the full use of new knowledge about those systems will require extensive cooperation.

7. Issues may have a local significance but are actually regional, statewide or national, and they must be approached from that perspective. These include: (a) Outer Continental Shelf programs; (b) Coastal Zone Management; (c) international fisheries management; (d) marine mammals; (e) energy development; (f) fish and game management; (g) transportation; (h) wilderness study; (i) research; and (j) information systems.

8. The social, economic, and land use interweave is more fundamental in Alaska than in states with a more developed infrastructure. Any change can have an effect across the State.

9. National parks will become destination points for tourists. The State will be called upon to provide access and other infrastructure outside the parks. Close coordination and planning will be necessary to permit the State to provide these services without harmful impacts.

10. Ownership of land in Alaska is concentrated in government and corporate hands. Thus, there is no "grass roots" force to develop means of cooperation.

11. There are extensive federally owned areas in Alaska which remain largely in their natural state, and have natural values that are clearly of national importance. Nonrenewable and renewable resources found on these lands are largely unevaluated, and their possible importance in meeting future national and international needs for energy, minerals, wood

fiber, and food cannot be accurately estimated at this time. The existing Commission has recommended this area be placed in a new classification called Alaska National Lands. Decisions regarding these lands must be made cooperatively, within a national context over time.

12. Land exchanges between Federal and State governments or between governments and Native corporations may offer a viable solution to certain problems. Cooperative planning is needed to provide the broader perspective to undertake such exchanges.

II. Reasons for a Federal-State Commission for Alaska

The trend in Federal programs over the last 15 or so years has been toward greater State-Federal cooperation. Many programs or statutes permit or require cooperation, including Coastal Zone Management, Lakes Act, BLM Organic Act, etc. These and earlier programs such as the river basin commissions have had degrees of success or failure for various reasons. The new joint Federal-State commission in Alaska is designed to enhance the national interest and is particularly important for the following reasons.

1. Alaska is unique in being a one-state region as well as a state in which few land use patterns are set. Alaska offers an opportunity to attempt a vital, close, and unique effort in State-Federal cooperation. Thus, State-Federal cooperative planning and management may be evaluated in isolation from problems which emerge from multistate jurisdictions.

2. A joint Federal-State activity will provide a mechanism to which both the Federal (President, Secretary of Interior, Congress, etc.) and the State government (Governor, Fish and Game Commission, Legislature, etc.) may relate and which will institutionalize communications between the many interests.

3. Many of the decisions to be made in Alaska are too important, too big to be made within the mission of a single agency or even department. A joint commission will provide an umbrella agency allowing a nondepartmental, cross-functional area review, and a joint planning and coordination that must occur.

4. The existing record of many agencies in cooperative management is simply not very good. There are tools in existing laws which may be used in cooperative planning and management, but each lacks a third party, a motivating force to insure that dialogue takes place, and, as appropriate, is acted upon. A joint Federal-State commission provides both the vehicle stimulating Federal-State, interagency, and interdepartmental cooperation in and across functional areas such as transportation and fish and game, and energy and parks, and a means of unifying diverse elements into a coherent whole.

5. One of the major functions of any commission is to provide a public forum for the direct expression of ideas so issues and problems may not be hidden or ignored by line agencies.

6. State participation on the commission will also insure a meaningful State role in the governmental interface with Alaska citizens. In the absence of such participation, the Federal government would interact alone with private citizens, and many State responsibilities and regulatory approaches could be overlooked in the process. As a consequence, a traditional adjunct of American federalism might be jeopardized.

Should the State of Alaska decide not to join in a Federal-State effort, the Land Use Planning Commission recommends that a Federal commission be established which would coordinate Federal activities with particular emphasis on Alaska National Lands and such functional areas as transportation, fish and game management, research, information systems, and wilderness studies.

III. Powers

In order to carry out its intergovernmental, interagency, cooperative planning and management role, the Commission will need a certain limited range of powers.

"Donation" or "Matching" of Lands

Before proceeding with the discussion of "Powers," it is important to note that neither Federal nor State government is giving up, contributing, or donating land. Each is delegating only a portion of its regulatory authority and that subject to a veto by designated officials of the respective governments.

Joint Classification Areas

When land transfers are completed, there will be intermingled Federal, State, and local governmental and private ownership of numerous areas with key natural resources. Whether the public interest is best served by protection of natural values, by the development of needed resources or an appropriate blending, cooperative planning will be essential. With coordination, Federal, State, and private interests can all be served more compatibly; without it, conflicts may be aggravated and all interests frustrated. In those key areas, called Joint Classification Areas or JCAs, where the various interests are similar or complementary, land classification should be conducted jointly by the proposed Federal-State commission. General authority could be granted by Congress and the Alaska Legislature to the commission as part of its comprehensive planning function to identify JCAs and to classify the land.

JCAs would not encompass lands within or recommended as additions to the existing Federal land management systems. The State may also have sound reasons for reserving exclusive control over certain lands, and these would not be incorporated in JCAs. The prerogatives of the different governments should be further preserved by giving each government veto power within its sphere of ownership over joint commission classifications.

Private Lands

Cooperation of private landowners with the State and Federal government will be important in many areas. The commission should have the authority to include private lands in JCAs with the consent of the landholder.

Alaska National Lands

The existing Commission has recommended that Congress establish a new classification system to be called Alaska National Lands. Units of these lands are to be under the day-to-day management of one of the existing Federal agencies, but the Commission would be empowered within guidelines established by Congress to classify these lands. Even if Congress does not create Alaska National Lands, the other powers in this section will be needed if meaningful State-Federal cooperative planning and management is to become a reality.

Should Congress not establish the Alaska National Lands classification, there will remain a demanding need for a joint classification authority to work with JCAs.

Advisory Duties

The new commission should be empowered to continue the advisory functions of the present Commission. Specifically, the commission should be authorized to make recommendations to appropriate officials of both governments with respect to:

--ways to improve coordination and consultation in wildlife management, transportation planning, wilderness review, informative systems, research and other activities requiring regional or statewide coordination.

--programs and budgets of Federal and State agencies responsible for administration of public lands in Alaska.

Should an agency elect not to follow a commission recommendation, that agency shall, within 30 calendar days from the date of receipt of the recommendation, provide the commission a detailed, written report stating in full the reasons for rejecting the recommendation.

Operating Procedures

To avoid the complications of two sets of regulations, State and Federal, which differ, the commission should be authorized to establish its own personnel, property, procedural, etc., rules and regulations.

IV. Organization

Commission Structure

After discussion of several alternatives, the Land Use Planning Commission recommends the following structure for a future commission.

1. The commission should be created for a period of 10 years. This time frame will permit the general land ownership pattern to be set or certainly to become less fluid, and will provide the time for a number of important decisions to be made. While it is unlikely that the need for cooperative planning and management will decrease during this time, a congressional review should be provided for by statute to occur during the eighth year of the commission's work. This review would cover the first seven years of experience, would redirect the commission's work if necessary, and would recommend whatever actions are deemed appropriate upon expiration of the commission's mandate two years later. Thus, the commission would have a built-in "sunset" provision.

2. As indicated under Powers, there is to be a Federal veto over actions affecting Federal lands, and a similar veto provision for State lands. As actions move from the purely advisory mandate of the existing Commission to the classification authority of a new commission, the veto power should reside with the President and Governor. In the event of a veto, the appropriate official shall provide concurrent with the veto a written report stating in detail the reasons for such action.

3. The commission would consist of ten members, all of which would serve at the pleasure of the appointing official. The President would appoint a full-time Federal co-chairman, and four part-time commissioners.

   An equal number of commissioners, including a full-time co-chairman, would be appointed by the Governor.

   Qualifications for Federal members should be established, if possible, which will insure a national perspective. State member qualification should be established by State statute. With respect to both Federal and State members, the subcommittee recommended that appointments not be ex officio or institutional, i.e., State commissioners or Federal department

or agency heads. It was also recommended that appointments not be representatives of special interest groups. The subcommittee felt that special interest representation tends to institutionalize conflict rather than contribute to problem solution.

4. In all matters, the commission should be authorized to advise and work directly with the President, Governor, Presidential and Gubernatorial appointees, Congress, and the Legislature.

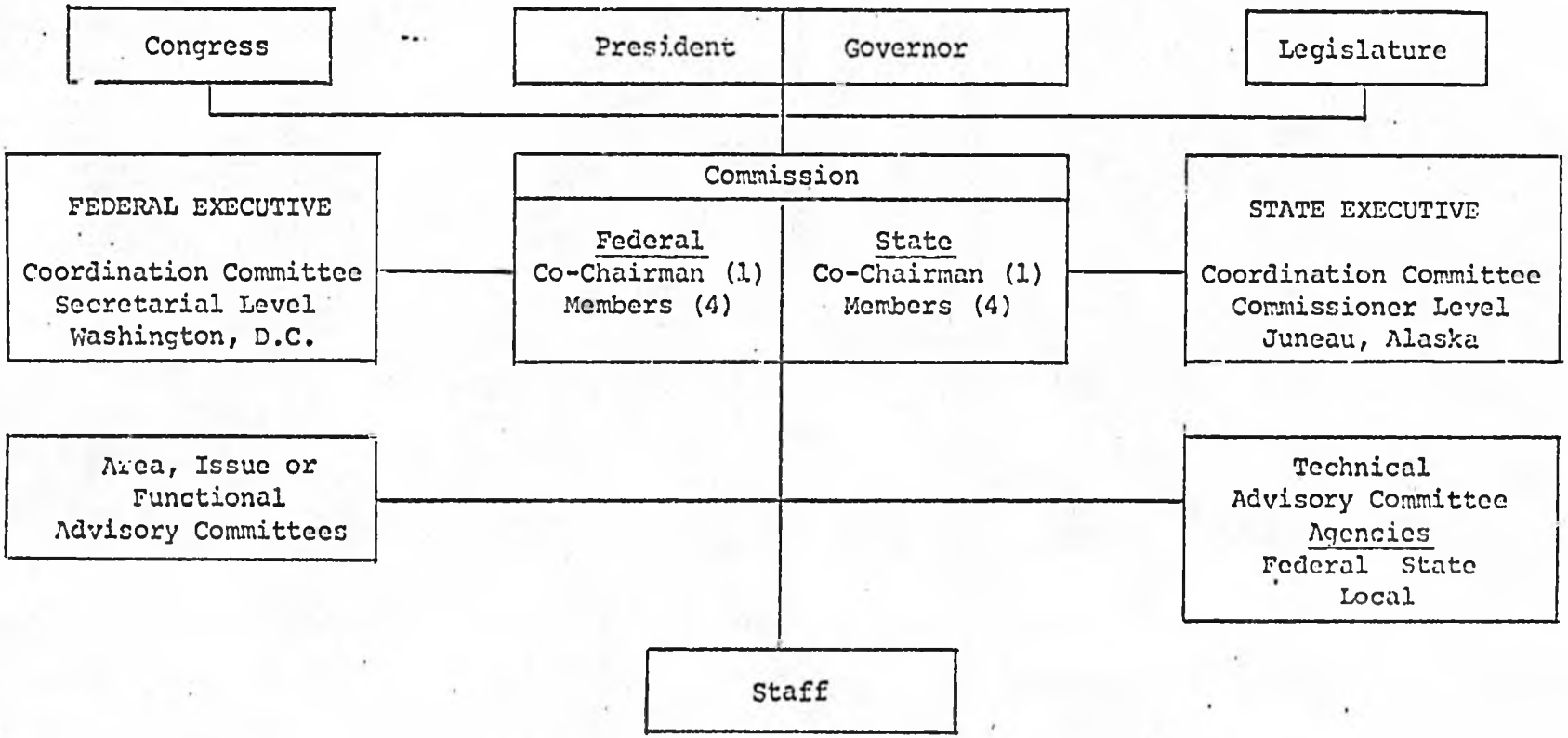
5. The commission should have a standing Technical Advisory committee consisting of the heads of Federal agencies with land related responsibilities in Alaska and their State counterparts. Other advisory committees or task forces should be appointed as needed on either an area, issue, or functional basis.

6. In order to assure a mutual understanding of joint problems, to develop common policy, and to insure that plans are implemented in the field, a Federal Executive Coordination Committee should be established in Washington at the Secretarial level. This committee would meet periodically in order to coordinate those programs and functions of their respective agencies which could affect administration of the lands and waters in Alaska.

7. A State Executive Coordination Committee should be established at the commissioner level by the Governor as the State's counterpart to the Federal Committee. This Committee would also meet periodically to coordinate those programs and functions wherever necessary to insure successful cooperative planning and management, and which interface with Federal lands and interest.

8. The commission's budget should be funded one-half by each government.

JOINT FEDERAL-STATE
COOPERATIVE PLANNING AND MANAGEMENT



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DRAFT FOR COMMENTS

DEVELOPING COMPATIBLE FEDERAL AND STATE LAND PLANNING SYSTEMS

A Staff Report

Joint Federal-State Land Use Planning Commission for Alaska

October, 1977

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Introduction

Throughout the Nation, but particularly in the Western states where Federal ownership accounts for a major share of the land area, state governments are asking for a stronger voice in the planning and management of Federal lands. This assertiveness reflects the growing public awareness of land use and environmental matters. No longer are Federal lands viewed as islands, separate, and apart from other lands. People are realizing that Federal land management decisions in their state can have a powerful influence on surrounding land uses, and on the states' economic and social well-being.

During the September, 1977 Western Governors' Conference, emphasis was placed on the fact that Section 202(c)(9) of the Federal Land Policy and Management Act of 1976 requires that land use plans for Bureau of Land Management lands "shall be consistent with State and local plans to the maximum extent he (the Secretary of the Interior) finds consistent with Federal law and the purposes of this Act." The first resolution adopted by the sixteen governors asked for State and Federal coordination and cooperation in drafting the rules and regulations for the Federal Land Policy and Management Act.[1] Another resolution found that the Bureau of Land Management and the U.S. Forest Service planning systems did not provide adequate accountability, and asked that the rules and regulations for the new Act reduce administrative discretion and add accountability.[2] A number of ways of achieving this objective were set forth, including the establishment of State coordinators within Federal agencies; the exchange of timetables and schedules; and guidelines for combining State and Federal public meetings, review periods, and regulatory requirements.

In Alaska, the mutual interests of State and Federal landowners are especially strong. Alaska's Statehood land grant differs from those of other states not only in terms of the exceptionally large quantity of land involved, but, also, because Alaska was allowed to choose most of its grant "at large" from the unreserved and unappropriated public domain. The State has used its at-large selections to acquire lowlands, river valleys, resource rich regions, and the mountain passes which make natural transportation corridors. Further, the State holds title to the tidelands along the 47,300 miles of Alaska's coast and to the subsurface of all navigable waters. State ownership in Alaska generally encompasses more verdant and productive areas, and areas more suitable for human activity, than lands under Federal ownership. Much of the migratory waterfowl and wildlife of national significance in Alaska depend heavily on State-owned lowlands and tidelands. Thus, State ownership, though it will amount to only 28 percent of the total area of Alaska, as opposed to the Federal government's 60 percent, is of at least equal significance in terms of regional land use planning. In Alaska, development of cooperative Federal-State planning systems offer clear national as well as State benefits.

The recent debate over the Alaskan (d)(2) lands has highlighted the need for coordination between State and Federal landowners. By now it is clear that the land ownership patterns which are being established by Native selections and Federal withdrawals under the Alaska Native Claims Settlement Act and by State selections under the Alaska Statehood Act often divide naturally interrelated areas that should be planned and managed as a single unit. It is paradoxical that states and, by delegation, local governments should have the ability to regulate separate

private landowners to establish rational overall land use patterns, yet there is no comparable mechanism to lend unity to the land use decisions of separate public landowners.

In the future, land exchanges may be used to correct some of the worst problem areas. However, it appears that the only comprehensive means of lending an overall rationale to the planning and management of regions under divided ownership is for the separate landowners and managers to coordinate their planning processes. Doing so should place the primary focus on the total area and enable the development of a unified overall plan rather than separate plans focused on portions of the whole.

Coordinative planning should also serve to clarify and simplify communication between public agencies and the members of the public who use the land. If both levels of government are able to address the planning of a single interrelated area at the same time, using similar terminology for similar regulatory measures, then public land management should be a far more understandable process to the affected public.

Coordinating Federal and State planning processes is a matter of both timing and content. Research, public hearings, and policy decisions should be conducted by the State and Federal governments at the same time for the same region so that there can be a mutual exchange of information and mutual adjustment of planning policies to best fit the requirements of the total area and the interests of the public. Synchronized timing should help prevent situations where one level of government must act as a supplicant or lobbyist to the government with a preestablished plan. Instead, through a synchronized effort, the

focus should be on the total area. Boundaries of ownership should become less important than the nature of the land and the social and economic factors to be considered in developing a sound overall plan.

The second major component of coordinated Federal and State planning has to do with the language and method used in the planning process. This is more than a matter of descriptive terminology. There must be some agreement about the basic system of planning and land use regulation if planning terms and categories are to be compatible. This paper deals with this second component of coordinated land use planning, the use of a common language and method for land use planning. Mutual purposes are described and areas of possible conceptual agreement are suggested. Based on these concepts, a proposed system of planning categories for State and Federal use is outlined.

The Joint Federal-State Land Use Planning Commission for Alaska chose to analyze this subject at this particular time because both the Federal government and the State of Alaska are currently revising their land planning systems. The Department of the Interior is drafting rules and regulations for the 1976 Federal Land Policy and Management Act. Presumably these will spell out a new planning process which will modify the Bureau of Land Management's traditional "management framework planning" process. The ground rules for planning contained in the Federal Land Policy and Management Act are different from those for previous Bureau of Land Management planning programs. For the first time, coordination with State and local governments, with other Federal land managers and with "Indian tribes" is mandatory. Under different ground rules, the planning processes should be different.

Within Alaska, the Bureau of Land Management has recently responded to the planning mandate of the 1976 Act by establishing a regional planning program within each district office. In April, 1977, the State Director of Bureau of Land Management issued a Statement of Policy setting forth strategies and direction for Bureau planning through 1982. A core planning team will be formed within each district office and man weeks of time to be spent on planning were allocated. Within each district, areas were selected for priority attention, generally on the assumption that the most settled and populated areas should be planned first. Presumably, this planning program will eventually be restructured to accord with the rules and regulations which are promulgated in accordance with the Federal Land Policy and Management Act.

On the State side, the Alaska Department of Natural Resources has also adopted a new planning program in recent years. For the first time, the Department of Natural Resources has an active and well-staffed planning organization, equipped to provide the foundation of land planning policy which could lend cohesiveness to diverse land and resource management programs within the various divisions of the Department. Administratively, there has been a shift in emphasis from disposal to classification, and organizational changes have been made to reestablish the role of land planning and classification as the determining factor in any disposal action. As part of this effort, the Department is revising the existing State land classification regulations and plans to complete a proposed draft of new regulations during the coming winter. Thus, at the present time, both the Federal Department of the Interior and State Department of Natural Resources have an opportunity to incorporate changes in their

planning and classification systems which would facilitate intergovernmental coordination.

This report will proceed with a brief review of prior and existing planning and classification systems, a discussion of common purposes and objectives in land categorization, and, finally, recommendations about land planning categories and processes that would accommodate the purposes of both governments.

This analysis of Federal planning systems focuses primarily on planning of lands under the Bureau of Land Management rather than on lands within the national conservation systems. This choice was made because the Bureau of Land Management lands are essentially uncommitted, except to the ongoing principle of management on the basis of multiple use and sustained yield. Further, in Alaska, the Bureau of Land Management often manages those lands most closely interrelated with State or private lands, in regions where cooperative planning is particularly necessary.

The Bureau of Land Management has recently prepared plans for several areas of Alaska using what is called "management framework planning." This system, as it is spelled out in Departmental Manuals, places great emphasis on the process of inventory and analysis preceding the planning decision, but includes very little written policy to guide the decision makers' choice in determining land uses to be included in the plan. Unlike traditional urban land use planning and zoning, the Bureau of Land Management system does not include preestablished land use categories or classifications setting forth groups of compatible uses and policies that might govern such groupings. Thus, instead of assigning areas to various preestablished management categories or classifications, the Bureau of Land Management planner makes his decision on a case-by-case basis, tailoring each decision to fit circumstances as he sees them. Admittedly, his actions are guided by the body of public law governing different uses of the public domain. The Sikes Act, Taylor Grazing Act, Endangered Species Act, 1872 Mining Law, Mineral Leasing Act, Coal Leasing Act, Off-road Vehicle Executive Order 11644, American Antiquities Act, and Wild Horse Act each provide authority and establish guidelines for the management of particular uses; but in deciding which uses can co-exist and, if so, under what circumstances, the management framework planning process leaves the Bureau of Land Management decision maker considerable leeway and discretion.

The Wilderness and Wild and Scenic Rivers Acts differ from the other authorities. Essentially, these Acts establish classification categories governing permitted and prohibited uses within areas so classified.

These two pieces of legislation will be discussed later in this chapter as examples of how the use of planning categories might affect the Bureau of Land Management planning process.

The Bureau's one experience with a formal classification system in Alaska was between 1964 and 1969 during the period when the Classification and Multiple Use Act was in effect. This legislation authorized and directed the Secretary of the Interior to divide and classify areas into lands suitable for disposal and lands suitable for public retention and multiple use management. Thus, as an example, the classification of Alaska's White Mountains planning unit identified eight areas along the Steese highway, totalling approximately 11,000 acres, for entry by private parties under the Federal Homesite and Headquarters Site Legislation. The remaining 6,105,442 million acres were segregated from various forms of appropriation and reserved as public lands under multiple use management.

Though this division into two categories is a very simple and basic form of land use planning, the Classification and Multiple Use Act of 1964 represented a major gain in Bureau of Land Management land use planning authority at that time. No longer was the Federal public domain to be totally open to random entry by private parties under a multitude of Federal laws. Instead, the Act made it possible for the Bureau of Land Management to give an overall direction to the location and pattern of private land acquisition and settlement of the Federal public domain. The 1976 Federal Land Policy and Management Act provides similar planning authority, but with a far greater opportunity to develop a sophisticated and publicly accountable planning system.

In writing, at least, the State's classification regulations are more complex than the Federal Classification and Multiple Use Act. The Alaska Administrative Code outlines 16 different classification categories for a variety of purposes, ranging from very limited uses, such as residential, to general multi-purpose categories such as resource management. However, in actual practice, the most important distinction has been between the group of categories allowing land to be sold to private parties and categories dictating the retention of land in State ownership. Within the 7 categories permitting land sale, the use distinctions have only nominal significance, since State classifications have no power to regulate land use once title is conveyed to a private owner. The retention categories also merge when actual effects are considered. Most of the retention categories allow multiple use, provided the use is consistent with the primary purpose of the classification. The only other real distinctions are that some categories restrict mineral entry to a lease and permit system, whereas others allow mining claims and borough selection is permitted only in the reserved use classification.

The State's Administrative Regulations require that land be classified prior to disposal.[1] Unclassified areas are unavailable for sale or lease of surface rights, though mining claims and mineral leases are allowed.[2] In practice, this restriction has had an effect that is probably quite different from the intention of those who wrote the law. Classification, as it is set forth in the statutes and regulations, apparently was meant to provide the link between land planning and land management. Through planning the overall use pattern best serving the public interest would be determined; lands would be classified on the basis of an areawide plan; under certain classifications lands would be

made available for private ownership. Instead, pressures for disposal have motivated classification actions. Rather than guiding and directing areas of private acquisition and development, classification has generally served as a preliminary to disposal. Rather than blanketing whole regions to provide an overall framework for parcel by parcel decisions, classifications are spotted in areas of activity and large areas are unclassified and open to random entry through mining claims. Recently, however, the Department of Natural Resources and Division of Lands have made extensive administrative changes designed to realign planning, classification, and disposal to accord with the intent of the statutes and regulations.

Both State and Federal systems allow considerable administration discretion in determining uses of public lands, and both the State land classification system and the Federal management framework planning system have been criticized for failing to incorporate meaningful public participation.

The ease with which land plans and classifications can be changed depends in part on the legal requirements for public participation in the classification and reclassification process. A land use plan or land classification pattern which has been carefully wrought through a process of give and take with the public, other agencies, and adjoining landowners will be less vulnerable to administrative change than a plan developed wholly within the bureaucratic structure, particularly if a similar process of public involvement is required to amend the plan or classification pattern.

The State statutes require that affected local governments be consulted about proposed land use prior to sale or lease of State property.[1] Beyond this there is no requirement for public involvement and classifications have been established without public hearing and, until recent years, without requesting comment from other State departments and adjoining landowners. The Director of the Division of Lands has the power to establish classifications, but his determinations have had little durability. Classifications can be and have been readily changed to fit one purpose or another.[2]

The Bureau of Land Management's management framework planning system also grants a high degree of discretion to the administrative decision maker. Though the manual on management framework planning provides extensive detail about the process of collecting and evaluating information for the plan, there are few guidelines for the district manager who serves as decision maker. He is "presented with recommendations, alternatives, and analyses...," and must "weigh these recommendations and analyses and decide which ones to accept, reject, or modify."[3] Thus, the final planning decision is basically a matter of well informed judgment by the individual manager. In the absence of a system of land use categories, the district manager must decide on a case-by-case basis without the aid of preestablished policy governing typical combinations of uses.

The land use plans which have been developed in Alaska under the management framework planning system are in the form of maps with descriptive notations about plan decisions. In some cases, lines indicate approximate areas to which various decisions apply. For example, areas of the map are noted "manage for raptors" or "prohibit off-road vehicles." Occasionally, in other states, the Department of the Interior has formally withdrawn areas of Bureau of Land Management National Resource Lands for specific purposes such as historic conservation, recreation use, or preservation of primitive or natural characteristics. But even these more formal actions were specially designed for each case. Rather than choosing an appropriate category from a preestablished set of categories of policies and regulations, each withdrawal order was drafted specially for each area.

There are advantages to giving the decision maker the flexibility to tailor his plan to fit the individual situation. However, there are also significant drawbacks to this ad hoc approach, particularly when used by public agencies with an obligation to further the larger public interest, even where this may conflict with individual wishes. Without some reference to an established set of categories, there is no assurance that similar lands and situations will be treated similarly. Instead, it is likely that the policies of different district managers will vary considerably, depending on different points of view and the different pressures, both public and bureaucratic, to which the decision maker is subjected. With a variety of different approaches in similar areas, there is the danger that Federal policy will appear unnecessarily complex and inconsistent to the affected public. Since language and terminology are written separately for each situation, wording that means one thing in one area may have a different meaning in another area. Without a clear and specific written definition of the proposed policies under consideration for an area, State and local governments and private parties are handicapped when they attempt to participate in the planning process.

Further, a plan which is essentially a collection of descriptive statements about administrative policy decisions in various areas lacks durability and reliability. What can be decided by administrative fiat at one time can be readily changed or altered at another. Without a certain degree of continuity to planning decisions, affected parties have little assurance that their input is relevant to a significant and lasting decision or, for that matter, little way of knowing when their comments will be considered in the planning process.

As an example of an alternative approach to Federal land planning, it is useful to look at recent experience under the Federal Wilderness and Wild and Scenic Rivers legislation. Essentially, these two Federal laws establish land use categories, each with a set of management policies which can be applied wherever Federal lands are so designated.

On a full set of land use categories, ranging from urban development to minimal land use, wilderness and wild and scenic rivers would fall at one extreme of the spectrum. Nonetheless, the two Federal Acts serve to demonstrate how the possibilities for participatory planning are improved through the use of preestablished categories. In the process of considering a wilderness or wild and scenic river designation, affected parties have a clear statement about the nature of the regulatory measures under consideration. Because the nature and implications of the proposed classification are well defined, communication from the public and from other governmental agencies can be informed and constructive. Since the same set of policies have been used in other areas, there is a basis of previous experience with which to judge the effects of a new proposal.

The Wilderness and Wild and Scenic Rivers Acts set forth policies applicable to areas where the intent is to minimize human use of the land. There is no reason, however, why Federal planning categories could not be devised for use in areas where more extensive land and resource use is desirable. A balanced range of land use categories offers planners and members of the affected public a view of the full spectrum of alternatives before arriving at a decision. Value judgments and political considerations should be reflected in decisions about where and how

extensively various categories are applied; the set of available categories should be as balanced and unbiased as possible.

A full set of categories should probably allow more room for change and amendment than is possible under the Wilderness and Wild and Scenic Rivers Acts. There is need to find a reasonable balance between durability and flexibility in planning decisions. Perhaps such categories should be formulated through Federal regulation rather than by act of Congress. However, as under the Wilderness and Wild and Scenic Rivers Acts, the policies to be considered should be clearly and formally articulated, and the planning decision, once reached should have sufficient durability to warrant the effort required for participation by the affected public and other governmental levels.

Common Purposes

Both the Bureau of Land Management and the Division of Lands are directed by law to plan and manage lands in a way that will accommodate a variety of public purposes and private interests. The 1976 Federal Land Policy and Management Act tracks the original Bureau of Land Management mandate by directing that management be "on the basis of multiple use and sustained yield, unless otherwise specified by law."[1] The State's basic land policy, embodied in the Alaska Constitution, is "to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest."[2]

Both levels of government have seen this legal direction as a strong mandate to allow many uses of the public domain. The State has concentrated its land selections in areas with several overlapping potential uses or natural values. State Statutes prohibit classification which would close over 640 acres "to multiple purpose use" except by act of the State Legislature.[3] A comparable provision in the Federal Land Policy and Management Act provides that Congress must be given an opportunity to review and disapprove of any management decision or action that "excludes one or more of the principal uses or major uses for two or more years" from a tract of 100,000 or more acres.[4] Clearly the orientation of both the Federal Bureau of Land Management and the State Division of Lands is towards management which will permit a wide range of land uses.

Some may argue that the development and use of planning categories is contrary to multiple use objectives. Land use categories, by definition,

allow some uses, and limit or prohibit other uses. However, with or without categories, sorting and regulation of allowable uses is essential to multiple use management. Some uses must be prohibited in certain areas or they will preempt other uses. In fact, sorting and categorizing land uses to separate the location of incompatible activities is a means of increasing the multiple use of the land. Without separation, certain uses preempt the land for other purposes, just as the climax tree growth in a forest eventually overwhelms other species. The definition of multiple use in the Federal Land Policy and Management Act recognizes this concept by stating that multiple use can mean "the use of some land for less than all uses; a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources..., and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output."[5]

Multiple and varied land use is a commonly held goal, but what are the more specific Federal and State purposes to be served by a system of planning categories? Discussion with land planners in Alaska at both Federal and State levels, in combination with a review of written material, suggests five commonly held specific objectives:

(1) A need for comprehensive "first cut" planning of whole regions to provide basis and framework for more specific land use planning and management in certain areas. At both Federal and State levels, practicing planners see value in assessing land uses and values on a comprehensive regional basis. The Director of the Alaska Office of the Bureau of Land Management, in a

memorandum expressing the conclusion of a series of meetings with his staff, described the current management framework planning program as a "first cut" to make "broad land use allocations, ...address major statewide land issues, ...and develop land use policies and management direction for Bureau of Land Management on a regional basis."[6] The State Division of Lands has also recently queried staff involved in planning and classification decisions. The immediate intent was to identify problems associated with the existing State classification system, but comments often touched on needed land planning systems as well.[7] Here again, a recurring concern was for a process of preliminary regional planning which would be followed by more detailed planning in specific areas. A number of Division staff also thought there was a need for regional classifications that would establish basic management policies, such as control over mineral entry and extraction.

(2) A need to identify areas within the region as the focus for specific and detailed planning and management. Conversely, a need to identify other areas of the region where a simple holding program and basic maintenance management would be appropriate. At both governmental levels, the choice of areas where staff work should be concentrated is perceived as an important function of the regional planning process. The regional context should help to assure that priorities for detailed planning and management are not simply a response to immediate pressures, but instead, are chosen on the basis of a full assessment of options. Also, regional overview enables

an assessment of the interrelationship between different forms and intensities of land use and activity within the region. Transportation routes, areas for private land acquisition and settlement, watersheds, recreation areas, and other uses could be viewed and evaluated as a total pattern to determine changes of future directions that might reduce conflicts and improve interrelationships.

(3) A need to communicate clearly with private parties and other agencies and governments and to encourage and enable informed and constructive comment. Both the Bureau of Land Management and the Division of Lands are obligated to adopt a planning process which enables constructive participation by others. Under the new Federal Land Planning and Management Act, the Bureau's legal mandate to "provide for meaningful public involvement" is clearer than that of the State. State law only requires that affected communities be consulted about land use before any disposal of nearby State lands. But both entities have an equally strong professional obligation to obtain and consider the advice of affected parties, particularly the users of the public lands and the owners of adjoining lands. Not to do so undermines the reasons for planning. Planning that aims at maximizing public benefit from the land and improving interrelationships between land uses must be attuned to public wishes and aware of the plans of adjoining landowners.

Effective communication requires a clear definition of the public policies which may be applied to the area under consideration. Without such a definition there is no basis for public comment. This principle implies the use of some form of predefined planning or classification categories listing groups of permitted uses and defining alternative land management policies.

(4) A need to achieve a reasonable balance between durability and flexibility in land planning and management. Recent conventional wisdom has held that planning "is a process." Rather than "plans cast in concrete", there should be a flexible planning process that evolves to reflect changing circumstances. This concept is easily carried to an extreme that undermines the reasons for planning in the first place and, in effect, grants unlimited discretion to the planner. In turn, a land planning process that allows extensive administrative discretion is vulnerable to pressures from special interests.

Obviously, an excessively rigid plan is also undesirable. Conditions affecting land use vary over time, and a sound decision under one set of circumstances may lose its basis as circumstances change. Without a means for periodic adjustment, planning can become counter-productive. Thus, at any level of government, land plans should be sufficiently durable so that decisions arrived at in a public contest are reliable and are protected from the whims of special interest and administrative change. Yet the planning system should also have the ability

to make changes or adjustments when there is a sound public reason.

(5) A need to accommodate different and often conflicting public values about the use of the land. Within the basic constraint of the capacity of the land, both Federal Bureau of Land Management and State land managers must seek to accommodate the legitimate, but often conflicting interests of miners, conservationists, hunters, photographers, skiers, snowmobilers, agricultural developers, settlers, etc. Generally, the most workable solution is physical separation, creating a pattern of areas set aside for various management policies accommodating different sets of public values. If different sectors of the public can see that their interests are represented in the pattern, the plan has more durability.

This has occurred with the National Park, Wildlife Refuge and Forest Systems. Over time, each system has developed a constituency of loyal supporters from those people whose interests the system furthers and protects. In turn, a basis of public support gives each system stability and durability. Multiple use systems, without the use of planning categories, run the risk of being seen as all things to all people, offering little security for any one particular interest. Use of a clearly defined system of planning categories, each accommodating a different part of the spectrum of public interest, should counter this tendency and, in turn, add stability to planning decisions.

Kinds of Categories

Systems of land use planning categories typically combine categories applying to activities which use small quantities of land intensively with categories applying to uses which extend over large areas. This distinction between intensive and extensive land uses is important in developing a system of categories for regional planning. Intensive land uses include commercial, industrial, private recreation, and residential uses as well as material and mineral extraction; extensive uses include watershed, wildlife refuge, forests, and natural parklands. Agricultural uses can be either extensive or intensive, depending on the type of cultivation. There is a vast difference between a barley farm and a tomatoe greenhouse.

On a comparative scale, intensive uses require very little land; extensive uses cover large areas. Intensive land uses often have very exacting and specific locational requirements. An industrial or commercial site must have good access to transportation; for many people water frontage is essential to a desirable recreational site; mineral or material development must be located at a deposit where extraction is economically feasible. Another common characteristic of intensive uses is their impact on surrounding land uses, and their tendency to generate significant public costs for services and infrastructure. Industrial or commercial uses may draw heavy traffic and make adjoining residential or recreational lands less desirable. Residential land use requires a relatively high investment of public funds for schools and services such as fire and policy protection. In some locations, a mineral and material site can severly damage the surrounding environment. Land use conflicts typically

occur between intensive uses or when an intensive use is superimposed on an extensive use. In contrast, extensive uses normally extend over large areas, do not involve construction except as an accessory activity and generally have minimal impact on adjoining uses.

The State's existing land classification system is a mixture of categories for these different forms of land use. There are six intensive use categories, "commercial," "industrial," "private recreation," "residential," "material," and "mineral"; and five extensive use categories, "grazing," "timber," "resource management," "watershed," and "unclassified." Four of the State's categories, "agriculture," "utility," "reserve use," and "open-to-entry" fall in the middle ground between the intensive and extensive use. The "utility" classification is an all-purpose disposal category that has been used by the State to provide large tracts for speculative subdividers. The "reserve use" category was originally designed as an intensive use category to apply to specific sites needed for government agency purposes, but it is the classification designating areas for a municipal selection, which can amount to 10% of the State lands under municipal jurisdiction. The open-to-entry category was designed to designate extensive areas within which individuals could select their private recreation sites. It is an extensive classification within which intensive uses could be located. Categories allowing mining claims also operate on this principle.

Though the Federal Classification and Multiple Use Act of 1964 set forth only two formal classification categories, one for disposal and the other for retention for multiple use management, the accompanying regulations included a listing of land classifications which were to be

used to qualify lands for either disposal or retention. Like the categories in the State classification system, these classifications covered uses ranging from intensive, site-specific activities such as residential, commercial, and industrial and mineral extraction to categories for very extensive uses such as watershed protection, wilderness, and fish and wildlife.

The use of classification categories similar to the State and Federal examples described above is common practice in urban zoning. At the scale of an urban community, where most uses are intensive, such systems are workable. But application of a similar system at a regional scale can cause serious distortions. The basic difficulty is simple. Viewed in a regional context, intensive land uses require very little acreage. On maps at a regional scale a realistic portrayal of the land area required for most intensive types of land use is barely visible. Development in the Anchorage bowl occupies less than half a township. The area required for expansion of permanent settlement is also relatively small. As William H. Whyte has noted:

> "A metropolitan area can take care of a great many more people by only a very slight expansion of its radius. Once it is a certain size--say fifty miles across--a slight enlargement of the periphery will vastly increase the acreage, with each additional mile outward adding almost a fifth again as much area."[1]

At a regional scale it is impossible to depict the specific interrelationships that are important in dealing with intensive land uses. Further, used at a regional scale, intensive land use categories tend to be

handled as extensive categories, and areas far beyond realistic requirements designated for intensive use purposes.

In the past, this happened under the State Division of Lands where extensive areas along highways were classified "commercial," "industrial," or more commonly, "utility." The effect can be the equivalent of no planning at all. In areas where designation enabling disposal for commercial or industrial use far exceeds the realistic market demand for that type of land, development continues to occur at random and commercial structures intermingle with residential development. The net effect is that the area is blighted for both residential and commercial purposes. The sprinkling of commercial structures makes the land undesirable as a place to live, and, in turn, commercial development fails to gain the advantage of the added customer drawing power created by adjacency to other businesses.

The problems created by mixing intensive and extensive land use categories in planning on a regional scale could be avoided by writing regional land use categories that cover groups of uses that typically locate together in the same part of the region. For example, instead of commercial, residential, and industrial use categories, perhaps there should be a "settlement impact" category applicable to the whole range of settlement related uses, including the public recreational lands that should be interspersed with settlement. Such a category would be roughly parallel in dimension and level of generality to other extensive use categories applicable at a regional scale.

However, if this approach is used to show broad patterns of land use at a regional scale, it will be important to devise an effective system for planning at a more detailed scale in certain areas where intensive uses cluster and for isolated sites in more remote regions, for example, a mining site or an isolated coastal development. The following section details a proposal for broad regional planning categories combined with subsets of categories for "settlement impact areas" and for areas of intensive resource development, as well as a "conditional use permit" system for isolated intensive uses in remote regions.

Proposed Planning Categories

From the definition of purposes which both Federal and State governments seek to accomplish through their land planning systems, and from the examination of existing systems and categories that have been used previously, it is possible to propose elements of a system that would have utility at both Federal and State levels. In summary, these elements are as follows:

(1) For regional planning, use of broad categories covering extensive areas and including groups of uses. Rather than referring to a single use, or resource such as "residential" or "timber," the proposed regional categories would apply to extensive areas and include groups of land uses that either are compatible or could coexist compatibly, given appropriate regulatory measures. Categories would be differentiated by the degree or intensity of land uses permitted. Each category should be written with a well defined statement of intent and purpose. For clarity, this definition should list those uses which are unequivocally prohibited or permitted under the intent of the category. However, as is explained below, many uses would be permitted on the condition that they conform to a more detailed land use plan, or, for isolated intensive uses, on the condition that they meet certain criteria designed to accord with the intent of the regional category.

(2) Within regional planning categories, reference to subsets of more specific categories or criteria, applicable to spots or

groupings of intensive land uses. For many uses the regional category would simply state that permission or prohibition is on the basis of specific criteria or detailed land use planning developed at a more localized level. This two-tiered approach would make a clear distinction between the regional planning of extensive land uses or groups of land uses, and the area-specific, large scale consideration that should be applied to intensive land uses which may locate within the broader designations.

The two-tiered approach also offers a useful parallel with existing institutional structures. For Federal Bureau of Land Management planning, broad regional categories could be established nationally through the rules and regulations which are soon to be promulgated for the 1976 Federal Land Policy and Management Act. Development of categories and criteria for the more specific planning subsumed under the regional categories could be assigned to Bureau of Land Management State offices or, in a state such as Alaska where there are vast differences between regions, the job might be further delegated to the district office level. At a State level perhaps both the general and the specific categories and criteria should be developed in the central office, but, here again, it may be appropriate to reflect regional differences, and draw on district office experience in the drafting of the subsets of specific categories and criteria.

Since the State statutes, unlike the Federal Land Policy and Management Act, refer to classifications, the State's categories should be for classification. Regional classifications would establish broad management policy. The more specific criteria and classification categories for intensive uses should include adequate detail to guide day-to-day management decisions, for example, to serve as a basis for drafting lease specifications. This would correct a difficulty with the existing State land regulations which require that uses of leased lands be limited to the purpose of the classification, but fail to clearly specify prohibited and permitted uses under most classifications.

(3) Use of "conditional use permit" criteria to regulate intensive land uses which locate on isolated sites in remote areas. For uses such as mineral development or remote coastal development, feasible sites generally cannot be predetermined without the kind of investment that is practical only for the industry itself. Thus, if a public agency designates areas for isolated development prior to the industry's decision, the area is liable to be excessive, or the feasible and desirable site may be missed entirely.

A preferable approach to regulating isolated site development of public lands is by establishing criteria governing the choice of site and the nature of development. Under this system, permits for each use would be issued or denied on the basis of preestablished criteria and conditions. Criteria

would be set in accordance with the purposes and policy of the regional category encompassing the site under consideration.

Through case-by-case evaluation, development can be permitted, permitted with stipulations, or prohibited depending on how the individual site and project align with the criteria. For example, locations identified by State and Federal governments as "areas of environmental concern" could be specially protected by the terms of the criteria and conditions, and in areas of high scenic value mineral development might be restricted to locations that are not visible from roads and hiking trails.

Conditions and criteria should be clearly defined and the process of evaluating development applications against the conditions and criteria should be formally structured and conducted with public notice and hearing. These procedures should help protect the basic principle of equity in land use regulation, that similar situations be treated similarly. Further, by giving industry a clear definition and advance knowledge of the standards that will govern the choice of site and the nature of development, compliance is facilitated.

(4) Establishment of broad regional categories to cover the full spectrum of regulatory options, extending from minimal land use to intensive community development. Decisions about where to apply various categories should be developed with public participation and reflect the values and goals of the public. To this end, categories should be available to represent

various different public interests and values relating to land use. At least four types of regional planning categories should be offered. These are:

Wilderness, a category for areas where man would not alter the natural world. At a Federal level, this category is already formally embodied in the Wilderness Act of 1964. The Federal Land Policy and Management Act of 1976 made the provisions of the Wilderness Act applicable to Bureau of Land Management lands. State regional classification categories should also include wilderness. Though the State will probably be less likely to designate areas as wilderness, the category should be available to provide a balanced range of choice and to facilitate coordinated planning with Federal land managers.

Habitat/Watershed, a category applicable to areas where the primary purpose of management is to protect the natural environment, but where other activities could be permitted if they can be conducted in accordance with this primary objective. In such areas, human activity beyond hunting, fishing, recreation, research and inventory would be permitted or prohibited on a case-by-case basis under specific conditional use permit criteria.

Resource Management, a category applicable to areas where various forms of resource development would be permitted, subject to subarea plans for sustained yield management

of renewable resources and conditional use permitting for intensive uses. Under more detailed planning or classification categories, land uses could be separated into districts for public recreation and fisheries protection, timber cutting and agricultural development. Again, mineral development would be most appropriately managed through a conditional use permitting process. However, under the resource management category, the criteria for a permit would be more liberal than under the habitat/watershed category.

Settlement Impact, a category designed to encompass areas soon to be settled, together with adjoining rural lands within the sphere of community influence. Selected areas adjoining existing or proposed highways and other points of access may be designated under this category, if development or other off-road land uses are appropriate in the particular location. The settlement impact category assumes a subset of land use categories which could be applied at a larger scale. These subcategories should include the traditional community land uses such as industrial, commercial, and residential, as well as categories for the public open space and watershed lands that should surround and intersperse settled areas.

The "settlement impact" category should encourage a balanced combination of areas for private acquisition and development with public lands located so that population

from throughout the community can have ready and convenient access to natural lands. The initial regional designation of settlement impact areas, with the intent of planning the total pattern of public and private lands in a community, should counter previous tendencies by State and Federal governments to identify large areas for disposal without corresponding designation of public recreation lands in and around disposal sites. By including areas which will be impacted by community growth, such as lands to be subjected to intensive recreation use and areas where speculative land sale and subdivision are occurring, the settlement impact category will serve to flag such regions for more detailed planning and management.

At the State level, the settlement impact category could serve to designate areas appropriate for municipal selection. In this case the detailed planning for public lands and for various forms of private development within settlement impact areas should be the responsibility of the municipality.

Some may argue that the Federal and State governments cannot use the same categories for regional planning because the two governments hold differing goals and objectives for their public lands. It is true that there are considerable differences in policy and attitude, despite the fact that the State Division of Lands and the Federal Bureau of Land Management have a similar legal mandate to make wide and varied use of the public lands. As a more local form of government, State land manage-

ment is closer to political pressures from individuals and interest groups who seek rights to State lands for personal use or economic enterprise. Since the Bureau of Land Management serves a national constituency that tends to view Alaska more as a place to recreate in a natural setting, than as a place to settle and develop, Bureau of Land Management policy places greater emphasis on retention for public purposes. The new Federal Land Policy and Management Act begins with a policy of retaining Bureau of Land Management lands in Federal ownership, unless there is a documented national interest in disposal.

However, differences in Federal and State policy do not necessitate a difference in planning categories. Values and policies should be reflected in the way categories are applied to the planning region--in the extent and boundaries of areas assigned to various categories--not in the system of categories itself. In fact, to enable and encourage full consideration of differing values and policies, it is important that the set of categories be well balanced, with categories representing the full spectrum of choices, ranging from full development to no land use.

By avoiding a weighting either towards development or no development, the categories remain neutral and the application of value judgments is made at the point of planning decision with the benefit of comment from the public and other agencies and levels of government.

To achieve balance in its planning categories, each level of government should have, at a minimum, a category under which land would be preserved in its natural state, a category allowing land uses in accordance with a primary objective of protecting the natural environment, a category for

resource development, and a category for settlement and settlement impact areas. The Bureau of Land Management may plan more of its lands for the first two categories while the State may place more emphasis on the latter two categories, but, by using the same basic set of regional categories the two governments should be able to plan interrelated holdings as a unit and, in doing so, greatly improve their communication with the affected public.

Footnotes

Introduction

1. Western Governors' Conference Policy Statement, Resolution #77-1 NRB, September 1, 1977.

2. Western Governors' Conference Policy Statement, Resolution #77-3 NRB, September 1, 1977.

Federal and State Systems

1. 11 AAC 52.030.

2. Ibid.

Administrative Discretion and Public Accountability

1. AS 38.05.300.

2. FSLUPC, Agenda for State Lands, December, 1975, page 24 includes tabulations of classifications and reclassifications from 1969 to 1974.

3. Department of the Interior, Bureau of Land Management, Manual 1068, "Management Framework Plans," .53 Decision Process.

Common Purposes

1. U.S. Public Law 94-579, Title I, Section 102(a)(7).

2. Constitution of the State of Alaska, Article VIII, Section 1.

3. Alaska Statutes, Title 38, ...

4. Public Law 94-579, Title II, Section 202(e)(2).

5. Public Law 94-579, Title I, Section 103(c).

6. Bureau of Land Management State Office, Instruction Memo No. AK-77-98, from State Director to Division Chiefs and Division Managers, April 21, 1977.

7. Alaska Division of Lands, Pam Rogers, Report on State Classification System, September 13, 1977.

Kinds of Categories

1. William H. Whyte, The Last Landscape.

Federal-State
Land Use Planning Commission
For Alaska

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March 15, 1977

MEMORANDUM

TO: Commission

REVIEWED BY: John W. Katz, Counsel

FROM: Liz Matthews, Legal Extern

SUBJECT: Existing Federal-State Governmental Entities

Introduction

This paper will take a short overview of the major existing Federal-state governmental entities. The first section of the paper presents a discussion of the principal features of each entity. The second section contains information taken from telephone interviews with personnel who work for two of the most interesting Federal-state commissions, the Delaware River Basin Commission and the Appalachian Regional Commission. The final section will identify the issues raised by the previous discussion for the purpose of helping the LUPC to determine the most desirable features of any proposed Federal-state entity in Alaska. Because the primary focus of this survey is on organization and structure, the substantive mandate of each commission will be only briefly touched upon.1/

I have surveyed the existing non-Federal-state regional bodies and have found that they contain interesting features, but none that is not exhibited in the Federal-state entities discussed below. Therefore, due to considerations of time and space, and given the Land Use Planning Commission's orientation, this paper will confine itself to the Federal-state form.2/

PART I

The best known Federal-state entities are those created by multi-state regionalism: the Regional Economic Development Commissions and the River Basin Commissions.3/ The first river basin commissions, such as TVA, were not joint Federal-state in nature; but the growth of interstate compacts led in 1961 to the first interstate compact to which the United States was a party: the Delaware River Basin Compact.4/ Viewed at the time as a daring experiment in federalism 5/, the Delaware River Basin Commission

is perhaps the most powerful of the Federal-state entities. In 1970 the Susquehanna River Basin Compact6/ created an essentially identical commission. The two commissions were established as regional administrative agencies of the signatory parties for water resource management in their respective river basins, and they have broad planning, regulatory, and coordinating powers within their regions. The specific mandate of the commissions is to "...develop and effectuate plans, policies, and projects relating to the water resources of the basin...adopt...uniform policies for water conservation, control, use, and management....[and] encourage the planning, development and financing of water resources projects according to such plans and policies...."7/ They also have power to allocate water resources, and their regulatory powers extend to pollution control and "...all powers necessary or convenient to carry out its express powers or which may be reasonably implied therefrom...."8/

Both compacts set up commissions composed of one member from each party state and one Federal representative. The state members are the governors or their alternates; the Federal member is appointed by the President. Commission action is by majority vote, but commission budgets must be approved unanimously. If the Federal member does not concur in a commission decision, Federal agencies within the basin are released from the requirement that their water resource activities with respect to that decision be in conformance with the commission's plan or regulations. Thus, the Federal representative, through his use of the nonconcurring vote, has significant power in the compact's implementation. Commission members appoint an executive director to serve at their pleasure. He, in turn, has direct appointment power of the staff, subject to commission rules and regulations.

The Delaware River Basin Commission, in particular, has facilitated significant cooperation with both Federal and state agencies.9/ The Federal representative is advised by a field interagency group, and when severe interagency disputes arise, he has recourse to an interdepartmental committee in Washington for a final resolution. The state alternate members have been, for the most part, the heads of state water resource or conservation agencies or have been on the governor's personal staff. This has insured a high level of state input since, under the compact, the alternates have authority to attend commission meetings and to vote in the place of their respective members. The DRBC has also maintained cooperative relationships with some of the larger local jurisdictions in the region, in particular some suburban Philadelphia counties and the Delaware Valley Regional Planning Commission. The Commission also has technical advisors from New York City and Philadelphia.10/

In 1965, laws were enacted which created several types of Federal-state entities. Title V of the Public Works and Economic Development Act11/ created the various "Title V" regional economic commissions. The Appalachian Regional Commission was established by separate legislation: the Appalachian Regional Development Act.12/ The "Title II" river basin commissions, created under Title II of the Water Resources Planning

Act13/, arose out of the need for formal state and Federal cooperation in water management on a river basin basis, where most of the Federal water resource planning was being done.

Title II of the Water Resources Planning Act authorizes the President to establish river basin planning commissions. There are at present seven: the Pacific Northwest, the Upper Mississippi, the Missouri, the Ohio, the New England, the Great Lakes, and the Souris-Red-Rainy. Each commission's mandate is to "...serve as the principal agency for the coordination of Federal, state, interstate, local and nongovernmental plans for...its...river basin; prepare...a comprehensive, coordinated, joint plan for...development of water and related resources....recommend long-range schedules of priorities for the collection and analysis of...data...and...undertake such studies...as are necessary...."14/ Membership includes a Federal co-chairman appointed by the President, one member appointed by the head of each interested Federal agency, one member appointed by the governor of each state, and one member from any interested interstate compact agency. International representatives are included on the Pacific Northwest Commission, and coordination with international commissions is required in the case of the Great Lakes Commission. The state members elect a vice-chairman to represent them. The decision-making process operates by consensus, as provided in the Act:

> "...Every reasonable endeavor shall be made to arrive at a consensus...; but failing this, full opportunity shall be afforded each member for the presentation...of individual views: Provided, that at any time the commission fails to act by reason of absence of consensus the position of the chairman, acting in behalf of the Federal members, and the vice-chairman, acting under instruction of the state members, shall be set forth in the record...."15/

The unusual voting procedure stipulated by the Act places a premium on the exchange of information among Federal and state agencies rather than on regulation or management. This cumbersome procedure is perhaps appropriate under the mandate of the Act to "serve as the principal agency for the coordination of Federal, state, interstate, local, and nongovernmental plans...."16/

The Title II commissions have a relatively small staff. The Great Lakes River Basin Commission is the largest with 15 members. They depend on Federal and state agencies for their basic data, and the central staff has no way to force these scattered work groups to meet planning deadlines.17/

Section 207 of the Water Resources Planning Act states that each commission shall prepare and submit a budget, which in turn is further subject to the approval of the Water Resources Council. Section 207 also provides that each commission shall recommend what share of its budget should be paid by the Federal government. In practice, funding has developed into a system of matching grants, where the Federal government pays half of the operating costs and the state pays the rest.

The impact of most Title II commissions on state and Federal water policy has been variable. The New England River Basins Commission has had the most success, primarily because it receives substantial political support from the New England Governor's Conference, and because the New England States have a long history of working together.18/ Given their different legislative mandates, it is difficult to compare the performance of the Delaware River Basin Commission with Title II commissions, but the conclusion is unavoidable that the interstate compact commission is a much more efficient river basin planning tool.

Another well-known entity is the Appalachian Regional Commission, created in 1965 by the Appalachian Regional Development Act.19/ Its mandate is to promote the economic development of the Appalachian region by, among other things, developing comprehensive plans, sponsoring research and projects, reviewing Federal, state, and local programs, and providing a forum for consideration of regional problems. Membership consists of the Federal co-chairman appointed by the President and 13 state representatives, one from each state, who may be the governors or their designee. The Act authorizes a part-time state co-chairman who is elected by the state members. However, from the beginning, the states created the position of "states regional representative," who serves as their full-time permanent liaison on the Commission.

The Federal co-chairman has a small staff entirely federally funded. His main function is to coordinate the Commission's programs with other Federal agencies. The state's regional representative acts as the functional equivalent of the Federal co-chairman in the day-to-day affairs of the Commission. The representative's principal responsibility is to carry out policy directives of the governors and the state co-chairman. The representative has his own staff paid for by the member states, and he has a good deal of influence. The Commission has a relatively small but high caliber staff with offices in Washington, D.C. It is funded equally by the Federal government and the states.

Decisions by the Commission require a majority, including the affirmative vote of the Federal co-chairman. This veto power has seldom, if ever, been used, but it must have an effect on deliberations. In practice, much of the Commission's authority has been delegated to the "executive committee," a unit composed of the executive director (nonvoting), the Federal co-chairman, and the state's regional representative.

The Commission meets once a month. Between meetings, the "troika" executive committee takes charge of the day-to-day administration, as well as reviewing project proposals, program allocations, and state development plans. At each Commission meeting, the executive committee reports on its actions.

Over the years the Appalachian Regional Commission has developed a life of its own while still managing to be an effective agent of its Federal and state members. While the fairly rapid turnover in gubernatorial

membership due to changes in state administrations has harmed its performance as a policy-making body, the positions of executive director and state regional representative have remained relatively constant. Strong Federal and state ties, frequent meetings, and the efficient executive committee help make the Appalachian Regional Commission one of the most active Federal-state entities today.20/

The "Title V" regional commissions were created under Title V of the Public Works and Economic Development Act of 1965 21/, and their mandate is substantially the same as that of the Appalachian Regional Commission. There are seven in all: Coastal Plains, New England, Four Corners, Upper Great Lakes, Ozarks, Old West, and Pacific Northwest. The composition of each is identical under the Act: a Federal co-chairman appointed by the President, one member from each state who may be the governor or his designee, and a state vice-chairman elected by the state members from among their number. Decisions require the affirmative vote of the Federal co-chairman, as well as a majority of the state members. Each state member is to have an alternate appointed by the governor, and the President is to appoint an alternate for the Federal co-chairman. The alternate votes in the event of absence, removal, or resignation of the state or Federal co-chairman. The commissions meet on a quarterly basis, with the governors usually attending personally. The state members definitely recognize the affirmative vote requirement of the Federal co-chairman as a veto power. Although seldom used, its influence is felt.22/

The Federal government was authorized to pay the full costs of the commissions' operating expenses for the first two years. After that, the states were required to pay 50 percent. An amendment passed in 1967 (§ 509) authorizes the Secretary to provide funds to each Federal co-chairman to use as supplementary grants to help states or other entities to raise matching funds for Federal grant-in-aid programs.

The Federal co-chairman's role on the commission as both a member and an official of the Federal government is somewhat bifurcated. The Federal co-chairmen have their own staffs, located in Washington, and their main concern seems to be the commission's relationship with Federal agencies. The state co-chairman's office is rotated among the governors, and is not a full-time position. The Coastal Plains Regional Commission has followed the example of the Appalachian Regional Commission and created the position of state's regional representative. State alternates appointed by the governors keep up contact and interest between the governors' offices and the commissions. On the New England Regional Commission, alternates have considerable impact on programs. But, turnover is a problem with alternates; they are changed at least as often as new governors are elected, which makes for a problem in continuity.

In most regional commissions, there is an executive committee which has responsibility for supervising staff operations. The committee is composed of the Federal co-chairman, the state co-chairman, and the executive director (a nonvoting member). Usually, the governor who is

serving as state co-chairman does not become involved, so that the committee is not often a tool of leadership.

The Title V commissions have a dual staff system. The staff of the Federal co-chairman, which averages about five members, is responsible to him only. The commission staff, averaging about 19, operates separately and is responsible to the commission as a whole.

For the purposes of this paper, there is no need to discuss in detail the composition and structure of the Joint Federal-State Land Use Planning Commission, but only to note a few unique features. Since Alaska is, in many respects, a one-state region, it has the only joint Federal-single-state commission, thus avoiding some of the complexities with which the multi-state commissions must deal. The Federal and State representation is much more exactly balanced on the LUPC than elsewhere. Further, the LUPC is the only commission in which both the State and the Federal co-chairman have a veto.

Two forms of single state-Federal entities have been proposed in the past few years. Neither has become law, although both still have a good chance of doing so. The proposed Nantucket Sound Islands Trust is the result of Senator Edward M. Kennedy's (D.-Mass.) efforts, beginning in 1971, to achieve legislation to preserve the unique characteristics of a particular area of Massachusetts: the Nantucket Sound Islands.23/ As put forward in S. 67 (January 15, 1975), the Trust would create three Federal-state trust commissions: the Nantucket Trust Commission, the Martha's Vineyard Commission, and the Elizabeth Islands Commission.

The Nantucket Trust Commission is typical. There would be seven members who would serve three year staggered terms: one to be appointed by the Secretary of the Interior, one by the Governor of Massachusetts, two by the Board of Selectmen of Nantucket, two elected by the town meeting of Nantucket, and one appointed by the Nantucket Planning Board.24/ The chairman would be elected by the members themselves for a term not to exceed two years. Each commission would have its own staff and advisory committee. There would be a coordinating committee with three members from each commission. All three commissions would be eligible for grant programs administered by the Departments of Interior, Commerce, and Labor. The Nantucket Islands Trust legislation was reported out of the Senate Interior Committee in August, 1976, but was not enacted before the 94th Congress ended.

S. 632, the 1972 version of the Land Use Policy and Planning Act, contained a proposal to establish Ad-Hoc Federal-State Joint Committees to deal with jurisdictional and other problems concerning the planning and management of Federal lands and adjacent non-Federal lands. Membership would include representatives of the affected Federal agencies, to be appointed by the appropriate Secretary; representatives of affected user groups, including recreation and conservation interests, to be appointed by the Secretary of the Interior after consultation with the appropriate governor; officials of the affected state agencies, to be appointed by

the governor; and officials of local government units, to be appointed by the Secretary of the Interior after consultation with the governor. This provision was omitted from the next version of the Land Use Policy and Planning Act.

Two types of joint authorities were created by the Great Lakes Fishery Act of 1956 (16 U.S.C. 931 et. seq.), which was generated by the Convention on Great Lakes Fisheries between the United States and Canada. On the Great Lakes Fishery Commission, a United States-Canadian body, the United States is represented by three commissioners appointed by the President and serving at his pleasure without compensation. One must be an official of the United States Government, and two must be residents of the Great Lakes states. One of the two latter persons must be a state official. The United States section thus created is to appoint an advisory committee for each of the Great Lakes, upon which each bordering state may be represented by not more than four members. These members are selected from a list proposed by the governor, giving consideration to the interests of state agencies, commercial and sport fishing interests, and the public at large. Members of the advisory committees serve without compensation.

The Alaska Joint Federal-State Fish and Wildlife Advisory Team was created by §202 of the Trans-Alaska Pipeline Authorization Act.25/ to give environmental advice to the Alaska Pipeline Office (Federal) and the State Pipeline Coordinator's Office. A team of approximately 30 professionals, mostly biologists, were appointed by various interested State and Federal agencies. These staffers are paid by their respective agencies, which are then reimbursed by Alyeska. There is a Federal coordinator and a State coordinator; each has an assistant-alternate and a veto power, which is rarely used. The team serves as a technical advisor only.26/ One of the team's main strengths is its capacity to promote effective coordination between the State and Federal agencies which donate employees.

PART II

The following questions were asked of the Appalachian Regional Commission and the Delaware River Basin Commission in telephone interviews of February 10, 1977. Their reponses are as indicated, in the order in which the questions were asked.

1. Which members are full-time, if any?

   Appalachian: The Federal co-chairman is full-time.

   Delaware: Under the statute, the Federal member is the only full-time commissioner. In practice, the Federal co-chairman, who is the Secretary of the Interior, serves through an alternate. Every commissioner has an alternate, and the alternates are extremely important. While the Commission only meets annually, the alternates meet every month or oftener; sometimes they meet twice a week when the work load requires it.

2. Is there an alternate for every member?

Appalachian: Yes, all the governors have alternates who act for them in day-to-day administration but who have no authority to vote in the place of the governors on final policy decisions.

Delaware: Answer included in No. 1.

3. Who comprises your staff?

Appalachian: There is a staff of 110 in Washington, D.C., comprised of separate state and Federal staffs of about nine persons each, with the balance working under the executive director.

Delaware: Approximately 50 professionals.

4. How often do you meet and what are your views regarding this scheduling?

Appalachian: Every two to three months, which is no problem because the alternates are constantly available.

Delaware: Answer included in No. 1.

5. Is there an executive committee?

Appalachian: There was an executive committee until very recently, but at the moment, due to a change in personnel, its decisions are being made at Commission meetings instead. There will probably be another.

Delaware: There is an informal kind of executive committee which is called the "Directorate." It is composed of the Secretary, the public information officer, the chief engineer, and the general counsel. It meets whenever necessary on an ad hoc basis.

6. Do you have more than one office? If so, where are they located?

Appalachian: Yes, there is the main office in Washington, D.C., one in every state, and one in each of 69 local development districts.

Delaware: The main Commission office is in West Trenton, New Jersey. The Federal member has his office in Washington, D.C., and each state has its own local office in the individual states.

7. To what extent is the public involved in your proceedings?

Appalachian: The Commission travels from state to state to each of the local development districts and holds public hearings.

Delaware: A press release goes out to all the basin-wide media regularly, giving notice of future proceedings. The Commission also maintains a mailing list of interested parties. Public attendance

is very good. It is felt that this public input is very healthy and that the Commission is very responsive to it. Very often major project changes are made in response to the public hearing process.

8. What powers does your Commission have and do you feel they are sufficient to carry out the work which needs to be done?

Appalachian: No response.

Delaware: The Delaware River Basin Commission does not have the power of subpoena. Otherwise, the Commission has full enforcement powers. The Commission is both a legislative body and a quasi-judicial body, with the ability to hold adversary proceedings. After a decision at one of these proceedings, a party can take his action directly to the courts; there is no "exhaustion of remedies" problem. The Commission feels that it helps create a sense of public reponsiveness by providing a forum where private citizens can be heard in an adversary hearing without the expense of an attorney.

9. Do you use Federal or state procurement regulations or neither?

Appalachian: The Commission goes through the Department of Commerce.

Delaware: The Commission is not subject to Federal administrative procedures in any way. The Commission has its own regulations.

10. Is your staff comprised of Federal or state employees, or neither?

Appalachian: They are not civil service employees, but they have benefit schemes that are comparable to civil service personnel.

Delaware: The staff is composed of neither Federal nor state employees.

11. Do you relate to your respective legislative bodies directly, or must you go through the executive branch?

Appalachian: Directly.

Delaware: Directly.

12. What is your funding process and how does it work?

Appalachian: Funding is on a fifty-fifty basis. It is felt that the fact that the Commission is funded directly and is relatively independent, rather than being dependent on the Department of Commerce like the Title V commissions, is important to the Commission's success.

Delaware: The Delaware River Basin Compact specifies that the states and the Federal government will share the funding "equitably." By agreement, at present 77 percent of the Commission's funding comes from the states and 23 percent from the Federal government. The states feel that this correctly reflects the proper balance and helps give the Commission its necessary independence.

13. How are Federal-state relations on your Commission?

Appalachian: Answer included in No. 12.

Delaware: Federal-state relations are excellent. The individual states have good input; the smallest state has as much a say in Commission affairs as the largest state.

PART III

Subject to caveats respecting the fairly short operating history of most Federal-state entities and the varying mandates and functions of the existing entities, the following issues appear relevant in analyzing these entities or any proposed Federal-state land use entity for Alaska.

1. Should the agency be cast in the form of a commission? (Most of the questions listed below assume an affirmative answer.)

2. With what powers should the commission be vested? Should such powers be advisory only?

3. Should the commission be composed of full-time members, full-time co-chairmen and part-time members, or part-time members and a full-time executive director?

4. How many Federal and state commissioners should there be?

5. Should certain members of the commission be required to have particular professional or other qualifications? Within the Alaska context, should there be a requirement that one or more members be Natives?

6. Should commissioners be appointed to fixed terms or serve at the pleasure of the appointing authority?

7. Should there be alternatives and for whom?

8. Should there be a veto over commission decision-making? If so, should the veto reside in the Federal and state co-chairmen, acting separately, or in the Secretary of the Interior and the Governor, respectively?

9. Which is better, to meet fairly often for shorter periods or to meet less often and have longer meetings?

10. Is there need for an executive committee or its equivalent?

11. What mechanisms should be established to obtain public input? An advisory committee?

12. How should the commission be funded?

13. How should the commission be staffed?

14. Is it preferable to avoid using either Federal or state employment regulations and procurement procedures?

15. Should the commission have an office in Washington, D.C.?

16. Should a Federal agency coordinating body be established at the Secretarial level in Washington to assist the commission in performing its duties?

17. Should the commission be temporary or permanent?

Footnotes

1/ A study of these commissions from a planner's perspective is contained in Between State and Nation, Martha Derthick and Gary Bombardier. The Brookings Institute, Washington, D.C., 1974.

2/ For a brief discussion of the basic types of non-Federal-state planning bodies, see "A Federal-State Land Classification and/or Joint Management Coordination Board," memorandum to the Federal-State Land Use Planning Commission for Alaska, J. David Dorris, Land Systems Planner, June 17, 1975.

3/ For an excellent study of these types, see Multistate Regionalism, a Commission Report, The Advisory Commission on Intergovernmental Relations, April 1972. (U.S. Government Printing Office, Washington, D.C., 20402, Stock Number 5204-0041.)

4/ P.L. 87-328, 75 Stat. 688. The compact is not printed in the United States Code. Copies of the compact can be obtained from the Delaware River Basin Commission, 25 Scotch Road, Trenton, New Jersey.

5/ "Federal-State Compact: A New Experiment in Co-operative Federalism," Frank P. Grad, 63 Columbia Law Review 825, (1963).

6/ P.L. 91-575, 84 Stat. 1509.

7/ Delaware River Basin Compact, §3.6(h).

8/ Delaware River Basin Compact, §3.1.

9/ Multistate Regionalism, supra, p. 95.

10/ Multistate Regionalism, supra, p. 95.

11/ 42 U.S.C. §3181 et. seq.

12/ 40 U.S.C. App. §101.

13/ 42 U.S.C. §1962.

14/ 42 U.S.C. §1962(b).

15/ 42 U.S.C. §1962b-2.d.

16/ 42 U.S.C. §1962b-(b)(1).

17/ Multistate Regionalism, supra, p. 97.

18/ Multistate Regionalism, supra, p. 97.

19/ 40 U.S.C. App. §101.

20/ "Interstate Regional Instrumentalities: a New Piece in an Old Puzzle," David Bradstreet Walker, Journal of the American Institute of Planners, November, 1972, pp. 359-367.

21/ 42 U.S.C. §3181.

22/ Multistate Regionalism, supra, p. 53.

23/ See "An Islands Trust: Leading Edges in Land Use Laws." K. Dun Gifford, 11 Harvard Journal on Legislation 417, 1971.

24/ A similarly structured commission presently in existence is the Lake Tahoe Regional Planning Commission. See "Regional Government for Lake Tahoe," 22 Hasting Law Journal 705, 1971.

25/ 87 Stat. 54 (1973).

26/ The Federal-State Joint Boards of the Federal Communications Commission (47 U.S.C. §410) represent an application of this principle in a very different field. They are each composed of four state commissioners and three Federal commissioners, and deal with problems concerning common carrier communications.

TESTIMONY OF THE HONORABLE STEVE COWPER
BEFORE THE HOUSE NATURAL RESOURCE COMMITTEE
ON
H.B. 211
AN ACT ESTABLISHING THE ALASKA LAND COMMISSION

First I would like to commend the authors of HB 211 for taking the initiative in introducing this legislation. It serves as a message to congress and the Federal Government that Alaska in on the side of balanced and comprehensive land use planning and management.

President Carter issued his environmental message to Congress on May 23rd of last year. An entire section of that message was devoted to "Improving Government". In that part of his speech the President said, "In the past, our environmental policies have not always used the most practical tools, nor the least costly; they have sometimes imposed burdensome bureaucratic regulations...and they have occasionally ignored the need for different solutions in different areas of our diverse country. There is room for improvement." I submit that HB 211 creates a practical tool for land planning and management which recognizes the sovereignty of the State and Federal governments, but transcends chauvinism and political boundaries in order that the land and the wildlife may be managed on an ecosystematic basis. The Alaska Land Commission can reduce both State and Federal land and wildlife management costs by fostering co-operation and communication and thus minimizing unnecessary overlap, implementations of conflicting programs, and duplicate spending. This legislation fulfills the need for "a different solution here in Alaska", where traditional systems likely will prove to be less than optimal. HB 211 IS an improvement.

The (d)(2) Steering Council for Alaska Lands has adopted a policy statement an amendatory language aimed at (d)(2) legislation now before Congress, which is compatible with HB 211. I shall be happy to leave that language with you, and urge your favorable consideration of that language. The Councils' language by the way, embraces concepts set forth in the Hammond, Stevens, and Young's (d)(2) bill; in the Joint Federal Land Use Planning Commission (d)(2) proposal; and in Senator Gravel's proposal.

There are those of us, myself included, who don't buy the environmental battle which pits the preservationists and developers against one another. I believe that it is possible to protect the great Alaskan landscape and at the same time assure adequate growth and development and utilization of our vast resources. Such a "balancing act" requires that new, co-operative land management approaches be developed by the State of Alaska, the Federal Government and our Native citizens. Each of the groups will be major landholders in the Alaska of the future. The most conspicious landowner will be the Federal Government. Even after all the State and Native selections are made, the Federal Government, which now holds over 96% of Alaska under its control, will still control over 200 million acres. Much of the land ownership will be intermixed, and, for the forseeable future, at least, co-ordination of Federal, State, and private land use decision-making will be a necessity if rational management of Alaska's resources is to occur.

The passage of HB 211, and companion legislation in Congress, would provide a mechanism for balancing, Federal, State, and private interests in the Alaskan landscape. It would give the people of Alaska a say in decisions that would otherwise be made by a remote Federal bureaucracy in Washington. Such an Alaska Land Commission would give the State greater influence over Federal land management activities that it would otherwise have. In the past, such Federal land management activities were not particularly noteworthy. Now, however we have entered the era of intensive management and control of the public domain. This new era is symbolized

by the passage of the Federal Land Policy Management Act in the 94th Congress. An Alaska Land Commission as proposed here will give the people of Alaska a direct and meaningful way to make our concerns known to the federal policy makers, and assure that our land is managed in the best long term interest of Alaska.

The existing record of many agencies in co-operative management is simply not very good. There are tools in existing laws which may be used in co-operative planning and management, but each lacks a third party, a motivating force to insure that dialogue takes place, and, as appropriate, is acted upon. A joint commission provides both a vehicle stimulating federal-state, interagency and interdepartmental co-operation in areas such as transportation, fish and game management, minerals and energy, and a means of unifying diverse elements into a coherent whole.

If federal intervention in land use now seems an inevitable fact of life, it behooves the State of Alaska to insure we get something in return. I cannot help but feel that the approach advocated in HB 211, which is supported by the (d)(2) proposals of our Congressional delegation and Governor, the Land Use Planning Commission's (d)(2) proposal, and the (d)(2) Steering Council's amendments, is our best hope for the future. To quote Julius Caesar, "Take care how your present decrees may effect posterity."

Alaska State Legislature

House

HOUSE RESOURCES COMMITTEE

Alvin Osterback, Chairman

Pouch V, State Capitol
Juneau, Alaska 99811
(907) 465-3715

M E M O R A N D U M 9 March 1977

SUBJECT: Federal Energy Administration Hearing
23 March 1977 -- Anchorage

TO: House Resources Committee Members

FROM: Al Osterback, Chairman
House Resources Committee Al Osterback jr

Attached is the schedule for the Joint Senate-House Resources meetings during the week of March 21-25, 1977.

Please note the Federal Energy Administration Hearing in Anchorage on Wednesday, March 23, 1977. I would like all House Resources Committee Members to go. If you like, Jeanne will make your travel arrangements, so let her know if you are going as soon as possible.

I am planning to leave on Tuesday, March 22 and return the evening of Wednesday, March 23.

Thank you.

Alaska State Legislature

House

JUNEAU ALASKA

JOINT SENATE - HOUSE RESOURCES HEARINGS

March 21 - 25, 1977

SCHEDULE

MONDAY, MARCH 21 COURTROOM A, COURT BUILDING 9:00 A.M.

JOINT HEARINGS, GAS AND OIL TAXATION AND RELATED MATTERS

AGENDA TO BE ANNOUNCED

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TUESDAY, MARCH 22 COURTROOM A, COURT BUILDING 9:00 A.M.

JOINT HEARINGS CONTINUED

* *

WEDNESDAY, MARCH 23

FEDERAL ENERGY ADMINISTRATION HEARINGS IN ANCHORAGE

FEDERAL COURTHOUSE - ROOM 284

* *

THURSDAY, MARCH 24 ROOM 126 9:00 A.M.

JOINT HEARINGS CONTINUED

* *

FRIDAY, MARCH 25 ROOM 126 9:00 A.M.

JOINT HEARINGS CONTINUED

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE RESOURCES COMMITTEE

8 March 1977

SCHEDULE

Wednesday - 9 March 1977, Joint House - Senate Resources Committee Meeting at 3:00 p.m. in the 5th Floor Conference Room of the State Office Building.

HB 211 Alaska Land Commission

Thursday - 10 March 1977, at 1:15 p.m. in Rm. 118 of the Capitol Bldg.

HB 264 Fisheries Enhancement

HB 289 Appropriation for Transplanting Caribou

Tuesday - 15 March 1977 at 1:15 p.m. in Rm. 118 of the Capitol Bldg.

HJR 27 Native rep. on North Pacific Fishery Management Council

SJR 12 U.S. Congress Regarding (D)(2) Land Withdrawal

Thursday - 17 March 1977 at 1:15 p.m. in Rm. 118 of the Capitol Bldg.

HCR 32 Redesignation of Bristol Bay Area to Region

HJR 29 Rel ing to Federal Oil Spill Liability Legislation .

MEMORANDUM
LEAGUE OF WOMEN VOTERS OF ALASKA

TO: House Resources Committee DATE: March 9, 1977

FROM: Joy Jamison, lobbyist for the League of Women Voters of Alaska

SUBJECT: HB 211, Establishing the Alaska Land Commission.

The League of Women Voters of Alaska supports the concept of a State Land Use Board with authority to formulate, implement and enforce a comprehensive plan for the use of all land in the State of Alaska. Citizen participation, education, communication and on-going evaluation must be essential elements in the comprehensive planning process. The public should be given alternatives with possible consequences of their choices on any given question calling for public input.

The goal of a State Land Use Plan should be the optimum use of the land as determined after considering environmental, social and economic interests against all available information concerning each area.

Land Use decisions should be made and enforced by the lowest level of government immediately concerned with the land in question, but such decisions must comply with the State Land Use Plan. Evaluation of social, environmental and economic impact should be required of all major public and private developments. Geographical regional planning should be established.

The Land Use Board should identify and plan for areas of critical concern to the state and for areas where land use decisions would have statewide impact. The Board should also compile and catalog resource inventories, not only to aid them in their decisions, but to be available to all citizens when preparing impact statements, appeals or testimony.

The Land Use Board should be an instrument to ensure coordination and cooperation among state, federal and private land owners. The state and federal governments should research and, if feasible, establish innovative resource management systems and cooperative uses of the land.

In view of the above statement of position, the League of Women Voters of Alaska supports HB 211. However, we urge the inclusion of required qualifications for commission members, as well as the executive director (AS 41.45.040). Members need not be land use planning experts, but should be knowledgeable and representative of the social, economic, environmental and political factors involved. Ex-officio members from federal agencies should be included to ensure communication among agencies concerned with planning for uses of the land.

We feel it is imperative to include some mechanism for coordinating with existing state and federal land management agencies (Alaska Division of Lands, BLM, USFS, etc.) since there will be other land such as national forests, state and national parks, etc. that are not included in the "common management areas".

We further urge that an appeals or arbitration procedure be established.

STATEMENT BY CONGRESSMAN YOUNG ON HB 211

I would like to thank you for the opportunity to comment on HB 211, a bill which would create the Alaska Land Commission for the purpose of managing cooperative lands in the State of Alaska.

As you know, I have supported the cooperative management system embodied in S. 787, a bill introduced to the U.S. Senate by Senator Ted Stevens. I think that cooperative management is a feasible alternative to the type of single-use land units now in existence on federal lands. I am pleased to see that the Alaska State Legislature has taken the initiative in proposing the establishment of a Commission that would work with these cooperative lands. It is indeed unfortunate that some Members of Congress have not taken the same initiative.

I do think that there are some changes which could be made in the bill to make it a more effective document. I trust that you will take these comments in the constructive vein in which they are offered.

Section ,040, dealing with membership, states that the Commission will consist of 3 members appointed by the State. It is envisioned that an additional 3 members will be appointed by the Federal Government. The last member of the Commission is to be appointed by majority vote of the first 6 members. This is a reduction in the number of members suggested by Governor Hammond, Senator Stevens, and myself. Although the number of members may not be important, I am concerned that the equal membership of 4 State and 4 Federal envisioned in S. 1787 is not maintained in this bill. Furthermore, the equal veto power of the Governor and the Secretary of Interior has not been included in this bill. I think that it is important to realize that the State and the Federal Government should be considered as equals in regard to cooperative land. By having an independent member and without veto power, this equality is considerably diminished.

One further point should be made in regard to membership. A number of people have suggested that Native Corporations and private landholders should have the option of being included in a cooperative management scheme. Although HB 211, in section .080, allows the Commission to enter into agreements with private landholders, there is no incentives for private landholders to take advantage of this offer.

I would suggest that, if a landholder does commit his lands to the cooperative management scheme, he be given a tax incentive and at least an advisory role in Commission decisions.

The final point I wish to discuss is section .070. This section empowers the Alaska Land Commission to "Manage land included within common management areas." I feel that it is a mistake to grant these powers to the Commission. Land management in Alaska is already divided between the State, at least three agencies of the federal government, and private landholders. By creating another management entity, we are merely confusing an already clouded management pattern. A recent case that was brought to my attention will illustrate my point. A gentleman wrote to me expressing his troubles with various agencies. He was living on land that had been selected by a particular Native village corporation. Although the Village was more than happy to let him live there, he was unable to construct a trail from his cabin to the main road because the land it would cross was in limbo due to conflicting ownership questions between the State and the Federal Government. After wading through paperwork at the federal level, he was finally referred to the State, who told him that patent on the land had not yet been granted and that the Federal government would have to issue the necessary permits. Can we honestly expect one more managing agency, which presumably will make decisions by majority vote, to help alleviate this sort of confusion?

Once again, let me say that I am glad to see the Legislature taking positive steps towards resolving the complex land issues we are dealing with. I do hope, however, that you will take these comments to heart and do what is necessary to establish a workable cooperative land management system in Alaska.

Address further inquiries directly to Congressman Don Young,
1210 Longworth House Office Building, Washington, D.C. 20515

STATE OF ALASKA

Legislative Affairs Agency

Alaska National Interest (D–2) Lands

A History and Review

of Legislation

PREPARED BY

LEGISLATIVE AFFAIRS AGENCY

RESEARCH DIVISION

AUGUST 1977

ALASKA NATIONAL INTEREST (D-2) LANDS

A HISTORY AND REVIEW

OF LEGISLATION

PREPARED BY THE

LEGISLATIVE AFFAIRS AGENCY

RESEARCH DIVISION

AUGUST 1977

FOREWORD

This report was prepared by Mr. George Utermohle of the Research Division staff at the request of Representative Mike Miller, chairman of the Legislative Council. This report expands upon an earlier and less extensive analysis of the d-2 issue prepared by Mr. Utermohle at my direction, and given limited distribution in July of this year. We believe the current report provides an accurate and concise summary of the major d-2 proposals now before Congress, and summarizes in tabular form all legislation relating to this issue.

A limited number of additional copies of this report are available from the Legislative Affairs Agency, Pouch Y, Juneau, Alaska 99811.

Gregg Erickson
Director of Research
August 1977

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ALASKA NATIONAL INTEREST (D-2) LANDS

A HISTORY AND REVIEW OF LEGISLATION

PART I. D-2 LAND: A BACKGROUND REPORT

ALASKA STATEHOOD

Prior to 1959, virtually all land in Alaska was owned by the federal government. When Alaska became a state, it was granted the right to select a maximum of 104 million acres by 1984 as its statehood entitlement. The object of this large statehood entitlement was to provide the new state with title to lands which would provide a base for economic stability and development. During the early years of statehood, the state selected its entitlement slowly and deliberately because it was not financially prepared to immediately assume the costs associated with ownership of millions of acres and because it appeared that there was ample time in which to make selections.

NATIVE LAND CLAIMS

Concurrent with, but separate from the drive for Alaska statehood, was the movement for a settlement of the aboriginal land claims of Alaskan Natives. While the land claims issue had long been overshadowed by the statehood issue, once statehood was granted, the land claims became a prominent issue. In the early 1960s, Alaska's Native groups were becoming more active in demanding a resolution of their claims than ever before. In December, 1966 Secretary of Interior Udall, in response to the threat of numerous law suits by Native groups, placed a moratorium on the transfer of any federal lands from federal ownership in Alaska which were affected by a Native land claim. This action by Secretary Udall became known as the "land freeze". While the land freeze was in effect, the state could not receive approval of or patent to its selections in those areas affected by the freeze. The pressure for a settlement of the Native land claims increased when large quantities of oil were discovered at Prudhoe Bay in 1968 and 1969. With the prospect that any pipeline carrying Prudhoe Bay oil to market would traverse lands affected by Native land claims, it became evident that the claims had to be settled before a pipeline could be constructed. The Alaskan Natives' land claims thus had become an issue of national significance. Congress sought to finally resolve the issue by passing the Alaska Native Claims Settlement Act (ANCSA).

THE ALASKA NATIVE CLAIMS SETTLEMENT ACT

The Alaska Native Claims Settlement Act (P.L. 92-203) took effect on December 18, 1971. The settlement act awarded to Alaska's Natives $962 million in cash and almost 44 million acres of land. The selection of Native land was to occur within four years after the act became effective and was to have precedence over state selections.

As a result of the Alaska Statehood Act and the Native Claims Settlement Act approximately 148 million acres of federal domain in Alaska would be transferred to state or private ownership. An additional 149 million acres still remained in the vacant, unappropriated, and unreserved public domain in Alaska. In order to decide what would be done with the remaining public domain, Congress included a provision for land use planning in the Alaska Native Claims Settlement Act. This provision was included as Section 17:

Section 17(a) - established the Joint Federal-State Land Use Planning Commission for Alaska;

Section 17(b) - authorized the Commission to identify public easements across Native corporation land;

Section 17(c) - exempted from selection by the Native corporations any land which the Secretary of the Interior may withdraw as utility and transportation corridors;

Section 17(d)(1) - authorized the Secretary of the Interior to withdraw unreserved public land from all forms of appropriation, except locations for metalliferous minerals, if it is necessary to protect the public interest in those lands; (Lands withdrawn under this provision of the act are known as "d-1 lands".)

Section 17(d)-(2) - authorized the Secretary of the Interior to withdraw from all forms of appropriation or selection up to 80 million acres of unreserved public land which were suitable for addition to or creation as units of the National Park, Forest, Wildlife Refuge and Wild and Scenic Rivers Systems. (Lands withdrawn under this provision of the act are known as "d-2 lands".)

The Secretary of the Interior had until March, 1972 to designate d-2 lands and until December, 1973 to determine their suitability for designation as parks, refuges, forests, and wild and scenic rivers.

D-2 LANDS

In March of 1972 the Secretary of the Interior designated 79 million acres as d-2 lands and an additional 47 million acres as d-1 lands. The State of Alaska immediately filed a suit against the Secretary

because some of the land designated as d-2 land had been selected by the State for the acquisition under its statehood selection rights. In January, 1972, before the Secretary made his d-2 designations, the State had selected the remainder of its statehood entitlement (77 million acres) in order to establish its claim to the land which the State wanted. In an out of court settlement in September, 1972 the State relinquished approximately half of its January selections and the Secretary of the Interior surrendered some of his March d-2 designations, in order to permit state selection. Other d-2 lands were shifted to d-1 status.

During 1973 and early 1974 the State selected 2.4 million acres from the 11 million acres of public domain which still remained unaffected by Native claims or d-1 and d-2 designations. However, in March, 1974 the Secretary of the Interior withdrew all the remaining public domain for d-1 classification. This withdrawal halted further state selections because the State could not select land designated as d-1 or d-2.

In December, 1973, the second anniversary of the effective date of the act, the Secretary of the Interior submitted his recommendation to Congress for lands to be added to the National Park, Forest, Wildlife Refuge, and Wild and Scenic Rivers Systems. The Secretary's recommendation included proposals for 28 areas involving 83.5 million acres. All lands designated as d-2 lands in 1972, but which were not included in the 1973 recommendation to Congress, reverted to d-1 land status.

The Secretary of the Interior's recommendation for parks, forests, refuges, and wild and scenic rivers in Alaska was introduced in Congress in early 1974 by Senator Jackson (Wash.). Since then several bills have been introduced each year which would affect d-1 and d-2 lands. (See pages 5 through 9 for a list of the bills currently being considered by Congress.)

Congress has until December, 1978 to act upon the establishment of national parks, forests, wildlife refuges, and wild and scenic rivers from d-2 lands. After that time d-2 lands will revert to d-1 land status if they have not been added to the four systems. Congress may extend the deadline for action on the d-2 land beyond December, 1978 if it wishes, but the House and Senate committees working on this issue are preparing to act on d-2 land legislation before the end of 1977. The d-2 land issue would then go to conference committee where the final decisions will be made in 1978.

In the House of Representatives the subject of d-2 lands will be handled primarily by the Subcommittee on General Oversight and Alaska Lands of the Committee on Interior and Insular Affairs. This subcommittee is chaired by Representative Seiberling (Ohio). The Subcommittee on Fisheries and Wildlife Conservation and the Environment of the House Merchant Marine and Fisheries Committee will also be involved in formulation of d-2 legislation because it has jurisdiction over matters relating to wildlife refuges. The chairman of this subcommittee is Representative Leggett (Calif.). The House subcommittees have held committee briefings, overview hearings, and general hearings during the

spring and summer of 1977. In the Senate the d-2 lands issue will be handled by the Committee on Energy and Natural Resources (formerly the Committee on Interior and Insular Affairs) chaired by Senator Jackson (Wash.). The House subcommittees and the Senate committee dealing with d-2 lands have or will visit Alaska this summer or fall. The substantive work on the d-2 bills will begin during the fall of 1977.

The Alaska delegation in Congress and Governor Hammond have held meetings on the d-2 lands issue in order to formulate a State position. The result of these discussions has been a bill which was introduced in June, 1977 by Senator Ted Stevens. This legislation has been referred to as the "Alaska Consensus" Bill, although the state's other senator, Mike Gravel, has not supported it.

The Carter administration has not taken a position on the issue. This administration is not likely to introduce legislation, but will attempt to influence the substance of the d-2 legislation while the bills are in committee. The Department of the Interior is reviewing its past d-2 proposals in order to assure that they conform with the policy of the Carter administration. This review is due to be completed in September, 1977. The Department of the Interior's position will be very influential in affecting the outcome of the d-2 issue.

Another factor in determining the outcome of d-2 legislation is the report to Congress by the Joint Federal-State Land Use Planning Commission for Alaska. The Commission which was established by the Alaska Native Claims Settlement Act made its recommendations to Congress in spring, 1977. The Commission's recommendations contained proposals for smaller additions to the existing National Park, Forest, Wildlife Refuge, and Wild and Scenic Rivers Systems than contained in many of the bills before Congress. In addition, a new system of land management, the Alaska National Lands System, is proposed. This new land management system would be unique to Alaska. It would be designed to allow a high degree of flexibility in managing the lands by balancing protection of exceptional scenic, wildlife, and other values of these lands with the development and utilization of the resources which may exist on these lands. A proposal for cooperative management of federal, state, and private land is included in the Commission's recommendations.

The outcome of the d-2 land issue is more complicated than it would appear from a listing of each bill and the total acreage affected. Such listings, though useful for descriptive purposes, actually obscure the significance of each proposal. The location and amount of land placed into each of the federal land management systems varies with each proposal and thus the overall implications of each bill before Congress differ greatly. It is important to remember that much more is involved in the d-2 lands issue than just land. The final d-2 legislation passed by Congress will not only designate so many million acres of land as national parks, wildlife refuges, etc., but will also affect in some way or another, state management of wildlife resources, the subsistence life style of Native Alaskans, state selection of its remaining statehood entitlement, mineral and agricultural development, outdoor recreation, and any other human activity which is directly related to land and natural resources.

PART II. LEGISLATION CURRENTLY BEFORE CONGRESS

WHICH AFFECTS LAND IN ALASKA

U.S. HOUSE OF REPRESENTATIVES

H.R. 39 Rep. Udall (Ariz.)
The "Alaska National Interest Lands Conservation Act" establishes or enlarges 14 national parks, 14 wildlife refuges, and 23 wild or scenic rivers in Alaska. The bill also includes an authorization to enlarge the Chugach and Tongass National Forests by a maximum of 1,600,000 acres. The total area affected by these designations is 116,170,000 acres.

This bill also designates 30,470,000 acres of existing national parks, wildlife refuges, and national forests along with the 116,170,000 acres of parks, refuges, and wild and scenic rivers established by the Act as wilderness areas. The total area designated as wilderness in Alaska by H.R. 39 is 146,640,000 acres.

Surface management of the National Petroleum Reserve is transferred to the Fish and Wildlife Service.

Subsistence activities are permitted to continue on those areas affected by this Act.

State selections within areas affected by this Act are revoked. The state will be able to select areas of approximately equal acreage.

(H.R. 39 is reviewed in more detail on pages 11-18.)

H.R. 1207 Rep. Roe (N.J.)
The "Endangered American Wilderness Act of 1977" establishes eleven wilderness areas and seven wilderness study areas throughout the nation. This bill designates 405,000 acres of the Tongass National Forest as the West Chichagof-Yakobi Wilderness Area.

H.R. 1454 Rep. Alexander (Ark.)
This bill creates the Lake Clark National Park and authorizes a study of the park's wilderness potential.

H.R. 1652 Rep. Dingell (Mich.)
The "Alaska Refuges Act" establishes ten national wildlife refuges totaling 67,900,000 acres in Alaska. Among the refuges established are the North Slope Refuge, Bristol Bay Refuge, Yukon Flats Refuge, Gulf of Alaska Refuge, and the Kuskokwim Refuge.

H.R. 1720 Rep. Sebelius (Kan.)
This bill designates 2,603,547 acres of Katmai National Monument as wilderness.

H.R. 1907 Rep. Udall (Ariz.)
This bill designates parts of 39 national wildlife refuges and 12 national forests throughout the country as wilderness areas. Among the areas affected are ten wildlife refuges in Alaska.

H.R. 1974 Rep. Udall (Ariz.)
This bill is the same as H.R. 39.

H.R. 2082 Rep. Leggett (Calif.)
This bill revises the laws relating to the National Wildlife Refuge System and adds 70,750,000 acres to the Refuge System by enlarging two existing refuges and establishing 19 new refuges.

H.R. 2876 Rep. Udall (Ariz.)
This bill is the same as H.R. 39.

H.R. 3454 Rep. Udall (Ariz.)
The "Endangered American Wilderness Act of 1977" designates 13 wilderness areas and seven wilderness study areas. Among the areas established is the West Chichagof-Yakobi Wilderness Area consisting of 405,000 acres in Southeast Alaska. This bill is similar to H.R. 1207.

H.R. 4264 Rep. Udall (Ariz.)
This bill is the same as H.R. 3454.

H.R. 5505 Rep. Quillen (Tenn.)
This bill is the same as H.R. 39.

H.R. 5542 Rep. Udall (Ariz.)
This bill is identical to H.R. 3454.

H.R. 5605 Rep. Seiberling (Ohio)
This bill establishes the Admiralty Island National Preserve as a unit of the National Park System.

H.R. 6564 Rep. Murphy (N.Y.)
The "Alaska Conservation Act of 1977" establishes or enlarges eleven units of the National Park System, nine units of the National Wildlife

Refuge System, and four units of the National Forest System. Two national wild rivers and one national scenic river are also established. The total area affected by this bill is approximately 83,500,000 acres. This bill is similar to the Secretary of the Interior's proposal of December, 1973.

U.S. SENATE

S. 164 Sens. Stevens and Gravel (Alaska)
This bill establishes the Seward National Recreation Area consisting of 1,400,000 acres in the Chugach National Forest on the northeastern Kenai Peninsula.

S. 315 Sen. Jackson (Wash.)
This bill establishes wilderness areas in 26 national parks throughout the nation. In Alaska 2,600,000 acres of Katmai National Monument are designated as wilderness.

S. 499 Sen. Jackson (Wash.)
The "Alaska Conservation Act of 1977" establishes or enlarges eleven national parks, nine wildlife refuges, and four national forests. Two wild rivers and one scenic river are also established. The total area affected by this bill is approximately 83,500,000 acres. This bill is similar to the Secretary of the Interior's proposal of December, 1973.

S. 500 Sen. Jackson (Wash.)
The "Alaska National Interest Lands Conservation Act" establishes or enlarges 14 national parks, 14 wildlife refuges, and 23 wild or scenic rivers in Alaska. The bill also includes an authorization to add 1,600,000 acres to the Tongass and Chugach National Forests. The total area affected by these designations is 116,470,000 acres.

This bill also designates 30,970,000 acres of existing national parks, wildlife refuges, and national forests along with the 116,470,000 acres of proposed parks, refuges, and wild and scenic rivers as wilderness areas. The total area designated as wilderness is about 147,440,000 acres.

Surface management of the National Petroleum Reserve is transferred to the Fish and Wildlife Service.

Subsistence activities are permitted to continue on those areas affected by this Act.

State selections within areas affected by this Act made after December, 1971 are revoked. The State will be able to select areas of approximately equal acreage.

This bill is very similar to H.R. 39, but contains "technical improvements" proposed by the "Alaska Coalition", a group of conservationist organizations, and by staff counsel.

S. 1180 Sen. Church (Id.)
The "Endangered American Wilderness Act of 1977" designates ten wilderness areas and seven wilderness study areas throughout the nation. The West Chichagof-Yakobi area of the Tongass National Forest which comprises 405,000 acres is designated as a wilderness study area.

S. 1500 Sen. Metcalf (Mont.)
The "Alaska National Interest Lands Conservation Act" establishes or enlarges 14 national parks, 14 wildlife refuges, and 23 wild or scenic refuges in Alaska. This bill also authorizes an additional 1,600,000 acres for the Chugach and Tongass National Forests. The total area affected by these designations is 116,370,000 acres.

This bill also designates 27,570,000 acres of wilderness areas in existing national parks, wildlife refuges, and national forests, as well as in the 116,370,000 acres of proposed parks, refuges, and wild and scenic rivers. Ten areas in the Tongass National Forest totaling 550,000 acres are designated as wilderness study areas. The total area affected by S. 1500 is 145,490,000 acres.

The responsibility for surface management of the National Petroleum Reserve is transferred to the Fish and Wildlife Service.

Subsistence activities are permitted to continue on those areas affected by this Act.

State selections within areas affected by this Act which were made after December, 1971 are revoked. The State will be able to select areas of approximately equal acreages to compensate for those selections which are revoked.

Land which had been set aside for Native selection and which was not selected by a Native corporation will be added to the proposed national interest lands if the land lies within the boundaries.

This bill has evolved from H.R. 39 and S. 500. It is basically the same bill, but contains "technical improvements" to the previous versions.

S. 1546 Sen. Abourezk (S.D.)
This bill establishes the Admiralty Island National Preserve as a unit of the National Park System.

S. 1787 Sen. Stevens (Alaska)
The "Alaska National Interest Lands Act" establishes or enlarges seven national parks, eight national wildlife refuges and three national

forests. Three wild rivers are also established. The total acreage added to the four national conservation systems is 25,210,000 acres.

Additional areas of federal land are designated as Federal Cooperative Lands. The Federal Cooperative Lands are to be managed by either the Park Service, Fish and Wildlife Service, or Forest Service under the direction of the Alaska Land Classification Commission. The Commission shall be composed of four federal appointees and four state appointees. The Commission shall determine the appropriate uses for the land under its jurisdiction through its authority to classify the federal cooperative lands. A total of 56,890,000 acres of Federal Cooperative Lands is proposed.

The state must designate a significant proportion of state land as Alaska Cooperative Lands to be administered by the Alaska Land Classification Commission before the Commission can become operational.

This Act establishes a trust fund which receives a portion of state and federal revenues derived from national interest lands. This fund would be used to purchase land for inclusion in parks, refuges, and wild and scenic rivers outside of Alaska.

State and Native land selection rights are affirmed by this Act.

(S. 1787 is reviewed in more detail on pages 19-37.)

PART III. H.R. 39

"ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT"

(Introduced by Representative Morris Udall)

SYNOPSIS

H.R. 39 as introduced by Representative Udall is meant to be a comprehensive land preservation package for Alaska and is offered as a countermeasure to that proposed by the Secretary of the Interior for the disposition of lands in Alaska which have been classified as National Interest Lands under Section 17(d)(2) of the Alaska Native Claims Settlement Act. Mr. Udall acknowledges that this bill affects vast areas of Alaska when compared with the contiguous United States, but he considers these areas as "merely samples of the vast and diverse federally owned landscapes of Alaska." In August, however, after hearings in Alaska, Mr. Udall was quoted as saying that some reduction in the amount of land that would be withdrawn under his bill would be appropriate.

This bill is directed at the allocation of National Interest Lands among the four national conservation systems (National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, and the National Forest System) but also addresses Native subsistence issues and other administrative policies on the affected lands. The major provisions of the bill are summarized below.

116.17 million acres are dedicated as new units of the four national conservation systems.

- -- 64.1 million acres are added to the National Park System
- -- 46.4 million acres are added to the National Wildlife Refuge System
- -- 4.07 million acres are added to the National Wild and Scenic Rivers System
- -- A maximum of 1.6 million acres may be added to the existing National Forest System by Presidential Order.

All 116.17 million acres dedicated as new units of the four national conservation systems as well as 30.47 million acres of existing units of the national conservation systems are designated as units of the National Wilderness Preservation System. The total acreage of wilderness established by this bill is 146.4 million acres.

Surface management of the national petroleum reserve (Naval Petroleum Reserve No. 4) becomes the responsibility of the U.S. Fish and Wildlife Service.

Subsistence uses of natural resources are authorized to continue on the lands affected by this Act under regulations promulgated by the Secretary of the Interior. The regulations issued by the Secretary may prescribe the hunting season, bag limits, and methods of taking. Subsistence uses of resources have precedence over all competing consumptive uses. Subsistence users are defined in general terms by the Act. The right to subsist is granted to those who fit the definition of subsistence user and their direct descendents as long as they continue to fit the definition.

Hunting (undefined as to whether it is sport, commercial, or subsistence) will be permitted on the 12.6 million acres of national preserves established by the Act.

All lands designated by this Act as national parks, monuments, preserves, wildlife ranges, wildlife refuges, and national wild and scenic rivers are closed to further entry for mining and prospecting purposes. Existing claims and other existing mining rights are allowed to continue as long as regulations applicable to mineral location and mining activities on federal lands are followed.

Lands within the areas affected by this Act available for selection by Native village corporations but which are not selected shall be incorporated into the appropriate unit. The amount of land affected by this provision is unknown.

State land selections within the areas affected by this Act are revoked. Areas of approximately equal acreage will be made available to the State for selection.

The Secretary of the Interior is authorized to pursue cooperative agreements with state and private landowners who have land adjacent to units established by this Act in order to preserve the environments of the units.

SECTION-BY-SECTION SUMMARY

SECTION 1 (a) This subsection lists the titles of the Act and the national conservation systems which are affected.

(b) The intent of Congress is "to preserve unrivaled scenic and geologic values associated with natural landscapes; to provide for the maintenance of sound populations of, habitat for, resident and nonresident wildlife species...; to protect and preserve cultural values of indigenous peoples and the resources related to their subsistence needs; to protect and preserve historic and archeologic sites, rivers, and lands, and to preserve wilderness resource values and related recreational opportunities...; and to maintain opportunities for scientific research and undisturbed ecosystems."

(c) This subsection designates which maps are to be used to describe National Park Service, National Wildlife Refuge, and National Wild and Scenic River areas affected by this Act. These maps are to be available for public inspection in the office of the Secretary of the Interior. As soon as practicable after the passage of this Act, the Secretary shall publish in the Federal Register a map and legal description of each change in land management status.

TITLE I NATIONAL PARK SYSTEM

PART A ESTABLISHMENT OF NEW AREAS

SECTION 101 This section creates eleven additional national parks, monuments, and preserves affecting 56.0 million acres of federal land in Alaska. The specific areas established as part of the National Park System are given in Table 2b on page 45.

PART B ADDITIONS TO EXISTING AREAS

SECTION 102 This section adds a total of 8.1 million acres to existing national parks and monuments and redesignates the expanded Katmai National Monument and the expanded Glacier Bay National Monument as Katmai National Park and Glacier Bay National Park, respectively. The additional acreage allocated to each unit is given in Table 2b on page 45.

PART C ADMINISTRATIVE PROVISIONS

SECTION 103 This section requires the Secretary of the Interior to administer the new units established by this Title as part of

the National Park System except that hunting may be permitted under provisions of Section 702 of this Act.

TITLE II NATIONAL WILDLIFE REFUGE SYSTEM

PART A ESTABLISHMENT OF NEW AREAS

SECTION 201 This section establishes twelve new wildlife refuges or ranges on 31.7 million acres in Alaska. A list of the new units established and the acreages involved are given in Table 2c on page 47.

PART B ADDITIONS TO EXISTING AREAS

SECTION 202 This section adds 14.7 million acres to existing national wildlife ranges as well as merging or renaming certain units of the National Wildlife Refuge System. The additional acreage allocated to each unit is given in Table 2c on page 47.

TITLE III NATIONAL WILD AND SCENIC RIVERS SYSTEM

PART A ESTABLISHMENT OF NEW RIVERS

SECTION 301 This section establishes all or part of 23 rivers as wild rivers or scenic rivers. These wild or scenic rivers are to be managed by the National Park Service. Those rivers affected by this section and the acreage involved are listed in Table 2d on page 51.

PART B ADMINISTRATIVE PROVISIONS

SECTION 302 (a) This subsection authorizes the Secretary of the Interior to establish boundaries for wild and scenic rivers of at least two miles on each side of the river except that village corporation lands along the Anaktuvuk River, Melozitna River, Susitna River, Coleville River, and Gulkana River are excluded from inclusion in the system. The Secretary is further authorized to seek cooperative agreements with owners of non-federal land adjoining the wild and scenic rivers.

(b) This subsection requires the Secretary to establish the boundaries for the wild and scenic rivers within three years after the Act is passed.

TITLE IV NATIONAL FOREST SYSTEM

Within one year after the effective date of this Act, the President shall, after consultation with the Secretary of Agriculture and the Secretary of the Interior, add a maximum of 1.6 million acres to the Tongass and Chugach National Forests.

TITLE V NATIONAL PETROLEUM RESERVE IN ALASKA

Surface management of the National Petroleum Reserve (formerly Naval Petroleum Reserve, Number Four) shall be the responsibility of the U.S. Fish and Wildlife Service until Congress decides otherwise.

TITLE VI DESIGNATION OF WILDERNESS AREAS

SECTION 601 This section designates all lands added to the National Park System, National Wildlife Refuge System, and the Wild and Scenic Rivers System by this Act as components of the National Wilderness Preservation System. The total acreage affected by this section is approximately 116.17 million acres.

SECTION 602 This section designates a total of 7.3 million acres from existing portions of the National Park System as components of the Wilderness Preservation System.

SECTION 603 This section designates portions of nine existing wildlife refuges or ranges as components of the National Wilderness Preservation System. The total acreage affected is approximately 19.5 million acres.

SECTION 604 Six areas within the national forests in Alaska are designated as components of the National Wilderness Preservation System. The total acreage affected is approximately 5.0 million acres. Native village corporation lands within the areas designated as wilderness are excluded from the proposals.

SECTION 605 All wilderness lands designated by this Act are to be administered according to the Wilderness Act except that the responsibility for management is transferred to the Secretary of the Interior.

TITLE VII GENERAL ADMINISTRATIVE PROVISIONS

SECTION 701 (a) This subsection authorizes the Secretary of the Interior to permit the continuation of subsistence uses of fish and wildlife resources within the areas established by this Act. The Secretary is further authorized to establish regulations prescribing the hunting season, the number and species of game to be harvested, and the conditions under which subsistence uses are conducted. The Secretary may designate "Subsistence Management Zones" on those lands in and adjacent to national interest lands. The "Subsistence Management Zones" need not coincide with the boundaries of the national interest lands. In each "Subsistence Management Zone" the Secretary shall establish a "Regulatory Subsistence Board" consisting of ten subsistence users. These boards shall review all subsistence permit applications and advise the Secretary on matters of concern to subsistence users and other residents of the "Subsistence Management Zone". The Secretary is not obligated to comply with the recommendations of the boards.

(b) Subsistence uses of national interest lands shall receive preference over any competing consumptive use of resources. The Secretary may curtail subsistence uses of resources if it is necessary to protect the resource, but, unless an emergency exists, the Secretary must consult with the subsistence boards.

(c) Subsistence users are defined as those "people who exercise and continue to exercise customary, consistent, and traditional use of subsistence resources...and their direct descendants." Subsistence users will be permitted to continue subsistence activities "if they are primarily and directly dependent...upon local natural resources for either food, shelter", etc.

(d) This subsection requires the Secretary to conduct research on the use of subsistence resources, seek data from subsistence users, and make findings of the research available to the public.

(e) The Secretary is required to report to Congress on the effect of all hunting and fishing upon the flora and fauna of the national interest lands within ten years after this Act becomes effective and every five years thereafter. The Secretary must consult with the subsistence boards and the Alaska Department of Fish and Game.

SECTION 702 The Secretary may permit hunting in National Preserves established by this Act. The Secretary shall designate the zones and seasons for hunting by regulation and shall consult with the Department of Fish and Game, except in emergencies.

SECTION 703 (a) This subsection withdraws from appropriation under the mining laws and from operation of mineral leasing laws all lands designated as National Parks, National Monuments, National Preserves, National Wildlife Ranges, National Wildlife Refuges, and Wild and Scenic Rivers by this Act. Valid existing rights on these lands are reaffirmed.

(b) This section authorizes the Secretary to validate existing mineral leases, patents, or claims within his existing authority. All mining claims within these units must proceed toward patent within three years or they will lapse. The Secretary has the right of first refusal for mining inholdings which are offered for sale.

SECTION 704 (a) All lands lying within the units established by this Act which are subject to selection by Native village corporations but which are not selected shall be incorporated in the appropriate unit.

(b) Land selections by the State of Alaska which lie within the units established by this Act are revoked. An approximately equal acreage will be made available to the State for selection.

SECTION 705 The Secretary of the Interior and the Secretary of Agriculture are authorized to acquire lands or interest in lands within units established by this Act which are under their respective supervision.

SECTION 706 The Secretary of the Interior is authorized to purchase land outside of the boundaries of the Yukon-Charley National Preserve, Kobuk Valley National Monument, and Chukchi-Imuruk National Monument for the protection of archeological sites or construction of administrative or visitor facilities.

SECTION 707 (a) Whenever it is convenient and desirable for both parties, the administrative and visitor facilities for the areas established by this Act shall be located on adjacent Native-owned land.

(b) Before entering into any contract for provision of revenue-producing visitor services, the Secretary must grant the Native village or regional corporation the right of refusal to provide such services.

SECTION 708 (a) The Secretary of the Interior is authorized to identify Areas of Ecological Concern adjacent to any unit established by this Act. These areas contain resources that are part of the total ecosystem, geologic formation, or reflect a cultural heritage related to any unit of the national interest lands. For those lands within Areas of Ecological Concern, the Secretary may seek agreements with other federal agencies, the state, and private land holders that will assure the management and development of those lands in a manner consistent with preservation of the environmental quality of the units established by this Act.

(b) All federal agencies must consult with the Secretary of the Interior prior to undertaking any action in an area included in an Area of Ecological Concern.

(c) The Secretary is authorized to seek cooperative management agreements with the State of Alaska and its political subdivisions for lands adjacent to the units of the National Park System, National Refuge System, National Wild and Scenic River System, and the National Forests. Within three years the Secretary must report to Congress on whether the agreements have been consummated and whether the appropriate land use controls have been instituted by the state.

SECTION 709 The U.S. Fish and Wildlife Service and the National Park Service are required to cooperate on resource studies and planning in the National Parks, Wild and Scenic Rivers, and National Wildlife Refuges.

SECTION 710 The Fish and Wildlife Service, National Park Service, and Bureau of Outdoor Recreation are authorized to maintain regional offices in Alaska.

SECTION 711 The appropriation of such funds as are necessary to carry out the purpose of this Act is authorized.

PART IV. S. 1787

"ALASKA NATIONAL INTEREST LANDS ACT"

(Introduced by Senator Ted Stevens)

SYNOPSIS

This bill has been offered as an alternative to the Udall bill, H.R. 39, and the 1973 proposal of the Secretary of the Interior. By introducing this bill, Senator Stevens is proposing solutions to the conflicts surrounding the d-2 lands issue that are considered to be more favorable to the interests of the state and the people of Alaska. The significant proposals of S. 1787 include the designation of only 25.21 million acres as parks, refuges, wild and scenic rivers, and forests and the creation of a new land management mechanism by which certain federal, state and private land would be managed by a federal-state land commission.

S. 1787 is the result of consultations between Alaska's congressional delegation and Governor Hammond in an effort to reach an "Alaskan consensus" on the d-2 lands issue. Senator Gravel participated in the initial discussions but ultimately withdrew from the effort due to differences of opinion as to what provisions the bill should contain.

The major provisions of the bill are given below.

A total of 25.21 million acres is dedicated as units of the four national conservation systems.

- -- 10.45 million acres are added to the National Park System
- -- 8.04 million acres are added to the National Wildlife Refuge System
- -- 1.00 million acres are added to the National Wild and Scenic Rivers System
- -- 5.72 million acres are added to the National Forest System.

Another 56.89 million acres of federal land in Alaska are designated as Federal Cooperative Lands. These federal lands, as well as a significant portion of state lands, are to be managed by the Alaska Land Classification Commission. This commission will be a permanent joint state and federal commission with a structure similar to the existing Joint Federal-State Land Use Planning Commission for Alaska but with authority to implement its land management decisions on those lands subject to its jurisdiction.

Before the Alaska Land Classification Commission can become operational, the State of Alaska must commit a significant portion of its land to the care of the commission. The Secretary of the Interior shall determine what constitutes a significant portion of state land.

Private land owners may participate in the cooperative management system by dedicating their undeveloped land to cooperative management by the Alaska Land Classification Commission for a ten-year period. Exemptions from real property taxes, for those private lands which are dedicated as private cooperative lands, are possible if the state decides to grant them.

The State of Alaska retains jurisdiction over the management of fish and wildlife on those federal lands affected by this bill.

A review of the wilderness potential of all federal lands affected by this bill must be completed within five years after the effective date of this Act.

A trust fund is established from a portion of the state and federal revenues derived from the federal land affected by this bill. This fund will provide money to purchase privately owned lands in the "lower 48" states for addition to parks, refuges, and other areas.

State and Native land selections shall not be affected by the designation of National Interest Lands. Within 90 days after the effective date of this Act the Secretary of the Interior must make available for state selection all federal land not established as d-2 areas or part of existing federal reserves.

"ALASKA NATIONAL INTEREST LANDS ACT"

SECTION BY SECTION SUMMARY

SECTION 1 This section gives the Act its title.

SECTION 2 (a) This subsection lists the congressional findings, which declare that it is necessary to manage Alaska's national interest lands in order to protect values of national interest, to continue to catalog resource values on national interest lands in Alaska, and to promote cooperative management of federal, state, and private land.

(b) The purpose of this Act is to protect the national interest in federal lands in Alaska and to promote a program of flexible cooperative land management.

SECTION 3 This section defines the key words and phrases used in the Act.

TITLE I ANIAKCHAK CALDERA NATIONAL MONUMENT

SECTION 101 (a) The Aniakchak Caldera National Monument comprising 180,000 acres is established.

(b) A map and legal description of the monument should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 102 Aniakchak Caldera National Monument is to be administered as a unit of the National Park System.

TITLE II CAPE KRUSENSTERN NATIONAL MONUMENT

SECTION 201 (a) The Cape Krusenstern National Monument comprising 190,000 acres is established.

(b) A map and legal description of the monument should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 202 The Cape Krusenstern National Monument is to be administered as a unit of the National Park System.

TITLE III KOBUK SAND DUNES NATIONAL MONUMENT

SECTION 301 (a) The Kobuk Sand Dunes National Monument comprising 100,000 acres is established.

(b) A map and legal description of the monument should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 302 The Kobuk Sand Dunes National Monument is to be managed as a unit of the National Park System.

TITLE IV GATES OF THE ARCTIC NATIONAL PARK

SECTION 401 (a) The Gates of the Arctic National Park comprising 3,550,000 acres is established.

(b) A map and legal description of the park should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 402 The Gates of the Arctic National Park is to be administered as a unit of the National Park System.

TITLE V KATMAI NATIONAL PARK

SECTION 501 (a) The Katmai National Monument addition comprising 400,000 acres is established and the monument is designated as a national park.

(b) A map and legal description of the park should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 502 The Katmai National Park is to be managed as a unit of the National Park System.

TITLE VI MOUNT MCKINLEY NATIONAL PARK ADDITION

SECTION 601 (a) The Mount McKinley National Park Addition comprising 1,130,000 acres is established.

(b) A map and legal description of the addition should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 602 The Mount McKinley National Park Addition is to be administered as a unit of the National Park System.

TITLE VII WRANGELL-SAINT ELIAS NATIONAL PARK

SECTION 701 (a) The Wrangell-Saint Elias National Park comprising 4,900,000 acres is established.

(b) A map and legal description of the park should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 702 The Wrangell-Saint Elias National Park is to be managed as a unit of the National Park System.

TITLE VIII ALASKA COASTAL NATIONAL WILDLIFE REFUGE

SECTION 801 (a) The Alaska Coastal National Wildlife Refuge comprising 150,000 acres is established.

(b) A map and legal description of the refuge should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 802 The Alaska Coastal National Wildlife Refuge is to be administered as a unit of the National Wildlife Refuge System.

TITLE IX INNOKO NATIONAL WILDLIFE REFUGE

SECTION 901 (a) The Innoko National Wildlife Refuge comprising 600,000 acres is established.

(b) A map and legal description of the refuge should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 902 The Innoko National Wildlife Refuge is to be managed as a unit of the National Wildlife Refuge System.

TITLE X KAIYUH NATIONAL WILDLIFE REFUGE

SECTION 1001 (a) The Kaiyuh National Wildlife Refuge comprising 190,000 acres is established.

(b) A map and legal description of the refuge should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 1002 The Kaiyuh National Wildlife Refuge is to be managed as a unit of the National Wildlife Refuge System.

TITLE XI KANUTI NATIONAL WILDLIFE REFUGE

SECTION 1101 (a) The Kanuti National Wildlife Refuge comprising 430,000 acres is established.

(b) A map and legal description of the refuge should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 1102 The Kanuti National Wildlife Refuge is to be managed as a unit of the National Wildlife Refuge System.

TITLE XII KOYUKUK NATIONAL WILDLIFE REFUGE

SECTION 1201 (a) The Koyukuk National Wildlife Refuge comprising 1,580,000 acres is established.

(b) A map and legal description of the refuge should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 1202 The Koyukuk National Wildlife Refuge is to be managed as a unit of the National Wildlife Refuge System.

TITLE XIII SELAWIK NATIONAL WILDLIFE REFUGE

SECTION 1301 (a) The Selawik National Wildlife Refuge comprising 730,000 acres is established.

(b) A map and legal description of the refuge should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 1302 The Selawik National Wildlife Refuge is to be managed as a unit of the National Wildlife Refuge System.

TITLE XIV SHISHMAREF NATIONAL WILDLIFE REFUGE

SECTION 1401 (a) The Shishmaref National Wildlife Refuge comprising 760,000 acres is established.

(b) A map and legal description of the refuge should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 1402 The Shishmaref National Wildlife Refuge is to be managed as a unit of the National Wildlife Refuge System.

TITLE XV YUKON DELTA NATIONAL WILDLIFE REFUGE

SECTION 1501 (a) The Yukon Delta National Wildlife Refuge comprising 3,600,000 acres is established.

(b) A map and legal description of the refuge should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 1502 The Yukon Delta National Wildlife Refuge is to be managed as a unit of the National Wildlife Refuge System.

TITLE XVI COLLEGE FJORD ADDITION TO THE CHUGACH NATIONAL FOREST

SECTION 1601 (a) The College Fjord Addition to the Chugach National Forest comprising 720,000 acres is established.

(b) A map and legal description of the addition should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 1602 The College Fjord Addition to the Chugach National Forest is to be administered as a unit of the National Forest System.

TITLE XVII NELLIE JUAN ADDITION TO THE CHUGACH NATIONAL FOREST

SECTION 1701 (a) The Nellie Juan Addition to the Chugach National Forest comprising 280,000 acres is established.

(b) A map and legal description of the addition should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 1702 The Nellie Juan Addition to the Chugach National Forest is to be administered as part of the National Forest System.

TITLE XVIII PORCUPINE NATIONAL FOREST

SECTION 1801 (a) The Porcupine National Forest comprising 2,590,000 acres is established.

(b) A map and legal description of the forest should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 1802 The Porcupine National Forest is to be administered as a unit of the National Forest System.

TITLE XIX YUKON FLATS NATIONAL FOREST

SECTION 1901 (a) The Yukon Flats National Forest comprising 2,130,000 acres is established.

(b) A map and legal description should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 1902 The Yukon Flats National Forest is to be administered as a unit of the National Forest System.

TITLE XX BIRCH CREEK NATIONAL WILD RIVER

SECTION 2001 (a) The Birch Creek National Wild River comprising 200,000 acres is established.

(b) A map and legal description of the wild river should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 2002 The Birch Creek National Wild River is to be administered as a wild river within the Wild and Scenic Rivers System.

TITLE XXI CHARLEY NATIONAL WILD RIVER

SECTION 2101 (a) The Charley National Wild River comprising 400,000 acres is established.

(b) A map and legal description of the wild river should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 2102 The Charley National Wild River is to be administered as a wild river within the Wild and Scenic Rivers System.

TITLE XXII NOATAK NATIONAL WILD RIVER

SECTION 2201 (a) The Noatak National Wild River, comprising 400,000 acres, is established.

(b) A map and legal description of the wild river should be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 2202 The Noatak National Wild River is to be administered as a wild river within the Wild and Scenic Rivers System.

TITLE XXIII KATMAI FEDERAL COOPERATIVE LANDS

SECTION 2301 (a) The Katmai Federal Cooperative Lands, comprising 1,590,000 acres, is established.

(b) A map and legal description of the Katmai Federal Cooperative Lands shall be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 2302 (a) The National Park Service shall manage the Katmai Federal Cooperative Lands in accordance with the regulations of the park service and the Alaska Land Classification Commission. If a conflict should arise between the regulations of the park service and the regulations of the Commission, the Commission shall prevail.

(b) The Katmai Federal Cooperative Lands may be opened to all uses allowed under the public land laws except those laws which permit conveyance of the land from federal ownership. Valid existing rights shall be continued.

TITLE XXIV GATES OF THE ARCTIC FEDERAL COOPERATIVE LANDS

SECTION 2401 (a) The Gates of the Arctic Federal Cooperative Lands, comprising 3,550,000 acres, is established.

(b) A map and legal description of the Gates of the Arctic Federal Cooperative Lands shall be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 2402 (a) The National Park Service shall manage the Gates of the Arctic Federal Cooperative Lands in accordance with the regulations of the park service and the Alaska Land Classification Commission. If a conflict should arise between the regulations of the park service and the regulations of the Commission, the Commission shall prevail.

(b) The Gates of the Arctic Federal Cooperative Lands may be opened to all uses allowed under the public land laws except those laws which permit conveyance of the land from federal ownership. Valid existing rights shall be continued.

TITLE XXV MOUNT MCKINLEY FEDERAL COOPERATIVE LANDS

SECTION 2501 (a) The Mount McKinley Federal Cooperative Lands, comprising 1,960,000 acres, is established.

(b) A map and legal description of the Mount McKinley Federal Cooperative Lands shall be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 2502 (a) The National Park Service shall manage the Mount McKinley Federal Cooperative Lands in accordance with the regulations of the park service and the Alaska Land Classification Commission. If a conflict should arise between the regulations of the park service and the regulations of the Commission, the Commission shall prevail.

(b) The Mount McKinley Federal Cooperative Lands may be opened to all uses allowed under the public land laws except those laws which permit conveyance of the land from federal ownership. Valid existing rights shall be continued.

TITLE XXVI WRANGELL-ST. ELIAS FEDERAL COOPERATIVE LANDS

SECTION 2601 (a) The Wrangell-St. Elias Federal Cooperative Lands, comprising 8,740,000 acres, is established.

(b) A map and legal description of the Wrangell-St. Elias Federal Cooperative Lands shall be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 2602 (a) The National Park Service shall manage the Wrangell-St. Elias Federal Cooperative Lands in accordance with the regulations of the park service and the Alaska Land Classi-

fication Commission. If a conflict should arise between the regulations of the park service and the regulations of the Commission, the Commission shall prevail.

(b) The Wrangell-St. Elias Federal Cooperative Lands may be opened to all uses allowed under the public land laws except those laws which permit conveyance of the land from federal ownership. Valid existing rights shall be continued.

TITLE XXVII LAKE CLARK FEDERAL COOPERATIVE LANDS

SECTION 2701 (a) The Lake Clark Federal Cooperative Lands, comprising 3,490,000 acres, is established.

(b) A map and legal description of the Lake Clark Federal Cooperative Lands shall be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 2702 (a) The National Park Service shall manage the Lake Clark Federal Cooperative Lands in accordance with the regulations of the park service and the Alaska Land Classification Commission. If a conflict should arise between the regulations of the park service and the regulations of the Commission, the Commission shall prevail.

(b) The Lake Clark Federal Cooperative Lands may be opened to all uses allowed under the public land laws except those laws which permit conveyance of the land from federal ownership. Valid existing rights shall be continued.

TITLE XXVIII CHARLEY RIVER FEDERAL COOPERATIVE LANDS

SECTION 2801 (a) The Charley River Federal Cooperative Lands, comprising 990,000 acres, is established.

(b) A map and legal description of the Charley River Federal Cooperative Lands shall be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 2802 (a) The National Park Service shall manage the Charley River Federal Cooperative Lands in accordance with the regulations of the park service and the Alaska Land Classification Commission. If a conflict should arise between the regulations of the park service and the regulations of the Commission, the Commission shall prevail.

(b) The Charley River Federal Cooperative Lands may be opened to all uses allowed under the public land laws except those laws which permit conveyance of the land from federal ownership. Valid existing rights shall be continued.

TITLE XXIX INNOKO FEDERAL COOPERATIVE LANDS

SECTION 2901 (a) The Innoko Federal Cooperative Lands, comprising 1,240,000 acres, is established.

(b) A map and legal description of the Innoko Federal Cooperative Lands shall be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 2902 (a) The Fish and Wildlife Service shall manage the Innoko Federal Cooperative Lands in accordance with the regulations of the Fish and Wildlife Service and the Alaska Land Classification Commission. If a conflict should arise between the regulations of the Fish and Wildlife Service and the regulations of the Commission, the Commission shall prevail.

(b) The Innoko Federal Cooperative Lands may be opened to all uses allowed under the public land laws except those laws which permit conveyance of the land from federal ownership. Valid existing rights shall be continued.

TITLE XXX CHANDALAR FEDERAL COOPERATIVE LANDS

SECTION 3001 (a) The Chandalar Federal Cooperative Lands, comprising 8,270,000 acres, is established.

(b) A map and legal description of the Chandalar Federal Cooperative Lands shall be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 3002 (a) The Fish and Wildlife Service shall manage the Chandalar Federal Cooperative Lands in accordance with the regulations of the Fish and Wildlife Service and the Alaska Land Classification Commission. If a conflict should arise between the regulations of the Fish and Wildlife Service and the regulations of the Commission, the Commission shall prevail.

(b) The Chandalar Federal Cooperative Lands may be opened to all uses allowed under the public land laws except those laws which permit conveyance of the land from federal ownership. Valid existing rights shall be continued.

TITLE XXXI SHISHMAREF-IMURUK FEDERAL COOPERATIVE LANDS

SECTION 3101 (a) The Shishmaref-Imuruk Federal Cooperative Lands, comprising 1,840,000 acres, is established.

(b) A map and legal description of the Shishmaref-Imuruk Federal Cooperative Lands shall be published in the Federal

Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 3102 (a) The Fish and Wildlife Service shall manage the Shishmaref-Imuruk Federal Cooperative Lands in accordance with the regulations of the Fish and Wildlife Service and the Alaska Land Classification Commission. If a conflict should arise between the regulations of the Fish and Wildlife Service and the regulations of the Commission, the Commission shall prevail.

(b) The Shishmaref-Imuruk Federal Cooperative Lands may be opened to all uses allowed under the public land laws except those laws which permit conveyance of the land from federal ownership. Valid existing rights shall be continued.

TITLE XXXII CAPE NEWENHAM FEDERAL COOPERATIVE LANDS

SECTION 3201 (a) The Cape Newenham Federal Cooperative Lands, comprising 240,000 acres, is established.

(b) A map and legal description of the Cape Newenham Federal Cooperative Lands in accordance with the regulations of the Fish and Wildlife Service and the Alaska Land Classification Commission. If a conflict should arise between the regulations of the Fish and Wildlife Service and the regulations of the Commission, the Commission shall prevail.

SECTION 3202 (a) The Fish and Wildlife Service shall manage the Cape Newenham Federal Cooperative Lands in accordance with the regulations of the Fish and Wildlife Service and the Alaska Land Classification Commission. If a conflict should arise between the regulations of the Fish and Wildlife Service and the regulations of the Commission, the Commission shall prevail.

(b) The Cape Newenham Federal Cooperative Lands may be opened to all uses allowed under the public land laws except those laws which permit conveyance of the land from federal ownership. Valid existing rights shall be continued.

TITLE XXXIII NOATAK FEDERAL COOPERATIVE LANDS

SECTION 3301 (a) The Noatak Federal Cooperative Lands, comprising 11,470,000 acres, is established.

(b) A map and legal description of the Noatak Federal Cooperative Lands shall be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 3302 (a) The Fish and Wildlife Service shall manage the Noatak Federal Cooperative Lands in accordance with the regulations of the Fish and Wildlife Service and the Alaska Land Classification Commission. If a conflict should arise between the regulations of the Fish and Wildlife Service and the regulations of the Commission, the Commission shall prevail.

(b) The Noatak Federal Cooperative Lands may be opened to all uses allowed under the public land laws except those laws which permit conveyance of the land from federal ownership. Valid existing rights shall be continued.

TITLE XXXIV YUKON DELTA FEDERAL COOPERATIVE LANDS

SECTION 3401 (a) The Yukon Delta Federal Cooperative Lands, comprising 1,500,000 acres, is established.

(b) A map and legal description of the Yukon Delta Federal Cooperative Lands shall be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 3402 (a) The Fish and Wildlife Service shall manage the Yukon Delta Federal Cooperative Lands in accordance with the regulations of the Fish and Wildlife Service and the Alaska Land Classification Commission. If a conflict should arise between the regulations of the Fish and Wildlife Service and the regulations of the Commission, the Commission shall prevail.

(b) The Yukon Delta Federal Cooperative Lands may be opened to all uses allowed under the public land laws except those laws which permit conveyance of the land from federal ownership. Valid existing rights shall be continued.

TITLE XXXV ANDREAFSKY FEDERAL COOPERATIVE LANDS

SECTION 3501 (a) The Andreafsky Federal Cooperative Lands, comprising 3,500,000 acres, is established.

(b) A map and legal description of the Andreafsky Federal Cooperative Lands shall be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 3502 (a) The Fish and Wildlife Service shall manage the Andreafsky Federal Cooperative Lands in accordance with the regulations of the Fish and Wildlife Service and the Alaska Land Classification Commission. If a conflict should arise between the regulations of the Fish and Wildlife Service and the regulations of the Commission, the Commission shall prevail.

(b) The Andreafsky Federal Cooperative Lands may be opened to all uses allowed under the public land laws except those laws which permit conveyance of the land from federal ownership. Valid existing rights shall be continued.

TITLE XXXVI ILIAMNA FEDERAL COOPERATIVE LANDS

SECTION 3601 (a) The Iliamna Federal Cooperative Lands, comprising 2,800,000 acres, is established.

(b) A map and legal description of the Iliamna Federal Cooperative Lands shall be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 3602 (a) The Fish and Wildlife Service shall manage the Iliamna Federal Cooperative Lands in accordance with the regulations of the Fish and Wildlife Service and the Alaska Land Classificaiton Commission. If a conflict should arise between the regulations of the Fish and Wildlife Service and the regulations of the Commission, the Commission shall prevail.

(b) The Iliamna Federal Cooperative Lands may be opened to all uses allowed under the public land laws except those laws which permit conveyance of the land from federal ownership. Valid existing rights shall be continued.

TITLE XXXVII CHUGACH FEDERAL COOPERATIVE LANDS

SECTION 3701 (a) The Chugach Federal Cooperative Lands, comprising 1,770,000 acres, is established.

(b) A map and legal description of the Chugach Federal Cooperative Lands shall be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 3702 (a) The National Forest Service shall manage the Chugach Federal Cooperative Lands in accordance with the regulations of the Forest Service and the Alaska Land Classification Commission. If a conflict should arise between the regulations of the Forest Service and the regulations of the Commission, the Commission shall prevail.

(b) The Chugach Federal Cooperative Lands may be opened to all uses allowed under the public land laws except those laws which permit conveyance of the land from federal ownership. Valid existing rights shall be continued.

TITLE XXXVIII PORCUPINE FEDERAL COOPERATIVE LANDS

SECTION 3801 (a) The Porcupine Federal Cooperative Lands, comprising 3,400,000 acres, is established.

(b) A map and legal description of the Porcupine Federal Cooperative Lands shall be published in the Federal Register and filed with th appropriate congressional committees as soon as practicabie.

SECTION 3802 (a) The National Forest Service shall manage the Porcupine Federal Cooperative Lands in accordance with the regulations of the Forest Service and the Alaska Land Classification Commission. If a conflict should arise between the regulations of the Forest Service and the regulations of the Commission, the Commission shall prevail.

(b) The Porcupine Federal Cooperative Lands may be opened to all uses allowed under the public land laws except those laws which permit conveyance of the land from federal ownership. Valid existing rights shall be continued.

TITLE XXXIX YUKON RIVER FEDERAL COOPERATIVE LANDS

SECTION 3901 (a) The Yukon River Federal Cooperative Lands, comprising 540,000 acres, is established.

(b) A map and legal description of the Yukon River Federal Cooperative Lands shall be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

SECTION 3902 (a) The National Forest Service shall manage the Yukon River Federal Cooperative Lands in accordance with the regulations of the Forest Service and the Alaska Land Classification Commission. If a conflict should arise between the regulations of the Forest Service and the regulations of the Commission, the Commission shall prevail.

(b) The Yukon River Federal Cooperative Lands may be opened to all uses under the public land laws except those laws which permit conveyance of the land from federal ownership. Valid existing rights shall be continued.

TITLE XXXX ALASKA COOPERATIVE LANDS

SECTION 4001 (a) In compliance with procedures established by Alaska State Law, state land may be committed for inclusion in a system of Alaska Cooperative Lands. The State of Alaska and the Secretary of the Interior shall determine the location and boundaries of the Alaska Cooperative Lands by mutual agreement. The Secretary of the Interior must find that a sub-

stantial proportion of state land is committed to the Alaska Cooperative Lands before the system becomes operational. The Alaska Cooperative Lands will be classified and managed by the Alaska Land Classification Commission. The State may exchange land at a later time for land initially included in the system, following consultation with the Commission and concurrence of the Secretary of the Interior.

(b) A map and legal description of those lands dedicated as Alaska Cooperative Lands shall be published in the Federal Register and filed with the appropriate congressional committees as soon as practicable.

TITLE XXXXI PRIVATE COOPERATIVE LAND

SECTION 4101 (a) Private landowners in the State of Alaska may dedicate their land as private cooperative lands for a period of ten years if the Alaska Land Classification Commission approves. Private cooperative lands shall be classified by the Commission and managed by the landowner.

(b) If the State of Alaska agrees, private cooperative lands may be exempted from state and local real property taxation as long as the land is not developed or leased to a third party.

(c) Private cooperative lands shall be open to all uses except those which are not permitted by the Commission. The landowner may remove his land from the private cooperative lands at any time, but if the landowner should remove his land prior to the expiration of a ten year period, the landowner shall be liable for accrued property taxes plus the interest due for delinquent taxes on the land.

TITLE XXXXII ALASKA LAND CLASSIFICATION COMMISSION

SECTION 4201 (a) When the Secretary of the Interior determines that the State of Alaska has dedicated a substantial proportion of its land to the Alaska Cooperative Lands, the Alaska Land Classification Commission shall be established. The Commission shall consist of eight members, one of which must be an Alaskan Native appointed by the President, with four members appointed by the Governor and four members appointed by the President. Co-chairmen shall be designated by the President and Governor respectively.

(b) The members of the Commission serve at the pleasure of the appointing authority. A vacancy in the membership shall be filled in the same manner as the original appointment.

(c) The Federal Co-chairman shall be compensated at a rate not to exceed that for a GS-18. The other federal appointees shall be compensated at a rate not to exceed that of GS-16. The state appointees shall be compensated as provided for in state law.

(d) Five members of the Commission constitute a quorum.

(e) The Secretary of the Interior, the Secretary of Agriculture, or the Governor of Alaska may veto a decision of the Commission which affects land under their respective jurisdiction.

(f) The two co-chairmen when acting jointly may hire and dismiss employees of the Commission and procure office space, supplies, and equipment.

(g) The Commission is authorized to use the services, equipment, and personnel of federal and other agencies.

(h) The Commission may accept donations and grants and utilize them to support its work.

(i) The Commission shall keep accounts and records.

(j) The federal government shall pay 50 percent of the expenses of the Commission.

(k) The principal office of the Commission shall be in Alaska.

(l) All Commission meetings shall be public.

(m) The Alaska Land Classification Commission shall:

1) inventory the land under its jurisdiction,

2) develop land use plans,

3) classify land pursuant to the land use plans,

4) assist in the development of land use plans for Native corporations,

5) review existing state and federal land withdrawals,

6) recommend changes in state or federal land law, policies, and programs,

7) make recommendations for orderly economic growth, and

8) suggest means of improving coordination of state and federal land use decisions.

(n) The Joint Federal-State Land Use Planning Commission for Alaska shall dissolve four months after the Alaska Land Classification Commission is established.

(o) If the State of Alaska fails to designate a significant proportion of state land as Alaska Cooperative Lands, those lands designated as federal cooperative lands shall be subject to the full jurisdiction of those agencies designated to manage them, as stated in Titles XXIII through XXIX of this Act.

TITLE XXXXIII MANAGEMENT AND ADMINISTRATION

SECTION 4301 The Alaska Land Classification Commission shall take action as necessary to guarantee access across the lands affected by this Act.

SECTION 4302 Mineral exploration and development shall continue on national interest lands classified for this purpose. Locatable minerals shall be developed under a location-lease system which is yet to be proposed.

SECTION 4303 (a) Minor revision in the boundaries of the national interest lands may be made following a publication of a notice in the Federal Register and notification of the appropriate congressional committees.

(b) The Secretary of the Interior, Secretary of Agriculture, and the Commission are prohibited from administratively enlarging or establishing units of the Park System, Refuge System, Forest System, or Wild and Scenic Rivers System in Alaska.

SECTION 4304 Fish and wildlife management on national interest lands shall be the responsibility of the State of Alaska. Subsistence harvests of fish and game shall take priority over other consumptive uses if a conflict should arise over resource allocation.

SECTION 4305 Long term leases may be granted for agricultural development on national interest lands where permitted by the Commission.

SECTION 4306 The appropriate federal land management agencies shall conduct a wilderness review of the national interest lands within five years. The Commission is authorized to conduct the wilderness review of federal cooperative lands.

SECTION 4307 Federal revenues derived from the lands affected by this Act as well as 50 percent of the state's share of revenues from those lands shall be placed in a fund to be used to purchase privately owned land in the "Lower 48" states for park, refuge, and wild and scenic rivers purposes.

SECTION 4308 State land selections are not to be adversely affected by the designation of national interest lands. For a period of at least 21 months following the passage of this Act the

state shall be eligible to make land selections from all federal land in Alaska except those lands dedicated to a particular use. Most of the land made available to the state shall be d-1 lands and relinquished Native selections.

SECTION 4309 Native land selections are not to be adversely affected by national interest land designations. Those Native land selections which lie within a designated national interest land but which are relinquished shall be incorporated into the national interest lands.

SECTION 4310 The Secretary of the Interior, Secretary of Agriculture, and the Commission are authorized to formulate cooperative management agreements among themselves and with any government unit (state, local, or international) or private individual.

SECTION 4311 The federal agencies managing the national interest lands may acquire land within their boundaries; however, state, local government or private lands cannot be acquired without the consent of the appropriate owner. The exchange of lands of equal value may be used to acquire land within the national interest lands. In certain instances the Congress may veto land exchanges.

TITLE XXXXIV MISCELLANEOUS

SECTION 4401 The Secretary of the Interior, Secretary of Agriculture, and the Alaska Land Classification Commission are authorized to issue regulations.

SECTION 4402 This Act shall supercede all conflicting provisions of federal law.

SECTION 4403 The invalidity of any provision of this Act shall not affect the remaining provisions.

SECTION 4404 Funds such as are necessary to carry out the provisions of this Act are authorized.

TITLE XXXXV LOCATION-LEASE SYSTEM FOR HARDROCK MINERAL EXPLORATION AND DEVELOPMENT

(The provisions of this title had not been made available as of 26 August 1977.)

PART V. TABULAR COMPARISON OF ACREAGES

AFFECTED BY LEGISLATION CURRENTLY BEFORE CONGRESS

Table 1. COMPARATIVE SUMMARY

Table 2. PROPOSED ADDITIONS TO THE FOUR NATIONAL CONSERVATION SYSTEMS

a. Summary
b. National Park System
c. National Wildlife Refuge System
d. National Wild and Scenic Rivers System
e. National Forest System

Table 3. PROPOSED FEDERAL COOPERATIVE MANAGEMENT OR 'FIFTH SYSTEM' AREAS

Table 4. PROPOSED 'INSTANT' WILDERNESS AREAS

a. Summary
b. National Park System
c. National Wildlife Refuge System
d. National Wild and Scenic Rivers System
e. National Forest System

Table 5. PROPOSED WILDERNESS STUDY AREAS

Table 1.

COMPARATIVE SUMMARY OF ACREAGES AFFECTED BY LEGISLATION CURRENTLY BEFORE CONGRESS

HOUSE BILL NUMBER AND PRIME SPONSOR

PROPOSED DESIGNATIONS	HR 39 UDALL	HR 1207 ROE	HR 1454 ALEXANDER	HR 1652 DINGELL	HR 1720 SEBELIUS	HR 1907 UDALL	HR 2082 LEGGETT	HR 5605 SEIBERLING	HR 6564 MURPHY
	MILLION ACRES								
PARKS, REFUGES, FORESTS, AND WILD AND SCENIC RIVERS	116.17	0.00	2.61	67.90	0.00	17.75	70.75	1.04	83.45
WILDERNESS AREAS	146.64	0.40	0.00	0.00	2.60	37.46	0.00	1.04	0.00
WILDERNESS STUDY AREAS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER SPECIAL DESIGNATIONS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ACREAGE AFFECTED *	148.24	0.40	2.61	67.90	2.60	55.21	70.75	1.04	83.45

SENATE BILL NUMBER AND PRIME SPONSOR

PROPOSED DESIGNATIONS	S 164 STEVENS	S 315 JACKSON	S 499 JACKSON	S 500 JACKSON	S 1180 CHURCH	S 1500 METCALF	S 1546 ABOUREZK	S 1787 STEVENS	FSLUPC ** PROPOSAL
	MILLION ACRES								
PARKS, REFUGES, FORESTS, AND WILD AND SCENIC RIVERS	1.40	0.00	83.45	116.47	0.40	116.37	1.04	25.21	44.01
WILDERNESS AREAS	0.00	2.60	0.00	147.44	0.00	144.94	1.04	0.00	0.00
WILDERNESS STUDY AREAS	0.00	0.00	0.00	0.00	0.40	0.55	0.00	0.00	0.00
OTHER SPECIAL DESIGNATIONS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	56.89	46.70
TOTAL ACREAGE AFFECTED *	1.40	2.60	83.45	149.04	0.40	146.54	1.04	82.10	90.71

* -- THE 'TOTAL ACREAGE AFFECTED' IS ADJUSTED FOR OVERLAPPING DESIGNATIONS

** -- FSLUPC = FEDERAL-STATE LAND USE PLANNING COMMISSION

[prepared by:
legislative affairs agency--research division]
(18 AUG 77)

Table 2a.

PROPOSED ADDITIONS TO THE FOUR NATIONAL CONSERVATION SYSTEMS IN ALASKA

SUMMARY

	BILL NUMBER AND PRIME SPONSOR									
	HR 39 UDALL	HR 1454 ALEXANDER	HR 1652 DINGELL	HR 1907 UDALL	HR 2082 LEGGETT	HR 5605 SEIBERLING	S 499 JACKSON	S 1500 METCALF	S 1787 STEVENS	FSLUPC * PROPOSAL
	MILLION ACRES									
NATIONAL PARK SYSTEM										
EXISTING PARKS	8.10	0.00	0.00	0.00	0.00	0.00	5.05	8.00	1.53	3.77
NEW PARKS	56.00	2.61	0.00	0.00	0.00	1.04	27.21	56.30	8.92	15.95
TOTAL	64.10	2.61	0.00	0.00	0.00	1.04	32.26	64.30	10.45	19.72
NATIONAL WILDLIFE REFUGE SYSTEM										
EXISTING REFUGES	14.70	0.00	19.01	14.30	7.08	0.00	8.92	14.70	0.00	2.17
NEW REFUGES	31.70	0.00	48.89	3.45	63.67	0.00	22.65	31.70	8.04	16.65
TOTAL	46.40	0.00	67.90	17.75	70.75	0.00	31.57	46.40	8.04	18.82
NATIONAL WILD AND SCENIC RIVERS SYSTEM										
NEW WILD RIVERS	3.59	0.00	0.00	0.00	0.00	0.00	0.50	3.59	1.00	0.37
NEW SCENIC RIVERS	0.48	0.00	0.00	0.00	0.00	0.00	0.32	0.48	0.00	0.32
TOTAL	4.07	0.00	0.00	0.00	0.00	0.00	0.82	4.07	1.00	0.69
NATIONAL FOREST SYSTEM										
EXISTING NATIONAL FORESTS	1.60	0.00	0.00	0.00	0.00	0.00	0.50	1.60	1.00	4.78
NEW NATIONAL FORESTS	0.00	0.00	0.00	0.00	0.00	0.00	18.30	0.00	4.72	0.00
TOTAL	1.60	0.00	0.00	0.00	0.00	0.00	18.80	1.60	5.72	4.78
GRAND TOTAL	116.17	2.61	67.90	17.75	70.75	1.04	83.45	116.37	25.21	44.01

* -- FSLUPC = FEDERAL-STATE LAND USE PLANNING COMMISSION

(prepared by:
legislative affairs agency--research division)
(15 AUG 77)

Table 2c. PROPOSED ADDITIONS TO THE FOUR NATIONAL CONSERVATION SYSTEMS IN ALASKA

NATIONAL WILDLIFE REFUGE SYSTEM

BILL NUMBER AND PRIME SPONSOR

	HR 39 UDALL	HR 1454 ALEXANDER	HR 1652 DINGELL	HR 1907 UDALL	HR 2082 LEGGETT	HR 5605 SEIBERLING	S 499 JACKSON	S 1500 METCALF	S 1787 STEVENS	FSLUPC PROPOSAL
EXISTING REFUGES					MILLION ACRES					
KENAI N. MOOSE RANGE	0.00	0.00	0.00	0.00	0.28	0.00	0.00	0.00	0.00	0.04
CLARENCE RHODE N. W. RANGE	6.30	0.00	19.01	6.50	0.00	0.00	5.16	6.30	0.00	0.00
ARCTIC N. W. RANGE	8.40	0.00	0.00	7.80	6.80	0.00	3.76	8.40	0.00	1.89
CAPE NEWENHAM N. W. REFUGE	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.24
SUBTOTAL EXISTING REFUGES	14.70	0.00	19.01	14.30	7.08	0.00	8.92	14.70	0.00	2.17
NEW REFUGES					MILLION ACRES					
ALASKA PENINSULA N. W. RANGE	1.20	0.00	0.00	0.00	2.50	0.00	0.00	1.20	0.00	0.00
COPPER RIVER DELTA N. W. REFUGE	0.90	0.00	0.00	0.00	1.30	0.00	0.00	0.90	0.00	0.35
SELAWIK N. W. RANGE	2.50	0.00	0.00	0.00	0.00	0.00	1.40	2.50	0.73	1.48
YUKON FLATS N. W. RANGE	12.30	0.00	3.71	0.00	16.80	0.00	3.59	12.30	0.00	2.33
KOYUKUK N. W. RANGE	3.70	0.00	2.94	0.00	3.00	0.00	4.43	2.90	1.58	2.53
INNOKO N. W. RANGE	2.30	0.00	0.00	0.00	3.40	0.00	0.00	3.00	0.60	1.99
TOGIAK N. W. RANGE	3.50	0.00	0.00	3.45	3.94	0.00	2.74	3.50	0.00	0.00
ILIAMNA N. W. RANGE	2.90	0.00	0.00	0.00	2.80	0.00	2.85	2.90	0.00	0.00
ALASKA COASTAL N. W. REFUGES	0.30	0.00	0.00	0.00	0.13	0.00	0.05	0.30	0.15	0.18
KANUTI N. W. REFUGE	0.80	0.00	0.00	0.00	0.80	0.00	0.00	1.00	0.43	0.43
KAIYUH N. W. REFUGE	0.30	0.00	0.00	0.00	0.30	0.00	0.00	0.20	0.19	0.19
NOWITNA N. W. REFUGE	1.00	0.00	0.00	0.00	1.00	0.00	0.00	1.00	0.00	0.00
NOATAK N. ARCTIC RANGE	0.00	0.00	0.00	0.00	8.30	0.00	7.59	0.00	0.00	0.00
NORTH SLOPE N. W. REFUGE	0.00	0.00	14.72	0.00	0.00	0.00	0.00	0.00	0.00	0.00
KOTZEBUE N. W. REFUGE	0.00	0.00	7.68	0.00	0.00	0.00	0.00	0.00	0.00	0.00
BRISTOL BAY N. W. REFUGE	0.00	0.00	5.89	0.00	0.00	0.00	0.00	0.00	0.00	0.00
GULF OF ALASKA N. W. REFUGE	0.00	0.00	5.12	0.00	0.00	0.00	0.00	0.00	0.00	0.00
KUSKOKWIM N. W. REFUGE	0.00	0.00	6.27	0.00	0.00	0.00	0.00	0.00	0.00	0.00
GULKANA N. W. REFUGE	0.00	0.00	2.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SNAG CREEK N. W. REFUGE	0.00	0.00	0.32	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SHISHMAREF N. W. REFUGE	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.76	1.50
YUKON DELTA N. W. REFUGE	0.00	0.00	0.00	0.00	3.50	0.00	0.00	0.00	3.60	5.67

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(prepared by:
legislative affairs agency--research division)
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Table 2c. (continued) PROPOSED ADDITIONS TO THE FOUR NATIONAL CONSERVATION SYSTEMS IN ALASKA

NATIONAL WILDLIFE REFUGE SYSTEM

	BILL NUMBER AND PRIME SPONSOR									
	HR 39 UDALL	HR 1454 ALEXANDER	HR 1652 DINGELL	HR 1907 UDALL	HR 2082 LEGGETT	HR 5605 SEIBERLING	S 499 JACKSON	S 1500 METCALF	S 1787 STEVENS	FSLUPC PROPOSAL
NEW REFUGES (continued)	MILLION ACRES									
UTUKOK N. WILDLAND	0.00	0.00	0.00	0.00	7.50	0.00	0.00	0.00	0.00	0.00
TESHEKPUK LAKE N. WILDLAND	0.00	0.00	0.00	0.00	1.80	0.00	0.00	0.00	0.00	0.00
ADMIRALTY ISLAND N. WILDLAND	0.00	0.00	0.00	0.00	1.20	0.00	0.00	0.00	0.00	0.00
AFOGNAK N. WILDLAND	0.00	0.00	0.00	0.00	0.50	0.00	0.00	0.00	0.00	0.00
YAKUTAT N. WILDLAND	0.00	0.00	0.00	0.00	1.80	0.00	0.00	0.00	0.00	0.00
TETLIN N. WILDLAND	0.00	0.00	0.00	0.00	3.10	0.00	0.00	0.00	0.00	0.00
SUBTOTAL NEW REFUGES	31.70	0.00	48.89	3.45	63.67	0.00	22.65	31.70	8.04	16.65
TOTAL FOR ALL REFUGES	46.40	0.00	67.90	17.75	70.75	0.00	31.57	46.40	8.04	18.82

[prepared by:
legislative affairs agency--research division]
(15 AUG 77)

Table 2d.

PROPOSED ADDITIONS TO THE FOUR NATIONAL CONSERVATION SYSTEMS IN ALASKA

NATIONAL WILD AND SCENIC RIVERS SYSTEM

BILL NUMBER AND PRIME SPONSOR

	HR 33 UDALL	HR 1454 ALEXANDER	HR 1652 DINGELL	HR 1907 UDALL	HR 2082 LEGGETT	HR 5605 SEIBERLING	S 499 JACKSON	S 1500 METCALF	S 1787 STEVENS	FSLUPC PROPOSAL
NEW WILD RIVERS					MILLION ACRES					
ANAKTUVUK RIVER	0.40	0.00	0.00	0.00	0.00	0.00	0.00	0.40	0.00	0.00
BIRCH CREEK	0.20	0.00	0.00	0.00	0.00	0.00	0.20	0.20	0.20	0.00
NOWITNA RIVER	0.08	0.00	0.00	0.00	0.00	0.00	0.00	0.08	0.00	0.00
UNALAKLEET RIVER	0.05	0.00	0.00	0.00	0.00	0.00	0.10	0.05	0.00	0.10
MELOZITNA RIVER	0.20	0.00	0.00	0.00	0.00	0.00	0.00	0.20	0.00	0.00
HOLITNA-HOHOLITNA RIVERS	0.23	0.00	0.00	0.00	0.00	0.00	0.00	0.23	0.00	0.00
SUSITNA RIVER	0.20	0.00	0.00	0.00	0.00	0.00	0.00	0.20	0.00	0.00
NELCHINA-TAZLINA RIVERS	0.08	0.00	0.00	0.00	0.00	0.00	0.00	0.08	0.00	0.00
NUYAKUK RIVER	0.06	0.00	0.00	0.00	0.00	0.00	0.00	0.06	0.00	0.00
UTUKOK RIVER	0.30	0.00	0.00	0.00	0.00	0.00	0.00	0.30	0.00	0.00
SITUK RIVER	0.02	0.00	0.00	0.00	0.00	0.00	0.00	0.02	0.00	0.00
KOYUK RIVER	0.20	0.00	0.00	0.00	0.00	0.00	0.00	0.20	0.00	0.00
IKPIKPUK RIVER	0.30	0.00	0.00	0.00	0.00	0.00	0.00	0.30	0.00	0.00
KISARILIK RIVER	0.20	0.00	0.00	0.00	0.00	0.00	0.00	0.20	0.00	0.00
COLVILLE RIVER	0.50	0.00	0.00	0.00	0.00	0.00	0.00	0.50	0.00	0.00
KUK-KETUK RIVERS	0.10	0.00	0.00	0.00	0.00	0.00	0.00	0.10	0.00	0.00
YUKON RIVER (RAMPART SECTION)	0.30	0.00	0.00	0.00	0.00	0.00	0.00	0.30	0.00	0.00
MIDDLE KUSKOKWIM RIVER	0.10	0.00	0.00	0.00	0.00	0.00	0.00	0.10	0.00	0.00
STIKINE RIVER	0.05	0.00	0.00	0.00	0.00	0.00	0.00	0.05	0.00	0.00
COPPER RIVER (ILIAMNA)	0.02	0.00	0.00	0.00	0.00	0.00	0.00	0.02	0.00	0.00
BEAVER CREEK	0.00	0.00	0.00	0.00	0.00	0.00	0.20	0.00	0.00	0.00
NOATAK RIVER	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.40	0.00
CHARLEY RIVER	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.40	0.00
ANIAKCHAK RIVER	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.07
ALAGNAK RIVER	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.09
KANEKTOK RIVER	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.11
SUBTOTAL NEW WILD RIVERS	3.59	0.00	0.00	0.00	0.00	0.00	0.50	3.59	1.00	0.37

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[prepared by:
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Table 2d. (continued) PROPOSED ADDITIONS TO THE FOUR NATIONAL CONSERVATION SYSTEMS IN ALASKA

NATIONAL WILD AND SCENIC RIVERS SYSTEM

	BILL NUMBER AND PRIME SPONSOR									
	HR 39 UDALL	HR 1454 ALEXANDER	HR 1652 DINGELL	HR 1907 UDALL	HR 2082 LEGGETT	HR 5605 SEIBERLING	S 499 JACKSON	S 1500 METCALF	S 1787 STEVENS	FSLUPC PROPOSAL
NEW SCENIC RIVERS	MILLION ACRES									
FORTYMILE RIVER	0.32	0.00	0.00	0.00	0.00	0.00	0.32	0.32	0.00	0.32
DELTA RIVER	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.00
GULKANA RIVER	0.13	0.00	0.00	0.00	0.00	0.00	0.00	0.13	0.00	0.00
SUBTOTAL NEW SCENIC RIVERS	0.48	0.00	0.00	0.00	0.00	0.00	0.32	0.48	0.00	0.32
TOTAL FOR ALL WILD AND SCENIC RIVERS	4.07	0.00	0.00	0.00	0.00	0.00	0.82	4.07	1.00	0.69

(prepared by:
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(15 AUG 77)

Table 2e.

PROPOSED ADDITIONS TO THE FOUR NATIONAL CONSERVATION SYSTEMS IN ALASKA

NATIONAL FOREST SYSTEM

BILL NUMBER AND PRIME SPONSOR

	HR 39 UDALL	HR 1454 ALEXANDER	HR 1652 DINGELL	HR 1907 UDALL	HR 2082 LEGGETT	HR 5605 SEIBERLING	S 499 JACKSON	S 1500 METCALF	S 1787 STEVENS	FSLUPC PROPOSAL
EXISTING NATIONAL FORESTS				**MILLION ACRES**						
TONGASS N. FOREST	0.00 *	0.00	0.00	0.00	0.00	0.00	0.00	0.00 *	0.00	2.01
CHUGACH N. FOREST	0.00 *	0.00	0.00	0.00	0.00	0.00	0.50	0.00 *	1.00	2.77
SUBTOTAL EXISTING NATIONAL FORESTS	1.60 *	0.00	0.00	0.00	0.00	0.00	0.50	1.60 *	1.00	4.78
NEW NATIONAL FORESTS				**MILLION ACRES**						
PORCUPINE N. FOREST	0.00	0.00	0.00	0.00	0.00	0.00	5.50	0.00	2.59	0.00
WRANGELL MOUNTAINS N. FOREST	0.00	0.00	0.00	0.00	0.00	0.00	5.50	0.00	0.00	0.00
YUKON-KUSKOKWIM N. FOREST	0.00	0.00	0.00	0.00	0.00	0.00	7.30	0.00	0.00	0.00
YUKON FLATS N. FOREST	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.13	0.00
SUBTOTAL NEW NATIONAL FORESTS	0.00	0.00	0.00	0.00	0.00	0.00	18.30	0.00	4.72	0.00
TOTAL FOR ALL NATIONAL FORESTS	1.60	0.00	0.00	0.00	0.00	0.00	18.80	1.60	5.72	4.78

* -- A MAXIMUM OF 1.6 MILLION ACRES MAY BE ADDED TO THE CHUGACH AND TONGASS NATIONAL FORESTS BY PRESIDENTIAL ORDER.

[prepared by:
legislative affairs agency--research division]
(15 AUG 77)

Table 3. PROPOSED FEDERAL COOPERATIVE MANAGEMENT OR 'FIFTH SYSTEM' AREAS IN ALASKA

MANAGEMENT AREA	BILL NUMBER AND PRIME SPONSOR S 1787 STEVENS MILLION ACRES	 FSLUPC * PROPOSAL
KATMAI	1.59	0.00
GATES OF THE ARCTIC	3.55	0.00
MOUNT MCKINLEY	1.96	0.00
WRANGELL-ST. ELIAS	8.74	0.00
LAKE CLARK	3.49	3.49
CHARLEY RIVER	0.99	0.00
CATHEDRAL SPIRES	0.00	0.40
CHITINA	0.00	1.05
NEPESNA	0.00	2.87
NUNAMIUT	0.00	1.98
INNOKO	1.24	0.00
CHANDALAR	8.27	5.56
SHISHMAREF-IMURUK	1.84	0.00
CAPE NEWENHAM	0.24	0.00
NOATAK	11.47	11.87
YUKON DELTA	1.50	0.00
ANDREAFSKY	3.50	3.54
ILIAMNA	2.80	0.00
BECHAROF	0.00	0.88
CHUGACH	1.77	0.00
PORCUPINE	3.40	5.49
YUKON RIVER	0.54	0.00
NOWITNA	0.00	3.52
YUKON MOUNTAINS	0.00	6.05
TOTAL	56.89	46.70

* -- FSLUPC = FEDERAL-STATE LAND USE PLANNING COMMISSION

(prepared by:
legislative affairs agency--research division)
(15 AUG 77)

Table 4a. PROPOSED 'INSTANT' WILDERNESS AREAS IN ALASKA

SUMMARY

	BILL NUMBER AND PRIME SPONSOR						
	HR 39 UDALL	HR 1207 ROE	HR 1907 UDALL	HR 3454 UDALL	HR 5605 SEIBERLING	S 315 JACKSON	S 1500 METCALF
	MILLION ACRES						
NATIONAL PARK SYSTEM							
EXISTING PARKS	15.42	0.00	0.00	0.00	0.00	2.60	14.75
NEW PARKS	56.00	0.00	0.00	0.00	1.04	0.00	56.30
TOTAL	71.42	0.00	0.00	0.00	1.04	2.60	71.05
NATIONAL WILDLIFE REFUGE SYSTEM							
EXISTING REFUGES	37.91	0.00	37.46	0.00	0.00	0.00	35.71
NEW REFUGES	28.20	0.00	0.00	0.00	0.00	0.00	28.20
TOTAL	66.11	0.00	37.46	0.00	0.00	0.00	63.91
NATIONAL WILD AND SCENIC RIVERS SYSTEM							
NEW WILD RIVERS	3.59	0.00	0.00	0.00	0.00	0.00	3.59
NEW SCENIC RIVERS	0.48	0.00	0.00	0.00	0.00	0.00	0.48
TOTAL	4.07	0.00	0.00	0.00	0.00	0.00	4.07
NATIONAL FOREST SYSTEM							
TONGASS NATIONAL FOREST	4.44	0.40	0.00	0.40	0.00	0.00	4.91
CHUGACH NATIONAL FOREST	0.60	0.00	0.00	0.00	0.00	0.00	1.00
TOTAL	5.04	0.40	0.00	0.40	0.00	0.00	5.91
GRAND TOTAL	146.64	0.40	37.46	0.40	1.04	2.60	144.94

[prepared by:
legislative affairs agency--research division]
(15 AUG 77)

Table 4b. PROPOSED 'INSTANT' WILDERNESS AREAS IN ALASKA

NATIONAL PARK SYSTEM

	BILL NUMBER AND PRIME SPONSOR						
	HR 39 UDALL	HR 1207 ROE	HR 1907 UDALL	HR 3454 UDALL	HR 5605 SEIBERLING	S 315 JACKSON	S 1500 METCALF
EXISTING PARKS				MILLION ACRES			
MOUNT MCKINLEY N. PARK	6.60	0.00	0.00	0.00	0.00	0.00	6.60
KATMAI N. MONUMENT	5.22	0.00	0.00	0.00	0.00	2.60	5.22
GLACIER BAY N. MONUMENT	3.60	0.00	0.00	0.00	0.00	0.00	2.93
SUBTOTAL	15.42	0.00	0.00	0.00	0.00	2.60	14.75
NEW PARKS				MILLION ACRES			
GATES OF THE ARCTIC N. PARK	13.60	0.00	0.00	0.00	0.00	0.00	13.60
YUKON-CHARLEY N. PRESERVE	3.20	0.00	0.00	0.00	0.00	0.00	3.20
KOBUK VALLEY N. MONUMENT	1.90	0.00	0.00	0.00	0.00	0.00	1.90
CAPE KRUSENSTERN N. MONUMENT	0.90	0.00	0.00	0.00	0.00	0.00	0.90
WRANGELL-ST. ELIAS N. PARK	14.00	0.00	0.00	0.00	0.00	0.00	14.00
CHISANA N. PRESERVE	1.80	0.00	0.00	0.00	0.00	0.00	1.80
LAKE CLARK N. PARK	7.50	0.00	0.00	0.00	0.00	0.00	7.50
KENAI FJORDS N. MONUMENT	0.60	0.00	0.00	0.00	0.00	0.00	0.60
ANIAKCHAK CALDERA N. MONUMENT	0.40	0.00	0.00	0.00	0.00	0.00	0.40
CHUKCHI-IMURUK N. MONUMENT	4.50	0.00	0.00	0.00	0.00	0.00	4.50
NOATAK N. PRESERVE	7.60	0.00	0.00	0.00	0.00	0.00	7.90
ADMIRALTY ISLAND N. PRESERVE	0.00	0.00	0.00	0.00	1.04	0.00	0.00
SUBTOTAL	56.00	0.00	0.00	0.00	1.04	0.00	56.30
TOTAL	71.42	0.00	0.00	0.00	1.04	2.60	71.05

(prepared by:
legislative affairs agency -research division)
(15 AUG 77)

Table 4c. PROPOSED 'INSTANT' WILDERNESS AREAS IN ALASKA

NATIONAL WILDLIFE REFUGE SYSTEM

	BILL NUMBER AND PRIME SPONSOR						
	HR 39 UDALL	HR 1207 ROE	HR 1907 UDALL	HR 3454 UDALL	HR 5605 SEIBERLING	S 315 JACKSON	S 1500 METCALF
EXISTING REFUGES			MILLION ACRES				
CLARENCE RHODE N. W. RANGE	9.10	0.00	9.30	0.00	0.00	0.00	9.10
ARCTIC N. W. RANGE	17.35	0.00	16.75	0.00	0.00	0.00	17.35
CAPE NEWENHAM N. W. REFUGE	3.75	0.00	3.70	0.00	0.00	0.00	3.75
ALEUTIAN ISLAND N. W. REFUGE	2.37	0.00	2.37	0.00	0.00	0.00	2.37
HAZEN BAY N. W. REFUGE	0.01	0.00	0.01	0.00	0.00	0.00	0.01
IZEMBEK N. W. RANGE	0.30	0.00	0.30	0.00	0.00	0.00	0.30
KENAI N. MOOSE RANGE	1.27	0.00	1.27	0.00	0.00	0.00	1.27
NUNIVAK N. W. REFUGE	3.50	0.00	3.50	0.00	0.00	0.00	1.30
SEMIDI N. W. REFUGE	0.26	0.00	0.26	0.00	0.00	0.00	0.26
SUBTOTAL	37.91	0.00	37.46	0.00	0.00	0.00	35.71
NEW REFUGES			MILLION ACRES				
ALASKA PENINSULA N. W. RANGE	1.20	0.00	0.00	0.00	0.00	0.00	1.20
COPPER RIVER DELTA N. W. REFUGE	0.90	0.00	0.00	0.00	0.00	0.00	0.90
SELAWIK N. W. RANGE	2.50	0.00	0.00	0.00	0.00	0.00	2.50
YUKON FLATS N. W. RANGE	12.30	0.00	0.00	0.00	0.00	0.00	12.30
KOYUKUK N. W. RANGE	3.70	0.00	0.00	0.00	0.00	0.00	2.90
INNOKO N. W. RANGE	2.30	0.00	0.00	0.00	0.00	0.00	3.00
ILIAMNA N. W. RANGE	2.90	0.00	0.00	0.00	0.00	0.00	2.90
ALASKA COASTAL N. W. REFUGES	0.30	0.00	0.00	0.00	0.00	0.00	0.30
KANUTI N. W. REFUGE	0.80	0.00	0.00	0.00	0.00	0.00	1.00
KAIYUH N. W. REFUGE	0.30	0.00	0.00	0.00	0.00	0.00	0.20
NOWITNA N. W. REFUGE	1.00	0.00	0.00	0.00	0.00	0.00	1.00
SUBTOTAL	28.20	0.00	0.00	0.00	0.00	0.00	28.20
TOTAL	66.11	0.00	37.46	0.00	0.00	0.00	63.91

(prepared by:
legislative affairs agency--research division)
(15 AUG 77)

Table 4d. PROPOSED 'INSTANT' WILDERNESS AREAS IN ALASKA

NATIONAL WILD AND SCENIC RIVERS SYSTEM

BILL NUMBER AND PRIME SPONSOR

	HR 39 UDALL	HR 1207 ROE	HR 1907 UDALL	HR 3454 UDALL	HR 5605 SEIBERLING	S 315 JACKSON	S 1500 METCALF
NEW WILD RIVERS				MILLION ACRES			
ANAKTUVUK RIVER	0.40	0.00	0.00	0.00	0.00	0.00	0.40
BIRCH CREEK	0.20	0.00	0.00	0.00	0.00	0.00	0.20
NOWITNA RIVER	0.08	0.00	0.00	0.00	0.00	0.00	0.08
UNALAKLEET RIVER	0.05	0.00	0.00	0.00	0.00	0.00	0.05
MELOZITNA RIVER	0.20	0.00	0.00	0.00	0.00	0.00	0.20
HOLITNA-HOHOLITNA RIVERS	0.23	0.00	0.00	0.00	0.00	0.00	0.23
SUSITNA RIVER	0.20	0.00	0.00	0.00	0.00	0.00	0.20
NELCHINA-TAZLINA RIVERS	0.08	0.00	0.00	0.00	0.00	0.00	0.08
NUYAKUK RIVER	0.06	0.00	0.00	0.00	0.00	0.00	0.06
UTUKOK RIVER	0.30	0.00	0.00	0.00	0.00	0.00	0.30
SITUK RIVER	0.02	0.00	0.00	0.00	0.00	0.00	0.02
KOYUK RIVER	0.20	0.00	0.00	0.00	0.00	0.00	0.20
IKPIKPUK RIVER	0.30	0.00	0.00	0.00	0.00	0.00	0.30
KISARILIK RIVER	0.20	0.00	0.00	0.00	0.00	0.00	0.20
COLVILLE RIVER	0.50	0.00	0.00	0.00	0.00	0.00	0.50
KUK-KETIK RIVERS	0.10	0.00	0.00	0.00	0.00	0.00	0.10
YUKON RIVER (RAMPART SECTION)	0.30	0.00	0.00	0.00	0.00	0.00	0.30
MIDDLE KUSKOKWIM RIVER	0.10	0.00	0.00	0.00	0.00	0.00	0.10
STIKINE RIVER	0.05	0.00	0.00	0.00	0.00	0.00	0.05
COPPER RIVER (ILIAMNA)	0.02	0.00	0.00	0.00	0.00	0.00	0.02
SUBTOTAL	3.59	0.00	0.00	0.00	0.00	0.00	3.59
NEW SCENIC RIVERS				MILLION ACRES			
FORTYMILE RIVER	0.32	0.00	0.00	0.00	0.00	0.00	0.32
DELTA RIVER	0.03	0.00	0.00	0.00	0.00	0.00	0.03
GULKANA RIVER	0.13	0.00	0.00	0.00	0.00	0.00	0.13
SUBTOTAL	0.48	0.00	0.00	0.00	0.00	0.00	0.48
TOTAL	4.07	0.00	0.00	0.00	0.00	0.00	4.07

[prepared by:
legislative affairs agency--research division]
(15 AUG 77)

Table 4e. PROPOSED 'INSTANT' WILDERNESS AREAS IN ALASKA

NATIONAL FOREST SYSTEM

	BILL NUMBER AND PRIME SPONSOR						
	HR 39 UDALL	HR 1207 ROE	HR 1907 UDALL	HR 3454 UDALL	HR 5605 SEIBERLING	S 315 JACKSON	S 1500 METCALF
TONGASS NATIONAL FOREST				MILLION ACRES			
DUNCAN CANAL WILDERNESS	0.00	0.00	0.00	0.00	0.00	0.00	0.12
ADMIRALTY ISLAND WILDERNESS	1.03	0.00	0.00	0.00	0.00	0.00	1.03
YAKUTAT FORELANDS WILDERNESS	0.30	0.00	0.00	0.00	0.00	0.00	0.30
MISTY FJORDS WILDERNESS	2.40	0.00	0.00	0.00	0.00	0.00	2.40
WEST CHICHAGOF-YAKOBI WILDERNESS	0.40	0.40	0.00	0.40	0.00	0.00	0.40
STIKINE-LE CONTE WILDERNESS	0.30	0.00	0.00	0.00	0.00	0.00	0.30
ETOLIN ISLAND WILDERNESS	0.00	0.00	0.00	0.00	0.00	0.00	0.23
KARTA WILDERNESS	0.00	0.00	0.00	0.00	0.00	0.00	0.05
TEBENKOF WILDERNESS	0.00	0.00	0.00	0.00	0.00	0.00	0.07
SUBTOTAL	4.44	0.40	0.00	0.40	0.00	0.00	4.91
CHUGACH NATIONAL FOREST				MILLION ACRES			
NELLIE JUAN WILDERNESS	0.60	0.00	0.00	0.00	0.00	0.00	1.00
SUBTOTAL	0.60	0.00	0.00	0.00	0.00	0.00	1.00
TOTAL	5.04	0.40	0.00	0.40	0.00	0.00	5.91

(prepared by:
legislative affairs agency--research division]
(15 AUG 77)

Table 5. PROPOSED WILDERNESS STUDY AREAS IN ALASKA

NATIONAL FOREST SYSTEM

	BILL NUMBER AND PRIME SPONSOR	
	S 1180 CHURCH	S 1500 METCALF
TONGASS N. FOREST	MILLION ACRES	
ADMIRALTY ISLAND W. S. A.	1.04	0.00
DALL ISLAND W. S. A.	0.00	0.16
IDAHO INLET-MUD BAY W. S. A.	0.00	0.10
KADAKE W. S. A.	0.00	0.02
NORTH KRUZOF W. S. A.	0.00	0.01
PAVLOF HARBOR W. S. A.	0.00	0.02
ROCKY PASS W. S. A.	0.00	0.07
SAINT JAMES BAY W. S. A.	0.00	0.03
SALMON BAY W. S. A.	0.00	0.02
SARKAR LAKES W. S. A.	0.00	0.03
SWEETWATER-HONKER DIVIDE W. S. A.	0.00	0.09
TOTAL	1.04	0.55

[prepared by:
legislative affairs agency--research division]
(17 AUG 77)

TESTIMONY TO JOINT RESOURCES COMMITTEES
ALASKA STATE LEGISLATURE
March 9, 1977

Presented by
Walter B. Parker
State Co-Chairman

Joint Federal-State
Land Use Planning Commission
For Alaska

The Federal-State Land Use Planning Commission for Alaska is the only governmental entity of its particular type in the United States. The Commission was created by the Congress and the Alaska Legislature to serve as a coordinating mechanism and public forum for working out the implementation of the provisions of the Alaska Native Claims Settlement Act. The Commission was given specific roles in the review of easements and in providing technical planning assistance to regional and village corporations. It was also directed to provide recommendations to the Secretary of the Interior on national interest lands and to the Governor and the Alaska Legislature on State land selections.

Since these early directions, the Commission has received further requests from the Congress to provide an analysis of the many bills submitted on national interest (d)(2) lands and also to provide its own proposals for these lands. Additional problems which must be solved and which are underway involve systems and institutional mechanisms for insuring access to Alaska's energy and other mineral resources. We are also developing recommendations for cooperative institutions in wildlife management, data gathering, and information transfer systems. The Commission has strongly felt that only through strong cooperative management mechanisms can the future welfare of this State be assured.

In the controversy over the allocation of the great public land domain in Alaska--many have said that we must create the maximum possible number of National Parks, Wildlife Refuges, and other Federally designated units that provide the highest possible level of protection to the public lands--others have said that we must not inhibit the future growth and development of Alaska by too early a designation of restrictive land policies.

Management designations of national interest lands in Alaska are not simple choices between placing maximum acreages in protective categories or placing maximum acreages in categories open to all types of resource extraction and development. Instead, these management designations require the positioning of these lands in relation to all of Alaska and in relation to the use and ownership designations already made possible by Congress in providing selection rights to Alaska Natives and the State of Alaska. Throughout its deliberations, the Commission has carefully considered the national interest lands in this manner and kept four major objectives in mind:

to provide the highest possible level of enduring protection to the last significant wildlife populations of the United States---

to significantly increase national guarantees of wilderness oriented recreation and experience---

to provide a higher overall level of protection for certain lands that will either allow their later designation as wilderness or permit resource development to be undertaken with the highest possible level of protection for other values---

to establish land use planning and other management institutions which will better coordinate the needs of the citizens of the State and the national interests in Alaska.

The Commission has developed its position to meet these goals while allowing the necessary flexibility for Alaska's resident population to work out their future and inhibiting as little as possible Alaska's role as a source of resources to meet the Nation's present and future needs. When the Commission has discerned conflicting values in its assessments it has aimed toward solutions that would further the major goals stated above.

As the Commission was developing its proposals for Alaska's national interest (d)(2) lands, three key questions emerged which needed to be answered in the consideration of these lands:

1. Are wildlife, recreational, and scenic values of national importance adequately protected?

2. Are national energy objectives or needs for strategic minerals significantly inhibited?

3. Are conflicts with other values and uses with adjoining lands minimized?

In answering these questions it became clear that for much of the (d)(2) lands, none of the existing systems were fully adequate as a method of management. In Alaska, the nation was facing conditions and circumstances which were very different from those for which the existing systems had been designed. In summary, these circumstances are as follows:

1. The relative absence of existing land use patterns and trends in Alaska and the limited knowledge of the subsurface resources of the land which, together, make it premature to determine primary values or to choose between primary or multiple use systems for much of the (d)(2) lands at this time.

2. The unique national value of Alaska's scenic expanses. Alaska is the only part of the nation where large natural areas still exist.

3. State ownership in regions where unified natural systems extend across lands held by both Federal and State governments. In Alaska, State ownership is on a par with Federal ownership, not in terms of gross acreage, but in terms of State holdings of key lowlands, transportation corridors, and wildlife habitat that are vitally related to Federal lands.

In recognition of these unique circumstances, the Commission eventually adopted an approach which would assign lands to existing systems only when they had a clear and undisputable value for those systems. Other lands which also had high national value, but which combined scenic and wildlife values with other features such as subsistence useage and mineral potential, were assigned to a new management system, the Alaska National Lands. Thus, the Commission's proposal allocates 43 million acres to National Park, Wildlife Refuge, and Forest Systems, and 47 million acres to a new system, the Alaska National Lands.

In short, the Commission's recommendation, like that of the Governor's, places special emphasis on the creation of a lasting land management institution that will fit the special circumstances of Alaska. Such an institutional structure must be designed to:

1. Allow for a process of decision making over time so that land use choices can be made when new events and information make it timely and appropriate to render a decision.

2. Incorporate this decision making process within a planning entity with a high enough public profile to insure that land use decisions are responsive to changed circumstances, without sacrificing responsibility to the national interest.

3. Provide the high level of environmental protection that is warranted by the unique national value that is found in Alaska's great expanse of natural land.

4. Maintain sufficient flexibility so that environmental protection measures serve to guide rather than to totally preclude resource development in the national interest.

5. Provide for coordinated State and Federal land planning with an option for voluntary participation by private corporate owners of related lands.

Applying the above criteria resulted in the Commission developing a proposal which designates major additions to the National Park System in Alaska with emphasis on the creation of two great new parks in the Wrangell Mountains and the Brooks Range (Gates of the Arctic), plus additions to the large existing park units at Mount McKinley and Katami, and four smaller new units. The proposal recommends 13 new units and additions to five existing units to the Wildlife Refuge System with the aim of providing an enduring base for protection of Alaska's wildlife values and protection of those migratory waterfowl species which summer

in Alaska and other migratory species such as marine mammals. Seven additions are recommended for the National Forest System and five rivers are recommended for designation as part of the Wild and Scenic Rivers System. (See Appendix A for details.)

After designating key core areas for inclusion in the traditional Federal management systems, the Commission was faced with the problem of designation of several areas of outstanding scenic, wildlife, and other natural values which did not readily fit within the traditional systems. The Commission was also faced with the problem of establishing a coordinative mechanism to relate Federal, State, and Native land and resource management systems for the next several years as the provisions of the Alaska Native Claims Settlement Act are implemented. This led the Commission to the development of its so-called "fifth system" or Alaska National Lands. The title was chosen to clearly show that these are lands of national interest in Alaska and that it is a proposed management system unique to Alaska. Twelve very large units of Alaska National Lands throughout the State are proposed by the Commission. (See Appendix A for details.)

The Alaska National Lands System would represent a new approach to Federal land management. Instead of building determinations about primary values, or choices between primary use or multiple use into the system itself, as has been done with the existing Federal land management systems, Congress, in adopting the Commission's proposal would be establishing an institution equipped to handle such decisions as they become appropriate and timely in the future. This approach, substituting a continuing planning institution for absolute determinations on public lands at this time, is based on a recognition that our foresight in Alaska is limited, and that circumstances affecting the areas proposed for Alaska National Lands can change radically in the future.

One of the major problems with which the Commission had to wrestle was recognizing traditional hunting and fishing and other subsistence uses of Alaska's lands by Alaskan residents. These uses are the only permitted uses on Alaska National Lands prior to classification. Regulation of taking of fish and wildlife would be governed by the regulations of the State of Alaska, but, since these lands are recommended for retention in Federal ownership, the full strength and ability of Federal wildlife management can be brought to bear as well as that of the State, thus insuring as much as possible, maximum protection for such wildlife while allowing its continued utilization insofar as populations permit.

The Commission was also faced with the problem that much of the value of the subsurface estate in Alaska was unknown. The Alaska National Lands concept allows exploration of the lands to determine whether resources of significant national value are present but requires such exploration to be conducted under the highest possible environmental stipulations. Thus, if a potential resource of great value is located, the national options are still present for a choice for wilderness, recreation, or resource exploitation.

The Alaska National Lands are not intended as multiple use lands in the traditional sense. Otherwise, the Commission would have recommended designation in one of the multiple use systems already provided by the Congress. Neither are Alaska National Lands intended as a holding pattern for future designation in a traditional system. They are seen by the Commission as a new Federal system unique to Alaska. They are a system which allows a high degree of flexibility but which requires choices between wilderness and resource development to be made in a measured way under the oversight of a Federal-State commission. Congress could always, at some future date, change designation of Alaska National Lands to a traditional system, either preservation or multiple use oriented, but it is the intent of the Commission that these lands remain as Alaska National Lands and it is the Commission's position that they can best be managed under this concept for the foreseeable future. In consideration of Alaska National Lands, it must always be remembered that they were chosen for their scenic, recreational, and wildlife values, not for their subsurface values.

A keystone of the Alaska National Lands System would be a continuing joint Federal-State entity. This body would have responsibility for oversight of the Alaska National Lands with authority to plan and classify under Congressional guidelines when such actions become timely. Day-to-day management would be assigned to an existing land management agency. As a high profile body operating under Congressional guidelines, the entity would be structured to combine responsiveness to changed circumstances with a paramount responsibility for protecting national environmental values. Such a combination has been asked for by many of the parties and groups concerned with the (d)(2) lands.

The structure of the Federal-State entity which might classify and provide policy guidance over Alaska National Lands has not been formally agreed upon by the full present Commission. One point that I wish to emphasize at this time, is that an ongoing Federal-State entity would have a larger role than simply classifying and providing policy guidance over Alaska National Lands. Its principal role would be to serve as a focus for cooperative management systems which would affect all Alaska lands, Federal, State, and private.

The size of the Commission should be such that the major representatives on both sides, Federal and State, would be adequately represented.

The question of leadership of such a commission is probably the most difficult one to resolve. A single chairman such as proposed in House Bill 211 would undoubtedly provide the strongest type of leadership to the staff and be in a position to place firm policy recommendations for the full commission. He would have to relate to both Federal and State governments equally. Whether such single leadership, in contrast to the present system of Co-Chairmen from each government, would be acceptable to the two sovereign governments concerned is something that will need a good deal of further discussion with the Governor and the Secretary of

the Interior and other Federal leaders. Another option which exists is that leadership of staff be taken care of by an executive director who reports to the entire commission. In that way, a Federal co-chairman representing the President and a State co-chairman representing the Governor could be part-time positions, as are the other commissioners and would not be involved in day-to-day staff decisions. This alternative would not envision the executive director as a voting member of the commission.

The present Commission is involved in developing an Alaska resource information system which it sees as the data gathering arm of any future Federal-State entity. I wish to emphasize that the Alaska resource information system is needed for its own sake and could operate independently of any future Federal-State entity. It is viewed as the cornerstone of any cooperative future ventures. Its primary purpose is to insure that all non-proprietorial data is available to everyone with a need for land management data as easily as possible. That major data systems at both the national and State levels are able to interchange information quickly and easily and are operating from relatively common data bases. More than any other factor, this will make true cooperative management a reality.

Another system which we have just begun to explore is the formation of an Alaska science council which will serve as a scientific advisior to the Governor and a future Federal-State entity plus providing a strong local arm of the National Academy of Science and the National Science Foundation. This body would serve as a forum for providing scientific policy input to the commission and also for developing scientific policy for Alaska and the Arctic on its own. This body also can exist independently of any ongoing Federal-State entity but we do see it as an integral part of any future improved system or coordinated land and resource management in Alaska.

The Commission strongly feels that any future ongoing Federal-State entity is the most rational way to reconcile the State and national interests over the short, middle, and long-term futures in Alaska. We will continue to have a continuing series of problems on resource development that will affect land management long into the future, long after we have settled the boundaries of the major land managers and landowners. Such an entity will have the capacity to influence major Federal policy in a way that the State government operating by itself will not have because it will have strong Federal representation involved in the formulation of that policy. The Federal government, likewise, will benefit by having a forum to which its disputes with the State policy can be resolved.

A Federal/State Transportation Planning Organization has already been formed to aid the Commission in resolving the corridor and other transportation problems connected with Alaska's development. This group can operate separately as a coordinator of Federal/State transportation

problems or in conjunction with the Commission as necessary. It represents a long step forward in formalizing cooperative Federal/State relationships. Its basic structure is to bring together the leaders of the major Federal and State transportation agencies at the policy level with their respective planning officers operating as an intergovernmental intermodal planning group. When necessary to coordinate transportation efforts with land use planning, the policy group is expanded to include representatives of the Federal and State land management agencies plus the two Co-Chairmen of the present Land Use Planning Commission.

The Commission is also beginning to put together recommendations on how a more formalized overall cooperative effort between fish and wildlife managers and land managers might be structured. This would provide an umbrella under which many of the cooperative agreements now being developed between both Federal and State agencies and private landowners might be brought together into more comprehensive agreements on a regional basis. The Commission's position on fish and game management has long been that regulation of seasons, bag limits, and means of taking must remain with the State of Alaska and regulations must be promulgated under existing State statutes on all lands. Habitat management and its coordination between the various land managers is an area that is less clear and one that we will give a great deal of attention to in the immediate future with recommendations to both governments forthcoming as soon as a consensus can be reached.

Thus, if an ongoing Federal/State entity succeeds the Commission, there would be in place, structures for insuring a high level of cooperation in resource and land information, transportation planning, fish and wildlife management, and coordination of scientific research.

Twenty years ago, all of Alaska was owned by the Federal government with transfers from that ownership in small parcels to homesteaders, mining claimants, and other applicants under the public land laws. Aborginal claims had not been addressed.

Today, the State's land entitlement has been established in the Alaska Statehood Act. Native Claims have been settled in the Alaska Native Claims Settlement Act. Alaska can now have a land use and management pattern where: key natural areas are placed in one of the conservation systems; private lands for occupation and settlement are in areas best suited for those uses; and resource lands are either in State, Native, or other private ownership; or, if on Federal lands, in a system of management which allows development coupled with environmental control.

When the issues of subsistence, mining location, and transportation or access are addressed, with new institutions for assuring continued Federal-State coordination and cooperation, Congress will have established in Alaska in two decades, a pattern of land ownership, use, and management which will best serve the long-term interests of the Nation and Alaska.

The Commission has developed its proposal for a new fifth system of Alaska National Lands as a keystone of the new ownership and management pattern. It is intended to meet national interests but maintains some real flexibility for State interests. It is a new concept--one that the Commission will strongly promote and continue to refine unless a better alternative is offered for a strong Federal-State cooperative management system.

NORTHEASTERN ALASKA

Yukon Flats Withdrawal and Adjoining Uplands to the North

THE COMMISSION RECOMMENDS TWO LARGE AREAS TOTALLING APPROXIMATELY 2.3 MILLION ACRES AS A NATIONAL WILDLIFE REFUGE TO PROTECT HIGH DENSITY WETLAND WATERFOWL HABITATS AND SOME ADJOINING UPLAND HABITAT AND WILDLIFE VALUES.

SOME 5.5 MILLION ACRES OF SCENIC UPLANDS, UPLAND WILDLIFE, HABITAT, AND MEDIUM DENSITY LOWLAND WATERFOWL HABITAT ARE RECOMMENDED FOR INCORPORATION IN THE PROPOSED ALASKA NATIONAL LANDS SYSTEM TO BE MANAGED BY THE U.S. FOREST SERVICE.

TWO OF THE FREE-FLOWING STREAMS, THE PORCUPINE AND SHEENJEK, HAVE BEEN STUDIED AS POSSIBLE WILD OR SCENIC RIVERS AND ARE RECOMMENDED FOR POTENTIAL DESIGNATION PENDING EVALUATION DURING CLASSIFICATION OF THE NEW MANAGEMENT UNIT. THE RAMPART SECTION OF THE YUKON RIVER, DOWNSTREAM FROM THE YUKON FLATS, IS ALSO RECOMMENDED FOR POTENTIAL SCENIC RIVER DESIGNATION PENDING CLARIFICATION OF LAND STATUS IN THE AREA AND FURTHER STUDY AND CLASSIFICATION OF SURROUNDING LAND OR USES OF THE RIVER.

Upper Yukon River and Adjoining Uplands to the South and West

HAVING DETERMINED THAT THESE VALUES ARE OF NATIONAL INTEREST, THE COMMISSION RECOMMENDS THAT A RIVER CORRIDOR OF APPROXIMATELY 540,000 ACRES, ABOUT 100 RIVER MILES LONG AND AN AVERAGE OF 9 MILES WIDE, BE SET ASIDE AS A UNIT OF THE NATIONAL PARK SYSTEM. HUNTING, FISHING, AND TRAPPING, WHICH PRESENTLY OCCUR, ARE RECOMMENDED TO CONTINUE IN THE PROPOSED RIVER PARKLAND IN ACCORDANCE WITH STATE REGULATIONS AND IN COORDINATION WITH FEDERAL INTERESTS.

THE COMMISSION ALSO RECOMMENDS A 6.1-MILLION-ACRE ALASKA NATIONAL LANDS UNIT IN THE YUKON-TANANA UPLANDS TO BE MANAGED BY THE BUREAU OF LAND MANAGEMENT.

THREE OF THE FREE-FLOWING STREAMS, BIRCH AND BEAVER CREEKS AND THE CHARLEY RIVER, HAVE BEEN STUDIED AS POSSIBLE WILD RIVERS, AND ARE RECOMMENDED FOR POTENTIAL DESIGNATION PENDING CLASSIFICATION OF THE ALASKA NATIONAL LAND UNIT. THE CHARLEY RIVER DRAINAGE IS PROPOSED AS A PRIORITY WILDERNESS STUDY AREA TO INSURE THAT ITS NATURAL FEATURES ARE NOT ALTERED PENDING A DECISION ON POSSIBLE WILDERNESS DESIGNATION.

Areas Adjoining the Arctic National Wildlife Range

THOSE LANDS, TOTALLING 1.9 MILLION ACRES, DIRECTLY RELATED HYDROLOGICALLY AND ECOLOGICALLY TO THE EXISTING RANGE, ARE RECOMMENDED AS RANGE ADDITIONS. THOSE LANDS FARTHER WEST, TOTALLING 5.6 MILLION ACRES, AROUND THE CHANDALAR RIVER WITH SIMILAR VALUES, BUT LESS DIRECTLY RELATED TO THE RANGE, ARE

RECOMMENDED FOR INCORPORATION AS A UNIT OF THE ALASKA NATIONAL LANDS SYSTEM. THE U.S. FISH AND WILDLIFE SERVICE IS RECOMMENDED AS THE MANAGER OF THIS RESERVE.

FOUR OF THE FREE-FLOWING STREAMS, THE CANNING-MARSH FORK, IVISHAK, WIND, AND SHEENJEK, HAVE BEEN STUDIED AS POSSIBLE WILD AND SCENIC RIVERS AND ARE RECOMMENDED FOR POTENTIAL DESIGNATION PENDING EVALUATION IN THE WILDLIFE RANGE AND CLASSIFICATION OF THE LANDS IN THE PROPOSED NEW MANAGEMENT UNIT.

NORTHWESTERN ALASKA

Central Brooks Range

TO PROVIDE PROTECTION OF THE NATURAL VALUES OF NATIONAL INTEREST IN THE CENTRAL BROOKS RANGE, THE COMMISSION RECOMMENDS:

1. TWO LARGE AREAS WITHIN THE RANGE BE DESIGNATED UNITS OF THE NATIONAL PARK SYSTEM (5.2 MILLION ACRES);

2. TWO RIVERS WITHIN THE PROPOSED PARK UNITS, THE ALATNA RIVER AND THE NORTH FORK OF THE KOYUKUK-TINAYGUK, BE DESIGNATED WILD RIVERS:

3. LANDS BETWEEN THE TWO PROPOSED PARK UNITS NOT CONVEYED TO THE ARCTIC SLOPE NATIVE CORPORATIONS BE INCORPORATED WITHIN THE ALASKA NATIONAL LANDS SYSTEM (2.0 MILLION ACRES); BECAUSE OF THE VALUES RELATED TO THE PROPOSED ADJACENT PARK UNITS, THE NATIONAL PARK SERVICE IS RECOMMENDED AS THE MANAGER OF THIS UNIT; AND

4. FIVE RIVERS--KILLIK, NOATAK, ANAKTUVUK, JOHN, AND UPPER KOBUK--FLOWING THROUGH OR FROM THE PROPOSED PARK, ALASKA NATIONAL LANDS AND ADJOINING LANDS BE DESIGNATED POTENTIAL WILD OR SCENIC RIVERS FOR FURTHER EVALUATION IN ACCORDANCE WITH CLASSIFICATION OF THE ALASKA NATIONAL LANDS UNIT AND OTHER ADJOINING LANDS.

Noatak-Kobuk

THE COMMISSION HAS FOUND THESE VALUES TO BE OF NATIONAL INTEREST AND MAKES THE FOLLOWING RECOMMENDATIONS FOR THEIR PROTECTION:

1. DESIGNATION OF THE GREAT KOBUK SAND DUNES AND THE IMMEDIATE SCENIC ENVIRONMENTS (110,000 ACRES) AS A UNIT OF THE NATIONAL PARK SYSTEM.

2. DESIGNATION OF THE CAPE KRUSENSTERN (190,000 ACRES) AS A UNIT OF THE NATIONAL PARK SYSTEM TO PROTECT ITS ARCHAEOLOGICAL VALUES, UNIQUE GEOLOGIC FEATURES, AND ITS COASTAL BIRD AND OTHER HABITATS.

3. INCORPORATION INTO THE ALASKA NATIONAL LANDS SYSTEM OF THE LOWER AND MIDDLE SECTIONS OF THE NOATAK AND KOBUK RIVER DRAINAGES, THE BAIRD MOUNTAINS, AND THE DRAINAGES OF SEVERAL SMALLER RIVERS FLOWING INTO THE CHUKCHI SEA (11.9 MILLION ACRES). BECAUSE THE AREA IS AN IMPORTANT HABITAT FOR THE ARCTIC CARIBOU HERD AND SUSTAINS A VARIETY

OF OTHER WILDLIFE, THE U.S. FISH AND WILDLIFE SERVICE IS RECOMMENDED AS THE MANAGER FOR THIS RESERVE.

4. A PORTION OF THE NOATAK RIVER DRAINAGE IS RECOMMENDED AS A WILDERNESS STUDY AREA. THREE OF THE MANY FREE-FLOWING STREAMS, THE NOATAK, SALMON, AND WULIK RIVERS, HAVE BEEN STUDIED AS POSSIBLE WILD OR SCENIC RIVERS AND ARE RECOMMENDED FOR POTENTIAL DESIGNATION PENDING CLASSIFICATION OF THE RESERVE LANDS.

Selawik

THE COMMISSION RECOMMENDS DESIGNATION OF THIS AREA (1.5 MILLION ACRES) AS A WILDLIFE REFUGE TO PROTECT HABITAT AND PERPETUATE WILDLIFE POPULATIONS.

HUNTING, FISHING, AND TRAPPING WOULD CONTINUE UNDER STATE WILDLIFE MANAGEMENT REGULATIONS IN COORDINATION WITH FEDERAL WILDLIFE AND HABITAT MANAGEMENT.

Cape Lisburne and Cape Thompson

THE COMMISSION RECOMMENDS THAT THESE VALUES OF NATIONAL INTEREST BE PROTECTED BY DESIGNATING TWO SMALL NATIONAL WILDLIFE REFUGE UNITS, ONE AT CAPE LISBURNE OF 63,000 ACRES, INCLUDING THE DRAINAGES OF ADJOINING UPLANDS, AND 11,000 COASTAL ACRES AT CAPE THOMPSON.

IN RECOGNITION OF THE IMPORTANCE OF WILDLIFE IN THESE PROPOSED UNITS FOR MEETING THE SUBSISTENCE NEEDS OF LOCAL RESIDENTS, THE COMMISSION HAS RECOMMENDED THAT CONTINUED HUNTING, FISHING, AND TRAPPING BE ALLOWED UNDER STATE REGULATIONS UNLESS RESTRICTED BY THE U.S. FISH AND WILDLIFE SERVICE TO PROTECT MIGRATORY SPECIES.

Seward Peninsula

IN RECOGNITION OF THE IMPORTANT TERRESTRIAL WETLAND AND COASTAL HABITATS FOR MIGRATORY BIRDS AND MARINE MAMMALS, THE COMMISSION RECOMMENDS WILDLIFE REFUGE DESIGNATION FOR TWO UNITS, TOTALLING 1.5 MILLION ACRES.

THE COMMISSION FINDS THAT REINDEER GRAZING IS GENERALLY COMPATIBLE WITH PROTECTION OF HABITAT VALUES, AND RECOMMENDS THAT CONTINUED GRAZING BE ALLOWED UNDER REGULATION.

Koyukuk

THE COMMISSION RECOMMENDS THAT THIS AREA (2.5 MILLION ACRES) BE DESIGNATED A WILDLIFE REFUGE TO PERPETUATE THE VALUABLE WETLAND HABITATS AND WILDLIFE.

Kanuti Flats

THE COMMISSION RECOMMENDS AN AREA OF APPROXIMATELY 430,000 ACRES AS A WILDLIFE REFUGE TO PROTECT PRIME HABITAT AND WILDLIFE.

Bering Sea Islands

THE COMMISSION RECOMMENDS THAT FAIRWAY ROCK, SLEDGE ISLAND, AND PUNUK ISLANDS BE ADDED TO THE NATIONAL WILDLIFE REFUGE SYSTEM. IN THE EVENT THAT EGG AND BESBORO ISLANDS ARE NOT CONVEYED TO ALASKA NATIVE CORPORATIONS, THEY ARE ALSO RECOMMENDED FOR REFUGE DESIGNATION.

Other Wild and Scenic Rivers

TWO RIVERS WITHIN NATIONAL PETROLEUM RESERVE-ALASKA, THE IKPIKPUK AND UTUKOK, AND THE KOYUK RIVER ON THE SEWARD PENINSULA ARE RECOMMENDED FOR DESIGNATION AS POTENTIAL WILD AND SCENIC RIVERS PENDING FURTHER STUDY, EVALUATION, AND EVENTUAL CLASSIFICATION OF SURROUNDING LANDS.

SOUTHWEST ALASKA

Yukon-Kuskokwim Delta

THE COMMISSION RECOMMENDS THAT THE HIGH DENSITY WATERFOWL HABITAT ON PUBLIC LANDS WEST AND SOUTH OF THE YUKON RIVER, WEST OF THE KUSKOKWIM RIVER, AND WEST OF 161° WEST LONGITUDE BE ADDED TO THE WILDLIFE REFUGE SYSTEM (5.7 MILLION ACRES). AN AREA OF 3.5 MILLION ACRES NORTH OF THE DELTA AROUND THE ANDREAFSKY RIVER DRAINAGE CONTAINING MEDIUM TO HIGH DENSITY WATERFOWL AND UPLAND WILDLIFE HABITAT IS RECOMMENDED FOR INCLUSION IN THE ALASKA NATIONAL LANDS SYSTEM. BECAUSE THE AREAS CONTAIN UPLANDS AND LOWLANDS CLOSELY RELATED TO THE WATERFOWL AND THE WILDLIFE HABITAT OF THE YUKON DELTA. THE U.S. FISH AND WILDLIFE SERVICE IS RECOMMENDED AS THE MANAGER OF THIS UNIT.

Innoko Flats/Kaiyuh Slough

THE COMMISSION RECOMMENDS THAT THESE AREAS, TOTALLING ABOUT 2.2 MILLION ACRES OF NATIONALLY SIGNIFICANT WILDLIFE HABITAT, BE PROTECTED BY THEIR DESIGNATION AS UNITS OF THE NATIONAL WILDLIFE REFUGE SYSTEM.

Nowitna

IN RECOGNITION OF THE VARIETY OF VALUES PRESENT IN THIS AREA, THE COMMISSION RECOMMENDS 3.5 MILLION ACRES IN THE NOWITNA DRAINAGE BE INCORPORATED IN THE ALASKA NATIONAL LANDS SYSTEM AND THAT THE NOWITNA RIVER BE DESIGNATED AS A POTENTIAL SCENIC RIVER, PENDING FURTHER EVALUATION IN THE CLASSIFICATION PROCESS OF SURROUNDING LANDS. ADMINISTRATION OF THE NOWITNA UNIT BY THE U.S. FOREST SERVICE IS RECOMMENDED.

Unalakleet River

THE COMMISSION RECOMMENDS THAT A 60-MILE-LONG CORRIDOR ABOVE PRIVATE LANDS ALONG THE COAST BE DESIGNATED AS A WILD RIVER WITHIN THE NATIONAL WILD AND SCENIC RIVERS SYSTEM.

THE COMMISSION RECOGNIZES THE IMPORTANCE OF WILDLIFE FOUND ALONG THE RIVER IN MEETING THE SUBSISTENCE NEEDS OF LOCAL RESIDENTS, AND RECOMMENDS THAT HUNTING, FISHING, AND TRAPPING BE PERMITTED UNDER STATE REGULATIONS.

ALASKA PENINSULA - BRISTOL BAY

Areas adjoining Katmai National Monument

TO EXTEND PROTECTION TO THE NATURAL VALUES OF LANDS ADJACENT AND RELATED TO THE KATMAI NATIONAL MONUMENT, THE COMMISSION PROPOSES NORTHERN AND SOUTHERN ADDITIONS TOTALLING 1.1 MILLION ACRES. FURTHER, THE COMMISSION BELIEVES THE PROPOSED EXPANDED MONUMENT WITH ITS COMPLEX OF SCENIC GEOLOGIC FEATURES, WILDLIFE HABITAT, AND OTHER NATURAL VALUES, MERITS

REDESIGNATION BY CONGRESS AS A NATIONAL PARK. THE COMMISSION ALSO RECOMMENDS THAT A GROUP OF SO TINY ISLANDS, JUTE ISLANDS, PINNACLE ROCK AND COASTAL HEADLANDS NEAR JUTE PEAK AND CAPE AKLEK IN OR NEAR PUALE BAY TOTALLING 25,875 ACRES BE INCORPORATED AS A UNIT OF THE NATIONAL WILDLIFE REFUGE SYSTEM TO PROTECT SEABIRD ROOKERIES AND SEA MAMMAL HABITAT. SOME 0.88 MILLION ACRES OF SIGNIFICANT HABITAT FOR BEAR DENNING AND CON-EN_ RATION, CARIBOU, MOOSE, AND FISH, AND SCENIC VALUES BETWEEN KATMAI NATIONAL MONUMENT AND BECHAROF LAKE, ARE RECOMMENDED FOR INCORPORATION IN THE ALASKA NATIONAL LANDS SYSTEM WITH MANAGEMENT BY THE U.S. FISH AND WILDLIFE SERVICE.

Aniakchak Caldera National Monument

TO PRESERVE AND PROTECT GEOLOGICAL AND BIOLOGICAL PHENOMENA AND SCENIC VALUES OF THIS VOLCANIC AREA, THE COMMISSION PROPOSED THAT THE CALDERA AND PORTIONS OF THE VOLCANO'S OUTER SLOPES BE DESIGNATED A UNIT OF THE NATIONAL PARK SYSTEM. THE ANIAKCHAK RIVER IS RECOMMENDED FOR DESIGNATION AS A WILD RIVER.

CONTINUATION OF HUNTING IN THE PROPOSED WILD RIVER AREA IS RECOMMENDED UNDER STATE REGULATIONS.

Area Adjoining Cape Newenham National Wildlife Refuge

THE COMMISSION RECOMMENDS THAT THIS AREA OF 240,000 ACRES BE ADDED TO THE EXISTING CAPE NEWENHAM NATIONAL WILDLIFE REFUGE TO PROTECT WILDLIFE AND HABITAT.

Pacific Coast Islands Bordering the Alaska Peninsula

THE COMMISSION RECOMMENDS THAT A NUMBER OF THESE ISLANDS (EXCLUDING SELECTIONS CONVEYED TO ALASKA NATIVES) BE PROTECTED IN THREE UNITS OF THE NATIONAL WILDLIFE REFUGE SYSTEM TOALLING ABOUT 56,000 ACRES.

Withdrawn Areas Not Included in Commission Proposals

WILD RIVER DESIGNATION IS RECOMMENDED FOR AN APPROXIMATE 46-MILE SEGMENT OF THE MAINSTREAM OF THE ALAGNAK RIVER STARTING AT KUKAKLEK LAKE, AND THE 11-MILE NONVIANUK RIVER, THE PRINCIPAL TRIBUTARY.

THE COMMISSION ALSO RECOMMENDS THAT THE COPPER RIVER AT THE HEAD OF ILIAMNA LAKE, AND THE KARLUK RIVER IN THE KODIAK NATIONAL WILDLIFE REFUGE, BE DESIGNATED POTENTIAL WILD AND SCENIC RIVERS, PENDING OUTCOME OF LAND STATUS PATTERNS AND FURTHER EVALUATION OF FEASIBILITY.

FROM THE EASTERN TOGIAK AREA, THE COMMISSION HAS IDENTIFIED THE TOGIAK RIVER AS HAVING NATURAL FEATURES OF POTENTIAL NATIONAL INTEREST, AND RECOMMENDS DESIGNATION AS A POTENTIAL ADDITION TO THE NATIONAL WILD AND SCENIC RIVERS SYSTEM PENDING FURTHER EVALUATION.

FROM THE WESTERN SECTION OF THE TOGIAK WITHDRAWAL, THE COMMISSION RECOMMENDS WILD RIVER DESIGNATION FOR THE KANEKTOK RIVER WHICH HEADS IN THE AHKLUN MOUNTAINS AND FLOWS WESTERLY INTO KUSKOKWIM BAY (SOUTHWESTERN ALASKA PRESENTATION AREA). FROM KAGATI LAKE ABOUT 59 MILES OF THE MAIN STREAM OF THIS CLEAR-WATER, FREE-FLOWING RIVER ARE PROPOSED.

TAKING OF FISH AND GAME ALONG THE RIVER FOR SUBSISTENCE PURPOSES IS RECOGNIZED AS A LOCALLY IMPORTANT USE, AND CONTINUED HUNTING, FISHING, AND TRAPPING UNDER STATE REGULATIONS ARE RECOMMENDED.

Other Potential Wild and Scenic Rivers

WITHIN THIS PART OF ALASKA, THE COMMISSION ALSO RECOMMENDS THAT THE NUYAKUK RIVER, AND A SEGMENT OF THE MULCHATNA RIVER AND ITS TRIBUTARY THE CHILIKADROTNA, BE STUDIED BY THE STATE OF ALASKA FOR POSSIBLE LEGISLATIVE DESIGNATION BY THE STATE AND INCLUSION IN THE NATIONAL WILD AND SCENIC RIVERS SYSTEM.

CENTRAL ALASKA

Wrangell-Chugach

RECOGNIZING THIS RICH DIVERSITY OF NATURAL VALUES, THE COMMISSION MAKES THE FOLLOWING RECOMMENDATIONS FOR THEIR PROTECTION. THE MAIN MOUNTAIN AND GLACIER COMPLEXES ARE PROPOSED AS A NEW UNIT OF THE NATIONAL PARK SYSTEM CONTAINING 9.7 MILLION ACRES. TWO UNITS IN THE ALASKA NATIONAL LANDS SYSTEM ARE RECOMMENDED, ONE IN THE CHITINA VALLEY (1.0 MILLION ACRES). THE NATIONAL PARK SERVICE IS THE RECOMMENDED MANAGER FOR BOTH OF THESE UNITS BECAUSE OF THE RELATIONSHIP OF THEIR SCENIC, HABITAT, TRANSPORTATION, AND RECREATIONAL VALUES TO THE PROPOSED PARK. THE COMMISSION RECOMMENDS THAT PORTIONS OF THE LOWER COPPER RIVER AND CHUGACH MOUNTAINS (1.3 MILLION ACRES) BE INCORPORATED WITHIN THE EXISTING CHUGACH NATIONAL FOREST: AND THAT PRIME WATERFOWL, MIGRATORY BIRD, AND SEA MAMMAL HABITAT NEAR THE COPPER RIVER DELTA IN THE EXISTING CHUGACH NATIONAL FOREST BE DESIGNATED A NATIONAL WILDLIFE REFUGE UNIT (350,000 ACRES). FOUR RIVERS--THE CHITINA, LOWER COPPER, BREMNER, AND NABESNA--ARE RECOMMENDED FOR DESIGNATION AS POTENTIAL WILD AND SCENIC RIVERS PENDING FURTHER STUDY AND CLASSIFICATION OF ADJOINING LANDS.

Areas Adoining Mt. McKinley National Park

IN RECOGNITION OF THESE NATURAL VALUES AND THEIR INTEGRAL RELATIONSHIP TO THOSE OF THE PARK, THE COMMISSION RECOMMENDS THE ADDITION OF A SOUTHERN UNIT TO THE PARK TO COMPLETE THE SCENIC AND GEOLOGICAL COMPLEX AND TO INCLUDE ADDITIONAL LANDS FOR VISTOR USE. A SECOND ADDITION EXTENDING THE PARK TO MORE NATURAL BOUNDARIES IN THE NORTH IS PROPOSED TO COMPLETE A WILDLIFE ECOSYSTEM OF NATIONAL IMPORTANCE. THESE TWO ADDITIONS TOTAL 2.7 MILLION ACRES.

Lake Clark

THE COMMISSION FINDS THESE NATURAL VALUES TO BE OF NATIONAL INTERST AND RECOMMENDS THAT 3.5 MILLION ACRES BE INCORPORATED WITHIN THE ALASKA NATIONAL LANDS SYSTEM. BECAUSE OF ITS RELATIVE ACCESSIBILITY TO ALASKA'S URBAN AND TOURIST CENTERS, THE COMMISSION BELIEVES RECREATION SHOULD BE RECOGNIZED AS A PRIMARY USE OF THE PROPOSED UNIT IN THAT THE NATIONAL PARK SERVICE BE DESIGNATED AS THE MANAGER. THE TLIKAKILA RIVER AND THE UPPER FEDERALLY OWNED SEGMENTS OF THE MULCHATNA AND CHILIKADROTNA RIVERS ARE RECOMMENDED BY THE COMMISSION FOR DESIGNATION AS POTENTIAL WILD AND SCENIC RIVERS, WITH FURTHER STUDY, EVALUATION, AND CLASSIFICATION OF SURROUNDING LANDS TO AID IN FINAL RECOMMENDATIONS.

ON THIS BASIS, THE COMMISSION RECOMMENDS INCLUSION OF CERTAIN OF THE PRIVATE LANDS WITHIN THE LAKE CLARK UNIT BOUNDARIES ON THE BASIS OF THEIR SIGNIFICANT NATURAL VALUES, AND ENCOURAGES CONTINUED EFFORTS TO MINIMIZE THE AMOUNT OF PRIVATE INHOLDINGS WITHIN THE PROPOSED UNIT BY LAND EXCHANGES AND OTHER APPROPRIATE MEANS.

Kenai Peninsula and Prince William Sound

Areas adjacent to the Chugach National Forest

THE COMMISSION RECOMMENDS THAT THREE AREAS OF HIGH SCENIC VALUES AND SCIENTIFIC INTEREST BE ADDED TO THE CHUGACH NATIONAL FOREST.

THE COMMISSION ALSO RECOMMENDS THE NELLIE JUAN RIVER BE DESIGNATED A POTENTIAL WILD RIVER, AND THAT FURTHER STUDY AND EVALUATION ALONG WITH CLASSIFICATION OF SURROUNDING LANDS AID IN FINAL RECOMMENDATION

Peninsulas and Islands of the Kenai Peninsula

THE COMMISSION ALSO RECOMMENDS THAT THE SOUTHERN TIPS OF AIALIK AND HARRIS PENINSULAS, AND THE CHISWELL AND PYE ISLANDS TOTALLING ABOUT 19,630 ACRES BE ADDED TO THE NATIONAL WILDLIFE REFUGE SYSTEM.

Area Adjacent to the Kenai National Moose Range

THE COMMISSION RECOMMENDS THAT THIS AREA OF 40,000 ACRES BE ADDED TO THE EXISTING KENAI NATIONAL MOOSE RANGE TO ENCLOSE THE ENTIRE WATER-SHED, AND RELATED SCENIC, WILDLIFE, AND WILDERNESS VALUES WITH A BETTER NATURAL BOUNDARY.

Fortymile River Complex

THE COMMISSION RECOMMENDS THAT CERTAIN FORKS AND SEGMENTS OF THE FORTYMILE RIVER SYSTEM BE DESIGNATED "WILD," "SCENIC," OR "RECREATIONAL" RIVERS UNDER THE NATIONAAL WILD AND SCENIC RIVERS ACT. THE PROPOSAL INCLUDES A 4-MILE-WIDE CORRIDOR CONTAINING ABOUT 375 MILES OF RIVER AND 320,000 ACRES OF THE IMMEDIATE ENVIRONMENT. RECOMMENDED DESIGNATIONS INCLUDE 265 RIVER MILES AS "SCENIC," 161 MILES AS "WILD," AND 9 MILES AS "RECREATIONAL."

Other Wild and Scenic River Potential

THE COMMISSION RECOMMENDS THAT THE KENAI-RUSSIAN, DELTA, AND GULKANA RIVERS BE DESIGNATED POTENTIAL WILD AND SCENIC RIVERS WITH FURTHER STUDY AND EVALUATION AND CLASSIFICATION OF SURROUNDING LANDS TO AID IN FINAL RECOMMENDATIONS.

ALSO THE COMMISSION RECOMMENDS THAT THE STATE OF ALASKA STUDY KROTO CREEK (DESHKA) AND THE CHENA, CHATANIKA, TALACHULITNA, AND TAZLINA RIVERS FOR FEASIBILITY, POSSIBLE STATE LEGISLATIVE DESIGNATION, AND INCLUSION IN THE NATIONAL WILD AND SCENIC RIVERS SYSTEM.

SOUTHEASTERN ALASKA

Areas Adjoining Tongass National Forest

RECOGNIZING THE NATURAL VALUES OF THIS AREA, AS WELL AS THE MINERAL POTENTIAL, THE COMMISSION MAKES THE FOLLOWING RECOMMENDATIONS.

1. THE IMMEDIATE NORTHWESTERN SLOPES AND VALLEYS OF MT. FAIRWEATHER, (30,000 ACRES), BE ADDED TO THE GLACIER BAY NATIONAL MONUMENT. THIS PROPOSED ADDITION WOULD INCORPORATE THE REMAINING PORTION OF THIS SCENIC MOUNTAIN AND ITS IMMEDIATE VALLEY ENVIRONS, WITHIN U.S. OWNERSHIP IN THE MONUMENT.

2. ADD THE REMAINING PART OF THE ALSEK RIVER UNIT (1 MILLION ACRES) TO THE TONGASS NATIONAL FOREST.

FROM THE MANY POTENTIALLY SUITABLE RIVERS IN SOUTHEAST ALASKA, THE COMMISSION HAS IDENTIFIED FOUR AT THIS TIME WHICH IT RECOMMENDS FOR DESIGNATION AS POTENTIAL WILD AND SCENIC RIVERS. THE SITUK NEAR YAKUTAT, ALSEK, HASSELBORG CREEK ON ADMIRALTY ISLAND, AND THE LOWER REACH OF THE STIKINE AS IT BREACHES THE COAST RANGE ARE PROPOSED FOR FURTHER STUDY IN THE CONTEXT OF CLASSIFICATION OF SURROUNDING LANDS.

STATEWIDE SUMMARY-GEOGRAPHIC RECOMMENDATIONS

In order to protect natural areas and systems of varying characteristics of national interest in Alaska, the Commission recommends the following new units or additions to existing reserves in the following land conservation systems:

	Acres (million)
NATIONAL PARK SYSTEM: Aniakchak Caldera (0.18), Cape Krusenstern (0.19), Gates of the Arctic (5.22), Kobuk Sand Dunes (0.10), Wrangell-St. Elias (9.72), Yukon River (0.54), Glacier Bay National Monument addition (0.03), Katmai National Monument additions (1.08), Mount McKinley National Park additions (2.69)	19.75
NATIONAL WILDLIFE REFUGE SYSTEM: Arctic National Wildlife Range additions (1.89), Cape Newenham National Wildlife Refuge addition (0.24), Kenai National Moose Range addition (0.04), Kodiak National Wildlife Refuge islands addition (440 acres)(0.00), Copper River Delta (0.35), Innoko (1.99), Kaiyuh (0.19), Kanuti (0.43), Koyukuk (2.53), Selawik (1.48), Shishmaref (1.50), Yukon Delta (5.67), Yukon Flats (2.33), Alaska Coastal: Chukchi (Capes Lisburne and Thompson)(74,000 acres), Bering Sea (1,700 acres), Shumagin Islands (71,907 acres), Barren Islands (10,020 acres), Aialik (19,630 acres), Total Alaska Coastal (0.18)	18.82
NATIONAL FOREST SYSTEM: Chugach National Forest additions: College Fiord (0.72), Copper River (1.25), Kenai Fiords--Harding Icefield (0.52), Nellie Juan (0.28), Total additions (2.77)	
Tongass National Forest additions: Alsek River (1.03), Juneau Icefield (0.48), Kates Needle (0.47), Total additions (1.98)	4.75
"ALASKA NATIONAL LANDS" SYSTEM: Andreafsky (3.54), Becharof (0.88), Cathedral Spires (0.40), Chandalar (5.56), Chitina (1.05), Lake Clark (3.49), Nabesna (2.87), Noatak (11.87), Nowitna (3.52), Nunamiut (1.98), Porcupine (5.49), Yukon Mountains (6.05)	46.70
NATIONAL WILD AND SCENIC RIVER SYSTEM: Alatna (upper)*, North Fork Koyukuk-Tinayguk*, Aniakchak (0.07), Unalakleet (0.10), Fortymile (0.32), Alagnak (0.09), Kanektok (0.11) *Acreage included in parkland proposals	0.69
TOTAL ACREAGE - ALL SYSTEMS	90.71*

Of 54 selected rivers, 7 are currently recommended for designation as indicated above. Entire courses, mainstreams, or certain segments of 35 rivers are recommended for designation as potential wild, scenic, or recreational rivers. Similarly 8 other rivers flowing through a mixture of Federal and Native corporation selected lands, are also recommended for potential designation. These 43 rivers will be subject to study or further evaluation for feasibility. Approximately 2.01 million acres of land and water outside large area proposals would be involved in these study rivers. In addition, entire

courses, mainstreams, or certain segments of 14 rivers primarily or partly on State-owned or selected lands are recommended for study or further evaluation by the State for possible designation. Approximately 1.0 million acres would be involved in these study rivers.

* Federal lands and some Native corporation selected lands. Does not include corporate lands in the vicinity of Anaktuvuk Pass or on the Yukon-Kuskokwim Delta. Acreage of included corporation land selections is unsettled.

	Acres (million)		
	Proposed	Existing	Total
Primary purpose lands			
National Park System	19.75	7.55	27.30
National Wildlife Refuge System	18.82	19.91	38.73
National Wild & Scenic Rivers (recommended & proposed)	2.70	-0-	2.70
Alaska National Lands	46.70	-0-	46.70
Total	87.97	27.46	115.43
Multiple purpose lands			
National Forest System	4.75	19.71	24.46
National Resource Lands (est. remaining Federal public lands after State selections are completed)	57.67	-0-	57.67
Total	62.42	19.71	82.13
Lands closed to hunting			
National Park System	18.92	7.55	26.47
Lands closed to mineral development			
National Park System	19.75	7.55	27.30
National Wildlife Refuge System (open only at Secretarial discretion)	18.82	19.91	38.73
Wild Rivers (bed and bank)	**	-0-	
Total	38.57	27.46	66.03
Lands that may be open to mineral development in whole or part following classification			
National Forest System	4.75	19.71	24.46
Alaska National Lands	46.70	-0-	46.70
Scenic and Recreational Rivers	**	-0-	
National Resource Lands	-0-	57.67	57.67
Total	51.45	77.38	128.83

Final Alaska Land Allocation Under Commission Proposal at Present

Total land and inland waters		375.30
Federal		
National Park System	27.30	
National Wildlife Refuge System	38.73	
National Forest System	24.46	
National Wild and Scenic River System	2.70	
Alaska National Lands	46.70	
National Resource Lands (BLM)	57.67	
National Petroleum Reserve-Alaska	22.76	
Military Reserves	2.40	
Department of Tranportation	0.11	
Subtotal	222.83	

Private (Native=43.7 Former Federal Lands=1.0 Former State Lands=0.45*)	45.15
State - general and special entitlements (Total 104.45**)	104.00
inland navigable waters and submerged lands	3.32
Total State	375.30

* Estimate of former State land involved may be high.

** State could be entitled to another estimated 1.1 million acres pursuant to the Cook Inlet Region land settlement which would reduce the Federal National Resource Lands figure accordingly.

February, 1977

"The D-2 Book"

LANDS OF NATIONAL INTEREST IN ALASKA

FEDERAL-STATE LAND USE PLANNING COMMISSION FOR ALASKA

PRELIMINARY DRAFT
SUBJECT TO CHANGE

We too often find ourselves preoccupied with attempting to divine what will be our state ten, twenty-five, even fifty years hence. But what we often fail to realize is that every decision made, every voice heard and not heard, and every success and failure drastically affect that future. Instead of speculating on what the world might be like in the year 2000, we would do well to consider what mechanisms, what people, and what decisions must be attended to today in order to shape all the years to come.

--Leonard J. Duhl, Daedalus

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PREFACE

Section 17(d)(2) of the Alaska Native Claims Settlement Act has stimulated discussion of national interests in Alaska's vast public land domain. Some people have said that we must create the maximum possible number of national parks, wildlife refuges, and other federally designated units that will provide the highest possible level of protection. Others have said that we must not inhibit the future growth and development of Alaska by a premature designation of lands in restrictive categories.

Management designations of national interest lands in Alaska are not simple choices between placing maximum acreages in protective categories or placing maximum acreages in categories open to all types of multiple use. Lands proposed for new national units must be seen in a statewide context. Those lands and values already protected by existing national conservation systems in Alaska must also be considered, as well as the lands selected by the State of Alaska under terms of the Alaska Statehood Act and those lands to be transferred into private corporate ownership of Alaska Natives. Throughout its deliberations, the Commission has carefully considered the national interest lands from this perspective and has kept four major objectives in mind:

To provide the highest possible level of enduring protection to major wildlife populations and undisturbed wildlife habitat of the United States.

To significantly increase national guarantees for wilderness-oriented recreation and experience, often amid scenic grandeur.

To provide a higher overall level of protection for certain lands that will either allow their later designation as wilderness or permit resource development to be undertaken with the highest possible level of protection for other values.

To establish land use planning and other management institutions which will, through coordination, permit full protection of values of national interest, enable responses to national needs as they arise, and minimize conflicts among major landholders.

The Commission has developed a set of recommendations that meet these goals while allowing the necessary flexibility for Alaska's resident population to decide their future. It has strived to maintain Alaska's role as a source or resources to meet the Nation's present and future needs. When the Commission has discerned conflicting values in its assessments it has aimed toward solutions that would further the major goals stated above.

As the Commission has been developing its proposals for Alaska's national interest (d)(2) lands, three key questions have emerged which need to be answered in the consideration of these lands:

1. Are wildlife, wilderness, and scenic values of national importance adequately protected?

2. Are national energy objectives or needs for strategic minerals significantly inhibited?

3. Are conflicts with other values and uses and adjoining landholders minimized?

Applying the above criteria, the Commission has identified major proposed additions to the National Park System in the creation of six new park units, additions to two existing parks. The proposal recommends 13 new units and additions to five existing units to the Wildlife Refuge System with the aim of providing an enduring base for protection of Alaska's wildlife values. Seven additions are recommended for the National Forest System and seven rivers are recommended for designation as part of the Wild and Scenic Rivers System.

After designating key core areas for inclusion in the traditional Federal management systems, the Commission was faced with the problem of designation of several areas of outstanding scenic, wildlife, and other natural values which did not readily fit within the traditional systems. The Commission was also faced with the problem of establishing a coordinative mechanism to relate Federal, State, and Native land and resource management systems for the next several years as the provisions of the Alaska Native Claims Settlement Act are implemented. This led the Commission to develop its so-called "fifth system," or Alaska National Lands. The title was chosen to clearly show that these are lands of national interest in Alaska and that it is a proposed classsification system unique to Alaska. Twelve large units of Alaska National Lands throughout the State are proposed by the Commission.

One of the major problems with which the Commission had to wrestle was the recognition of traditional hunting and fishing and other subsistence uses of Alaska's lands by Alaskan residents. These uses will be permitted on Alaska National Lands and on certain units proposed for other systems. Regulation of the taking of fish and wildlife will be governed by State of Alaska regulations, but, since these lands are recommended for retention in Federal ownership, the full strength and ability of Federal wildlife management can be brought to bear as well as that of the State. Thus, wildlife will be insured maximum protection as much as possible while allowing its continued utilization insofar as populations permit.

The Commission is also concerned that much of the value of the Alaska's subsurface estate is unknown. The Alaska National Lands concept allows exploration of the Alaska National Lands to determine whether resources of significant national value are present. Such exploration would be required to be conducted under the highest possible environmental stipulations. Thus, if a potential resource of great value is subsequently located, the national options are sill present for a choice between maximum protection of natural values or resource exploitation.

The Alaska National Lands are not intended as multiple use lands in the traditional sense. Otherwise, the Commission would have recommended designation in one of the multiple use systems already provided by the Congress. Neither is Alaska National Lands System intended as a holding pattern for future designation in a traditional system. It is seen by the Commission as a new Federal system unique to Alaska. It is a system which allows a high degree of flexibility but which requires choices between wilderness and resource development to be made in a measured way under the oversight of a Federal-State commission. Congress could always, at some future date, change designation of Alaska National Lands to a traditional system, either oriented toward preservation or multiple use; but it is the intent of the Commission that these lands remain as Alaska National Lands and it is the Commission's position that they can best be managed under this concept for the foreseeable future. In consideration of Alaska National Lands, it must always be remembered that they were chosen for their scenic, wilderness, wildlife, and recreational values, and not for their developable resource values.

The Commission has carefully considered the institutions under which Alaska's lands will be governed in the future. It has been instrumental in developing a Federal-State transportation planning organization with which to deal with the problems of access to Alaska's energy and other mineral resources. It is developing a similar institution for wildlife management along the same general patterns. These cooperative management institutions are intended to stand by themselves and yet can also work closely with a continuing Federal-State commission if such is deemed necessary by Congress for future coordination and land management.

In a Federal system there must always be a constant adjustment of values between the Federal and State governments. Alaska has been rent by several of these adjustments simultaneously, and this position on (d)(2) lands has been developed in a state of highly charged emotions and great controversy. It is hoped that it will provide the basis for more harmonious and logical adjustments of future Federal and State interests by completing the great triad of land dispositions--State, Native, and National interests--that began with Alaska's Statehood in 1958, and continue through the implementation of the Alaska Native Claims Settlement Act.

LEGISLATIVE HISTORY OF (d)(2) LANDS

By December 19, 1978, Congress has the task of determining what, if any additions to the National Park, Forest, Wildlife Refuge, and Wild and Scenic Rivers Systems will be made in Alaska. The direction for these congressional determinations is provided in the Alaska Native Claims Settlement Act which became effective December 18, 1971.1/

For the Alaska Native, the importance of the Act is unprecedented; it resolves their long-disputed land rights; and in exchange for extinguishing their aboriginal claims, compensates them with title to 44 million acres of land and $962.5 million. But of equal importance, the Act endorses the principle of Native self-determination and represents the opportunity for Alaska Natives to become a significant force in controlling their own destiny.

But the Alaska Natives were not the only group which benefited under Alaska Native Claims Settlement Act. The final version of the Act was the result of a long, carefully bargained-for compromise which coordinated four main interest groups--the State of Alaska, the Federal Government, the Natives, and the conservation--oriented among them all. The State had an interest in seeing the "land freeze" lifted so as to complete its land selections under the Statehood Act and facilitate the development of Alaska's energy resources at Prudhoe Bay. Conservation groups feared that this very development was a fast-approaching threat to Alaska's unique natural values and sought built-in safeguards. And, although the Federal government also had an interest in seeing the trans-Alaska pipeline built, Congress felt the obligation to see Native land claims equitably and permanently settled, and finally, to complete the land distribution begun in 1958 with the Alaska Statehood Act. Such were the diverse forces that shaped the Settlement Act as it finally emerged.

Although numerous bills for settlement of Alaska Native land claims had been introduced in the 4 years preceding the passage of the Land Claims Act, it was not until the introduction of Senate bill 35 in the 92nd Congress that provision was made establishing a Federal-State land use planning commission and directing the study and designation of Federal lands in Alaska to protect their natural values. Section 24(c) of that bill directed the Secretary of the Interior

> ...after consultation with the Planning Commission, (to) conduct detailed studies and investigations of all unreserved public lands in Alaska...which are suitable under existing statutory and administrative criteria for inclusion as recreation, wilderness, wild rivers, or wildlife management areas within the National Park and the National Wildlife Refuge Systems....

In the 92nd Congress, House of Representatives bill 10367 was reported out by the House Interior Committee without providing for either a land use planning commission or the withdrawal of national interest lands. When H.R. 10367 was being considered by the House of Representatives, the Saylor-Udall amendment was introduced calling for the designation of 50 million acres of national interest lands in addition to nearly 50 million acres of land previously classified for conservation systems.

Forty-eight million acres of land in Alaska had already been withdrawn in national forests, parks, and wildlife refuges. The amendment was rejected, and H.R. 10367 passed the House on October 20, 1971. Senate bill 35, as an amendment to H.R. 10367, passed the Senate on November 2, 1971.

The Conference Committee Report on H.R. 10367 (December 14, 1971) reflects some of the compromises made in hammering out the final version of the Settlement Act:

> "...there is general agreement on the principles of law involved and...there is general agreement on the structural elements which constitute the settlement....there are, of course, wide differences of opinion on specific issues: on amounts of money and land; on elements of the settlement; on some of the institutions established...the specific resolutions proposed...represent a compromise. These compromises were, however, recognized as being essential to the development of a conference report which will do justice to the Native People, insure a viable and economically healthy State Government, and allow the fulfillment of the reasonable expectations and legitimate interests of all Alaskans and all Americans....2/

It was agreed to grant the Natives $500 million to be taken from revenue from mineral resource development of Federal lands, most of which would have gone to the State under existing law. Normally the State would receive 90 percent, and the Federal Government 10 percent of such revenues; under the Act, 2 percent goes to Alaska Natives before the State's 90 percent is computed.3/ The State also agreed not to make any further selections toward fulfillment of its 103.5-million-acre entitlement under the Statehood Act until the Native lands were selected, while State selections made before the date of the Secretarial Order imposing a "land freeze" amounting to about 26 million acres were excluded from Native selection.4/

Sections 17(c) and 17(d)(3) provided for the creation of the proposed trans-Alaska oil pipeline corridor. In 17(d)(1) the Secretary was given new legislative authority (in addition to his authority under the Pickett Act and the inherent authority of the President) to withdraw all unreserved public lands in Alaska

> "...to insure that the purposes of this Act...are achieved, that the larger public interest in the public lands of Alaska is protected, and that the immediate and unrestricted operation of all the public land laws 90 days after date of enactment... does not result in a land rush, in massive filings under the Mineral Leasing Act, and in competing and conflicting entries and mineral locations...."5/

The planning commission proposed in the Senate bill was retained; it was modified by reducing the membership to 10 members and its proposed

regulatory and enforcement powers eliminated, making it a purely advisory body.

Conservation interests early recognized that not only were there other prime park, wildlife refuge, and forest lands in Alaska which in the national interest should be reserved from disposal to private individuals under the public land laws or to the State of Alaska under its selection rights, but that there were necessary additions to existing national interest lands to assure their boundaires and to assure a comprehensive conservation system throughout Alaska.

The withdrawal, study, and designation of some lands in Alaska for conservation management seemed to many a necessary counterbalance to the transfer of some 44 million acres of Federal public lands into private ownership. The land transfers into the corporate, private ownership of Alaska Natives were being made under terms which allowed little direction as to their location by either State or Federal agencies. These transfers, and those to the State of Alaska under the Alaska Statehood Act, were of a magnitude never before equalled in the United States.

It was also realized by those familiar with Alaska that recent major oil discoveries meant Alaska could no longer rely on remoteness, geographic barriers, or other physical obstructions to insure the protection of its natural values. Congress took explicit action to protect these values by including Section 17(d)(2) in the Alaska Native Claims Settlement Act.

The Alaska Native Claims Settlement Act, as a compromise between the House and Senate bills, included in Section 17 the establishment of the Joint Federal-State Land Use Planning Commission, and in Section 17(d)(2), gave direction to the Secretary of the Interior to:

> ...withdraw from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and from selection under the Alaska Statehood Act, and from selection by Regional Corporations pursuant to section 11, up to, but not to exceed, eighty million acres of unreserved public lands in the State of Alaska, including previously classified lands, which the Secretary deems are suitable for addition to or creation as units of the National Park, Forest, Wildlife Refuge, and Wild and Scenic Rivers Systems....

The subsection also provided a procedure and set time limits for terminating these withdrawals, and for transmitting recommendations to Congress.

With the passage of the Alaska Natives Claims Settlement Act, Congress also recognized that in addition to it obligations to treat fairly with the orignial inhabitants of Alaska--the Aleuts, Indians, and Eskimos which make up the Native population of Alaska--and to fulfill its statutory promise in the Statehood Act to the State of Alaska, there was an obligation to protect the national interest lands in Alaska.

Footnotes/Legislative History of (d)(2) Lands

1/ Public Law 92-203, AS 41.40.010 passed by Alaska State Legislature July 6, 1972.

2/ Joint Statement of the Committee of Conference, Conference Report on H.R. 10367, p. 34.

3/ Conference Report, p. 35.

4/ Conference Report, p. 39. The "land freeze" referred to is pursuant Mr. Udall's Public Land Order No. 4582. (1969.)

5/ Conference Report, p. 45.

AN APPROACH TO DECISIONS ON NEW NATIONAL INTEREST LANDS IN ALASKA

By December 18, 1978, Congress has the task of determining what, if any, Alaska lands will be designated as national interest lands for their outstanding wildlife, scenic, and other natural values. When the Federal-State Land Use Planning Commission commenced in August, 1972, its first task was to review temporary withdrawals made by the Secretary of the Interior in March, 1972, following passage of the Claims Act. The lands withdrawn were those which appeared at that time most likely to contain critical habitats, outstanding scenic areas, and other natural values. Boundary changes were recommended by the Commission: to add other areas of like character which had not been included in the March withdrawals; to assure natural boundaries; and to eliminate some areas with high potential for development of nonrenewable resources. The Secretary's withdrawals for study were made final on September 19, 1972.1/ During the next year the Commission held over 30 hearings throughout Alaska and in Seattle, Denver, San Francisco, and Washington, D.C., on the use of the (d)(2) lands. A 30-member resource planning team composed of Federal and State professionals from many disciplines, also compiled a resource inventory for the entire State.2/ In August, 1973, the Commission made its use recommendations to the Secretary. In December 1973, the Secretary made his first proposals to the Congress.3/

Various systems and tools available for protection of natural values were assessed by the Commission. In the course of its analysis, the Commission, while recognizing the primary national interest signified by Section 17(d)(2) to be the protection of natural values, took cognizance of national needs and policies for resources, particularly energy resources and important minerals. Potential conflicts deriving from the Alaska Native Claims Settlement and the designation of large areas in restrictive management categories were identified, and alternative resolutions studied.

Three key questions which guided the development of the Commission's proposed policies and which the Commission believes should be asked of all proposals for (d)(2) and related lands:

1. Are natural areas and values of national importance adequately protected?

2. Is the achievement of national energy and mineral objectives significantly inhibited?

3. Are conflicts with other values and uses and with adjoining landholders minimized?

Protection of Natural Areas and Values

Alaska has many prime scenic areas and extensive wildlife and waterfowl habitat as well as unique geologic features and ecosystems. Protected by remoteness and a sparse population, most of Alaska has remained roadless and largely undeveloped. All but the most heavily populated areas of the State could be considered wilderness by national standards.

The difficulty faced by those nominating, withdrawing, and studying the (d)(2) question and by Congress in making the (d)(2) determinations is to choose from this wilderness reservoir those superlative and unique scenic, habitat, and natural areas of national importance. There appears to be general agreement among all proposals of the prime areas to be designated. There is less agreement on size of the areas and their management.

National interests cannot be met simply by designating new units of the conservation systems. For example, wildlife and waterways know no boundaries, and they are not dependent on the Federal Government alone for their protection. The primary interest in the protection of natural values is best served by policies developed in concert with adjoining landholders and coordinated planning and management.

National Needs for Energy and Minerals

The major national interests to be met in Alaska, apart from natural values, are those for energy resources and important minerals. Decisions to place lands with potentially important mineral and energy resources into conservation systems could foreclose opportunities for their later development and hinder the attainment of national energy and mineral stockpile goals.

Much of Alaska's petroleum resource is not affected by proposals for new national interest lands in Alaska. Several of the State's petroleum provinces are located on Federal lands where their development could proceed, such as those lying under National Petroleum Reserve-Alaska and those on the Outer Continental Shelf. Other provinces are found on State and private lands.

With limited exploration to date, much of Alaska's mineral potential is unknown. Although some areas thought to be highly mineralized were excluded from areas withdrawn for study, lands now under discussion for inclusion in the national conservation systems have significant mineral potential. In the focal core areas of (d)(2) lands, placement in a protective category many mean foregoing the discovery and development of these resources. The choice to prefer the natural values over potential mineral values, in these instances, is a deliberate one. In so choosing, it is recognized that the natural attributes are without price.

In natural areas removed from these core areas, it may be possible by management and classification to provide protection for the natural values, while not foreclosing the possibility that energy and mineral resources can be developed to meet future needs. Decisions to develop resources in these natural areas should be made only if the resource can be developed without harm to the environment or if it is determined that adequate supplies of the resource are not available elsewhere for the Nation, and viable substitutes do not exist.

It must be remembered that national interests in both the protection of natural values and in the develoment of other resources can be met by lands not under Federal ownership and management. Care must be taken in

designating new national conservation units that resource developments on other lands are not unintentionally frustrated and the ability to respond to national needs as they arise is not critically reduced.

Potential Conflicts

In addition to the conflict between protection of natural values and mineral and energy development, the Commission has identified two major issues that have been specifically addressed in its analysis. They are the taking of fish and game by many of Alaska's residents to meet their subsistence needs, and the future expansion of Alaska's currently limited transportation system. The Commission in seeking means of averting and reducing these and other conflicts has identified needs for and means of coordination among Alaska's major landholders and has searched for planning mechanisms with the capability to respond to needs and conflicts that cannot now be anticipated. If present land management systems and tools are used in a context of broad ongoing coordinated planning, it is the Commission's conclusion that:

1. Natural values of national importance will be adequately protected.

2. The Nation's needs for energy and minerals can be met.

3. Conflicts among land users and owners can be largely avoided.

Footnotes/An Approach To Decisions On New National Interest Lands In Alaska

1/ 78.8 million acres were withdrawn.

2/ Alaska Resources Inventory (91 volumes of narrative on 17 subject fields, with 800 map overlays) and Resources of Alaska: A Regional Summary, prepared by the Resource Planning Team, Federal-State Land Use Planning Commission, December 1974.

3/ 83.47 million acres were contained in the Secretary's proposal for inclusion in one of the conservation systems; some (d)(1) lands were included.

THE STATUS OF ALASKA LANDS

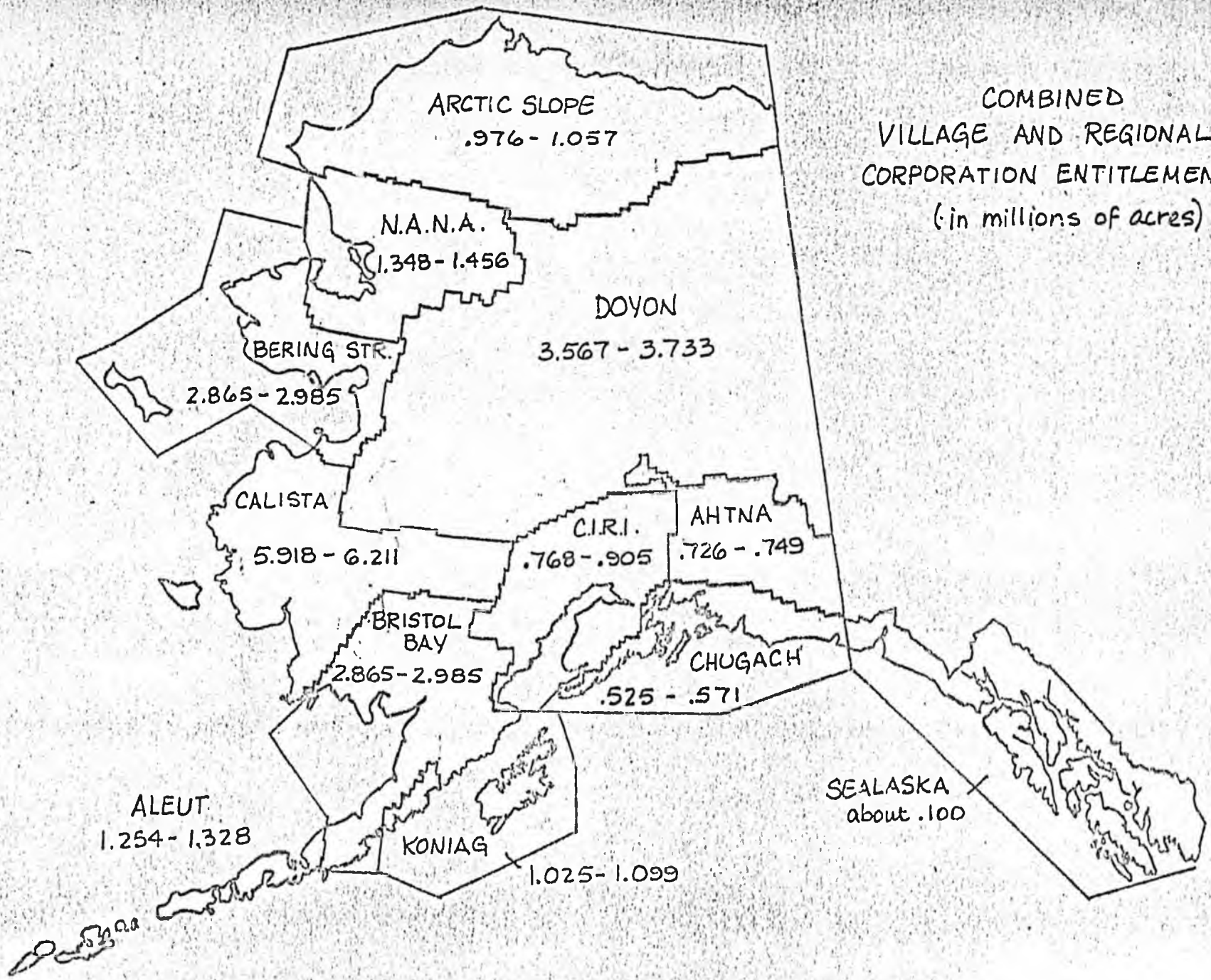
After the Alaska Native Claims Settlement is fully implemented, Alaska's lands will be divided among three major landowners--the Federal government, the State of Alaska, and Alaska Natives as private corporations. The resulting land pattern will be one of patchwork ownership in most regions of the State. Most natural transportation routes will traverse State, private, and Federal lands; most wildlife and waterfowl habitats will not be under one jurisdiction. Land uses and management will vary significantly even on those lands under one ownership.

Private Lands and the Native Land Claims Settlement

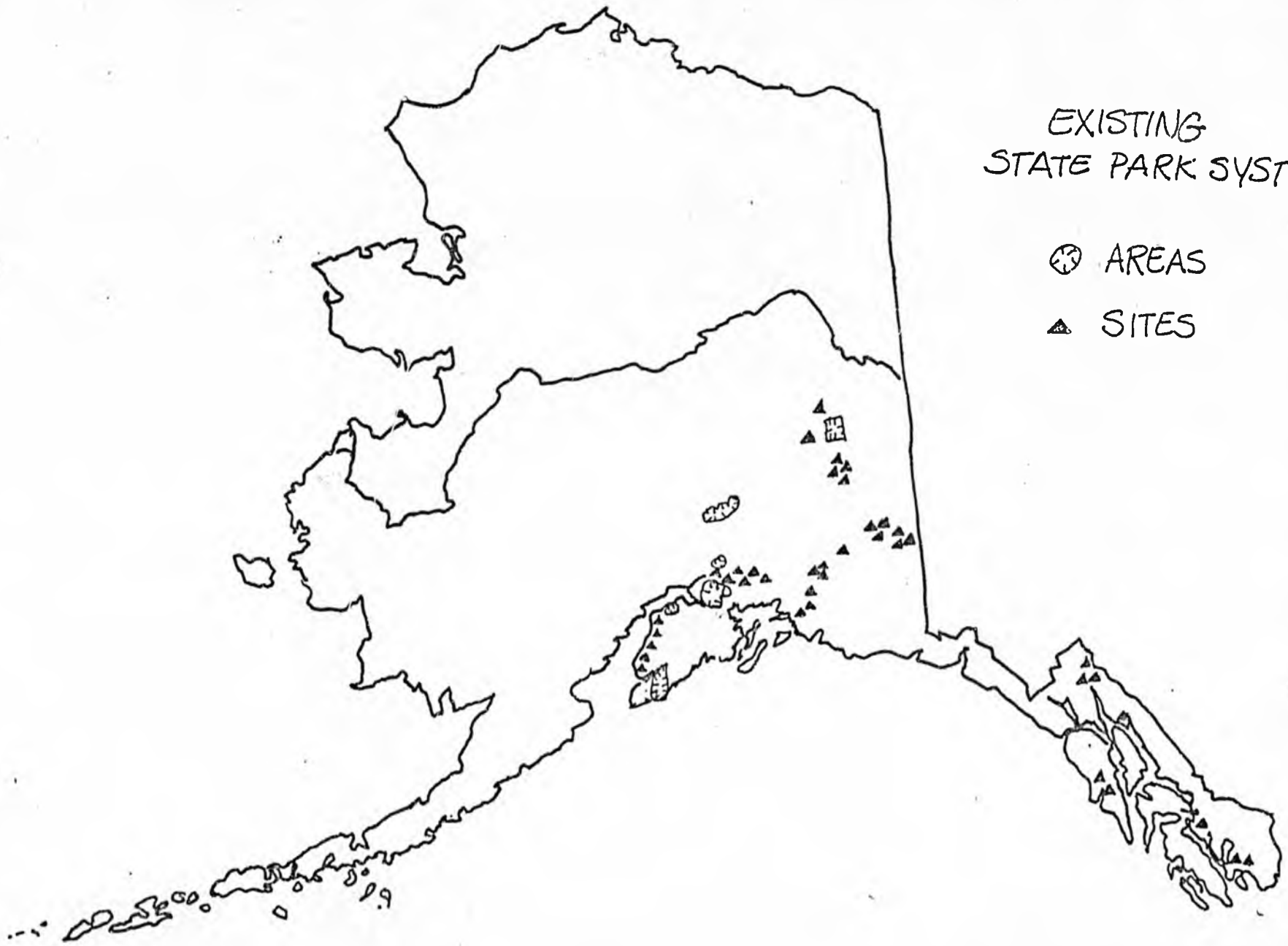
Alaska Native corporations have selected those lands which have been traditionally used by them near villages along the coast and major rivers; and lands they have identified for their commercial resource values. Twelve landholding regional corporations will hold the surface and subsurface estates to a total of approximately 16.6-18.9 million acres that they have selected. Lands entitled to at least 192 village corporations total approximately 18.9-20.3 million acres. The surface estate to these village lands will be owned by the village, while the subsurface estate will be vested in the regional corporation of the area in which the village is located. An additional 2 million acres will be distributed among the various regional corporations for cemetery sites and other special purposes. In addition to this total entitlement of about 40 million acres, several villages have chosen to acquire title to their former reservations. In total, Alaska Native corporations will own about 44 million acres. The accompanying maps show the boundaries and the approximate projected entitlement of each Native region.

It should be underscored that once fee simple title is transferred these lands will be privately owned by the Native coporations and not held in any kind of reservation status. Although stocks in these corporations cannot be sold until 1991, corporations may divest themselves of land at any time after transfer of title. Corporate land may also be distributed among individual stockholders.

Several corporations have exercised selection rights on potential oil-bearing lands or on other lands where the presence of timber and metallic and industrial minerals were known or suspected. In the event of a major oil discovery, not only would the owning corporation be benefited, but monies derived would be distributed among the State's entire Native population through the revenue-sharing provisions of Section (7)(i) of the Act.1/ Just as the Statehood Act shifted primary responsibility for the economic and social well-being of Alaska's residents to the State, so the Claims Act shifted responsibility for economic well-being of Alaska Natives to the Natives themselves. One major consequence of the Claims Act is a massive redistribution of financial and natural resource wealth and associated political power to them.



COMBINED VILLAGE AND REGIONAL CORPORATION ENTITLEMENTS (in millions of acres)


EXISTING
STATE PARK SYSTEM
AREAS
SITES

The designation of new national interest lands in Alaska could effect the economic viability of Alaska Natives in two ways:

(1) The location and management designations of some national interest lands may restrict the transport of resources from Native lands to markets.

(2) Some management designations may inhibit reliance on fish and game resources to meet subsistence needs of Alaska Natives and other rural residents. While many lands have been selected by Native corporations because of their importance to subsistence, the range over which fish and game resources are taken extends well beyond those lands that will be in private ownership.

State Lands

In 1959, at statehood, about 99 percent of Alaska was federally owned. Over 80 percent of that Federal land was under the jurisdiction of the Bureau of Land Management as unreserved public domain. Lands reserved for particular purposes, including parks, forest, and wildlife refuges made up the balance of the Federal lands. Less than one percent of the State was in private ownership.

In the admission of Alaska as the 49th state, Congress was confronted with how this vast territory, with its small population and remoteness from the centers of trade and commerce, could become a viable member of the Union. It was believed by most that the viability of such a new state must come from its natural resources. To give the new state a resource base, Congress provided in the 1958 Statehood Act that 102.5 million acres of general grant lands from the "vacant, unappropriated and unreserved" lands of Alaska could be selected by the new state within 25 years. Alaska was also entitled to University and Mental Health lands granted before statehood, to 400,000 acres from the public domain, and 400,000 acres from the national forests for community development and recreation. Alaska also gained title to submerged offshore lands to the limits of the territorial sea and submerged lands of inland navigable lakes and streams.

To date, some 67 million acres have been selected. The remaining entitlement must be chosen by 1984, 25 years after statehood. While the State has never formally articulated a policy for land selections, it is clear from the pattern that has emerged that three principal objectives have been emphasized:

(1) provision of lands to meet existing and future settlement needs;

(2) control of lands along major highway corridors; and

(3) selection of lands with high potential for natural resource development.

Revenues deriving from petroleum development on State selected lands are already a major source of revenue for the State and are expected to remain so for many years to come. As shown on the accompanying map, the State has classified and designated substantial acreage it has selected in protective categories, such as parks, game sanctuaries, and critical habitat areas closed to hunting.

Designation of new national interest lands may effect State land interests in several ways. Some designations could restrict access to market for resources developed on State lands. Inasmuch as State selections may be made almost entirely from unreserved Federal public domain, the designation of new national interest lands, as well as Native selections, diminish State selection opportunities. However, Alaskan economic development can proceed independently of federally owned resources and Federal resource disposal policies, if other Federal actions do not unduly inhibit development on State and Native lands.

The Federal Estate in Alaska

All Federal lands in Alaska either have been withdrawn as reserves for particular purposes, including national conservation system units, military reserves, and National Petroleum Reserve-Alaska, or are currently withdrawn for Native selection or for classification. There are currently no public domain lands in Alaska open to entry under most public land laws. Nearly 60 percent of Alaska will remain in Federal ownership once the entitlements to Alaska Natives and the State have been satisfied.

There has already been designated in Alaska, either by Act of Congress or Executive Order, nearly 48 million acres for the protection of natural values. The reservation by Presidental Order of the Afognak "Timberland Reserve" in 1892, followed by designation in 1907 of the Tongass National Forest which encompasses most of southeastern Alaska, were the first reservations in Alaska of what have come to be called "national interest lands." An additional large unit of the National Forest System, the Chugach National Forest, and three large units of the National Park System--Mount McKinley National Park, and Katmai and Glacier Bay National Monuments--had been designated by the time Alaska became a state in 1959. There are also now 18 units of the National Wildlife Refuge System--the two most commonly known being the Kenai National Moose Range on the Kenai Peninsula, and the 9-million-acre Arctic National Wildlife Range which was created in 1960 by Secretarial Order. Sixteen generally smaller units of the Refuge System on the coasts of Alaska have been established to protect migratory waterfowl and sea mammals, particularly those for which the United States has international treaty obligations. These previous withdrawals from public domain lands give Alaska 11 percent of all national forests, 25 percent of all national parks, and over 70 percent of all lands reserved for national wildlife ranges and refuges. To date there are seven areas of 51,287 acres designated under the Wilderness Act in Alaska with more proposals for wilderness designation pending congressional action. The established areas are all in the Wildlife Refuge System.

The Federal estate in Alaska is not limited to existing reserves and the (d)(2) withdrawals. Over 103 million acres of Federal lands are currently withdrawn for classification under Section 17(d)(1) of the Claims Act, including some 45 million acres in Native withdrawals, which will fall back into (d)(1) status when Native selections have been finalized. Most of the Section 17(d)(1) withdrawals for classification are made under authority of the Pickett Act, which requires that the lands remain open to mineral entry for metalliferous minerals. Withdrawal under the inherent authority of the President, on the other hand, permits the closing to mineral entry. These (d)(1) lands may, in the future, be classified for State selection for other uses, including disposal under the public land laws.

Summary

Twenty years ago almost all of Alaska was owned by the Federal Government, with transfers from that ownership in small parcels to homesteaders, mining claimants, and other applicants under the public land laws. Aboriginal claims had not been addressed.

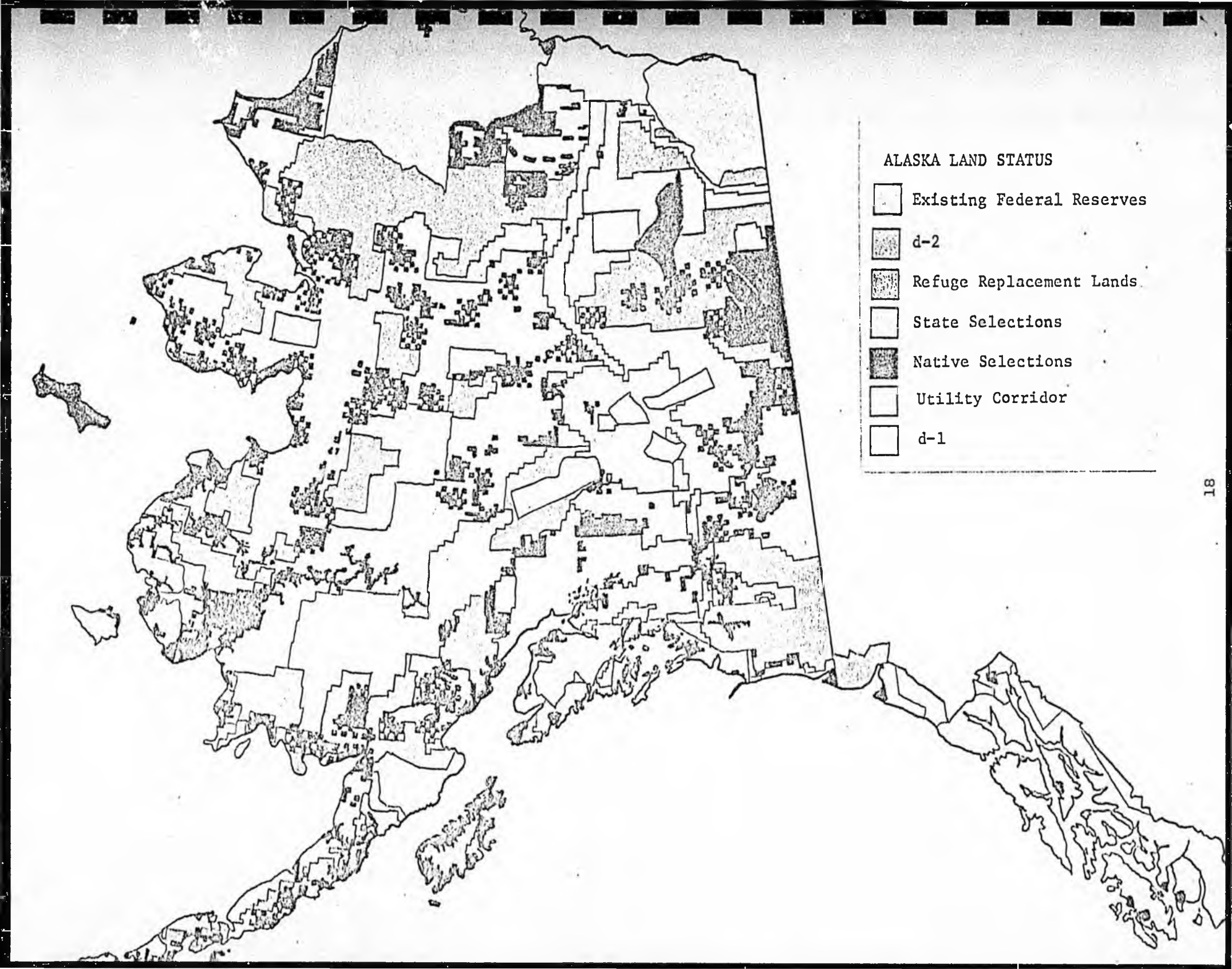
Today, the State's land entitlement has been established in the Alaska Statehood Act. Native claims have been settled in the Alaska Native Claims Settlement Act. Alaska can now have a land use and management pattern where: key natural areas are placed in one of the conservation systems; private lands for occupation and settlement are in areas best suited for those uses; and resource lands are either in State, Native or other private ownership or, if on Federal lands, in a system of management which allows development coupled with environmental controls.

With the issues of subsistence, mining location, and transportation or access addressed, with new institutions for assuring continued Federal-State coordination and cooperation, Congress will have established in Alaska, in two decades, a pattern of land ownership, use, and management which will best serve the long-term interests of the Nation and Alaska.

Footnote:

1/ Section 7(i) of the Alaska Native Claims Settlement Act provides:

> Seventy per centum of all revenues received by each Regional Corporation from the timber resources and subsurface estate patented to it pursuant to this Act shall be divided annually by the Regional Corporation among all twelve Regional Corporations organized pursuant to this section according to the number of Natives enrolled in each region.


ALASKA LAND STATUS
Existing Federal Reserves
d-2
Refuge Replacement Lands
State Selections
Native Selections
Utility Corridor
d-1

ALASKA LAND VALUES AND USES

Preface

This chapter presents basic information about Alaska's natural values and renewable and nonrenewable resources. Those natural values of potential national interest have been identified in a statewide context. The State's resources that may be required to meet national needs have also been identified.

The current allocation of these primary values and resources among major public and private landowners is shown. Those natural values already protected in existing units of the national conservation systems and by the State of Alaska are identified. Areas where resource development is currently restricted are noted, as are past, current, and projected development trends. Some basic economic factors affecting the development of resources in Alaska and their related land use implications are also cited. Finally, the chapter shows in broad terms the relationships of these values and resources to proposals for new national interest withdrawals now under discussion. The general information compiled here provides a statewide context in which all proposals for new national interest reserves can be evaluated.

WILDERNESS

Most of Alaska could be considered primitive or characterized as wilderness in a national context. Applying the definition in the Wilderness Act of 1964, nearly all roadless tracts of 5,000 acres or more remain in their natural state. Alaska has more numerous and far larger primitive areas well in excess of 5,000 acres than do the conterminous states.

While most of Alaska remains largely in its natural state, development on private corporate and State-owned lands and resource development interests on Federal lands may significantly reduce the acreage now meeting wilderness standards. Consequently, decisions on the protection of Alaska's wilderness values may need to be more focused than would be necessary elsewhere in the Nation. These decisions will probably derive from findings on which of the many areas remaining in their natural state have unique or outstanding values that merit their special protection or designation as wilderness. The information on natural values and resources that follow in this section provides a basis to determine which lands merit retention in their natural state.

At present, approximately 75,000 acres on eight small national wildlife refuges on remote islands have been designated wilderness. Other opportunities for wilderness study and designation are myriad and exist in all regions of Alaska. Proposals for wilderness areas in existing national parks and wildlife refuges comprising some 6.1 million acres have already been submitted to Congress. Proposals for another estimated 16.8 million

acres on parks and refuges have been deferred because of possible new additions and ongoing changes in land status and planning needs. A total of 2.6 million acres in seven wilderness study areas have also been identified on the Tongass and Chugach National Forests. Finally, the recently enacted Federal Land Policy and Management Act of 1976 permits the classification of lands remaining in the large Federal public domain in Alaska as wilderness. The State of Alaska has established the Kachemak Bay State Wilderness Park encompassing over 200,000 acres and has developed management plans for other large State parks that identify wilderness zones.

Proposals now under discussion for new national interest land reservations in Alaska generally provide for wilderness study. One proposal, however, calls for the immediate designation of 5.4 million acres of wilderness on existing national forest lands. Proposed additions and new units of the national conservation systems and other new management systems, which could be subject to wilderness review, range from 67 million acres to 115 million acres. Under all proposals, wilderness review of land would occur in the Brooks, Alaska, and Aleutian Ranges; the Wrangell, Chugach, and St. Elias Mountains; and the Yukon River and other interior river drainages.

WILDLIFE

Due to Alaska's long winters, its wildlife habitats are frequently not as productive as in many other states. With the exception of waterfowl and seabirds, population densities are generally lower, for example, than those in Michigan. As a result, larger areas are generally required to maintain Alaska's terrestrial wildlife populations. Many of the animal species are far-ranging; e.g. large caribou herds use millions of acres.

Important waterfowl and wildlife populations and their habitats are currently protected in 18 national wildlife refuges (17 of which are also designated State Game Refuges), 1 national park, 2 monuments, and 2 national forests. The State and Alaska Native corporations have selected land with important waterfowl and wildlife habitat. On State lands, tidelands, and waters, the Alaska Department of Fish and Game manages or regulates a small but expanding system of 7 State wildlife refuges and sanctuaries, and 10 critical habitat areas. In addition, the Department has identified 46 areas where full or partial closures on the taking of fish and wildlife are in effect to protect key wildlife populations.

Unlike most wildlife populations in other states, Alaska's wildlife are considered an important food source for a large segment of the State's rural population. The taking of waterfowl, large mammals, furbearers, and fish also supports a relatively small but steady tourist industry and a significant commercial fishing industry.

Waterfowl and Seabirds

Twenty percent of the entire North American waterfowl population uses 70.4 million acres of breeding habitat in Alaska. This includes over 12 million ducks (pintail, canvasback, widgeon, scaup, and others), 1 million geese, 70,000 swans, and 150,000 cranes. The greatest waterfowl concentrations occur along the coast and certain interior river drainages. Geese migrate to Alaska from a number of southern wintering areas west of the Mississippi River, and some ducks from the entire North American continent summer in the State. Twenty areas of wetland habitats with high density nesting qualities, at least 50 major seabird colonies and 31 key migratory bird nesting, resting, feeding, staging, and molting areas are presently identified within the State. About half of the key migratory bird areas, portions of four of the high density nesting areas, and about two thirds of the seabird colonies are already protected in units of the national conservation systems. The State, which has selected major portions of these important habitat areas, has established refuges and critical habitat areas for waterfowl and fishery protection, and others are currently proposed.

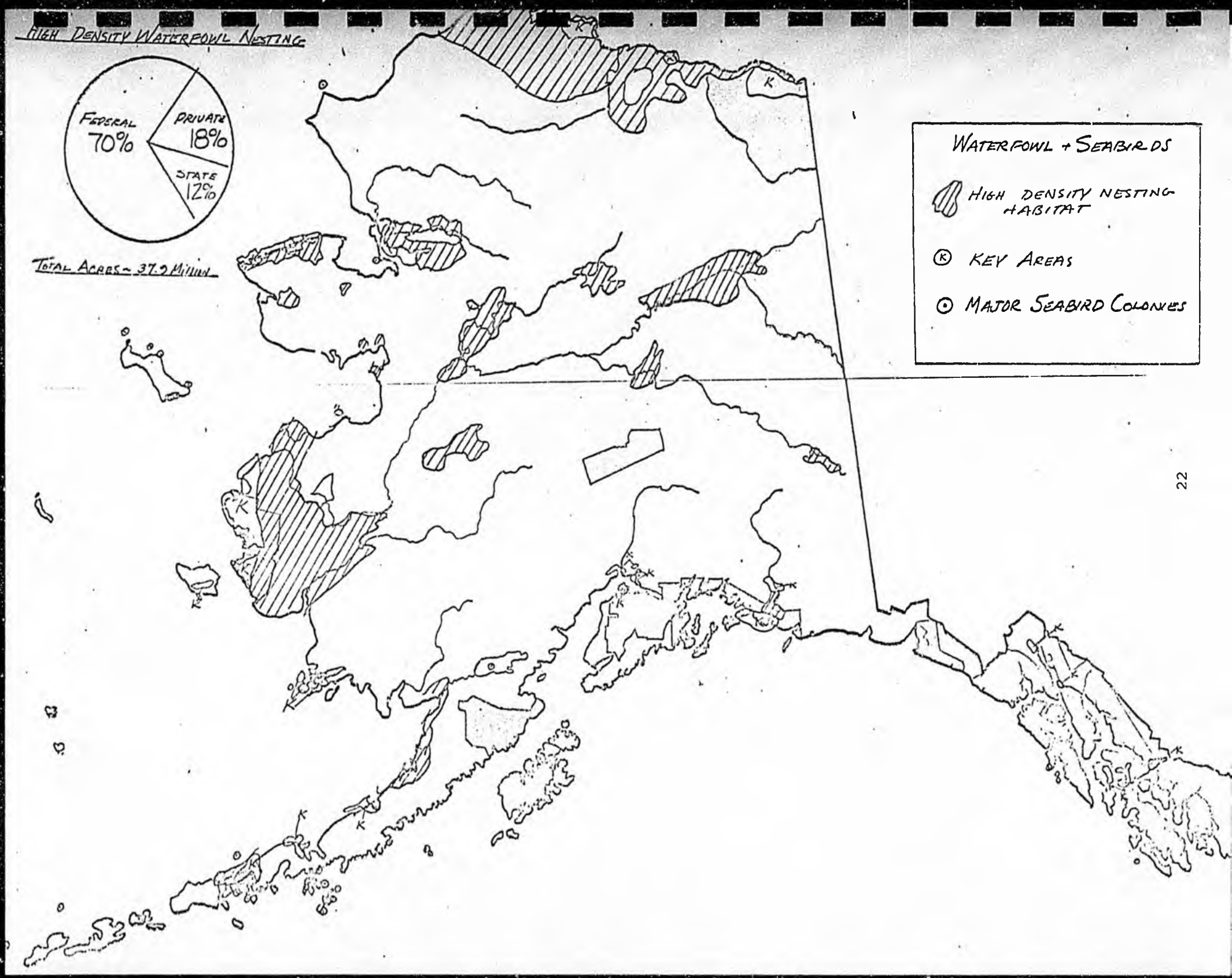
Alaska has about 37.9 million acres of high density waterfowl habitat, of which 2.9 million acres are in existing national wildlife refuges. Another 0.5 million acres are located in established national forests. Proposals before Congress have contained from 10 percent to nearly all of Alaska's high density habitat in new proposed refuges.

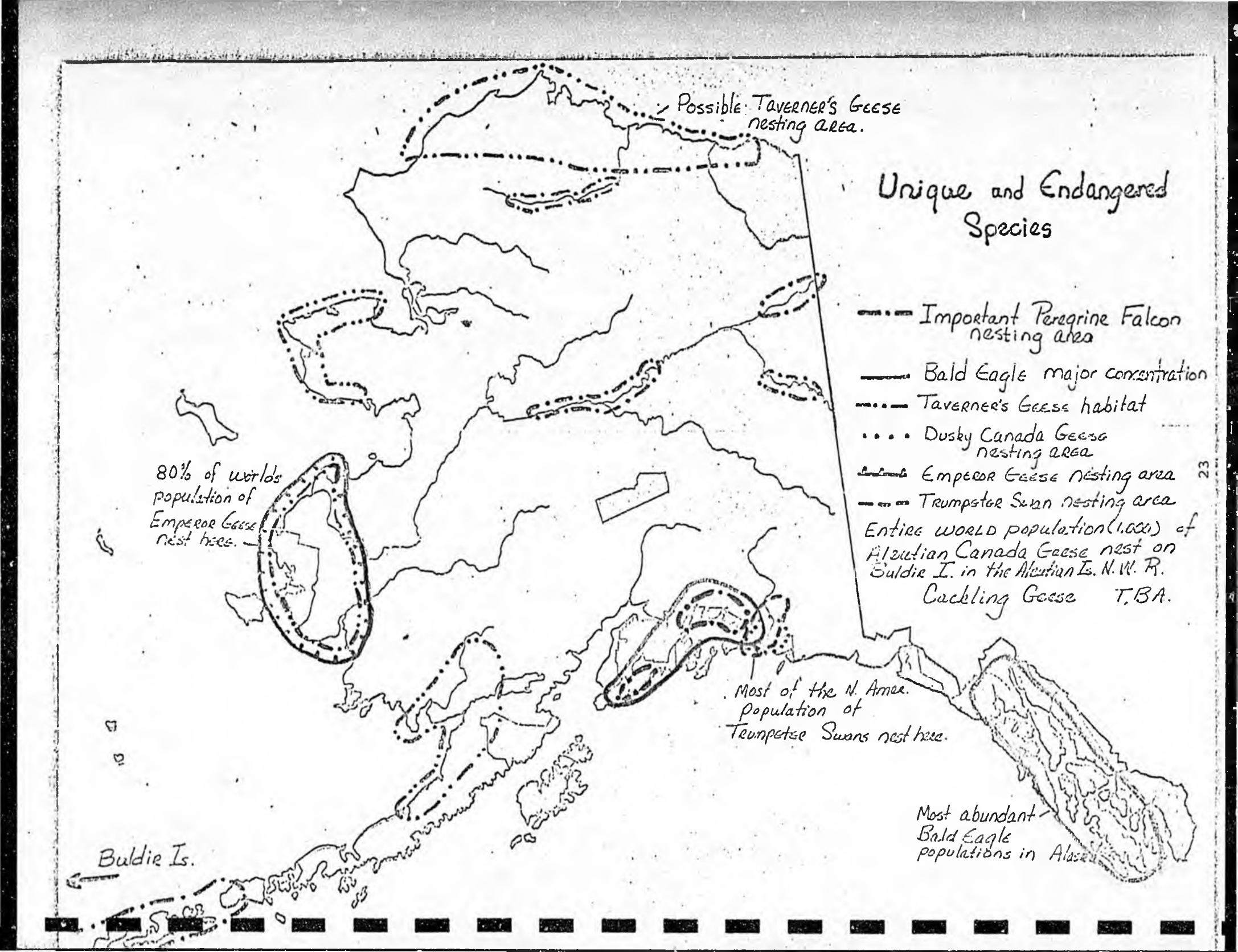
Unique and Endangered Species

Habitat for several threatened or endangered species exist in Alaska, including the Aleutian Canada goose and American and Arctic peregrine falcon. Significant peregrine falcon habitat and populations exist at scattered locations shown on the map. They tend to live in areas where high hills or cliffs overlook waterfowl and shorebird nesting and rearing areas.

The bald eagle, endangered in the rest of the United States, has abundant populations in Alaska. They are especially abundant in the Chugach and Tongass National Forests, but extend throughout the State except in the far north and northwest. The State-managed Chilkat Refuge in southeastern Alaska was reserved specifically to protect a key area known for concentrations of bald eagles.

All of the Continent's trumpeter swans, Aleutian, cackling, taverners, emperor, and dusky Canada geese nest in Alaska. They each nest at sites that are identified on the accompanying map. While most of the nesting habitats for these birds are on Federal lands or in existing units of the national conservation systems, much of the taverners and emperor geese nesting areas have been selected by Alaska Native corporations.


HIGH DENSITY WATERFOWL NESTING
FEDERAL 70%
PRIVATE 18%
STATE 12%
TOTAL ACRES ~ 37.2 MILLION
WATERFOWL + SEABIRDS
HIGH DENSITY NESTING HABITAT
KEY AREAS
MAJOR SEABIRD COLONIES

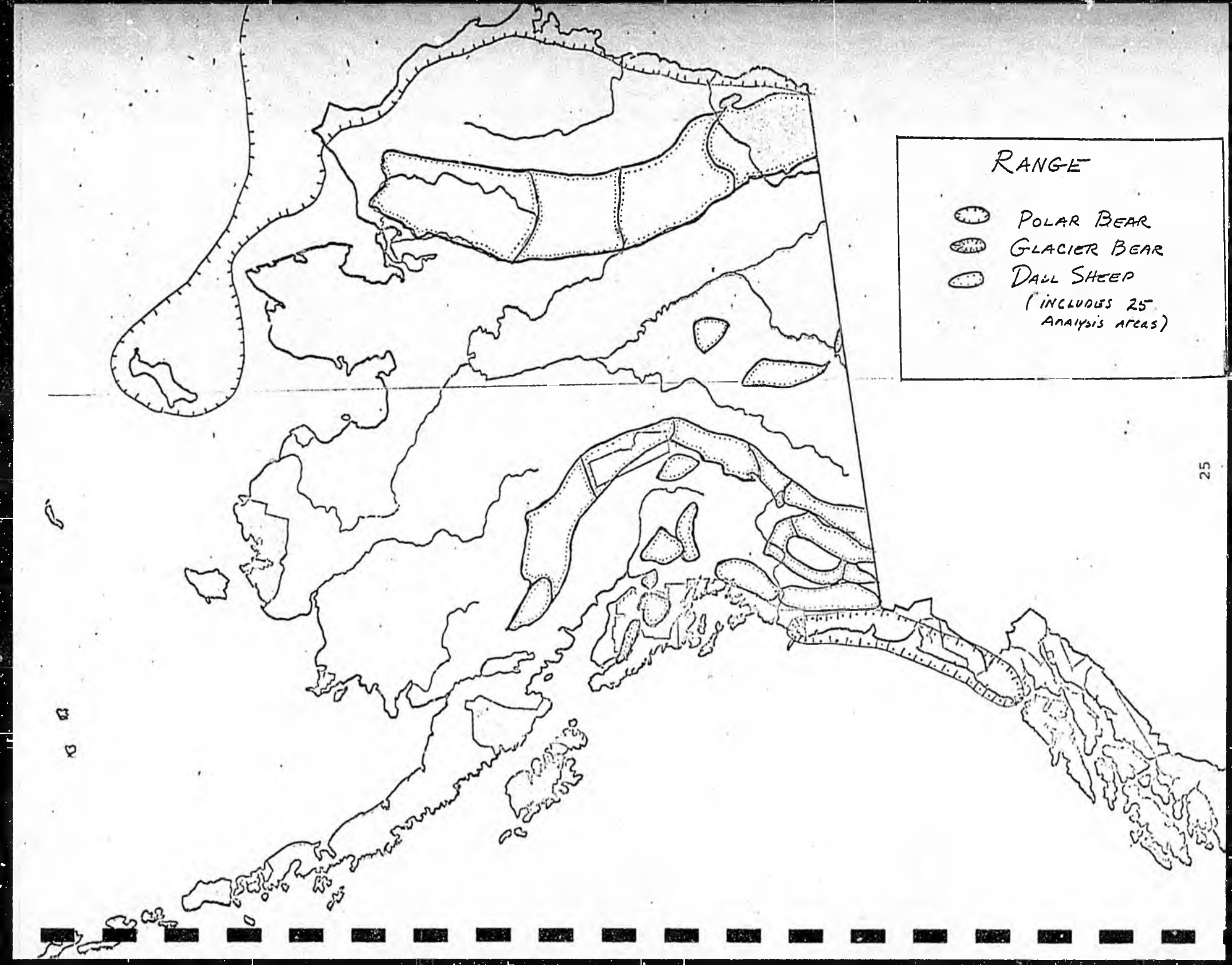

Possible Taverner's Geese nesting area.
Unique and Endangered Species
Important Peregrine Falcon nesting area
Bald Eagle major concentration
Taverner's Geese habitat
Dusky Canada Geese nesting area
Emperor Geese nesting area
Trumpeter Swan nesting area
Entire world population (1,000) of Aleutian Canada Geese nest on Buldir I. in the Aleutian Is. N.W.R.
Cackling Geese T.B.A.
80% of worlds population of Emperor Geese nest here.
Most of the N. Amer. population of Trumpeter Swans nest here.
Most abundant Bald Eagle populations in Alaska
Buldir Is.

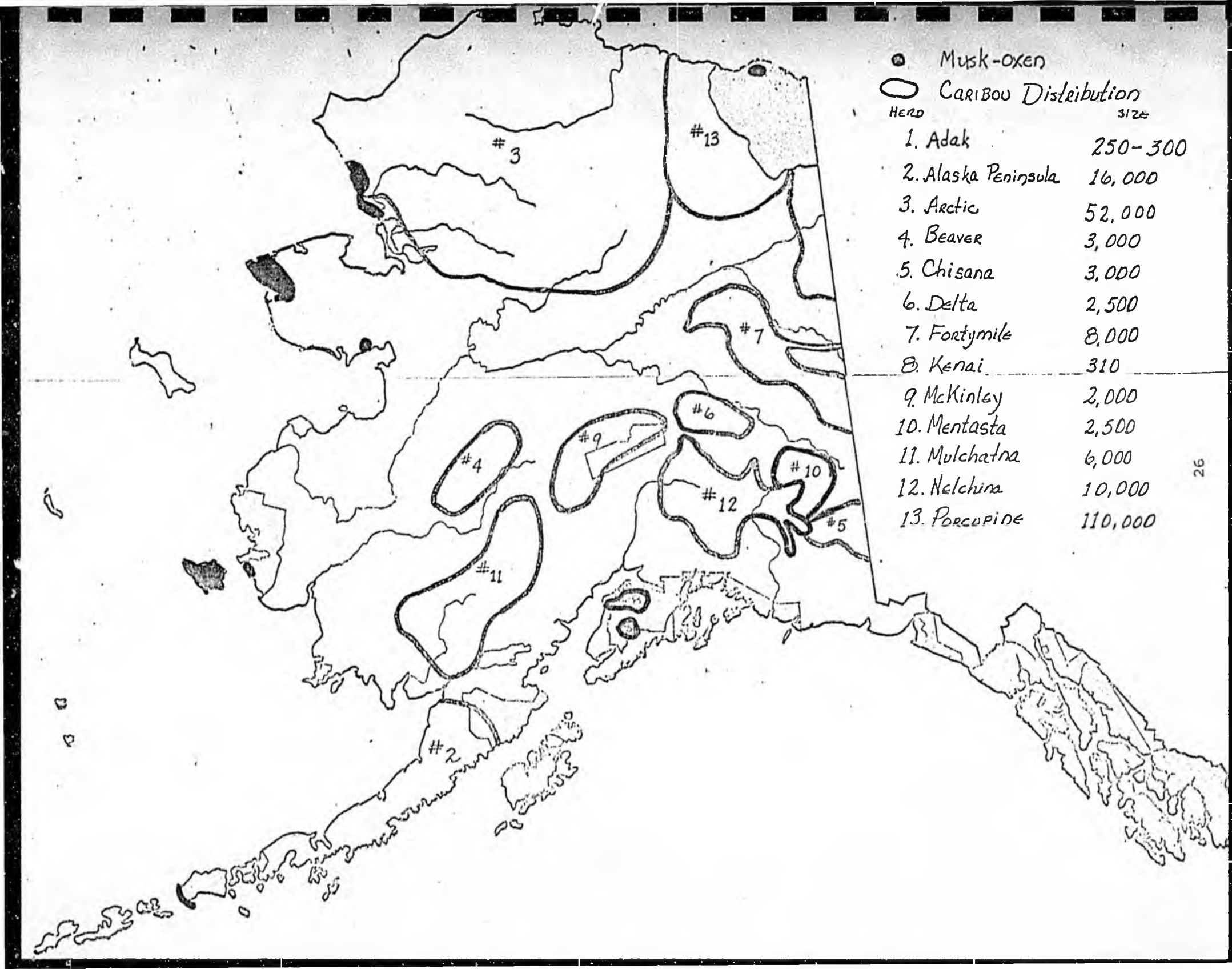
Terrestrial Mammals

The Nation's only caribou, Dall sheep, polar bear, glacier bear, and musk-oxen are found in Alaska. The world's Dall sheep populations are found only in mountain ranges of Alaska and northwest Canada as shown on the map. Of 25 areas of sheep range distinguished for analysis, four are in existing State or national parks, wildlife refuges, and forests. Some of Alaska's best sheep habitat is in the Wrangell Mountains, which have been proposed for various management systems including parks and forests. Most proposals include varying amounts of sheep habitat in the Brooks Range, the Alaska Range, and the Chugach Mountains. Denning areas suitable for polar bear are found all along the northern and northwestern Arctic Coast, as shown on the map. One wildlife refuge proposal would include additional coastal polar bear habitat, primarily from National Petroleum Reserve-Alaska. The threatened glacier bear roams Gulf of Alaska coastal areas from Glacier Bay to the Copper River as shown on the map. Portions of its range are included in parks or forest additions in many legislative proposals.

Alaska's musk-oxen are now distributed in five small herds each having about 15-25 animals, and a larger herd of several hundred on Nunivak Island National Wildlife Refuge. These animals were reintroduced to Nunivak from Greenland after the State's original populations were exterminated in the late 1800's. All of Alaska's musk-oxen are descendants of this reintroduced Nunivak herd. Six major and seven minor caribou herds with a current total estimated population of 238,000 range in every region except southeastern Alaska. Caribou populations fluctuate greatly, with a total population usually between 200,000 and 600,000. Many Alaska residents, especially Native Alaskans, depend upon caribou for food and other necessities. About 38 percent of the ranges of three herds, the Porcupine, McKinley, and Kenai, are already protected in park and refuge units. Range for herds on the Alaska Peninsula and Aleutian Islands are contained in two wildlife refuges. (Three of the herds also use an additional 35 million acres of range in Canada.) Proposed parks and wildlife refuges contain from 5 to 29 percent of Alaska's 145.8 million acres of caribou range. The trans-Alaska oil pipeline traverses portions of the range of several caribou herds and a second proposed corridor traverses additional caribou range.

Wolves are found throughout most of Alaska and on most Federal, State and private lands. Similarly, brown-grizzly bear are present everywhere in the State except the Yukon-Kuskokwim delta. Populations are found in all of Alaska's existing national parks and forests and most of the wildlife refuges, as well as on most State and private land. The State-managed McNeil Game Sanctuary north of Katmai National Monument has been reserved specifically to protect brown bear and habitat. Black bear are common in most of the State's forested areas. Additional bear and wolf habitat would be contained in a number of the proposed units of national conservation systems that are under discussion in Congress.


RANGE
POLAR BEAR
GLACIER BEAR
DALL SHEEP
(INCLUDES 25 ANALYSIS AREAS)
25


Musk-oxen
Caribou Distribution
HERD SIZE
1. Adak 250-300
2. Alaska Peninsula 16,000
3. Arctic 52,000
4. Beaver 3,000
5. Chisana 3,000
6. Delta 2,500
7. Fortymile 8,000
8. Kenai 310
9. McKinley 2,000
10. Mentasta 2,500
11. Mulchatna 6,000
12. Nelchina 10,000
13. Porcupine 110,000
#1
#2
#3
#4
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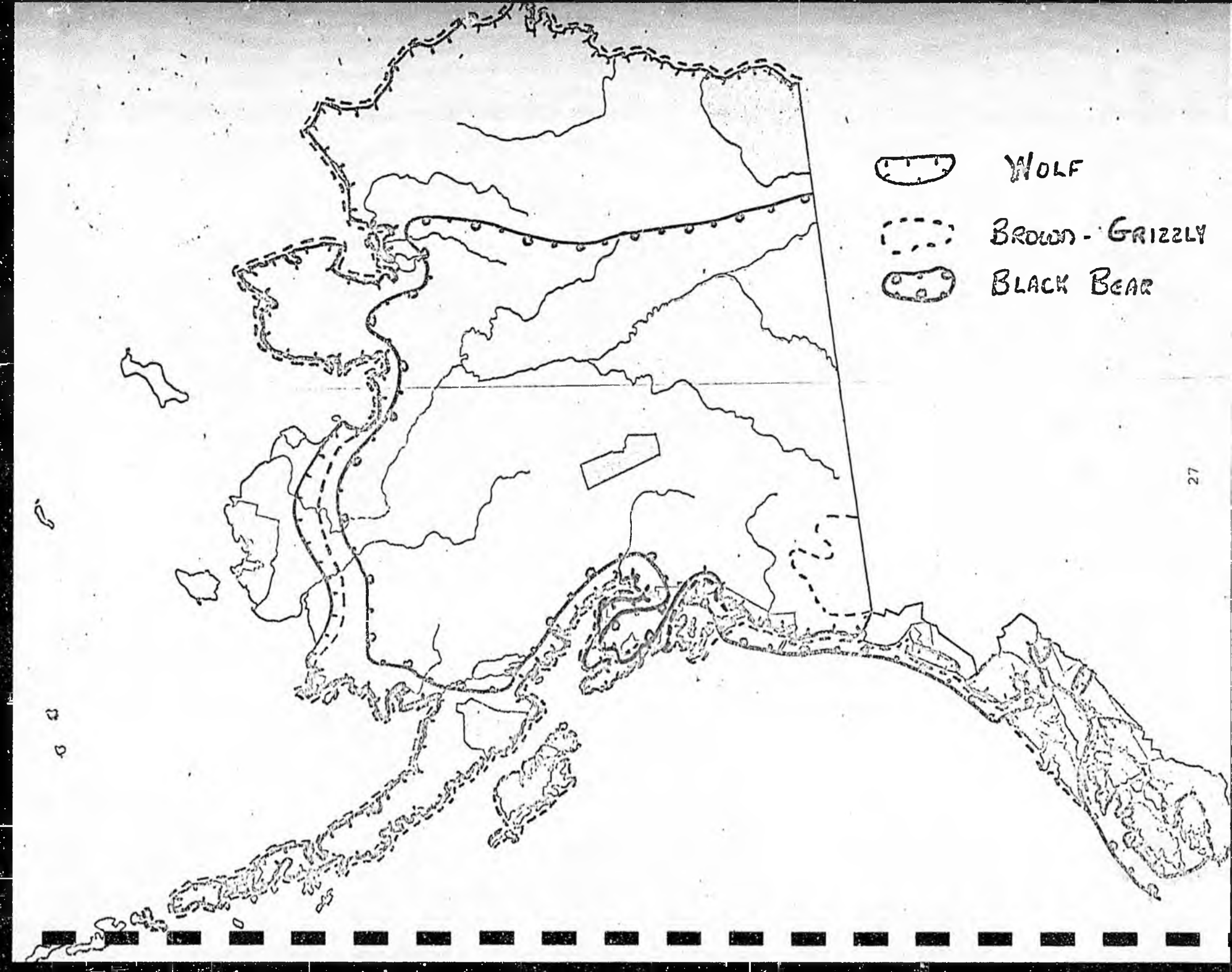

WOLF
BROWN - GRIZZLY
BLACK BEAR

Marine Mammals

Twenty-seven species of marine mammals, including whales, are found along Alaska's coastline. Most marine mammals are managed by the Federal Government under the Marine Mammals Act, with the exception of the walrus whose management has been returned to the State. Walrus Island, a State wildlife sanctuary, was established specifically to protect an important walrus rookery. The State has petitioned for the management of nine other marine mammals species, and a decision is pending. The valuable northern fur seal is managed according to international treaty on critical habitat in the Pribilof Islands. The once decimated sea otter is again relatively common along the Aleutian Islands and the Gulf of Alaska coast. Large portions of Alaska's coast and marine mammal habitat have been selected by Native-owned corporations. Many of these Natives hunt a variety of marine mammal species for food, clothing, and handicrafts. At least five coastal wildlife refuges have been designated in Alaska that contain important marine mammal habitat. About 10-15 percent of the coast will be privately owned including many of Alaska's important coastal habitat areas. Much of the remaining Federal marine mammal coastline habitat is contained within the range of proposed refuges and parks.

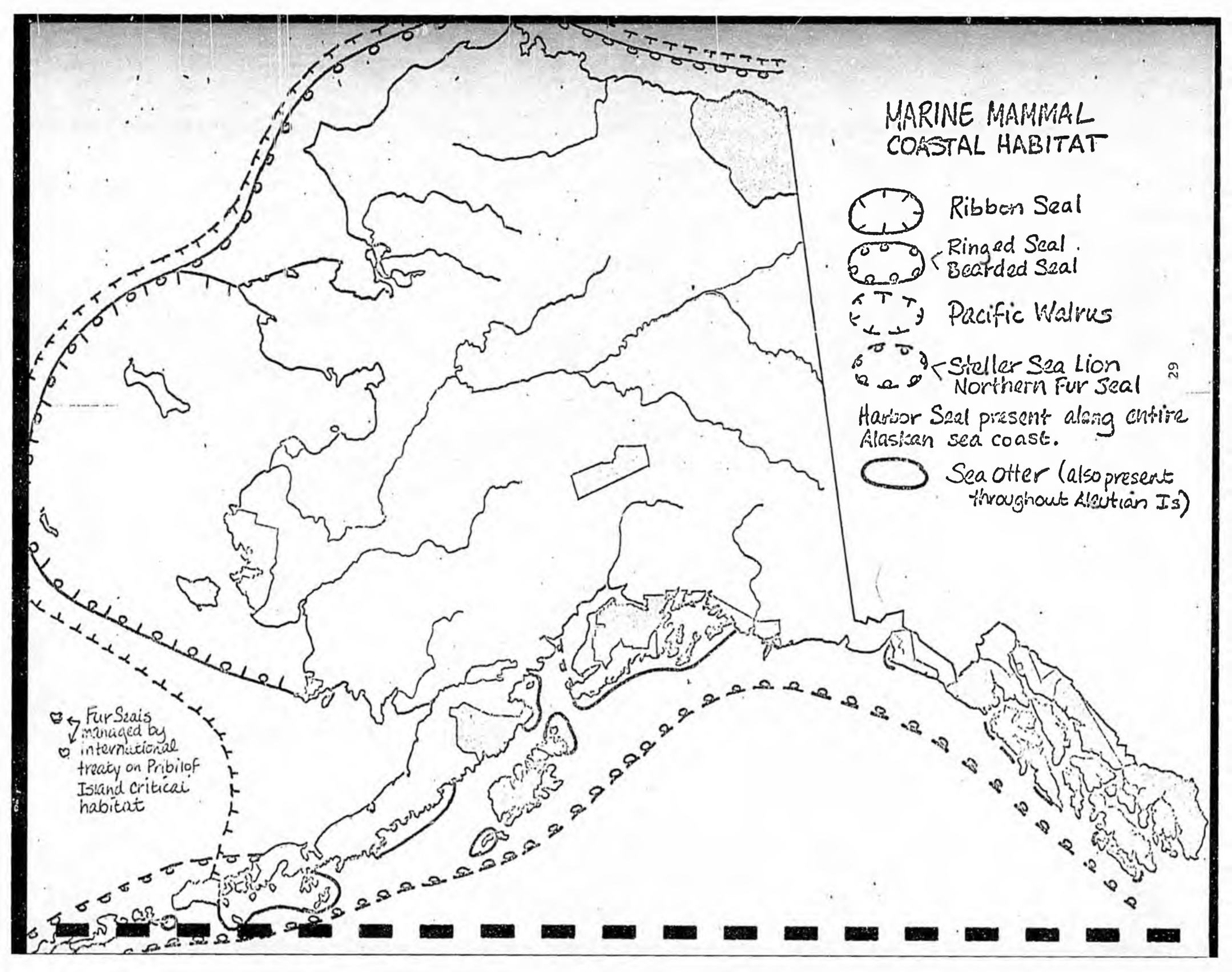
Fish

Alaska's marine waters are generally productive for a variety of sea life. Some areas providing particularly fine habitat for fin or shellfish are shown on the map. Inland rivers and lakes are important, with greater productivity generally occurring in the southern part of the State.

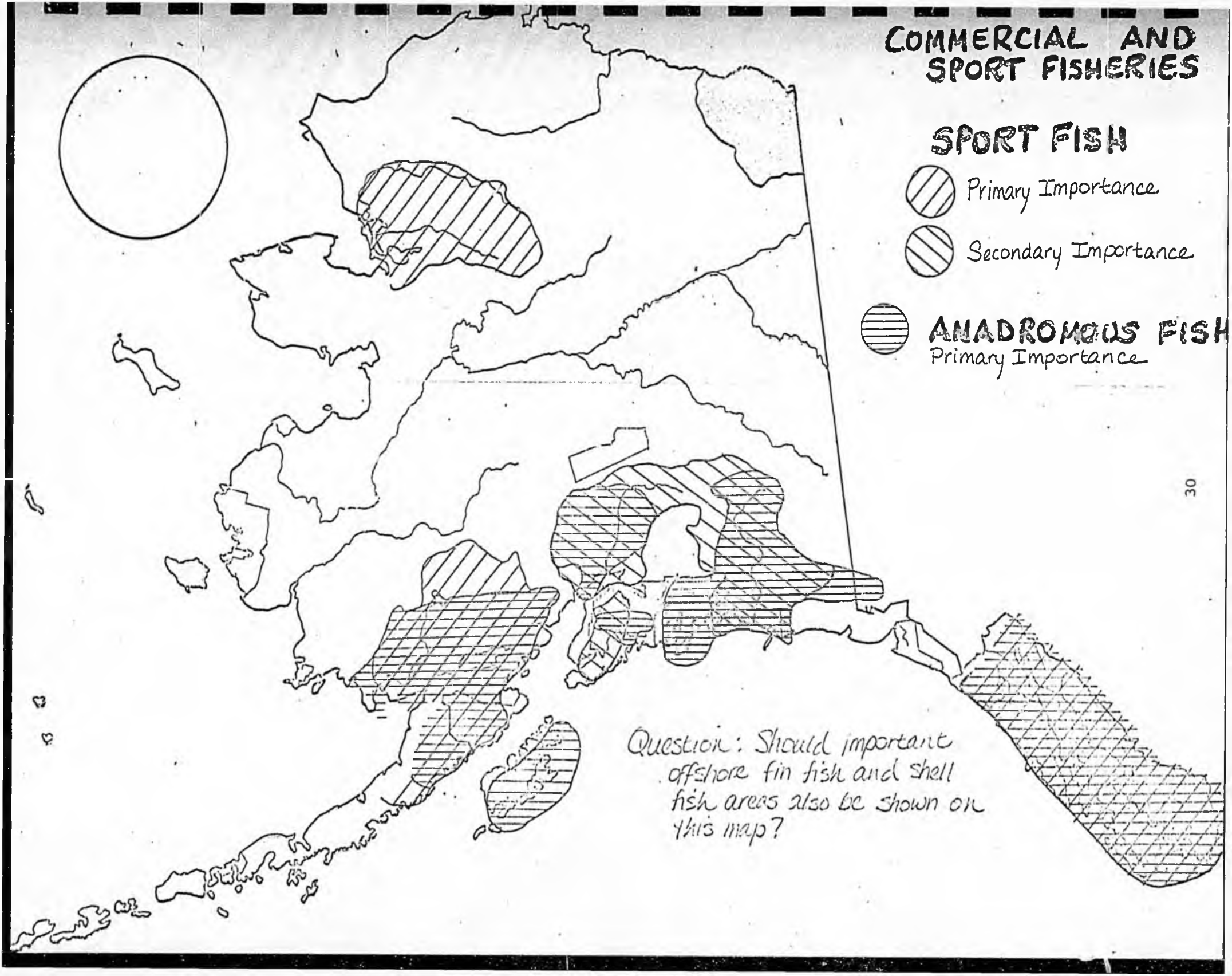
Lakes and streams support many fish including five kinds of salmon, steelhead and rainbow trout, lake trout, Dolly Varden, Arctic char, northern pike, various white fish, and Arctic grayling. Some of these fish attract sport fishermen from all over the world. Trophy size is attained in some waters, and many areas with marine and freshwater fishing opportunities are highly rated. Fly-in fishing to remote lakes and streams is a common activity. Marine and fresh waters accessible by road are crowded with fishermen, especially on weekends and holidays.

Alaska's fish are also ecologically important in food chains and nutrient cycles. Anadromous fish, especially, are an important food source for other animals such as the brown-grizzly bear, bald eagle, and beluga whale.

Significant spawning, rearing, and migration habitat for anadromous and freshwater fisheries, occur on Federal, State, and private lands. Recent land selections by Alaska Native corporations border many miles of stream and lakeshore. Commercial, subsistence, and recreational fishery values are intimately interrelated and are discussed in the Renewable Resources section to follow.


MARINE MAMMAL
COASTAL HABITAT
Ribbon Seal
Ringed Seal
Bearded Seal
Pacific Walrus
Steller Sea Lion
Northern Fur Seal
Harbor Seal present along entire Alaskan sea coast.
Sea Otter (also present throughout Aleutian Is)
Fur Seals managed by international treaty on Pribilof Island critical habitat

COMMERCIAL AND SPORT FISHERIES



Almost all lakes and streams in Alaska have been designated "important to spawning and rearing of anadromous fish" by the State of Alaska and, as such, all developmental activities are subject to review and approval by the Alaska Department of Fish and Game.

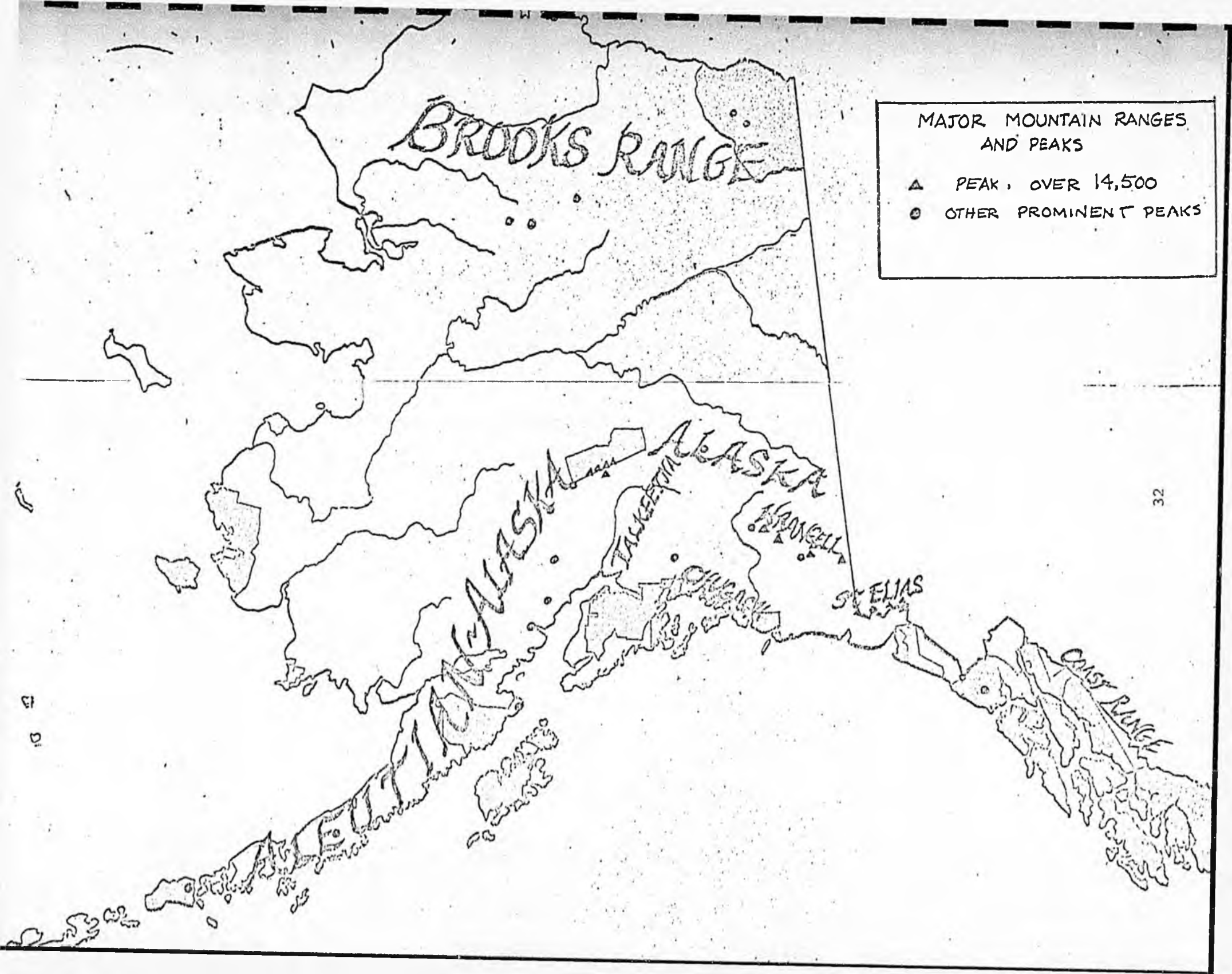
Additions or new units proposed for inclusion in national conservation systems contain a diversity of generally undisturbed aquatic habitats. Proposed areas particularly notable for fishery and habitat values are in the vicinity of Iliamna Lake and, to a lesser degree, the Togiak area to the west and along the Alaska Peninsula. The Iliamna and Togiak areas are included in most proposals. Notably rich marine waters contained in some national interest proposals include the Kenai Fiords area and the northern coastal waters and lagoons of the Seward Peninsula.

SCENIC VALUES AND LANDSCAPES

Alaska has a diversity of landscapes, from broad low wetlands to high mountains and lake-dotted coastal plains to rain-drenched rugged coastlines. Large scale landforms of the State are divided into four major physiographic divisions: (1) Pacific Mountain System; (2) Intermontane Plateaus; (3) Rocky Mountain System; and (4) Interior (Arctic) Plains. These divisions are all northern extensions of physiographic divisions in the northern conterminous states and western Canada from the Pacific coast to the Great Plains. The four major divisions in Alaska are subdivided into 12 prominent physiographic provinces and many sections and subsections, each being relatively homogeneous in its landform characteristics. Each physiographic province is based on particular topography that characterizes it. In addition to the mountain systems of various kinds that will be discussed, there are other landforms prominent in parts of Alaska. Interior Alaska, the northernmost arctic Alaska, the Yukon Delta, and the western sector of the Alaska Peninsula contain several nearly flat extensive lowland basins between the mountains or coastal plains. The arctic foothills zone north of the Brooks Range contains mesas and long sections of linear cuestas. Perhaps not as spectacular as rugged mountains, these other landforms often possess scenic qualities, afford valuable wildlife habitats, and are expressions of various geologic events and processes.

Mountains

Seven major mountain ranges, the Coast Range in Alaska's southeastern "Panhandle", and the St. Elias, Wrangell, Chugach, Alaska-Aleutian, Talkeetna, and Brooks Ranges, traverse portions of the State. Three of these ranges include the 16 tallest peaks in the Nation and several of the highest in North America, including the continent's highest, Mt. McKinley at 20,320 feet. The Brooks Range, the only mountain system in the United States north of the Arctic Circle, contains peaks with elevations from 4,000 to 9,000 feet. Several other mountain ranges with elevations of 3,000 to 6,000 feet are located in interior and western


BROOKS RANGE
MAJOR MOUNTAIN RANGES AND PEAKS
PEAK, OVER 14,500
OTHER PROMINENT PEAKS
ALASKA
TALKEETNA
ST. ELIAS
COAST RANGE
32

Alaska. Alaska's mountains represent several kinds of mountain building processes, and outstanding examples related to size, local relief, origin, or glacial and water sculpturing are found in the State. When comparing Alaska's mountains with those in the rest of the United States, it is significant to note that all of of Alaska's mountains rise from sea level or near sea level elevations.

For the most part, the major Alaska mountain ranges remain in Federal ownership, although the State has selected a significant portion of the Talkeetna Mountains, sections of the Alaska and Brooks Ranges, portions of the Chugach Mountains, and large areas of lesser mountain ranges. There are few large privately owned tracts in mountainous areas.

Portions of the major ranges except the Wrangell and Talkeetna Mountains, and 11 of the Nation's 16 highest peaks are currently contained in existing national parks, wildlife refuges, and forests.

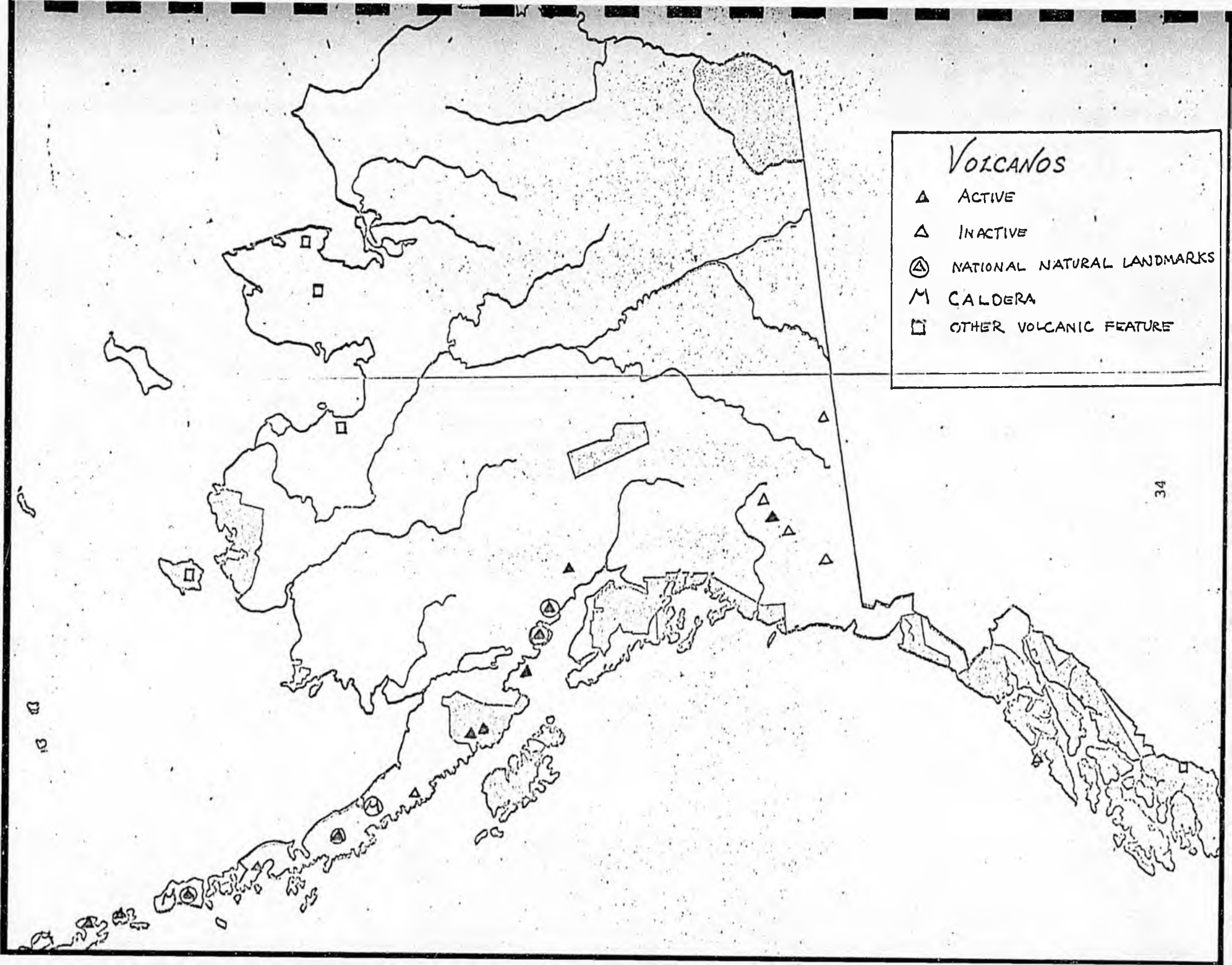
Proposals now under discussion for national interest reserves would designate areas of varying size within major mountain ranges not currently represented in national conservation systems, most notably in the central Brooks Range and in the Wrangell Mountains. Reserves proposed in the Brooks Range contain from 14.6 to 31.8 million acres, and those including the Wrangells contain from 8.6 to 18.1 million acres. Additions to the existing Mt. McKinley National Park in the central Alaska Range and to the Tongass National Forest from the Coastal Range are incorporated in almost all proposals. Portions of the Aleutian Range, southern Alaska Range, and Chugach and St. Elias Mountains are also included in most proposals.

Volcanos

Alaska has over 100 volcanos, 40 of which are considered active. Nearly all of the active volcanos in the United States are in Alaska. These are located primarily on the Alaska Peninsula and Aleutian Islands where there is considerable tectonic activity. Several of Alaska's volcanos are noted for their relatively recent activity and resulting features. Others are known for their height, symmetry, or scenic beauty.

Nearly all of the volcanos and other volcanic features in Alaska are on Federal lands. Twenty-four of the active volcanos are located in three existing national wildlife refuges and the Katmai National Monument. Various volcanic features are shown on the accompanying map.

In proposed legislation, Aniakchak Volcano, Mount Wrangell, and the three highest extinct volcanic peaks of the Wrangell Mountains are generally proposed for park status. Iliamna and Redoubt Volcanos are


VOLCANOS
ACTIVE
INACTIVE
NATIONAL NATURAL LANDMARKS
CALDERA
OTHER VOLCANIC FEATURE
34

within a land unit variously proposed as a park, forest, or other category. Mount Spurr, a third nearby volcano, is included in one of the park proposals. One or both of the volcanic fields on the Seward Peninsula are proposed by most bills for inclusion in units of various kinds.

Glaciers and Glacial Features

The Nation's largest glacier systems are associated with Alaska's major mountain ranges. Alaska has about 10.9 million acres of glaciers and icefields, most of which border the Gulf of Alaska. Glaciers of all kinds abound, including piedmont, valley, mountain, cirque, rock, hanging, and surging types. Major tidewater glaciers, fiords, moraines, sculptured mountain peaks, and other glacial features are identified on the map.

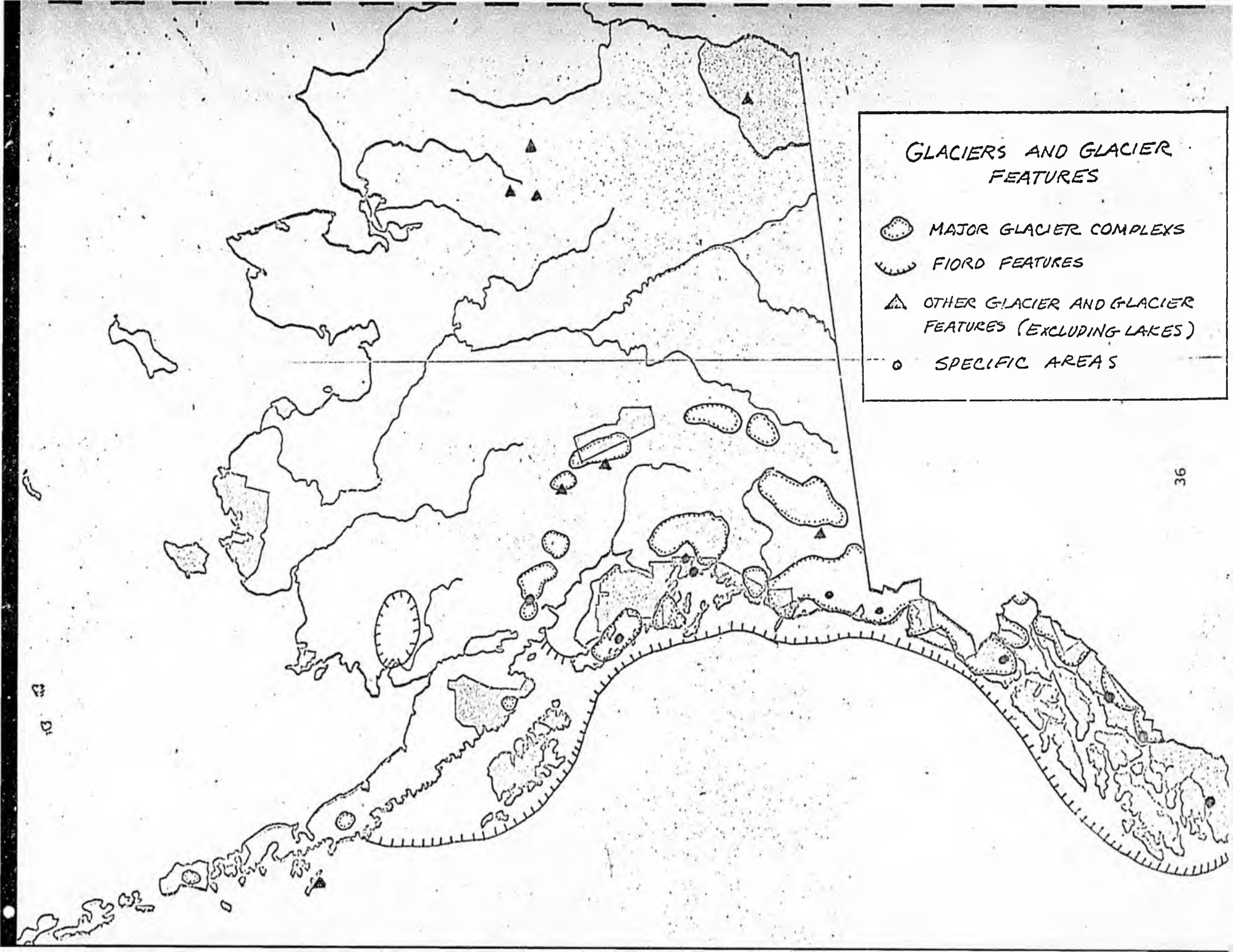
Most glaciers, icefields, and fiords are on Federal lands. The State of Alaska has selected some glacier and fiord areas, most notably in the Kachemak Bay State Park and in the Wood-Tikchik Lakes area currently proposed as a State Park. Portions of the Wood-Tikchik Lakes are also in private ownership. Substantial private land on Kodiak Island borders many of the fiords located there.

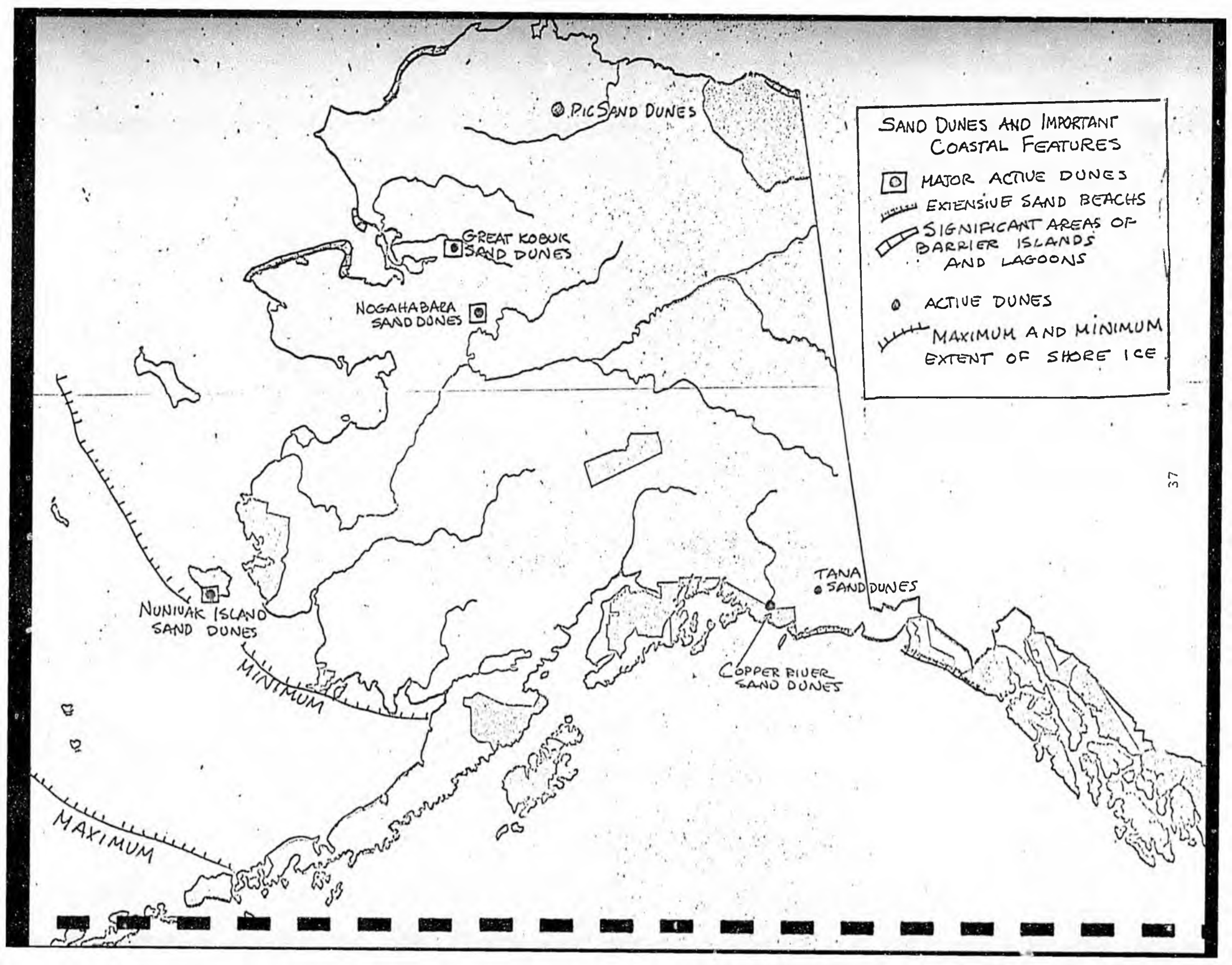
Most bills propose areas containing glaciers and glacial features for new units in the national conservation systems. These areas are in the Wrangell-Chugach-St. Elias Mountains and Coast Range, in the Harding Icefield-Kenai Fiords area, along the southern flank of the Mt. McKinley massif, in the vicinity of Lake Clark Pass, adjacent to Katmai National Monument, and in the central Brooks Range. One bill proposes units for wilderness designation in southeast Alaska that contain glacial features centered around the Rudyerd Bay-Walker Cove area, the Le Conte Glacier, and the Stikine River area.

Sand Dunes

Several sand dune areas are scattered around Alaska as indicated on the map. Little current recreational use is made of Alaska's sand dunes. Some of the sand dune areas are of scientific interest because of their arctic or subarctic settings and the nature of ecological succession in these areas. Prominent among these eolian landforms are the Great Kobuk Sand Dunes and the Nogahabara Sand Dunes. These are areas of active dunes of different kinds and shapes found in larger areas of windblown soils now stabilized by vegetation. Other smaller active dune areas include the Pic Dunes of the Arctic coastal plain, dunes of the southern coast of Nunivak Island, and areas along the Tana and Chitina Rivers within the Chugach Mountains. All of these are on Federal lands. Dunes of Nunivak Island are protected in the national wildlife refuge containing the island, and the Pic Dunes are included in the Teshekpuk Lake special management area of the National Petroleum Reserve-Alaska.

Proposals for preserving these landforms include parkland status for the Great Kobuk Sand Dunes in an area ranging from 0.11 million to 1.9


GLACIERS AND GLACIER FEATURES
MAJOR GLACIER COMPLEXS
FIORD FEATURES
OTHER GLACIER AND GLACIER FEATURES (EXCLUDING LAKES)
SPECIFIC AREAS
36


SAND DUNES AND IMPORTANT COASTAL FEATURES
MAJOR ACTIVE DUNES
EXTENSIVE SAND BEACHS
SIGNIFICANT AREAS OF BARRIER ISLANDS AND LAGOONS
ACTIVE DUNES
MAXIMUM AND MINIMUM EXTENT OF SHORE ICE
PIC SAND DUNES
GREAT KOBUK SAND DUNES
NOGAHABARA SAND DUNES
NUNIVAK ISLAND SAND DUNES
TANA SAND DUNES
COPPER RIVER SAND DUNES
MINIMUM
MAXIMUM

million acres. The Nogahabara Sand Dunes are included in a larger area proposed as a forest or a wildlife refuge. The lesser sand dune areas of the Tana or Copper Rivers are contained in large areas proposed for park, forest, or wildlife refuge designation.

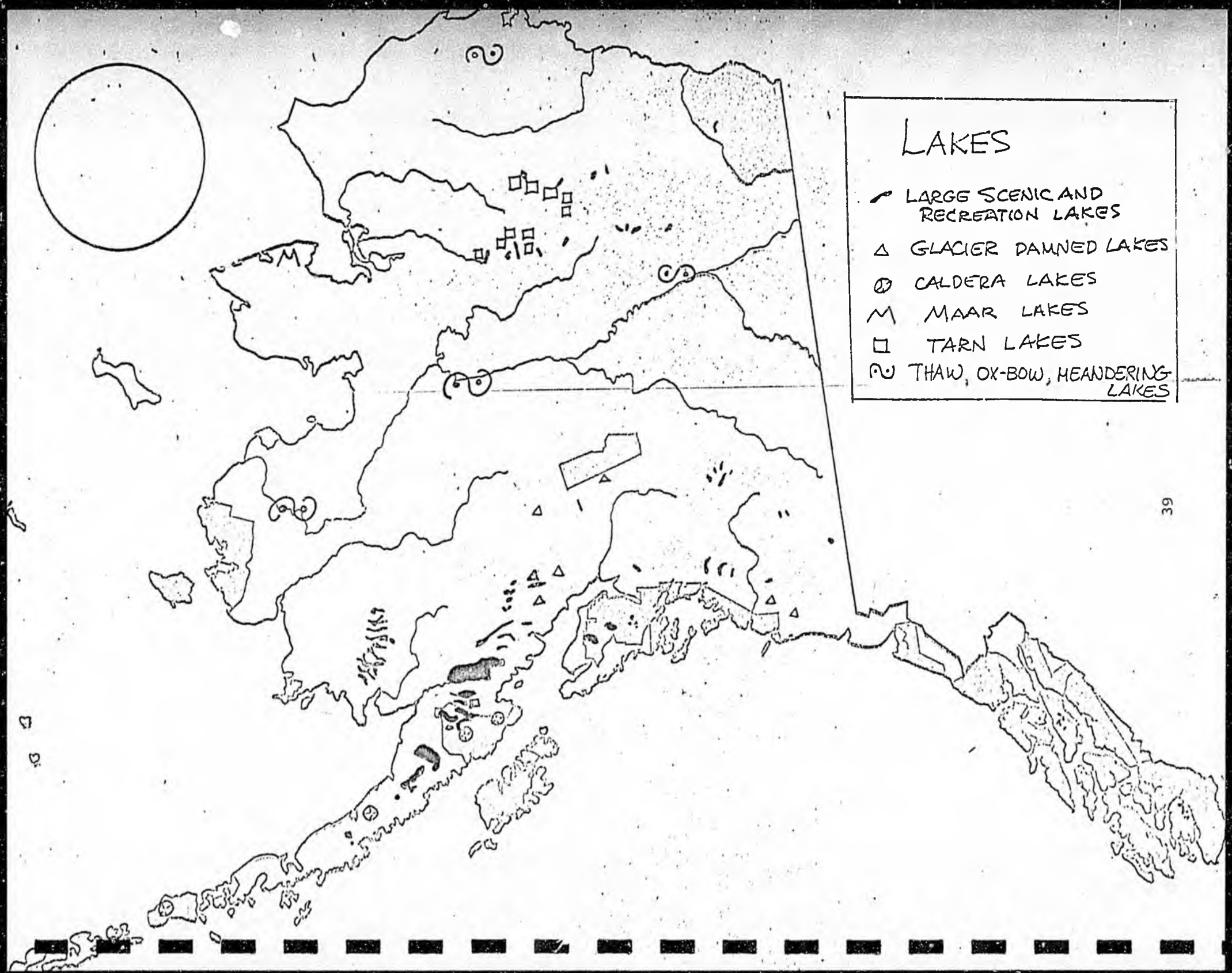
Coastal Features

Alaska has about 34,000 miles of ocean coastline, including beaches, occasional bluffs and cliffs, lagoons, and barrier islands along the northern and western coasts. Aleutian Island coasts are more rocky and irregular, and the complex coasts bordering the Gulf of Alaska have numerous deep bays, fiords, islands, peninsulas, pocket beaches, precipitous cliffs, and a few notable and extensive stretches of sandy beach. Shorelines facing the Gulf of Alaska are often pounded by high waves. Pack ice pushes against the Arctic Ocean and Bering Sea coasts most months of the year, though the Bering Sea ice forms later and breaks up earlier than farther north. Ice forms in some of the protected coves of the southern coast during cold spells.

Most of Alaska's coastline remains in Federal ownership, although about 10-15 percent will soon be in private corporate ownership with the transfer of title to Native corporations. Private lands are particularly extensive along Alaska's western coast, the eastern coast of the Alaska Peninsula around Cook Inlet, and on the Kodiak Island group. The State of Alaska has selected lands along the Arctic coast, the western coast of the Alaska Peninsula, around Cook Inlet and along the northern Gulf of Alaska. With large existing national interest reserves in the Arctic (the Arctic National Wildlife Range and National Petroleum Reserve-Alaska) and around the Gulf of Alaska, a large portion of Alaska's coastlines can be expected to remain in Federal ownership. Other existing national conservation units along the Bering Sea and along the Alaska Peninsula and the Aleutian Islands assure that a significant portion of these coasts will also be retained by the Federal government.

The accompanying map identifies those areas of high scenic value or unique or rare coastal formations that may be of national interest. Other coastal values for waterfowl, seabird, and marine mammal habitat and of paleontological or archeological interest are discussed in other sections of this chapter. Natural harbors are referenced in the section on natural access.

All proposals for new national interest units in Alaska currently under discussion include substantial shoreline. Legislative options for the eastern Alaska Peninsula coast vary widely from two short segments in one proposal to the entire coastline in another. Most proposals contain shoreline along the western side of Cook Inlet and on the Gulf of Alaska around the Kenai and College Fiords and Malaspina Glacier. One proposal calls for inclusion of extensive lands bordering the northern Gulf of Alaska, which have been selected by the State. Including existing national conservation designations, new proposals could incorporate about half of the total Alaska coastline.


LAKES
LARGE SCENIC AND RECREATION LAKES
GLACIER DAMNED LAKES
CALDERA LAKES
MAAR LAKES
TARN LAKES
THAW, OX-BOW, MEANDERING LAKES

Lakes

The State contains about 3 million lakes of 40 acres or larger and 94 lakes which are greater than 10 square miles in area. Most of the lakes are found in the interior and coastal lowlands. Iliamna Lake is the seventh largest in the Nation and 20 lakes in Alaska are among the 34 deepest lakes in the country, exceeding 250 feet in depth. Freeze up and thaw dates vary, but most lower elevation lakes are open from June through September. Many mountain lakes are not open until July. Alaska's lakes often serve as transportation routes and are extremely important in providing aircraft access to remote areas for recreation, subsistence activities, and resource exploration.

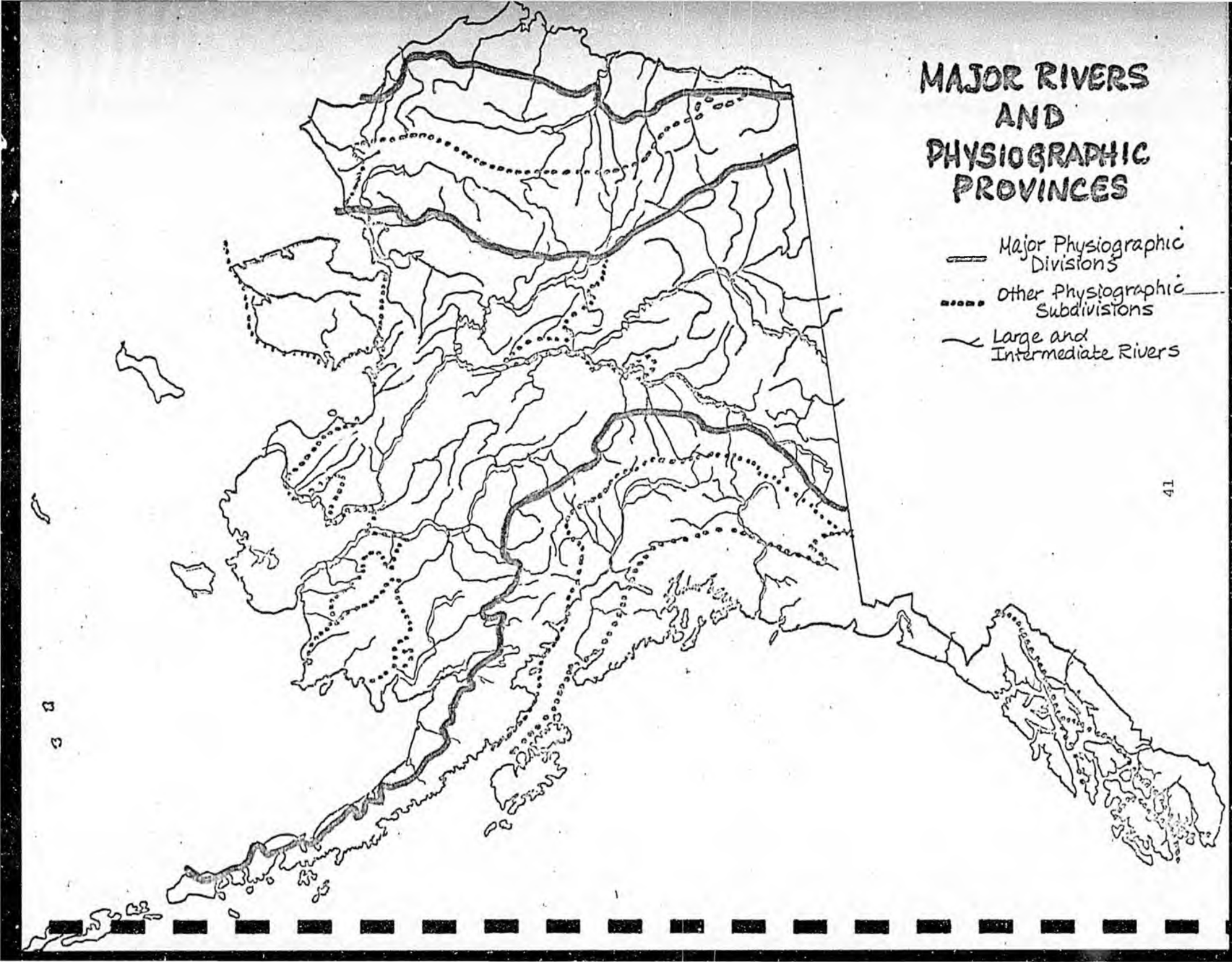
Recreational use of Alaska's lakes generally includes sightseeing, camping or picnicking, boating, fishing, and some swimming in warmer water. Because of their physical and biological characteristics, habitat, or other values, some lakes and their environs may not be suitable for intensive recreational use or shoreline development. Most lakes, with the exception of several near Alaska's largest cities, do not currently receive intensive use, relative to recreational lakes in the conterminous states. The geographical location of the major lake types, as well as Alaska's larger lakes with notable scenic values and recreational potential, are shown on the accompanying map.

Federal lands contain the greatest number and variety of lakes. Except for the maar lakes, which are found only on the Seward Peninsula, existing national conservation system units contain representative samples of all lake varieties. State and private selections also encompass many lakes or shoreline portions of larger lakes, resulting in mixed ownership around some significant larger lakes. The State has title to the submerged lands of navigable water bodies in most instances.

Most national interest proposals contain the different kinds of lakes across the State. Some contain a greater number of variety of lakes. Two proposals do not contain all lake types.

Rivers

Alaska has an estimated 10,000 free-flowing streams and rivers totalling more than 365,000 miles in length. The Yukon River, which drains 40 percent of the State, is the fifth largest in the Nation. Most waterways remain largely unaltered from their natural state. Rivers with glacial origins carry heavy silt loads in the summer, but many streams flow cl . except when flooding. Streams flow through rugged mountains and rolling uplands or meander placidly through lowlands. White water rapids are not uncommon. Varying gener lly with latitude, Alaska's rivers are usually frozen over by November or December with breakup occurring in April or May. Based primarily on runoff, Alaska has nine large rivers, the largest being the Yukon and Kuskokwim. Lower reaches of three other large rivers flow from Canada through southeastern Alaska. The largest compare with the Ohio and Mobile Rivers in size, and the


MAJOR RIVERS
AND
PHYSIOGRAPHIC
PROVINCES
Major Physiographic Divisions
Other Physiographic Subdivisions
Large and Intermediate Rivers

latter group with the Susquehanna, Illinois, and Willamette Rivers of the conterminous states. There are about 125 rivers in Alaska of intermediate size roughly comparable to such rivers as the Klamath in California and Patuxent in Maryland. These Alaska rivers are portrayed on the accompanying map.

Most communities are located on riverbanks or along the coast. Many of Alaska's waterways are used as transportation corridors for hauling freight, subsistence activities, and recreation. Recreational use of rivers occurs primarily as boating and fishing in the summer and early fall months. Swimming is not a major activity. During winter, some frozen waterways provide a thoroughfare for recreational travel by foot, dogsled, or snowmobiles. Some rivers are presently accessible by road, but most are remote from large population centers.

Considerable shoreline along the larger rivers and some tributary streams will be in private ownership with the transfer of title to Native corporations, including approximately one half the course of the Yukon River.

From 40-90 rivers have been identified within Alaska by the Bureau of Outdoor Recreation, various recreational groups, and others knowledgeable about Alaska rivers as water bodies of potential national interest. Some are representative examples of free-flowing clear-water and glacial streams of diverse character in the various natural regions of the State. Some have outstanding recreational potential for boating, hunting, fishing, or hiking alongside. Scenic features along the rivers may include colorful bluffs, canyons, rock outcroppings, mountains, rapids, falls, or a variety of vegetation. Wildlife observation opportunities are afforded by some, and others have prehistoric, geological, and paleontological values.

Many of these rivers have received detailed study by the Bureau of Outdoor Recreation and others, and studies of additional rivers are planned. Most, but not all, of the rivers are on Federal lands. About one-fourth of the rivers or segments are on State-selected lands. Private lands occur along some of the identified rivers. Some of the rivers are contained in larger areas proposed for national parks, forests, wildlife refuges, or other special land categories. To date, no Alaska rivers have been designated as wild or scenic rivers in the national system.

All proposals for national interest lands include rivers and segments of varying character. Some rivers have been identified for their recreational potential particularly in the context of wilderness recreation. Up to 23 rivers and as few as 3 rivers have been legislatively proposed for wild, scenic, or recreational designation in addition to comparable rivers within larger proposed national conservation units. As many as 8 rivers proposed for special designation are wholly or partially within existing national forests or wildlife refuges. A few legislative proposals do not address any wild and scenic river recommendations.

Most proposals call for immediate designation of identified rivers. Another proposal would place most rivers into a potential wild and scenic river classification to be evaluated further in the context of surrounding land use planning.

Vegetation

Alaska is covered by about 183 million acres of three major classes of tundra, 140 million acres of four broad classes of forest, 28 million acres of high and low brush and bog systems, in addition to 23.8 million acres of glaciers, lakes, and streams. Alaska's plant communities provide food and shelter for people and wildlife that have differing needs.

Forest communities of Alaska are present in most regions except the far western, northern, and southwestern portions of the State. Tundra systems predominate in the Brooks Range and Arctic lowland, on the Seward Peninsula, and on large areas of southwestern Alaska including the Alaska Peninsula and Aleutian Islands. Alpine tundra is largely found on mountain slopes above the tree line throughout the State, while wet tundra prevails in the coastal lowlands bordering the Bering Sea and Arctic Ocean.

Allocation of the four classes of forest lands is approximately as follows:

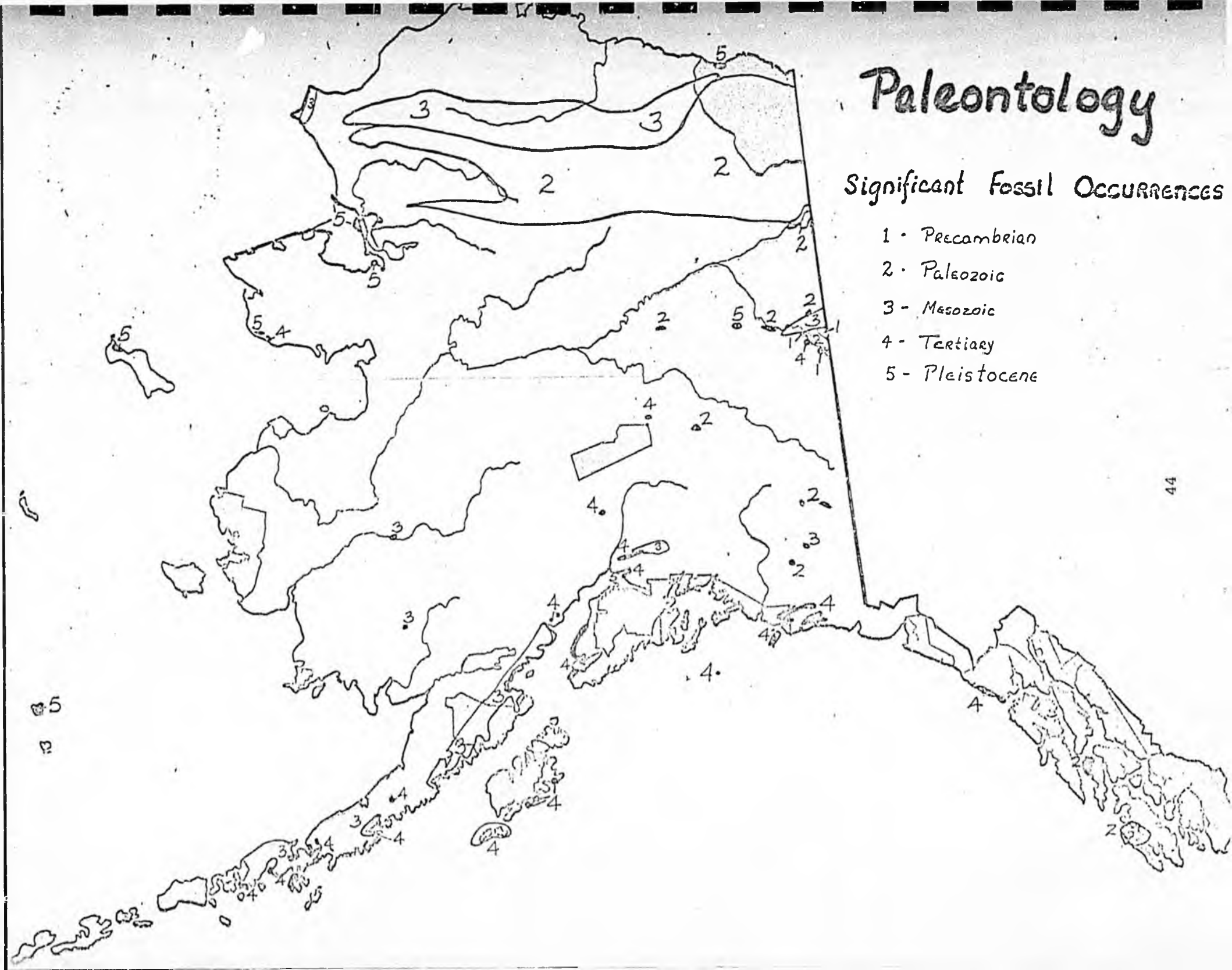
	Federal	State	Private
Coastal western hemlock-Sitka spruce	87%	6%	7%
Bottomland spruce-hardwood	58	20	22
Upland spruce-hardwood	64	24	12
Lowland spruce-hardwood	69	19	12

Additional State land selection could increase the percentage of State ownership in all categories except the coastal western hemlock-Sitka spruce forest.

The tundra communities are largely in Federal ownership, though substantial tracts are held by the State and private corporations.

With the exception of the coastal forest, all major plant communities are unique to Alaska, though there is some similarity in plant composition with communities of the northern states. The coastal western hemlock-Sitka spruce forest is the northern extension of the Pacific forest of coastal Oregon and Washington. The boreal forests of interior Alaska stretch eastward across Canada, but do not extend to the conterminous states.

Representative examples of the tundra, forest, and brush classes are presently contained in varying degrees in units of national conservation systems, with one exception. The bottomland spruce-hardwood forest occurring along major waterways of the interior is not included. The Tongass and Chugach National Forests contain a highly significant portion


Paleontology
Significant Fossil Occurrences
1 - Precambrian
2 - Paleozoic
3 - Mesozoic
4 - Tertiary
5 - Pleistocene

of the coastal Pacific forest. Katmai National Monument at the northern end of the Alaska Peninsula contains the southwestern-most extension of the interior boreal and coastal forest. The farthest north boreal forest is contained in the Arctic National Wildlife Range.

Proposals for new units or additions to national conservation systems generally include a wide variety of the major plant communities, as well as their subcommunities or variations. All proposals include varying amounts of all of Alaska's major vegetative classes, including the bottomland spruce-hardwood.

Paleontological Values

Known fossil remains of various kinds and from several periods of geologic history are located in several areas of Alaska. They range from pre-Cambrian to Quaternary in age.

Some scientifically noteworthy fossil occurrences based on rare, unique, or exemplary qualities are located on the accompanying map. Rare pre-Cambrian fossils are found in an area along the upper Yukon River, the only known site in northwestern North America.

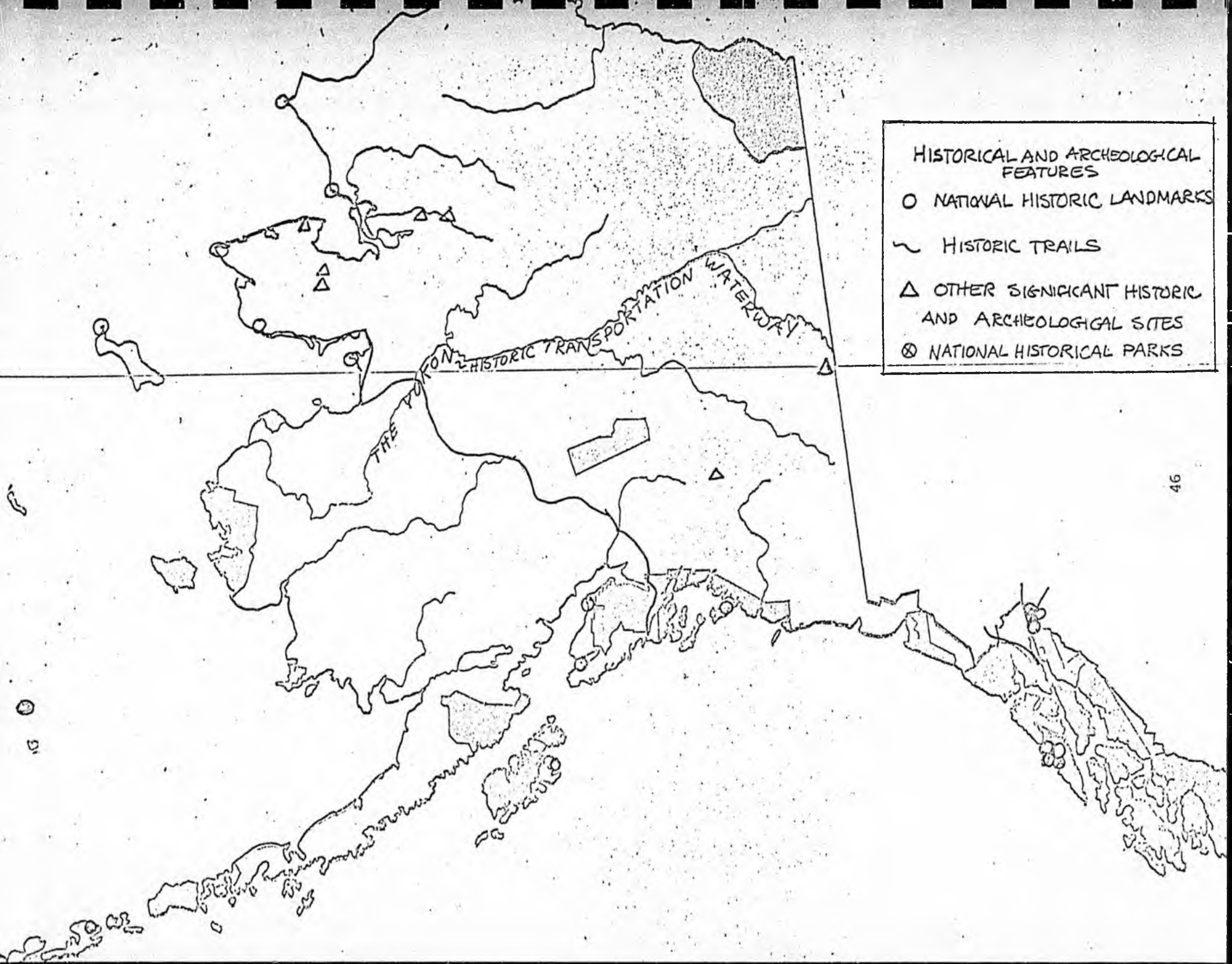
Several coastal sites have permanent scientific importance in international correlation of certain prehistoric events. A remarkably complete record of middle into late Mesozoic sediments rated as one of the better sections in the western hemisphere lies along the southeastern coast of the Alaska Peninsula.

Relatively small, but, in some cases, key portions or areas of fossil occurrences will be in private ownership. State lands also contain all or portions of several areas. The greater amount of acreage of fossil occurrence areas, however, will remain in Federal ownership. Some of the areas identified on the map are contained in existing national conservation system units.

Nearly all the proposals contain all or part of the areas of fossil occurrence described. Areas across the Brooks Range are contained, though only two bills have units that extend into the fossil-bearing Arctic Foothills to any significant degree. Fossil occurrences in the upper Porcupine River and at Capes Krusenstern and Espenberg are entirely contained in all proposals. Most proposals include the upper Yukon River area, though containment of significant rock strata varies from a narrow corridor to a much broader unit.

Historical and Archaeological Values

Alaska's historical and archaeological values derive from several prehistorical or historical periods. Principally, they are the prehistoric crossing of people from Asia to North America over the Bering Land Bridge and early aboriginal settlement; Russian discovery, settlement and rule of Alaska; and the late nineteenth and early twentieth century gold rushes.


HISTORICAL AND ARCHEOLOGICAL FEATURES
NATIONAL HISTORIC LANDMARKS
HISTORIC TRAILS
OTHER SIGNIFICANT HISTORIC AND ARCHEOLOGICAL SITES
NATIONAL HISTORICAL PARKS
THE YUKON HISTORIC TRANSPORTATION WATERWAY
46

Sites related to these historical periods are shown on the accompanying map. Sites of rich archaeological evidence of prehistoric cultures and early settlement have been located and researched in the State, particularly in the coastal areas. Most, however, remain largely unexplored. Remains of old Eskimo, Indian, and Aleut settlements are found throughout the State. Information on Alaska's historical and numerous archaeological sites is incomplete, but expanding.

Three areas in northwestern Alaska have known sites related to aboriginal culture and significant potential for further discovery. They are Cape Krusenstern, the Onion Portage Historic District on the Kobuk River, and the Seward Peninsula. Additionally, there are other identified sites of known significance mostly on private lands. Structures from or influenced by the Russian period have been preserved or restored at Kodiak and Sitka, sites of the first and last capitals of Russian America, and at Unalaska and Kenai. Sites, routes, and remnants of the gold rush days are scattered throughout most of Alaska. Though still recent history, World War II has special significance to Alaska because it was a U.S. Territory attacked and partly occupied by a foreign nation and became a focus for U.S. military action. Relics of the foreign invasion, ensuing American fortifications and battle sites, are scattered near Seward and Kodiak and southwestward along the Aleutian Islands to Attu.

by recent land selections, private Native corporations soon will acquire title to numerous sites along the coast and major rivers which have evidence of past Native cultures. The State has also acquired or selected lands of historical interest and has designated four sites to preserve features or commemorate significant periods in Alaska's past. Federal lands contain a great number of sites and considerable potential for further discovery. Sixty-five Alaska sites are now listed in the national Register of Historic Places, including 18 designated national historic landmarks. Several landmarks of Alaska Native, Russian, and gold rush significance are preserved and protected in the Sitka and Klondike Gold Rush National Historical Parks, and in Alaska's monuments, forests, and several wildlife refuges.

Most, but not all, proposals contain units on the Seward Peninsula and at Cape Krusenstern. While most proposals cover known sites, potential for future discoveries varies with the size of the proposed units. The Seward Peninsula unit varies from 1.5 to 4.5 million acres. However, the larger proposed units may be predicated more on protection of natural features than historic or prehistoric values.

ECOSYSTEMS - A SUMMARY

In the preceding sections, wildlife and scenic features have been identified and discussed separately as natural values of particular national interest. However, biota and their environments are not independent of each other, but function together through many interrelationships in ecosystems.

Alaska's ecosystems are unique to the United States. These associations of people, plants, animals, and their physical environment, though similar to some areas in the conterminous states, differ in many respects in plant and animal species, landforms, soils, and climate. The natural interrelationships of these systems are relatively undisturbed, and Alaskans in rural areas are strongly interwoven in the systems through their harvest of animals and plants.

When describing ecosystems, they are frequently tied to areas of characteristic vegetation which reflect certain soil types, wildlife, and other factors. They may be oriented to physiographic units or climatic zones. Or they may be specifically delineated to conform to the habitat of a particular animal species. Sometimes identification of ecosystems is predicated on a complex of these elements.

There is increasing public interest in preserving and maintaining representative as well as unique ecosystems for their scientific and other values. Additionally, there is concern for the well-being or functioning of the biological components in special land and water areas in parks, wildlife refuges, wilderness, other preserves, and along the coastal zone.

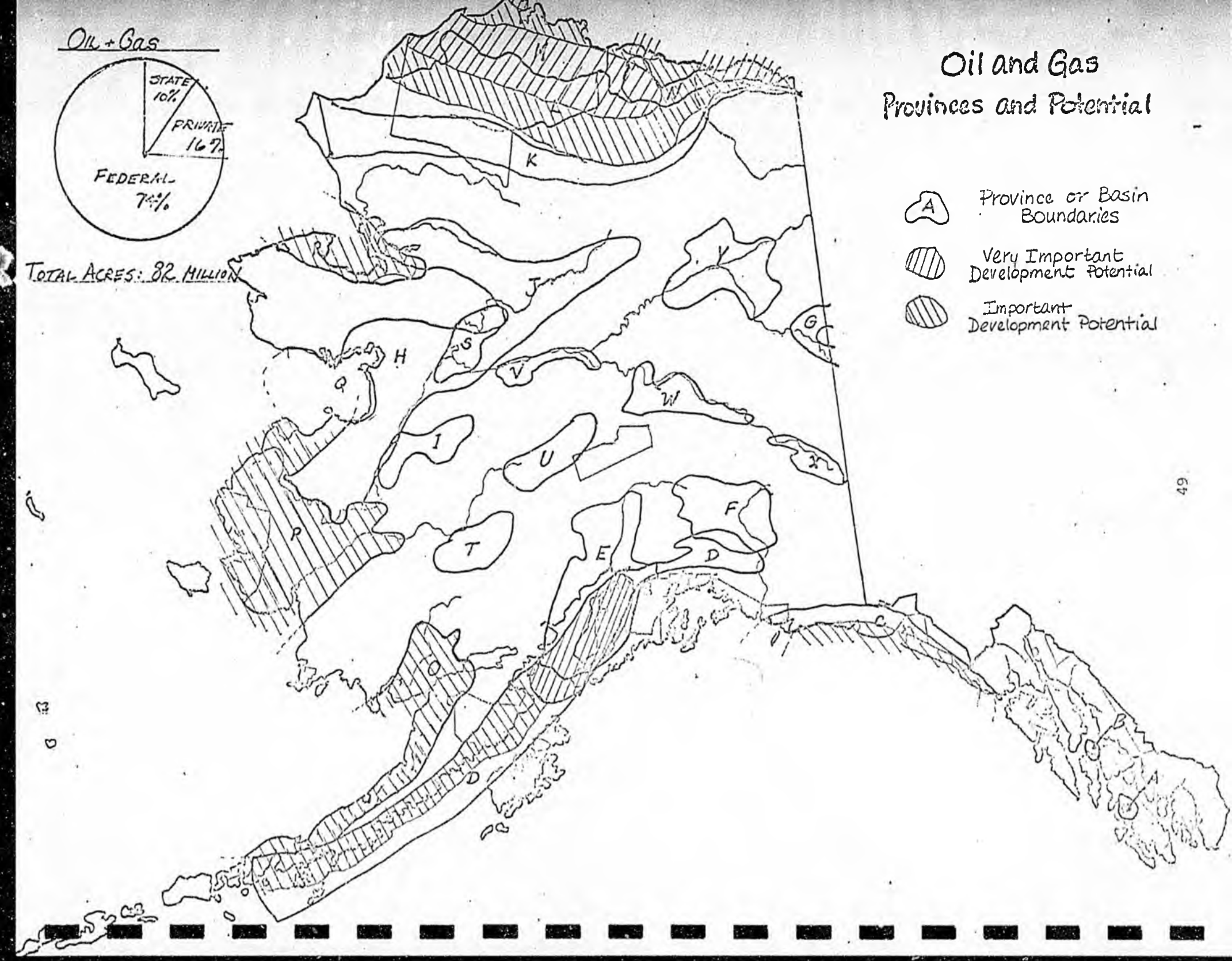
Except for smaller relatively discrete ecosystems, it appears that the land ownership of larger systems in Alaska will generally be shared by the Federal and State governments and private corporations. The mobility of some wildlife species makes it often difficult to circumscribe entire stable ecosystems under one ownership or administrative category. In addition to migratory birds, there are some marine mammals and anadromous fish whose ecosystems extend well beyond the State of Alaska. Large caribou herds range over many millions of acres. Wolves hunt over many miles of territory, and bear and moose may range extensively.

Most of Alaska's major ecosystems are represented to varying degrees in existing units of the national conservation systems. Some watersheds and wildlife habitat integrally related to existing national parks and refuges are not incorporated within their boundaries. Additions to these units, as well as national interest designations of discrete ecosystems and portions of more extensive ecosystem units, are now under discussion.

ENERGY RESOURCES

Oil and Gas

There are 23 possible petroleum provinces and basins in Alaska and its continental shelf. Production is ongoing from the Swanson River field in the Kenai National Moose Range and in upper Cook Inlet, and will commence near Prudhoe Bay on the North Slope as soon as the trans-Alaska oil pipeline is completed. Exploratory drilling has occurred in at least eight of the 23 petroleum provinces, and government-conducted


Oil + Gas
STATE 10%
PRIVATE 16%
FEDERAL 74%
TOTAL ACRES: 82 MILLION
Oil and Gas
Provinces and Potential
A
Province or Basin Boundaries
Very Important Development Potential
Important Development Potential
K
R
J
Y
G
H
S
Q
V
W
I
U
X
F
P
T
E
D
C
B
A
49

seismic exploration and test drilling will continue on National Petroleum Reserve-Alaska for three more years. Almost 1,000 wells have been drilled in Alaska and 19 proven oil and gas fields have been discovered totalling about 450,000 acres. Major oil corporations have entered into contracts with six regional Native corporations for exploration on private lands. Outer Continental Shelf (OCS) leases in the Gulf of Alaska province have been let and other lease sales in the lower Cook Inlet province may be scheduled in the near future. The State is currently considering lease sales in several State-owned areas. Other Federal OCS lease sales are also scheduled during the next several years, including a possible Federal-State lease sale being considered for a coastal portion of the Beaufort Sea.

Alaska has approximately 82 million acres of land having good potential for oil and gas based on rock structure data and possible reservoir size. Of the 60 million acres of Federal lands with petroleum potential 45 percent are in the following classifications:

national parks: 1.8 million acres
national wildlife refuges: 6 million acres
national forests: 0.5 million acres
National Petroleum Reserve-Alaska: 18.9 million acres

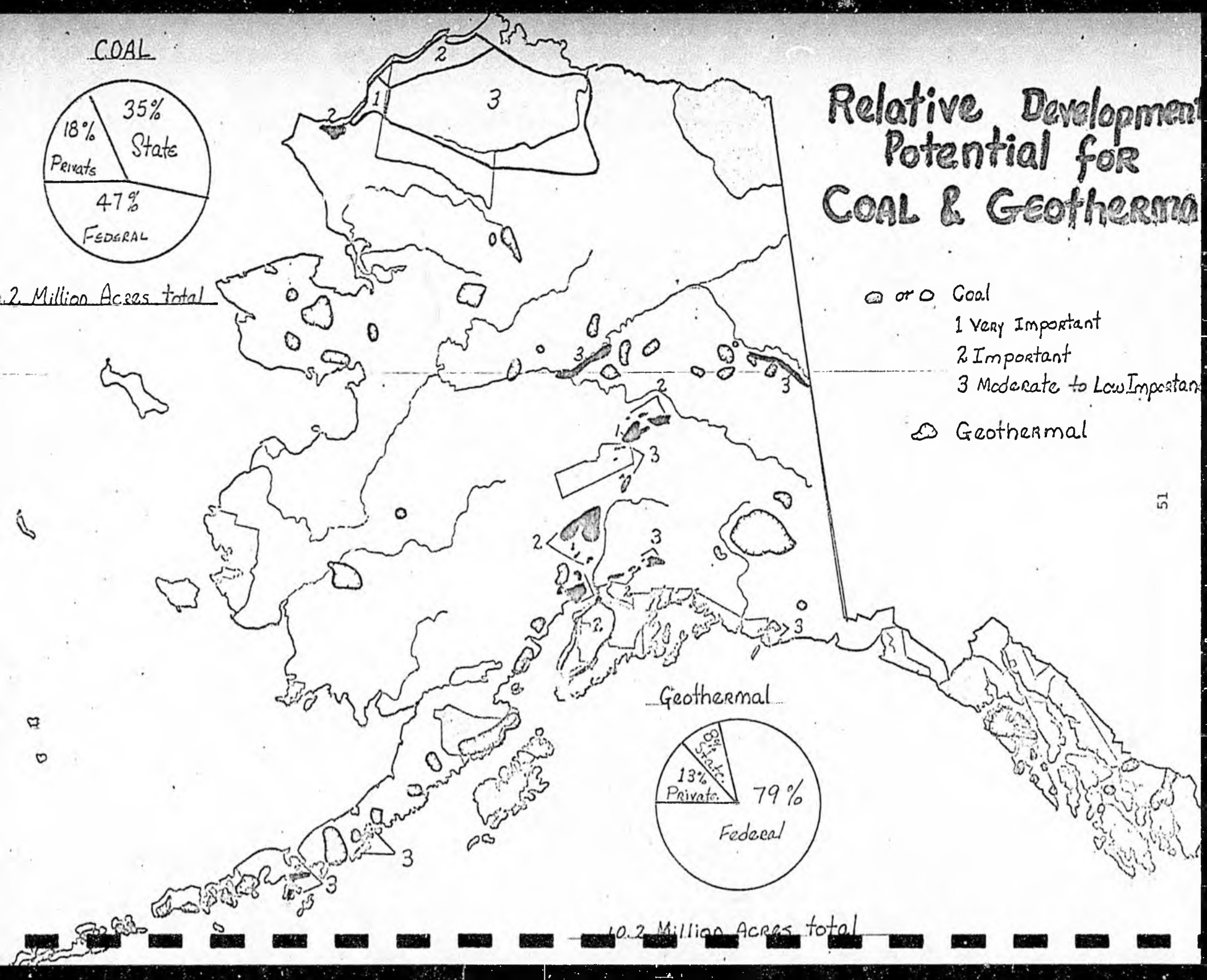
These lands are not available for additional State selection, with the exception of about 400,000 acres of national forest lands.

Oil from Alaska's reserves, which far exceed local needs, will mostly be exported. Transport of oil and gas in Alaska, especially from the remote northern regions, may be dependent upon pipelines to reach ice free, deep water ports, or distant overland markets. Unlike many natural resources in Alaska, market prices for oil are sufficiently high to compensate for exceptional costs of development in Alaska and create a current demand for the State's supplies.

The range of proposed parklands contains from 0.5 million to 6.3 million acres of land with oil and gas potential, and proposed refuge lands contain 2 million to 10 million acres of potential. Pending final decisions by Congress on these park and refuge additions, up to 22 million acres of Alaska's land with oil and gas potential will remain in the Federal public domain or reserves where petroleum development could be allowed. However, one legislative option would include all Federal lands having oil and gas potential within proposed wildlife refuges. Petroleum provinces frequently occur in areas of prime lowland waterfowl habitat or in rich offshore marine habitats. Pipelines or other means of petroleum transport will cross wildlife habitat and may traverse the migration routes of some species.

Coal

An estimated 130 billion tons of coal may be found in Alaska with major deposits concentrated in central Alaska and the northwestern Arctic. Alaska coals, usually characterized by low sulfur content and large deposits, are predominately subbituminous, and generally have high water


COAL
35% State
18% Private
47% FEDERAL
2 Million Acres total
Relative Development Potential for Coal & Geothermal
Coal
1 Very Important
2 Important
3 Moderate to Low Importance
Geothermal
51
Geothermal
8% State
13% Private
79% Federal
10.2 Million Acres total

and ash contents. The largest deposits of coal occur in lowland Arctic regions containing extensive permafrost, which may present technical difficulties. Some coal deposits adjoining the northwest Arctic coast may have coking characteristics. The Nenana coal field is Alaska's operating mine, currently producing for local markets. Of the 23.4 million acres of land having with known and potential coal deposits in Alaska, 6.2 million acres have been identified to be relatively important based on size and type of deposit, accessibility, and market demands.

Most of Alaska's coal must be strip-mined and each operation will require access roads or other means of bulk transportation. Costs of coal production in Alaska, particularly of the remote Arctic fields, will be relatively high and may forestall development.

Of the 6.2 million acres of land with important coal potential, almost 30 percent is located in the National Petroleum Reserve-Alaska. Fifteen percent of the areas with important coal potential are in existing parks and refuges, and up to 5 percent have been contained within proposed new parks and refuges before Congress. No additional coal deposits are contained in any new parks or refuges in one legislative proposal.

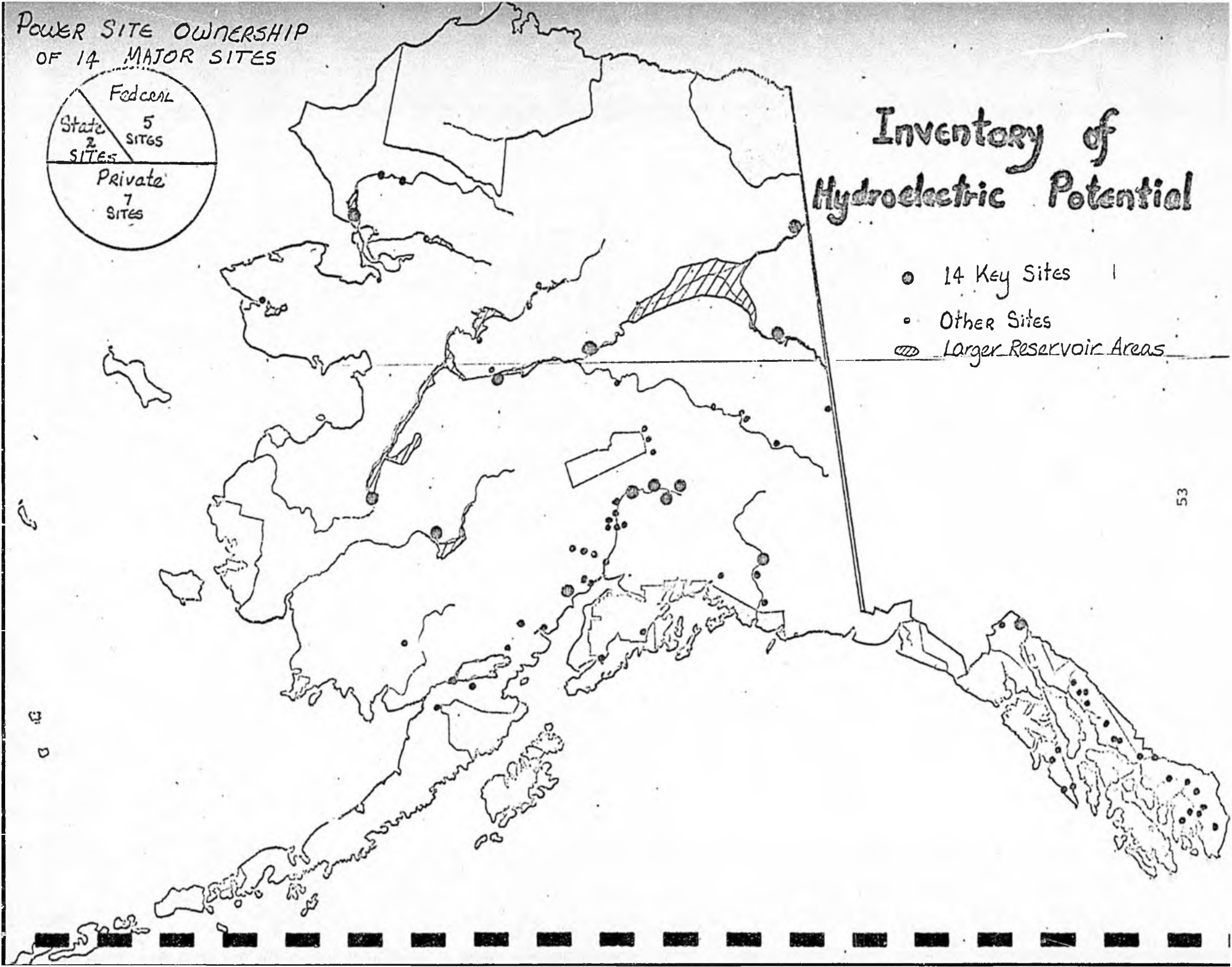
Geothermal

Approximately 75 areas with geothermal energy potential totalling 10.2 million acres are located in Alaska. Those areas with highest potential for energy generation are in the Wrangell Mountains and on the Alaska Peninsula and the Aleutian Islands. Utilization of geothermal resources might include the transfer of heat to nearby communities for space heating or small scale agricultural purposes. Some sites, if found suitable, might be used for on-site electrical energy generation. On-site development may be accompanied by unusually high noise levels. Most geothermal areas are distant from markets which may delay their development.

Existing parks and refuges currently contain 13 percent of Alaska's land with geothermal energy potential, and proposed legislation in Congress contains an additional 19 to 36 percent land with potential within new parks and refuges. Depending upon congressional action on these reserves, 27 to 47 percent of Alaska's land with geothermal possibilities will remain in other Federal ownership where geothermal development could occur. National forests, refuges, or other Federal reserves that are not available for additional State selections contain about one third of the lands in the State having geothermal energy potential. Many of the identified areas lie within mountainous regions or zones of historic volcanic activity having high scenic or scientific values.

Hydroelectric

Seventy-six hydroelectric sites involving relatively low development costs have been identified. Most of these sites are located in central and southeastern Alaska. Twenty-nine are located on lands already incorporated in existing units of the national conservation systems,


POWER SITE OWNERSHIP
OF 14 MAJOR SITES
Federal
5
SITES
State
2
SITES
Private
7
SITES
Inventory of
Hydroelectric Potential
14 Key Sites
Other Sites
Larger Reservoir Areas
53

primarily the Tongass National Forest. Several sites, including some with the highest electrical generation potential and largest reservoirs, are located along major interior river drainages, most notably the Yukon River.

Eleven key major projects involving 14 sites, totalling 23 million kilowatts of installed capacity, are considered to have good potential based on regional distribution, physical suitability, and costs. Eight of these projects have potential installed capacity of at least one million kilowatts each, giving an installed capacity as large or larger than the John Day Dam on the Columbia River or the Hoover Dam on the Colorado River.

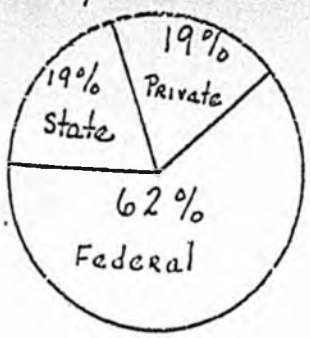
Of these 14 major potential sites, 2 are on State-selected land and 7 are projected to be in private ownership. Five are on Federal lands. None of these major sites or significant portions of their reservoirs are in any existing units of the national conservation systems.

The installed capacity of Alaska's hydroelectric plants that are already in operation is a little over 123,000 kilowatts, with government projects accounting for approximately 60 percent. These projects have been developed at two sites in southcentral where the bulk of the State's population lives, and at 12 sites in southeastern Alaska. Together they produce 16 percent of the State's total electrical energy.

Potential reservoirs at the 14 sites range from 106 square miles (Wood Canyon), to 10,000 square miles (Rampart), often encompassing wildlife, waterfowl, and salmon spawning habitat. One site would utilize an existing 26-square-mile lake and would cause no additional inundation. The development of hydroelectric projects may also affect downstream wildlife habitat, soils, vegetation, and aquatic habitat by regulating or eliminating fluctuating seasonal water flow. Development of three of the 14 sites could affect proposed national interest lands downstream. A number of the proposed projects (mainly on the Yukon) would decrease flood danger to downstream communities, while other communities upstream would have to be relocated to avoid inundation by reservoirs. Potential commercial forest lands and a number of sedimentary basins with potential for oil and gas or uranium would be affected to varying degrees, depending on the number and location of the sites developed. (The Rampart project would inundate one fourth of Alaska's soils with good agricultural potential, according to the Soil Conservation Service.)

Four of the 14 sites and major portions of four reservoirs of the other sites are contained within the spectrum of parks and refuges that have been proposed in Congress. Of the remaining six sites and reservoirs, five are on State or private land near urban areas where a combined annual output of 7.7 billion killowatt hours could be developed. The remaining project has its entire watershed and reservoir on the upper Yukon River in Canada with only generating facilities in Alaska. Its potential annual output is 21.0 billion kilowatt hours.

TOTAL ACREAGE –
78.9 MILLION



Sedimentary Basins
Having Uranium Potential

55

In a 1974 report, the Alaska Power Survey projected that in 1990, Alaskans would require 13.3 billion kilowatt hours of electrical power, and 27.5 billion kilowatt hours by the year 2000. These are mid-range projections based on current trends and growth rates. Low and high projections for the year 2000 range from 14.9 to 58.1 billion kilowatt hours.

Because of the great distances and high costs involved, it is unlikely in the near future that Alaska could meet a portion of the electric power or water demands of the rest of the United States, except possibly to supply energy for local processing of nationally significant resources found within the State.

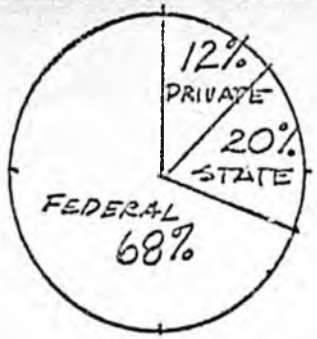
Uranium

Nineteen sedimentary basins favorable for uranium totalling 78.9 million acres are found in low-lying areas around the State. About 34.6 million acres of the lands with uranium potential are in classifications that are not available for State selection, including 16.6 million acres of potential uranium lands in National Petroleum Reserve-Alaska. There is currently no extraction, but some preliminary sampling and fly-over exploration efforts are underway. Low-lying basins with uranium potential often occur in areas of prime habitat for waterfowl and other wildlife. Seven percent of Alaska's land with uranium potential is contained in existing parks and wildlife refuges. An additional 6 to 7 percent of the land with uranium potential is contained the range of proposed new parks and refuges before Congress. Depending on the final size and location of these proposals, 25 to 28 percent of Alaska's land having uranium potential will remain in other Federal classifications where uranium development could be allowed. If uranium development in Alaska becomes feasible, it is likely to involve open-pit mining and floatation mills. The feasibility of an enrichment plant in Alaska would probably depend on an abundance of inexpensive coal or other fuel, and an adequate infrastructure.

MINERAL VALUES

Alaska contains 18 important minerals that are of national interest. With the exception of gold and barite, all these minerals appear in the 1976 study by the Office of Technology Assessment, being updated in 1977, or the Stockpile Goals list of the Federal Preparedness Agency, October 1, 1976. Gold is included because of its increased use by the electronics industry. Barite is included because the entire statewide demand for barite-rock drilling needs can be met with Alaskan resources. The areas with the highest probability of containing these minerals are identified on the Bureau of Mines Metallogenic Provinces Map for Alaska. Those minerals addressed in this section are antimony, asbestos, chromium, copper, fluorine, gold, iron, barite, lead, mercury, molybdenum, nickel, platinum, silver, tin, titanium, tungsten, and zinc. Alaska also has uranium potential which is discussed in the Energy Values section.

METALLIC MINERALS



TOTAL ACRES ~ 257 MILLION

METALLIC MINERAL POTENTIAL REGIONS

1. ~ HIGHLY FAVORABLE

2. ~ FAVORABLE

A number of recognized metallogenic provinces throughout the State have potential for antimony, asbestos, chromium, iron, nickel, platinum, titanium, copper, gold, silver, and molybdenum. Tin and tungsten have potential in several provinces in interior Alaska and on the Seward Peninsula. Provinces with lead and zinc potential are recognized to occur in southeastern, central, and northwestern Alaska. Provinces with potential for barite occur throughout the State, except in Western Alaska and the Alaska Peninsula. The Kuskokwim River area contains potential for mercury, and fluorine deposits are located on the western end of the Seward Peninsula.

Alaska is not the Nation's sole source of any of the identified minerals, though it may have relatively higher potential than other states where there is current extraction. Gold, lead, silver, and tin are currently produced in Alaska, but production is relatively small scale. In the past, Alaska has produced antimony, chromium, copper, gold, mercury, platinum, silver, tungsten, and zinc. Although mineral exploration efforts by both government and private industry are increasing, relatively little is known about Alaska's mineral potential compared to that of the rest of the United States. Future effective demand for Alaska's minerals will be influenced by additional resource information and changes in technology and international and domestic political factors.

The Bureau of Mines has estimated that 251 million acres in the State have some metallic mineral potential based on geological information, known deposits, and past mining history. Seven percent of these lands are included within existing national parks and wildlife refuges. Because the State has an interest in lands of high metalliferous mineral potential, it may make substantial future land selections on this basis. Approximately 46 percent of the Federal lands with mineral potential could be available for additional State selection.

The State, as well as a number of Native corporations, are conducting mineral explorations on lands they have selected. The Bureau of Mines and the U.S. Geological Survey are continuing their exploratory field work activities throughout the State. The Bureau of Mines has made particular efforts in the Brooks Range, central Alaska Range, Glacier Bay National Monument, and in the wilderness study areas in the Tongass National Forest.

With the important exception of oil and gas, high costs of production and exploration in remote Alaska may mean that only larger or higher grade mineral deposits will be feasible to extract in the foreseeable future. The harsh climate shortens the exploration and construction season, and acts to reduce productivity. Local markets are small and higher costs may make Alaska resources noncompetitive in worldwide markets. Lack of transportation and utility infrastructures in most areas of Alaska increase the required capital investment. For those

industries more labor intensive than the oil and gas industry, high salaries matching a cost of living 25 to 75 percent higher than that of the rest of the United States need to be taken into consideration in investment decisions.

Generally, underground mining is less likely to be economically feasible in Alaska except for gold and silver, or for very large higher grade deposits of other base metals. Lower grade underground mines may be precluded by high labor costs that could become more than 50 percent of the total operating cost. Consequently, most future mineral development in Alaska will probably be by open-pit methods.

The amount of land needed for an open-pit mine varies depending on the type of mineral(s) and the size of the deposit. The amount of land needed for a single mine in Alaska may vary from under 100 acres to over 1,000 acres. While only a few acres are needed for the actual mill site, the mine itself may cover several hundred acres. Related tailing piles and settling ponds may use at least as much land as the excavation site (often 2 or 3 times as much). Underground mines may need comparable acreage for milling, settling ponds, and tailings, although the mine itself will involve very little surface disturbance. In some cases, Alaska mining operations will generally need to be larger than other comparable U.S. Mines to be economically feasible in remote areas. Most will require ground transportation and/or nearby airstrips.

In some cases, winter haul roads have reduced or eliminated the need for a permanent access road for equipment and supplies. In the past, however, most extraction has taken place during the summer months. In the future, use of winter haul roads may continue and mining activity may be more likely to occur on a year-round basis.

Of the 170 million acres of Federal lands with mineral potential, 9 to 26 percent have been proposed for additions to new parks and refuges in a range of legislative options before Congress. If Congress establishes any of these legislative options, 107 to 137 million acres will remain in Federal ownership classifications where mineral extraction could be allowed. Due to the nature of geologic phenomena, minerals frequently occur in areas of high scenic beauty. Consequently, many areas proposed for additions to the national conservation systems contain both scenic and mineral values.

The following table summarizes some of the more important variables that may be addressed to determine the potential of the 17 minerals in Alaska of national interest that have been identified. The first column indicates what percent of the identified national resource is in Alaska. In some cases, little is known about a mineral's presence in the State, and some future discoveries may not be anticipated or reflected. The second column indicates if present or past production has taken place. The third column deals with the most likely methods of extraction and related primary processing and transportation needs. The fourth column mentions other factors that may be important in determining national interest in minerals in Alaska.

OF IDENTIFIED U.S. NATIONAL RESOURCE * INTEREST IN ALASKA		OR CURRENT PRODUCTION	TYPE OF OPERATION LIKELY IN THE FUTURE	OTHER FACTORS
Copper	9	Large past production	Mines would probably be open pit or large underground operations. On-site milling of the ore is required, and transportation of the resulting concentrate will require a road or other form of surface access.	If large quantities of copper are extracted from Alaska in the future, it may be possible to have one or more smelters located in the State.
Antimony	5	Past production; small current production in 1976.	Mines could be open pit or very high grade underground operations. Higher grade ores may not require on-site milling, and might be flown out. Lower grade product would require surface transportation.	In the past Alaska production has been from a number of small, high grade mines.
Silver	small	Past and current production	Mines could be underground or open pit. Underground mining for silver is more economically feasible than most other minerals because of its high unit value. On-site milling may not always be necessary. A high grade mill concentrate might be flown out. If by-products occur (antimony, copper, lead, zinc) then the ore will require surface transportation.	In Alaska silver is frequently mined as a principal product. Elsewhere in the U.S. 70 percent is mined as a by-product with other minerals.
Gold	no data	Past and current production	Mines could be placer, open pit, or high grade underground operations. Ore sometimes requires on-site milling. A high grade ore or mill concentrate could be flown out. Gold mine operations commonly produce large amounts of tailings.	In the past, Alaska has had a relatively high proportion of gold mines compared to the conterminous states.
Lead/ Zinc	no data	Past zinc production; and some current lead production	Mines could be open pit or large high grade underground operations. Smaller underground mines could be feasible if combined with high grade silver. The ore requires on-site milling and surface access for transportation.	Zinc has greater potential in than lead. However, they frequently occur together.

MINERALS OF NATIONAL INTEREST IN ALASKA	% OF IDENTIFIED U.S. RESOURCE *	HISTORIC OR CURRENT PRODUCTION	TYPE OF OPERATION LIKELY IN THE FUTURE	OTHER FACTORS
Nickel	3-9	None	Mines could be open pit or high grade underground operations. On-site milling of the ore is required. A higher grade mill concentrate might be flown out, but it generally requires surface transportation.	Most of the State's largest and and best known occurrences are located in Glacier Bay National Monument, which was recently closed to mining by Congress.
Barite	no data	Current production	Mines could be open pit or high grade underground operations. (Current extraction in Southeast is from below the mean high tide line.) On-site milling is required and surface transportation is needed for the milled product.	All current production in Alaska is used to make heavy drilling muds for use within the State. Additional production for Alaskan markets is to begin soon.
Platinum	up to 27	Past production	Similar to gold. All Alaska production to date has been from placer. The only platinum mine in Alaska or the U.S. closed this year after over 40 years of operation.	The future development potential for platinum in Alaska could increase if a cartel formed that would cause a substantial platinum price increase. Most of the world's platinum comes from South Africa, the United Kingdom, and USSR.
Chromium	less than 1	Past production	Mines would likely be open pit or possibly small shallow underground operations for high grade pods. A high grade ore may not require on-site milling. Low grade deposits would probably only be feasible near tidewater or existing transportation systems. Higher grade occurrences may be associated with a number of known ultramafic rock sequences in the State.	Current market prices appear to make Alaska production not economically feasible. But the possibility of a cartel by major producers could substantially increase the world price as well as Alaska's chromium development potential. Most of the world's chromium comes from South Africa USSR, Turkey and Rhodesia.
Tin	well over half	Past production	Mines could be open pit or placer operations. Open pit mines will require milling while the placer operations may not. A high grade ore or mill concentrate might be flown out. Lower grades need surface transportation.	The current international supply and demand is stable, but if market conditions change in the future, Alaska's tin resource could have increased development potential.

OF NATIONAL INTEREST IN ALASKA	IDENTIFIED U.S. RESOURCE *	OR CURRENT PRODUCTION	TYPE OF OPERATION LIKELY IN THE FUTURE	OTHER FACTORS
Tungsten	less than 1	Past production	Mines could be open pit, high grade underground or possibly placer operations. All types would require on-site milling. Surface transportation for the mill concentrate would probably be necessary.	Sometimes tungsten occurs as a by-product from gold placer mines.
Fluorine	22	None	Mines would probably be open pit. On-site milling of the ore is required and surface transportation would be needed. (Financing needed for infrastructure costs may allow only large operations to be economically feasible.	Tentative production schemes have been proposed for a large deposit on the Seward Peninsula. However, its development may render the operation not economically feasible at this time.
Asbestos	no data	Insignificant past production.	Mines would probably be open pit operations. On-site milling is required and surface transportation for the mill concentrate would be needed. Asbestos mines will need at least 100 acres tailings, settling ponds, etc.	There has been some question about possible air or water pollution from the mine site resulting from waste fiber.
Molybdenum	3	None	Mines would probably be large open pit operations. The ore requires on-site milling, and the resulting concentarate needs surface transportation. Tidewater operations could utilize barges or ocean freighters.	A major deposit was recently discovered in southeast Alaska that could be developed in the future if environmental and marketing conditions allow.
Mercury	4	Past Production	Mines could be small to medium open pit or high grade underground operations. An on-site "retort" process (heat separation) would be required. Larger operations may also have milling. Retort product might be flown out.	Increased demand for mercury in the near future is in doubt due to industrial conservation efforts. In several decades, demand may increase again.

MINERALS OF NATIONAL INTEREST IN ALASKA	% OF IDENTIFIED U.S. RESOURCE *	HISTORIC OR CURRENT PRODUCTION	TYPE OF OPERATION LIKELY IN THE FUTURE	OTHER FACTORS
Iron	7	None	Mines could be open pit or placer operations. On-site milling is generally required. The product needs inexpensive surface transportation like ocean freighters or railroad.	Some of Alaska's lode and placer beach deposits are magnetic which makes milling significantly cheaper.
Titanium	no data	None	Titanium would probably be mined as a by-product or co-product with iron near tidewater.	The Bureau of Mines has assessed the titaniferous content of many of Alaska's beach sand deposits and has not found high grade deposits.

*Office of Technological Assessment, 1976. This column reflects only known resources without regard to future potential discoveries.

RENEWABLE RESOURCES

Timber

Approximately 140.2 million acres of Alaska is forested, including 22.5 million acres of coastal forest and 117.7 million acres of interior forest stands. Coastal forests primarily of western hemlock and Sitka spruce with larger trees and higher growth rates are generally more productive than the interior forest types containing aspen, birch, balsam poplar, and black and white spruce in colder, drier climates. Of the 22.5 million acres of coastal forest, 5.6 million acres are considered commercial timber lands (based on annual growth rates of at least 20 cubic feet per acre). Wood volume for this area is estimated at 35 billion cubic feet.

Interior forest types fall into these three broad categories: lowland spruce-hardwood, bottomland spruce-poplar, and upland spruce-hardwood, totalling 117.7 million acres, with varied commercial potential. Existing parks and refuges contain about one percent of these interior forests lands. Existing national forests do not contain any interior forest types.

In 1968, the Forest Service's Alaska Forest Survey determined that 22.4 million acres of the interior forest types are defined as commercial, (based on the 20 cubic feet per acre annual growth), with a volume of 14.2 billion broad feet. This includes 9 billion cubic feet of merchantable trees 5 inches or larger in diameter. In 1976, in a report to Congress, the Forest Service reduced its estimate of commercial interior forest lands to 12.4 million acres. This more recent estimate excluded some forest lands on the basis of relative inaccessibility and high development costs. Bottomland forests along Alaska's major interior rivers often have larger tree size and higher growth rates. About half of these stands will be in State and private ownership. Upland spruce-hardwood stands on good sites on southerly slopes often have good growth rates also. About 36 percent of these upland forests are included in State or private ownership.

Large-scale commercial logging occurs primarily in southeastern Alaska, most of it within the Tongass National Forest, and, secondarily, on the southcentral coastal forest. Besides providing watershed and habitat values, Alaska's timber is utilized to produce pulp, cants, and chips, with a variety of uses. Very little dimensional lumber is produced, although some small mills, including several in the interior, produce house logs for local use. Generally, clearcutting is the only currently economically feasible method of timber harvest in Alaska. Because other U.S. markets for Alaska's resources are relatively remote, other Pacific Rim countries may be more likely to utilize Alaska forest products. Markets for Alaska's timber products are almost entirely foreign, with Japan the leading buyer. The timber industry in the Tongass National Forest is a major contributor to the southeastern local economy.

Tree species similar to those of Alaska's interior forests are found in Scandanavian countries where the harvesting of timber is relatively intensive. However, a generally milder climate and more highly developed social infrastructures presently increase the relative timber potential in Scandanavia.

Of the 117.7 million acres of interior forest land, legislation before Congress has incorporated from 6.2 to 28.5 million acres in proposed new parks and wildlife refuges. Up to 14.9 million acres of interior forest lands may also be included in proposed new national forests. Depending on the extent of new parks and refuges, 49.0 to 71.4 million acres of interior forest land could remain in other Federal classifications where timber harvest might be allowed. Some of this Federal land may be selected by the State of Alaska.

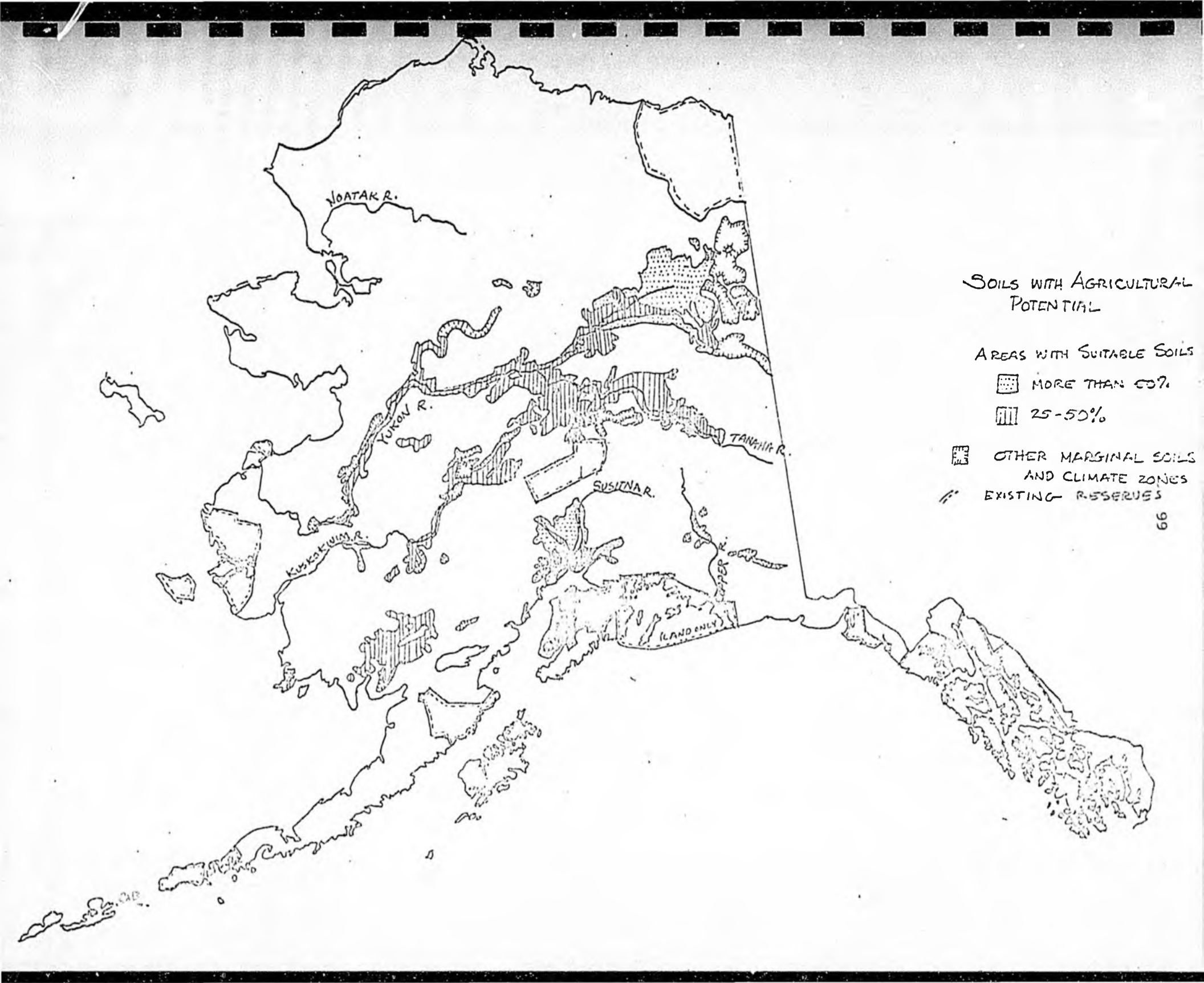
Cultivable Soils

Recent data from the Soil Conservation Service indicates that Alaska may have up to 102.3 million acres of soils with some agricultural potential. However, 81.9 million acres of this is considered poor because of severe soil, temperature, or rainfall limitations which are difficult to overcome and would require special treatment to grow even the hardiest crops.

What remains is 16.7 million acres of good soils and 3.8 million acres of fair soils. "Good" soils are those having few, if any, critical limitations. They can support all of the common Alaskan crops successfully using ordinary management practices. They are at least 18 inches deep, well-drained, and on slopes of less than 7 percent. They have adequate rainfall and are less likely to be subjected to flood, drought, frost, or wind erosion. "Fair" soils have identifiable soil or climate limitations that can be overcome by careful management and special practices. They are at least 10 inches deep, may be subject to short periods of excessive soil moisture during the growing season, and are on slopes of less than 12 percent. They are more likely to be subject to flood, drought, frost, or wind erosion.

The 20.5 million acres of good and fair soils are located primarily in the interior drainages of the Tanana, Yukon, and Kuskokwim Rivers and in the Bristol Bay and Cook Inlet Basins. Over half of the soils with good potential in Alaska occur on lowlands adjacent to the major interior rivers. About one quarter of Alaska's good soils are located in the Yukon Flats.

Soils in Alaska are suitable for growing crops of barley, oats, potatoes, and grasses for hay and silage. Other crops that have been produced successfully on a small-scale or family basis include cabbage, lettuce, carrots, celery, cauliflower, brussel sprouts, broccoli, turnips, peas,



SOILS WITH AGRICULTURAL POTENTIAL

AREAS WITH SUITABLE SOILS

MORE THAN 50%

25-50%

OTHER MARGINAL SOILS AND CLIMATE ZONES

EXISTING RESERVES

strawberries, and raspberries. Tomatoes and cucumbers are grown successfully in greenhouses. Significant agricultural research and experimentation has occurred in Alaska, and a variety of crop strains suitable for northern production have been developed.

At least half of the State's good and fair soils are likely to be divided among State and private landowners in the near future. Units presently within existing national conservation systems have relatively little acreage of cultivable soils.

Alaskan agriculture is currently small-scale and produces for local market only. There are under 75,000 acres of farms, mostly located in the Matanuska-Susitna Valley near Cook Inlet and in the interior Tanana Valley. To date, production and transportation costs have made the produce competitive only in local markets. Unlike most other kinds of natural resource development, agriculture implies permanent settlement and the cost of providing schools, roads, and other community facilities and services.

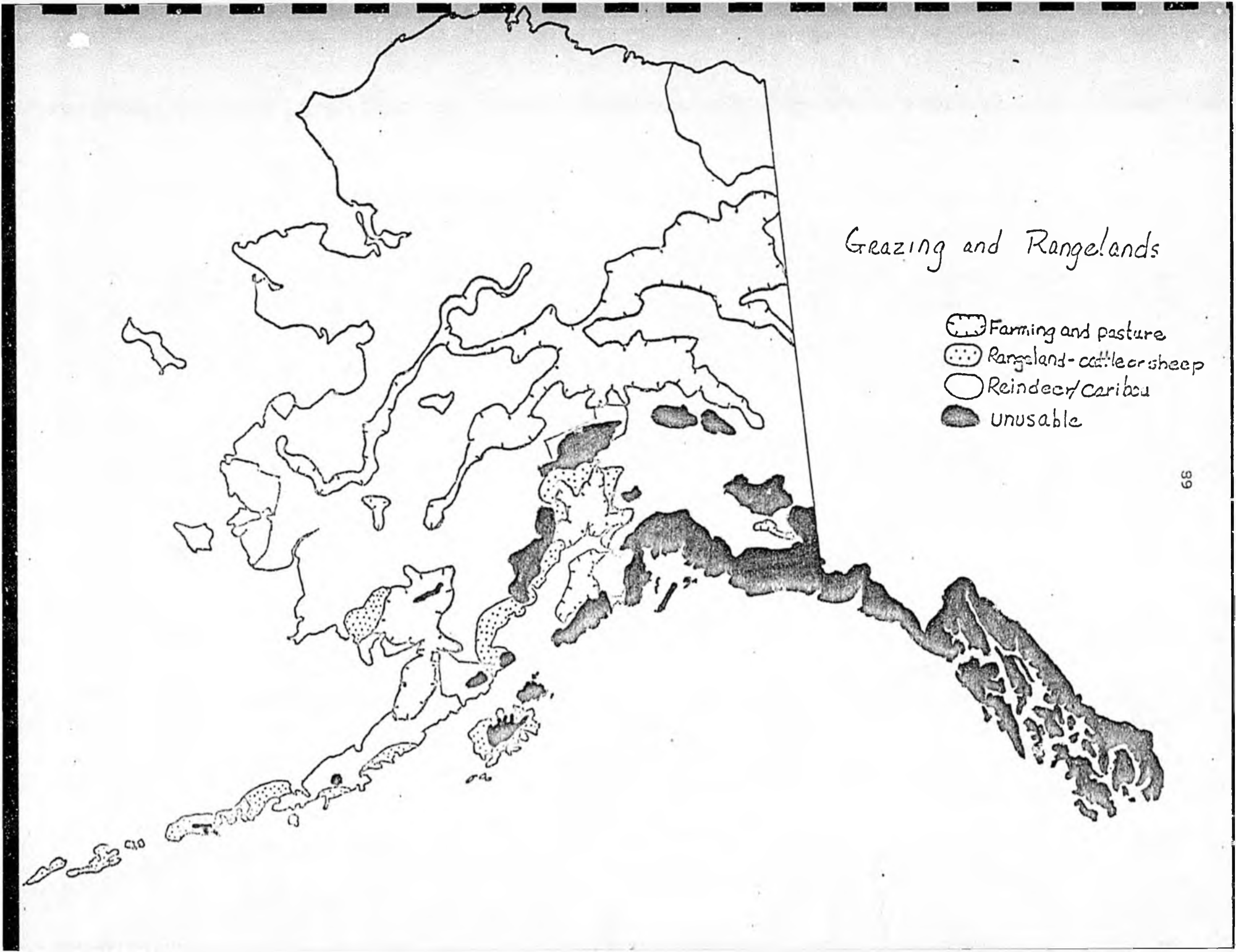
The feasibility of developing some agricultural soils in the future may depend upon flood control and irrigation facilities that could be constructed as part of several proposed hydroelectric projects, especially along the major interior rivers. However, some reservoirs have the potential for inundating large areas of cultivable lowlands.

The range of proposed additions to parks, refuges, and forests contain varying proportions of the potential agricultural soils in Alaska. All of the legislative options would place large portions or all of the Federal lands with good soils in the Yukon Flats within a national wildlife refuge or other classification. Other smaller tracts of cultivable soils found in the State have generally not been included to any significant extent in other proposed parks or refuges.

Lowlands with tillable soils frequently support high density waterfowl and furbearer populations, most notably in the Yukon Flats area which contains 4.7 million acres of good soils.

Rangelands

Alaska has about 18.6 million acres of land that may be suitable for domestic livestock grazing, primarily cattle and sheep. This includes 195,000 acres of good grazing lands principally on Kodiak and the Aleutian Islands where domestic livestock could successfully graze most of the year. The remainder is somewhat limited by a shorter growing season, periods of excessive wetness, or a predominance of less palatable vegetation. Over 20,000 dairy and beef cattle, sheep, goats, and horses are currently grazing on 1.5 million acres. The areas of greatest grazing potential are the Aleutian Islands, Alaska Peninsula, Kodiak Island, and scattered other locations in southcentral and interior Alaska and the Bristol Bay region. The grazing season in interior and


Grazing and Rangelands
Farming and pasture
Rangeland - cattle or sheep
Reindeer/Caribou
Unusable
39

on the coast north of Kodiak is limited to three or four months each year. Supplemental feeding and shelter is necessary during the winter months especially for cattle. Greatest potential would be achieved under a livestock economy with hardy range animals, development of forested grassland in proximity to croplands, and some shelter or controlled environment. Introduction and cultivation of grasses may extend the grazing season to approxmiately seven months. Domestic livestock grazing frequently overlaps wildlife habitat of a variety of species. Expansion of the use of Alaska's potential grazing lands could mean increased predator control, range competition with caribou or moose, and increased potential for wildlife disease.

Sheep in Alaska are raised primarily for wool production. Nearly the entire population of sheep is grazed year-around on Umnak and Unalaska Islands on Federal public domain lands or on private lands. Sheep are generally more self-sufficient than cattle, and are more suitable for the remote Aleutian Islands because they require less meat processing and transportation infrastructures than beef cattle. Sheep generally do not require supplemental winter feeding.

Less than 2 percent of the beef consumed in Alaska is raised in the State. Half of this comes from Kodiak Island, and most of the balance is from dairy cattle in the Matanuska-Susitna Valley near Anchorage. Dairying, which generally requires extensive landholdings, is currently threatened by urban expansion from the Anchorage area. Other areas in interior Alaska and the undeveloped Susitna lowlands could support expansion if they were made available.

Of the 18.6 million acres of potential domestic grazing lands in Alaska, from 3 percent to over half are contained in proposed parks and refuges.

Semidomesticated reindeer and musk-oxen are also raised in the State. Unlike domestic stock, these animals can survive in the harsher climate of northern and western Alaska. Lands suitable for reindeer grazing are present in nearly all lowland and upland areas of the State where wild caribou range. Much of Alaska's potential reindeer grazing lands have been selected by private corporations and the State of Alaska, but large amounts will remain on Federal lands. Currently there are eight to ten herds on several Bering Sea Islands, the Baldwin and Seward Peninsulas, and the Aleutian Islands, totalling 25,000 to 35,000 animals. Reindeer make a significant contribution to the economy of a number of rural Alaskans. Research to determine the commercial value of the hair and meat of the musk-oxen has been underway for several years. Potential musk-oxen range exists on the Seward Peninsula and along the Arctic coastal plain. Proposals before Congress for new parks, wildlife refuges, and forests have included varying amounts of rangelands for semidomesticated animals. In any case, a large portion of Alaska's rangelands will be on State, private, or Federal public domain lands where grazing might be allowed.

Fisheries

Alaska has valuable fisheries, both freshwater and marine. Marine fish and shellfish harvested in Alaska include salmon, halibut, sable fish, pollock, herring, king and tanner crab, and shrimp. Marine and anadromous commercial fisheries in the Gulf of Alaska and Bering Sea are harvested by several Pacific Rim countries prompting several past and current international fishery treaties. Significant foreign take of Alaska salmon and other fisheries has been one of the contributing factors leading to the recent U.S. enactment of a 200-mile fishery jurisdiction zone. Because of increasing number of U.S. and foreign fishing vessels competing for Alaska's marine fisheries, the State has legislatively instituted a limited entry fisheries program.

Commercial fishing is one of Alaska's major industries. In the years 1965-1970, prior to construction of the Alaska oil pipeline, average July employment in the fishing industry accounted for 17 percent of the State's total employment, and 37 percent of the employment in the coastal regions. During 1975, Alaska fisheries contributed nearly 438 million pounds or about 9 percent of the total U.S. catch. Value of the Alaska harvest was $143,836,000 or 14.8 percent of the value assigned to the total U.S. catch. The value of the salmon industry alone has totalled nearly $700 million from 1960 through 1974 with an average of approximately $46 million annually.

Many rural inhabitants depend upon fish as a primary food source to meet their subsistence needs. Some also participate in the commercial harvest of marine waters or major inland rivers. Substantial quantities of salmon, white fish, and other fish are caught for human and sled dog consumption.

Sport fisheries are an important factor in the State's tourism industry. Sport fishing has grown significantly since 1960. License sales have nearly tripled since 1961. In 1973, a statewide survey indicated that a total of 174,278 sport anglers caught an estimated 2.4 million finfish.

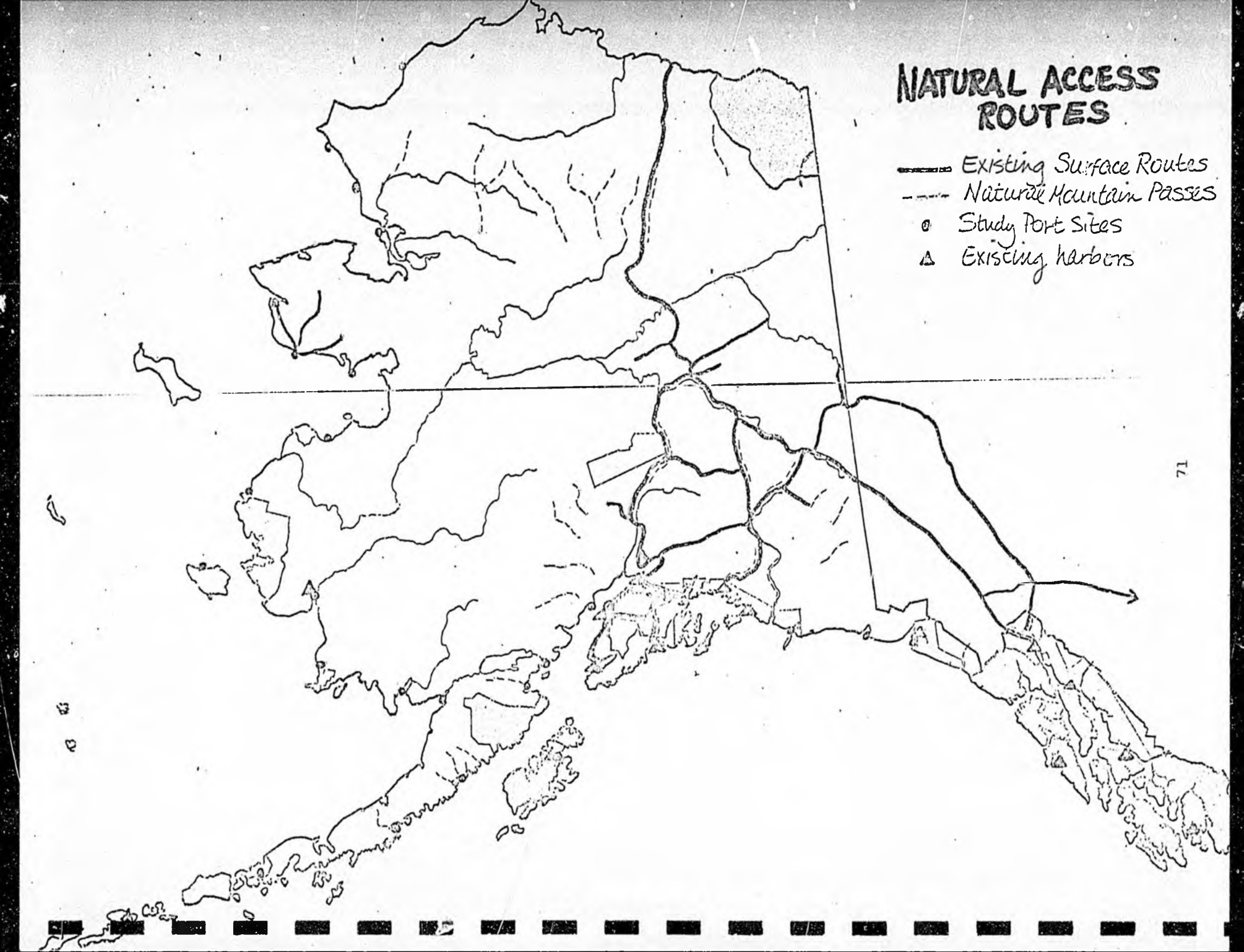
The State of Alaska conducts a fisheries improvement program designed to increase the availability of natural spawning and rearing areas. Artificial rearing of salmon stocks, and proposals for expanded and additional hatchery facilities are also part of the State's program.

Present ownership allocation as well as proposed containment of fisheries habitat in national conservation units are referenced earlier under "Fish". New units of national conservation systems and wilderness designation of some areas could impact State fishery management programs to some degree, particularly in the Bristol Bay regions.

OTHER USES

Natural Access Routes

Natural access refers to those physical features of the State that facilitate surface transportation or offer opportunities for the development


NATURAL ACCESS ROUTES
Existing Surface Routes
Natural Mountain Passes
Study Port Sites
Existing harbors

of transportation facilities. Among these features are major inland waterways for boat and barge travel, protected marine waterways of southeast Alaska and Prince William Sound; natural deep water harbors, numerous lakes and rivers allowing aircraft landings in remote areas, frozen ground and rivers in the winter for some cross-country movement of heavy equipment, mountain passes through major mountain ranges, and major river valleys.

Access to most parts of Alaska is currently achieved by air and water transportation. There is no ground access to western Alaska or the Alaska Peninsula, from the existing road system and only recently has a pipeline construction haul road extended north of the Yukon River to the Arctic region. The existing interconnecting road system is restricted to central Alaska and the northern corner of southeastern Alaska. A marine highway system of ferries operates between larger communities in the interisland-mainland waterways of southeast Alaska and Seattle. Other routes of this State-operated system are in Prince William Sound and between the Kenai Peninsula and Kodiak Island. Major airports or those suitable for larger jet aircraft are scattered at 26 locations. Numerous gravel airstrips are located at most of the 200 or more villages around the State and at mining or other resource development sites. Two railroads operate in the State: , the U.S. Government-owned Alaska Railroad from Seward to Anchorage and Fairbanks; and a Canadian-owned railroad between Skagway--an ocean port, and Whitehorse, Yukon Territory. Barge service operates in the summer on six major rivers and along much of the Alaska coast, and many lesser rivers are traveled by smaller craft.

Certain physical features of Alaska pose barriers to development of surface transportation facilities and routes. Among these are major mountain ranges and glaciers, major rivers and their attendant ice jams and flooding, permafrost, and vast areas of low wetlands. In some cases, natural routes or factors allow ground access through or across such obstacles, while others require certain construction methods. Development of surface facilities over many routes and across major barriers is extremely expensive.

Mountain passes or river corridors through major mountain ranges are limited. Between the southeastern tip of Alaska to Cook Inlet over a 1,000 mile distance, 10 basic natural routes breach the coastal mountains between the Gulf of Alaska and inland areas to the east or north. Roads have been built through four of these routes and railroads through three. Limited water transportation occurs in three others. A single route crosses through the Wrangell Mountains from the Chitina River valley to the White River valley of interior Yukon Territory. Nine natural routes pass through the Alaska Range, a 660-mile barrier across Alaska from the Canadian border to Iliamna Lake. Three routes contain ground transportation and communication facilities. Across the 600-mile-long Brooks Range in northern Alaska, about 10 basic natural routes

pass through the mountains between interior Alaska and the Arctic lowlands. More options exist on the western end of the Range. Anaktuvuk Pass in the center of this range is a historic route for foot and sled-dog travel. A winter haul road was developed over the route with the advent of North Slope oil exploration, however, it is no longer in general use. Atigun Pass, 60 miles east, is now crossed by the trans-Alaska oil pipeline and a gravel haul road constructed to facilitate installation of the pipeline. Alaska Peninsula crossings across the Aleutian Range from suitable harbors along the Pacific coast are limited. Other mountain ranges in the State tend to present fewer barriers to surface crossings.

In contrast with mountain crossings, many natural access routes follow the length of major river valleys. These routes may extend hundreds of miles and provide access to many of Alaska's communities.

Barriers relative to natural deep-water ports are also significant. Where some harbors exist, surrounding terrain excludes or hinders surface connections inland. Few good deep-water areas exist along the western and northern coasts in the relatively shallow waters of the extensive continental shelf. Those present may be extremely important. Seasonal ice pack effects seasonal use of these western and northern ocean waters and may extend as far south in the Bering Sea as the southwestern tip of the Alaska Peninsula.

Though many physical features of Alaska, such as wet lowlands, river crossings, or rough terrain, can be overcome by applied engineering techniques used elsewhere, permafrost soils pose special problems for development of transportation facilities. Large quantities of gravel, which may be limited in some locations, are necessary to overlay the tundra and insulate underlying soils to prevent thawing, subsidence, and erosion. Gravel is often available only in stream beds, and its removal can disturb aquatic habitats.

Most present transportation needs outside central Alaska are met by water and air modes. However, future resource development or land use in remote areas of the State may justify further ground transportation for people, processed goods, raw materials, or transmission of energy or communications. Additional surface facilities between some communities that may be necessary or desirable will cross presently undisturbed areas. Some of these areas are proposed for additions to the national conservation systems.

Proposals for new parks or refuges contain as many as nine and as few as seven of the natural routes through the Brooks Range, possibly all of five routes through the Alaska Range, and as many as three (two already partially used) routes through the Gulf Coast Mountains.

As many as seven major valleys or lowland basins identified as possible future routes by the Bureau of Land Management for transporting energy or other resources in whole or in key portions, are under deliberation for designation as new parks or refuges.

One harbor lying south of Katmai National Monument with potential for use and several possible Alaska Peninsula crossings would be wholly or partly contained within park and refuge proposals. Other suitable harbors along the Pacific coast of the Alaska Peninsula adjoin private lands.

Lands for Community Expansion and Habitation

Most Alaska towns and villages have developed on sea coasts and river banks. All except one are located at elevations below 2,000 feet, and the vast majority below 1,000 feet. The waterways have provided transportation corridors and harbors and ready access to foodstuffs and other resources. Set on low lying coastal lands or river floodplains, built on permafrost soils, or situated in active earthquake zones, many communities are exposed to one or more natural hazards.

Approximately 22.2 million acres of large tracts physically suitable for settlement have been identified in various areas of Alaska. Half of these lands are in Federal ownership, and the other half is divided among the State and private owners. Location rather than physical characteristics, however, appears to be the most important factor in community development. Lands desired for settlement are generally near areas already settled and existing transportation routes. Most such lands in Alaska are in State or private ownership. Foreseeable demands for lands for community expansion and year-round settlement in Alaska will be met by State and private lands. Even in southeastern Alaska which will remain almost entirely in Federal ownership, the State is entitled under the Statehood Act to select 400,000 acres from the Tongass National Forest for "community development and recreation purposes."

Unlike the land market for year-round settlement, demands for lands for seasonal recreational use are more widely dispersed. With the extensive use of small aircraft in Alaska, remote sites unsuitable for year-round habitation are becoming increasingly attractive as recreational property. Many of these sites lie well beyond State and private lands surrounding major population centers and are located on Federal lands. However, substantial land of high recreational value on riverbanks and lakeshores in most regions of Alaska has been selected by the State and private corporations.

As resource development occurs, there will be needs for some degree of settlement in remote locations. In developing certain resources, principally energy resources and minerals, permanent settlement may not be required. With few exceptions, temporary labor forces and facilities will likely satisfy industry's requirements. Agriculture and timber processing, on the other hand, may imply permanent occupancy.

Most lands that may be needed for community settlement are not found in existing or proposed national interest withdrawals, although some areas physically suitable, especially in the Yukon Flats, have been incorporated within proposals now under discussion. The Lake Clark and Lake Iliamna areas and major valleys adjoining the Wrangell Mountains, in particular, are areas of growing recreational use by Alaska's resident population and have been included in some proposals for new national interest reservations. Private or State lands in these areas, however, afford opportunities for recreational settlement.

IN EXISTING NATIONAL CONSERVATION SYSTEMS

Value or Resource	Total statewide Units*1	Portion of Total in in Existing Conservation Systems	Location of Containment NPS = National Park System. NWRS = National Wildlife Refuge System NFS = National Forest System
Wilderness	200≠MA primitive	75,000 acres	NWRS: Chamisso, Bering Sea, Tuxedni, Simeonof, Hazy Islands, Forrester Is.,
Wildlife Habitat-designated reserves and other areas			NPS: 1 park, 2 monuments NWRS: 16 refuges, 2 ranges State: 7 refuges and sanctuaries, 10 critical habitats, 4 large parks.
Waterfowl habitat (high density)	37.9 MA in 20 acres	3.4 MA(9%)	0.46 MA in Chugach and Tongass National Forests 2.9 MA in NWRS: Clarence Rhode, Cape Newenham, Izembek
Key Migratory Bird Habitats	27+ areas		NWRS: Arctic, Clarence Rhode, Hazen Bay, Nunivak Aleutian, Kenai NFS: Chugach, Tongass
Unique and Endangered Species			
Perigrine Falcon	7+ significant habitat areas	3 areas	NWRS: Aleutian Islands NFS: Chugach and Tongass Forests
Bald Eagle			NFS: abundant on the two forests NWRS: Kodiak, Aleutain Islands
Aleutian Canada Goose	1 nesting area	1 nesting area	NWRS: Aleutian Islands
Emperor Geese	1 major nesting area		NWRS: Clarence Rhode, Hazen Bay
Trumpeter Swan	1 major nesting area		NFS: Chugach
Taverners Geese	Coast from Bristol bay to Arctic Plain		NWRS: Arctic, Clarence Rhode, Hazen Bay, Cape Newenham
Dusky Canada	1 major nesting area		NFS: Chugach

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*1 M.A. = Million acres

Value or Resource	Total statewide Units*[1]	Portion of Total in in Existing Conservation Systems	Location of Containment NPS = National Park System NWRS = National Wildlife Refuge System NFS = National Forest System
TERRESTRIAL MAMMALS			
Dall Sheep	25 areas of range	4 areas	NPS: Mt. McKinley NWRS: Kenai NMR, Arctic NWR NFS: Chugach
Caribou	6 major herds, 7 minor herds	8%	NWRS: Arctic NWR NWRS: Kenai NMR, Izembek, Aleutian Islands NPS: Mt. McKinley
Polar Bear	Arctic Coast	%	NWRS: Arctic NWR
Glacier Bear	Northern Gulf Coast	%	Glacier Bay N.M., Yakutat unit,-Tongass N.F., Chugach NF
Musk-oxen	1 large herd 5 small herds		Chugach NF NWRS: Nunivak NWRS: Arctic, NWR, Clarence Rhode
Brown-grizzly bear & wolf	Common to most of Alaska		NPS: Mt. McKinley, Katmai, Glacier Bay, NWRS: Arctic, Kenai, Kodiak, Izembek, Aleutian Islands NFS: Tongass, Chugach
MARINE MAMMALS			
Ribbon Seal	Cape Wales to Cape Newenham		NWRS: Clarence Rhode, Bering Sea, Hazen Bay, Nunivak Cape Newenham
Ringed and Bearded seal	north of Cape Newenham		NWRS: Arctic, Clarence Rhode, Bering Sea, Hazen Bay, Nunivak, Cape Newenham, Chamisso
Pacific walrus	north of Umnak Island		NWRS: Arctic, Clarence Rhode, Bering Sea, Hazen Bay, Nunivak, Cape Newenham, Chamisso, Izembek, ~~Pogoslof~~, ~~St. Lararia, Hazy Island, Forrester Island~~.

Value or Resource	Total statewide Units*[1]	Portion of Total in in Existing Conservation Systems	Location of Containment NPS = National Park System. NWRS = National Wildlife Refuge System NFS = National Forest System
MARINE MAMMALS (cont.)			
Stellar Sea Lion	Gulf of AK, Aleutian Is., (not Cook Inlet)		NPS: Katmai, Glacier Bay, NWRS: Aleutian, Semidi, Simeonof, Kodiak, Izembek, Bogoslof, St. Lazaria, Hazy Is., Forrester Is.
Northern Fur Seal	Gulf of AK, Aleutian Is., Pribilof Is.		Same as Stellar S. Lion & Pribilof NFS: Chugach & Tongass
Harbor Seal	common to most of AK's coast		All except Kenai NMR and McKinnley NP
Sea (cer	Gulf of AK, Aleutian Islands		NPS: Katmai, NWRS: Aleutian, Izembek, Simeonof, Kodiak, Bogoslof, St. Lazaria, Hazy Is., Forrester Is. NFS: Chugach, Tongass
FISH			
variety of aquatic habitats			All reserves listed under Wilderness
LANDSCAPES			
Physiographic Divisions			
Pacific Mountain System			NPS: Mt. McKinley, Glacier Bay, Katmai NWRS: Kenai, Kodiak, Izembek, Aleutian Islands NFS: Tongass, Chugach
Intermontane Plateaus		small area,	NWRS: Arctic, Clarence Rhode, Bering Sea, Yukon, Cape
Rocky Mountain System		eastern section	NPS: Mt. McKinley NWRS: Arctic
Arctic Plain		small area	NWRS: Arctic

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(3)

Value or Resource	Total statewide Units*[1]	Portion of Total in in Existing Conservation Systems	Location of Containment NPS = National Park System, NWRS = National Wildlife Refuge System NFS = National Forest System
MOUNTAIN SYSTEMS-MAJOR RANGES			
Brooks Range			NWRS: Arctic NWR
Alaska Range			NPS: Mt. McKinley
Aleutian Range			NPS: Katmai NWRS: Izembek, Aleutian Islands
Wrangell Mtns			NPS
Talkeetna Mtns			NPS
Chugach-Kenai			NWRS: Kenai NFS: Chugach State: Chugach SP
St. Elias-Fairweather			NFS: Tongass NPS: Glacier Bay
Coast Range			NFS: Tongass
Major U.S. Mountain Peaks over 14,500 feet high	16 peaks	6 peaks	5- Mt.McKinley NP, 1(partial) Glacier Bay NM.
VOLCANOS			
	100+ 40 active	24	NPS: Katmai NWRS: Izembek, Aleutian Islands, Bogoslof
Volcanic Calderas			
Lava flow areas	3+		
Maars	5		
Other volcanic features			

Value or Resource	Total statewide Units*[1]	Portion of Total in in Existing Conservation Systems	Location of Containment NPS = National Park System NWRS = National Wildlife Refuge System NFS = National Forest System State = parks, refuges, sanctuaries and critical habitat designations.
GLACIERS & GLACIAL FEATURES			
Ice Fields (major)			
Major Glaciers			
Tidewater Glaciers			
Notable Fiords			
SAND DUNES			
Major			
Minor			
COASTAL FEATURES			
Scenic Fiord			
Scenic Rocky Mountains			
Other			
LAKES			
Large Moraine-dammed			

Value or Resource	Total statewide Units*[1]	Portion of Total in in Existing Conservation Systems	Location of Containment NPS = National Park System NWRS = National Wildlife Refuge System NFS = National Forest System State = parks, refuges, sanctuaries and critical habitat designations.
ENERGY RESOURCES			
Uranium	78.1 M.A. or 19 basins	7% or portions of 7 basins	NPS: McKinley NWSR: Arctic, Clarence Rhode, Hazen Bay, Kenai NFS: Tongass
MINERALS			
Copper	at least 39 provinces	portions of 19 provinces	NPS: McKinley, Katmai, Glacier Bay NWRS: Cape Newenham, Kodiak, Kenai, Hazy Is. NFS: Tongass, Chugach
TIMBER			
Commercial coastal	5.6 M.A.	90%	NFS: Tongass, Chugach
interior (all types)	117.7 M.A.	very small	NPS: McKinley, Katmai NWRS: Arctic, Kenai, St. Lazaria, Hazy Is, Forrester Is.

REFERENCES

Relative to this section, the Commission will make available additional information and analysis of environmental, social, and economic factors. Further descriptions and detailed information about Alaska's natural values, developable resources, and their uses may be found in the following materials, as well as references cited in their bibliographies. Special reference should be made to the Commission's inventory of over 1,000 resource map overlays for the entire State.

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MAJOR ISSUES AND OPTIONS: GENERAL RECOMMENDATIONS

WHAT MEANS SHOULD BE USED TO PROTECT WILDLIFE, WILDERNESS, AND SCENIC VALUES OF NATIONAL INTEREST IN ALASKA?

The primary decision to be made in assuring protection of natural values of national interest in Alaska is what means--management systems designation, regulations, planning, and study provisions--will be employed. Section 17(d)(2) suggests the inclusion of outstanding natural areas in one of the existing national conservation systems as new national forests, wildlife refuges, parks, or as wild and scenic rivers.

In its deliberations and study over the past 4½ years, the Commission has considered many combinations of management designation for the national interest (d)(2) lands. Before it, as there is now before the Congress, have always been the broad options of placing maximum (d)(2) areas in one or the other of the named management and classification systems; of placing minimum areas in single use systems and relying largely upon Federal and State environmental laws and regulations; or of recommending new management or classification systems.

Before it also were the major problems presented by each option, as well as the probable effect of each option on national, State, and Alaska Native interests. The Commission sought that combination of land management units, managers, and planning and classification systems which would best protect identified wildlife, wilderness, and scenic values, and which would create the fewest or solve the most management and use conflicts.

INCLUSION IN EXISTING FEDERAL CONSERVATION MANAGEMENT AND CLASSIFICATION SYSTEMS

Section 17(d)(2) indicates one of the major courses of action open to the Congress in protecting the national interest in wildlife, wilderness, and scenic values in Alaska. This is to place lands in the named Federal management systems--National Park, Wildlife Refuge, and National Forest--and in an existing Federal classification system, the National Wild and Scenic Rivers System.

The consequences of making what are, in effect, congressional classification decisions on a broad scale may vary depending upon the size, location, and predominant values of the particular (d)(2) units and the management system designated for each. The statewide combination of unit management designations and (d)(2) lands in relation to surrounding State and privately owned lands, particularly those held by Alaska Native corporations, and the consequences of each, have as much variety as there are numbers of management units, managers, and resource demands.

National Parks

By national standards, many of the (d)(2) areas as well as other Alaska lands have qualities that merit their consideration for inclusion in the

National Park System. Those areas of superlative wilderness, wildlife, or scenic value should be identified to focus decisions on designations of new parklands. The concept of a wilderness park, though not unique to Alaska, may be met in Alaska from many lands remaining in a natural state.

In those units designated for management by the National Park Service, use or management conflicts will usually be resolved in favor of the protection of natural, scenic, wildlife, or historical values. Park Service natural areas, exemplified in Alaska by the present Mt. McKinley National Park and Katmai and Glacier Bay National Monuments, are managed to place primary emphasis on the preservation of natural features and systems. Uses such as timber harvesting, mineral prospecting, mining, and the extraction of minerals or the removal of soil, sand, gravel, and rock are prohibited. Hunting is also prohibited, as is livestock grazing. Commercial fishing is sometimes allowed, including at Glacier Bay National Monument. Sport fishing is usually permitted. Transportation corridors and rights-of-way for private or corporate entities may be excluded entirely or require congressional action in natural and historic parks, unless specified upon establishment of the park. Hydropower development is generally precluded in natural areas, although resulting reservoirs are a basis for several recreation acreas in the National Park System elswhere in the Nation.

Recreation areas and national preserves are categories under Park Service management which may allow some uses compatible with the park purpose. In recreation areas, outdoor recreation is recognized as the dominant or primary resource management objective, though degree and kind of use may be affected by natural or historic values. Harvesting of timber, mineral prospecting, and removal of nonleasable minerals under applicable regulations may be permitted if such uses will not significantly impair the values of the area. In recreation areas and preserves, hunting or fishing may also be permitted governed by applicable State laws with Park Service designation of zones and periods during which no hunting or fishing is permitted for reasons of public safety.

Placing maximum acreages in the National Park System under present law and policies--particularly as natural areas or areas which now, or later, may be placed in wilderness classification--will mean foregoing the greatest number of present and potential resource uses of the land, e.g. mining, sport hunting, hunting for subsistence purposes, grazing, farming, and timber production. Placing maximum acreages in the National Park System in national recreation or national preserve categories may not totally preclude these uses, but maximum regulation would result. It will be difficult, without congressional action, to provide surface transportation corridors through park units, regardless of category.

Additional Federal control of wildlife, including resident species, would result. Large areas of wilderness, by law or management policy, are likely. Fewer areas would be open for sport hunting, even in national

recreation or national preserve categories. And, it is likely that two groups of Alaska visitors would be deterred to some degree by choosing the option of maximum acreages in the National Park System--visitors seeking wilderness hunting experiences if new parks largely preclude hunting, and visitors requiring modern visitor accommodation or desiring mechanized travel into remote scenic areas. National Park Service's long history of meeting visitor needs may raise expectations for services inconsistent with wilderness preservation.

National parks immediately adjoining privately owned lands or lands belonging to the State of Alaska may enhance the value of those adjoining lands for some purposes, such as for the provision of visitor or intensive use recreational facilities. Indirect effects on other lands also need to be considered. Among these "off-site" consequences of national park designation may be the application of air and water quality standards automatically assigned to or sought for parklands under present provisions of the Clean Air Act and may inhibit resource development activities on adjoining Federal, State, or privately owned lands.

At the same time that creation of extensive new parks, followed by wilderness classification, may provide the highest degree of protection for wilderness, wildlife and scenic values, this option may also create more conflicts with other resource needs of Federal lands to meet national needs for energy and other minerals, and may also create the most conflict with the use of lands in State, Native corporate, and other private ownership.

Wildlife Refuges

Through congressional action, several species of wildlife are protected by Federal regulation through such laws as the Endangered Species Act, the Migratory Bird Treaty Act, and the Marine Mammal Act. Much of Alaska's wildlife, however, are resident species traditionally under the management of the State of Alaska with the Federal Government maintaining responsibility on Federal lands for the protection of the habitat. Habitat management varies somewhat with the system and agency. National Park Service management is generally more passive, allowing natural processes to make the successional changes in habitat except where restoration or maintenance is achieved through prescribed burning. The Fish and Wildlife Service and Forest Service have active habitat manipulation programs in some areas applying a variety of tools. However, the largest part of wildlife refuge and forest acreage is not manipulated and directly managed only through protection measures.

The Wildlife Refuge System is maintained "for the fundamental purpose of wildlife conservation and rehabilitation." Refuges are established for the restoration, preservation, and management of wildlife and wildlands habitat; and for the protection and preservation of endangered or threatened species and their habitat. Only those uses which are compatible with the primary purpose are allowable by permit of the Secretary of the Interior. The Secretary may permit hunting, fishing, public recreation and accommodations, and access and easements for powerlines, pipelines,

and roads, whenever he determines that they are compatible with the refuge's purpose. In theory, the uses may include mineral location, leasing, exploration, and development, but, these practices are seldom allowed. The 20-year record, in Alaska, of the Swanson River and Beaver Creek oil and gas fields in the Kenai National Moose Range point to the ability of the Service to allow oil and gas leasing under strict environmental control.

The Federal-State relationship with respect to management of resident game species is a major issue. Although refuge lands opened to hunting are governed by the laws and regulations of the State, the Federal refuge manager has the authority to deny access to the refuge or to specify the mode of access. The refuge manager also has the authority to impose more strict, but not more liberal, regulation than that imposed by the State for the taking of fish and game resources from the refuge. This dual authority for fish and game management, coupled with the interdependent nature of habitat and species management, will require a high degree of Federal-State cooperation, if the wildlife which is counted as one of Alaska's greatest resources is to be protected.

Because of the arctic nature of much of Alaska, upland grazing mammals must range over many acres to sustain life. The large caribou herds of Alaska are extremely migratory. Many of Alaska's major caribou herds annually cross State and Native-owned lands, as well as areas within existing and proposed national interest withdrawals. There are numerous similar examples of State, Federal, and Native areas that together provide habitat for specific groups of migratory wildlife.

Because of the location of most proposed refuges in lowland areas where many predominantly Native villages are located, heavy reliance may be placed on the game stocks of the proposed refuge to meet subsistence needs. Proposed refuges may be traversed by navigable streams and contain navigable lakes where the State holds subsurface title to the submerged lands.

The physiographic concurrence in many instances of potential oil and gas basins within areas of high density waterfowl habitat, prompts a close look at the allowance of this use in new refuges, and may require from Congress explicit direction to the Service to open certain areas of high petroleum potential to oil and gas exploration and leasing. (An effect on State and Native interests of placing maximum acreages within the Wildlife Refuge System may be that revenues from oil and gas leasing on Federal lands will not be distributed under the Mineral Leasing Act. The Mineral Leasing Act, as amended by the Alaska Statehood Act and the Alaska Native Claims Settlement Act, provides for payment of 2 percent of revenues from these uses to Alaska Native corporations and 90 percent of the 98 percent remaining to the State of Alaska. Law pertaining to the The Wildlife Refuge System, U.S.C. Title 16, § 715s, however, provides for payment of only 25 percent to local governments and the balance in a dedicated fund for refuge management.)

The major "off-site" consequence for the use of other Federal, State, and privately owned lands adjoining or near wildlife refuges may not only be the application of air and water quality standards, but also the application of the so-called reserve water right doctrine to Federal reserves, which reserves to a refuge, for example, all waters necessary for refuge purposes. Since many proposed refuges are identified for their migratory and shorebird breeding and nesting characteristics, this doctrine may have future long-range effect on uses of adjoining lands requiring quantities of water.

Refuges to some degree have a built-in conflict between wilderness preservation and other allowable resource management. While most of a refuge may be found suitable for wilderness designation, portions may be excluded from wilderness recommendations to accommodate certain kinds of habitat manipulation, as well as possible development of renewable and nonrenewable resources.

Maximum refuge designations raise access and transportation corridor conflicts similar to those raised by maximum park designation.

National Forests

Lands with timber and range value, attendant wildlife habitat, recreational, primitive, watershed, and other values may be placed under the management of the Forest Service in the Department of Agriculture. The Forest Service has primary responsibility for the protection and development of the Nation's forestry resources. With its research mission, particularly in silviculture, the Forest Service has developed a particular set of expertise not only in timber management, but in the management of lands to meet multiple-use demands. The Forest Service permits, with regulation, timber cutting, grazing, mining, hunting, fishing, and trapping, in addition to general outdoor recreation activities, and has broad authority for classification of land areas of special interest for scenic, geological, historical, botanical, and zoological values.

Fewer use conflicts are seemingly presented by large acreages under Forest Service management because multiple uses are allowed. The competition among uses of national forest lands, however, is growing stronger with increasing demand for wilderness and recreation uses and habitat concerns. Protection of natural values in national forests may be enhanced by the recent adoption of long-range standards by the Service under the Forest and Rangeland Renewable Resources Planning Act and emphasis on environmental assessment of agency decisions and adoption of a public process of determining allowable uses.

Also serving to reduce conflicts with adjoining landholders, this Service with a long history of multiple use and sustained yield direction, has had extensive contact with local residents and has delegated considerable decision-making authority to its local officers.

Transportation corridors, hydroelectric development, and mining activities may be more readily allowed on national forest lands than on either park

or wildlife refuge lands. Like the Wildlife Refuge System, the National Forest System provides habitat management with hunting and fishing governed by applicable law and regulations of the State. As a means of coordinating Federal-State management, Sikes Act agreements have been signed by the U.S. Forest Service and the State of Alaska. Sikes Act agreements are valuable tools for the coordination of habitat and fish and game management activities, but fall short of the comprehensive coordinated Federal-State planning and management which may be required in some areas.

Wild and Scenic Rivers System

Alaska's rivers, as discussed in the preceding section, are widely relied upon for access and transport. Access to many regions of the State is only by air or water. Rivers in many instances are the only means for transport of supplies and provide the readiest access to foodstuffs and other natural resources on adjoining lands. While most Alaska rivers remain largely undisturbed, uses of them are of significant and often singular importance.

The Wild and Scenic Rivers System is a congressional classification established in 1968. As designation of a wilderness area under the Wilderness Act does not change the proprietorship of the area, neither does designation of a wild and scenic river in many cases. It does establish certain controls on riverfront development and use, however. All rivers in the national system must be substantially free flowing, have high quality water, and be of sufficient length to provide a meaningful experience for the river traveler. Regulation and management of rivers in the system vary somewhat depending on which of three categories--wild, scenic, or recreation--are applied, and the agency assigned to administer the river.

Wild rivers are essentially in a primitive state and inaccessible except by trail. They are free of impoundments, with watersheds or shorelines essentially primitive and waters unpolluted. Scenic rivers, or sections of rivers, are free of impoundments, with shorelines and watersheds still largely primitive and undeveloped, but accessible in places by roads. Recreational rivers are readily accessible by road or railroad, may have some development along their shorelines, and may have undergone some impoundment or diversion in the past.

Any use, such as hydroelectric projects which would change the free-flowing characteristic of the river, would be precluded; and depending upon the management system of surrounding lands or the river category, hunting or mining may be denied on the river corridors designated. Even within larger management units which allow mining and the acquisition of title under the 1892 Mining Act, some restriction may be placed on the mining operation by classification of the river as a part of the Wild and Scenic River System. For instance, the issuance of a patent to any mining claim affecting lands within the system confers title only to the mineral deposits and such rights to the use of only those surface resources

that are reasonably required for carrying on prospecting or mining operations. Minerals in lands which constitute the bed or bank or are situated within any river designated as a wild river will be withdrawn, subject to valid existing rights, from all forms of appropriation under the mining laws and from operation of the mineral leasing laws. No such withdrawals are made in scenic or recreational river areas, but safeguards against pollution of the river and unnecessary impairment of the scenery within the area are provided for by strict regulation even where mining is allowed.

With almost all of Alaska's rivers meeting the criteria for designation as units of the Wild and Scenic Rivers System, Commission review was on a statewide basis to assure that representative rivers were considered. Of chief concern to Alaska residents has been possible restrictions of this classification upon hunting, fishing, and other subsistence activities, as well as the use of the rivers for transport.

Wilderness System

The Wilderness Act of 1964 provides the statutory basis for study and designation of wilderness. The Act gives general definitions and guidelines for identifying candidate areas and for their management once designated as wilderness. Nearly all Federal lands may now be subject to review as potential wilderness study areas. Wilderness study normally includes mineral reconnaissance and assessment with the submission of findings to Congress by the President and congressional designation. Lands to be presented for wilderness status must be undeveloped Federal land of no less than 5,000 roadless acres. This criteria would apply to much of Alaska.

Subject to prior existing rights, policies for wilderness areas are determined by management principles of the administering agency, and, except as otherwise provided, there are no roads, motorized access, permanent structure, or commercial enterprises. Where already established, use of aircraft and motorboats may continue; and fire, insect, and disease control may be undertaken. State and private lands within wilderness are guaranteed rights to customary modes of access. Water development projects may be permitted on national forest wilderness. During the wilderness study period, uses may be restricted pending congressional designation.

Wilderness classification may create many of the same use and management conflicts cited in the previous discussion on National Park and Wildlife Refuge Systems, particularly with respect to access or transportation corridors or means through areas classified as, or under study for wilderness. Recreation of certain kinds, subsistence activities, oil and gas and other mineral exploration and development, might be precluded or made impractical, or less easy, by preclusion of roads or exclusion of motorized vehicles.

DESIGNATIONS IN OTHER EXISTING FEDERAL LAND MANAGEMENT SYSTEMS

National Resource Lands

Congress has the option of designating minimum new units of existing National Park, Wildlife Refuge, and National Forest management systems and Wild and Scenic Rivers and Wilderness classification systems. Federal lands in Alaska not included in one of the conservation management systems would then revert to the (d)(1) category for classification and management by the Bureau of Land Management along with other (d)(1) lands.

Remaining State land entitlement of approximately 33-35 million acres must be met from the (d)(1) or (d)(2) lands.

After proper classification, some other lands could be classified to permit transfer out of Federal ownership. Claims to certain lands could be made under the 1872 Mining Law, the Homestead Act, or other public land laws. The Bureau of Land Management also has interim managing authority at present over the (d)(2) lands, lands selected by, but not yet conveyed to Native corporations, and surface management of National Petroleum Reserve-Alaska.

The recently passed Federal Land Policy and Management Act of 1976 confirms BLM management on the basis of "multiple use and sustained yield," unless otherwise specified by law. General policy articulated in the Act also directs retention in Federal ownership in most instances. However, the homestead laws, for example, continue to apply in Alaska for 10 years, while they have been repealed for the rest of the Nation. Mining on BLM lands is conducted under the 1872 Mining Law, and hunting is allowed with seasons, bag limits, methods, and means of harvest set by the Alaska Department of Fish and Game. BLM's new organic act gives this agency enforcement and closure authority on lands under its jurisdiction. Lands under BLM management are now eligible for study and classification as wilderness under the Wilderness Act, as are rivers eligible for nomination under the Wild and Scenic Rivers Act. Other classifications in recognition of natural features and recreation sites may also be made.

Like the forest lands, national resource lands under BLM management would permit a variety of uses with fewer use conflicts, but would present greater difficulties in the protection of wildlife, wilderness, and scenic and other natural values.

CREATION OF NEW CLASSIFICATION AND/OR MANAGEMENT SYSTEMS

A new management system

One option available as an alternative to existing management and classification systems is to restructure an existing agency, create a new Federal agency, or even a joint Federal-State agency with classification and management responsibilities for lands now withdrawn under Section 17(d)(2). Through the establishment of such an agency it would be possible to reduce some duplication of effort and expertise in Federal land management. But the diversity of Alaska's Federal lands, the values they contain, and the variety of public interests, are such that within such a management structure it would soon be necessary to develop divisions serving many of the same purposes and needs now met by the existing Federal land managing agencies. Many land units would be singled out for management and protection of dominant values.

The chief benefit from the establishment of an Alaska Office of Land Management would be its ability to tailor standards, criteria and regulations to the unique size and predominantly wild character of Alaska's lands. Alaska seldom fits national standards and criteria. As has been noted much of Alaska could qualify as wilderness under the Wilderness Act; most of its rivers qualify as wild or scenic rivers; most of its lands qualify for inclusion in conservation management systems.

Certain problems may result from removing Federal land management in Alaska from the mainstream of r ional policy making and funding. There would also be a time lag for such an agency to become functional, to say nothing of the necessity to test its regulations and decisions through the courts. A further detriment might also be the tendency to give a one-dimensional across-the-board treatment to a variety of lands and resources.

A new classification system

A new means of classification could be instituted without necessarily establishing a corresponding new management authority. Classification actions could be implemented by an existing land management agency. The presence of numerous State and private inholdings in areas of nationally important scenic and wildlife values and the ecological relationship of Federal lands to adjoining State and private lands are not easily considered in existing classification systems where the State does not participate. Current classification of Federal lands may have no correlation to classification of State lands of similar character, and Federal, as well as State, land management objectives may be frustrated, as a result. Joint Federal-State classification of some land areas is, therefore, an option to be considered.

PROTECTION OF NATURAL AND HISTORIC VALUES ON LANDS NOT FEDERALLY OWNED:

The Federal Government has options through which it can achieve certain interests or carry out preservation programs on lands not in its ownership or jurisdiction.

Cooperative Programs and Agreements

Many acts provide for cooperation between the Federal and State governments in wildlife protection, restoration, and management. Some make funds available to the States, transfer certain authorities to manage some wildlife species such as marine mammals, and encourage private landowners to maintain wildlife habitat. One of the most recent is the Sikes Act which provides for expanded cooperative Federal-State wildlife programs on national forests, national resource lands, and military reservations, with federal funds helping support such cooperative endeavors. While some of these programs are clearly mandated by law, others involve voluntary cooperative agreements, which may be limited in scope and duration, and may change depending upon the dispositions of new unit managers or bureau directors. There are many cooperative agreements between Federal agencies and often between Federal and State agencies usually dealing with a single subject matter or a single geographic area.

Two Federal programs are concerned with identification of natural areas and historic sites of national significance. National Natural Landmarks and National Historic Landmarks are generally identified regardless of their location or ownership. The administrators or owners of designated sites are encouraged to manage the areas in a manner that preserves the qualities identified in the site. Federal funds may be applied in part towards preservation of historic sites. Landmarks are also afforded certain means of protection from federally funded projects such as a road which might have adverse impact on a site. Long term protection is dependent on the owner or administrator who may decide to use the area or site in a manner that would degrade or destroy the landmark values.

Another option of broad involvement with respect to Federal interests is through cooperative planning and management. This can be applied to specific areas, adjoining national parks or wildlife refuges, or other Federal reserves that contain a mix of land ownership or interests. In certain instances, broader areas, regions, and subregions are specified for cooperative planning and management.

Boundaries for such cooperative planning and management areas that may involve several State and Federal agencies and interests, borough governments, and the private sector, can be established legislatively or by the executive branch.

In some instances the flexibility implicit in such arrangements involving negotiations toward the accommodation of all interests may jeopardize the goals of single or primary purpose withdrawals or unduly restrict certain land uses.

Land exchanges

Areas of high scenic, primitive, or wildlife values integrally related to existing or proposed park and wildlife refuge units have been selected by the State or Alaska Natives. For those areas perceived to have long lasting values to the Nation, an available option is to consider land exchanges. Such exchanges could take place in the general vicinity of the area in question or could be far removed involving Federal lands elsewhere in the State. With respect to Native corporation lands, exchanges for new lands in other Native corporation regions of the State may be affected by certain factors. For example, an exchange area close to corporate selections by another regional corporation might influence the development opportunities for a particular resource. This could be a positive or negative impact in some cases. With respect to State lands, new substitute State lands might be removed from a zone of greater State interests.

Proximity of land areas to national park or wildlife refuges may enhance or diminish the value of such lands to State or private owners, depending on their character and location. Other lands in Federal ownership may have more real value to State and private owners for resource development and revenue generation purposes. On the other hand, adjoining lands may afford opportunities for more intensive recreational use and development of facilities than allowed in the parks and refuges and be of potential profit to the State and private owners.

Another option raised with respect to State selected lands that have not yet been patented in certain areas of high natural values is for the Congress to revoke these selections if this can legally be done. The State also has an option of relinquishing certain selections if it wishes. This course may only be taken if the State is assured of selection rights in areas of particular interest to the State.

Joint Classification Areas

Within the existing land ownership pattern in Alaska, two general situations emerge relative to national interests in natural values. Large blocks of federally owned land exist with known natural values and renewable surface resources but largely unknown subsurface values. On the other hand are areas of mixed land ownerships adjoining existing or proposed key park or wildlife refuge lands which may have in addition to natural values meriting Federal protection, developable resources of Federal, State, or private interest. Each government manager or owner using its own classification system might classify lands in an incompatible manner.

Without regional governments in much of rural Alaska, there has not been time to formulate coordinating mechanisms on a regional level. Thus, there is need of a coordinative body in which Federal and State governments fully participate, both at a Federal and State level.

An option available relative to these factors where there is high Federal interest in scenic, primitive, wildlife, or other related values, but where there is State interest or concern for other uses or values, is to establish a joint land use classification area with classification participation by both governments. The joint classification area concept can be applied singly to either Federal or State land units or to areas of combinations of Federal and State lands and even private lands, on a voluntary basis. Using a single classification system, environmental protection, resource development, transportation needs and other interests would be worked out to protect various interests to the extent possible. This could be accomplished through a separate joint planning and classification mechanism or through an effort involving the Federal and State land managers.

Joint classification areas could be administratively or legislatively established. Complementary legislation by the Congress and State legislature may be appropriate. Veto power could be provided for the Federal and State governments regarding classification on respective lands if felt improper. Administration of lands within joint classification areas could be assigned to a Federal or State agency managing an adjoining large reserve, or the Federal and State governments could administer their respective lands assigning preferred agencies.

State Area Designations

Several areas of scenic or other natural values of national significance have been selected by the State of Alaska as part of its general land entitlement under the Statehood Act. The State can designate such areas for protection of their natural values as State parks or wildlife sanctuaries or classify them as critical habitat. Areas already designated and classified in these protective categories are shown on the accompanying map, and others have been proposed.

Two particular national programs which allow for the incorporation of State-owned areas of administered in national systems are the National Wild and Scenic Rivers Systems and the National Trails System. Certain wildlife habitat, scenic, and recreational areas designated by the State adjoin existing or proposed national parks and refuges. Their management can complement that of the Federal reserves. For example, a State park adjoining a national wilderness park may afford opportunities for visitor accommodation and intensive recreational uses that are not compatible with wilderness. State tideland and submerged land areas of significant habitat have been designated in some instances adjacent to national wildlife refuges to complement the values of the Federal reserve.

Existing Regulations

Several Federal laws and regulations apply to State as well as Federal lands and act to protect and preserve environmental values. Provisions of the Coastal Zone Management Act, and those pertaining to clean air, water quality, and solid waste management are particularly significant. While these laws help protect certain natural values, they do not altogether govern or control certain land uses so as to maintain primitive values, restrain development from critical or significant habitats, or prevent degradation of scenic values.

Application of certain air or water quality standards to classes of Federal reserves such as parks may have impact on adjoining lands. Stringent standards may require any resource development activity to institute pollution batement systems and increase costs to industry on State and Native-owned lands.

GENERAL RECOMMENDATIONS

Systems Designations

The Commission found that application of existing classifications and management systems to some of Alaska's lands had merit where there was a clear and outstanding value to be protected or managed by the system. But the Commission also determined that there are circumstances and conditions over many of Alaska's lands that indicated a need for a combination of a high degree of environmental protection and flexible land classification over time in response to new knowledge and changing needs. To provide a consistent basis for designating lands for different systems and classifications the Commission adopted the policies set fourth below.

Additions to National Parks, Refuges, and Forests

With respect to additions to areas already in national parks, wildlife refuges, and forests in Alaska, the Commission believes they should be made for the purpose of including lands with complementary resource values or completing or enhancing ecosystems or other natural features and otherwise improving unit boundaries for administrative purposes. This involves such areas as upper portions of watersheds, uncontained sections of significant scenic or geologic features, the remainder or addition of an important habitat, lands on both sides of a river, lands perceived to complete an ecosystem for an animal species or complex of wildlife, or inclusion of particular lands for recreation purposes.

New Units of Existing National Land Systems

New units in the National Park, Wildlife Refuge, or National Forest System should be established in Alaska only in those areas which have outstanding values appropriate for management by that system. Commission

criteria for the determination of the appropriateness of an area for management under an existing system are listed as follows:

National Wildlife Refuge System:

(1) The basic criteria is assigning land to the National Wildlife Refuge System should be a finding that the lands are a key part of a national network of lands and waters associated with wildlife, particularly migratory birds and endangered species.

(2) In addition, recommended areas for new refuges in Alaska should be oriented primarily towards migratory bird habitat, particularly waterfowl and shorebirds, with emphasis on endangered species. Unit boundaries generally shall encompass the highest density nesting areas and other key migratory bird habitat. If much of the high density waterfowl habitat found in a proposed area is to be transferred to Native corporations, medium density habitat can be included to help offset in part some possible future habitat loss on the private lands for the general area.

(3) Uplands habitats added to the National Wildlife Refuge System should be limited primarily to additions to those existing national wildlife refuges and ranges in Alaska that were initially reserved for protection of upland game species. This policy is based on a Commission finding that diversity of upland wildlife and habitat is already well represented in existing national wildlife refuges and ranges.

National Park System:

Recommended units for the National Park System should include areas of superb scenery; superlative, exemplary, rare or unique natural features; archaeological or historical sites, buildings, or objects of exceptional value or quality; or recreational opportunities of national value.

National Forests:

National forests exist to protect and conserve forests, rangelands, and watersheds. Values within these areas that are planned and managed for are recreation, wilderness, wildlife and fish, range, timber, land and water values, and the needs the areas meet for human and community development through natural resource management activities. New forest units should contain some or all of these elements and be in locations where they can best serve national needs for these values.

Institutional Recommendations

The Commission recommends that Congress adopt the following approach in addressing wilderness and wild and scenic river designations in the (d)(2) legislation:

Wilderness

A comprehensive preliminary assessment to determine areas of prime wilderness potential is particularly necessary in Alaska where nearly all of the Federal lands meet the national study criterion of at least 5,000 roadless areas. Proposed areas should be evaluated in a statewide context. Individual proposals should be evaluated as they relate to other existing and potential wilderness areas throughout the State. The goal should be a wilderness system that includes a range of environments and is rationally distributed around the State.

New units and additions to the National Park, Wildlife Refuge, and Forest Systems should be studied to determine their suitability for wilderness designation within three years of the establishment. This recommendation is in accordance with congressional practices in other new areas established and studied in recent years.

Lands which may be classified under a new system should be studied to determine their suitability for wilderness designations prior to classification.

Wild and Scenic Rivers

From the many candidate rivers in the State meeting wild, scenic, or recreational river criteria previously established, the Commission has selected entire, mainstreams, or segments of over 50 rivers for which it makes recommendations. These rivers were selected on the basis of developing an initial statewide system of protected rivers of differing characteristics in the various natural regions of Alaska. In addition to a free-flowing provision for rivers and possession of various natural, historic, and recreational attributes, other factors were considered by the Commission in its selections. These included approaching identification and selection on a statewide basis, provision in the National Wild and Scenic Rivers Act for inclusion of State owned, designated and administered rivers; inclusion of some rivers with potentially complex land ownership problems, but considered to be of prime value and public interest; study and positive evaluation by the Bureau of Outdoor Recreation and others; and that many other suitable rivers presently exist in Alaska for future study and consideration.

Four categories of river recommendations are made by the Commission at this time.

1. Rivers primarily on Federal lands recommended for immediate designation.

2. Rivers primarily on Federal lands recommended for designation as potential rivers to be further studied and evaluated in the context of classification of surrounding lands to determine whether they should be incorporated in the National Wild and Scenic River System. The Commission makes this recommendation in the belief that the river study should be part of the larger planning process for an area. River classification should not occur before other classifications in the same area are commended, but the identified rivers should receive interim protection.

3. Rivers recommended for potential designation flowing through a mix of Federal and Native corporation selected lands. These rivers are recommended because they are believed to have fine attributes, but the bordering private lands raise issues to mutually resolve if possible before final recommendations can be made. The comments made for group 2 apply here as well.

4. In addition, certain rivers or sections of rivers in State ownership are recommended for study by the State of Alaska for possible inclusion in the National Wild and Scenic Rivers System. The Commission believes that, in several instances, the Wild and Scenic Rivers System should include entire rivers and, for this purpose, State and private as well as federally owned segments of a river should be studied for possible designation.

New Classification System

From the Commission's extensive study on (d)(2) lands, it became clear that for much of the (d)(2) lands, conditions and circumstances were different from those for which the existing systems were generally designed. In summary, these circumstances are:

1. The unique national value of large expanses of primitive, scenic, and wildlife habitat areas in Alaska.

2. Limited knowledge of subsurface resources.

3. Dependence of rural people on extensive areas for subsistence living involving fish, game, and plants.

4. Relative absence of development or trends at present.

5. Concern for minimizing possible conflicts with owners and users of lands adjoining Federal reserves.

Considering these and other factors, the Commission recommends:

1. A new national classification system for some of Alaska's national interest lands with known natural values.

2. Joint classification areas composed of: (1) land units in the new Federal classification system; and (2) areas of other Federal or State lands or in combinations that contain values of concern adjoining parks, wildlife refuges, wild and scenic rivers, or units of the new classification system.

Areas selected and delineated for the new classification system should possess characteristics as follows:

1. Predominate Federal public ownership.

2. Natural or scenic values:

   a. Primitive character of most of the lands and waters.

   b. Wildlife habitats of medium or greater value in terms of habitat quality, variety, and significance or variety of wildlife species present.

   c. Scenic, geological, botanical, zoological, ecological, archaeological, or historical features or values of national interest.

   d. Water fearures--river, lake, or both--which enhance the area scenically, have scientific values, or provide recreation opportunities.

3. Hunting, fishing, and other recreational opportunities.

In addition to the natural values indicated for a new classification of national interest lands, areas with the following characteristics seem particularly suitable for inclusion in the system rather than in existing systems:

1. Lands containing other important resources such as minerals, timber, or range.

2. Areas of mixed land ownerships, in most cases Native corporation selected lands.

3. Lands with very high subsistence oriented uses.

4. Lands adjacent to tracts of high natural values in other systems, to provide complete watersheds, habitats, coherent management units, or otherwise insure their integrity and protection of prime values.

Two kinds of joint classification areas are recommended: (1) units of the new classification system described above; and (2) other

areas of Federal or State lands or combinations which are deemed integrally important to park, wildlife refuge, wild and scenic rivers, or Alaska National Lands units but where other resources occur and resource use development is generally deemed appropriate.

The joint classification areas other than the new classification system lands are recommended to Congress only for those areas where there is a clear interrelation between Federal and State interests, and where coordinated planning is obviously a matter of high priority.

Qualities for identifying and delineating these joint classification areas should include related factors such as:

1. Watershed and water quality concerns.

2. Scenic values.

3. Integral habitat values.

4. Other natural values.

5. Recreational opportunities.

Joint classification areas of this nature should be established by complementary legislation of Congress and the State Legislature. As other needs for joint classification arise in the future, additional joint classification area could be proposed by the continuing commission.

Other general recommendations with respect to the foregoing classifications include:

Boundary Delineation

Boundaries around reserves established to contain natural values have not always been established in the best places with respect to ecological concerns, or easy physical identification. Prior land status and use, political factors, and the rectangular survey system applied to most of the country have influenced boundary delineation in many instances.

With some exceptions due to State and private land selections, boundaries around proposed national interest lands in Alaska can be drawn to contain watersheds and "ecosystems," thereby encompassing a more complete natural unit. Many reserve boundaries are not likely to be surveyed for years or decades because of more pressing survey needs elsewhere, so that natural boundaries easily identified in the field become more important. To the extent they are consistent with the values and uses of the unit, boundaries should follow hydrologic, physiographic, and other natural features that are easily identified on the ground.

Private Inholdings

Generally, boundaries should be drawn to exclude large privately owned areas. However, in some cases, establishing a rational unit requires inclusion of private lands which would become inholdings in the unit.

This concern is somewhat clouded at present because of Native corporation over-selections of land necessary in many cases. Further prioritization of selections for conveyance will help clear this picture.

The Commission adopted the following guidelines in seeking the resolution between containment of national interest natural features in logical units and the rights and needs of Native corporations and the State. Privately owned or projected private lands could be enclosed in accord with the following: (a) scattered small tracts including mineral claims within key areas may be included; (b) relatively small amounts of private lands may be incorporated in peripheral areas where such tracts are inside the best natural boundaries for the unit; (c) Native selected lands may be contained where it appears that these lands are over-selections of low priority to Native corporations and may not be conveyed; and (d) small areas of other Native selected lands may be included as inholdings in the unit where it is believed that the lands have national significance and are better suited for public ownership, and opportunities for alternative selection or a voluntary land exchange are afforded.

Coastal boundaries

Coastal boundaries of proposed units should extend offshore to enclose marine waters and submerged lands which are crucial to the existence of mammals or birds associated with the terrestrial portion of the unit.

Terrestrial ecosystems do not generally end at mean high tide along the ocean coast or at the edge of large lakes. There are often strong interrelations between the land and sea relative to food chains and feeding, hauling and resting areas, and rookeries and migration routes. Sea birds, migratory waterfowl, and marine mammals generally use both the land and sea in concentration areas. Other marine life may be obtained for food along the littoral by terrestrial mammals.

WILDLIFE MANAGEMENT/HUNTING/SUBSISTENCE

Major issues with respect to Alaska's wildlife are the following:

What should be the Federal-State relationship with respect to the management of resident fish and game species in the 17(d)(2) areas? Should hunting be permitted within units of the National Park System? What provisions should be made for subsistence?

The existing Federal-State relationship concerning resident fish and wildlife management is extremely complex. The State has the responsibility for managing resident fish and wildlife except where preempted by Federal law (e.g. Mt. McKinley National Park and the Marine Mammal Protection Act).

Despite the large size of the (d)(2) areas, most cannot be considered complete ecosystems. Migratory habits of many species such as anadromous fish, waterfowl and other birds, and caribou, plus the large range requirements of others, precludes sensible managment on less than a population or herd basis. In most cases, statewide programs are essential for long-term maintenance of the species and the human life-styles dependent on them. Fragmented management can be averted by providing for statewide coordinated resource management.

One of the most sensitive issues involves subsistence. The State of Alaska Constitution allows for preferential treatment of beneficial uses but not on an ethnic basis. The State has given priority to subsistence uses through legislation, regulations, and administrative policies. Many of the subsistence user demands, however, may exceed the limits of the Alaska Constitution.

There is no universally acceptable definition of subsistence, although there is a State law defining it and several Federal and State policies recognizing it. It is apparent that a rigid interpretation of Alaskan subsistence needs will only alienate many of the users and demonstrate bureaucratic insensitivity. Noticeable human use differences geographically and between species are thought to exist.

Subsistence and the (d)(2) Lands

The Commission has long recognized that for many Alaskans, particularly but not exlusively Alaska Natives, subsistence hunting and fishing is and will continue to be a vital source of livelihood. The report, Alaska Natives and The Land, written by the Federal Field Committee for Development Planning in Alaska in 1969, wrote of the Eskimos of the Yukon-Kuskokwim Delta: "Simply put, it must be emphatically said that without the seasonal round of subsistence harvest of fisheries, wildlife, and berries, most people would die."1/

Since the date of that statement, it has been argued that, with the infusion of cash from the Alaska Native Claims Settlement Act, Native peoples are no longer dependent on subsistence. In contrast to these

assertions, surveys indicate that, though the monetarized sector of the Alaska Native economy has increased in recent years, subsistence hunting and fishing still provide large portions of the Natives' diets and employs large parts of their time, even for those living in the large communities.2/

Circumstances affecting the villages economy indicate that the reliance on fish and game to meet subsistence needs will continue for sometime. Further, for many Native people, the year's round of hunting, fishing, and other subsistence gathering is the way of life they have always known. Age-old patterns of life and culture do not change rapidly.

In most small Alaska villages there are limited sources of cash income, and there is little immediate likelihood that new local industry, except in a few cases, will produce markedly more jobs and cash. Cash disbursements to Native villages under the Alaska Native Claims Settlement Act have been minor to date. Thus subsistence hunting and fishing remain a vital source of livelihood for many Alaska villagers.

Even with the infusion of cash from the Alaska Native Claims Settlement Act, subsistence hunting and fishing still provides large portions of the diets of these Alaska Natives and other rural Alaskans and employs large parts of their time, even for those living in the larger communities.3/

In recent years, wildlife resources have been increasingly hunted by Alaska's growing urban populations as well as by sport hunters coming to the State from other areas. Only, a few years ago, it was customary for residents of Fairbanks and Anchorage to drive out of the city in the fall to harvest a moose or several caribou for the winter. But now, game animals have been so heavily hunted near Alaska's growing urban areas, particularly along the road system, that this is no longer possible, except for the lucky hunter. As a result, urban dwellers have extended their reach into more remote lands by chartering small aircraft, using offroad vehicles, or traveling by riverboat. Technology also has allowed rural Alaskans to range farther and take more game than in the past. These changes in both urban and rural Alaska are increasing the competition for scarce wildlife resources.

Some of the lands under (d)(2) withdrawal have long been used by Alaska Natives to meet their subsistence needs. During the Commission's hearings on the use of the (d)(2) lands, speaker after speaker described how Native people hunted, fished, or gathered berries or other subsistence materials from areas under (d)(2) withdrawal. In Alaska, big game animals are extremely migratory, and to hunt them for subsistence purposes involves long trips of often 1-3 weeks.

Regardless of what approach is taken in establishing the Federal-State fish and wildlife management on Federal lands, the system to which the land is assigned and specific boundaries must be carefully selected. Mechanisms for time and area zoning could be considered.

Policy Alternatives Appear to be as Follows:

a. Wildlife Management

(1) Each of the proposed systems could adopt the existing management frameworks peculiar to each agency. Under this option Congress would likely treat exceptions (i.e. hunting in parks, subsistence provisions, etc.) individually in the organic legislation.

(2) Congress could develop some co-equal fish and wildlife management scheme between State and Federal agencies, especially for those systems where extensive or intensive management of the fish and wildlife or their habitat is warranted and desirable.

(3) Congress could consolidate statewide resident species management under the State with guaranteed participation of Federal agencies. Continued trespass and habitat management authority would rest with the Federal land managing agency.

(4) Congress could completely preempt the traditional management role of the State over all (d)(2) lands. This could also be considered individually for each system or area.

b. Subsistence

(1) Management

(a) Leave subsistence under State authority to be treated through its normal administration, regulatory and legislative processes.

(b) Provide for specific subsistence uses by area or for each Federal agency's authority.

(c) Provide for Secretarial discretion by area or for all (d)(2) areas.

(d) Provide policy discretion by establishing relative priority of subsistence use.

(2) User

(a) Provide specific criteria for determining subsistence users by:

- economics
- residency
- past use
- race

(b) Leave user definition to administrative discretion of regulating agency.

c. Hunting in National Parks

(1) Congress could choose to make no special use exceptions for parks.

(2) Congress could make special case-by-case exceptions allowing any combination of hunting, fishing and trapping uses.

(3) Congress could assign key parcels to the National Park System under special categories (i.e. national preserves or national recreation areas) which traditionally allow for these types of uses under cooperative management programs.

With respect to the alternative of having subsistence matters involving fish and game managed largely by the State, the policies established by the Commission of Fish and Game and the Fish and Game Board of Alaska are of interest.

The Fish and Game Board and the Commissioner of Fish and Game recognize that existing cultures and life styles in Alaska are of great value and should be preserved.

The Board and the Commissioner believe that, although limitations on the productivity of fish and game stocks prohibit continued increases in the numbers of subsistence resource users, domestic utilization is still of fundamental importance to many Alaskans. Accordingly it is assigned the highest priority among beneficial uses.

Within legal constraints, fish and game will be allocated to subsistence users on the basis of need. Needs of individuals, families, or cultural groups differ in type and degree, and it is recognized that subjective judgment will be an unavoidable necessity in weighing actual need. Elements considered in establishing the level of need include cultures and customs, economic status, alternative resources (availability of social services), location, and voluntary choice of life-style.

The Board of Commissioner also understand that subsistence requirements will not affect all resources in all areas equally, and recreational and commercial uses will continue to be permitted where and to the extent that they do not interfere with or jeopardize subsistence resource use.

Considering all of the foregoing, the Commission has continued to recommend in favor of a policy which would give preference to subsistence hunting and fishing in areas where there is a conflict for the resource with sport hunting and fishing. But this policy has been made part of an overriding policy which emphasizes preservation or renewing of healthy populations of wildlife and species as the primary objective of State fish and game management.

Commission policy is stated in the Commission's Interim Report to Congress in May, 1976, regarding wildlife management and subsistence, as follows:

(a) the primary objective in fish and wildlife management should remain the preservation of health populations of wildlife species;

(b) State and Federal policy affecting hunting and fishing should recognize subsistence taking as a preferred beneficial use of wildlife resource;

(c) for administrative purposes, a definition of subsistence should be based on local residency; and

(d) subsistence should be controlled through State game regulations utilizing a permit system when necessary.

In regard to wildlife management, hunting in national parks, and subsistence, the Commission recommends that this policy be extended to congressional (d)(2) legislation through the following measures:

Since boundaries of certain National Park System units may also be the boundaries of areas where hunting is prohibited, it is particularly important to delineate park units to avoid areas of heavy subsistence hunting. For the most part, national parks should be no-hunting regions. Where prime park values necessarily overlap exceptionally important areas for subsistence hunting, congressional legislation should provide for continued subsistence activities within the park through a statement of intent or application of Park System categories which would allow subsistence hunting.

Congressional direction to give preferences to subsistence hunting should define those preferred by residency rather than by race, in keeping with the expressed intent of the Claims Act to establish no "permanent racially defined institutions."

Congressional direction to allow hunting should confirm the traditional role of the State in the management resident species of fish and game, although responsibility for habitat management may be in the National Park Service or other Federal agencies.

A number of areas that are relied upon by Alaska Natives and other Alaska residents to meet their subsistence needs have natural values of national importance. One of the Commission's purposes in recommending a new classification system is to make a special provision for continued hunting and fishing where subsistence use areas and national interest lands cannot be separated. The recognition of subsistence as a priority use in taking of fish and game should be incorporated as a basic management guideline extending to all areas under new classification.

TRANSPORTATION AND (d)(2) LANDS

The (d)(2) lands extend across regions where there is virtually no existing ground transportation, except for occasional winter trails. Remote villages near the (d)(2) lands are linked to the State's larger cities by air transportation and, on the coast, by occasional summer barge service. A highway system, comparable to that of other states, exists only in the southcentral part of Alaska connecting Anchorage, Fairbanks, and the Kenai Peninsula, with a link to the Alaska Highway through Canada. In southeastern Alaska, the larger communites are linked by a ferry system. The one major incursion of land transportation into Alaska's vast roadless regions is a gravel haul road adjacent to the trans-Alaskan oil pipeline which runs north from the Yukon River to Prudhoe Bay on the Beaufort Sea.

The possibility of other land transportation routes to remote Alaska has been extensively studied and debated in recent years, and several proposals for pipelines, railroads, and highways have been advanced. Most of these proposed routes have been intended to provide transportation to areas of expected resource development. Proposals for land transportation for movement of people to remote Alaska have been opposed by Native corporations and conservation interests who fear damage to subsistence hunting and fishing and the social disruption that might be brought by the road connections between small villages and Alaska's major cities. Further, the costs of constructing and maintaining roads over hundreds of miles of extremely difficult terrain may indicate that air transportation is a preferable mode for the movement of people in remote sections of Alaska.

In the future, issues of transportation development in remote Alaska will continue to rise, particularly as resource development possibilities materialize. Inevitably, some of these route proposals will involve (d)(2) lands. The (d)(2) areas are, often, so large that potential transportation crossings cannot be entirely avoided. For this reason, the Commission recommends that Congress incorporate a method of deciding about future transportation corridors in its (d)(2) determinations.

At least four major options can be applied to this issue. Lands [(d)(2)] can be placed in systems whose present management authorities and

philosophies are closest to presently perceived access needs. Existing law governing systems could be amended as deemed desirable to more accurately reflect desires regarding access. Congressional reservation of specific corridors in (d)(2) legislation could be effected. Another option is to establish procedures and/or institutions to make future recommendations or designations for access as needs arise.

The following measures are recommended to Congress as an approach to the issue of transportation across (d)(2) lands:

1. No corridors should be designated at this time across any of the (d)(2) lands. This recommendation is based upon Commission participation in a detailed and thorough review of recent Bureau of Land Management transportation corridor proposals (Multi-modal Transportation and Utility Corridor System in Alaska: A Preliminary Conceptual Analysis). The Commission found that no corridors could be justified on the basis of intercommunity needs or known resource development potential at this time.

2. Where possible, without jeopardizing the protection of key natural values, boundaries of (d)(2) areas should avoid potential transportation corridors.

3. Transportation decisions involving any region of the State, including the (d)(2) lands, should be made in the context of statewide planning for a transportation system. Such a system should employ different transportation modes in a manner that will further the economic and social well-being of the State and maintain environmental quality.

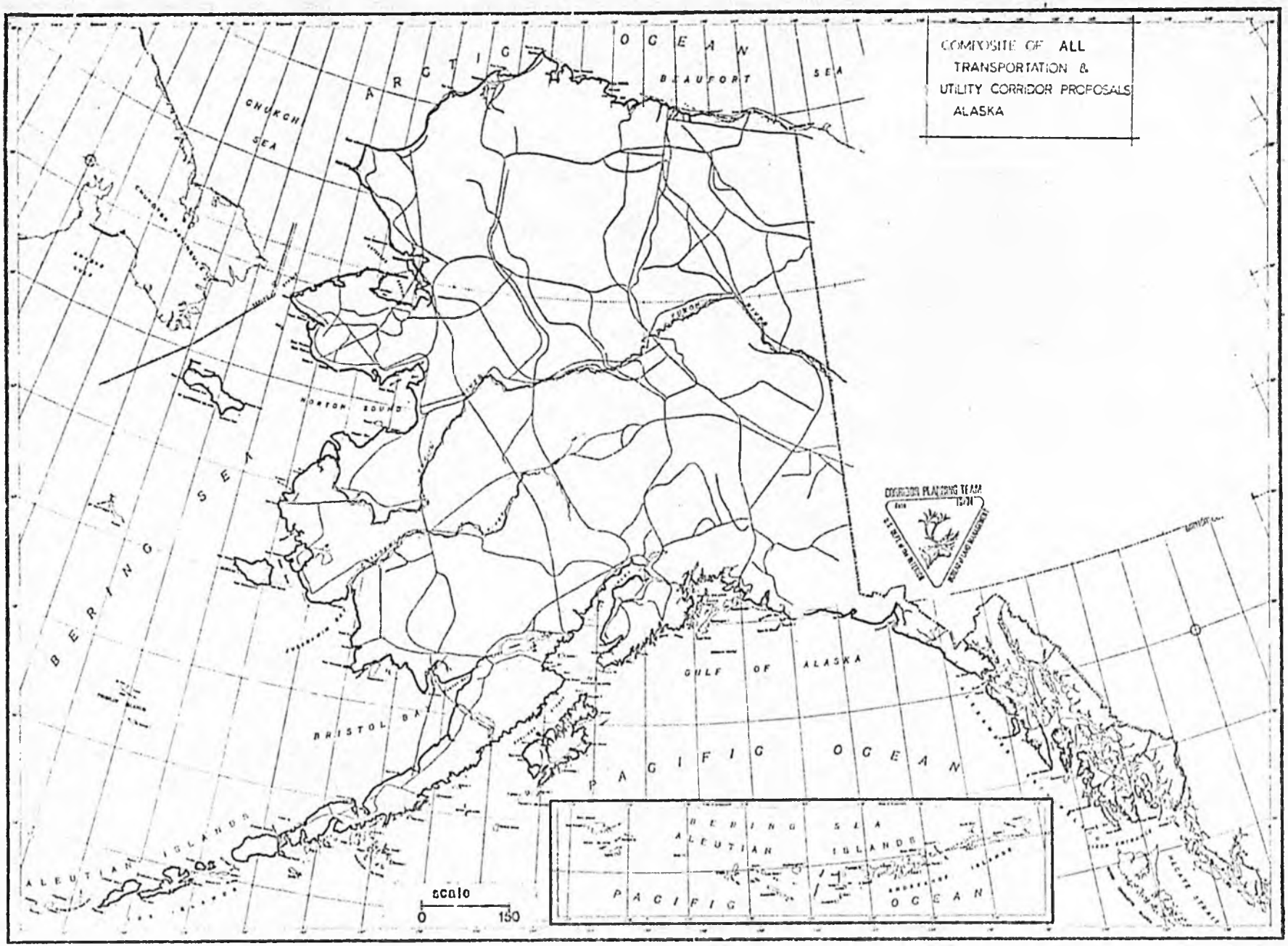
4. The following policies should be established as congressional guidelines for transportation planning:

   a. Transportation planning must be informed by and incorporated within land use planning.

   b. Transportation facilities should be constructed across (d)(2) lands only after finding that no feasible alternatives exist, and that the proposed facilities can be constructed in a manner that will minimize any adverse impact on primary values and designated uses of (d)(2) areas.

   c. In choosing among alternative transportation routes and modes, prime consideration should be given to the route or facility with least adverse environmental, cultural, and social impacts.

   d. Where possible, different transportation modes should be combined in the same corridor so that the number of corridors can be reduced.


COMPOSITE OF ALL
TRANSPORTATION &
UTILITY CORRIDOR PROPOSALS
ALASKA
ARCTIC OCEAN
BEAUFORT SEA
CHUKCHI SEA
NORTON SOUND
BERING SEA
BRISTOL BAY
GULF OF ALASKA
PACIFIC OCEAN
ALEUTIAN ISLANDS
scale
0
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BERING SEA
ALEUTIAN ISLANDS
PACIFIC OCEAN

e. Land use within transportation corridors should be strictly controlled to minimize the environmental and social impacts of the transportation corridor on lands within the corridor, as well as adjoining lands.

f. As a matter of general policy, transportation development should not be justified because such development would serve as a subsidy for resource development.

5. For (d)(2) lands placed under existing Federal land management systems, the planning recommendations would be advisory. Final decision about transportation corridors crossing national parks, wildlife refuges, and national forests or areas within the Wild and Scenic Rivers System in Alaska would be made on the basis of existing laws and regulations regarding rights-of-way and corridors.

6. For (d)(2) lands which may be placed in a new classification system, and other lands in joint classification areas, corridors would be designated as part of the classification process. Land management agencies assigned to particular land units would be responsible for approving and administering actual rights-of-way within corridors established by classification.

7. Issues involving minor problems of access across (d)(2) lands, which do not involve designations, would continue to be handled by existing Federal land management agencies.

MINERAL DEVELOPMENT ON (d)(2) LANDS

Mining has played an important role in the history of Alaska. Gold rushes highlighted the pre-statehood era, and expectations that Alaska contained an abundance of mineral wealth were an important argument for statehood. In recent years, oil and gas discoveries in the Cook Inlet and the North Slope have heightened prospects for similar discoveries in geologically favorable basins elsewhere in Alaska.

Miners and other parties with an interest in mineral development have expressed apprehension about the recent changes in Federal land status in Alaska, because of reduction in the area open to claim staking. Differences between mineral and conservation interests have been highlighted by the (d)(2) withdrawals which were intended to place lands in one of the Nation's conservation-oriented land management systems. In recognition of the arguments advanced by the mining community the Department of Interior encouraged by the State, attempted to exclude highly mineralized areas when the boundaries of the (d)(2) withdrawals were established. Despite some exclusions, certain mineralized lands are included within the (d)(2) withdrawals, most notably in the Wrangell and Chugach Mountains, upper Yukon River, central Brooks Range, Mt.

McKinley, Lake Clark, and Kobuk River areas. Thus, the conflict remains to be dealt with by Congress in the forthcoming (d)(2) legislation.

The issue of mineral exploration and development in (d)(2) areas is primarily involved with hardrock minerals. The (d)(2) withdrawals exclude large areas with identified high potential for petroleum development. Further, Federal law pertaining to leasable minerals, i.e. petroleum deposits and coal, is much more compatible with conservation-oriented land management than present law pertaining to hardrock mineral development. The development of petroleum resources falls under the Mineral Leasing Act of 1920. Assuming adequate lease stipulations and proper enforcement, the mechanisms for controlling the location and nature of petroleum exploration and development provided by this Act are adequate as a system of mitigating adverse environmental impact in areas where mineral leasing is permitted.

Hardrock mineral exploration and development, on the other hand, falls under the location-patent system established in the Mining Law of 1872 which gives prospectors an absolute right to stake a mineral claim on any public lands not closed to such activities. This law applies to areas that are open to mineral entry within the National Forest System and to most lands under BLM management, as well as to National Wildlife Refuge System lands when specifically opened to entry. Because of its widespread significance for the (d)(2) decisions, the Commission has devoted considerable study to the impact and implications of the 1872 Mining Law. They found this system to be inadequate for the national interest lands in the following respects:

1. If provides for the acquisition of patent to the land surface and subsurface minerals, but fee title to the surface estate is not deemed a necessary concomitant of mineral development;

2. It allows no method by which the government can effectively control the environmental and land use impacts of mining activity;

3. There is no mechanism which will allow the public to derive a fair return from the extraction of minerals located on the public lands;

4. There is no requirement in the present mining laws that private industry provide resource information to the government on a confidential basis;

5. The assessment work requirement of expending so much time and money per year in mineral claim exploration or development, which is the principal performance standard provided in this law, has often failed to operate as envisioned; and

6. Frequently changing administrative and judicial standards for what constitutes a valuable discovery create uncertainty of lands tenure prior to meeting the requirements of a patent.

Policy alternatives with respect to exploration and development of the locatable group of minerals on (d)(2) lands must deal with two basic questions: Where should mineral development be permitted? What system should be utilized to dispose of hardrock minerals located on (d)(2) lands?

At present, national parks are closed to mineral development for the most part; wildlife refuges are closed unless specifically opened; national forests and national resource lands are open on a multiple use basis; and riverbeds and banks of wild rivers are closed.

Applicable laws or policies could be changed to allow mineral development on lands of certain classifications, or exceptions could be applied to specific areas or portions of areas. Some conflicts between mineral development and other land uses can be avoided by drawing boundaries to excise mineralized areas. Such a resolution is not always possible because of the existence of other considerations, such as the need to protect important scenic features.

Hardrock mineral disposal can continue under existing law; or the law could be changed to provide a modified location-patent system, or a permit and lease system. A number of variations are possible in these latter two systems.

Given the background issues, the Commission's recommendations to Congress on methods of resolving conflicts between mineral values and scenic and other natural values in (d)(2) lands are as follows:

1. Where possible, the Commission recommends that Congress draw the boundaries of new units and additions to the National Park System in a way that would reduce conflicts between park related values and areas of high mineral potential. This approach is based on the assumption that existing law prohibiting mineral development in certain national parklands will continue to apply in the future. The Commission believes that some areas should be maintained without mining in Alaska and that national parks are appropriate areas for closure.

2. In a number of cases where lands with scenic and natural values of national interest are significantly mineralized, the Commission recommends inclusion under a new classification system. Elements of this recommended system pertaining to mineral exploration and development are as follows:

   a. Inventory of the mineral potential of such lands should be conducted by the U.S. Geological Survey and the U.S. Bureau of Mines. Such assessment should include geochemical and geophysical sampling as well as geological mapping. The Commission believes that studies of this nature will provide

adequate preliminary knowledge of the mineral potential to enable informed planning and classification decisions.

b. Following planning and classification under congressional guidelines, mineral exploration and development will be allowed in areas so classified, under a permit and lease system. For leasable minerals and mineral materials, the Mineral Leasing Act of 1920 and the Mineral Materials Act are adequate. For hardrock mineral exploration and development, a lease and permit system should be developed. The Commission has been developing a proposal for such a system, and details will be submitted to Congress in subsequent recommendations.

3. Within the units of National Wildlife Refuge, Forest, and Wild and Scenic Rivers Systems, the Commission recommends that existing legislation, policies, and regulations apply; except that a lease and permit system, referred to in 2.b. above, should be utilized in areas where hardrock mining is permitted. This recommendation is based on Commission findings that the Mining Law of 1872 is inadequate for areas that may be added to existing Federal land management systems or for other (d)(2) lands.

NEW INSTITUTIONS

In the preceding section, the Commission made its general recommendations relevant to existing conservation classification and management systems and policies and how they should apply in Alaska. Needs for a new classification system for certain lands of national importance in Alaska were indicated.

More detailed recommendations follow regarding these new concepts and institutions. In addition, specific recommendations are made regarding transportation planning and mineral exploration and development as they might be applied to the (d)(2) and related lands in Alaska.

Based on differing conditions and characteristics of much of Alaska's lands of national interest, the argument is made for a continuing institutional structure that would:

1. Allow for a process of decision making over time, so that land use choices can be made when new events and information make it timely and appropriate to render a decision.

2. Insure that land use decisions are responsive to changed circumstances without sacrificing responsibility to the national interest.

3. Provide the high level of environmental protection that is warranted by the national value that is found in Alaska's great expanse of natural land.

4. Maintain sufficient flexibility so that environmental protection measures serve to guide rather than to totally foreclose opportunities for future resource development in the national interest.

5. Provide for coordinated State and Federal land planning with an option for voluntary participation by major private corporate landholders of related lands.

Alaska National Lands

Based on these criteria, the Commission has developed a new classification system for many of Alaska's national interest lands to be called the Alaska National Lands System.

Designation of certain Federal lands as part of the Alaska National Lands System would represent a lasting commitment to the national interest in that (1) lands assigned to the system would be permanently withdrawn for Federal ownership; and (2) congressional guidelines for the system would emphasize a high level of environmental protection as a guiding standard when any land use is permitted. Unlike the National Resource Lands, managed by the Bureau of Land Management, Alaska National Lands could not be made available for State selection or other forms of permanent disposal from Federal ownership.

The land classification system which the Commission is proposing to fulfill these needs would provide a new approach to Federal land management.

Instead of subsuming determinations about primary values, or choices between primary use or multiple use under the designation decision, as has been done with the existing Federal land management systems, Congress, in adopting the Commission's proposal would be establishing an institution equipped to handle such decisions as they become appropriate and timely in the future. This approach, substituting a continuing planning institution for determination at this time, is based on a recognition that our foresight in Alaska is very limited and that circumstances affecting the areas proposed for Alaska National Lands may change radically in the future.

The Alaska National Lands System is intended to apply to national interest lands having outstanding wildlife, scenic, and other natural values and renewable and nonrenewable resources, whose real value is not known at this time. The system would be established by Congress, and lands designated for the system would be permanently withdrawn from public ownership by the Federal Government. Guidelines for planning and classification of the Alaska National Lands would be established by Congress, and where classification permits resource utilization, regulations would be directed towards protection of the natural and wild character of the land. Lands thought potentially suitable for wilderness designation would be identified, studied, and could be recommended for inclusion within the National Wilderness Preservation System.

Guidelines for Management

The following management guidelines are recommended to apply generally to lands in Alaska National Lands, both before and after classification:

1. A high level of protection shall be the guiding element in managing uses of the lands.

2. Hunting and fishing shall be allowed in accordance with Alaska Department of Fish and Game regulations and statewide species management plans developed with the participation of the habitat manager. Subsistence uses shall be given priority in the taking of fish and game.

3. Such activities should be allowed as necessary to acquire an adequate knowledge of the area for classification.

The following management guidelines for land uses are recommended to apply after planning and classification in areas where classification permits those uses:

1. Mineral exploration and development shall be conducted through a permit and lease system.

2. Lands suitable for grazing or farming shall be leased for use only at such time as there is a demonstrated justification or necessity.

3. Prior to location of major roads and other transportation facilities, a thorough environmental impact analysis shall be conducted.

4. Timber may be harvested when practical in areas so classified.

Managers for Alaska National Lands

The Commission recommends that units of the Alaska National Lands System be administered by existing Federal land management agencies, with the assignment of a manager to be based on known values and characteristics of units and the adjoining land management system. Minimizing the number of Federal land managers of large areas within regions to the extent practical should be an objective.

Coordinated Planning and Classification Mechanism and Powers

With respect to classification of the Alaska National Lands, the Commission recommends establishment of a continuing joint Federal-State commission. Self perpetuation of the existing joint Commission for Alaska is not intended nor of interest. Rather, the Commission believes that a commission as recommended can take an active and helpful role in resolving Alaska land issues in the future. The commission should have two main types of duties and responsibilities: (1) specific responsibilities for planning and classification of areas; and (2) broad responsibilities for statewide coordinative planning.

Unlike the present Joint Federal-State Land Use Planning Commission, the proposed commission would have more than advisory powers and be permanent in nature. This body would have responsibility for oversight of the Alaska National Lands with authority to plan and classify under congressional guidelines when such actions become timely. Day-to-day management would be assigned, as previously indicated, to an existing land management agency. As a public body, operating under congressional guidelines, a commission would be structured to combine responsiveness to changed circumstances and public interests with a paramount responsibility for protecting national environmental values. The commission would be jointly constituted, including representatives appointed by both Federal and State governments.

In addition, those Federal lands proposed for the Alaska National Lands system, certain other areas where there is a complex Federal-State ownership pattern and where coordinated planning is highly desirable, should be jointly classified. Areas could be established by congressional act and complementary State legislation. Classification of these lands could also be assigned to the proposed joint Federal-State commission.

Joint classification areas should not encompass lands within or recommended as additions to the existing Federal land management systems, nor include State-owned lands that are highly important to the State for settlement and resource development purposes. The Commission believes that both governments have sound reasons for reserving exclusive control over certain lands, and for this reason, does not propose incorporating such lands in joint classification areas. The prerogatives of the different governments would be further preserved by a veto system giving each level of government veto power within its sphere of ownership over joint-commission classifications.

Should other areas emerge after additional State selections are made where joint classifications appear desirable, the commission could recommend their designation.

The commission's broader responsibilities for statewide coordinative planning should include the following elements:

1. Planning and coordination to assist in the satisfactory completion of the land reallocation mandated by the Alaska Statehood Act and the Alaska Native Claims Settlement Act. The commission would strive to effect on ownership pattern most in accord with the interests and capabilities of the major landowners and management units that correspond to natural units to the extent possible. This duty would include findings and recommendations regarding State selections, Federal withdrawals, and land exchanges between Federal, State, and Native entities.

2. Provision of a forum for discussion and coordination of policy-setting and management practices in areas where the Federal and State governments share jurisdiction of the same lands, for example, in areas where the Federal government owns and controls the habitat of wildlife populations managed by the State government.

3. Coordination of intragovernmental operations of Alaska's Federal agencies and between the Federal and State governments in those area where separate governmental entities own or manage adjacent tracts within interrelated natural systems. Alaska's coastal zone is a prime example of a region where a coordinating mechanism is needed to bring Federal and State governments together to resolve common planning problems.

4. Facilitation and coordination of statewide planning for those land use elements, e.g. wilderness, transportation which should be analyzed on a statewide system basis.

5. Encouragement of voluntary participation in cooperative planning efforts by large private landowners.

6. Broad responsibilities for facilitating and coordinating the planning of a statewide transportation system. With respect to (d)(2) lands placed under existing Federal land management systems, the joint commission's transportation planning recommendations would be advisory. For lands which may be placed in the proposed Alaska National Lands system or for other designated joint classification areas, the joint commission would designated corridors as part of its classification authority. The Federal and State governments would retain veto power over commission transportation designations on Federal or State lands, respectively, just as veto power is retained over other commission classifications.

COMMISSION FINDINGS ON NATIONAL INTEREST VALUES AND RECOMMENDATIONS FOR THEIR PROTECTION

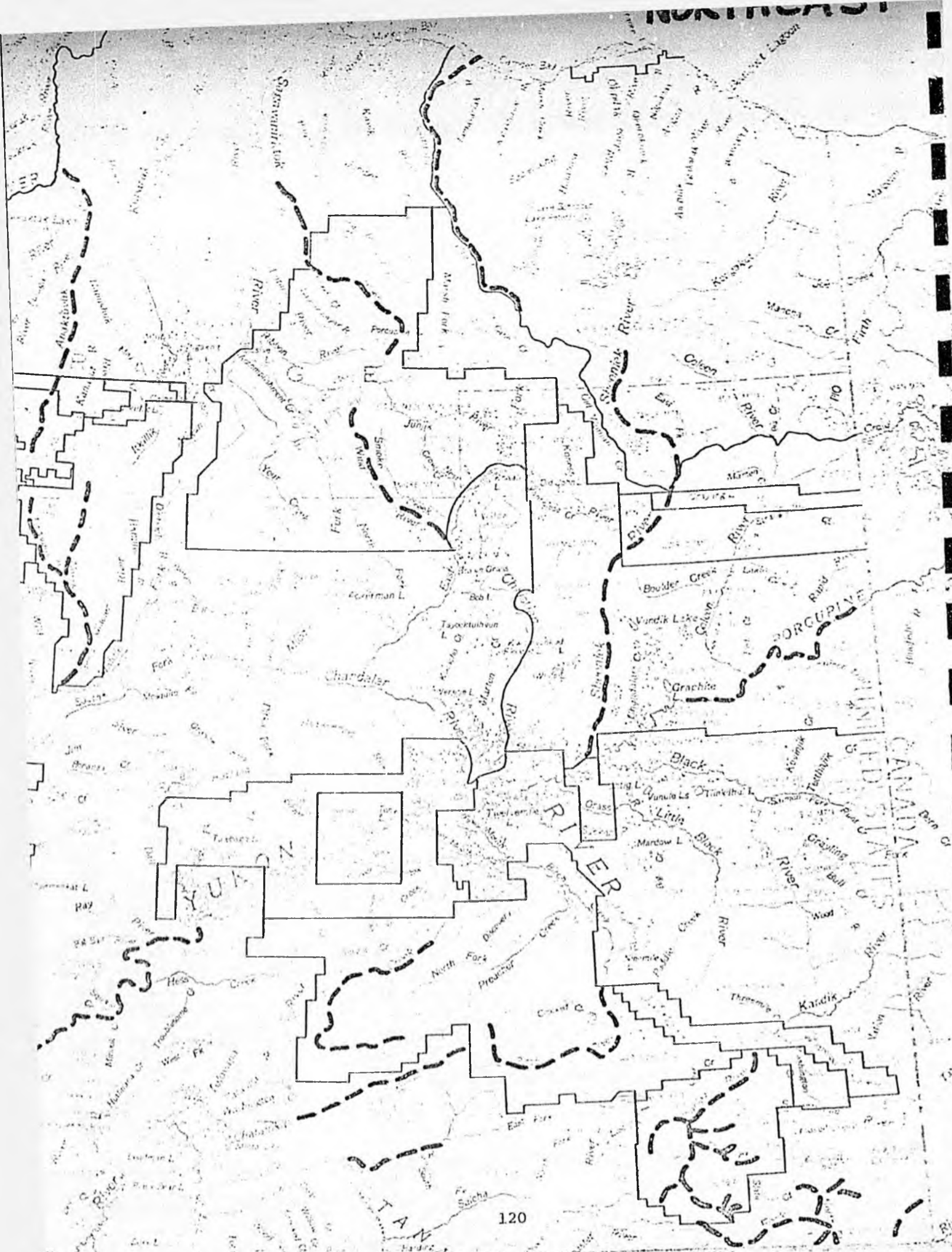
In assessing the natural values and other national interests in (d)(2) withdrawals, the Commission has examined areas adjoining the withdrawals and other locations of high natural value. In some instances, the Commission has found other resource values, in addition to the natural values of (d)(2) lands, to be of sufficient interest or concern to recommend that all or part of some areas not be included in a national conservation system. Correspondingly, the Commission has identified national interests in lands adjoining (d)(2) withdrawals, including, in some instances, lands selected by the State of Alaska or by Alaska Natives. In such instances, some of these lands have been suggested as subjects for future land exchange discussions. Native land selections presently exceed entitlement; and as the land status pattern becomes clearer, some boundary adjustments may be recommended by the Commission to exclude certain lands if selected or to honor State selection rights. The resulting proposals are, therefore, an admixture of lands with complementary values of national interest.

The Commission's proposals are presented in major geographic groupings in order to make apparent many natural and socioeconomic interrelationships.

NORTHEASTERN ALASKA

Northeastern Alaska, as delineated here, is essentially bounded on the west by the trans-Alaska oil pipeline, on the north by the Arctic Ocean, and on the east by the Canadian border, and consists of about 95,000 square miles (60,800,000 acres). The southern boundary roughly follows the crest of the Yukon-Tanana uplands. The eastern Brooks Range and Arctic coastal plain, and the upper Yukon River basin are contained within the region. Although historical activity has occurred, most of the region remains in its natural state. All streams are free flowing. Adjoining the Yukon River lies some of the Nation's prime waterfowl habitat. Major caribou herds migrate through the region. Significant populations of Dall sheep and grizzly bear are also present. South of the Brooks Range crest are spruce, poplar, and birch forests, with low brush bogs and shallow lakes predominating in the Yukon Flats. To the north, the alpine tundra of the Brooks Range gives way to the moist and wet tundra of the Arctic plain.

Northward from the summit of the Brooks Range an Arctic climate prevails, with persistent winds and fog along the coast, brief summers, desert-like annual precipitation levels on the Arctic plain, and average temperatures for January of -17°F and in July of +41°F. The climate of the southern interior portions is continental, with 90 frost-free days a year on the average. Precipitation here is also low. Some of Alaska's greatest temperature extremes occur in this area with ranges from -70°F to 100°F.


NORTHEAST
Sheenjek River
Coleen
Old Crow
Porcupine
Chandalar
Grayling
Kandik
YUKON
TANANA
R I V E R

Mineralized zones and oil and gas provinces underlie the region. Some of interior Alaska's most extensive stands of timber are found along the Yukon River and tributary streams, as is a significant portion of those lands in Alaska with soils and climate suitable for agriculture.

Although Fairbanks, the largest city of Alaska's interior, lies near the southwestern corner, this region of Alaska is sparsely populated. Several small communities, all of which are well under 1,000 in population and largely inhabited by Athabascan Indians, are located along the Yukon River and its tributaries. There is one small predominantly Eskimo settlement on the Arctic coast. With the exception of the North Slope haul road (currently closed to public use) which follows the trans-Alaska oil pipeline, Alaska's road network does not extend north of the Yukon River. Access to most of the region is by air, or in the summer months by water. Aside from several small mining operations, local sawmills, and current oil exploration there is no significant industry in the Yukon basin. On the Arctic slope, however, the oilfields near Prudhoe Bay are nearly ready for production. Fish and game are still relied upon to a significant degree by local residents to meet their subsistence needs. Tourism has been relatively low, although recreational and sport hunting use is increasing, particularly in the southern portions of the region.

After the entitlement of Alaska Native corporations for land selections in the region has been satisfied, the Federal Government will retain ownership of approximately 70 percent of the lands. These private corporations will own approximately 15 percent of the region. To date, around 15 percent of the land area has been selected by the State and more may be selected by 1984.

The 8.9-million-acre Arctic National Wildlife Range is located in this region. Four withdrawals for study as national interest lands, totalling 13.6 million acres, were made under Section 17(d)(2) by the Secretary of the Interior. They are: a 100-mile corridor withdrawal along the upper Yukon River extending from the Canadian border westward (960,000 acres); two areas adjoining the Arctic National Wildlife Range (2.5 million acres); and the Yukon Flats (10.2 million acres). In addition, three narrow river corridors along the Charley River and Birch and Beaver Creeks were withdrawn for study as possible National Wild and Scenic Rivers.

Yukon Flats Withdrawal and Adjoining Uplands to the North

The Yukon Flats of the upper Yukon basin is one of the largest waterfowl habitats in a natural state in the Nation, with the highest duck nesting density of any large area in Alaska. The primary duck species present are scaup, pintail, and widgeon, and 10 to 15 percent of the North American continent's population of canvasbacks. Canada and white-fronted geese nest here as well. Caribou range through the Sheenjek, Coleen, and Porcupine River drainages. The upper Porcupine River is a key habitat for the endangered peregrine falcon. A variety of other wildlife, including grizzly bears, moose, wolves, and small furbearers, are present.

Several major streams flow freely through the area. A few large lakes of recreational value receiving current use are located in the uplands. Networks of small lakes and streams occur in the lowlands. Mixed spruce-hardwood forests line the major rivers and adjacent slopes.

THE COMMISSION RECOMMENDS TWO LARGE AREAS TOTALLING APPROXIMATELY 2.3 MILLION ACRES AS A NATIONAL WILDLIFE REFUGE TO PROTECT HIGH DENSITY WETLAND WATERFOWL HABITATS AND SOME ADJOINING UPLAND HABITAT AND WILDLIFE VALUES.

SOME 5.5 MILLION ACRES OF SCENIC UPLANDS, UPLAND WILDLIFE HABITAT, AND MEDIUM DENSITY LOWLAND WATERFOWL HABITAT ARE RECOMMENDED FOR INCORPORATION IN THE PROPOSED ALASKA NATIONAL LANDS SYSTEM TO BE MANAGED BY THE U.S. FOREST SERVICE. Taking of fish and game for local subsistence purposes is a common and important practice. Hunting, fishing, and trapping would continue under State regulations and in accordance with Federal interests in wildlife and habitat preservation. Other uses would occur as permitted by wildlife refuge management policies. The primary purpose of the new management system is the protection of the assortment of natural values present, while other compatible uses may be permitted under congressional guidelines after Federal-State classification. Hunting, trapping, and fishing on the new management units are permitted in accordance with State wildlife management plans and regulations developed in coordination with Federal agencies. There has been increasing expression of interest in interior Alaska's forests and possible development of a forest industry within this extensive area. The U.S. Forest Service appears particularly well suited to manage the Porcupine River area because of its research capabilities and the need to develop appropriate silvicultural methods and other management programs for these and similar lands and their several values. Research findings developed here could be of value to other private landholders and State and Federal land administrators in the general area.

TWO OF THE FREE-FLOWING STREAMS, THE PORCUPINE AND SHEENJEK, HAVE BEEN STUDIED AS POSSIBLE WILD OR SCENIC RIVERS AND ARE RECOMMENDED FOR POTENTIAL DESIGNATION PENDING EVALUATION DURING CLASSIFICATION OF THE NEW MANAGEMENT UNIT. THE RAMPART SECTION OF THE YUKON RIVER, DOWNSTREAM FROM THE YUKON FLATS, IS ALSO RECOMMENDED FOR POTENTIAL SCENIC RIVER DESIGNATION PENDING CLARIFICATION OF LAND STATUS IN THE AREA AND FURTHER STUDY AND CLASSIFICATION OF SURROUNDING LAND OR USES OF THE RIVER.

Two potential oil and gas basins, one with potential for uranium underlie portions of the proposed refuge and Alaska National Lands unit, but extend beyond their boundaries onto private and other public lands. Exploration, development, and extraction could be allowed on the new management unit if in compliance with congressional guidelines and where permitted by eventual Federal-State classification. Exploration and development on the proposed refuge would be permitted only at the discretion of the Secretary of the Interior.

Two proposed hydroelectric projects (Rampart and Porcupine), if constructed, would inundate large parts of the proposed units and, therefore, are incompatible with the protection of their natural values. There is

currently no significant demand for the potential power, flood control, or water storage. Accordingly, the Commission has concluded that development of these sites is not now in the national interest. The proposed new management system unit contains portions of metallogenic provinces with potential for copper, silver, gold, nickel, lead, zinc, tin, iron, barite, platinum, chromium, tungsten, titanium, and asbestos. Under the Commission's recommendations, if eventual Federal-State classification allows, the exploration and extraction of these minerals could occur.

A substantial portion of Alaska's potentially cultivable lowlands, as well as some upland soils in climatically suitable zones, lie within the proposed new management unit and refuge. Similarly, some large timber stands which may become commercially valuable are located on portions of the units. Adjoining lands selected by Alaska Native corporations have potential for agriculture and timber harvesting. Proposed boundaries have been drawn to exclude some potentially cultivable areas for possible State selection. Farming and timber harvesting may be permitted on Alaska National Lands units if classification permits.

Particular needs for coordination in this area are:

(1) Large widespread blocks of Native-selected land include significant portions of the best waterfowl habitat. Coordination with these private landowners will be necessary to fully protect the national interests in waterfowl.

(2) The Yukon River is a navigable international waterway involving State interests, and is currently used for transportation and access through the region.

Upper Yukon River and Adjoining Uplands to the South and West

The historic Yukon River flowing from Canada courses through bluffs, bottomland forests, and wetlands, with higher mountains providing scenic backdrop. Structures of historical interest extending back to the Klondike gold rush era, and a significant rock formation sequence and fossil evidence of the geological past are found on the banks. A variety of wildlife including bear, moose, waterfowl, and small furbearers can be seen along the river. Key habitat for peregrine falcon is present. The Commission finds this area to be a particularly scenic section of one of the Nation's major waterways.

The adjacent Yukon-Tanana uplands contain a variety of upland wildlife species including bear, moose, wolves, and furbearers. Scattered groups of Dall sheep occupy the White Mountains and Charley River areas. Caribou range through much of these mountains south of the Yukon River. Several clear water streams flow freely through the area. Mixed spruce-hardwood forests line the valleys and lower slopes, with tundra on the higher slopes. Considerable medium and low density waterfowl habitat is present in and adjoining the Yukon Flats.

HAVING DETERMINED THAT THESE VALUES ARE OF NATIONAL INTEREST, THE COMMISSION RECOMMENDS THAT A RIVER CORRIDOR OF APPROXIMATELY 540,000 ACRES, ABOUT 100 RIVER MILES LONG AND AN AVERAGE OF 9 MILES WIDE, BE SET ASIDE AS A UNIT OF THE NATIONAL PARK SYSTEM. HUNTING, FISHING, AND TRAPPING, WHICH PRESENTLY OCCUR, ARE RECOMMENDED TO CONTINUE IN THE PROPOSED RIVER PARKLAND IN ACCORDANCE WITH STATE REGULATIONS AND IN COORDINATION WITH FEDERAL INTERESTS. The proposed corridor extends to benchlands and ridges and encloses the immediate scenic environment and habitats. The intended primary uses are recreational and scientific, with other uses as permitted by National Park Service policies.

THE COMMISSION ALSO RECOMMENDS A 6.1-MILLION-ACRE ALASKA NATIONAL LANDS UNIT IN THE YUKON-TANANA UPLANDS TO BE MANAGED BY THE BUREAU OF LAND MANAGEMENT. Administration of this unit by the Bureau of Land Management is deemed appropriate because of the multiple values present and the anticipation of multiple classification for future use and preservation. Compatible uses may be permitted under congressional guidelines after Federal-State classification. Hunting, trapping, and fishing would be permitted under State wildlife management plans and regulations developed in coordination with Federal agencies.

THREE OF THE FREE-FLOWING STREAMS, BIRCH AND BEAVER CREEKS AND THE CHARLEY RIVER, HAVE BEEN STUDIED AS POSSIBLE WILD RIVERS, AND ARE RECOMMENDED FOR POTENTIAL DESIGNATION PENDING CLASSIFICATION OF THE ALASKA NATIONAL LAND UNIT. THE CHARLEY RIVER DRAINAGE IS PROPOSED AS A PRIORITY WILDERNESS STUDY AREA TO INSURE THAT ITS NATURAL FEATURES ARE NOT ALTERED PENDING A DECISION ON POSSIBLE WILDERNESS DESIGNATION.

Potential provinces for oil and gas, uranium, and coal, underlie portions of the units, but extend well beyond their boundaries. If Federal-State classification allows, development or extraction in these provinces could be allowed on the proposed Alaska National Land units. Two proposed hydroelectric projects (Rampart and Woodchopper), if constructed, would create reservoirs inundating much of the Yukon River corridor and portions of the adjoining uplands. There is currently no significant demand for the potential power, flood control, or water storage. Construction of these projects is therefore considered not now in the national interest. A metallogenic province with potential for antimony, gold, silver, and molybdenum underlies a portion of both the proposed park and the proposed new management unit, but extends well beyond the recommended boundaries. The proposed Alaska National Lands unit also partially contains provinces with potential for asbestos, chromium, copper, iron, lead, nickel, platinum, tin, titanium, and zinc. Most of three historical gold mining areas are included in the new management unit, with a portion of one in the proposed Yukon River corridor.

Some timber stands of possible commercial value and soils and climate suitable for agriculture are found in the Alaska National Land unit and in the proposed park unit. Opportunities for timber and agricultural development exist in adjoining areas. The Commission has delineated the boundaries of its Yukon River proposal to allow these uses outside of those scenic and wildlife habitat areas immediately adjoining the river.

Particular needs for coordination in this area include:

1. Management of tributaries and watersheds adjoining the park unit may be necessary to protect natural values.

2. The Yukon River is an international navigable waterway involving State and Canadian interests, and is currently used for some transport and access through the region. Two roads from the south connecting with the State's highway network extend to the Yukon River at either end of the proposed park unit.

3. Some significant historical sites in the area are in private ownership or under local public jurisdictions.

Areas adjoining the Arctic National Wildlife Range

Areas adjacent to the Arctic National Wildlife Range to the south and southwest have primary value for their upland game habitat. The area to the southwest lies in the rugged and scenic eastern Brooks Range containing populations of grizzly bear, Dall sheep, and wolf. Habitat for the international Porcupine caribou herd numbering about 100,000 is present in both areas. A number of in their natural state flow through the areas. The area to the south of the existing wildlife range contains additional habitat for bear, moose, and other upland game.

THOSE LANDS, TOTALLING 1.9 MILLION ACRES, DIRECTLY RELATED HYDROLOGICALLY AND ECOLOGICALLY TO THE EXISTING RANGE, ARE RECOMMENDED AS RANGE ADDITIONS. THOSE LANDS FARTHER WEST, TOTALLING 5.6 MILLION ACRES, AROUND THE CHANDALAR RIVER WITH SIMILAR VALUES, BUT LESS DIRECTLY RELATED TO THE RANGE, ARE RECOMMENDED FOR INCORPORATION AS A UNIT OF THE ALASKA NATIONAL LANDS SYSTEM. THE U.S. FISH AND WILDLIFE SERVICE IS RECOMMENDED AS THE MANAGER OF THIS RESERVE. This choice was made in part to help facilitate coordinated management of the wildlife which use habitat in both the Arctic National Wildlife Range and the Alaska National Lands unit.

FOUR OF THE FREE-FLOWING STREAMS, THE CANNING-MARSH FORK, IVISHAK, WIND, AND SHEENJEK, HAVE BEEN STUDIED AS POSSIBLE WILD AND SCENIC RIVERS AND ARE RECOMMENDED FOR POTENTIAL DESIGNATION PENDING EVALUATION IN THE WILDLIFE RANGE AND CLASSIFICATION OF THE LANDS IN THE PROPOSED NEW MANAGEMENT UNIT.

The areas contain some potential for petroleum, copper, nickel, zinc, lead, tin, barite iron, platinum, chromium, tungsten, titanium, and asbestos. These provinces extend beyond the boundaries of the proposed units. Exploration and extraction of these resources may be permitted under Secretarial discretion on the wildlife range extension, and on the Alaska National Lands unit wherever eventual classification may permit.

Use of the withdrawn gas pipeline corridor included within the wildlife range or proposed Alaska National Lands unit will not be precluded by the designation of these units.

Recognizing that the range of the Porcupine caribou herd is extensive and larger than any one management unit or landholding, and subject to change, there is a particular need for coordinated wildlife management in this region.

NORTHWESTERN ALASKA

Northwestern Alaska, as used here, is a 156,000 square-mile area (99,900,000 acres) generally west of the trans-Alaska oil pipeline and northwest of the Yukon River. Included in the region are the western Arctic coastal plain and foothills, the Noatak, Kobuk, and Koyukuk River drainages heading in the central and western Brooks Range, the Selawik River drainage, the Seward Peninsula, and St. Lawrence Island. The area is bounded on the north by the Beaufort Sea, on the northwest by the Chukchi Sea of the Arctic Ocean, and on the southwest by Norton Sound in the Bering Sea. Although historical activity has occurred in various parts of the region, e.g., gold mining on the Seward Peninsula and whaling on the Arctic coast, the region remains largely unaltered from its natural state. Four of Alaska's major rivers run through this region, and all streams are free flowing. Important waterfowl and seabird habitats are found in several areas. The major western Arctic caribou herd migrates through much of the region, and significant populations of grizzly and black bear, Dall sheep, wolf, moose, and other wildlife also reside here. A variety of marine mammals, including seal, walrus, and occasional polar bear, are present in the coastal and offshore areas. The vast treeless tundra of the Arctic plain is marshy, dotted by frequent shallow lakes, and traversed by sluggish meandering streams. The wet tundra of the plains and moist tundra of the foothills give way to the drier alpine tundra on the slopes of the rugged Brooks Range. On the southern slopes of the Range, broad river valleys with scattered spruce-hardwood forests intersperse the tundra-covered mountains. Forest cover is more extensive in the interior river drainages, where it is mixed with areas of muskeg bog and low brush. Most of the coastal zone and Seward Peninsula are covered with tundra and brush.

Precipitation is generally low throughout the region, varying from an annual average of 4 inches on the Arctic coast to around 14 inches in the southern interior river drainages. Greater amounts fall in the mountain ranges. Annual frost-free days vary, with an average of 10 days on the Arctic coast, 93 around Kotzebue Sound, and over 100 days in some sections of the southern interior. Mean daily January and July temperatures for 5 representative locations are:

	January	July
Barrow (Arctic Coast)	-16°F	39°F
Colville region (northern foothills and Brooks Range)	-11°F	45°F
Kotzebue (Kotzebue Sound-Chukchi Sea)	-6°F	53°F
Nome (Norton Sound-Bering Sea)	+4°F	50°F
Galena (lower Koyukuk drainage)	-11°F	59°F

NORTHWEST (A)

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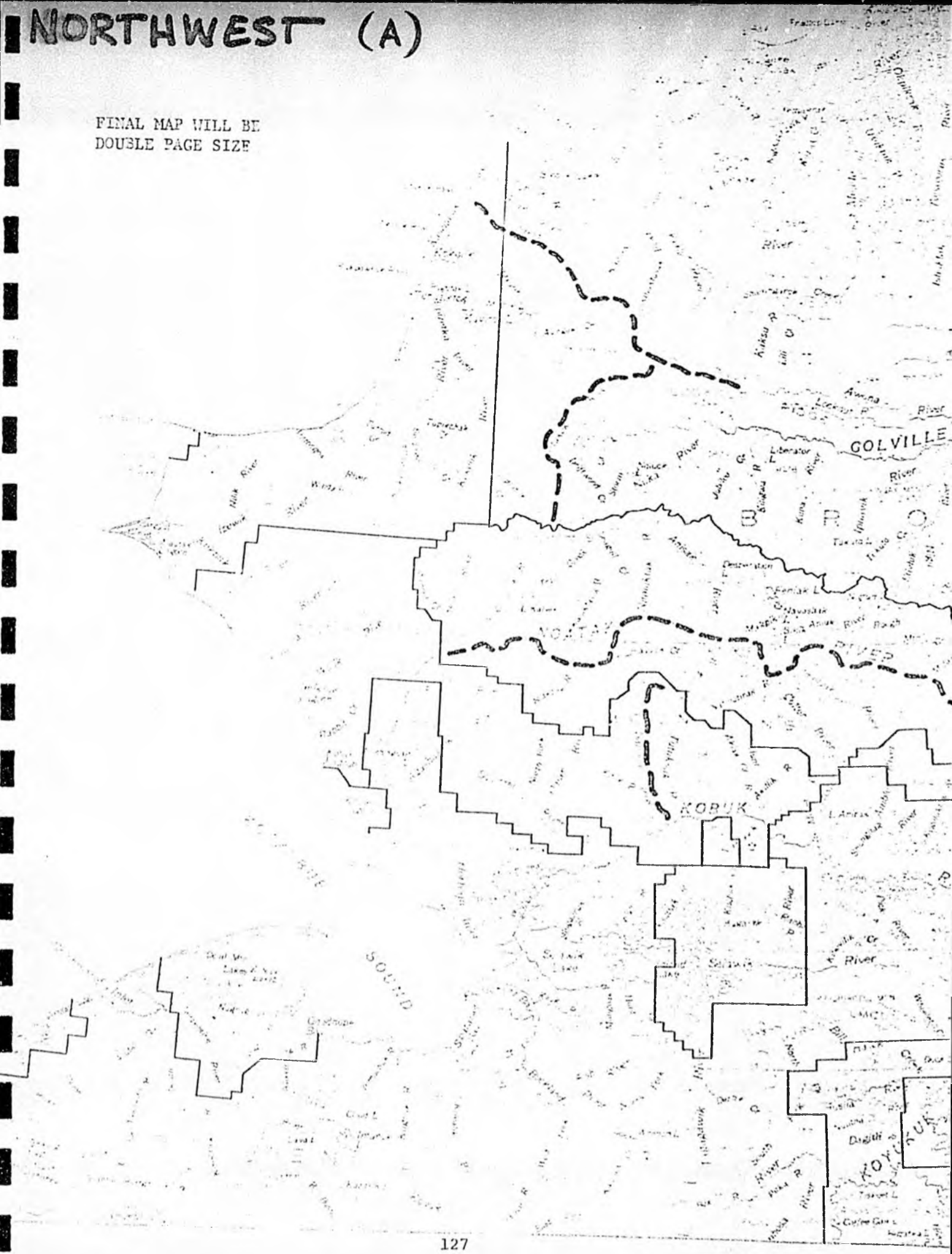
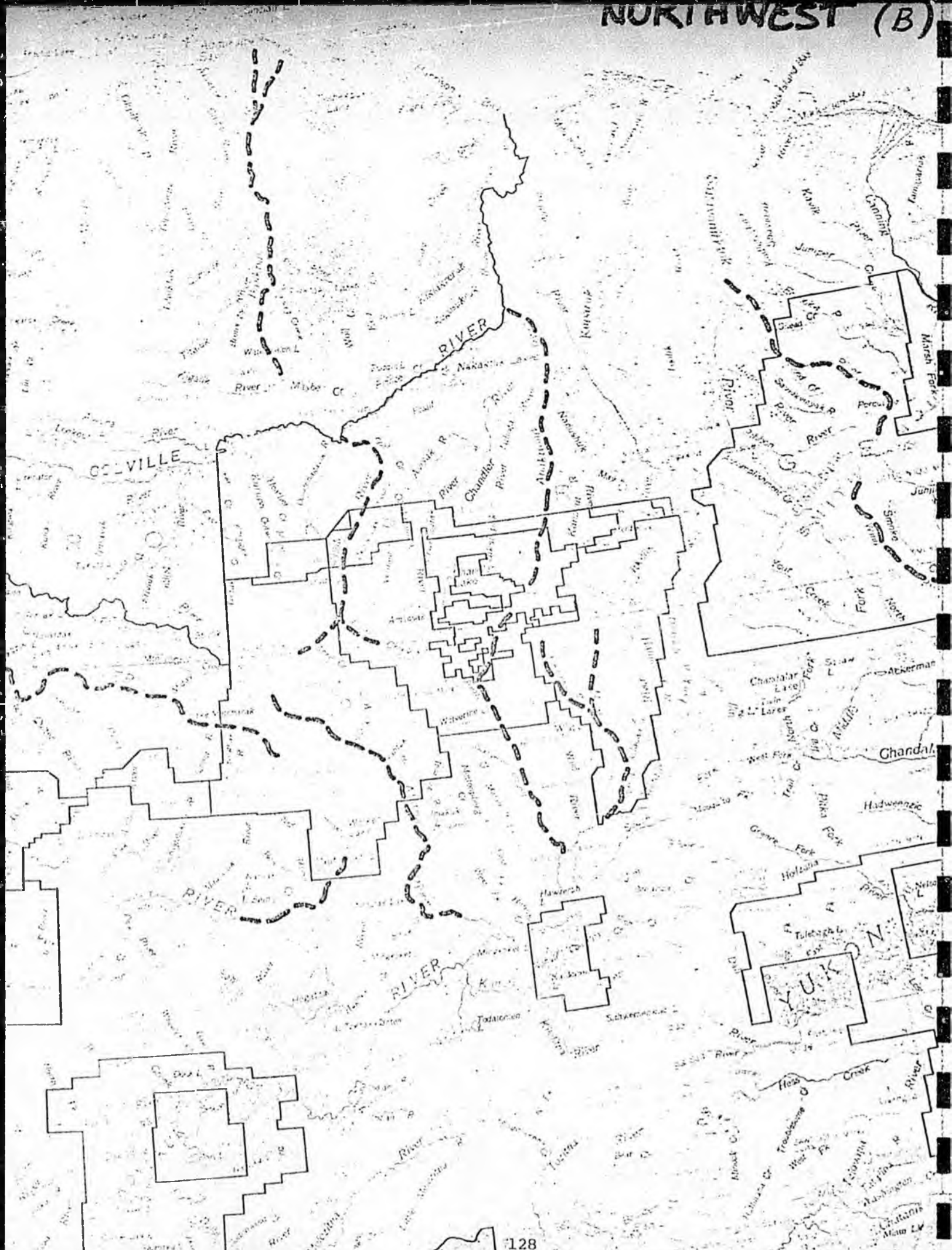



NORTHWEST (B)
RIVER
Chandler River
Anaktuvuk River
Killik River
Alatna River
Koyukuk River
Hogatza River
Kanuti River
Koyukuk
Huslia
Hughes
Allakaket
Alatna
Wiseman
Bettles
Evansville
Coldfoot
Wiseman
Chandalar Lake
Chandalar Fork
Ackerman
Hadweenzic
Holtzana
Hawitch
Tolaiorian
Schwatkaket
Tuletagak
Hess Creek
Marsh Fork
Jim River
Smith Creek
North Fork
Junction
Porcupine
Sheenjek River
Peters Creek
Nakashin
Miller Cr
Washington L
Lonely
Alatna River
Wolverine
Trail Cr
Pika Fork
Grouse Fork
Nelson
Tatalina
Hess Creek
Trail Cr
Mosquito Fork
Beaver Cr
Dall River
Kanuti
Caribou
Juniper
Gunning
Kanuti River
Marsh Fork
Porcupine
Sheenjek River
Jim River
Smith Creek
North Fork
Junction
Chandalar Lake
Chandalar Fork
Ackerman
Hadweenzic
Holtzana
Hawitch
Tolaiorian
Schwatkaket
Tuletagak

As in northeastern Alaska, temperature ranges are greater in the interior. On the Arctic coast, there is nearly continuous darkness from November 18 to January 24 and uninterrupted daylight from May 10 to August 2.

Mineralized zones and oil and gas provinces underlie much of the region. Several areas of geothermal energy potential are present. There is some timber, mostly along major rivers, of possible commercial value and some lands marginally suitable for agriculture.

This region, while also sparsely populated by national standards, has a larger population than northeastern Alaska. Settlements tend to be of larger size and three communities, Kotzebue, Nome, and Barrow, serve as regional centers having growing populations of over 2,000. Fairbanks, located to the southeast, has socioeconomic ties with the region. Aside from tourism in the major population centers, mineral exploration, some small-scale mining and logging, and recent oil and gas exploration, there is little industry activity within the region. Most of the region is predominantly populated by Inupiat Eskimos, with the exception of the Koyukuk drainage settled by Athabascan Indians. Fish and game and other products of the land are still taken by many of the region's residents to meet their subsistence needs. The State's road network does not extend into the region, but a few local roads radiate from Nome. Access is by air or by water in the summer months.

When the land entitlement to Alaska Native corporations is satisfied, approximately 15 percent of the region will be privately owned. Another 3 percent has been selected by the State of Alaska which may make other selections in this region to complete its entitlement. Eighty-two percent or less, depending upon future State selections, will then be retained in Federal ownership.

One large Federal reserve of 23.1 million acres, National Petroleum Reserve-Alaska, lies in the region as does the small Chamisso National Wildlife Refuge. The following areas for study as national interest lands were withdrawn under Section 17(d)(2) by the Secretary of the Interior:

1. two small areas around Cape Lisburne (74,000 acres) and Cape Thompson (10,000 acres);

2. a large section of the Central Brooks Range (8.17 million acres);

3. a large portion of the Noatak River (7.5 million acres) and Kobuk River (2.8 million acres) drainages;

4. a section of the Koyukuk River drainage (3 million acres);

5. the Kanuti Flats (750,000 acres);

6. the Selawik River basin (2.1 million acres); and

7. a part of the Seward Peninsula (3.3 million acres).

Central Brooks Range

The Brooks Range is the continent's only Arctic mountain range. One of its most rugged and scenic sections is the central portion, with waves of ridges and peaks up to 8,000 feet. Broad, glacially carved valleys with clear, free-flowing rivers intersperse the mountains. On the Range's southern slopes, valleys are forest-lined with birch, aspen, spruce, and poplar; while on the north, alpine tundra predominates with occasional willows and other brush along watercourses. The rolling Arctic foothills just north of the Brooks Range is an area characterized by irregular buttes, knobs, and elongated scarps. Scenic peaks within the central section of the Range include Arrigetch Peaks with steep granite walls, buttresses, and spires; Mt. Igikpak, the highest peak in the Central Brooks, towering above its surroundings; Frigid Crags and Boreal Mountain forming "The Gates of the Arctic"; and other mountains of interesting geological origin, formation, shape, and historical note. River canyons and several large lakes, including Walker Lake and Kurupa Lake, are also found in this area. Small glaciers and glacial tarns enhance the scenery in certain mountainous areas. The western Arctic caribou herd migrates throughout the area. Dall sheep, grizzly bear, and wolf are also present.

TO PROVIDE PROTECTION TO THE NATURAL VALUES OF NATIONAL INTEREST IN THE CENTRAL BROOKS RANGE, THE COMMISSION RECOMMENDS:

1. TWO LARGE AREAS WITHIN THE RANGE BE DESIGNATED UNITS OF THE NATIONAL PARK SYSTEM (5.2 MILLION ACRES);

2. TWO RIVERS WITHIN THE PROPOSED PARK UNITS, THE ALATNA RIVER AND THE NORTH FORK OF THE KOYUKUK-TINAYGUK, BE DESIGNATED WILD RIVERS;

3. LANDS BETWEEN THE TWO PROPOSED PARK UNITS NOT CONVEYED TO THE ARCTIC SLOPE NATIVE CORPORATIONS BE INCORPORATED WITHIN THE ALASKA NATIONAL LANDS SYSTEM (2.0 MILLION ACRES); BECAUSE OF THE VALUES RELATED TO THE PROPOSED ADJACENT PARK UNITS, THE NATIONAL PARK SERVICE IS RECOMMENDED AS THE MANAGER OF THIS UNIT; AND

4. FIVE RIVERS--KILLIK, NOATAK, ANAKTUVUK, JOHN, AND UPPER KOBUK--FLOWING THROUGH OR FROM THE PROPOSED PARK, ALASKA NATIONAL LANDS AND ADJOINING LANDS BE DESIGNATED POTENTIAL WILD OR SCENIC RIVERS FOR FURTHER EVALUATION IN ACCORDANCE WITH CLASSIFICATION OF THE ALASKA NATIONAL LANDS UNIT AND OTHER ADJOINING LANDS.

The Commission has attempted in these recommendations to protect representative cross-sections of the major terrestrial and aquatic ecosystems and landforms of the central Brooks Range. In addition, the Commission finds that adjacent lands in the lower Alatna River drainage currently selected by the State of Alaska have natural values of national interest and potential suitable for designation as Alaska National Lands. The Commission proposes that these lands be a subject of future land exchange discussions between the State and Federal governments. Should the lower Alatna River drainage be acquired by the Federal government, the Commission

recommends that the National Park Service be designated as manager to facilitate coordinated planning and management with adjacent lands in the National Park System.

The proposed park and Alaska National Lands units contain portions of a large petroleum province receiving current exploration. The petroleum province extends well beyond the boundaries of the recommended units. Two areas of geothermal energy potential are located within the proposed western park unit, but another potential source is found further to the west near the headwaters of the Selawik River and outside any recommended national interest reserves. The park units are traversed by three mineral belts with potential for copper, silver, gold, nickel, lead, zinc, tin, iron, barite, molybdenum, platinum, chromium, tungsten, titanium, and asbestos. All of the three mineral belts extend into adjoining lands, or into the proposed Alaska National Lands unit where mineral exploration and extraction could be allowed if eventual classification permits.

Areas with wildlife populations used extensively by residents of the area for subsistence purposes have largely been excluded from the proposed park units. Where these areas have natural values of high national interest, they have been incorporated in the new management system, where hunting, fishing, and trapping would be permitted.

Coordinated planning and management in the Central Brooks Range and adjoining areas is needed to insure adequate protection of the caribou range and herd. Major surface access routes to the Arctic and western coast and to potential mineral development zones adjoining the proposed park units have been identified in this region, necessitating coordinated planning among various landowners and managers to assure future access needs as they arise. Land ownership in this area is fragmented, with private inholdings or valid existing claims a likelihood in any future management unit.

Noatak-Kobuk

Free-flowing rivers traverse the area, coursing through bluffs, canyons, forest, and tundra, with mountains in some sections providing a scenic backdrop. Important scenic features are the Great Kobuk Sand Dunes, a unique geologic occurrence in a setting of forests, mountains, marshes, and ponds; the canyons along the Noatak, Salmon, and other rivers; and certain formations in the Baird and Delong Mountains. The area provides rangelands for the Arctic caribou herd and one of Alaska's few small herds of musk ox. Waterfowl nest in the region, with particularly high density concentrations along the Kobuk River and places along the coast. There are several sites of prehistoric aboriginal settlement, most notably those at Cape Krusenstern and Onion Portage. A relatively diverse Arctic flora grows along the Noatak River.

THE COMMISSION HAS FOUND THESE VALUES TO BE OF NATIONAL INTEREST AND MAKES THE FOLLOWING RECOMMENDATIONS FOR THEIR PROTECTION:

1. DESIGNATION OF THE GREAT KOBUK SAND DUNES AND THE IMMEDIATE SCENIC ENVIRONMENTS (110,000 ACRES) AS A UNIT OF THE NATIONAL PARK SYSTEM.

2. DESIGNATION OF THE CAPE KRUSENSTERN AREA (190,000 ACRES) AS A UNIT OF THE NATIONAL PARK SYSTEM TO PROTECT ITS ARCHAEOLOGICAL VALUES, UNIQUE GEOLOGIC FEATURES, AND ITS COASTAL BIRD AND OTHER HABITATS.

3. INCORPORATION INTO THE ALASKA NATIONAL LANDS SYSTEM OF THE LOWER AND MIDDLE SECTIONS OF THE NOATAK AND KOBUK RIVER DRAINAGES, THE BAIRD MOUNTAINS, AND THE DRAINAGES OF SEVERAL SMALLER RIVERS FLOWING INTO THE CHUKCHI SEA (11.9 MILLION ACRES). BECAUSE THE AREA IS AN IMPORTANT HABITAT FOR THE ARCTIC CARIBOU HERD AND SUSTAINS A VARIETY OF OTHER WILDLIFE, THE U.S. FISH AND WILDLIFE SERVICE IS RECOMMENDED AS THE MANAGER FOR THIS RESERVE.

4. A PORTION OF THE NOATAK RIVER DRAINAGE IS RECOMMENDED AS A WILDERNESS STUDY AREA. THREE OF THE MANY FREE-FLOWING STREAMS, THE NOATAK, SALMON, AND WULIK RIVERS, HAVE BEEN STUDIED AS POSSIBLE WILD OR SCENIC RIVERS AND ARE RECOMMENDED FOR POTENTIAL DESIGNATION PENDING CLASSIFICATION OF THE RESERVE LANDS.

Some potential for oil and gas exists within the proposed units, but the provinces extend well beyond the recommended boundaries. Four proposed hydroelectric projects (Agashashok, Misheguk, Nimiuktuk, and Kobuk), if constructed, would inundate large parts of the proposed units and are incompatible with the protection of the natural values. Several small areas of bituminous coal deposits, two of which are in the proposed Alaska National Lands unit lie in the Kobuk valley. Major coal deposits are found to the north of the proposed units. The proposed park and new management unit is underlain by metallogenic provinces with potential for copper, gold, silver, nickel, lead, zinc, tin, iron, barite, molybdenum, platinum, chromium, tungsten, titanium, and asbestos. Exploration and extraction may occur on the Alaska National Lands wherever eventual classification allows.

Hunting, fishing, and trapping for subsistence purposes are intensive and widespread along the coast, the lower reach of the Noatak, and along the Kobuk River valley. THE COMMISSION RECOGNIZES THIS CONTINUING NEED OF LOCAL RESIDENTS FOR THE FISH AND GAME IN THE AREA, AND RECOMMENDS THAT HUNTING, FISHING, AND TRAPPING BE ALLOWED IN ALL PROPOSED UNITS, INCLUDING THE TWO RECOMMENDED FOR NATIONAL PARK SYSTEM STATUS. The boundaries of the proposed wilderness study area along the Noatak River have been delineated to make available some opportunities for future mineral development in the general area. The lower reach of the Noatak River, which is used more intensively for subsistence activities, is excluded.

If the important caribou herd and range of this area is to be protected, coordinated management will be required. In addition, access through this region to the western Arctic for energy resources of potential national interest may become necessary and would require coordinated planning.

Selawik

This middle section of the Selawik River drainage contains high density waterfowl habitat supporting migratory birds and other wildlife. This habitat is used for summering, nesting, molting, feeding, and resting during migration.

Significant populations of pintail, scaup, widgeon, old squaw, and scoter ducks; white-fronted geese; and sandhill cranes nest here, as well as the cackling and taverner's subspecies of Canada geese. Two to five percent of the whistling swans using the Pacific Flyways nest in the area. Migrating snow geese, numbering 200,000 to 300,000 birds, feed and rest around Kotzebue Sound, as do raptors and some Asiatic birds. Moose and caribou use the Selawik River drainage as winter habitat.

THE COMMISSION RECOMMENDS DESIGNATION OF THIS AREA (1.5 MILLION ACRES) AS A WILDLIFE REFUGE TO PROTECT HABITAT AND PERPETUATE WILDLIFE POPULATIONS.

A sedimentary basin with petroleum and uranium potential underlies part of the area, but the basin extends well beyond the proposed refuge boundaries. A metallogenic province with potential for tin and molybdenum also underlie portions of the proposal, but extends beyond the proposed boundaries.

Taking of fish and game for local subsistence purposes is a common and important practice. HUNTING, FISHING, AND TRAPPING WOULD CONTINUE UNDER STATE WILDLIFE MANAGEMENT REGULATIONS IN COORDINATION WITH FEDERAL WILDLIFE AND HABITAT MANAGEMENT.

Adequate protection of the Arctic caribou herd and range and the extensive waterfowl habitat will require intergovernmental coordination with the involvement of private landowners. Coordinated planning for any future development of access through this area to the western Arctic will also be necessary.

Cape Lisburne and Cape Thompson

The prime natural value of these areas is their coastal cliff habitat for northwest Alaska's largest seabird colonies, with estimated populations of 2 to 3 million birds. The beaches and coastal waters also provide resting and feeding areas for migratory birds and hauling out grounds for marine mammals. Birds of prey, including gyrfalcons, golden eagles, and peregrine falcons, frequent the cliffs. Loons and a variety of other waterfowl, shorebirds, and perching birds are also present. Walrus, seal, whale, and occasional polar bear are seen along the coastal waters. The beaches, scenic cliffs, and adjoining tundra-covered uplands at Cape Lisburne form a relatively small ecosystem containing a coastal area and representative uplands of the northwest Arctic coast.

THE COMMISSION RECOMMENDS THAT THESE VALUES OF NATIONAL INTEREST BE PROTECTED BY DESIGNATING TWO SMALL NATIONAL WILDLIFE REFUGE UNITS, ONE AT CAPE LISBURNE OF 63,000 ACRES, INCLUDING THE DRAINAGES OF ADJOINING

UPLANDS, AND 11,000 COASTAL ACRES AT CAPE THOMPSON. An area adjacent to the proposed Cape Thompson unit is noted for its scientific values and has received extensive ecological research. Most of the adjacent area has been selected by the Arctic Slope Regional Corporation.

Both units contain small portions of a potential oil and gas province. The proposed unit at Cape Lisburne contains some coal potential, and portions of Cape Thompson have potential for uranium, copper, lead, antimony, barite, and molybdenum. All these provinces extend well beyond the boundaries of the proposed units.

IN RECOGNITION OF THE IMPORTANCE OF WILDLIFE IN THESE PROPOSED UNITS FOR MEETING THE SUBSISTENCE NEEDS OF LOCAL RESIDENTS, THE COMMISSION HAS RECOMMENDED THAT CONTINUED HUNTING, FISHING, AND TRAPPING BE ALLOWED UNDER STATE REGULATIONS UNLESS RESTRICTED BY THE U.S. FISH AND WILDLIFE SERVICE TO PROTECT MIGRATORY SPECIES.

Seward Peninsula

A combination of ocean currents, barrier islands, coastal lagoons, and estuaries make the northwestern coast of the Seward Peninsula an important coastal habitat for migrating birds and marine mammals. Breeding habitat for pintail and scaup ducks and white-fronted geese is provided, as well as nesting areas for black brant, whistling swans, and a resting and feeding area for migrating snow geese. Sea mammals, mainly seal, walrus, and the Beluga whale, are seen in the coastal waters. Seals occasionally come ashore. Grizzly bear, wolf, wolverine, and smaller animals occur throughout. The area has uncommon scenic and scientific qualities, including the volcanic maar lakes near Devil Mountain, hot springs, scenic rock outcroppings, and pingos and other frost phenomena. The Seward Peninsula has significance as a relic of the Bering Land Bridge with evidence of past migration of animals, plants, and aboriginal peoples. Several archaeological sites have been identified in the area.

IN RECOGNITON OF THE IMPORTANT TERRESTRIAL WETLAND AND COASTAL HABITATS FOR MIGRATORY BIRDS AND MARINE MAMMALS, THE COMMISSION RECOMMENDS WILDLIFE REFUGE DESIGNATION FOR TWO UNITS, TOTALLING 1.5 MILLION ACRES. Nearby scenic areas with scientific and recreational values are included in the larger eastern unit.

A potential oil and gas province underlies part of the proposed unit but extends well beyond the recommended boundaries. A sedimentary basin with potential for uranium lies within the larger unit and is one of approximately 20 such basins in Alaska having potential for these minerals. Four areas on the Seward Peninsula, in addition to the hot springs incorporated within the proposal, are considered to have geothermal energy potential. Mineral provinces with potential for fluorine, silver, lead, zinc, tin, and tungsten underlie small portions of the proposed refuge, but extend under adjoining lands as well.

Taking of fish and game in the coastal zone for subsistence purposes is common and important to local residents. Hunting, fishing, and trapping would continue under State regulations in coordination with Federal

wildlife habitat and population objectives. The Seward Peninsula has an active reindeer industry, and reindeer grazing occurs under lease within the proposed refuge units. THE COMMISSION FINDS THAT REINDEER GRAZING IS GENERALLY COMPATIBLE WITH PROTECTION OF HABITAT VALUES, AND RECOMMENDS THAT CONTINUED GRAZING BE ALLOWED UNDER REGULATION.

Koyukuk

The lower Koyukuk River is composed of an extensive network of streams and lakes among forest, marsh, and brush, providing high density waterfowl habitat. Prevalent duck species include scaup, pintail, widgeon, and scoters. White-fronted geese and Canada geese are common nesters. Caribou and moose winter in the general area. Scenic features of scientific interest are the Nogahabara Sand Dunes, and the exemplary variety of oxbow, meander scroll, and thaw lakes in the Three Day Slough area.

THE COMMISSION RECOMMENDS THAT THIS AREA (2.5 MILLION ACRES) BE DESIGNATED A WILDLIFE REFUGE TO PERPETUATE THE VALUABLE WETLAND HABITATS AND WILDLIFE.

Most of the unit is underlain by a sedimentary basin with potential for oil and gas and uranium. Nearly half of the basin lies outside the proposed boundaries. Hydroelectric power could potentially be developed within the area at the Dulbi site and another site downstream from the proposed unit. If developed, much of the lowlands would be inundated by reservoirs and natural values lost or altered. At present there is no significant demand for this development. A metallogenic province with potential for tin and molybdenum underlies portions of the proposed refuge, but extends beyond the recommended boundaries.

The proposed unit is largely forested and contains some timber stands of future commercial potential, particularly along the rivers. However, adjacent areas are also forested and may have greater potential. Some small tracts of lowlands bordering the rivers within the unit have agricultural potential, but cultivable soils are also found downstream and upstream from the proposed refuge. Continued hunting, fishing, and trapping are allowed under State regulations in coordination with Federal habitat management and population concerns.

Coordinated management of the wide-ranging Arctic caribou herd is necessary if its population and habitat are to be fully protected.

Kanuti Flats

The Kanuti Flats in the middle Koyukuk drainage is a relatively small lowland basin containing an area of prime wetland waterfowl habitat. Duck species of importance that nest in this area are scaup, pintail, widgeon, and scoter. Canada and white-fronted geese also nest here. A network of lakes, streams, marshes, and forest supports other wildlife as well, including moose, black bear, and wolf. The western Arctic caribou herd periodically uses the area as winter range. THE COMMISSION RECOMMENDS AN AREA OF APPROXIMATELY 430,000 ACRES AS A WILDLIFE REFUGE TO PROTECT PRIME HABITAT AND WILDLIFE.

A petroleum province of unknown potential underlies a portion of the area. A small portion of a metallogenic province with potential for copper, nickel, iron, chromuim, platinum, titanium, and asbestos is within the area, but extends beyond the proposed refuge boundaries. Mineral exploration, development, or extraction may occur at the discretion of the Secretary of the Interior through a permit and lease system.

The proposed unit is covered primarily by lowland forests, with some bottomland spruce-poplar of potential commercial value along the Koyukuk River and its south fork. This forest extends beyond the unit boundaries. Hunting, fishing, and trapping would continue under State wildlife management regulations. Other uses of the area would be allowed as permitted by U.S. Fish and Wildlife Service policies.

Bering Sea Islands

Five islands in the Bering Sea along the Seward Peninsula and in Norton Sound include some of the better seabird colonies along the northeastern rim of the Bering Sea. Fairway Rock (60 acres) a granitic island rising steeply to an elevation of 500 feet, supports 100,000 to 150,000 seabirds and provides a resting place for songbirds migrating across the Bering Sea. The 700-acre Sledge Island is rocky and generally flat-topped except for a 760-foot jagged mountain on the south. It is located about 25 miles west of Nome and contains ruins of an abandoned village. Over 35 species of birds nest here, including murres, auklets, black-legged kittiwakes, and common eiders. Egg Island (60 acres) is located 40 miles southwest of Unalakleet. About 2,000 thick-billed murres and 3,000 puffins nest here with several thousand other seabirds. Besboro Island (720 acres) supports populations of murres, auklets, puffins, and jaegers. The small Punuk Islands (160 acres) located just offshore of St. Lawrence Island provide hauling out habitat for a high density population of harbor seals. The Islands have a variety of seabirds, including pelagic cormorants, and significant archaeological values relating to the St. Lawrence Eskimos.

THE COMMISSION RECOMMENDS THAT FAIRWAY ROCK, SLEDGE ISLAND, AND PUNUK ISLANDS BE ADDED TO THE NATIONAL WILDLIFE REFUGE SYSTEM. IN THE EVENT THAT EGG AND BESBORO ISLANDS ARE NOT CONVEYED TO ALASKA NATIVE CORPORATIONS, THEY ARE ALSO RECOMMENDED FOR REFUGE DESIGNATION. These islands have no apparent resource uses that would be precluded by their designation as refuge units. Total area of all islands is about 1,700 acres.

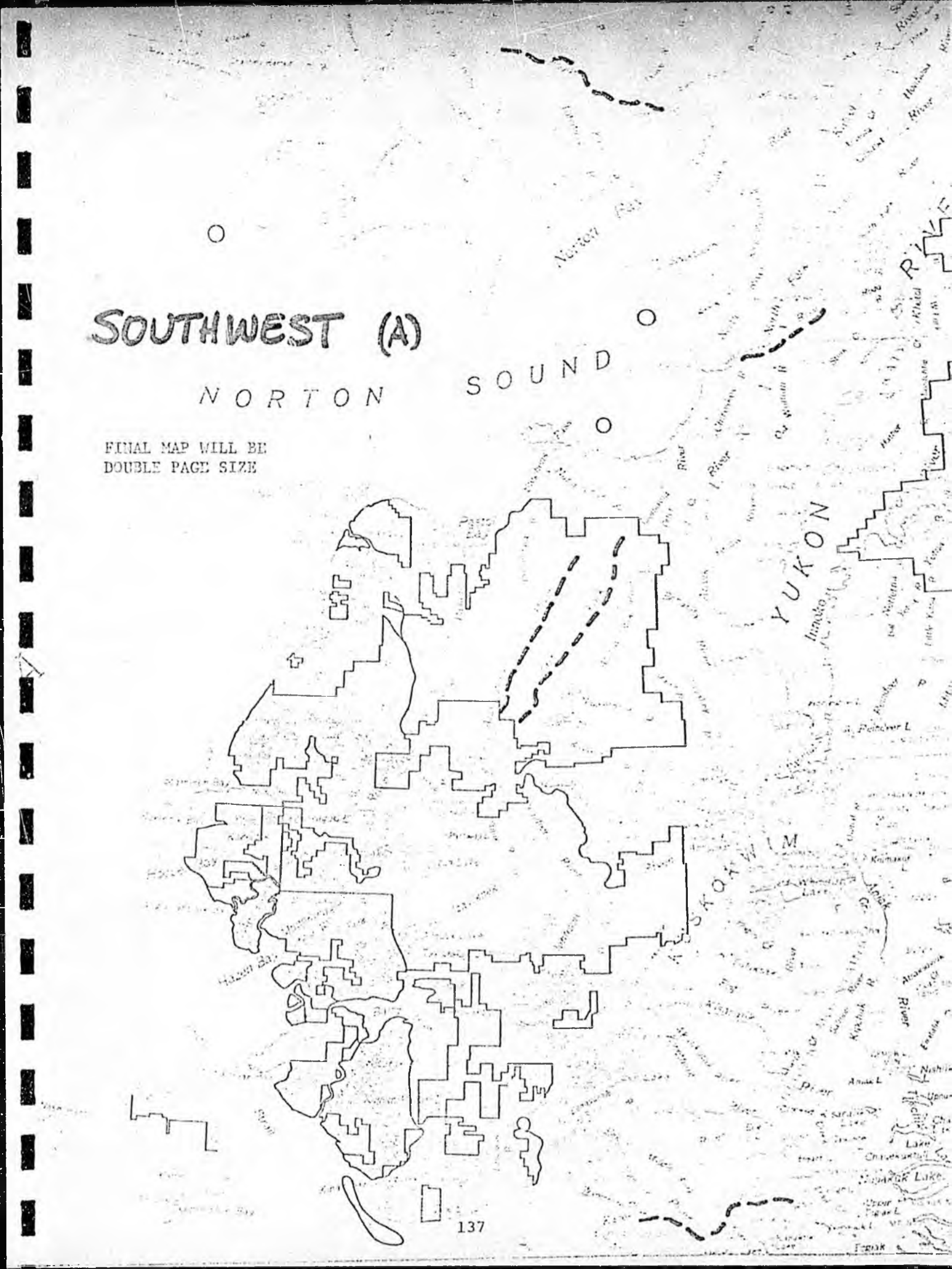
Other Wild and Scenic Rivers

TWO RIVERS WITHIN NATIONAL PETROLEUM RESERVE-ALASKA, THE IKPIKPUK AND UTUKOK, AND THE KOYUK RIVER ON THE SEWARD PENINSULA ARE RECOMMENDED FOR DESIGNATION AS POTENTIAL WILD AND SCENIC RIVERS PENDING FURTHER STUDY, EVALUATION, AND EVENTUAL CLASSIFICATION OF SURROUNDING LANDS.

SOUTHWESTERN ALASKA

The approximately 110,000-square-mile (70,400,000 acres) southwestern region of Alaska is drained by two of Alaska's major rivers, the Yukon and the Kuskokwim. The region is bordered on the west by the Bering Sea

SOUTHWEST (A)



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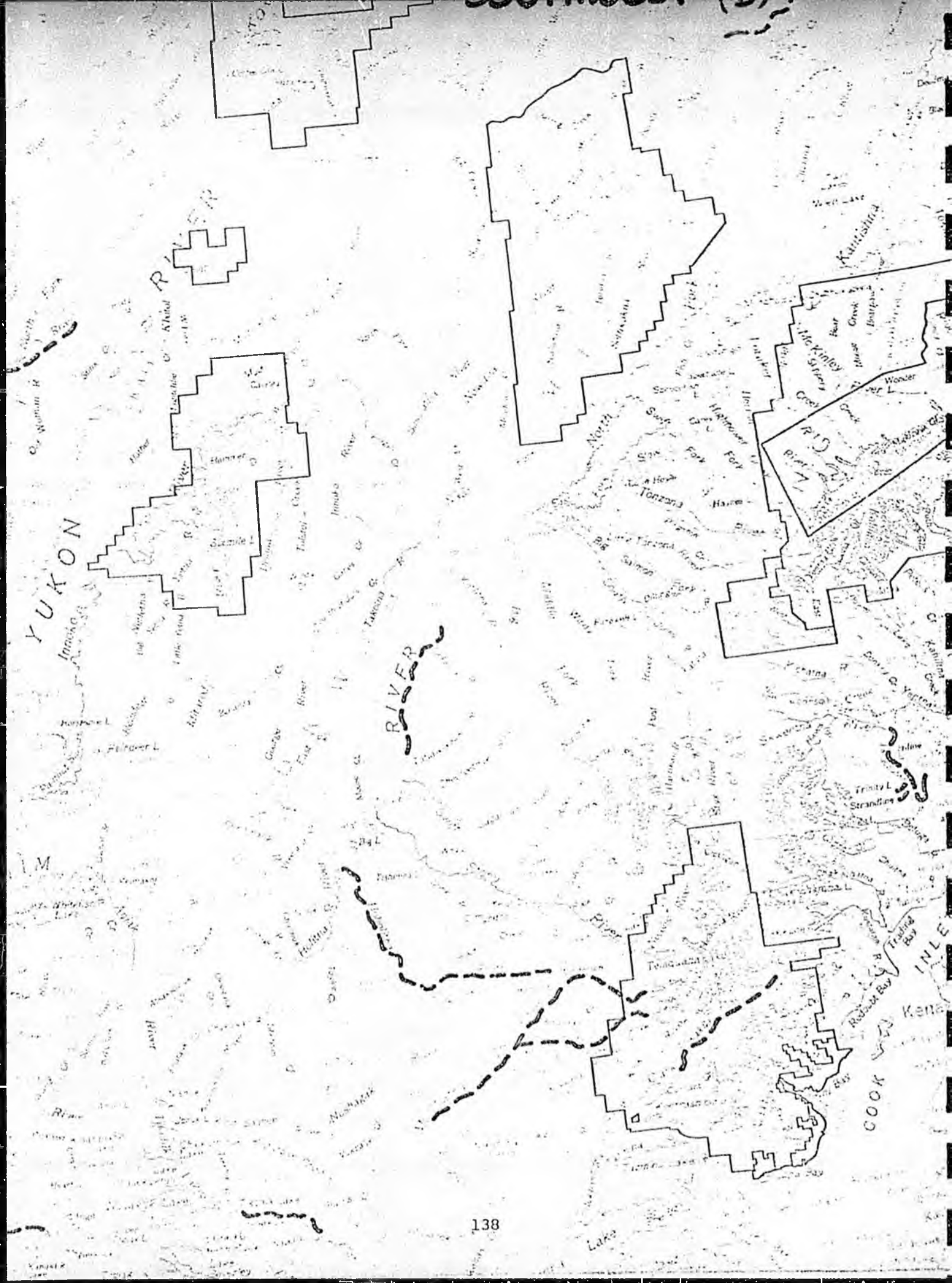

YUKON
RIVER
COOK INLET

and contains the central and lower two thirds of Alaska's Yukon drainage and its large delta, and the entire Kuskokwim drainage. Nunivak and several other smaller islands of the Bering Sea are in the region. Broad floodplains with hundreds of thousands of lakes, meandering streams, marshes and bogs, and low river plains are dominant landscapes. The Kuskokwim Mountains and portions of the Nulato Hills and Ahklun Mountains trend southerwesterly through the area. Most of the interior lowlands and uplands are partially forested with spruce, aspen, birch, and balsam poplar. Forest gives way to tundra communities in most of the coastal areas west of the mountains, except for scattered stands along the two major rivers and parts of Norton Sound. This region is the most productive waterfowl area in Alaska. Significant portions of the North American populations of several varieties of swan, geese, and ducks breed and nest here. Other wildlife, including black and brown bear, moose, wolf, wolverine, and caribou, are present. Sea mammals are found in some locations along the Bering Sea coast.

Near the coast, average annual precipitation levels are 15 to 20 inches, and wind is common. Subarctic conditions prevail in the interior with less precipitation, clearer skies, warmer summers, and colder winter. The first freeze generally occurs in early September with the last spring freeze in late May, leaving approximately 100 frost-free days each year. All streams remain frozen generally between November and May. July highs at Bethel average 62° and January lows average -3°. Ruby, which is farther from the coast, has an average July high of 70° and an average January low of -12°.

Portions of the region have potential of oil and gas, as well as metallic minerals. Inland from the coast there are some timber stands of potential commercial value and some lands that are suitable for cultivation, mostly along the major rivers. There is extensive acreage suitable for reindeer grazing throughout the region.

Although the region's population of nearly 20,000 is relatively high for rural "bush" Alaska, and over 50 communities are located here, the land remains largely undeveloped and unaltered. There is one regional center, Bethel, with a growing population of over 3,000. All other settlements are small villages with populations generally less than 400. Inhabitants are predominantly Eskimo with some Athabascan Indians in the upper drainages. There is little industry in the region except for some commercial fishing. Most of the available employment is related to government. Cash incomes and educational attainment levels are relatively low.

When Native entitlement is complete, approximately 15 percent of the land in this region, or about 10 million acres, will be in private ownership. The State of Alaska has selected nearly 17 million acres, roughly constituting 25 percent of the region. The State may make additional selections within this region, although it relinquised its selection rights to lands west of 161° longitude by agreement with the Secretary of the Interior in 1972. Discounting any future State selections, the Federal Government will retain ownership of up to 60 percent of the region.

Four national wildlife refuges have been established in the region to protect migratory waterfowl and other birds and musk-oxen of national interest. They are the Hazen Bay and Clarence Rhode refuges (2.8 million acres combined), the Nunivak Island refuge (1.9 million acres), and the relatively small Bering Sea refuges (41,000 acres). Four withdrawals were made under Section 17(d)(2) by the Secretary of the Interior in 1972: 5,352,000 acres in the Yukon Delta, 3,249,000 acres in Innoko Flats, 952,000 acres around the lower Nowitna River, and 319,000 acres in the Kaiyuk Slough.

Yukon-Kuskokwim Delta

This large delta along the Bering Sea was formed by sediments deposited by the Yukon and Kuskokwim Rivers creating a broad plain with many thousands of lakes, streams, and ponds. The nearly flat wetlands are broken only by the rolling hills and bluffs of scattered island remnants. North of the Yukon River, gently sloping mountains form the Nulato Hills.

The entire Yukon-Kuskokwim Delta region provides high density and key waterfowl habitat for 100 million marine and terrestrial birds of 150 species. Virtually all the white-fronted geese using the Pacific Flyway and 80 to 90 percent of the North American populations of cackling and emperor geese nest and breed here.

THE COMMISSION RECOMMENDS THAT THE HIGH DENSITY WATERFOWL HABITAT ON PUBLIC LANDS WEST AND SOUTH OF THE YUKON RIVER, WEST OF THE KUSKOKWIM RIVER, AND WEST OF 161° WEST LONGITUDE BE ADDED TO THE WILDLIFE REFUGE SYSTEM (5.7 MILLION ACRES). AN AREA OF 3.5 MILLION ACRES NORTH OF THE DELTA AROUND THE ANDREAFSKY RIVER DRAINAGE CONTAINING MEDIUM TO HIGH DENSITY WATERFOWL AND UPLAND WILDLIFE HABITAT IS RECOMMENDED FOR INCLUSION IN THE ALASKA NATIONAL LANDS SYSTEM. BECAUSE THE AREAS CONTAIN UPLANDS AND LOWLANDS CLOSELY RELATED TO THE WATERFOWL AND THE WILDLIFE HABITAT OF THE YUKON DELTA, THE U.S. FISH AND WILDLIFE SERVICE IS RECOMMENDED AS THE MANAGER OF THIS UNIT.

Nearly the entire delta area contains potential for oil and gas. The provinces extend beyond the proposed refuge and new management system boundaries onto adjacent private and State-owned submerged lands. The wildlife refuge proposal contains potential for uranium, gold, silver, antimony, molybdenum, and tungsten, but the metallogenic provinces also extend beyond the proposed boundaries onto private and other public lands.

The proposed refuge contains some bottomland spruce-poplar forest of potential commercial value, but the major portions of the forest lie on adjacent private lands and upstream along the Yukon and Kuskokwim Rivers. The proposed Alaska National Lands unit contains stands of spruce-hardwood forest of possible commercial value along the valleys. Opportunities for commercial timber harvest in the general delta area would not be foreclosed by the designation of either of these units.

While lowland cultivable soils extend into the general area, they are climatically impaired. Primarily, the suitable cultivable soils lie upstream on private lands along the two major rivers. Potential exists in the delta lowlands for controlled reindeer grazing, and would not be precluded by refuge designation. Reindeer grazing potential in the Andreafsky uplands could be in conflict with maintenance of caribou, wolf, and bear populations in the area. Allowable grazing will be in accord with land classification developed for this Alaska National Land unit.

A relatively large number of people populate villages scattered about the delta area. Reliance on fish, waterfowl, and game for subsistence purposes is intensive and widespread. Hunting, fishing, and trapping under State regulation would continue on the proposed refuge and Alaska National Lands units unless restricted by the U.S. Fish and Wildlife Service. The Commission recognizes a need for coordination among the area landowners to protect the extensive waterfowl habitat found in different ownerships, to provide for any future needs for transportation development, and to best provide for continued subsistence needs which require extensive areas.

Innoko Flats/Kaiyuh Slough

These two areas of western interior Alaska are characterized primarily by wetland bogs and scattered black spruce, with a network of lakes and streams interspersed by occasional rolling hills. They provide high density wetland habitat for a variety of waterfowl. The Innoko Flats support an average of 53 ducks per square mile, while the Kaiyuh Slough provides habitat for about 67 ducks per square mile. Predominant species represented include widgeon, scaup, scoter, and goldeneye. An estimated population of 100,000 pintail ducks use the Innoko Flats, and nearly 50,000 geese nest in each of the proposed units. Both areas have significant populations of large mammals and furbearers, especially beaver.

THE COMMISSION RECOMMENDS THAT THESE AREAS, TOTALLING ABOUT 2.2 MILLION ACRES OF NATIONALLY SIGNIFICANT WILDLIFE HABITAT, BE PROTECTED BY THEIR DESIGNATION AS UNITS OF THE NATIONAL WILDLIFE REFUGE SYSTEM.

Oil and gas provinces partially underlie the proposed units, but extend well beyond their boundaries. The development of a possible hydroelectric project at Holy Cross would be incompatible with the protection of the prime natural values in the Innoko and Kaiyuh areas. Currently, there is no significant demand for development. The Innoko unit contains a metallogenic province with potential for gold, silver, antimony, molybdenum, and tungsten. This province extends well beyond the proposed boundaries.

The proposed Innoko unit contains some bottomland spruce-poplar forest of potential commercial value along two major waterways, as well as extensive stands of open lowland forests. Some lowland soils suitable for agriculture are also present, but more extensive areas of cultivable soils border the nearby Yukon River.

Nowitna

The Nowitna River is a major tributary in the central drainage of the Yukon River. The northern sector of the Nowitna drainage contains waterfowl habitat with low to medium density populations. Migratory waterfowl using the area include pintail, widgeon, scaup and scoter ducks, and white-fronted and Canada geese. Trumpeter swans also nest in the area. Caribou, moose, wolf, beaver, and other furbearers, are supported by the wetland and upland habitats. The free-flowing Nowitna River passes through a variety of landforms including scattered scenic bluffs and canyons. Fossil exposures are present in some stretches. The southern zone contains a mountainous area of forest and alpine tundra somewhat more scenic than other large expanses of the Kuskokwim Mountains. Forest cover is extensive and composed of varying mixtures of white and black spruce, aspen, birch, and balsam poplar. From the Yukon River to the southern headwaters of the Nowitna tributaries, the area is an exemplary cross section of interior Alaska landforms and ecosystems.

IN RECOGNITION OF THE VARIETY OF VALUES PRESENT IN THIS AREA, THE COMMISSION RECOMMENDS 3.5 MILLION ACRES IN THE NOWITNA DRAINAGE BE INCORPORATED IN THE ALASKA NATIONAL LANDS SYSTEM AND THAT THE NOWITNA RIVER BE DESIGNATED AS A POTENTIAL SCENIC RIVER, PENDING FURTHER EVALUATION IN THE CLASSIFICATION PROCESS OF SURROUNDING LANDS. ADMINISTRATION OF THE NOWITNA UNIT BY THE U.S. FOREST SERVICE IS RECOMMENDED.

There has been increasing expression of interest in interior Alaska's forests and possible development of a forest industry within this extensive area. The U.S. Forest Service appears particularly well suited to manage the Nowitna River area because of its research capabilities and the need to develop appropriate silvicultural methods and other management programs for these and similar lands and their several values. Research findings developed here could be of value to other private landholders and State and Federal land administrators in the general area.

A potential petroleum basin underlies a portion of the area. Downstream hydroelectric potential at the Ruby site, if developed, would largely inundate the waterfowl habitat of the lowlands along the Nowitna and Yukon Rivers. A metallogenic province of unknown type has been identified in the southern portion and on adjoining public domain lands.

Forest stands of potential commercial value lie on the benches adjoining the Nowitna and Yukon Rivers. Lowland and upland soils suitable for cultivation are found in the northern zone and along the eastern bank. Taking of fish and game for subsistence purposes occurs commonly in the northern portion and would be permitted under the Alaska National Lands system. Boating use on the Nowitna River would continue.

Unalakleet River

This free-flowing clear-water river drains the Kaltag Mountains and flows southwest to the eastern shore of Norton Sound. It courses for 90 miles between slopes and rounded summits up to 2,800 feet. The valley floor supports spruce, birch, and willow stands, with scattered small

lakes in the lower reaches. The area includes habitat for a variety of large mammals, such as caribou, moose, and bear, as well as for small furbearers, waterfowl, and fish. A segment of the historic Iditarod trail parallels the river. THE COMMISSION RECOMMENDS THAT A 60-MILE-LONG CORRIDOR ABOVE PRIVATE LANDS ALONG THE COAST BE DESIGNATED AS A WILD RIVER WITHIN THE NATIONAL WILD AND SCENIC RIVERS SYSTEM. A potential oil and gas province crosses the proposal, but extends well to either side of the proposed corridor. The forests along the river have little commercial value beyond local use. THE COMMISSION RECOGNIZES THE IMPORTANCE OF WILDLIFE FOUND ALONG THE RIVER IN MEETING THE SUBSISTENCE NEEDS OF LOCAL RESIDENTS, AND RECOMMENDS THAT HUNTING, FISHING, AND TRAPPING BE PERMITTED UNDER STATE REGULATIONS.

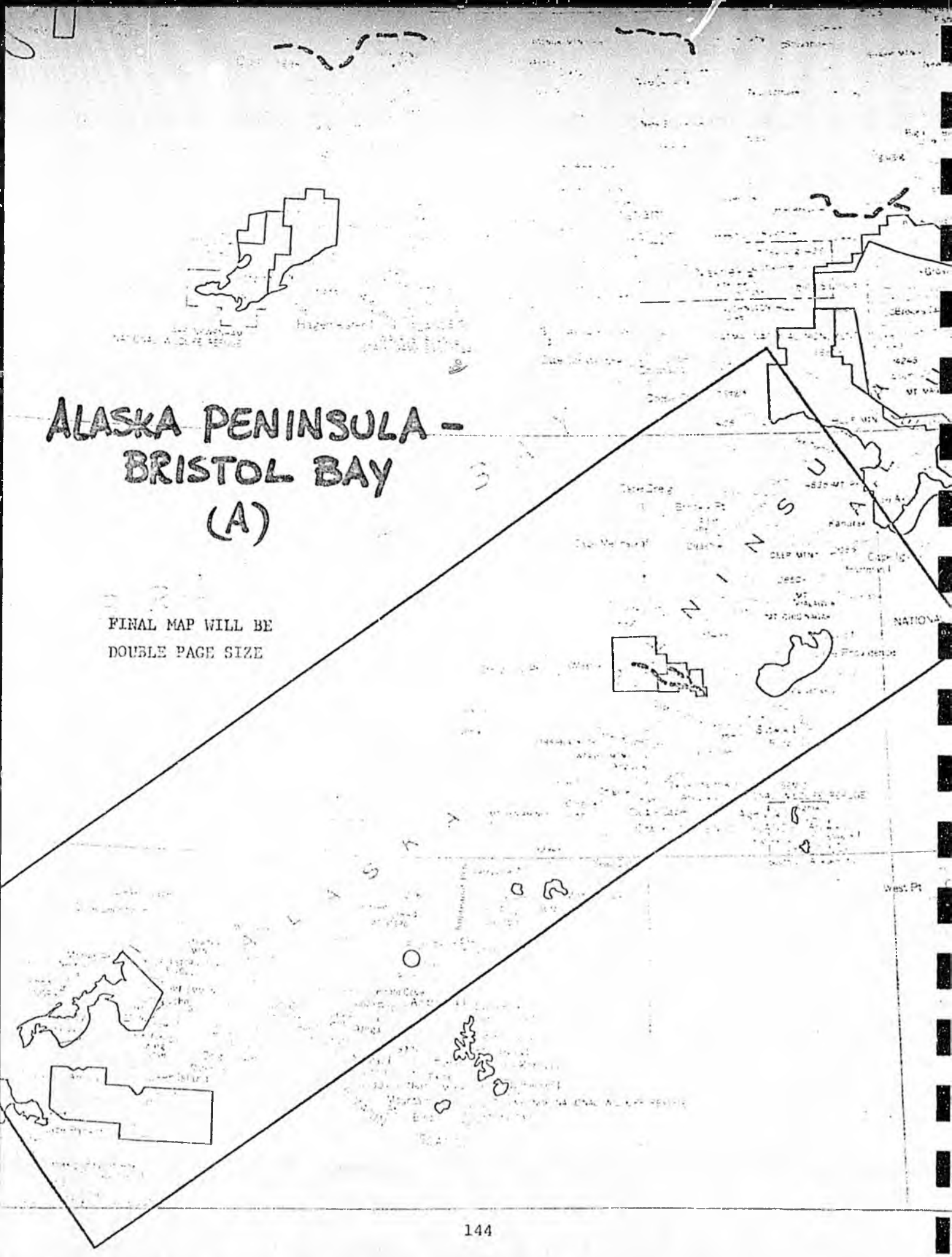
Other Wild and Scenic Rivers

TWO OTHER RIVERS IN THIS REGION, THE ANDREAFSKY AND ITS EAST FORK, AND A SEGMENT OF THE MIDDLE KUSKOKWIM, ARE RECOMMENDED FOR DESIGNATION AS POTENITAL WILD AND SCENIC RIVERS WITH FURTHER STUDY, EVALUATION, AND CLASSIFICATION OF SURROUNDING LANDS TO AID IN FINAL RECOMMENDATIONS.

ALASKA PENINSULA - BRISTOL BAY

The Alaska Peninsula extends to the southwest from southcentral Alaska and trails off into the 1,200-mile chain of the Aleutian Islands that separates the Bering Sea from the North Pacific Ocean. Also included within the region are the drainages north of Bristol Bay, the Kodiak Island complex, and numerous small islands located in the western Gulf of Alaska off the Alaska Peninsula's eastern coast. This region has some of the most productive freshwater and marine fisheries in the world. The Bristol Bay drainages provide rich spawning grounds for a variety of salmon; and shellfish are abundant in the cold waters of the North Pacific. Among the prominent scenic features of the region are a chain of volcanos and other mountain features, and an irregular, often rugged coast extending down the Alaska Peninsula and Aleutian Islands. Several lake districts in the Bristol Bay drainages and upper Alaska Peninsula are notable for their scenic, habitat, and recreational values. Predominant vegetation of the area is tundra communities, with forest covering less than 10 percent of the region and generally restricted to Afognak Island and northern portions of Kodiak Island and the upper Kvichak and Nushagak River drainages. Wildlife, particularly brown bear, moose, and caribou, are prevalent on the Alaska Peninsula. Concentrations of various seabirds and sea mammals, including the sea otter, are found at places along the coast and on various islands. The Pribilof Islands are noted for their northern fur seal rookeries.

In most of this region's maritime zone, annual precipitation averages from 30 to 70 inches, and frost-free days range from 100 in northern Bristol Bay to nearly 180 on the southern Aleutians. Winters are by Alaska standards relatively mild, and summers cool. Wind and fog are common climatic occurrences. Inland areas north and east of Bristol Bay have slightly colder winters and warmer summers. Mean daily temperatures in January at King Salmon are +13° and in July is 55°F; at Cold Bay +28°F for January and 50°F for July; and at Shemya near the western end


ALASKA PENINSULA -
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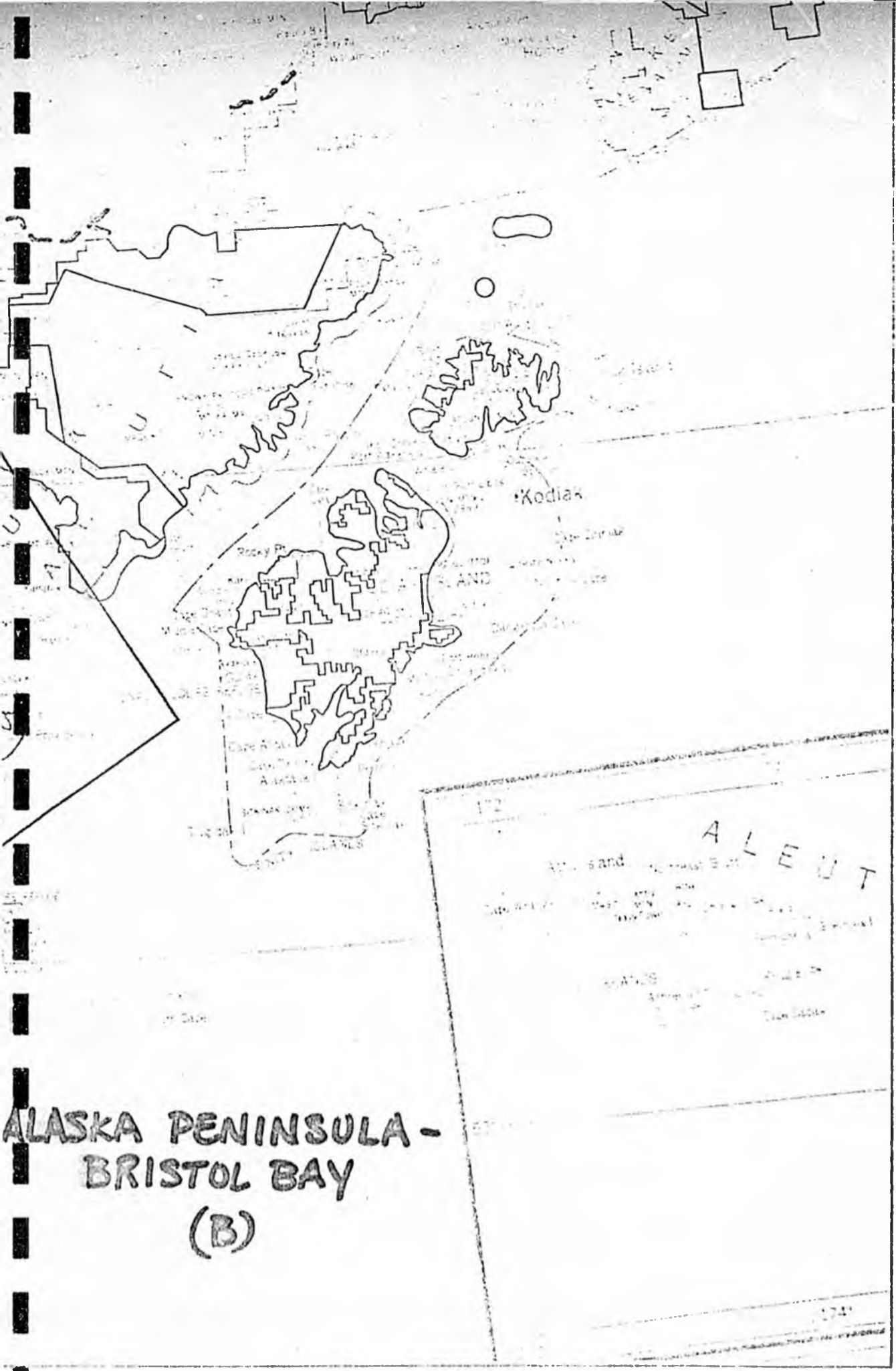


ALASKA PENINSULA - BRISTOL BAY (B)

of the Aleutian Islands, the mean daily temperatures are slightly warmer for January and slightly cooler for July than at Cold Bay.

This region of approximately 50,000 square miles (32 million acres) has less than 25,000 people. There is only one large community in the region, Kodiak, with a population of approximately 5,000. All other settlements have populations of less than 1,000, except two isolated military bases on the Aleutian Islands. Except for these military bases and Kodiak, the population is predominantly Aleut and Eskimo. No roads extend into the region and access is by air or water. The region remains almost entirely in its natural state. Major industries are commercial fishing and tourism, with some small-scale timber cutting mostly on Kodiak Island and some grazing of reindeer, sheep, and domestic stock. Three focal points of tourism are Kodiak Island, the Pribilof Islands, and Katmai National Monument. Recreational use of the Lake Iliamna and the Wood River-Tikchik Lakes area and sport hunting on the Alaska Peninsula by residents and nonresidents are increasing.

When their entitlement to lands within this region is satisfied, Alaska Native corporations will own approximately 25 percent of the region. The State of Alaska has currently made selections, totalling 15 percent of the region. Discounting any further selections the State may make, the Federal Government will retain ownership of about 60 percent of the region. Existing Federal reserves include the Afognak Island portion (458,000 acres) of the Chugach National Forest; four large wildlife refuges (Aleutian Islands, 2.7 million acres; Kodiak Island, 1.8 million acres; Izembeck, 415,000 acres; and Cape Newenham, 265,000 acres); three small wildlife refuges (Semidi, Simeonof, and Bogoslof) totalling 20,190 acres; and the 2.8-million-acre Katmai National Monument. Small areas of critical habitat are reserved at the Pribilof Islands for northern fur seal management.

The following withdrawals were made by the Secretary of the Interior under Section 17(d)(2): over 2 million acres near Lake Iliamna, slightly under 3 million acres centered on the Togiak River drainage, approximately 600,000 acres on the south and 1 million acres on the north of Katmai National Monument, over 800,000 acres around Aniakchak Caldera, Hagemeister Island (77,000 acres), and two island groupings (Shumagin Islands, 15,300 acres, and Barren Islands, 10,500 acres). In addition, several other areas on the Alaska Peninsula and along the Bristol Bay coast were withdrawn by the Secretary of the Interior as replacement lands for those lands in existing wildlife refuges selected by Alaska Native corporations.

Areas adjoining Katmai National Monument

Areas adjoining Katmai National Monument contain scenic mountains, canyons, lakes, streams, and coastline of recreational and scientific interest, as well as important wildlife habitat. Some areas contain upper reaches or parts of watersheds in the present Monument. South of the Monument, Alinchak and Puale Bays are surrounded by colorful mountain slopes and cliffs. Rocky islets frequented by seabirds and marine mammals are found in the bay. The islands and headlands of Puale Bay support 200,000 black-legged kittihawks. The craggy summit of Mt. Kejulik, an extinct volcano, rises north of the extensive shoreline of

Becharof Lake. American Creek flows into the Monument from glacial tarns and Murray and Hammersly Lakes in the mountains to the north. Nearby Kulik Lake lies between steep mountain slopes and provides access for water oriented activities and hiking trips through the scenic mountains to the Monument in the south. North of the Monument the Kamishak-Douglas Rivers area contains scenic mountain and valley formations enhanced by occasional cascades and waterfalls. Areas north and south contain important brown bear denning and feeding habitats in the vicinity of several streams with anadromous fish runs. Bear movement between the existing Monument and adjoining areas is believed to occur. These areas also serve as habitat for moose, caribou, and other wildlife.

TO EXTEND PROTECTION TO THE NATURAL VALUES OF LANDS ADJACENT AND RELATED TO THE KATMAI NATIONAL MONUMENT, THE COMMISSION PROPOSES NORTHERN AND SOUTHERN ADDITIONS TOTALLING 1.1 MILLION ACRES. FURTHER, THE COMMISSION BELIEVES THE PROPOSED EXPANDED MONUMENT WITH ITS COMPLEX OF SCENIC GEOLOGIC FEATURES, WILDLIFE HABITAT, AND OTHER NATURAL VALUES, MERITS REDESIGNATION BY CONGRESS AS A NATIONAL PARK. THE COMMISSION ALSO RECOM-MENDS THAT A GROUP OF 80 TINY ISLANDS, JUTE ISLANDS, PINNACLE ROCK AND COASTAL HEADLANDS NEAR JUTE PEAK AND CAPE AKLEK IN OR NEAR PUALE BAY TOTALLING 25,875 ACRES BE INCORPORATED AS A UNIT OF THE NATIONAL WILDLIFE REFUGE SYSTEM TO PROTECT SEABIRD ROOKERIES AND SEA MAMMAL HABITAT. SOME 0.88 MILLION ACRES OF SIGNIFICANT HABITAT FOR BEAR DENNING AND CONCENTRATION, CARIBOU, MOOSE, AND FISH, AND SCENIC VALUES BETWEEN KATMAI NATIONAL MONUMENT AND BECHAROF LAKE, ARE RECOMMENDED FOR INCORPORATION IN THE ALASKA NATIONAL LANDS SYSTEM WITH MANAGEMENT BY THE U.S. FISH AND WILDLIFE SERVICE.

A metallogenic province with potential for copper, silver, gold, lead, zinc, iron, and molybdenum traverses the proposed extensions and existing Monument, but extends farther to the north and south onto adjacent public and private lands.

Coastal forests of western hemlock and Sitka spruce are located along the Kamishak River. Some interior mixed spruce-hardwood forests grow in the vicinity of Nonvianuk Lake. These forests may have some potential commercial value, but more extensive forests in better growing conditions are found farther north. The taking of fish and game by local residents to meet their subsistence needs is common in the area west of the existing Monument. Some areas with wildlife populations to help meet these needs have been excluded from the recommended additions, to the Monument. Some are included in the Alaska National Lands unit where hunting and fishing are permitted.

Habitat for the significant brown bear populations of this area are under several different jurisdictions. If the brown bear is to be perpetuated and adequately protected in the Katmai area, coordinated management of the bears and significant bear habitat adjoining the Monument will be required.

Aniakchak Caldera National Monument

Aniakchak Volcano is a large volcano about 4,000 feet high located on the Alaska Peninsula about 400 miles southwest of Anchorage. The volcano

contains a 30-square-mile steep-walled caldera with warm springs, areas of high ground temperature, cinder cones, and other colorful rock formations. Also within the caldera is Surprise Lake from which the Aniakchak River rushes out of the caldera through a deep gash and then flows on to the Pacific Ocean. The river, the largest on the Pacific side of the Peninsula, runs for 25 miles varying in character from rapids as it issues from the caldera to quieter waters downstream with good boating potential. Mountain peaks in the general area range from 2,000 to 4,000 feet in altitude. Brown bear, moose, and caribou are found in the vicinity, as well as some smaller mammals and birds.

TO PRESERVE AND PROTECT GEOLOGICAL AND BIOLOGICAL PHENOMENA AND SCENIC VALUES OF THIS VOLCANIC AREA, THE COMMISSION PROPOSES THAT THE CALDERA AND PORTIONS OF THE VOLCANO'S OUTER SLOPES BE DESIGNATED A UNIT OF THE NATIONAL PARK SYSTEM. THE ANIAKCHAK RIVER IS RECOMMENDED FOR DESIGNATION AS A WILD RIVER. The proposed river corridor includes the watershed of the river extending from the caldera to the ocean, including the tributaries to the north. The two units combined contain 250,000 acres.

The proposed park and river lie within a petroleum province. Some of the area also contains a metallogenic province with potential for copper, silver, gold, lead, zinc, iron, and molybdenum. These petroleum and mineral provinces extend well beyond the proposed boundaries onto adjoining Federal, State, and private lands. The caldera and immediate slopes of the volcano have geothermal energy potential, but similar potential in volcanic areas is present both north and south of the proposed unit.

Sport hunting, primarily for brown bear and moose, has taken place primarily along the coastal zone. CONTINUATION OF HUNTING IN THE PROPOSED WILD RIVER AREA IS RECOMMENDED UNDER STATE REGULATION.

Area adjoining Cape Newenham National Wildlife Refuge

The area adjoining the Cape Newenham National Wildlife Refuge is characterized by broad valleys and tundra-covered rolling uplands. It adjoins a bay bordered by cliffs, beach, and estuaries. The area contains medium density waterfowl nesting habitat and a coastal zone habitat important for migrating waterfowl. Salt water estuaries containing eel grass are important gathering areas for the spring and fall migrations of black brant, Canada and emperor geese, and eiders. Lowlands and uplands include habitat for brown bear, moose, wolf, wolverine, and smaller wildlife. THE COMMISSION RECOMMENDS THAT THIS AREA OF 240,000 ACRES BE ADDED TO THE EXISTING CAPE NEWENHAM NATIONAL WILDLIFE REFUGE TO PROTECT WILDLIFE AND HABITAT. Most of the land involved in this addition has been withdrawn as replacement lands for those refuge lands selected by Alaska Native corporations.

The area has little apparent potential for other resources. An area adjoining the existing refuge on the northwest has been a valuable source of platinum, and the potential province extends well northward but it does not appear to extend within the proposed refuge boundaries. Reindeer grazing potential exists, but extensive similar habitat lies north of the area.

Pacific Coast Islands Bordering the Alaska Peninsula

Off the eastern shores of the Alaska Peninsula lie hundreds of relatively small, rocky, weather beaten islands. Most of these are generally barren of vegetation or are covered by a thin mantle of grasses or heath. Collectively, these islands provide high density habitats for a variety of waterfowl and marine mammal species.

THE COMMISSION RECOMMENDS THAT A NUMBER OF THESE ISLANDS (EXCLUDING SELECTIONS CONVEYED TO ALASKA NATIVES) BE PROTECTED IN THREE UNITS OF THE NATIONAL WILDLIFE REFUGE SYSTEM TOTALLING ABOUT 56,000 ACRES.

One unit, named for the Shumagin Islands, contains seven island groups including the Puale Bay group previously mentioned. The Koniuji Island group (36,932 acres) supports over half a million horned puffins; the 2,165-acre Chiginigak Island group provides habitat for 183,000 tufted puffins; Bird Island (4,300 acres) supports 43,000 black-legged kittiwakes; the Mitrofania group (1,095 acres) contains nesting habitat for over 200,000 murres; the Sandman Reefs (927 acres) shelter fork-tailed petrils, cormorants, and glaucous-winged gulls; Karpa Island (610 acres) provides habitat for over a quarter of a million seabirds, primarily murres. Many of the proposed refuge islands also provide rookeries and resting grounds for harbor seals, seal lions, and sea otters.

The second unit consists of approximately 440 acres of numerous rocks and islets offshore from Kodiak Island that are proposed for addition to the existing Kodiak National Wildlife Refuge. These relatively barren islands support pelagic cormorants, tufted puffins, black-legged kittiwakes, pigeon guillemots, and glaucous-winged gulls. Bald eagles also nest along the shorelines. Many similar rocks and islets would also be suitable additions, if not eventually conveyed to Alaska Native corporations from lands they have currently selected.

The third island group is the Barren Islands complex (10,020 acres). These weather beaten islands near the entrance to Cook Inlet, including the Latax Rocks encompass the most important known nesting areas for marine birds in a 1,000-mile arc along the Gulf of Alaska. The islands support 700,000 seabirds, as well as significant populations of sea otters, sea lions, and harbor seals. The noisy sea lion rookery at Sugarloaf Island in the Barren Islands may be the largest in Alaska.

A metallogenic province with potential for copper, nickel, iron, platinum, chromium, titanium, and asbestos possibly traverses the proposed Barren Islands Refuge. However, the province extends onto public and private lands on the Kenai Peninsula mainland to the north, and onto Afognak Island (part of the Chugach National Forest) and the State-selected Shuyak Island to the south. Portions of the Shumagin Islands group lie within a large major oil and gas province, but the relatively small acreage reserved would not significantly inhibit future oil and gas development in the region.

Withdrawn Areas Not Included in Commission Proposals

Four other areas primarily within the Bristol Bay-Alaska Peninsula area were withdrawn for study under Section 17(d)(2) of ANCSA.

Lands of the Kvichak River drainage mostly around Iliamna Lake and of the Alagnak River drainage to the south, including Kukaklek and Nonvianuk and other smaller lakes, were identified principally because of their fisheries habitat (including major red salmon runs); bear, moose, and other wildlife habitat; forest; and recreational values. Large areas bordering Iliamna Lake have been selected by Native village corporations. The State of Alaska may have selection rights on lands interspersed among the private lands. An oil and gas basin underlies the western end, and a metallogenic province with copper potential traverses the area. Believing that management of this area should focus principally on protection and enhancement of the fish populations and habitats, and in consideration of the emerging land pattern and the considerable State interest and regulatory authority, the Commission does not recommend the designation of the Iliamna Lake area as a unit of the national conservation systems. WILD RIVER DESIGNATION IS RECOMMENDED FOR AN APPROXIMATE 46-MILE SEGMENT OF THE MAINSTREAM OF THE ALAGNAK RIVER STARTING AT KUKAKLEK LAKE, AND THE 11-MILE NONVIANUK RIVER, THE PRINCIPAL TRIBUTARY. Both rivers are relatively small clearwater streams that flow freely from large lakes at first through moderately incised canyons, then through lowlands having low local relief and varying forest cover. Forests along the river have little commercial value, and better potential occurs on the private lands along the lower reach that is not recommended for designation. A sedimentary basin with oil and gas and uranium potential courses the lower reach but extends well beyond to the north, south, and west. THE COMMISSION RECOGNIZES THE IMPORTANCE OF WILDLIFE ALONG THE RIVER IN MEETING SUBSISTENCE NEEDS OF LOCAL RESIDENTS AND RECOMMENDS CONTINUED HUNTING, FISHING, AND TRAPPING UNDER STATE REGULATIONS. Coordination may be needed in this area with respect to possible future surface transportation across the lower reach of the river.

THE COMMISSION ALSO RECOMMENDS THAT THE COPPER RIVER AT THE HEAD OF ILIAMNA LAKE, AND THE KARLUK RIVER IN THE KODIAK NATIONAL WILDLIFE REFUGE, BE DESIGNATED POTENTIAL WILD AND SCENIC RIVERS, PENDING OUTCOME OF LAND STATUS PATTERNS AND FURTHER EVALUATION OF FEASIBILITY.

The Togiak area is characterized by broad valleys, numerous scenic lakes, clear streams, often rugged mountains, and vegetative cover mostly of tundra or brush communities. The various terrestrial and aquatic habitats support fish, waterfowl, brown bear, moose, and other smaller animals. A metallogenic province with potential for copper, nickel, iron, titanium, chromium, platinum, and asbestos traverses the western portion. In reviewing the Togiak withdrawal, the Commission has considered possible State interest in the western sector for mineral potential.

The mountain, lake, and river complex of the Togiak and Kulukuk River drainages, though scenic and possessing some wildlife values, does not of itself appear to be of national significance. However, it does have values complementary to the adjacent State-owned Wood-Tikchik Lakes area that is of outstanding significance and being considered as a State

park. If the Wood-Tikchik area is further considered through land exchange as a possible national park, then the Togiak area should be reassessed for its national interest. FROM THE EASTERN TOGIAK AREA, THE COMMISSION HAS IDENTIFIED THE TOGIAK RIVER AS HAVING NATURAL FEATURES OF POTENTIAL NATIONAL INTEREST, AND RECOMMENDS DESIGNATION AS A POTENTIAL ADDITION TO THE NATIONAL WILD AND SCENIC RIVERS SYSTEM PENDING FURTHER EVALUATION.

FROM THE WESTERN SECTION OF THE TOGIAK WITHDRAWAL, THE COMMISSION RECOMMENDS WILD RIVER DESIGNATION FOR THE KANEKTOK RIVER WHICH HEADS IN THE AHKLUN MOUNTAINS AND FLOWS WESTERLY INTO KUSKOKWIM BAY. (SOUTHWESTERN ALASKA PRESENTATION AREA). FROM KAGATI LAKE ABOUT 59 MILES OF THE MAIN STREAM OF THIS CLEAR-WATER FREE-FLOWING RIVER ARE PROPOSED. The river is boatable with scenic values and fishing opportunities and passes through a mountain valley in the upper portion and a flat tundra area in the lower section. TAKING OF FISH AND GAME ALONG THE RIVER FOR SUBSISTENCE PURPOSES IS RECOGNIZED AS A LOCALLY IMPORTANT USE, AND CONTINUED HUNTING, FISHING, AND TRAPPING UNDER STATE REGULATIONS ARE RECOMMENDED. The metallogenic province mentioned above extends north and south of the river corridor.

Hagemeister Island, originally withdrawn as part of the Togiak unit, contains a seabird colony at its southern tip, an unusual sandspit, and some hauling out habitat for walrus and other sea mammals. The island is essentially primitive in nature and is currently under lease for reindeer grazing. The Commission does not recommend that Hagemeister Island be designated as a unit of the national conservation systems at this time. Its wildlife and other values can be adequately protected through management plans for the island.

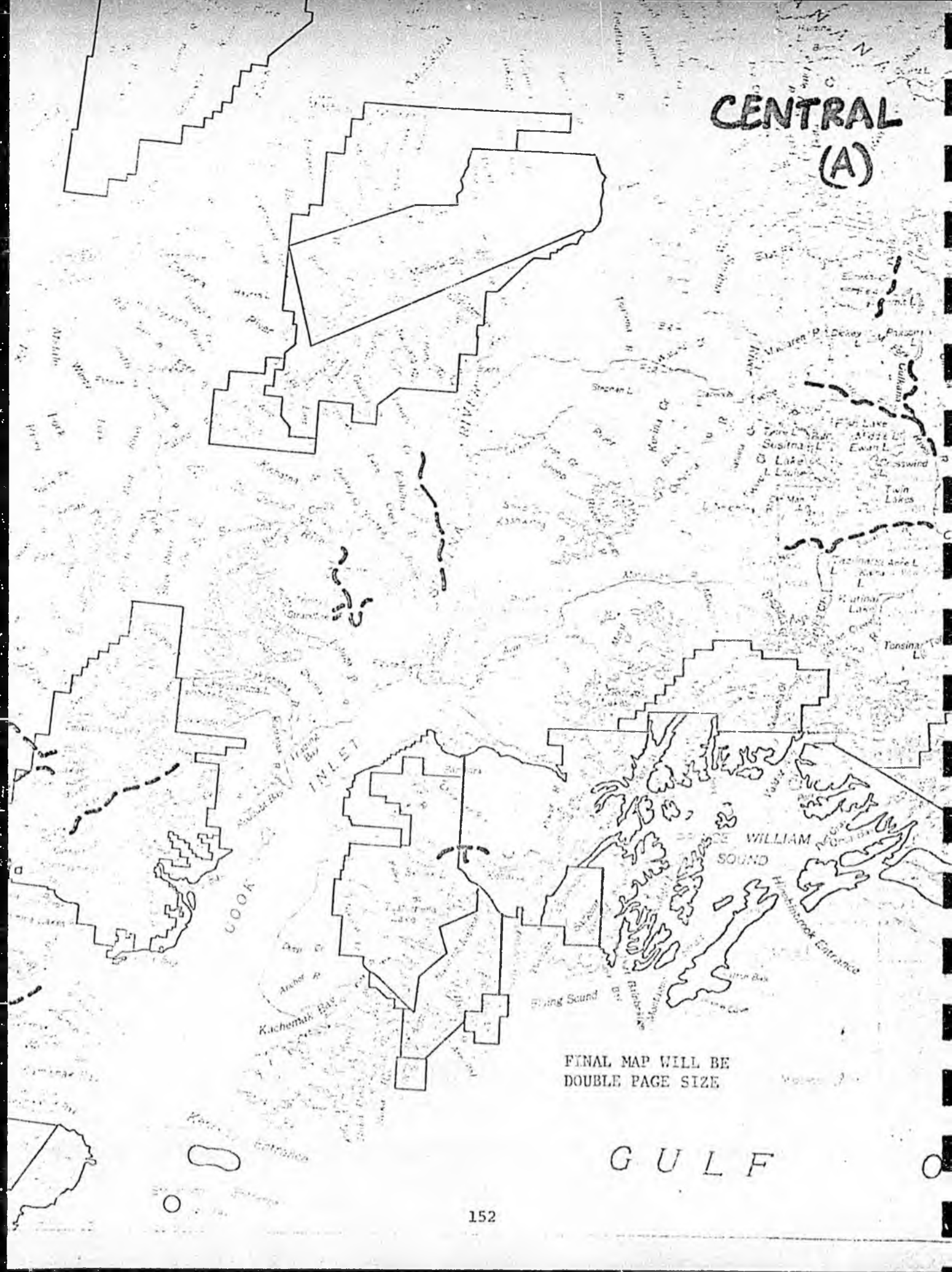
Chernabura Island, one of the Shumagin group, was withdrawn by the Secretary as one of a series of coastal islands. It contains little significant seabird habitat of national interest relative to other islands in the area with much higher and more varied bird and sea mammal populations. Therefore, the Commission does not recommend that it be designated a unit of the national conservation systems.

Other Potential Wild and Scenic Rivers

WITHIN THIS PART OF ALASKA, THE COMMISSION ALSO RECOMMENDS THAT THE NUYAKUK RIVER, AND A SEGMENT OF THE MULCHATNA RIVER AND ITS TRIBUTARY, THE CHILIKADROTNA, BE STUDIED BY THE STATE OF ALASKA FOR POSSIBLE LEGISLATIVE DESIGNATION BY THE STATE AND INCLUSION IN THE NATIONAL WILD AND SCENIC RIVERS SYSTEM.

CENTRAL ALASKA

Central Alaska includes the Kenai Peninsula, the Matanuska, Susitna, and Copper River drainages, the Wrangell and Chugach Mountains, most of the Alaska Range, the interior Tanana Valley, and the area around Lake Clark on the western side of Cook Inlet. The region covers about 135,000 square miles. On the south, the region borders Cook Inlet and the Gulf of Alaska. Nearly three quarters of the State's population lives here.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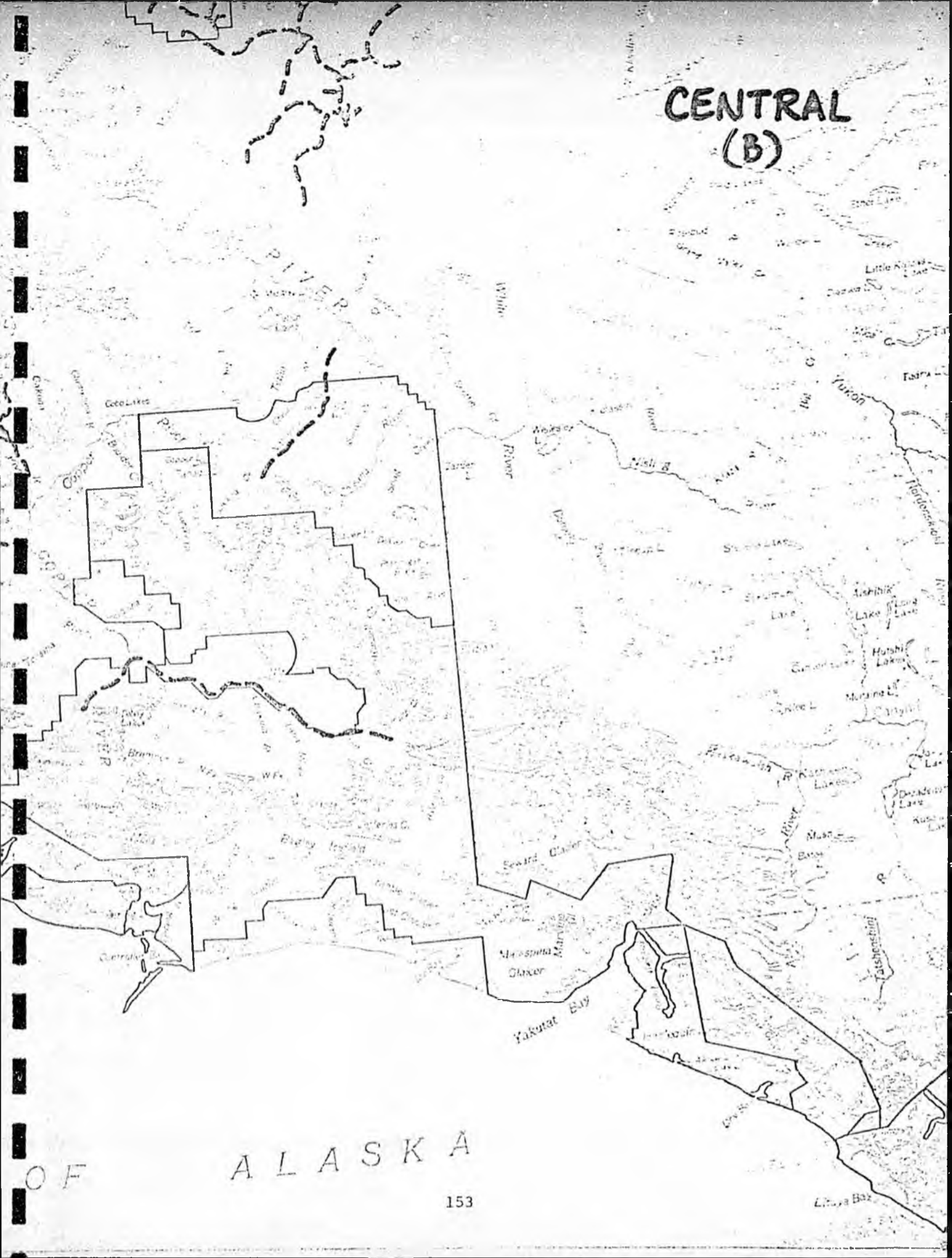
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Malaspina Glacier
Seward Glacier
Disenchantment Bay
Icy Bay
Kluane Lake
Aishihik Lake
Hutshi Lake
Kathleen Lakes
Tatshenshini
Alsek
Dezadeash Lake
Bates Lake
Dusty Lake
Bremner
Dusty Icefield
Logan Mt.
Cascade
Geode Lake
Little Kluane Lake
Taiya
Skagway
Haines
Klukwan
Chilkoot
Chilkat
Klehini
Porcupine
Excursion Inlet
Juneau
Douglas
Gastineau Channel
Auke Bay
Lynn Canal
Berners Bay
Taku Inlet
Taku River
Stikine
Wrangell
Petersburg
Frederick Sound
Kupreanof
Kake
Keku Strait
Sumner Strait
Zarembo Island
Wrangell Island
Clarence Strait
Ketchikan
Revillagigedo Island
Behm Canal
Annette Island
Metlakatla
Dixon Entrance
Prince of Wales Island
Craig
Klawock
Hydaburg
Kasaan
Kasaan Bay
Port Alexander
Baranof Island
Sitka
Sitka Sound
Chichagof Island
Hoonah
Icy Strait
Glacier Bay
Glacier Bay National Park
Gustavus
Pleasant Island
Chatham Strait
Admiralty Island
Kootznahoo Inlet
Angoon
Tenakee Inlet
Tenakee Springs
Peril Strait
Hoonah Sound
Cross Sound
Yakobi Island
Lisianski Inlet
Lisianski Strait
Lisianski Peninsula
Lisianski River
Port Althorp
Port Frederick
Port Houghton
Pavlof Harbor
Pavlof Bay
Pavlof Peninsula
Pavlof Volcano
Pavlof Lake
Pavlof River
Cold Bay
Cold Bay Airport
Izembek Lagoon
Izembek Lake
Izembek Bay
Izembek Pass
Izembek Glacier
Izembek Mountains
Izembek Creek
Izembek Lagoon National Wildlife Refuge
Izembek Lagoon Airport
Izembek Lagoon Road
Izembek Lagoon Road Closure
Izembek Lagoon Road Closure Area
Izembek Lagoon Road Closure Area Boundary
Izembek Lagoon Road Closure Area Boundary Line
Izembek Lagoon Road Closure Area Boundary Line Segment
Izembek Lagoon Road Closure Area Boundary Line Segment Endpoint
Izembek Lagoon Road Closure Area Boundary Line Segment Endpoint Coordinate
Izembek Lagoon Road Closure Area Boundary Line Segment Endpoint Coordinate Value
Izembek Lagoon Road Closure Area Boundary Line Segment Endpoint Coordinate Value Unit
Izembek Lagoon Road Closure Area Boundary Line Segment Endpoint Coordinate Value Unit Symbol
Izembek Lagoon Road Closure Area Boundary Line Segment Endpoint Coordinate Value Unit Symbol Definition
Izembek Lagoon Road Closure Area Boundary Line Segment Endpoint Coordinate Value Unit Symbol Definition Source
Izembek Lagoon Road Closure Area Boundary Line Segment Endpoint Coordinate Value Unit Symbol Definition Source Publication
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Population is concentrated, for the most part, in several large centers, leaving most of the region unpopulated and insignificantly altered from its natural state. Slightly under half of the State's 400,000 residents live in the immediate environs of Alaska's largest city, Anchorage. Approximately 60,000 people reside in the Fairbanks area, Alaska's second largest city and interior Alaska's major population center. Other relatively densely populated areas are the Kenai Peninsula with four of Alaska's larger towns, the Matanuska Valley adjoining the Anchorage area, and two towns on Prince William Sound (Valdez and Cordova). The remainder of the region's population lives in very small, scattered communities. Most inhabitants are Caucasians intermixed with Alaska Natives, blacks, and Orientals.

The State's road network lies almost entirely within this region, as does Alaska's only federally owned and operated railroad running from Seward to Fairbanks. Major industry and sources of employment are largely urban, such as government, construction, and wholesale and retail sales and services which are not directly related to resource development. However, oil and gas development is a significant industry on the Kenai Peninsula and in upper Cook Inlet, and leases have been sold for offshore development in the Gulf of Alaska. Commercial fishing occurs in the lower Cook Inlet, Gulf of Alaska, and Prince William Sound. There are several, mostly small-scale, mining operations. Timber-cutting occurs in the coastal forest along the Gulf Coast and Cook Inlet areas, with most of the production exported to Japan. A number of small farms operate in the Matanuska Valley near Anchorage and the Tanana Valley near Fairbanks.

Nearly all of the continent's highest peaks above 14,500 feet, including North America's highest, Mt. McKinley, are in this region, as are the continent's largest glaciers and icefields. Fiords, wave-beaten beaches, and rocky coasts are found along the Gulf of Alaska. The region contains both coastal and interior forests, intermixed with lowland bogs and tundra.

Nearly every species of large northern land mammal, including brown and black bear, moose, sheep, goat, caribou, and wolf can be found in the region. Several kinds of sea mammals are present at places along the coast. The region contains some prime habitat for waterfowl, eagles, and seabirds.

Climate varies widely in the region. In general, winters are colder, summers hotter, and precipitation less in the interior than in the coastal areas. Fairbanks has a mean daily January temperature of -16°F, a July mean of 60°F (with frequent summer days with high temperatures in the 70's and 80's), an average of 89 frost-free days per year, and annual precipitation only slightly exceeding 11 inches. Anchorage on Cook Inlet, by comparison, has mean January and July temperatures of 12°F and 58°F, respectively, with approximately 125 frost-free days each year, and an annual precipitation level of nearly 15 inches. Winter temperatures and precipitation are highest along the Gulf of Alaska coast, where the waters are generally ice free.

Oil and gas provinces underlie portions of the region. The Wrangell and Chugach Mountains and the Alaska Range have significant mineral values. Some timber stands in the coastal and interior forests are of commercial value, and a significant percentage of those cultivable soils in suitable climatic zones lie within this region.

A substantial portion of the State of Alaska's land entitlement has been satisfied through selections in Central Alaska, totalling about 30 percent of the region. Selections by Alaska Native corporations will constitute another 10 percent. Discounting future State selections, the Federal Government will retain jurisdiction over about 60 percent of the region. Existing Federal reserves in the region include the Chugach National Forest covering over 4 million acres, the 1.7-million-acre Kenai National Moose Range, Mt. McKinley National Park of nearly 2 million acres, a small Tuxedni National Wildlife Refuge, and several large military reserves totalling some 2.3 million acres. The following 12 withdrawals from the region were made by the Secretary of the Interior in 1972 under Section 17(d)(2):

Chugach Mountains (7,280,000 acres)
Wrangell Mountains (3,870,000 acres)
Land around Mt. McKinley National Park (3,050,000 acres)
Lake Clark (3,090,000 acres)
College Fiord (395,000 acres)
Nellie Juan Valley (276,000 acres)
Land to the south of the Kenai National Moose Range (62,000 acres)
Harding Icefield (50,000 acres)
Granite-Chiswell Islands (6,000 acres)
Aialik Peninsula (5,000 acres)
Pye Islands (5,000 acres)

Wrangell-Chugach

This corner of central Alaska lies adjacent to the Canadian border and includes portions of four major mountain systems, Wrangell, Chugach, St. Elias, and the Alaska Range. The area encompasses most of the major North American mountains from 14,500 to 18,000 feet, as well as the continent's largest glaciers and icefields. The massive mountains bordered by lesser peaks rise from broad, forested river valleys and the wave-beaten coast of the Gulf of Alaska. Among the scenic features of the area are the subalpine Tebay Lakes; the steep-walled Chitistone Canyon; the sprawling Malaspina Glacier, largest piedmont glacier in North America, over 40 miles wide along its terminal lobe; and a still steaming volcano, Mt. Wrangell.

This area, especially around the Wrangell Mountains, contains some of Alaska's finest Dall sheep habitat and some of the largest Dall sheep. The Copper River corridor and the Gulf Coast are major migration routes for birds, and the lower Copper River and delta is a key nesting, resting, and feeding place. Most of North America's trumpeter swans and nearly all dusky Canada geese nest there. Hauling out areas for marine mammals, including sea lions and harbor seals, are found on the coastal beaches and islands near the delta and the Malaspina Glacier forelands. Three

caribou herds and two small herds of introduced bison range through the area's interior valleys. Goat, bear, wolf, and smaller mammals are also present.

RECOGNIZING THIS RICH DIVERSITY OF NATURAL VALUES, THE COMMISSION MAKES THE FOLLOWING RECOMMENDATIONS FOR THEIR PROTECTION. THE MAIN MOUNTAIN AND GLACIER COMPLEXES ARE PROPOSED AS A NEW UNIT OF THE NATIONAL PARK SYSTEM CONTAINING 9.7 MILLION ACRES. TWO UNITS IN THE ALASKA NATIONAL LANDS SYSTEM ARE RECOMMENDED, ONE IN THE CHITINA VALLEY (1.0 MILLION ACRES), AND THE OTHER ON THE NORTH SIDE OF THE WRANGELL MOUNTAINS (2.9 MILLION ACRES). THE NATIONAL PARK SERVICE IS THE RECOMMENDED MANAGER FOR BOTH OF THESE UNITS BECAUSE OF THE RELATIONSHIP OF THEIR SCENIC, HABITAT, TRANSPORTATION, AND RECREATIONAL VALUES TO THE PROPOSED PARK. THE COMMISSION RECOMMENDS THAT PORTIONS OF THE LOWER COPPER RIVER AND CHUGACH MOUNTAINS (1.3 MILLION ACRES) BE INCORPORATED WITHIN THE EXISTING CHUGACH NATIONAL FOREST; AND THAT PRIME WATERFOWL, MIGRATORY BIRD, AND SEA MAMMAL HABITAT NEAR THE COPPER RIVER DELTA IN THE EXISTING CHUGACH NATIONAL FOREST BE DESIGNATED A NATIONAL WILDLIFE REFUGE UNIT (350,000 ACRES). FOUR RIVERS--THE CHITINA, LOWER COPPER, BREMNER, AND NABESNA--ARE RECOMMENDED FOR DESIGNATION AS POTENTIAL WILD AND SCENIC RIVERS PENDING FURTHER STUDY AND CLASSIFICATION OF ADJOINING LANDS. Taken together, the proposals form a protective system for the range of natural values and ecosystems found in this subregion, while not foreclosing opportunities for hunting of game species or use of energy resources and strategic minerals of potential national interest.

Potential for oil and gas and uranium exists in the coastal areas. Portions of the oil and gas province and the uranium basin, as well as the offshore areas with apparent higher potential for oil and gas, have not been incorporated in the proposed units. Coal potential around the Bering River lie on existing national forest lands and Federal lands proposed for a national forest addition, where exploration and extraction could be allowed. Coal also occurs on some State and private lands adjoining the proposed units. There are three locations with geothermal energy potential in the proposed units. One small area is located in the recommended park and another in an Alaska National Lands unit. The largest area, centered in the park, extends beyond into the two Alaska National Land units and other public and private lands. Three hydroelectric sites along the Copper River (Wood Canyon, Cleave, Million Dollar), if developed, would inundate portions of the proposed units altering their natural features and submerging historical and archaeological sites. A major salmon run would also be disrupted. Considering the absence of any current significant demand for power, the Commission does not find hydroelectric development warranted at this time.

The proposed park and Alaska National Land units contain three metallogenic provinces with potential for copper, gold, silver, nickel, lead, zinc, iron, barite, platinum, chromium, titanium, molybdenum, antimony, tungsten, and asbestos. Two of the three provinces extend well beyond the recommended boundaries. Portions of the third province, containing the areas of major lead, zinc, and barite potential, are located on proposed Alaska National Lands where exploration and/or extraction may occur wherever

eventual classification permits. Similar potential for lead and zinc is located outside the proposed units in the upper Copper River drainage and in the Talkeetna Mountains. The proposed park and Alaska National Land unit boundaries were drawn to exclude many of the mineralized areas with higher potential from the park. However, several existing mineral claims are contained within the proposed park unit. Mineral exploration or extraction on the adjacent Alaska National Lands could be allowed if eventual classification permits. Mining may occur on forest lands under the permit-and-lease system recommended by the Commission and can be permitted on refuges by Secretarial discretion if compatible with habitat protection.

All units contain some forest stands of potential commercial value. Timber-cutting could be allowed in the forest unit and may be allowed in the new management system units if eventual classification allows. Some cultivable soils suitable for agriculture exist in the Chitina Valley, but this area lies in a zone climatically marginal for production.

Coordinated management of park, forest, and Alaska National Land units with adjoining landowners will be important with respect to recreational use, transportation development, and wildlife management.

Areas adjoining Mt. McKinley National Park

Lands adjoining Mt. McKinley National Park on the south contain portions of the Mt. McKinley massif and related mountains and glacial features, while some of the lands to the north provide habitat for large mammals of the existing Park.

Sheep, moose, grizzly bear, wolf, and caribou range north from the Park for varying distances onto adjoining lands of forest, tundra, lakes, and ponds. A variety of smaller wildlife such as fox and marten are also prevalent in areas north of the Park.

Mt. Hunter and peaks of the Alaska Range south of Mt. McKinley National Park have high scenic values. Recreational potential for cross-country and downhill skiing, hiking, camping, and scenery observation exists primarily along the southern margin of the high mountains and large glaciers where forest gives way to alpine tundra. Chelatna Lake, largest lake in this section of the Alaska Range, is a point of air access to surrounding backcountry, and provides opportunities for water-oriented recreational activities. Among the scenic highlights of this area are the Great Gorge of the Ruth Glacier with its nearly mile-high, pinkish granite cliffs, the large Kahiltna Glacier, and the varicolored moraines of the Yentna Glacier.

IN RECOGNITION OF THESE NATURAL VALUES AND THEIR INTEGRAL RELATIONSHIP TO THOSE OF THE PARK, THE COMMISSION RECOMMENDS THE ADDITION OF A SOUTHERN UNIT TO THE PARK TO COMPLETE THE SCENIC AND GEOLOGICAL COMPLEX AND TO INCLUDE ADDITIONAL LANDS FOR VISITOR USE. A SECOND ADDITION EXTENDING THE PARK TO MORE NATURAL BOUNDARIES IN THE NORTH IS PROPOSED TO COMPLETE A WILDLIFE ECOSYSTEM OF NATIONAL IMPORTANCE. THESE TWO ADDITIONS TOTAL 2.7 MILLION ACRES. Two areas selected by the State of Alaska, one

around Chelatna Lake and the other in the northeastern corner of the proposed northern addition, have natural values of national interest. The Commission recommends that these lands be the subject of future exchange discussions with the State.

Some potential exists for oil and gas and uranium in the proposed park additions, but the provinces extend well beyond the new unit boundaries. Coal deposits are found along the northeastern and southern boundaries of the proposed additions, but there are similar and larger deposits as well as an ongoing coal operation located on adjacent lands. Two potential hydroelectric sites, Carlo and Healy, are located nearby along the Nenana River. If developed, they would inundate portions of the eastern edge of the existing park. Metallogenic provinces with potential for copper, gold, silver, nickel, lead, zinc, tin, iron, barite, antimony, platinum, chromium, molybdenum, tungsten, titanium, and asbestos underlie the existing Park and proposed extensions. These provinces, with the exception of a belt favorable for lead and zinc, extend beyond the proposed boundaries. Another potential lead and zinc province lies to the southwest of the recommended southern addition and could be open to exploration and mining. Two areas in the proposed northern addition, Kantishna and Stampede, are currently mined for gold and antimony. While new mineral exploration and extraction will not be allowed in the extended park, valid existing claims will be governed by National Park Service mining regulations.

Some cultivable soils with agricultural potential extend up the Toklat and Kantishna Rivers in the northern extension, as do some forest stands of possible commercial value. More extensive sections of cultivable soils and forested areas lie in lower elevations to the north of the recommended park extension.

The area around Mt. McKinley is near the major growing urban and tourism centers of Alaska. Mt. McKinley National Park cannot meet all recreational demands on the area. Coordination, then, among all landowners and administrators will be needed to plan recreation, transportation, and utility facilities, and to assure that recreational uses and resource development are compatible with the natural values.

Lake Clark

Lake Clark is located in the rugged and scenic southwestern section of the Alaska Range. The lake itself, 50 miles in length and averaging about 4 miles wide, is one of the larger lakes in Alaska. It is bordered in part by high steep mountains, and lower slopes are wooded. Other lakes of scenic interest are found in the mountain valleys and along the western flank of the Range. Among the scenic mountainous features are two symmetric 10,000-foot volcanos, Redoubt and Iliamna; pinnacles near Merrill Pass; and numerous hanging glaciers at Lake Clark Pass. Several free-flowing clear-water and glacial rivers begin in these mountains that are cut by many interconnecting valleys. The lower eastern and western flanks of the Range and some major valley bottoms are forested. Wildlife of the area includes sheep, moose, caribou, wolf, grizzly bear,

and other smaller animals. Seabirds, harbor seals and a noted clam beach are found along the coast.

THE COMMISSION FINDS THESE NATURAL VALUES TO BE OF NATIONAL INTEREST AND RECOMMENDS THAT 3.5 MILLION ACRES BE INCORPORATED WITHIN THE ALASKA NATIONAL LANDS SYSTEM. BECAUSE OF ITS RELATIVE ACCESSIBILITY TO ALASKA'S URBAN AND TOURIST CENTERS, THE COMMISSION BELIEVES RECREATION SHOULD BE RECOGNIZED AS A PRIMARY USE OF THE PROPOSED UNIT AND THAT THE NATIONAL PARK SERVICE BE DESIGNATED THE MANAGER. THE TLIKAKILA RIVER AND THE UPPER FEDERALLY OWNED SEGMENTS OF THE MULCHATNA AND CHILIKADROTNA RIVERS ARE RECOMMENDED BY THE COMMISSION FOR DESIGNATION AS POTENTIAL WILD AND SCENIC RIVERS, WITH FURTHER STUDY, EVALUATION, AND CLASSIFICATION OF SURROUNDING LANDS TO AID IN FINAL RECOMMENDATIONS.

The eastern boundary of the proposed unit overlaps a small portion of an oil and gas province underlying Cook Inlet. Potential for uranium exists along the coast, but the sedimentary province with potential for these minerals extends well into other adjoining lands. Two areas with geothermal energy potential are present in the proposed unit. Other similar volcanic areas lie north and south of the proposal. Two potential hydroelectric sites, Crescent Lake and Ingersol, are within the proposed unit. If constructed, some natural values would be altered or lost.

Metallogenic provinces with some potential for copper, gold, silver, lead, zinc, tin, molybdenum, and tungsten underlie most of the area, as well as on some adjoining lands. Exploration and/or extraction may occur on Alaska National Lands wherever eventual classification permits.

Timber potential exists primarily in the coastal forest along the west side of Cook Inlet. Stands are much more extensive to the north where they are harvested.

Substantial acreage within the Lake Clark proposal has been selected by Cook Inlet Native regional corporation near the midsection of Lake Clark and along the Cook Inlet coast. These areas were selected because other lands closer to the existing Native villages were not available. The Federal and State governments have been working closely with the private corporations to retain the Lake Clark area in public ownership and provide more suitable lands for corporate selection. ON THIS BASIS, THE COMMISSION RECOMMENDS INCLUSION OF CERTAIN OF THE PRIVATE LANDS WITHIN THE LAKE CLARK UNIT BOUNDARIES ON THE BASIS OF THEIR SIGNIFICANT NATURAL VALUES, AND ENCOURAGES CONTINUED EFFORTS TO MINIMIZE THE AMOUNT OF PRIVATE INHOLDINGS WITHIN THE PROPOSED UNIT BY LAND EXCHANGES AND OTHER APPROPRIATE MEANS.

Kenai Peninsula and Prince William Sound

The Kenai Peninsula and Upper Prince William Sound area are located south and east of Anchorage along the coast. Most of the area is included in two existing reserves, the Kenai National Moose Range and the adjacent Chugach National Forest. The western side of the Kenai Peninsula is blanketed by State and private lands. The following proposals lie within this area.

Areas adjacent to the Chugach National Forest

The lands adjoining the existing Chugach National Forest are characterized by rugged scenic peaks, massive icefields, fiords, and tidewater glaciers. Coastal areas contain a variety of terrestrial and marine animals. THE COMMISSION RECOMMENDS THAT THREE AREAS OF HIGH SCENIC VALUES AND SCIENTIFIC INTEREST BE ADDED TO THE CHUGACH NATIONAL FOREST. The Harding Icefield-Kenai Fiords area (520,000 acres) includes one of North America's major icefields surrounded by scenic peaks, steep icefalls, and radiating valley glaciers, some reaching the sea. Three large irregularly shaped peninsulas are separated by fiords which support sea lions, harbor seals, occasional whales, and numerous seabirds. Black bear and goat inhabit some parts of the area. Ocean waters about this area are highly productive of marine life.

The Nellie Juan River valley, Nellie Juan Lake, and much of the Sargent Icefield (totalling 280,000 acres) form a scenic river valley with glaciers descending its upper slopes. The valley supports some moose, goats, black and brown bears, and smaller mammals. This addition encloses a major watershed already partially included in the existing Chugach Forest. THE COMMISSION ALSO RECOMMENDS THE NELLIE JUAN RIVER BE DESIGNATED A POTENTIAL WILD RIVER, AND THAT FURTHER STUDY AND EVALUATION ALONG WITH CLASSIFICATION OF SURROUNDING LANDS AID IN FINAL RECOMMENDATIONS.

A third proposed addition, the College Fiord area (720,000 acres), also forms a complete watershed unit with the existing forest. It contains a scenic complex of mountains, fiords, and numerous tidewater glaciers. The coastal fringes and waters provide habitat for goat, black bear, wolverine, harbor seal, and seabird colonies.

The College Fiord area contains a metallogenic province with potential for copper, gold, silver, lead, barite, antimony, zinc, molybdenum, and tungsten that extends onto other public lands beyond the forest boundary. All three proposed national forest additions contain some stands of western hemlock and Sitka spruce along the shores and valley bottoms and on some relatively steep slopes. These stands have little potential commercial value relative to other extensive stands in the general area. Some Native selections have been made in the Kenai Fiords, but are not yet conveyed.

Peninsulas and Islands of the Kenai Peninsula

THE COMMISSION ALSO RECOMMENDS THAT THE SOUTHERN TIPS OF AIALIK AND HARRIS PENINSULAS, AND THE CHISWELL AND PYE ISLANDS TOTALLING ABOUT 19,630 ACRES BE ADDED TO THE NATIONAL WILDLIFE REFUGE SYSTEM. These two areas and adjoining waters provide key habitat for 65 species of seabirds and 23 species of marine mammals, including over 4,000 sea lions on the Chiswell and Outer Islands.

Area adjacent to the Kenai National Moose Range

A mountainous area containing the southwestern half of the scenic Sheep Creek drainage borders the southern tip of the Kenai National Moose

Range. It contains wildlife habitat for moose, goat, sheep, and other upland wildlife. THE COMMISSION RECOMMENDS THAT THIS AREA OF 40,000 ACRES BE ADDED TO THE EXISTING KENAI NATIONAL MOOSE RANGE TO ENCLOSE THE ENTIRE WATERSHED, AND RELATED SCENIC, WILDLIFE, AND WILDERNESS VALUES WITH A BETTER NATURAL BOUNDARY.

Fortymile River Complex

The Fortymile River originates in the eastern Yukon-Tanana uplands and flows northeasterly to its confluence with the Yukon River in Canada. The River and its 1,000 miles of tributaries are clear and free-flowing. More than 95 percent of the drainage lies within Alaska. Most of the river remains in its natural state. The river courses in segments through narrow gorges, bluffs, and rocky cliffs several hundred feet high, where the geologic structure of the area is exposed. Salmon, pike, and whitefish are found in the lower streams, and grayling in the upper parts. The area provides habitat for caribou, moose, bear, wolf, sheep, beaver, and smaller animals. Several species of duck and raptors, such as mallards and the peregrine falcon, are also present. Historic and cultural features of the Fortymile River area include the site of the first gold discovered in interior Alaska; cabins, settlements, and equipment associated with past and present gold mining; and the abandoned Eagle to Valdez military telegraph line which was part of a larger military Washington-Alaska communications system. Remains of a few old Athabascan Indian settlement sites are within the area.

THE COMMISSION RECOMMENDS THAT CERTAIN FORKS AND SEGMENTS OF THE FORTYMILE RIVER SYSTEM BE DESIGNATED "WILD," "SCENIC," OR "RECREATIONAL" RIVERS, UNDER THE NATIONAL WILD AND SCENIC RIVERS ACT. THE PROPOSAL INCLUDES A 4-MILE-WIDE CORRIDOR CONTAINING ABOUT 375 MILES OF RIVER AND 320,000 ACRES OF THE IMMEDIATE ENVIRONMENT. RECOMMENDED DESIGNATIONS INCLUDE 265 RIVER MILES AS "SCENIC," 161 MILES AS "WILD," AND 9 MILES AS "RECREATIONAL."

A potential hydroelectric site along the main Fortymile River, if developed, would inundate the lower reaches of the proposal and certain values would be altered or lost. Metallogenic provinces favorable for copper, gold, silver, nickel, lead, zinc, iron, antimony, molybdenum, tungsten, chromium, platinum, titanium, and asbestos have been identified in the area, but extend well beyond the river corridor boundaries. Mining would be allowed in the scenic and recreational segments under a permit and lease system. No mining would be allowed in the bed or banks of wild segments. Some stands of timber along the rivers have possible potential for future commercial use, but similar stands lie outside the corridors.

Coordination with respect to access and possible future transportation development in this area is particularly important.

Other Wild and Scenic River Potential

THE COMMISSION RECOMMENDS THAT THE KENAI-RUSSIAN, DELTA, AND GULKANA RIVERS BE DESIGNATED POTENTIAL WILD AND SCENIC RIVERS WITH FURTHER STUDY AND EVALUATION AND CLASSIFICATION OF SURROUNDING LANDS TO AID IN FINAL RECOMMENDATIONS.

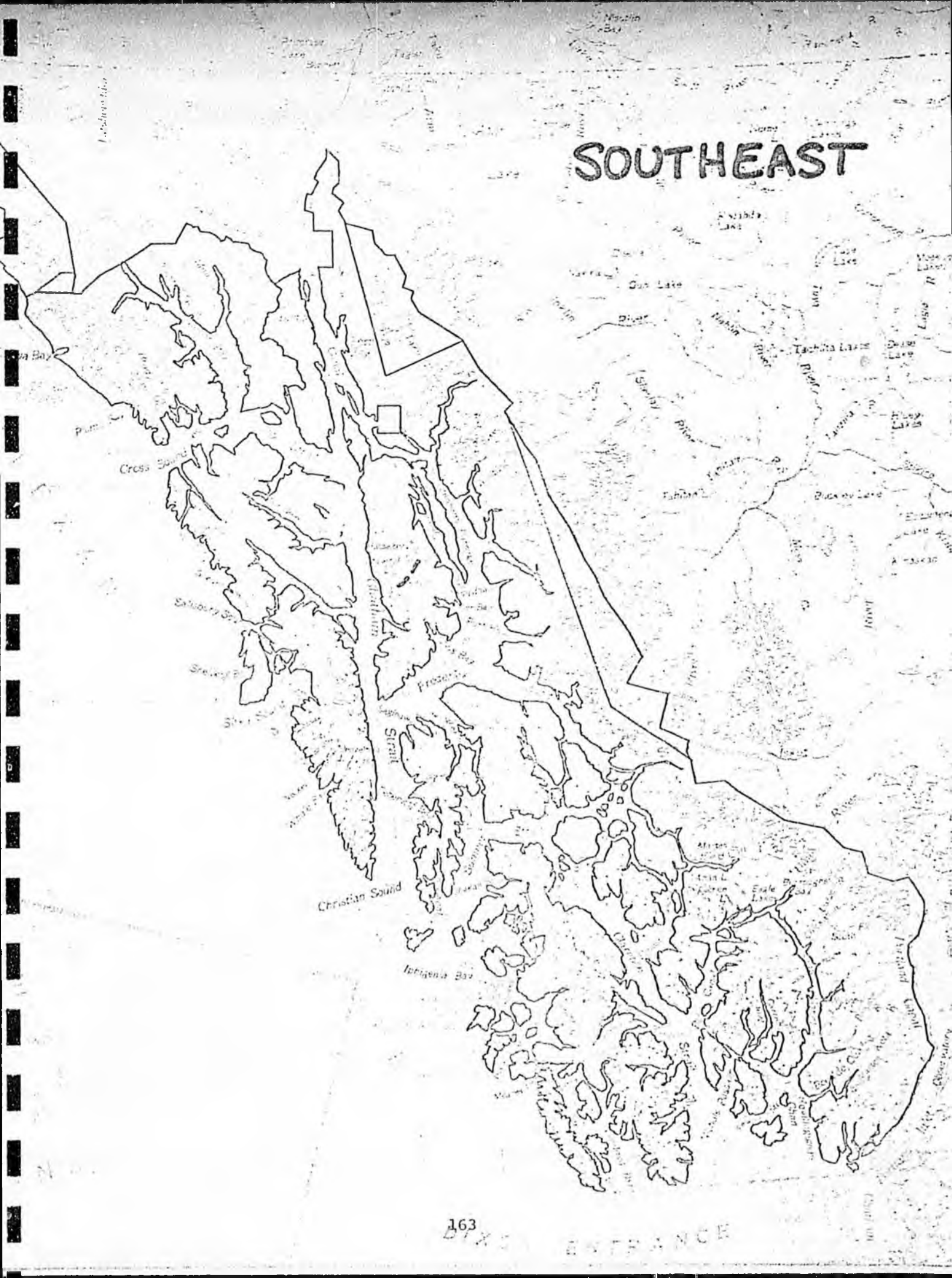
ALSO THE COMMISSION RECOMMENDS THAT THE STATE OF ALASKA STUDY KROTO CREEK (DESHKA) AND THE CHENA, CHATANIKA, TALACHULITNA, AND TAZLINA RIVERS FOR FEASIBILITY, POSSIBLE STATE LEGISLATIVE DESIGNATION, AND INCLUSION IN THE NATIONAL WILD AND SCENIC RIVERS SYSTEM.

SOUTHEASTERN ALASKA

Southeastern Alaska, the 40,000-square-mile Alaska "Panhandle," is an archipelago of large forested islands and a narrow mainland strip backed by mountains and icefields bordering Canada. Short mountain streams tumble into "inside" ocean passages. Wildlife populating the region include black bear (and its rare variation, the glacier bear), brown bear, Sitka black-tailed deer, bald eagle, and mountain goat. The productive fisheries habitat produces a variety of salmon, trout, herring, halibut, and shellfish. Although resource development has occurred and the region is relatively densely populated by Alaska standards (one person per square mile), the land largely remains in its natural state. The region has numerous sites of historical interest related to the indigenous Indian cultures, the Russian period, and the Klondike Gold Rush. The coastal rain forests are composed primarily of giant Sitka spruce and western hemlock.

Approximately 200 wet days occur each year in the southern portion of the region; less than 100 wet days are experienced, on the average, in the drier northern sections. Low clouds, fog, and frequent strong winds are characteristic of this region's climate. Temperatures in this largely maritime zone are moderate, with mean daily temperatures at sea level in January averaging near or above freezing, and mean July temperatures near 60°F. Precipitation is high with annual averages ranging from 61 inches at Haines in the north and 91 in Juneau, to 154 in Ketchikan, and in some locations, over 200 inches. There is potential for several minerals, and mining for uranium, gold, copper, and limestone, among others, has occurred. Much of the forest in this region has been evaluated to be of commercial quality. Commercial logging is extensive and long term timber sale contracts are in effect. Much of the current cut is exported to Japan as cants or pulp processed at two plants.

Southeastern Alaska was one of the first regions settled by Caucasians, and has some of the oldest communities in the State. The total population of the region is approximately 50,000, about 75 percent of which is Caucasian. Tlingit, Haida, and Tsimshian Indians constitute most of the remainder. Several of the communities here are relatively large. Juneau, the State capital, and Ketchikan, the region's southernmost town, have area populations greater than 10,000. Other communities of significant size include Sitka, site of the old Russian capital, Petersburg, Wrangell, Haines, and several predominantly Indian villages. Because of topographical obstacles, no road network connects the communities of the region. Access is by air or by boat, with a State-operated ferry system on the "marine highway." Waters in this region are generally ice free. Major industries are government, timber, commerical fishing, and tourism.


SOUTHEAST
Cross Sound
Stephens Passage
Frederick Sound
Chatham Strait
Christian Sound
Icy Strait
Tenakee Inlet
Port Frederick
Glacier Bay
Lynn Canal
Taku River
Stikine River
Dease Lake
Tahltan Lake
Gut Lake
Nakina River
Eagle River
Eagle Bay
Alaska
Canada

With the exceptions of about 800,000 acres of State selected or entitled lands and Native corporation selections, together totalling some 1.3 million acres or about 4 percent of the region, lands are and will remain under Federal jurisdiction. Major existing units in national conservation systems are the 16-million-acre Tongass National Forest and the 2.8-million-acre Glacier Bay National Monument. There are two small national historical parks, Sitka and Klondike Gold Rush, and three national wildlife refuge units (St. Lazaria, Hazy Island, and Forester Island) totalling 3,000 acres. Two withdrawals originally made under Section 17(d)(2) of approximately 475,000 acres each were made by the Secretary of the Interior, one near Kates Needle and the other around the Juneau Icefield.

Areas Adjoining Tongass National Forest

When the original National Forest withdrawals were made in southeastern Alaska, four major areas were excluded from the forest boundaries for various reasons, paramount apparently being a paucity of forest growth on the generally rugged glacier and snowclad mountains of the areas.

One of these areas near the head of Lynn Canal has now been largely selected by the State. Two other areas, around the Juneau Icefield and Kates Needle, are public domain lying between the Tongass National Forest and the Canadian border. Valleys, slopes, and peaks of these areas form the upper watersheds and scenic backdrop for the forested lower slopes of the National Forest. THE COMMISSION FINDS NO RESOURCE VALUES OR OTHER REASONS TO WARRANT CONTINUED EXCLUSION OF THESE AREAS FROM THE NATIONAL FOREST AND, THEREFORE, RECOMMENDS THAT THE JUNEAU ICEFIELD AND KATES NEEDLE AREA, TOTALLING 950,000 ACRES, BE ADDED TO THE TONGASS NATIONAL FOREST WHERE CLASSIFICATION OF THESE AREAS WOULD BE INCLUDED WITHIN OVERALL FOREST PLANNING.

Between the northwestern corner of Glacier Bay National Monument and the Yakutat unit of the Tongass National Forest is another largely mountainous zone of high peaks and extensive glaciers, through which the major Alsek River flows from Canada. The southern portion around the Alsek River and Deception Hills extends to the Gulf of Alaska coast. Much of this fourth major area of unreserved public domain provides a watershed and scenic background for existing Tongass National Forest lands.

The area adjoining the Glacier Bay National Monument, north to the Alsek River, contains scenic rugged mountains, glaciers, and coastal seascapes. The Alsek River corridor is of scientific interest because it is apparently the major migration passage through an immense mountain barrier for plants and animals between the coastal zone and the interior. In addition, its coastal flora, unlike that of most of the surrounding region, has not been significantly altered by recent glaciation.

RECOGNIZING THE NATURAL VALUES OF THIS AREA, AS WELL AS THE MINERAL POTENTIAL, THE COMMISSION MAKES THE FOLLOWING RECOMMENDATIONS.

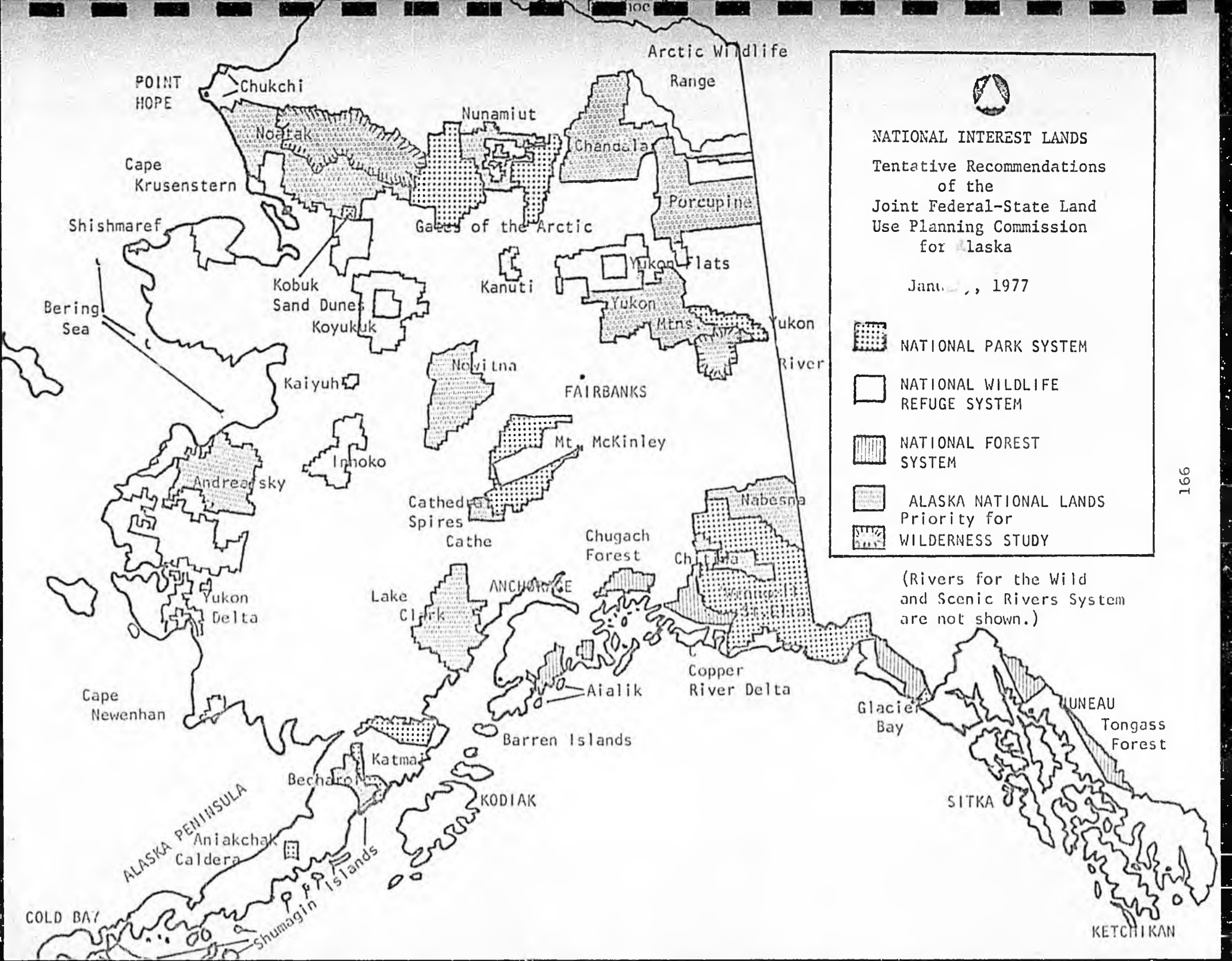
1. THE IMMEDIATE NORTHWESTERN SLOPES AND VALLEYS OF MT. FAIRWEATHER, (30,000 ACRES), BE ADDED TO THE GLACIER BAY NATIONAL MONUMENT.

THIS PROPOSED ADDITION WOULD INCORPORATE THE REMAINING PORTION OF THIS SCENIC MOUNTAIN AND ITS IMMEDIATE VALLEY ENVIRONS, WITHIN U.S. OWNERSHIP IN THE MONUMENT.

2. ADD THE REMAINING PART OF THE ALSEK RIVER UNIT (1 MILLION ACRES) TO THE TONGASS NATIONAL FOREST.

FROM THE MANY POTENTIALLY SUITABLE RIVERS IN SOUTHEAST ALASKA, THE COMMISSION HAS IDENTIFIED FOUR AT THIS TIME WHICH IT RECOMMENDS FOR DESIGNATION AS POTENTIAL WILD AND SCENIC RIVERS. THE SITUK NEAR YAKUTAT, ALSEK, HASSELBORG CREEK ON ADMIRALTY ISLAND, AND THE LOWER REACH OF THE STIKINE AS IT BREACHES THE COAST RANGE ARE PROPOSED FOR FURTHER STUDY IN THE CONTEXT OF CLASSIFICATION OF SURROUNDING LANDS.

A mineral zone generally following the crest of the Fairweather-St. Elias Mountains extending northwestward from the Glacier Bay National Monument has potential for copper, nickel, iron, platinum, chromium, titanium, and asbestos, and underlies the more mountainous portion of this proposed unit. Deposits of nickel-copper have been located in Glacier Bay National Monument and on Yakobi Island to the south. No further mineral claims may be made in the Monument by direction of Congress.


Arctic Wildlife Range
POINT HOPE
Chukchi
Noatak
Nunamiut
Chandalar
Cape Krusenstern
Porcupine
Shishmaref
Gates of the Arctic
Yukon Flats
Kobuk Sand Dunes
Koyukuk
Kanuti
Bering Sea
Yukon Mtns
Yukon River
Kaiyuh
Nolvitna
FAIRBANKS
Mt. McKinley
Innoko
Andreafsky
Cathedral Spires
Cathe
Nabesna
Chugach Forest
Yukon Delta
Lake Clark
ANCHORAGE
Copper River Delta
Aialik
Cape Newenhan
Barren Islands
Glacier Bay
JUNEAU
Tongass Forest
Katmai
Becharof
KODIAK
SITKA
ALASKA PENINSULA
Aniakchak Caldera
Islands
COLD BAY
Shumagin
KETCHIKAN
NATIONAL INTEREST LANDS
Tentative Recommendations of the Joint Federal-State Land Use Planning Commission for Alaska
January , 1977
NATIONAL PARK SYSTEM
NATIONAL WILDLIFE REFUGE SYSTEM
NATIONAL FOREST SYSTEM
ALASKA NATIONAL LANDS Priority for WILDERNESS STUDY
(Rivers for the Wild and Scenic Rivers System are not shown.)

STATEWIDE SUMMARY-GEOGRAPHIC RECOMMENDATIONS

In order to protect natural areas and systems of varying characteristics of national interest in Alaska, the Commission recommends the following new units or additions to existing reserves in the following land conservation systems:

	Acres (million)
NATIONAL PARK SYSTEM: Aniakchak Caldera (0.18), Cape Krusenstern (0.19), Gates of the Arctic (5.22), Kobuk Sand Dunes (0.10), Wrangell-St. Elias (9.72), Yukon River (0.54), Glacier Bay National Monument addition (0.03), Katmai National Monument additions (1.08), Mount McKinley National Park additions (2.69)	19.75
NATIONAL WILDLIFE REFUGE SYSTEM: Arctic National Wildlife Range additions (1.89), Cape Newenham National Wildlife Refuge addition (0.24), Kenai National Moose Range addition (0.04), Kodiak National Wildlife Refuge islands addition (440 acres)(0.00), Copper River Delta (0.35), Innoko (1.99), Kaiyuh (0.19), Kanuti (0.43), Koyukuk (2.53), Selawik (1.48), Shishmaref (1.50), Yukon Delta (5.67), Yukon Flats (2.33), Alaska Coastal: Chukchi (Capes Lisburne and Thompson)(74,000 acres), Bering Sea (1,700 acres), Shumagin Islands (71,907 acres), Barren Islands (10,020 acres), Aialik (19,630 acres), Total Alaska Coastal (0.18)	18.82
NATIONAL FOREST SYSTEM: Chugach National Forest additions: College Fiord (0.72), Copper River (1.25), Kenai Fiords--Harding Icefield (0.52), Nellie Juan (0.28), Total additions (2.77)	
Tongass National Forest additions: Alsek River (1.03), Juneau Icefield (0.48), Kates Needle (0.47), Total additions (1.98)	4.75
"ALASKA NATIONAL LANDS" SYSTEM: Andreafsky (3.54), Becharof (0.88), Cathedral Spires (0.40), Chandalar (5.56), Chitina (1.05), Lake Clark (3.49), Nabesna (2.87), Noatak (11.87), Nowitna (3.52), Nunamiut (1.98), Porcupine (5.49), Yukon Mountains (6.05)	46.70
NATIONAL WILD AND SCENIC RIVER SYSTEM: Alatna (upper)*, North Fork Koyukuk-Tinayguk*, Aniakchak (0.07), Unalakleet (0.10), Fortymile (0.32), Alagnak (0.09), Kanektok (0.11) *Acreage included in parkland proposals	0.69
TOTAL ACREAGE - ALL SYSTEMS	90.71**

Of 54 selected rivers, 7 are currently recommended for designation as indicated above. Entire courses, mainstreams, or certain segments of 35 rivers are recommended for designation as potential wild, scenic, or recreational rivers. Similarly, 8 other rivers flowing through a mixture of Federal and Native corporation selected lands, are also recommended for potential designation. These 43 rivers will be subject to study or further evaluation for feasibility. Approximately 2.01 million acres of land and water outside large area proposals would be involved in these study rivers. In addition, entire courses, mainstreams, or certain segments of 14 rivers primarily or partly on State-owned or selected lands are recommended for study or further evaluation by the State for possible designation. Approximately 1.0 million acres would be involved in these study rivers.

** Federal lands and some Native corporation selected lands. Does not include corporate lands in the vicinity of Anaktuvuk Pass or on the Yukon-Kuskokwim Delta. Acreage of included corporation land selections is unsettled.

	Acres (million)		
	Proposed	Existing	Total
Primary purpose lands			
National Park System	19.75	7.55	27.30
National Wildlife Refuge System	18.82	19.91	38.73
National Wild & Scenic Rivers (recommended & proposed)	2.70	-0-	2.
Alaska National Lands	46.70	-0-	46.70
Total	87.97	27.46	115.43
Multiple purpose lands			
National Forest System	4.75	19.71	24.46
National Resource Lands (est. remaining Federal public lands after State selections are completed)	57.67	-0-	57.
Total	62.42	19.71	82.13
Lands closed to hunting			
National Park System	18.92	7.55	26.
Lands closed to mineral development			
National Park System	19.75	7.55	27.
National Wildlife Refuge System (open only at Secretarial discretion)	18.82	19.91	38.
Wild Rivers (bed and bank)	**	-0-	
Total	38.57	27.46	66.03
Lands that may be open to mineral development in whol or part following classification			
National Forest System	4.75	19.71	24.46
Alaska National Lands	46.70	-0-	46.
Scenic and Recreational Rivers	**	-0-	
National Resource Lands	-0-	57.67	57.67
Total	51.45	77.38	128.

Several areas of the State or Native-selected lands have been included within the boundaries of the recommended national conservation systems units, to enclose prime natural values of national interest, or to effect a more natural boundary.

State-owned or selected lands suggested for land exchange consideration and inclusion in proposed conservation units are principally:

	Area	Proposed Unit
1.	Lower Reed River	Gates of the Arctic, west unit
2.	Lower Alatna River	Alaska national lands, Alatna unit Gates of the Arctic, west unit
3.	Teklanika-Savage Rivers	Mt. McKinley National Park, north additi
4.	Chelatna Lake	Mt. McKinley National Park, south addi
5.	Lower John River and Wolverine Creek	Alaska national lands, Nunamiut unit

Principal Native corporation selected land areas suggested for land exchange are:

1.	Bremner River	Wrangell-St. Elias
2.	Lakes Clark-Kontrashibuna	Alaska national lands, Lake Clark unit

Federal areas suggested for land exchange with State:

1. Lake Selby-upper Kobuk River; location, central Brooks Range
2. West Fork Chulitna River; Mt. McK ley area

** Acreage will depend on final recommendations and number of rivers.