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September 19, 1977

• ADMITTED IN D. C.

Stephen Cowper, Esq.
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Steering Council of Alaska Lands
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Senator Mike Colletta
1016 West Sixth Avenue
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Dear Steve and Mike:

Enclosed you will find a copy of the prepared statement of Secretary Andrus presented to the General Oversight and Alaska Lands Subcommittee of the House Interior Committee. I would like to emphasize for your consideration several particular points about this statement.

First, it was not accompanied by specific amendments. They will not be forthcoming until at least September 21. On behalf of the Steering Council, I have written the members of the Subcommittee requesting public hearings on the precise amendments when they become available. A copy of that letter is enclosed with this.

Second, the Secretary's proposal will permit no mining for minerals except in two particular zones in the Wrangells.

Third, oil and gas exploration and leasing appear to face difficult, although yet unspecified, hurdles for implementation.

Fourth, subsistence uses will be confined to particular zones and subject to suspension or termination by Interior, under as of yet unspecified circumstances.

Fifth, all areas not within the 43 million acres of designated wilderness will become wilderness study areas under the Wilderness Act, with some limitations on access and use even before any decision regarding wilderness status is made.

Sixth, Guy Martin apparently has reserved for himself the issue of conveyances to the State and Natives, with the Administration decision to come sometime in the future.

Finally, you will note the inclusion of the park preserve concept. It is Interior's position that only hunting will be permitted within the preserves, and nothing such as grazing, oil and gas exploration, etc, will be allowed.

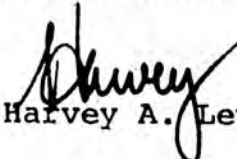
Much of this information came from Cynthia Wilson in a short briefing for Senator Stevens which Sharon Long and I attended. From what emerged in the few questions asked at that briefing, it is certain that the Secretary's statement requires close scrutiny and full consideration of the amendments proposed to effectuate it.

In terms of future action, we are going to try to arrange some small briefings, possibly over lunch, by Stevens, Gravel, and Young staffers for members of the staff of other Congressmen. It is our thought that this type of education mechanism well could be beneficial.

As developments occur, we will of course keep you informed.

Cordially,

BIRCH, HORTON, BITTNER & MONROE


Harvey A. Levin

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Enclosures - As indicated

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September 19, 1977

• ADMITTED IN D. C.

As you know, on September 15, 1977, Secretary Andrus testified before the General Oversight and Alaska Lands Subcommittee regarding the d-2 recommendations of the Administration. However, the Secretary was not equipped with the precise amendments which the Administration will be offering, it appearing that such amendments will not be forthcoming until Wednesday, September 21.

On behalf of the Steering Council for Alaska Lands, the joint legislative-executive committee created by the State of Alaska to formulate and present the position of the State on d-2 matters, I respectfully and strongly urge that you support public hearings on those amendments. The matter is of considerable moment to the nation as well as the State. Its import demands public, congressional scrutiny of the precise Administration proposals, which took almost forty pages just to summarize, and which left numerous of the questions raised unanswered due to the unavailability of specifics. Without the hearings, full consideration of this monumental proposition will be lacking and generations of Americans will have been denied their due measure of Congressional consideration.

Very truly yours,

BIRCH, HORTON, BITTNER & MONROE

Harvey A. Levin

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STATEMENT OF SECRETARY OF THE INTERIOR CECIL D. ANDRUS
BEFORE THE SUBCOMMITTEE ON GENERAL OVERSIGHT AND ALASKA
LANDS, HOUSE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
ON H.R. 39. AND SIMILAR BILLS, "TO DESIGNATE CERTAIN
LANDS IN THE STATE OF ALASKA AS UNITS OF THE NATIONAL
PARK, NATIONAL WILDLIFE REFUGE, WILD AND SCENIC RIVERS
AND NATIONAL WILDERNESS PRESERVATION SYSTEM, AND FOR
OTHER PURPOSES, AND H.R. 5605, AND SIMILAR BILLS, "TO
ESTABLISH ADMIRALTY ISLAND NATIONAL PRESERVE IN THE
STATE OF ALASKA, AND FOR OTHER PURPOSES."

Mr. Chairman, it is my privilege to present today
President Carter's recommendations for new National Parks,
Wildlife refuges, wild and scenic rivers, Forests and
wilderness areas in Alaska.

We recommend the enactment of H.R. 39 with certain
modifications.

I want to compliment you, Mr. Chairman, the members of
this Subcommittee, and the Chairman of the Full Committee
for the tremendous amount of work you have accomplished
since I appeared before you last April. Your efforts in
holding hearings here in "the lower 48" and in Alaska,
and the great amount of testimony you have received, reflect
the dimension of the opportunity we have in Alaska. As
President Carter said in his May 23rd Environmental Message,
"No conservation action the 95th Congress could take would
have more lasting value than this." Moreover, the estab-
lishment of large land areas in Alaska as units of the

"Four Systems" is the highest environmental priority of this Administration. Your efforts to date clearly demonstrate that this matter remains one of the highest environmental priorities of the 95th Congress.

Mr. Chairman, for almost half a millenium man has put ever increasing pressures upon the ecology of the North American continent. The "Lower 48" with a population of perhaps one million Natives five centuries ago, now supports some 213 million and serves as breadbasket and manufacturer to much of the rest of the world.

Alaska had perhaps 75,000 Natives when the Russians colonized it. Now it has several times that population -- and is growing rapidly -- and it is looked upon as a major source of fuels and other material needs for the "Lower 48" and for other Nations.

Until very recent times the essence of our national policy has been the most rapid possible development and consumption of the resources of this continent. In establishing the first national parks and wildlife reservations a little more than a century ago, the Congress made some of its greatest contributions to the future of America, and of the world. It was a belated but nonetheless noble determination to maintain some of the natural beauty and wildlife of America for all time. This movement began

after we already had lost many of our treasures in the "lower 48" -- but in time to save some of the most spectacular.

Now we have an opportunity to learn from the past -- to avoid making the rash mistakes we committed in our youth as a Nation. Alaska is a rejuvenation for us as a country -- a chance to preserve a major portion of our natural heritage -- the resources which more and more are recognized as essential to the continued existence of man on earth.

We can be profligate with these resources -- we can dig, cut, drill and destroy these resources at random so that our material standard of living today and tomorrow will be a degree or two higher. Or we can conserve these resources to help insure the health and prosperity of Alaska, our country and the world for decades and perhaps centuries to come.

Through enactment of our proposals, we can be certain that the crown jewels of Alaska -- its most spectacular natural environments, recreation areas, and wildlife habitats -- will remain intact for the benefit of our Nation's citizens.

Some people seem to fear that we are trying to hoard resources needed by Americans today and in the immediate future. Our proposal has been prepared with sensitivity to the resource needs of Alaska and America both now and for the coming years.

There are roughly 375 million acres in Alaska. Our proposal involves approximately 91 million acres. The State of Alaska will be receiving 103 million acres, much of which will be open to development. The Natives are receiving more than 44 million acres, much of which will be developed. And there will be tens of millions of acres remaining outside the "Four Systems" which will be available for mining, grazing, timber, harvesting, hunting, fishing, and various multiple uses for the benefit of Alaska and the Nation.

we are leaving open to potential development -- should we also invite development and risk the destruction of areas which are important for their beauty, their wildlife, or their ecological and cultural significance? Why shouldn't we protect and preserve some of these resources so that the people of our future -- perhaps even during our own lifetime -- will have some options? Visual aesthetics, wildlife and other benefits are resources that can be used over and over.

Let me suggest this:

-- If we err in this decision and exclude some precious and delicate areas from the four systems, these areas could be lost forever. Americans in the future could never enjoy them nor benefit from production from them. Alaska would be left with devastated areas rather than with preserved treasure, with a liability rather than an asset.

-- But if we err by conserving too much, this can always be changed in the future. Our system of government -- as I needn't remind members of Congress -- responds to pressures from the people. In the future the people may decide that they need the resources from one of the areas so urgently that they want to redesignate the area or allow additional development under stringent controls -- this can be done. I am sure that Congress will not be insensitive to such demands.

A great many romantic novels have been written about our development of the frontier in the Lower 48. It was a time when a rambunctious nation expanded across a continent. It was also a time of haphazard development and gross abuse of our precious resources. But we thought we could afford it then because we were young and in a hurry and there was a great deal of land with not many people.

Today we are a mature and hopefully wiser nation with a chance to control our destiny. The recklessness of yesterday in the use of our resources today would lead to inevitable disaster tomorrow.

Alaska has rightfully been called America's last land frontier.

Alaska is so important because it is a huge state and the resources there are of tremendous value in a world where energy, minerals, timber, wildlife and other resources are being depleted at an alarming rate.

The problem of attempting to decide today what to do with this enormous landscape so as to preserve it for the future is staggering. It would be natural to fear that we lack the imagination to deal with conflicts of the scope presented by Alaska, but we should not fear failure simply because we cannot see all that is in the future.

Failure will come only if we choose not to act now. Until now inaccessibility and a harsh climate have shielded Alaska from the impacts of "progress" that we have experienced in the "lower 48." Now, however, change is sweeping Alaska as never before.

Oil raised north of the Brooks Range flows 800 miles to the south to drive the engines of "progress" for the rest of the Nation. Alaska Natives whose lives were once totally dependent upon wildlife are now shareholders in large corporations. The change from a subsistence lifestyle to a cash economy has been not only rapid but inexorable, and the changes affect different regions, and even different villages in different ways.

We could not halt these changes even if we wanted to. What we can do is protect and wisely manage some of what is unchanged. We can choose now to give future generations of Americans a heritage in which they will exult and for which they will remember us with gratitude and pride.

We cannot be, and we have not been, insensitive to the needs of the people of the State of Alaska. My staff and I have sought out the views of Governor Hammond, the State Legislature's Committee on d-2, the Land Use Planning Commission, representatives of the Native groups, conservation organizations, resource users and concerned citizens. I have visited Alaska and discussed this legislation with many of these people personally. Many of the decisions I have reached concerning our proposals have been difficult. I have tried, however, to accommodate as many of the views expressed as possible and still remain true to my responsibilities as Secretary of the Interior.

Governor Hammond has stated eloquently that "it is not easy to be both oil barrel to the Nation and National Park to the World," but to a great extent Alaska is both. He and the Land Use Planning Commission have each presented "d-2" proposals which recognize this difficulty and treat it responsibly.

The proposals which I am presenting for your consideration today draw heavily on those proposals, and, I am pleased to say, are in large measure compatible with them. We are deeply indebted to both for their resource information and their wise judgment in dealing with the d-2 questions.

Our proposal would place approximately 92 million acres of Alaska lands into the "Four Systems" management units. We recommend establishing 10 new units and expanding three existing units of the National Park System. We also recommend establishing nine new units and expanding five units of the National Wildlife Refuge System.

These recommendations would constitute approximately 41.7 million acres in National Parks and Monuments and 45.1 million acres in National Wildlife Refuges. We are also recommending 33 rivers for inclusion in the National Wild and Scenic Rivers System totalling some 2.45 million acres and nine rivers for study, and additions of some 2.5 million acres to existing National Forests. In addition, the Administration recommends the establishment of Admiralty Island as wilderness under the jurisdiction of the Forest Service.

Parcels of isolated public land remain in southeast Alaska. These are all in areas where there is dominant management by the Forest Service and have not been identified as having national significance for Park or Refuge designation. Land management patterns and management efficiencies could be achieved by adding these parcels to the National Forest System (approximately 1.6 million acres). In addition, an area of .9 million acres in the Copper River delta will be transferred to the Forest Service to consolidate ownership with the understanding that it will be managed to protect its significant wildlife resources.

I would like to comment specifically on one area, Iliamna. We considered including it in the National Wildlife Refuge System, but I have decided it is not appropriate for inclusion. Although the fish and wildlife values of the Iliamna area are tremendous, I did not propose a refuge because of the land ownership patterns in this area. The Natives have made large selections and the State intends to make selections.

I chose not to propose an Iliamna refuge in light of the importance which the State placed on the State regulation of fishery resources and because of assurance by the State that it will sensitively manage this area for its fish and wildlife values.

We are depending upon the State to protect the fish and wildlife in the Iliamna area. Our amendment to H.R. 39 would provide sufficient authority to protect this important resource if the State has not established a management scheme prior to conveyance which is consistent with such protection. After conveyance, if the Secretary determines that State management is inconsistent with protection of this resource he may, by appropriate order establish one or more units of the National Wildlife Refuge System within the area. (of remaining federal lands)

A special study area is being proposed on the Alaska Peninsula, which contains some of the highest wildlife resources in the State. Because of mixed land ownership patterns on the Peninsula, we did not propose immediate establishment of a refuge there. However, the federal lands would be protected during the study period to assure that wildlife values are maintained, while efforts are made to consolidate land ownership patterns. Upon completion of the study in June of 1983, a specific proposal would be made on how we can best provide long-term protection of wildlife resources, possibly including establishment of one or more Refuges.

Mr. Chairman, certain working principles have guided our deliberations in developing these recommendations. For example, wherever possible we have tried to protect whole watersheds; resources rather than acreage have been the guide to the boundaries we have drawn. The preservation of natural and cultural diversity and habitat for fish and wildlife are primary reasons for all of our recommendations.

In order to recognize total ecosystems our boundaries include some lands selected by the State and the Natives. Land selections so included would be treated as inholdings in existing Parks and Refuges. We are hopeful that the State and the Natives will work with us in the management of these areas to the benefit of all concerned.

While we have considered other resource values, we believe the fundamental purpose of Section 17(d)(2) is to identify and preserve nationally significant cultural, historic, fish and wildlife, and their habitat, scenic, scientific and recreational resources in Alaska for the enjoyment of all Americans. We have done everything we could to eliminate resource conflicts in the proposals by adjusting the boundaries accordingly.

Some potential conflicts remain, such as in the Gates of the Arctic, but in these cases we decided that the value of the resource being protected far outweighed the potential value of the minerals being included within the park boundary. With respect to the Gates proposal, we excluded some areas of high mineral potential but did not exclude the entire mineral potential zone because to do so would have removed a major portion of the park ecosystem, and would have had an adverse impact on the area's wildlife resource.

Even though we do not now have, and may never have, complete information on the mineral resources of Alaska, we do have to make a decision. I am confident that the boundaries drawn and the management established by this proposal will be in the best long-term interests of the Nation.

We have carefully considered the nature of the existing Federal land management systems before including an area in one of the systems. For example, National Parks are usually spacious land areas essentially of primitive character containing scenery and natural wonders so outstanding in quality that their preservation intact has been mandated by Congress for use by both present and future generations.

In general, National Monuments are small national parks established to protect a single nationally significant natural or cultural feature. Generally both National Parks and National Monuments can be used for fishing, hiking, camping, interpretive programs and wildlife observation. New mining claims, grazing, commercial timber harvesting and hunting are generally not permitted. Subsistence taking, however, is permitted in Hawaiian parks.

We have attempted to draw our recommended boundaries in such a fashion as to accommodate these general criteria. Where conflicts arose that could not be resolved by exclusive boundary designation we have used a "park-preserve" concept. Similar to Big Thicket and Big Cyprus, National Preserves may accommodate a variety of uses including sport hunting, under regulation, which do not significantly impair the natural or cultural values for which the preserve is established.

no orig?
in preserves

In the case of National Wildlife Refuges, they may vary considerably in size, but all refuges possess land and water habitats capable of sustaining significant populations of fish and wildlife. The management of refuges generally permits a wide variety of recreational activities if compatible with the purposes for which the refuge was established.

Cullison
says no. — Discretionary oil and gas leasing in refuges may be permitted under strict controls once the area is classified and it is determined such use is compatible with primary refuge purposes. New grazing or timber harvesting, generally must contribute to the enhancement of the wildlife habitat before these uses are authorized. These general management criteria also weighed heavily in our area boundary decisions.

Mr. Chairman, I would now like to discuss several important issues which have an overall application to our d-2 legislative proposal.

COOPERATIVE PLANNING AND MANAGEMENT

There is widespread consensus that some sort of cooperative planning and management is needed among Federal, State and private landowners. ANCSA and Alaska Statehood provisions are resulting in divergent landholdings in every area of the State. Decisions on wildlife, transportation, watersheds and various developments of national significance cut across these property boundaries. Several proposals have been advanced by Governor Hammond, Members of the Alaska delegation and the Land Use Planning Commission to formalize a means by which Federal and State cooperation can best be obtained.

To facilitate overall planning and management cooperation in the State, we propose the establishment of a Statewide cooperative planning commission. This commission would serve as the Statewide focus for cooperative planning, doing not only its own work on major issues, but also serving as the catalyst and organization for State/Federal/Native planning,

interagency studies and meetings. The Commission would be advisory to land managers and could make such recommendations as land use designations outside of Federal management areas. The Chairman would be appointed by the Secretary with the concurrence of the Governor and would serve on a full-time basis. The Commission would be composed of public members, Native representatives and land managers who represented each of the Federal land management agencies in Alaska and their counterpart State land management agency representatives.

Further, you will notice that included in many of our d-2 area proposals, we have identified adjacent areas within which resource use and development are critically important to the proper protection, management and interpretation of the natural and wildlife resources within the d-2 area. We urge legislative designation of those areas.

These areas are designated "areas of environmental concern" (AEC). We propose that the Department be authorized to enter into voluntary cooperative agreements with the landowners in these areas of concern so that some form of cooperative planning and consultation can be achieved between the d-2 land management agency and the public and private adjacent landowners on matters related to the purposes of the d-2 lands. We are not proposing any regulatory authority in these areas other than that encompassed in existing Federal law, such as the Federal Water Pollution Control Act, etc. Rather, the AEC's would be related to the cooperative planning and management effort to be undertaken by the proposed Advisory Commission.

Additionally, we propose that the Secretary be authorized to enter into cooperative agreements with the State and Native corporations within Cooperative Planning and Management Zones established by the Commission. These zones could be

established by mutual agreement by the Department, the State and the Native corporations whose lands would be included within a zone. We propose this cooperative Planning and Management Zone mechanism as a means by which cooperative planning and management can be employed to protect a particular resource in whole ecosystem-wide areas, such as the North Slope, the Beaufort Sea, the Bristol Bay salmon fishery watershed or the Arctic caribou herd migration area.

In all instances cooperative arrangements would be advisory only. We are not proposing that any responsibility of the Secretary of the Interior be delegated to any Board or Commission by agreement or otherwise.

SUBSISTENCE

Although hunting activities have traditionally been allowed on certain Federal lands, they have generally been prohibited in areas of the National Park System. However, there is a need to recognize legitimate subsistence uses in Alaska which occur in some of the proposed park system areas.

In areas added to the National Wildlife Refuge System, a similar provision recognizing subsistence uses would apply as in the park system. Additionally, the refuges would be open to sport hunting within the framework of Federal and State law.

Refuge areas could also be closed in whole or part to hunting, both sport and subsistence, if necessary to protect the resources of the area.

This legislative proposal would authorize the Secretary within areas authorized or added to the Four Systems to designate certain subsistence use zones, which recognize the traditional subsistence uses at the 1971 level. The land manager would be authorized to close all or part of these subsistence zones for various reasons associated with management, administration, and fish and wildlife protection. This closure authority is necessary to assure that the areas are managed for the purposes for which they are established and to preserve the total ecology of the area. To the extent that consumptive uses of the fish, wildlife and plant resources are authorized on a given area, however, a preference would be given to subsistence uses.

This proposal is based upon the concept that subsistence hunting, as with resident wildlife management generally, should be a State responsibility and managed under State authority consistent with existing Federal law.

WILDERNESS

Studies have now been completed as to the suitability for designation as wilderness on three existing National Park System areas and on thirteen existing national wildlife refuges in Alaska as required by the Wilderness Act. Due to the pending d-2 additions, and due to the Native selections within existing refuges, wilderness recommendations on existing areas with four exceptions, have not previously been submitted to the Congress.

We propose wilderness in three existing units of the National Park System in Alaska, totalling 6.7 million acres, and in four existing refuges totalling 12.5 million acres for a total of 19.2 million acres of wilderness in existing areas.

Our studies indicate that selective immediate wilderness designation is highly desirable for some of the new d-2 areas which we propose. Therefore, we recommend designation of wilderness in four new park

system areas, totalling 23.6 million acres, and designation in two new refuge additions, totalling 0.51 million acres. The total for existing and new areas is 43.31 million acres.

All remaining new park and refuge system additions and remaining reviews of existing wildlife refuges will be formally studied under the Wilderness Act and recommendations made in 3 to 7 years as to wilderness suitability. We will attempt to use the resources of the Department in such a prioritized manner that some of these studies will be completed within 3 years and others will be scheduled for completion within 3 to 7 years. Due to weather limitations, manpower limitations, and the need for surveys of other resources, we could not complete all of these studies within 3 years. Further legislative action by the Congress would be required to designate these studied areas as wilderness. We recommend no wilderness designation for wild and scenic rivers outside national interest areas.

The Wilderness Act permits the established use of motorboats and the landing of aircraft in wilderness areas by regulation. Our proposals will, of course, allow for continued use of navigational aids and access to them for administrative purposes in wilderness areas.

Aircraft, motorboats, and snowmachines are the principal means of motorized access in remote parts of Alaska, and the use of snowmachines is widespread for subsistence purposes. We propose that the use of motorboats and the landing of aircraft be permitted in wilderness areas under certain necessary regulations to protect the area. Further, we propose that the use of snowmachines in wilderness areas be strictly limited to subsistence use, emergencies, and management.

MINERALS

In drafting this proposal, we have attempted to draw tightly our proposed boundaries where possible so as to exclude areas of high mineral potential without compromising environmental values. In areas where the decisions were made to include an area of potentially high mineralization, we believe the value of these natural areas to this Nation outweighs the potential development value of their non-renewable resources.

National parks, monuments, and wild rivers established by this legislation will be withdrawn from all mineral exploration, entry, and location, or leasing,

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gas leasing

subject to valid existing rights. Refuges should also be withdrawn from location and entry for hardrock minerals, but we propose that discretionary oil and gas leasing be permitted in the new refuges where compatible with the purposes for which the lands are established, and following appropriate classification by the Department. In accordance with recent amendments to ANCSA, oil and gas development will take place where the Natives own subsurface rights within the Aniakchak National Preserve.

Mineral Study and Extraction

All units of the National Park System in the United States are closed to mineral entry and location under the Mining Law of 1872. In those areas of the National Park System where valid mining claims existed prior to closure, activities on those claims would be strictly regulated under the terms of the Mining in the Parks Act, P.L. 94-429, 16 U.S.C. 1901 et seq., which would apply to valid claims within areas added in Alaska.

Within the proposed Wrangell-St. Elias National Preserve, we have recognized two areas containing

potentially significant mineral resources. The possible importance of these two areas is such that further mineral study and controlled mineral extraction should be considered. Accordingly, this legislation identifies the land containing the mineral zones and authorizes the Secretary to conduct mineral studies and mineral extraction under a permit system, with environmental constraints.

We propose that the Department be authorized to make in-house exploration studies by the Geological Survey, or to issue study and exploration permits to private concerns, to undertake the necessary studies to determine the nature of the minerals in these zones, and the feasibility of extraction of the minerals in a manner consistent with the purposes for which the preserve was established.

In addition, we anticipate that there will be a number of valid mining claims within the boundaries of new Alaskan units of the National Wildlife Refuge System, and that regulatory control of activities on these claims

will be required. Although designation of an area as a wildlife refuge is an implied delegation of regulatory authority, the authority contained in the Mining in the Parks Act is the type of specific language that not only provides a basis for efficient regulation but also provides a standard for the exercise of this authority. This authority will automatically apply to all new units of the National Park System. We propose that this authority be extended to all new Alaskan units of the National Wildlife Refuge System.

The effect of this addition would lead to a consistency in treatment of valid claims in Alaska on parks and refuges, would support environmental regulations, and would require registration of claims within 1 year of passage of this Act, rather than by October 1979 as required by the BLM Organic Act.

Extraction Permits

After reviewing the information obtained as a result of this study and exploration in the mineral management zones of the Wrangell preserve, we would determine whether minerals could be extracted in a manner consistent with the purposes for which the preserve was established and whether reclamation were possible. If we found these criteria satisfied, we would have the discretionary authority to issue a mineral extraction permit. The permit would contain necessary stipulations and conditions to insure the protection of the environmental integrity of the area.

An extraction permit would be issued in one of two ways. If a private concern applied for and was granted a study permit and exploration permit, and as a result of such activities submitted a report and proposal to the Department that satisfied the statutory criteria, we would issue an extraction permit to that private concern, if a permit were issued at all.

It should be recognized, however, that an exploration or study permit would grant no extraction rights and no automatic right to an extraction permit. If, on the other hand, we made a decision to issue extraction permits on the basis of a U.S. Geological Survey study, we would issue permits on a competitive basis.

The only minerals available for extraction under this approach are hardrock minerals (those locatable under the Mining Law of 1872). Minerals covered under the Mineral Leasing Act (e.g., oil and gas), and the Materials Act (e.g., sand and gravel), are not included.

ACCESS AND RIGHTS-OF-WAY ACROSS PARKS AND REFUGES

We strongly believe that the application of existing law and procedures, such as section 4(f) of the Department of Transportation Act and section 4 of the National Wildlife Refuge Administration Act, as amended, for the determination of need for transportation corridors through newly proposed d-2 areas is sufficient.

Pipelines and utility rights-of-way are granted on refuges if they are compatible with resource protection and management. We will study carefully

on a case-by-case basis any right-of-way request to assure that it does not adversely affect the natural values sought to be protected and managed in the legislation establishing a particular area. We reject the thought that transportation corridors be carved out of nationally significant d-2 lands before the need for such access is established, the impact on the resources is known, and all viable alternatives have been considered. We do, however, endorse the need for ongoing planning for future transportation access needs.

WILD AND SCENIC RIVERS

We propose the designation of 33 rivers or segments of rivers as components of the National Wild and Scenic Rivers System and the designation of 9 rivers for study as potential components of the national system. Twenty-three of the rivers would be within the boundaries of other areas. Approximately 2.45 million acres of land would be involved in the ten rivers outside of the other d-2 proposed areas.

H.R. 39 designates 20 wild rivers and 3 scenic rivers--all outside parks and refuges--for addition to the Wild and Scenic Rivers System, and it provides for management of the rivers by the National Park Service. H.R. 39 also designates the 23 rivers and their corridors as wilderness, subject to the provisions of the Wilderness Act of 1964. No rivers are designated for future study in H.R. 39.

Alaska's wild and scenic rivers represent some of the finest water-related recreation opportunities in the country. We recommend that the bill designate all qualified rivers as units of the Wild and Scenic Rivers System, regardless of whether they occur within or outside of parks and refuges. Those rivers designated outside of parks and refuges should be managed by the Federal agency managing the adjacent lands. It would be inefficient and confusing to the public if one agency had management authority over the river corridor and another was responsible for adjacent lands and resource uses.

We recognize that designation of a large number of rivers in Alaska as components of the National Wild and Scenic Rivers System will affect their use as potential sites for the development of hydroelectric power. However, with the exception of the Susitna, which we recommend for study designation only, we believe that the need for hydroelectric power in Alaska is far too speculative to justify withholding wild and scenic river designation at this time.

We are not recommending that wild and scenic rivers be designated as wilderness. The protection afforded designated rivers under the Wild and Scenic Rivers Act is adequate. Moreover, wilderness designation would conflict with future needs for access across these rivers for such facilities as pipelines.

EXPRESS AUTHORITY TO EFFECT LAND EXCHANGES

Section 704(b) of H.R. 39 would revoke land selections by the State within areas added to the national land conservation systems, and it directs the Secretary to make available to the State other public lands of approximately equal acreage.

In general, the State has selected lands based on their known potential for mineral development, other commodity use, or for population growth. An equal-acreage formula would not therefore assure the State that its original purpose in selecting lands could be fulfilled.

We have drawn our recommended boundaries for the most part to exclude State-selected lands which have high development potential. Our boundaries do, however, include some areas of State-selected lands, some of which have been tentatively approved for conveyance to the State.

Mr. Chairman, we do not support the revocation provisions of H.R. 39. Within the boundaries of the proposed d-2 acres, the Department should be given express authority to acquire lands, waters, and interests therein by donation, purchase, or exchange. This authority should provide, however, that property owned by the State of Alaska or any political subdivision thereof may be acquired only upon the consent of the

State. In this same regard, this express acquisition authority in the Secretary should provide that property conveyed under ANCSA to any Native corporation may be acquired only with the consent of the owner.

CONVEYANCE OF LAND TO THE STATE AND NATIVES

The State's remaining land selection entitlement will come from lands left after Native selections and d-2 areas are completed. By the end of November, the State will make known its specific areas of interest for selections, and these will be considered by the Department concurrently with the 17(d)(2) legislative action. Our objective will be to seek conveyance of State selections not in conflict with Native selections, national interest land, or good land planning and management principles as agreed with the State at the time the final bill is passed. If we are successful, a substantial percentage of State entitlement can be conveyed on this schedule.

Following passage, work should continue to make further selections and improve the overall land pattern especially with regard to inholdings by exchanges and cooperative planning and management.

The concern of the Native corporations to receive title to lands granted them under the ANCSA is one with which I agree. Unfortunately, to assure that the title they receive is good and "bankable" and to meet other requirements of the ANCSA, there are various steps that the Department must take in processing these conveyances. I assure you that all members of my staff and I are fully committed to seeking ways to resolve existing problems and to expedite the necessary conveyances.

As you are aware from Assistant Secretary Martin's recent appearances before this Committee, he is actively consulting with the Natives, LUPC, State and others concerning a number of issues which are slowing the conveyance process. Included is the entire 17(b) easement issue which is one of the major factors contributing to delay and disagreement among the various interests. This overall review is scheduled for completion in November, following which we will make and announce our decisions on the various issues. We believe it is generally premature to decide now to amend

ANCSA in this legislation. While we remain open to legislated conveyance, we are committed to speeding up the conveyances administratively.

COASTLINE AREAS OF REFUGES AND PARKS

Mr. Chairman, I would like to emphasize to the Committee and to the State, at this time, the importance with which I view the zones offshore from the proposed refuges and parks. I don't think that anyone will deny that the waters adjacent to a coastal area are an integral part of the coastal ecosystem. There is a vital link between the wildlife values of the shoreline area and the wildlife values of the waters and the offshore islands.

Although we have not drawn the boundaries of the refuges or parks to include these offshore areas, we are quite concerned about the wildlife which are so abundant within a six-mile area offshore from these refuges and parks. Within a six-mile area offshore, our studies show that the greatest number of marine mammals

and the largest number of seabirds are found feeding, rearing their young, staging and resting during migration. Such areas offshore require extremely sensitive management to protect these habitats.

We believe that the Department, the National Oceanic and Atmospheric Administration, and the State can work together in these areas to manage cooperatively these adjacent offshore areas to avoid environmentally disturbing conflicts. These areas should be included in one or several cooperative planning zones under our proposed cooperative planning scheme.

Mr. Chairman, except for a variation in overall acreage and wilderness acreage recommendations, and other more minor amendments, I believe that H.R. 39 is in basic agreement with our proposal on the broader issues which we face in this legislative endeavor. Since the early beginning of the Alaska Native Claims Settlement Act legislative process, over 10 years ago, the Department and the Congress have been involved in a long, continuous process of growth and innovation in

dealing with the unique and challenging problems concerning Alaska. We are now nearing the end of the ANCSA process and the enactment of this d-2 legislation will be the last major legislative initiative in that process.

We have a task before us of historic significance. We have an opportunity to preserve and protect the valuable natural, scenic, and wildlife resources of Alaska.

The President and I are totally committed to the early passage of a strong d-2 legislative package. I pledge to you the full support of the Department and its resources in working on this legislation. We are looking forward to continuing to work with you and your staff on this legislation. We also look forward to working with the State, the Natives, and the existing Federal-State Land Use Planning Commission to arrive at cooperative means to plan for the future of Alaska and the Nation.

Mr. Chairman, with this legislation we have the opportunity to protect important resources in Alaska in a manner that has been lost forever in most of the "Lower 48" States. When I say "we" have an opportunity, I mean all of us--the American people, the Federal Government, the Government of the State of Alaska, the Natives whose lifestyle is as integral a part of the land as the rivers, the wildlife and the mountains--we have the opportunity now to protect and preserve the future of millions of acres of Federal lands which belong to all the citizens of this Nation.

Mr. Chairman, I will be pleased to answer any questions which the Committee members might have at this time.

DEPARTMENT OF THE INTERIOR RECOMMENDED AMENDMENTS
TO H.R. 39, PROPOSED "ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT"

1. On page 1 at the beginning of line 2 of the long title of the bill insert "National Forest,"; on line 3 of the long title change "System" to "Systems"; and in line 5, change "section 1" to "SEC. 2."

Perfecting Amendment ^{1/}

1/ A perfecting amendment is one which, in our judgment, makes the Act (1) more accurately reflect the objective of the legislative proposal, (2) less subject to misinterpretation, (3) consistent with generally used legislative format, (4) consistent between sections of the Act, (5) corrects typographical or grammatical errors or omissions, or (6) reflects other proposed amendments. For example, if the purpose of the Act is to be responsive to Section 17(d)(2) of ANCSA, then "NATIONAL FOREST" should appear in the title as we propose. Since we are referring to several systems, the "System" in the third line of the long title should be plural.

H.R. 39

To designate certain lands in the State of Alaska as units of the National Park, National Wildlife Refuge, Wild and Scenic Rivers and National Wilderness Preservation System, and for other purposes.

2. On page 1, line 7, delete "Federal"; and on page 2, line 11, delete "and" and change "may" to "are".

Perfecting Amendment

3

3. On page 2, line 12, change "described" to "designated".

(perfecting amendment)

4. On page 2, line 18, after "of," insert "and".

Perfecting Amendment

5. On page 2, lines 20 and 21, change "underdeveloped" to "relatively undeveloped".

Perfecting Amendment

6. On page 2, lines 23 and 24, delete "and preserve cultural values of indigenous peoples and"; and in line 24, delete "their".

Perfecting Amendment

7. On page 3, revise lines 6 through 14 to read as follows:

(c)(1) Areas established in titles I and II 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:

Title I-National Park System--

Aniakchak National Monument/Preserve, numbered
ANIA-90,002

Bering Land Bridge National Preserve, numbered
BELA-90,002

Cape Krusenstern National Monument, numbered
CAKR-90,005

Denali National Park, numbered DENA-90,002,
and Denali Wilderness, numbered DENA-90,003 .

Gates of the Arctic Wilderness National Park,
numbered GAAR-90,006, and Gates of the Arctic
Wilderness, numbered GAAR-90,007

Glacier Bay National Park, numbered GLBA-90,000,
and Glacier Bay Wilderness, numbered GLBA-90,001

Katmai National Park, numbered KATM-90,002, and
Katmai Wilderness, numbered KATM-90,003

Kenai Fjords National Park, numbered KEFJ-90,003,
and Kenai Fjords Wilderness, numbered KEFJ-90,004

Kobuk Valley National Park, numbered KOVA-90,006

Lake Clark National Park/Preserve, numbered
LACL-90,004, and Lake Clark Wilderness,
numbered LACL-90,005

Noatak National Ecological Preserve, numbered
NOAT-90,000

Wrangell-St. Elias National Park/Preserve,
numbered WRST-90,002, and Wrangell-St. Elias
Wilderness, numbered WRST-90,003

Yukon-Charley National Rivers, numbered YUCH -
90,005

Title II-National Wildlife Refuge System--

Alaska Marine Resources, numbered FWS 71-00-0101

Arctic, numbered FWS 71-00-0301

Becharof, numbered FWS 71-00-0401

Innoko, numbered FWS 71-00-0601

Kanuti, numbered FWS 71-00-0701

Kenai, numbered FWS 71-00-0801

Koyukuk, numbered FWS 71-00-0901

Nowitna, numbered FWS 71-00-1001

Selawik, numbered FWS 71-00-1100

Tetlin, numbered FWS 71-00-1201

Togiak, numbered FWS 71-00-1301

Yukon Delta, numbered FWS 71-00-1401

Yukon Flats, numbered FWS 71-00-1501

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.

Title IV - National Forest System --

NFS Alaska, dated , for those lands in

Title IV.

Perfecting Amendment

This amendment reflects more accurately the maps which are available to assist in the identification of the areas discussed by the legislative proposal.

10.

8. On page 3, line 21, change "authorized" to "effected"; and revise lines 24 and 25 to read "and filed with the Speaker of the House of Representatives and the President of the Senate,".

Perfecting Amendment

HR 39:

7 descriptions shall be based on Bureau of Land Management
8 cadastral surveys, and boundaries shall follow hydrographic
9 divides or embrace other topographic features in all cases
10 where straight line map boundaries approximate such
11 features. 11

9. On page 4, lines 7 and 8, delete "descriptions shall be based on
Bureau of Land Management cadastral surveys, and". (Perfecting Amendment)

10. On page 4, after line 11, insert the following after the period:

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.

Rationale

This would permit the respective Secretary to make minor boundary adjustments to assure easily identified boundaries, to avoid isolating small tracts of land, or to add or delete lands not needed for management purposes.

*Title I -- National Park System
44.7 million acres*

- 19 (1) Gates of the Arctic National Park of approxi-
20 mately thirteen million six hundred thousand acres:

11. On page 4, revise lines 19-25 to read as follows:

(1) Gates of the Arctic Wilderness National Park,
containing approximately 8.12 million acres of
Federal lands, which shall be managed for the

- 1 (2) Yukon-Charley National Preserve of approxi-
2 mately three million two hundred thousand acres;

12. On page 5, revise lines 1 and 2 to read as follows:

(2) Yukon-Charley National Rivers, containing
approximately 1.69 million acres of Federal lands,

TITLE I — NATIONAL PARK SYSTEM

41.7 million acres

- 3 (3) Kobuk Valley National Monument of approxi-
4 mately one million nine hundred thousand acres;

13. On page 5, revise lines 3 and 4 to read as follows:

(3) Kobuk Valley National Park, containing
approximately 1.67 million acres of Federal lands,

- 5 (4) Cape Krusenstern National Monument of ap-
6 proximately nine hundred thousand acres;

14. On page 5, revise lines 5 and 6 to read as follows:

(4) Cape Krusenstern National Monument, containing
approximately 0.36 million acres of Federal lands,

- 7 (5) Wrangells-Kluane International Park of ap-
8 proximately fourteen million acres and an associate
9 Chisana National Preserve of one million eight hundred
10 thousand acres: *Provided, however,* That the Secretary,

15. On page 5, revise lines 7-14 to read as follows:

(5) Wrangell-St. Elias National Park, containing
approximately 9.56 million acres of Federal lands,
mammals; and in a manner consistent with the
foregoing, to provide opportunities for camping
and hiking, and other outdoor recreation activities.

15
16

(5) Lake Clark National Park of approximately
seven million five hundred thousand acres; ::

16. On page 5, revise lines 15 and 16 to read as follows:

(6) Lake Clark National Park, containing approximately
2.43 million acres of Federal lands, and Lake Clark
National Preserve, containing approximately 0.71
million acres of Federal lands. The park and preserve
shall be managed for the following purposes, among

17

(7) Kenai Fjords National Monument of approxi-
18 mately six hundred thousand acres; .

17. On page 5, revise lines 17 and 18 to read as follows:

(7) Kenai Fjords National Park, containing approximately
0.41 million acres of Federal lands, which shall be

19

(8) Aniakchak Caldera National Monument of ap-
20 proximately four hundred thousand acres; .

18. On page 5, revise lines 19 and 20 to read as follows:

(8) Aniakchak National Monument, containing approximately
0.34 million acres of Federal lands, and Aniakchak
National Preserve, containing approximately 0.16 million
acres of Federal lands. The monument and preserve shall

21 : . (9) Chukchi-Imuruk National Monument of ap-
22 proximately four million five hundred thousand acres;

19. On page 5, revise lines 21 and 22 to read as follows:

(9) Bering Land Bridge National Preserve, containing
approximately 2.34 million acres of Federal land, which

23 (10) Noatak National Preserve of approximately
24 seven million six hundred thousand acres: *Provided,*
25 *however,* That the Fish and Wildlife Service shall be

20. On page 5, lines 23 through 25, and on page 6, lines 1 and 2,
revise paragraph (10) to read as follows:

(10) Noatak National Ecological Preserve, containing
approximately 5.96 million acres of Federal lands,

6 (1) Mount McKinley National Park by the addi-
7 tion of approximately four million seven hundred thou-
8 sand acres;

21. On page 6, lines 7 and 8, change "approximately four million seven hundred thousand acres" to "an area containing approximately three million eight hundred fifty thousand acres of Federal land"; in line 8, change the semicolon to a comma and add the following:

for the purposes of protecting the entire mountain massif and additional scenic mountain peaks and formations and to protect moose, caribou, and wolves and their habitat; furthermore, (i) the park is hereby redesignated as "Denali National Park," and (ii) that portion of The Alaska Railroad right-of-way within the park shall be subject to such laws and regulations applicable to the protection of fish and wildlife and other park values as the Secretary, with the concurrence of the Secretary of Transportation, may determine;

9 (2) Katmai National Monument by the addition of
10 approximately two million six hundred thousand acres;
11 furthermore, the monument is hereby redesignated as
12 "Katmai National Park";

22. On page 6, revise line 10 to read as follows:

an area containing approximately one million
ninety-nine thousand acres of Federal land for
the purposes of protecting high concentrations
of grizzly (brown) bear and their denning areas
and habitat for other wildlife and to maintain
unimpaired the water habitat for significant salmon
populations;

13 (3) Glacier Bay National Monument by the addi-
14 tion of approximately eight hundred thousand acres;
15 furthermore, the monument is hereby redesignated as
16 "Glacier Bay National Park".

23. On page 6, revise line 14 to read as follows:

tion of an area containing approximately five
hundred eighty-eight thousand acres of Federal land
for the purposes of protecting the northwest
slope of Mount Fairweather, portions of the
Alsek River, and animal habitat and migration
routes;

24. On page 6, line 22, change the citation in parentheses to "(39 Stat. 535)" and in line 24, change "therefore" to "however."

Perfecting Amendment

TITLE II—NATIONAL WILDLIFE REFUGE SYSTEM

ANDRUS TESTIMONY (pages 12-20)

Mr. Chairman, certain working principles have guided our deliberations in developing these recommendations. For example, wherever possible we have tried to protect whole watersheds; resources rather than acreage have been the guide to the boundaries we have drawn. The preservation of natural and cultural diversity and habitat for fish and wildlife are primary reasons for all of our recommendations.

In order to recognize total ecosystems our boundaries include some lands selected by the State and the Natives. Land selections so included would be treated as inholdings in existing Parks and Refuges. We are hopeful that the State and the Natives will work with us in the management of these areas to the benefit of all concerned.

While we have considered other resource values, we believe the fundamental purpose of Section 17(d)(2) is to identify and preserve nationally significant cultural, historic, fish and wildlife, and their habitat, scenic,

scientific and recreational resources in Alaska for the enjoyment of all Americans. We have done everything we could to eliminate resource conflicts in the proposals by adjusting the boundaries accordingly.

In the case of National Wildlife Refuges, they may vary considerably in size, but all refuges possess land and water habitats capable of sustaining significant populations of fish and wildlife. The management of refuges generally permits a wide variety of recreational activities if compatible with the purposes for which the refuge was established.

Discretionary oil and gas leasing in refuges may be permitted under strict controls once the area is classified and it is determined such use is compatible with primary refuge purposes. New grazing or timber harvesting, generally must contribute to the enhancement of the wildlife habitat before these uses are authorized.

These general management criteria also weighed heavily in our area boundary decisions.

SELAWIK NATIONAL WILDLIFE REFUGE

ANDRUS TESTIMONY ATTACHMENT

To designate the Selawik National Wildlife Refuge containing approximately 2.15 million acres of federal lands and waters within the boundary described by the accompanying map.

Objectives:

To perpetuate, for the benefit of all people, the significant migratory bird resources utilizing the lands and waters of the refuge; to maintain other fish and wildlife resources of the Selawik basin and the natural character of the habitat that supports them; to protect the habitat and its fish and wildlife resources such that they will continue to provide the opportunity for the people of the Selawik basin to continue their traditional subsistence lifestyle; and to initiate cooperative management mechanisms for refuge, State and private lands and interests in the Selawik basin.

H.R. 39 (page 7)

15 (3) Selawik National Wildlife Range of approxi-
16 mately two million five hundred thousand acres;

28. On page 7, revise lines 15-16 to read as follows:

(1) Selawik National Wildlife Refuge, containing approximately 2.15 million acres of Federal land, which shall be managed for the following purposes, among others: To protect the crossroads of the Asiatic and North American Flyways, with their significant populations of snow geese, ducks and swans, sandhill cranes, and shorebirds; to protect habitat for and populations of fish and wildlife, including but not limited to caribou on the lands and sheefish in the waters; and in a manner consistent with the conservation and protection of these fish and wildlife and their habitat, to provide opportunities for hunting, fishing, and other activities and for continued subsistence uses.

YUKON FLATS NATIONAL WILDLIFE REFUGE

ANDRUS TESTIMONY ATTACHMENT

To designate as the Yukon Flats National Wildlife Refuge all federal lands and waters comprising approximately 8.45 million acres within the boundary described by the accompanying map. The Sheenjek River is recommended as a National Wild River.

The Rampart Dam withdrawal would be revoked by this action.

Objectives:

To perpetuate, for the benefit of all people, internationally significant waterfowl and other migratory bird resources that utilize the lands and waters of the Yukon Flats; to protect the migration and spawning habitats of the salmon fishery and the vital areas for the resident mammal populations; to protect and manage habitat such that it will continue to provide fish and wildlife resources in such abundance as to provide the opportunity for residents of the villages within the boundary to continue their traditional subsistence lifestyle; and to provide cooperative management mechanisms for refuge, State and private lands and interests in the Yukon Flats area.

HR 39 (page 7)

17 (4) Yukon Flats National Wildlife Range of ap-
18 proximately twelve million three hundred thousand
19 acres;

29. On page 7, revise lines 17-19 to read as follows:

(2) Yukon Flats National Wildlife Refuge, containing approximately 8.45 million acres of Federal land, which shall be managed for the following purposes, among others: To maintain the environmental integrity of the Yukon River within the area; to protect nationally significant fall flights of ducks and geese; to protect habitat for and populations of fish and wildlife, including but not limited to other birds, moose, wolves, bears, furbearers, and salmon; and in a manner consistent with the conservation and protection of these fish and wildlife and their habitat, to provide opportunities for hunting, fishing, and other activities with respect to these resources, and for continued subsistence uses.

ANDRUS TESTIMONY ATTACHMENT

To designate the Koyukuk National Wildlife Refuge comprising approximately 3.33 million acres of federal lands and waters within the boundary described by the accompanying map.

Objectives:

To perpetuate, for the benefit of all people, the nationally significant waterfowl and other migratory bird resources utilizing the lands and waters of the Koyukuk area, significant furbearing and large mammal populations and the wilderness character of the supporting habitats; to protect the Igroahabara Dunes as a unique ecological feature; to protect habitats such that they will continue to provide fish and wildlife resources in such abundance as to provide the opportunity for residents of adjacent villages to continue their traditional subsistence lifestyle; and to provide cooperative management mechanisms for refuge, State and private lands and interests in the Koyukuk area.

H.R. 39 (Page 7)

20

(5) Koyukuk National Wildlife Range of approxi-

21

mately three million seven hundred thousand acres;

30. On page 7, revise lines 20-21 to read as follows:

(3) Koyukuk National Wildlife Refuge, containing approximately 3.33 million acres of Federal lands, which shall be managed for the following purposes, among others: To assure continued high levels of waterfowl production, including ducks, geese, and swans; to protect habitat for and populations of fish and wildlife, including but not limited to the numerous bird species, moose and the Beaver Mountain caribou herd, beaver, and salmon; and in a manner consistent with the conservation and protection of these fish and wildlife and their habitat, to permit hunting, fishing, and other activities with respect to these resources, including continued subsistence uses.

INNOKO NATIONAL WILDLIFE REFUGE

ANDRUS TESTIMONY ATTACHMENT

To designate all federal lands and waters comprising approximately 2.84 million acres within the boundary described by the accompanying map as the Innoko National Wildlife Refuge.

Objectives:

To perpetuate, for the benefit of all people, the nationally significant waterfowl, migratory bird, furbearer and large mammal populations and the wilderness qualities of their supporting habitats; to protect the habitat utilized by these species such that it will provide the fish and wildlife resources in such abundance as to provide the opportunity for residents of villages within and adjacent to the boundary to continue their traditional subsistence lifestyle; and to provide cooperative management mechanisms for refuge, State and private lands and interests in the Innoko area.

H.R. 39 (pages 7 and 8)

- 22 (6) Inno'Lo National Wildlife Range of approxi-
23 mately two million three hundred thousand acres;
9 (11) Kaiyuh National Wildlife Refuge of approxi-
10 mately three hundred thousand acres; and

31. On page 7, revise lines 22-23 to read as follows:

(4) Innoko National Wildlife Refuge, containing approximately 2.84 million acres of Federal land, which shall be managed for the following purposes, among others: To assure continued high level fall flights of ducks and geese; to protect habitat for and populations of fish and wildlife, including but not limited to moose and furbearers; and in a manner consistent with the conservation and protection of these fish and wildlife and their habitat, to provide opportunities for hunting, fishing, and other activities with respect to these wildlife resources, including continued subsistence uses.

TOGIAK NATIONAL FISH AND WILDLIFE REFUGE

ANDRUS TESTIMONY ATTACHMENT

To designate the existing Cape Newenham National Wildlife Refuge and all federal lands and waters described by the accompanying map, totaling approximately 3.84 million acres, as the Togiak National Wildlife Refuge. The Kanektok River is recommended as a National Wild River.

Objectives:

To perpetuate, for the benefit of all people, the significant marine bird and mammal, other migratory bird and fishery resources and the natural character of the mountain, river and marine habitats of the Togiak area; to enhance and restore the large mammal populations historically inhabiting the area; to protect the watershed of Bristol and Kuskokwim Bays; to protect the habitat such that it will continue to provide fish and wildlife resources in such abundance as to provide the opportunity for the people of the Togiak area to continue their traditional subsistence lifestyle; and to initiate cooperative management mechanisms for refuge, State and private lands and interest within the area of ecological concern.

H.R. 39 (pages 8 and 9)

1 (7) Togiak National Wildlife Range of approxi-
2 mately three million five hundred thousand acres;

3 (b) Cape Newenham National Wildlife Refuge is hereby
4 added to, and redesignated a part of, the Togiak National
5 Wildlife Range.

32. On page 8, revise lines 1-2 to read as follows:

(5) Togiak National Fish and Wildlife Refuge, containing approximately 3.84 million acres of Federal land, which shall be managed for the following purposes, among others: To protect and maintain the environmental integrity of the watershed of Bristol and Kuskokwim Bays; to perpetuate the significant marine bird and mammal and other migratory bird and fishery resources of the mountain, river and marine habitats of the Togiak area; to protect habitat for and populations of fish and wildlife resources of the area; and in a manner consistent with the conservation and protection of these fish and wildlife and their habitat, to provide opportunities for hunting, fishing, and other activities with respect to these fish and wildlife resources, including continued subsistence uses.

33. On page 8, delete lines 3 and 4.

See amendment 41A - Iliamna

**ALASKA MARINE RESOURCES
NATIONAL WILDLIFE REFUGE**

ANDRUS TESTIMONY ATTACHMENT

To designate an Alaska Marine Resources National Wildlife Refuge to include the following named features and any other islands, islets, rocks, reefs or spires not otherwise conveyed to State or private ownership pursuant to the Statehood Act or ANCSA, or otherwise reserved for purposes other than for classification.

Chukchi Sea Unit (headquartered in Kotzebue) - to include Cape Lisburne, Cape Thompson and the existing Chamisso National Wildlife Refuge.

Bering Sea Unit (headquartered on St. Paul Island) - to include the existing Bering Sea and Pribilof (Walrus & Otter Islands and Sea Lion Rocks) National Wildlife Refuges and any portions of the following not otherwise conveyed under ANCSA: Hagemeister Island, Fairway Rock, King Island, Sledge Island, Bluff Unit, Besboro Island, Egg Island, and the Punuk Islands.

Aleutian Islands Unit (headquartered on Adak) - to include the existing Aleutian Islands and Bogoslof National Wildlife Refuges and any federal lands in the Aleutian Islands not conveyed pursuant to ANCSA.

Alaska Peninsula Unit (headquartered at Cold Bay) - to include the existing Simeonof and Semidi National Wildlife Refuges, Puale Bay, Chiglingak Bay and all islands, islets, rocks, reefs and spires south of the Alaska Peninsula from the 59th parallel to False Pass withdrawn under Section 17(d) of ANCSA or not conveyed under other provisions of ANCSA or the Statehood Act.

Gulf of Alaska Unit (headquartered at Seward) - to include the existing Forester Island, Hazy Islands, St. Lazaria and Tuxedni National Wildlife Refuges, the Barren Islands, Latax Rocks, Harbor, Granite, Pye and Chiswell Islands and the Aialik and Harris Peninsulas, and any islands, islets, rocks or spires surrounding Kodiak and Afognak Islands or elsewhere in the Gulf of Alaska not conveyed pursuant to ANCSA or the Statehood act, or otherwise reserved for purposes other than for classification.

This proposal is not anticipated to exceed 430,000 acres of additional lands.

The entire proposal, less lands specifically identified as unsuitable in the Aleutian Islands unit and Hagemeister Island, are recommended for inclusion in the National Wilderness System at this time. Provision will be made for designation administrative sites.

Hagemeister Island will be studied within 3 to 7 years to determine its eligibility for inclusion in the National Wilderness System.

Objectives:

To protect, for the benefit of all people, internationally significant marine birds and mammals resources and the land, water and other marine resources on which they rely; to perpetuate the other native fish and wildlife resources of the refuge; and to initiate and maintain a program of national and international marine resources research and management as contemplated in the recently completed convention between the United States and the U.S.S.R.

H.R. 39 (page 8)

- 5 (9) Alaska Coastal National Wildlife Refuges of
6 approximately three hundred thousand acres;

ADMINISTRATION AMENDMENT (Pages 36 and 37)

34. On page 8, revise lines 5 and 6 to read as follows:

(6) Alaska Marine Resources National Wildlife Refuge,
containing approximately 430,000 acres of Federal land:
(i) which shall be managed for the purposes of protecting
internationally significant marine birds and mammals and
the land, water, and other marine resources on which
they rely, perpetuating other indigenous fish and
wildlife resources of the coastal marine environment,
and providing for national and international research
on marine resources; and (ii) which shall consist of the
following specifically described units together with all
other federally owned islands, islets, rocks, reefs,
and spires within six miles of the coast of Alaska:

(3)

Chukchi Sea unit--including Cape Lisburne, Cape Thompson, and the existing Chamisso National Wildlife Refuge;

Bering Sea unit--including the existing Bering Sea and Pribilof (Walrus and Otter Islands and Sea Lion Rocks) National Wildlife Refuges, Hagemester Island, Fairway Rock, King Island, Sledge Island, Bluff Unit, Besboro Island, Egg Island, and the Punuk Islands;

Aleutian Islands unit--including the existing Aleutian Islands and Bogoslof National Wildlife Refuges, and all other Federal lands in the Aleutian Islands;

Alaska Peninsula unit--including the existing Simeonof and Semidi National Wildlife Refuges, Puale Bay, Chigingak Bay, and all Federal lands south of Katmai National Park to False Pass; and

Gulf of Alaska unit--including the existing Forester Island, Hazy Islands, St. Lazaria, and Tuxedni National Wildlife Refuges, the Barren Islands, Latax Rocks, Harbor, Pye, and Chiswell Islands, the Capes of the Aialik

and Harris Peninsulas, and islands, islets,
or rocks, spires surrounding Kodiak and
Afognak Islands and all other Federal lands
in the Gulf of Alaska reserved for purposes
of classification under section 17(d)(1) of
ANCSA.

KANUTI NATIONAL WILDLIFE REFUGE

ANDRUS TESTIMONY ATTACHMENT

To designate all federal lands and waters comprising approximately 1.20 million acres within the boundary described by the accompanying map as the Kanuti National Wildlife Refuge.

Objectives:

To perpetuate, for the benefit of all people, nationally significant migratory waterfowl and mammal populations utilizing the lands and waters of the Kanuti area; to maintain the other resident fish and wildlife resources; to protect the habitat utilized by these species such that it will continue to provide fish and wildlife resources in such abundance as to continue to provide the opportunity for residents of Allakaket, Alatna and Bettles Field to continue their traditional subsistence lifestyle; and to provide cooperative management mechanisms for refuge, State and private lands and interests in the Kanuti area.

H.R. 39 (Page 8)

(10) Kanuti National Wildlife Refuge of approximately eight hundred thousand acres;

35. On page 8, revise lines 7-8 to read as follows:

(7) Kanuti National Wildlife Refuge, containing approximately 1.20 million acres of Federal land, which shall be managed for the following purposes, among others: To perpetuate nationally significant migratory waterfowl and mammal populations utilizing the lands and waters of the Kanuti area; to protect habitat for and populations of fish and wildlife, including but not limited to these waterfowl, other birds, moose and furbearers, and caribou; and in a manner consistent with the conservation and protection of the fish and wildlife and their habitat, to provide opportunities for hunting, fishing, and other activities with respect to the wildlife resources, including continued subsistence uses.

KENAI NATIONAL MOOSE REFUGE

ANDRUS TESTIMONY ATTACHMENT

To establish the Kenai National Moose Refuge comprising the existing Range, a southern addition of approximately 117,600 acres of federal lands and water not otherwise conveyed by ANCSA and a northern addition of 86,000 acres of the Chickaloon Flats and its watershed from the existing Chugach National Forest.

Portions of the existing and all of the southern additions are recommended for designation as units of the National Wilderness System at this time.

Objectives:

To perpetuate, for the benefit of all people, a nationally significant population of moose; to maintain other mammal, waterfowl and fishery resources of the Refuge; to protect the wilderness character of habitats represented on the Refuge; to provide environmental education and land management training opportunities for the public; and to provide wildlife-oriented recreation compatible with fish and wildlife resource management.

H.R. 39 (page 6) - not addressed as a refuge; addressed as part of the Kenair Fjords National Monument.

(7) Kenai Fjords National Monument of approximately six hundred thousand acres;

36. On page 8, revise lines 9-10 to read as follows:

(8) Kenai National Moose Refuge, by the addition of an area containing approximately 203,600 acres of Federal land to the existing Kenai National Moose Range (hereby redesignated as part of the refuge), which refuge shall be managed for the following purposes, among others: To perpetuate a nationally significant population of moose; to protect habitat for and populations of fish and wildlife, including but not limited to moose and other mammals and waterfowl; and in a manner consistent with the conservation and protection of these fish and wildlife and their habitat, to provide opportunities for wildlife oriented recreation.

NOWITNA NATIONAL WILDLIFE REFUGE

ANDRUS TESTIMONY ATTACHMENT

To designate all federal lands and waters comprising approximately 1.45 million acres within the boundary described by the accompanying map as the Nowitna National Wildlife refuge.

The Nowitna River is recommended as a National Wild River.

Objectives:

To perpetuate, for the benefit of all people, the nationally significant waterfowl, other migratory bird and mammal populations utilizing the lands and waters of the Nowitna area; to maintain the resident fish and wildlife populations; to protect the habitat such that it will continue to provide fish and wildlife resources in such abundance as to provide the opportunity for residents of adjacent villages to continue their traditional subsistence lifestyle; and to provide cooperative management mechanisms for refuge, State and private lands and interests in the Nowitna area.

H.R. 39 (page 8)

- 11 (12) Nowitna National Wildlife Refuge of approxi-
12 mately one million acres.

37. On page 8, revise lines 11-12 to read as follows:

(9) Nowitna National Wildlife Refuge, containing approximately 1.45 million acres of Federal land, which shall be managed for the following purposes, among others: To perpetuate the nationally significant waterfowl utilizing the lands and waters of the Nowitna area; to protect habitat for and populations of fish and wildlife, including but not limited to waterfowl, other migratory birds, mammals, and migrating chum, coho, chinook, and other fish populations; and in a manner consistent with the conservation and protection of the fish and wildlife and their habitat, to provide opportunities for hunting, fishing, and other activities with respect to the fish and wildlife resources, including continued subsistence uses.

BECHAROF NATIONAL WILDLIFE REFUGE

ANDRUS TESTIMONY ATTACHMENT

To designate the Becharof National Wildlife Refuge, containing approximately 1.03 million acres of federal lands and waters, as described within the boundary by the accompanying map.

Objectives:

To perpetuate, for the benefit of all people, significant brown bear, other large mammal, fishery and migratory bird resources of the refuge; to protect the wilderness character of the habitat supporting these species and the unique geophysical characteristics of the area; to maintain fish, wildlife and habitat resources such that they will continue to provide opportunity for wildlife and wildland recreation; and to provide cooperative management mechanisms for refuge, State, private and adjacent parks lands and interests on the Alaska Peninsula.

H.R. 39 (page 6) - Not addressed as a refuge: is addressed as part of the southern addition to Katmai National Monument.

- 9 (2) Katmai National Monument by the addition of
10 approximately two million six hundred thousand acres;
11 furthermore, the monument is hereby redesignated as
12 "Katmai National Park";

38. On page 8, after line 12, insert the following paragraphs:

(10) Becharof National Wildlife Refuge, containing approximately 1.03 million acres of Federal land, which shall be managed for the following purposes, among others: To protect the habitat for and populations of fish and wildlife, including but not limited to the nationally significant population of brown bear, caribou, marine mammals, waterfowl, peregrine falcons, eagles and other birds; and in a manner consistent with the conservation and protection of the fish and wildlife and their habitat, to provide opportunities for hunting, fishing, and other activities with respect to the wildlife resources.

TETLIN NATIONAL WILDLIFE REFUGE

ANDRUS TESTIMONY ATTACHMENT

To designate all of the federal lands and waters within the boundary described by the accompanying map totaling approximately 765 thousand acres, as the Tetlin National Wildlife Refuge. Within the boundary could be an administrative site of not more than 5 acres and an access road operated and maintained by the National Park Service in conjunction with the Wrangell-St. Elias National Park operations to the south. Both will be compatible with the purpose for which the area is established.

Objectives:

To perpetuate and provide for internationally significant migratory birds which utilize the Tetlin area as well as all other forms of fish, wildlife and their habitats; to provide a variety of opportunities for interpretive, educational, scientific and other fish and wildlife-wildlands oriented recreational uses; and to provide cooperative management mechanisms with the Tetlin Native Corporation and the State regarding fish and wildlife management activities on the refuge and the adjacent lands.

H.R. 39 -- not addressed as a refuge: is addressed in part as Wrangell-Kluane International Park (page 9).

- 7 (5) Wrangells-Kluane International Park of ap-
- 8 proximately fourteen million acres and an associate
- 9 Chisana National Preserve of one million eight hundred
- 10 thousand acres:

38. cont. (11) Tetlin National Wildlife Refuge, containing approximately 0.765 million acres of Federal land, which shall be managed for the following purposes, among others: To perpetuate the fall flight of ducks; to assure maximum opportunities for successful nesting of canvasback ducks; to protect the habitat for and populations of fish and wildlife, including but not limited to the Fortymile and Metasta caribou herds and the calving ground of the Chisana caribou herd, waterfowl, and other birds, large mammals, and furbearers; to provide a variety of opportunities for interpretive, educational, and scientific fish and wildlife oriented recreational uses; and in a manner consistent with the conservation and protection of such fish and wildlife and their habitat, to provide opportunities for hunting, fishing, and other activities with respect to fish and wildlife, including continued subsistence uses. The Secretary may, regardless of any requirement that a study be conducted of areas within the Tetlin National Wildlife Refuge in accordance with subsections 3(c) and (d) of the Wilderness Act, authorize and grant rights-of-way for pipelines and other facilities that may be required pursuant to section 9 of the Alaska Natural Gas Transportation Act of 1976.

YUKON DELTA NATIONAL WILDLIFE REFUGE

ANDRUS TESTIMONY ATTACHMENT

To designate the existing Clarence Rhode National Wildlife Range and Hazen Bay National Wildlife Refuge and all other federal lands and waters within the boundary described by the accompanying map, totaling approximately 10.59 million acres, as the Yukon Delta National Wildlife Refuge.

Objectives:

To perpetuate, for the benefit of all people, the internationally significant migratory bird, fish and marine mammal resources utilizing the lands and waters of the Yukon-Kuskokwim Delta and the wilderness character of the habitat supporting these species; to maintain the resident fish and wildlife resources of the Delta; to protect the various fish and wildlife habitats such that they continue to provide fish and wildlife resources in such abundance as to continue to provide the opportunity for the people of the Yukon-Kuskokwim Delta to continue their traditional subsistence lifestyle; and to initiate cooperative management mechanisms for refuge, State, and private lands and interests in the Yukon-Kuskokwim Delta.

HR 39 (page 8)

16 (1) Clarence Rhode National Wildlife Range by
17 the addition of approximately six million three hundred
18 thousand acres; furthermore, the Clarence Rhode Na-
19 tional Wildlife Range is hereby redesignated as Yukon
20 Delta National Wildlife Range;

39. On page 8, revise lines 16-20 to read as follows:

(1) Clarence Rhode National Wildlife Range and Hazen Bay National Wildlife Refuge by the addition of an area containing approximately 10.59 million 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, which shall be managed for the following purposes, among others: To perpetuate the significant fall flights of ducks, swans, and geese, including large numbers of emperor geese, cackling geese, and large numbers of black brant; to perpetuate significant numbers of shorebirds and waterbirds, including the bristle-thighed curlew; to protect habitat for and populations of fish and wildlife, including but not limited to the internationally significant migratory bird, fish, and marine mammal resources; to maintain the environmental integrity of the Andreafsky River and other rivers and lakes; and in a manner consistent with the conservation and protection of the fish and wildlife and their habitat, to

ADMINISTRATION AMENDMENT (cont.)

provide opportunities for hunting, fishing, and other activities with respect to these resources, including continued subsistence uses.

ARCTIC NATIONAL WILDLIFE REFUGE

ANDRUS TESTIMONY ATTACHMENT

To designate the existing Arctic National Wildlife Range and all other federal lands and waters totaling approximately 8.85 million acres within the boundary described by the accompanying map as the Arctic National Wildlife Refuge. The Wind, Ivishak and Porcupine Rivers are recommended as National Wild Rivers. Also included within the boundary is an existing energy transportation corridor withdrawal which would be revoked by this action.

The existing Arctic National Wildlife Range Unit, less Native inholdings and designated administrative sites, is proposed as a unit of the National Wilderness System at this time.

Objectives:

To protect, for the benefit of all people, internationally significant populations of caribou and migratory birds; to perpetuate other migratory and resident fish and wildlife populations; to protect representative Arctic life zones and the wilderness character of these habitats; to maintain habitat and fish and wildlife resource levels such that they will continue to provide the opportunity for residents of Kaktovik and Arctic Village to continue their traditional subsistence lifestyle; and to provide cooperative management mechanisms for refuge, State and private lands and interests in this Arctic area.

H.R. 39 (Page 8)

21 (2) Arctic National Wildlife Range by the addi-
22 tion of approximately eight million four hundred thou-
23 sand acres: *Provided, however,* That the Secretary, with
24 the concurrence of the Secretary of State, shall endeavor
25 to enter into cooperative agreements with Canada to
1 coordinate the management of this unit with any com-
2 parable adjoining units which may be established.

40. Revise the paragraph beginning on line 21 on page 8 through line 2 on page 9 to read as follows:

(2) Arctic National Wildlife Range by the addition of an area containing approximately 8.85 million acres of Federal land for the purposes, among others, of protecting internationally significant populations of caribou and migratory birds, perpetuating other migratory and resident fish and wildlife populations, protecting representative Arctic life zones and the wilderness character of these habitats, and in a manner consistent with the foregoing to provide continued opportunity for subsistence uses.

ALASKA PENINSULA SPECIAL STUDY AREA

ANDRUS TESTIMONY (page 11)

A special study area is being proposed on the Alaska Peninsula, which contains some of the highest wildlife resources in the State. Because of mixed land ownership patterns on the Peninsula, we did not propose immediate establishment of a refuge there. However, the federal lands would be protected during the study period to assure that wildlife values are maintained, while efforts are made to consolidate land ownership patterns. Upon completion of the study in June of 1983, a specific proposal would be made on how we can best provide long-term protection of wildlife resources, possibly including establishment of one or more Refuges.

ANDRUS TESTIMONY ATTACHMENT

To designate all federal lands on the Alaska Peninsula between the western and southern boundaries of the proposed Becharof National Wildlife Refuge and False Pass, excluding the Izembek National Wildlife Range and the Aniakchak National Monument proposal for a joint study with the Fish and Wildlife Service, Bureau of Land Management, the State of Alaska and Native Corporations on the Peninsula to determine the best future pattern of land use and ownership.

By June 1983 a final report will be made to the Congress requesting establishment of any new or additions to existing National Wildlife Refuges to be established within the study area. Interim reports will be made to Congress on a biannual basis outlining the status and current findings of the study.

ANDRUS TESTIMONY - ILIAMNA AREA

I would like to comment specifically on one area, Iliamna. We considered including it in the National Wildlife Refuge System, but I have decided it is not appropriate for inclusion. Although the fish and wildlife values of the Iliamna area are tremendous, I did not propose a refuge because of the land ownership patterns in this area. The Natives have made large selections and the State intends to make selections.

I chose not to propose an Iliamna refuge in light of the importance which the State placed on the State regulation of fishery resources and because of assurance by the State that it will sensitively manage this area for its fish and wildlife values.

We are depending upon the State to protect the fish and wildlife in the Iliamna area. Our amendment to H.R. 39 would provide sufficient authority to protect this important resource if the State has not established a management scheme prior to conveyance which is consistent with such protection. After conveyance, if the Secretary determines that State management is inconsistent with protection of this resource he may, by appropriate order establish one or more units of the National Wildlife Refuge System within the area.

Objectives:

To simplify and consolidate land ownership and land use patterns on the Alaska Peninsula for effective long term resource conservation and utilization.

To assure the long range maintenance of the high quality fish and wildlife habitat existing within the study area today.

HR 39 (page7)

- 11 (1) Alaska Peninsula National Wildlife Range of
12 approximately one million two hundred thousand acres;

ADMINISTRATION AMENDMENT (page 46)

41. cont.

(c) The Secretary, in consultation with the Governor of Alaska and affected Native corporations, shall conduct a study of the lands and resources on the Alaska Peninsula between the southern boundary of the Becharof National Wildlife Refuge and the northeastern boundary of the Izembek National Wildlife Range, excluding Aniakchak National Monument and Preserve, within the area generally depicted on the map entitled "Alaska Peninsula Study Area" numbered FWS-71-00-0201 and dated September 1977, which shall be on file and available for public inspection in the office of the Director, Fish and Wildlife Service, Department of the Interior. The Secretary shall, not later than June 30, 1983, submit a report of the study, together

ADMINISTRATION AMENDMENTS

41A. In title II, insert the following new section:

SEC. 203. With respect to the area of the Iliamna watershed described as those lands and waters generally depicted on the map numbered FWS 71-00-1601 and dated September 1977, which map shall be on file and available for public inspection in like manner as the boundary maps referred to in section 2 of this Act, it is the express intention of the Congress that the lands and waters be protected and managed for the primary purposes of watershed protection and fishery production. The Secretary is authorized to enter into a cooperative agreement with the State of Alaska in order that the United States and the State shall each manage its lands in this area for such purposes. Within such area, except pursuant to the Act of January 2, 1976 (P.L. 94-204), the Secretary shall permit no selection of lands by, nor shall he make any conveyance of lands to, the State unless and until he determines that the State, by appropriate legislation has authorized, and is ready, willing, and able to implement, a plan for protection and management of the watershed and the fishery resources consistent with the intention expressed above. The Secretary may, if he finds that the management and use of the area is inconsistent with the foregoing express intention, and following notice in writing to the Governor and a 90-day period thereafter in which to correct such management and use, establish by appropriate order one or more units of the National Wildlife Refuge System within the area referred to on such map.

Departmental Comments:

The Iliamna lake and watershed system has long been recognized as having great national and international significance. Over 16% of the world's red salmon catch originate in the waters of this great system. Because of the selections by Native corporations of key areas within this system and because of the existing and potential State ownership and interests in the area, the Department has attempted to find a mechanism for insuring both the necessary protection for the area and a recognition of the State's interests, responsibilities and desires regarding the fisheries. Thus, we believe this proposal will accomplish these goals.

Secretary Andrus' September 15 Statement--page 9 third paragraph lines 3-6.

~~45.1 million acres in National Wildlife Refuges.~~ We are also recommending 33 rivers for inclusion in the National Wild and Scenic Rivers System totalling some 2.45 million acres and nine rivers for study, and additions of some.

pages 29-31

WILD AND SCENIC RIVERS

We propose the designation of 33 rivers or segments of rivers as components of the National Wild and Scenic Rivers System and the designation of 9 rivers for study as potential components of the national system. Twenty-three of the rivers would be within the boundaries of other areas. Approximately 2.45 million acres of land would be involved in the ten rivers outside of the other d-2 proposed areas.

H.R. 39 designates 20 wild rivers and 3 scenic rivers--all outside parks and refuges--for addition to the Wild and Scenic Rivers System, and it provides for management of the rivers by the National Park Service. H.R. 39 also designates the 23 rivers and their corridors as wilderness, subject to the provisions of the Wilderness Act of 1964. No rivers are designated for future study in H.R. 39.

Alaska's wild and scenic rivers represent some of the finest water-related recreation opportunities in the country. We recommend that the bill designate all qualified rivers as units of the Wild and Scenic Rivers System, regardless of whether they occur within or outside of parks and refuges. Those rivers designated outside of parks and refuges should be managed by the Federal agency managing the adjacent lands. It would be inefficient and confusing to the public if one agency had management authority over the river corridor and another was responsible for adjacent lands and resource uses.

We recognize that designation of a large number of rivers in Alaska as components of the National Wild and Scenic Rivers System will affect their use as potential sites for the development of hydroelectric power. However, with the exception of the Susitna, which we recommend for study designation only, we believe that the need for hydroelectric power in Alaska is far too speculative to justify withholding wild and scenic river designation at this time.

We are not recommending that wild and scenic rivers be designated as wilderness. The protection afforded designated rivers under the Wild and Scenic Rivers Act is adequate. Moreover, wilderness designation would conflict with future needs for access across these rivers for such facilities as pipelines.

6 TITLE III—NATIONAL WILD AND SCENIC
7 RIVERS SYSTEM

8 PART A—ESTABLISHMENT OF NEW RIVERS

9 SEC. 301. (a) The following rivers are hereby estab-
10 lished as Wild Rivers and shall be administered by the Na-
11 tional Park Service under the provisions of the Wild and
12 Scenic Rivers Act (92 Stat. 907) as amended:

13 (1) Anaktuvuk River of approximately four hun-
14 dred thousand acres;

15 (2) Birch Creek of approximately two hundred
16 thousand acres;

17 (3) Nowitna of approximately eighty thousand
18 acres;

19 (4) Unalakleet of approximately fifty thousand
20 acres;

21 (5) Melozitna of approximately two hundred thou-
22 sand acres;

23 (6) Holitna-Hoholitna system of approximately
24 two hundred and thirty thousand acres;

1 (7) Susitna of approximately two hundred thou-
2 sand acres;

3 (8) Nelchina-Tazlina system of approximately
4 eighty thousand acres, comprised of those lands not se-
5 lected by Native village corporations;

6 (9) Nuyakuk of approximately sixty thousand
7 acres;

8 (10) Utukok of approximately three hundred thou-
9 sand acres;

10 (11) Situk of approximately twenty thousand
11 acres;

12 (12) Koyuk of approximately two hundred thou-
13 sand acres;

14 (13) Ikpikpuk of approximately three hundred
15 thousand acres;

16 (14) Kisarilik of approximately two hundred thou-
17 sand acres;

18 (15) Coleville of approximately five hundred thou-
19 sand acres;

20 (16) Kuk-Ketik of approximately one hundred
21 thousand acres;

22 (17) Yukon (Ramparts section) of approximately
23 three hundred thousand acres;

24 (18) Kuskokwim (middle) of approximately one
25 hundred thousand acres;

1 (19) Stikine of approximately fifty thousand acres;

2 and

3 (20) Copper (Iliamna) of approximately twenty
4 thousand acres.

5 (b) The following rivers are hereby designated and shall
6 be administered as scenic rivers and shall be administered
7 by the National Park Service under the provisions of the
8 Wild and Scenic Rivers Act (92 Stat. 907), as amended:

9 (1) Fortymile of approximately three hundred and
10 twenty thousand acres;

11 (2) Delta of approximately thirty thousand acres;

12 and

13 (3) Gulkana of approximately one hundred and
14 thirty thousand acres.

15 PART B—ADMINISTRATIVE PROVISIONS

16 SEC. 302. (a) Notwithstanding any provisions to the
17 contrary of the Wild and Scenic Rivers Act, the boundaries
18 of the rivers referred to in section 301 (a) and (b) shall
19 include the river and an area which averages not less than
20 two miles on either side of each river, from the median line:
21 *Provided, however,* That lands selected by Native Village
22 corporations within the boundaries designated by section
23 301 (a) (1), (5), (7), and (15) and section 301 (b) (3)
24 of this Act are not part of such units: *And provided further,*
25 That the Secretary may seek cooperative agreements with

1 the owners of non-Federal land adjoining the wild and scenic
2 rivers established by this title to assure that the purpose of
3 such reservations are served to the greatest extent feasible.

4 (b) Notwithstanding the provisions of section 3 (b) of
5 the Wild and Scenic Rivers Act, the Secretary shall estab-
6 lish boundaries for the rivers referred to in section 301 (a)
7 and (b) within three years after the date of enactment of
8 this Act.

. 64

Proposed Amendments:

42. Revise Title III, beginning on page 9, line 6 through line 8 on page 12 to read as follows:

TITLE III--NATIONAL WILD AND SCENIC RIVERS SYSTEM

PART A - WILD AND SCENIC RIVERS WITHIN NATIONAL PARK SYSTEM

SEC. 301. Designation. Section 3(a) of the Wild and Scenic Rivers Act (82 Stat. 907), as amended (16 U.S.C. 1274(a)), is further amended by adding the following new paragraphs:

_____. ALAGNAK, ALASKA--the major tributary to the Alagnak, the Nonvianuk River, within Katmai National Park; to be administered by the Secretary of the Interior.

_____. ALATNA, ALASKA--the main stem within the Gates of the Arctic Wilderness National Park; to be administered by the Secretary of the Interior.

_____. ANIAKCHAK, ALASKA--that portion of the river, including its major tributaries, Hidden Creek, Mystery Creek, Albert Johnson Creek, and North Fork Aniakchak River, within the Aniakchak National Monument and National Preserve; to be administered by the Secretary of the Interior.

_____. BRENNER, ALASKA--the main stem, and the North, South, and Middle Forks within the Wrangell-St. Elias National Park/Preserve; to be administered by the Secretary of the Interior.

_____. CHARLEY, ALASKA--the entire river, including its major tributaries, Copper Creek, Bonanza Creek, Hosford Creek, Derwent Creek, Flat-Orthmer Creek, Crescent Creek, and Moraine Creek, within the Yukon-Charley National Rivers; to be administered by the Secretary of the Interior.

_____. CHILIKADROTNA, ALASKA--that portion of the river within the Lake Clark National Park/Preserve; to be administered by the Secretary of the Interior.

_____. CHITINA, ALASKA--that portion of the river within the Wrangell-St. Elias National Park/Preserve; to be administered by the Secretary of the Interior.

_____. COPPER, ALASKA--that portion of the river within the Wrangell-St. Elias National Park/Preserve; to be administered by the Secretary of the Interior.

_____. JOHN, ALASKA--that portion of the river within the Gates of the Arctic Wilderness National Park; to be administered by the Secretary of the Interior.

_____. KILLIK, ALASKA--that portion of the river, including its major tributary, Easter Creek, within the Gates of the Arctic Wilderness National Park; to be administered by the Secretary of the Interior.

_____. KOBUK, ALASKA--that portion within the Gates of the Arctic Wilderness National Park; to be administered by the Secretary of the Interior.

_____. MULCHATNA, ALASKA--that portion within the Lake Clark National Park/Preserve; to be administered by the Secretary of the Interior.

_____. NOATAK, ALASKA--the river from its source in the Gates of the Arctic Wilderness National Park to its confluence with the Kelly River in the Noatak National Ecological Preserve; to be administered by the Secretary of the Interior.

_____. NORTH FORK of the KOYUKUK, ALASKA--that portion within the Gates of the Arctic Wilderness National Park; to be administered by the Secretary of the Interior.

_____. SALMON, ALASKA--that portion within the Kobuk Valley National Park; to be administered by the Secretary of the Interior.

_____. TINAYGUK, ALASKA--that portion within the Gates of the Arctic Wilderness National Park; to be administered by the Secretary of the Interior.

_____. TLIKAKILA, ALASKA--that portion within the Lake Clark National Park; to be administered by the Secretary of the Interior.

67

SEC. 302. Administrative Provisions. (a) The river segments designated in section 301 of this title are hereby classified and designated, and shall be administered, as wild river areas pursuant to the Wild and Scenic Rivers Act.

(b) The provisions of subsection 3(b) and section 6 of the Wild and Scenic Rivers Act shall not apply to the river segments listed in section 301. The provisions of sections 701 and 702 of this Act shall supercede those of section 13(a) of the Wild and Scenic Rivers Act, concerning fish and wildlife.

PART B - WILD AND SCENIC RIVERS WITHIN
NATIONAL WILDLIFE REFUGE SYSTEM

SEC. 303. Designation. Section 3(a) of the Wild and Scenic Rivers Act (82 Stat. 907) as amended (16 U.S.C. 1274(a)), is further amended by adding the following new paragraphs:

_____. ANDREAFSKY, ALASKA--that portion from its source, including all headwaters, and the East Fork, within the boundary of the Yukon Delta National Wildlife Refuge; to be administered by the Secretary of the Interior.

_____. IVISHAK, ALASKA--that portion from its source, including all headwaters and an unnamed tributary to Porcupine Lake within the boundary of the Arctic National Wildlife Refuge; to be administered by the Secretary of the Interior.

_____. KANEKTOK, ALASKA--that portion within the boundary of Togiak National Fish and Wildlife Refuge from Kagati Lake to a point sixteen miles above the mouth; to be administered by the Secretary of the Interior.

_____. NOWITNA, ALASKA--the segment within the Nowitna National Wildlife Refuge downstream to its confluence with the Yukon River; to be administered by the Secretary of the Interior.

_____. PORCUPINE, ALASKA--the segments within the Arctic National Wildlife Refuge and the Yukon Flats National Wildlife Refuge; to be administered by the Secretary of the Interior.

_____. SHEENJEK, ALASKA--the segments within the Yukon Flats National Wildlife Refuge and the Arctic National Wildlife Refuge; to be administered by the Secretary of the Interior.

_____. WIND, ALASKA--that portion from its source, including all headwaters and one unnamed tributary in Township 13S, within the boundaries of the Arctic National Wildlife Refuge; to be administered by the Secretary of the Interior.

SEC. 304. Administrative Provisions. (a) The river segments designated in section 303 of this title are hereby classified and designated and shall be administered as wild river areas.

69

(b) Notwithstanding any provisions to the contrary of the Wild and Scenic Rivers Act (82 Stat. 907; 17 U.S.C. 1271), the boundaries of the river segments referred to in section 303 of this title may include an area extending up to two miles from the mean high water level on either side of the river segments. Notwithstanding the provisions of section 3(b) of such Act, the Secretary shall establish boundaries of the river segments referred to in section 303 of this title within three years after the date of enactment of this title.

(c) The provisions of section 6 of the Wild and Scenic Rivers Act shall not apply to the river segments referred to in section 303 of this title.

PART C - ADDITIONS TO NATIONAL WILD AND SCENIC
RIVERS SYSTEM LOCATED OUTSIDE NATIONAL PARKS AND
NATIONAL WILDLIFE REFUGES

SEC. 305. Designation. Section 3(a) of the Wild and Scenic Rivers Act (82 Stat. 907) as amended (16 U.S.C. 1274(a)) is further amended by adding the following paragraphs:

_____. ALAGNAK, ALASKA--the portion beginning at the source and running to the west boundary of Township 13S, R43W; the segment not to exceed 120,000 acres; to be administered by the Secretary of the Interior.

_____. BEAVER CREEK, ALASKA--the segment of the main stem from the vicinity of the confluence of Bear and

Champion Creeks downstream to the southern boundary of the Yukon Flats National Wildlife Refuge, the segment not to exceed 200,000 acres; to be administered by the Secretary of the Interior.

_____. BIRCH CREEK, ALASKA--the segment of the main stem from the vicinity of the confluence of North Fork downstream to the southern boundary of the Yukon Flats National Wildlife Refuge, the segment not to exceed 200,000 acres; to be administered by the Secretary of the Interior.

_____. COLVILLE, ALASKA--the segment of the main stem from the headwaters to Umiat, the segment not to exceed 500,000 acres; to be administered by the Secretary of the Interior.

_____. COPPER, ALASKA--the segment from the confluence with the Chitina River to the boundary of the Chugach National Forest, not to exceed 50,000 acres, to be administered by the Secretary of the Interior.

71

____. DELTA, ALASKA--the segment from the headwaters to Black Rapids Glacier, the segment not to exceed 66,000 acres; to be administered by the Secretary of the Interior.

____. FORTYNILE, ALASKA--the main stem within the State of Alaska; O'Brien Creek; South Fork; Napoleon Creek; Franklin Creek; Uhler Creek; Walker Fork downstream from the confluence of Liberty Creek; Wade Creek; Mosquito Fork downstream from the vicinity of Kechumstuk; West Fork Dennison Fork downstream from the confluence of Logging Cabin Creek; Dennison Fork downstream from the confluence of West Fork Dennison Fork; Logging Cabin Creek; North Fork; Hutchison Creek; Champion Creek; the Middle Fork downstream from the confluence of Joseph Creek; and Joseph Creek, the segments not to exceed 320,000 acres; to be administered by the Secretary of the Interior.

____. GULKANA, ALASKA--the mainstem from Paxton Lake to Sourdough and the entire West and Middle Forks; the segments not to exceed 165,000 acres; to be administered by the Secretary of the Interior.

____. KILLIK, ALASKA--from the point where it exits the northern boundaries of the Gates of the Arctic Wilderness National Park to its confluence with the Colville River, the segment not to exceed 152,000 acres; to be administered by the Secretary of the Interior.

____. KISARALIK, ALASKA--from the headwaters to where the river leaves Federal lands in T8N, R64W, the segment not to exceed 92,000 acres; to be administered by the Secretary of the Interior.

____. NOWITNA, ALASKA--the segment from the point where the river crosses the west boundary of section 6, township 17 south, range 22 east, Fairbanks Principal Meridian, downstream to the southern boundary of the Nowitna National Wildlife Refuge, the segment not to exceed 230,000 acres; to be administered by the Secretary of the Interior.

____. UNALAKLEET, ALASKA--the segment of the main stem beginning at 159° 21'06.156" west longitude approximately six miles from the headwaters extending downstream 60 miles to 160° 19'15.031" west longitude in the vicinity of the confluence of the Chirokey River, the segment not to exceed

104,000 acres; to be administered by the Secretary of the Interior.

____. UTUKOK, ALASKA--from the headwaters to where an unnamed tributary flows from the south into the river in T5N, R36W, the segment not to exceed 254,000 acres; to be administered by the Secretary of the Interior.

SEC. 306. Designation for study. Section 5(a) of the Wild and Scenic Rivers Act (82 Stat. 906; 16 U.S.C. 1271), as amended, is further amended as follows:

(a) After paragraph () insert the following new paragraphs:

- () Copper (Iliamna), Alaska
- () Holitna-Hoholitna, Alaska
- () Koyuk, Alaska
- () Melozitna, Alaska
- () Nelchina-Tazlina, Alaska
- () Nuyakuk, Alaska
- () Situk, Alaska
- () Stikine, Alaska
- () Susitna, Alaska

(b) The studies of the rivers in paragraphs ()-() shall be completed and reports transmitted thereon not later than five full fiscal years from date of enactment of this paragraph.

SEC. 307. Administrative Provisions. (a) The Alagnak, Beaver Creek, Birch Creek, Colville, Killik, Gulkana, Kisaralik, Nowitna, Utokok, and Unalakleet components as well as the segment of the Delta component from the lower lakes area to a point opposite milepost 212 on the Richardson Highway; the Mosquito Fork downstream from the vicinity of Kechumstuk to Ingle Creek, North Fork, Champion Creek, Middle Fork downstream from the confluence of Joseph Creek, and Joseph Creek segments of the Fortymile component, and the segment of the Copper (Wrangells) component from its source to the north boundary of the Wrangell-St. Elias National Park/Preserve and from the north end of Wood Canyon to the Tasnuna River, designated in section 305 of this title, are hereby classified and designated and shall be administered as wild river areas pursuant to the Wild and Scenic Rivers Act. The Wade Creek unit of the Fortymile component is classified and designated and shall be administered as a recreational river area, pursuant to such Act. The remaining segments of the Delta, Fortymile, and Copper (Wrangells) components are classified and designated and shall be administered as scenic river areas, pursuant to such Act. The classification as wild river areas of certain segments of the Fortymile by this subsection shall not preclude such access across those river segments as the Secretary determines to be necessary to permit commercial development of asbestos deposits in the North Fork drainage. The Secretary shall issue regulations to restrict use of those portions of the Colville under his jurisdiction during the peregrine falcon nesting season.

(b) The Secretary of the Interior shall take such action as is provided for under section 3(b) of the Wild and Scenic Rivers Act to establish detailed boundaries and formulate detailed development and management plans within one year after the date of enactment of this title with respect to the Delta, Fortymile, and Gulkana components; within two years with respect to the Beaver Creek and Birch Creek components; within three years with respect to the Alagnak, Colville, Killik, Nowitna, and Utukok components; and within four years with respect to the Kisaralik, the entire Copper (Wrangells), and Unalakleet components, except that the boundaries for the Copper (Wrangells) component shall not include lands within the Wrangell-St. Elias National Park/Preserve. The detailed plan for each river shall include the identification of a line based essentially on line-of-sight from the river within which mining will be controlled as provided in subsection (c). In no event will the line-of-sight line extend beyond the corridor provided in subsection (c).

(c) Notwithstanding any provisions of the Wild and Scenic Rivers Act (82 Stat. 907; 16 U.S.C. 1271) to the contrary, an area extending two miles from the mean high water level on either side of the river segments referred to in section 305 of this title is hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the mining laws and from operation of the mineral leasing laws, including in both cases amendments thereto, pending establishment of the detailed boundaries provided for in subsection (c).

(d) The provisions of section 305 of this title specifying maximum permissible acreages for individual components shall supercede any provisions to the contrary of the Wild and Scenic Rivers Act.

(e) Notwithstanding the provisions of section 9(a)(iii) of the Wild and Scenic Rivers Act, the minerals in all Federal lands within the line-of-sight line established in subsection (b) included in any component or part of a component designated by this section as a wild river area are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the mining laws and from operation of the mineral leasing laws including, in both cases, amendments thereto. The Secretary is authorized to open the remainder of the river corridor to mining subject to such regulations as he may prescribe.

(f) The Secretary may seek cooperative agreements with the owners of non-Federal lands adjoining the wild and scenic rivers established by this title to assure that the purpose of such reservations are served to the greatest extent feasible.

(g) Notwithstanding any other provision of law or of this Act to the contrary, with respect to components of rivers herein designated and administered by the Secretary outside the boundaries of units of the National Park and Wildlife Refuge Systems, the Secretary may grant access for oil and gas pipelines in accordance

with the Mineral Leasing Act of 1920, and he may permit, subject to such terms and conditions as he deems necessary, access for roads across, through, or over such river components.

Rationale

This amendment:

- (1) specifically adds the rivers to be designated to Section 3(a) of the Wild and Scenic Rivers Act, i.e., the Section which identifies the National System;
- (2) identifies those rivers or portions thereof proposed for designation in H.R. 39 for which we believe there is sufficient information available to support designation;
- (3) adds those rivers which the Department proposed for designation in 1973 and a limited number of rivers within the boundaries of other areas which have been studied since the 1973 proposed withdrawals;
- (4) designates for study those rivers identified in H.R. 39 which we believe qualify for inclusion in the National System but for which we have insufficient data to support designation or have identified potential conflicts which must be analyzed so that we will be able to furnish Congress data identifying the values of the river and the values which would be foregone if the river were to be added to the National System;
- (5) provides for administration of the rivers by the agency managing the adjacent lands rather than having all rivers managed by the National Park Service;
- (6) identifies more specifically the portions of the rivers we believe should be added to the National System;
- (7) proposes classification of the segments in accord with the Wild and Scenic Rivers System;
- (8) recognizes the workload which would be generated in developing the management plans for these units and establishes a schedule for completion of the management plans over the next four years for those rivers outside of the boundaries of other four System areas rather than the three years provided in H.R. 39;

- (9) attempts to more clearly define how the two-mile corridor provided for in H.R. 39 would be established. It is frequently difficult to establish the median line of the river particularly where it meanders. Therefore, we suggest using the mean high water level line on either side of the river as the measuring point;
- (10) provides that as part of the management plan the responsible agency will establish within the corridor a line of sight line within which mining activity, subject to valid existing claims, would be prohibited. The Secretary would be authorized to open the remainder of the river corridor ^{to} mining activity under such conditions as he might prescribe.

In summary, of the 23 rivers proposed for designation in H.R. 39, our amendment would add nine rivers to the National System: Birch Creek, Colville, Delta, Fortymile, Gulkana, Kisaralik, Nowitna, Unalakleet, and Utukok, and designate nine rivers for study: Copper(Iliamna), Holitna-Moholitna, Koyuk, Melozitna, Nelchina-Tazlina, Nuyakuk, Situk, Stikine, and Susitna. We are not supporting designation or study of the Anaktuvuk, Ikpiukuk, Kuk-Ketik, Kuskokwim (middle) and Yukon (Ramparts Section).

ANDRUS TESTIMONY (page 10)

Parcels of isolated public land remain in southeast Alaska. These are all in areas where there is dominant management by the Forest Service and have not been identified as having national significance for Park or Refuge designation. Land management patterns and management efficiencies could be achieved by adding these parcels to the National Forest System (approximately 1.6 million acres). In addition, an area of .9 million acres in the Copper River delta will be transferred to the Forest Service to consolidate ownership with the understanding that it will be managed to protect its significant wildlife resources.

HR 39 (page 7)

- 13 (2) Copper River Delta National Wildlife Refuges
- 14 of approximately nine hundred thousand acres;

ADMINISTRATION AMENDMENT (page 29)

27. On page 7, delete lines 13-14.

ADMINISTRATION AMENDMENT (page 63)

43. On page 12, line 10, insert "(a)" at the beginning of the line and add a new subsection (b) as follows:

(b) There are hereby transferred to the Chugach National Forest some 900,000 acres of public lands adjacent to the present boundary extending northward along the Copper River to the mouth of the Bremner River as depicted on a map entitled "Copper River Additions to the Chugach National Forest" dated _____, which shall be on file in accordance with the provisions of subsection 2(c) of this Act.

The Secretary of Agriculture shall manage the Copper River additions and adjacent lands in the Copper River Delta in accordance with the Forest and Rangelands Renewable Resources Planning Act of 1974, as amended, under land management plans which provide for adequate protection of significant wildlife values and utilization of other resource values which do not substantially interfere with such wildlife values.

NATIONAL PETROLEUM RESERVE IN ALASKA

ANDRUS TESTIMONY - NOT SPECIFICALLY ADDRESSED

H.R. 39 (pages 12 and 13)

19 TITLE V—NATIONAL PETROLEUM RESERVE IN
20 ALASKA

21 Notwithstanding any contrary provision of Public Law
22 94-253, during the review of land dedications pursuant to
23 section 105(c) of Public Law 94-253 and until Congress
24 has determined otherwise, the Secretary shall manage the
25 National Petroleum Reserve in Alaska through the United
1 States Fish and Wildlife Service in such a manner as to
2 preserve subsistence lands for natives, and scenic, historical,
3 archaeological, recreational, fish and wildlife, wilderness,
4 and other surface values.

ADMINISTRATION AMENDMENTS (pages 63 and 64)

43A. On page 12, line 22, change "dedications" to "uses;" and on
page 12, line 25, and page 13, line 1, delete "through the United States
Fish and Wildlife Service."

44. On page 13, line 2, delete "preserve subsistence lands for
natives, and" and insert "recognize subsistence use, and preserve".

Secretary Andrus' Statement

WILDERNESS

Studies have now been completed as to the suitability for designation as wilderness on three existing National Park System areas and on thirteen existing national wildlife refuges in Alaska as required by the Wilderness Act. Due to the pending d-2 additions, and due to the Native selections within existing refuges, wilderness recommendations on existing areas with four exceptions, have not previously been submitted to the Congress.

We propose wilderness in three existing units of the National Park System in Alaska, totalling 6.7 million acres, and in four existing refuges totalling 12.5 million acres for a total of 19.2 million acres of wilderness in existing areas.

Our studies indicate that selective immediate wilderness designation is highly desirable for some of the new d-2 areas which we propose. Therefore, we recommend designation of wilderness in four new park

system areas, totalling 23.6 million acres, and designation in two new refuge additions, totalling 0.51 million acres. The total for existing and new areas is 43.31 million acres.

All remaining new park and refuge system additions and remaining reviews of existing wildlife refuges will be formally studied under the Wilderness Act and recommendations made in 3 to 7 years as to wilderness suitability. We will attempt to use the resources of the Department in such a prioritized manner that some of these studies will be completed within 3 years and others will be scheduled for completion within 3 to 7 years. Due to weather limitations, manpower limitations, and the need for surveys of other resources, we could not complete all of these studies within 3 years. Further legislative action by the Congress would be required to designate these studied areas as wilderness. We recommend no wilderness designation for wild and scenic rivers outside national interest areas.

The Wilderness Act permits the established use of motorboats and the landing of aircraft in wilderness areas by regulation. Our proposals will, of course, allow for continued use of navigational aids and access to them for administrative purposes in wilderness areas.

84

Aircraft, motorboats, and snowmachines are the principal means of motorized access in remote parts of Alaska, and the use of snowmachines is widespread for subsistence purposes. We propose that the use of motorboats and the landing of aircraft be permitted in wilderness areas under certain necessary regulations to protect the area. Further, we propose that the use of snowmachines in wilderness areas be strictly limited to subsistence use, emergencies, and management.

5 TITLE VI—DESIGNATION OF WILDERNESS
6 AREAS

7 SEC. 601. In furtherance of the purposes of the Wilder-
8 ness Act (78 Stat. 890), the lands added to the National
9 Park System, the National Wildlife Refuge System, and
10 the National Wild and Scenic River System by this Act,
11 and the additions made by this Act to existing units of those
12 systems, are, subject to valid existing rights, hereby desig-
13 nated as wilderness and, therefore, as components of the
14 National Wilderness Preservation System.

15 DESIGNATION OF WILDERNESS AREAS WITHIN UNITS OF
16 THE NATIONAL PARK SYSTEM

17 SEC. 602. In accordance with subsection 3 (c) of the
18 Wilderness Act (78 Stat. 892), the following lands are here-
19 by designated as wilderness and, therefore, as components
20 of the National Wilderness Preservation System:

21 (a) certain lands in the Glacier Bay National
22 Park which comprise approximately two million eight
23 hundred thousand acres, which are depicted on a map
24 entitled "Glacier Bay Wilderness—Proposed", dated

1 March 1975, and which shall be known as Glacier Bay
2 Wilderness;

3 (b) certain lands in Katmai National Park, which
4 comprise approximately two million six hundred and
5 fifteen thousand eight hundred and twenty-six acres,
6 which are depicted on a map entitled "Katmai Wilder-
7 ness—Proposed", dated March 1975, and which shall
8 be known as Katmai Wilderness; and

9 (c) certain lands in Mount McKinley National
10 Park, which comprise approximately one million nine
11 hundred thousand acres which are depicted on a map
12 entitled "Mount McKinley Wilderness—Proposed",
13 dated March 1975, and which shall be known as Denali
14 Wilderness.

15 DESIGNATION OF WILDERNESS AREAS WITHIN UNITS OF
16 THE NATIONAL WILDLIFE REFUGE SYSTEM

17 SEC. 603. In accordance with subsection 3 (c) of the
18 Wilderness Act (78 Stat. 892), the following lands are
19 hereby designated as wilderness and, therefore, as compo-
20 nents of the National Wilderness Preservation System:

21 (a) certain lands in the Aleutian Islands National
22 Wildlife Refuge, which comprise approximately one
23 million three hundred and ninety-five thousand three
24 hundred and fifty-seven acres, which are depicted on a
25 map entitled "Aleutian Islands Wilderness Proposal",

1 dated March 1974, and which shall be known as Aleu-
2 tian Islands Wilderness;

3 (b) certain lands in the Aleutian Islands National
4 Wildlife Refuge, which comprise approximately nine
5 hundred and seventy-three thousand acres, which are
6 depicted on a map entitled "Unimak Wilderness Pro-
7 posal", dated February 1972, and which shall be known
8 as Unimak Wilderness;

9 (c) certain lands in the Arctic National Wildlife
10 Range, which comprise approximately eight million
11 nine hundred and fifty thousand acres, which are de-
12 picted on a map entitled "Arctic National Wildlife
13 Range and Proposed Additions—Wilderness", dated
14 September 1976, and shall be known as Arctic
15 Wilderness;

16 (d) certain lands in the Cape Newenham National
17 Wildlife Refuge, which comprise approximately two
18 hundred forty-seven thousand seven hundred acres,
19 which are depicted on a map, entitled "Togiak Wilder-
20 ness—Proposed", dated September 1976, and shall be
21 known as Togiak Wilderness;

22 (e) certain lands in the Clarence Rhode National
23 Wildlife Range, which comprise approximately two mil-
24 lion eight hundred thousand acres, which are depicted
25 on a map, entitled "Clarence Rhode National Wildlife

- (b) Lands designated as wilderness by this section shall be administered by the Secretary in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this section, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary.
- (c) Within seven years from the effective date of this section, the Secretary shall report to the President, in accordance with subsections 3(c) and 3() of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)) his recommendations as to the suitability or nonsuitability of any area within the units of the National Park System and National Wildlife Refuge System, other than the units referred to in subsection (a) of this section, established or to which lands are added by Titles I and II of this Act, for preservation as wilderness, and any designation of any such area as a wilderness shall be in accordance with the Wilderness Act. Pending the designation by the Congress of any such area as wilderness, the Secretary is authorized to develop, on not more than 1,000 acres within each unit, facilities needed for the administration and management of each unit.

1 preserve wilderness values in the subsistence management
2 zone: *Provided, however,* That in the absence of an emer-
3 gency, the Secretary shall first consult with the regulatory
4 subsistence boards and publish his proposals and seek public
5 comment.

6 (c) People who exercise and who continue to exercise
7 customary, consistent, and traditional use of subsistence re-
8 sources in the national interest lands established by this Act,
9 as of December 18, 1971, and their direct descendants, shall
10 be permitted to continue subsistence activities on these na-
11 tional interest lands if they are primarily and directly de-
12 pendent for the mainstay of their livelihood upon local natu-
13 ral resources for either food, shelter, materials, firewood,
14 clothing, tools, transportation, or handicrafts and so long as
15 such use is consistent with the sound management of these
16 resources.

17 (d) The Secretary, who is responsible for the admin-
18 istration of units established by titles I, II, III, and IV
19 of this Act, shall undertake research on the use of subsist-
20 ence resources and shall seek data from subsistence users
21 and consult such users frequently, and shall make findings
22 of such research available to such users, the subsistence
23 boards, and the public.

24 (e) Not later than ten years from the date of enact-
25 ment of this Act, and continuing at intervals of not more

1 Range and Proposed Additions—Wilderness", dated
2 September 1976, and shall be known as Yukon Delta
3 Wilderness;

4 (f) certain lands in the Hazen Bay National Wild-
5 life Refuge, which comprise approximately six thousand
6 eight hundred acres, which are depicted on a map, en-
7 titled "Hazen Bay Wilderness Proposal", dated Sep-
8 tember 1976, and shall be known as Hazen Bay Wil-
9 derness;

10 (g) certain lands in the Izembek National Wildlife
11 Range, which comprise approximately three hundred
12 thousand acres, and certain lands in the Aleutian Islands
13 National Wildlife Refuge, which comprise approximately
14 one thousand four hundred and fifty-one acres, which
15 are depicted on a map, entitled "Izembek Wilderness
16 Proposal", dated May 1970, and which shall be known
17 as Izembek Wilderness;

18 (h) certain lands in the Kenai National Moose
19 Range, which comprise approximately one million two
20 hundred and sixty-seven thousand two hundred and
21 forty acres, which are depicted on a map entitled "Kenai
22 Wilderness Proposal", dated March 1975, and which
23 shall be known as Kenai Wilderness;

24 (i) certain lands in the Nunivak National Wildlife
25 Refuge, which comprise approximately three million five

91

1 hundred thousand acres, which are depicted on a map
2 entitled "Nunivak Wilderness Proposal", dated March
3 1975, and which shall be known as Nunivak Wilderness;
4 and

5 (j) certain lands in the Semidi National Wildlife
6 Refuge, which comprise approximately two hundred and
7 fifty-six thousand acres, which are depicted on a map
8 entitled "Semidi Wilderness Proposal", dated October
9 1972, and which shall be known as Semidi Wilderness.

10 DESIGNATION OF WILDERNESS AREAS WITHIN UNITS OF
11 THE NATIONAL FOREST SYSTEM

12 SEC. 604. In furtherance of the purposes of the Wilder-
13 ness Act (78 Stat. 890), the following lands are hereby
14 designated as wilderness and, therefore, as components of
15 the National Wilderness Preservation System:

16 (a) certain lands in the Tongass National Forest,
17 which comprise about one million thirty thousand acres
18 (excluding the lands of the Kootsnawoo Native Village
19 Corporation and the Village of Angoon), are generally
20 depicted on a map entitled "Admiralty Island Wilder-
21 ness Area—Proposed", and shall be known as the Ad-
22 miralty Island Wilderness;

23 (b) certain lands in the Tongass National Forest,
24 which comprise about three hundred thousand acres,
25 (excluding the lands of Yak-Tat-Kwan Native Village

1 Corporation and the Village of Yakutat), are generally
2 depicted on a map entitled "Yakutat Forelands Wilder-
3 ness Area—Proposed", and shall be known as the Yak-
4 utat Forelands Wilderness;

5 (c) certain lands in the Tongass National Forest,
6 which comprise about two million four hundred thousand
7 acres, are generally depicted on a map entitled "Misty
8 Fjords Wilderness Area—Proposed", and shall be
9 known as the Misty Fjords Wilderness;

10 (d) certain lands in the Tongass National Forest,
11 which comprise about three hundred and five thousand
12 acres, are generally depicted on a map entitled "Stikine-
13 Le Conte Wilderness Area—Proposed", and shall be
14 known as the Stikine-Le Conte Wilderness;

15 (e) certain lands in the Tongass National Forest,
16 which comprise four hundred and five thousand acres,
17 are generally depicted on a map entitled "West Chi-
18 chagof-Yakobi Wilderness Area—Proposed", and shall
19 be known as the West Chichagof-Yakobi Wilderness;
20 and

21 (f) certain lands in the Chugach National Forest,
22 which comprise six hundred thousand acres, are gener-
23 ally depicted on a map entitled "Nellie Juan Wilder-
24 ness Area—Proposed", and shall be known as the Nellie
25 Juan Wilderness.

93

ADMINISTRATION AMENDMENTS

45. On page 13, line 7, through page 17, line 9, revise sections 601, 602, and 603 to read as follows:

SEC. 601. (a) In accordance with subsection 3(c) of the Wilderness Act (78 Stat. 892), the lands, waters, and interests therein within the boundaries depicted as "Proposed Wilderness" on the maps referred to in section 2 of this Act are hereby designated as wilderness, with the nomenclature and approximate acreage as indicated below:

National Park System

- (1) Denali Wilderness of approximately 5.49 million acres;
- (2) Gates of the Arctic Wilderness of approximately 8.10 million acres;
- (3) Glacier Bay Wilderness of approximately 2.25 million acres;
- (4) Katmai Wilderness of approximately 2.69 million acres;
- (5) Kenai Fjords Wilderness of approximately 0.33 million acres;
- (6) Lake Clark Wilderness of approximately 2.55 million acres;
and
- (7) Wrangell-St. Elias Wilderness of approximately 8.85 million acres.

National Wildlife Refuge System

- (1) Arctic Wilderness of approximately 8.8 million acres;
- (2) Kenai Wilderness of approximately 1.3 million acres; and
- (3) Alaska Marine Resources Wilderness of approximately 2.6 million acres.

46. On page 17, line 12 to page 18, line 25, delete section 604 and insert in lieu thereof the following new section:

SEC. 602. In furtherance of the purposes of the Wilderness Act (78 stat. 890), there are hereby designated as a unit of the National Wilderness Preservation System certain lands in the Tongass National Forest which comprise approximately 1.0 million acres which are depicted on a map entitled "Admiralty Island Wilderness - Proposed (FS/USDA, _____, 1977)" and on file in the office of the Chief of the Forest Service, Washington, D.C., and which shall be known as the Admiralty Island Wilderness.

46A. On page 19, line 2, change "SEC. 605" to "SEC. 603" and change "This Act" to "SEC. 602"; and change the comma in line 7 to a period and delete the remainder of the sentence.

95

Secretary Andrus' Statement
on Subsistence

SUBSISTENCE

Although hunting activities have traditionally been allowed on certain Federal lands, they have generally been prohibited in areas of the National Park System. However, there is a need to recognize legitimate subsistence uses in Alaska which occur in some of the proposed park system areas.

This legislative proposal would authorize the Secretary within areas authorized or added to the Four Systems to designate certain subsistence use zones, which recognize the traditional subsistence uses at the 1971 level. The land manager would be authorized to close all or part of these subsistence zones for various reasons associated with management, administration, and fish and wildlife protection. This closure authority is necessary to assure that the areas are managed for the purposes for which they are established and to preserve the total ecology of the area. To the extent that consumptive uses of the fish, wildlife and plant resources are authorized on a given area, however, a preference would be given to subsistence uses.

62

In areas added to the National Wildlife Refuge System, a similar provision recognizing subsistence uses would apply as in the park system. Additionally, the refuges would be open to sport hunting within the framework of Federal and State law.

Refuge areas could also be closed in whole or part to hunting, both sport and subsistence, if necessary to protect the resources of the area.

This proposal is based upon the concept that subsistence hunting, as with resident wildlife management generally, should be a State responsibility and managed under State authority consistent with existing Federal law.

10 **TITLE VII—GENERAL ADMINISTRATIVE**
11 **PROVISIONS**

12 **SEC. 701. (a)** Except as otherwise prohibited by Fed-
13 eral or State law, the Secretary shall permit the continuation
14 of such subsistence uses of the fish, wildlife, and plant re-
15 sources within the areas added to existing units or established
16 by titles I, II, III, and IV of this Act. The Secretary may
17 publish regulations prescribing conditions under which sub-
18 sistence uses may be conducted, including, but not limited to,
19 the establishment of limits on the number and type of wild-
20 life species to be utilized and the length of the season during
21 which subsistence activities may be engaged in within any
22 such unit. After consultation with local residents and State
23 agencies exercising jurisdiction affecting subsistence re-
24 sources, the Secretary may designate "subsistence manage-
25 ment zones" to include various geographical areas where

1 subsistence activities have customarily occurred in and ad-
2 jacent to national interest lands, without regard to boundaries
3 established for such lands by this Act. The Secretary shall
4 establish "regulatory subsistence boards" consisting of ten
5 persons who are subsistence users of such areas. Each Board
6 shall be required to review and approve each subsistence per-
7 mit application within each subsistence management zone in
8 accordance with criteria and management procedure as
9 promulgated by the Secretary after public hearings. Regula-
10 tory subsistence boards shall also advise the Secretary or his
11 designee on matters of concern to subsistence permittees and
12 other residents within specific subsistence management zones
13 and shall cooperate with the Secretary in the development of
14 studies on subsistence resources.

15 The Secretary or his designee shall retain the responsi-
16 bility to enforce, review, and where necessary under sub-
17 section (b) of this section, overrule decisions and recom-
18 mendations of the regulatory subsistence boards.

19 (b) Subsistence uses of national interest lands will in all
20 cases be given preference over any competing consumptive
21 use in a subsistence management zone. When a specific re-
22 source cannot support all demands upon it, the Secretary
23 shall curtail subsistence uses of that resource to the extent
24 necessary to protect the viability and well-being of fish,
25 wildlife, and plant species affected or otherwise restore and

1 than five years after the submission of the first such report,
2 the Secretary shall report to the Congress on the effect of
3 all hunting and fishing including subsistence uses, on the
4 flora and fauna within the lands included in this Act, and
5 shall recommend, after consultation with the fish and game
6 agency of the State of Alaska and the Regulatory Subsist-
7 ence Boards authorized under subsection (a) of this section,
8 whether changes in any or all of such uses may be necessary.

Administration's Amendments for Subsistence

47. On page 19, line 12, through page 22, line 20, revise section 701 to read as follows and delete section 702.

SEC. 701. (a) Except as otherwise provided by Federal law, the State of Alaska is authorized to permit subsistence uses of fish, wildlife, and plant resources within designated subsistence management zones by:

(1) Defining "subsistence uses" to include the taking and use of customary or traditional wild foods and other renewable biological resources from lands and waters for personal or family consumption; provided that such taking is not accomplished in a wasteful manner. Such uses may also involve the customary trade or barter among qualified subsistence users for personal or family consumption;

(2) prescribing conditions under which subsistence uses may be permitted, including but not limited to, the establishment of limits on season length, take, and number and type of fish, wildlife, or plant species to be utilized; provided, however, that the level of subsistence uses may not be significantly expanded beyond those in existence as of December 18, 1971;

(3) determining, without regard to race or ethnic origins, who is qualified for subsistence uses within subsistence management zones based upon: customary and direct dependency

21-101

upon the use of subsistence resources as the mainstay of one's livelihood as of December 18, 1971; area of domicile; availability of alternative resources; and cultural needs;

(4) creating a system of local subsistence advisors to assist in determining who is qualified for subsistence uses within subsistence management zones; and

(5) giving subsistence uses preference over any other competing consumptive use within subsistence management zones. When actual or anticipated population declines in a specific subsistence resource would be aggravated by continued subsistence uses or other competing consumptive uses, the State shall first curtail the other consumptive uses, and as a last resort, subsistence uses, to the extent necessary to protect the viability and well being of the fish, wildlife, and plant populations affected.

(b) The Secretaries of Interior and Agriculture shall designate by regulation subsistence management zones within their respective areas added to the National Park, Forest, Wildlife Refuge, and Wild and Scenic Rivers Systems by this Act. Subsistence management zones shall include only those areas where subsistence uses were customarily occurring on December 18, 1971, and where continued subsistence uses would be consistent with the purposes for which the area was established and is being managed.

(c) The appropriate Secretary may close any subsistence management zone or portion thereof to subsistence uses for reasons of public safety, fish and wildlife management, administration, or public use and enjoyment of the area; and notwithstanding any other provision of this section, if the appropriate Secretary determines that conditions imposed by the State of Alaska under subsection (a)(2) of this section are inconsistent with the purposes for which any area was established or constitute a danger to the population of any species, he may close the area to subsistence uses.

(d) (1) Except for those subsistence uses authorized in this section all areas of the National Park System in the State of Alaska shall be closed to hunting and trapping, but shall be open to non-commercial fishing in accordance with the applicable laws of the United States and the State of Alaska; provided, however, the Secretary shall permit fishing, trapping, and non-commercial hunting within areas established by this Act as "national park preserves" and "national rivers" in accordance with the applicable laws of the United States and the State of Alaska.

(2) The Secretary may designate for all units of the National Park System, the National Wildlife Refuge System and the Wild and Scenic Rivers System in the State of Alaska areas where, and periods when, hunting, fishing, trapping or entry may be limited or proscribed for reasons of public safety, administration, protection and management of living resources, preservation of subsistence resources, or public use and enjoyment. Except in emergencies, any regulation prescribing such restrictions relating to hunting, fishing, trapping or entry shall be put into effect only after consultation with the appropriate State agency having jurisdiction over such activities.

(e) Any person who violates or fails to comply with any regulation issued pursuant to subsections (c) or (d) of this section shall be fined not more than five hundred dollars or imprisoned for not to exceed six months, or both.

(f) The Secretary, in consultation with the Secretary of Agriculture, shall prepare and submit a report every two years to the President of the Senate and the Speaker of the House of Representatives on subsistence uses within designated subsistence management zones. The report shall include among other things, the status of wildlife populations impacted by subsistence uses, the number of persons engaged in subsistence uses, the status of subsistence in the native cultures, the scope, nature and effectiveness of the State subsistence program, whether the State is in compliance with the standards set forth in this Act on subsistence use, and whether there is a need for new legislation modifying the existing subsistence use system.

(g) Nothing in this section shall be deemed to modify or repeal the provisions of the Fur Seal Act of 1966 (16 U.S.C. Sections 1151 et seq.); the Endangered Species Act of 1973 (16 U.S.C. Sections 1531 et seq.); the Marine Mammal Protection Act (16 U.S.C. Sections 1361 et seq.); or the Migratory Bird Treaty Act (16 U.S.C. Sections 701 et seq.).

(h) Notwithstanding any other provision of law or any other provision of this Act to the contrary, the Secretary may permit the use of snowmachines for subsistence purposes.

21 SEC. 703. (a) All lands designated by this Act as na-
22 tional parks, national monuments, national preserves, na-
23 tional wildlife refuges, national wildlife ranges, and, notwith-
24 standing the provisions of section (9) (a) (iii) of the Wild
25 and Scenic River Act (82 Stat. 907) as amended (16 U.S.C.

48. On page 22, line 21, to line 23, delete the phrase beginning with "national" and ending with "ranges" and insert "units of the National Park System and National Wildlife Refuge System"; and in line 21, delete "(a)".

(Perfecting Amendments)

49. On page 23, line 1, delete "wild and scenic rivers" and add "Wild Rivers, as provided in Section 307 (e) of this Act,"

Perfecting Amendment

MINERALS

In drafting this proposal, we have attempted to draw tightly our proposed boundaries where possible so as to exclude areas of high mineral potential without compromising environmental values. In areas where the decisions were made to include an area of potentially high mineralization, we believe the value of these natural areas to this Nation outweighs the potential development value of their non-renewable resources.

National parks, monuments, and wild rivers established by this legislation will be withdrawn from all mineral exploration, entry, and location, or leasing, subject to valid existing rights. Refuges should also be withdrawn from location and entry for hardrock minerals, but we propose that discretionary oil and gas leasing be permitted in the new refuges where compatible with the purposes for which the lands are established, and following appropriate classification by the Department. In accordance with recent amendments to ANCSA, oil and gas development will take place where the Natives own subsurface rights within the Aniakchak National Preserve.

21^{P-22} SEC. 703. (a) All lands designated by this Act as na-
22 tional parks, national monuments, national preserves, na-
23 tional wildlife refuges, national wildlife ranges, and, notwith-
24 standing the provisions of section (9) (a) (iii) of the Wild
25 and Scenic River Act (32 Stat. 907) as amended (16 U.S.C.

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1 1274 (2)), wild and scenic rivers are hereby withdrawn,
2 subject to valid existing rights, from all forms of appropri-
3 ation under the mining laws and from operation of the min-
4 eral leasing laws including, in both cases, amendments
5 thereto.

6 (b) Where existing mineral leases, patents, or claims
7 which are legally allocated and maintained within the units
8 established by titles I, II, and III of this Act, predate this
9 Act, the Secretary is authorized to validate existing rights
10 within the framework of existing authority and policy:
11 *Provided*, That, in all cases where such properties or rights
12 are placed for sale, the Secretary shall have first right of
13 refusal for purchases. All claims within these units, which
14 remain in force by reason of being duly recorded under the
15 terms of section 314 of Public Law 94-579, shall nonethe-
16 less lapse unless application for patents made within three
17 years of the date of being recorded under that Act and such
18 application is diligently pursued thereafter.

109
ADMINISTRATION AMENDMENT

50. On page 23, line 5, change the period to a colon and add the following:

Provided, That with respect to areas added by this Act to the National Wildlife Refuge System the Secretary may permit, in his discretion, and consistent with the provisions of the National Wildlife Refuge System Administration Act, oil and gas leasing, including construction and operation of pipelines, under the Mineral Leasing Act of 1920, as amended. Any and all withdrawals and reservations for powersite purposes applicable to the Federal lands and interests therein within the boundaries of any unit of the National Park, Wildlife Refuge, or Wild and Scenic Rivers System referred to in titles I-III of this Act are hereby recinded to the extent of such applicability.

50a. On page 23, lines 6 - 18, delete subsection (b).

110
Comment:

Because of the way in which our units' boundaries have now been drawn, the Administration concurs with the H.R. 39 provision to the extent that new refuges should be withdrawn from new mining claims. However, we believe that carefully controlled oil and gas exploration and closely stipulated development can occur on refuges without unduly impinging on the fish and wildlife objectives and values. Thus, we offer an amendment which would allow the Secretary to utilize his discretion in permitting such oil and gas activities in the future, as required in the National interest.

51. On page 23, line 19, delete "(a)".

Perfecting Amendment

112

52. On page 23, line 21, insert the words "or selected" between "selection" and "by" and delete the word "village".

Perfecting Amendment

53. On page 23, line 23, insert the words "or conveyed to" between "by" and "those".

Perfecting Amendment

1 exceed one thousand acres for administrative and visitor
2 facilities for each area, and no more than seven thousand
3 five hundred acres for archeological sites outside the bound-
4 aries of each of the areas referred to herein.

55. On page 25, line 3, after "archeological" insert "or paleontological".

(Perfecting Amendment)

ANDRUS TESTIMONY

AREAS OF ENVIRONMENTAL CONCERN (AECs)

Further, you will notice that included in many of our d-2 area proposals, we have identified adjacent areas within which resource use and development are critically important to the proper protection, management and interpretation of the natural and wildlife resources within the d-2 area. We urge legislative designation of those areas.

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These areas are designated "areas of environmental concern" (AEC). We propose that the Department be authorized to enter into voluntary cooperative agreements with the landowners in these areas of concern so that some form of cooperative planning and consultation can be achieved between the d-2 land management agency and the public and private adjacent landowners on matters related to the purposes of the d-2 lands. We are not proposing any regulatory authority in these areas other than that encompassed in existing Federal law,

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116

such as the Federal Water Pollution Control Act, etc. Rather, the AEC's, would be related to the cooperative planning and management effort to be undertaken by the proposed Advisory Commission.

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In all instances cooperative arrangements would be advisory only. We are not proposing that any responsibility of the Secretary of the Interior be delegated to any Board or Commission by agreement or otherwise.

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**** IT SHOULD BE NOTED THAT SECTION 708(b) OF HR 39, WHICH WE WOULD REDESIGNATE AS SUBSECTION (c) BUT NOT OTHERWISE CHANGE, WOULD REQUIRE THE HEADS OF OTHER FEDERAL AGENCIES TO AFFORD THE SECRETARY A REASONABLE OPPORTUNITY TO COMMENT ON ANY PROPOSED FEDERAL OR FEDERALLY ASSISTED UNDERTAKING WITHIN THESE UNITS PRIOR TO THE APPROVAL OF ANY FEDERAL EXPENDITURE OR THE ISSUANCE OF ANY FEDERAL LICENSE. IN OUR VIEW, THIS IS ONLY A SUPPLEMENTARY AUTHORITY FOR THE SECRETARY IN THESE AREAS. IT WOULD ENTITLE THE SECRETARY TO THE EARLIEST POSSIBLE NOTICE OF ANY SUCH PROPOSED

ACTION. IT WILL NOT BE READ TO IMPLY THAT THE SECRETARY'S
AUTHORITY OVER SUCH PROJECTS IS LIMITED TO COMMENT OR CONSULTATION
AND THAT THEY COULD PROCEED IN THE FACE OF HIS OBJECTIONS.
OBVIOUSLY, THE BASIC REGULATORY AUTHORITIES, AS WELL AS ANY SPECIAL
STATUTORY PROVISIONS, APPLICABLE TO EACH UNIT WILL PREVAIL WITHIN
THAT UNIT, AND ANY PROJECT BY ANOTHER FEDERAL AGENCY WITHIN A UNIT
WILL REQUIRE THE EXPRESS OR IMPLIED APPROVAL OF THE SECRETARY AND
WILL HAVE TO BE CONSISTENT WITH THE PURPOSES OF THAT UNIT, BE IT
NATIONAL PARK, WILDLIFE REFUGE, OR WILD OR SCENIC RIVER.

17 SEC. 708. (a) The Secretary is authorized to identify
18 an area of ecological concern adjacent to any unit estab-
19 lished by this Act. An area of ecological concern is an
20 area of land and waters which contains resources that are a
21 part of the total ecosystem, geological formation, or which
22 reflects a cultural heritage directly related to the areas au-
23 thorized herein as units of the four land conservation sys-
24 tems. Within each area of ecological concern so designated,
25 the Secretary is authorized to cooperate and seek agreements

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1 with the heads of other Federal agencies and the owners of
2 lands and waters including, without limitation, the State of
3 Alaska or any political subdivision thereof, any Native cor-
4 poration, village, or group having traditional cultural or
5 resource-based affinities for such areas, and, with the con-
6 currence of the Secretary of State, the governments of
7 foreign nations. Such agreements shall have as their purpose
8 the assurance that resources will be used, managed, and
9 developed in such a manner as to be consistent with the
10 preservation of the environmental quality of such areas and
11 management of units established by this Act. The agree-

12 ments may also provide for access by visitors to and across
13 the lands which are the subject of the agreements.

14 (b) The head of any Federal agency, other than
15 agencies that are parties to cooperative agreements pursuant
16 to subsection (a) of this section, having direct or indirect
17 jurisdiction over a proposed Federal or federally assisted
18 undertaking in the lands and waters within, adjacent to, or
19 related to areas added to existing units or established by
20 titles I, II, III, IV, and VI of this Act and the head of
21 any Federal department or interdepartmental agency, other
22 than parties to such agreements, having authority to license
23 any undertaking in such lands and waters shall, prior to the
24 approval of the expenditure of any Federal funds on the
25 undertaking or prior to the issuance of any license, as the

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1 case may be, afford the Secretary a reasonable opportunity to
2 comment with regard to such undertaking.

56. On page 25, revise lines 17-19 to read:

SEC. 707. (a) Each area encompassed within the boundaries of the maps referred to in section 2 and depicted as 'Area of Environmental Concern' is hereby declared to include an "

56a. On page 25, line 24, after "Within" insert "units established by this Act and within"; and change "ecological" to "environmental".

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57. On page 26, after line 13, insert the following:

(b) With respect to lands, waters, and interests therein which are subject to a cooperative agreement in accordance with subsection (a), the Secretary may provide technical assistance in planning and resource use, and he may assist, without provision for reimbursement if he determines to do so is in the public interest, the landowner in fire control, trespass control, and law enforcement within the limits of available appropriations.

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58. On page 26, line 14, change "(b)" to "(c)".

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121

58. On page 26, line 14, change "(b)" to "(c)".

Perfecting Amendment

[COOPERATIVE PLANNING AND MANAGEMENT]

There is widespread consensus that some sort of cooperative planning and management is needed among Federal, State and private landowners. ANCSA and Alaska Statehood provisions are resulting in divergent landholdings in every area of the State. Decisions on wildlife, transportation, watersheds and various developments of national significance cut across these property boundaries. Several proposals have been advanced by Governor Hammond, Members of the Alaska delegation and the Land Use Planning Commission to formalize a means by which Federal and State cooperation can best be obtained.

To facilitate overall planning and management cooperation in the State, we propose the establishment of a Statewide cooperative planning commission. This commission would serve as the Statewide focus for cooperative planning, doing not only its own work on major issues, but also serving as the catalyst and organization for State/Federal/Native planning,

123

interagency studies and meetings. The Commission would be advisory to land managers and could make such recommendations as land use designations outside of Federal management areas. The Chairman would be appointed by the Secretary with the concurrence of the Governor and would serve on a full-time basis. The Commission would be composed of public members, Native representatives and land managers who represented each of the Federal land management agencies in Alaska and their counterpart State land management agency representatives.

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In all instances cooperative arrangements would be advisory only. We are not proposing that any responsibility of the Secretary of the Interior be delegated to any Board or Commission by agreement or otherwise.

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EXPLANATION: HR 39 CONTAINS NO COMPARABLE PROVISION FOR ANY KIND OF STATEWIDE PLANNING COMMISSION, ADVISORY OR OTHERWISE.

124

ADMINISTRATION AMENDMENT, § 59
(ref. Andrus testimony at pp. 16-19)
(NOT ADDRESSED IN HR 39)

59. On page 27, delete lines 3 through 22 and insert the following new section to read as follows:

SEC. 708. (a) There is hereby established the Alaska Cooperative Planning Commission (hereinafter referred to as the "Commission"). The Commission shall consist of the field directors of all Federal bureaus having administrative jurisdiction over Federal lands in Alaska and, to the extent that the State of Alaska shall concur, the heads of all State agencies having administrative jurisdiction over State lands, together with four public members, of whom not less than two shall be representatives of Native corporations. The Secretary shall appoint two of the public members and the Governor of Alaska shall appoint the other two public members.

In addition to the foregoing members, there is hereby established the position of Chairman of the Commission, who shall be appointed by the Secretary, and who shall serve at his pleasure. In the event the State of Alaska shall have designated the heads of State agencies as members of the Commission, the Secretary may appoint the Chairman only with the concurrence of the Governor of Alaska. The Chairman shall be compensated by the Secretary at a rate not in excess of that provided for level V of the Executive Schedule in title 5, United States Code. The Secretary shall, not less than once

125
each year, publish a list of the membership of the Commission in the Federal Register.

(b) The function of the Commission shall be to conduct studies and advise the Secretary, other Federal agencies, the State of Alaska, and Native corporations with respect to ongoing, planned, and proposed land and resource uses in Alaska, including transportation planning, land use designation, fish and wildlife management, tourism, agricultural development, coastal zone management, and such other matters as may be submitted for advice by the members.

(c) Federal members of the Commission shall receive no compensation for service on the Commission as such. Public members shall receive compensation at not to exceed \$100 per day and shall be entitled to reimbursement for expenses reasonably incurred by them in carrying out their responsibilities. The agencies represented by Federal members shall contribute such funds, staff, and property to the Commission as are necessary to enable it to carry out its functions. As an express condition of State membership on the Commission, members from the Government of the State shall contribute such funds, staff, and property to the Commission as are appropriate, but not less than 50 percentum of the annual expenses of the Commission. The Commission shall meet at the call of

126
the Chairman, but not less than once each calendar year.

A report of each meeting, together with any recommendations as may be appropriate, shall be submitted to the Secretary, the Governor of Alaska, and the head of each Native regional corporation. Commission meetings shall be open to the public.

(d) The Commission shall adopt such internal rules of procedure and organization as it deems necessary. The Commission and its operations shall be subject to the provisions of the Federal Advisory Committee Act.

(e) The Commission may, with the concurrence of the members having administrative jurisdiction over the lands and waters and fish and wildlife resources therein, recommend cooperative planning and management zones, consisting of areas of the State of Alaska in which the management of lands or resources by one member materially affects the management of lands or resources of another member or members. Federal members of the Commission are hereby authorized and encouraged to enter into cooperative agreements with other Federal members and with State and Native members providing for mutual consultation, review, and coordination of resource management plans and programs within such zones.

(f) The Commission shall have no classification authority and will have only an advisory role with respect to cooperative planning and management zones.

ADMINISTRATION AMENDMENT (page 88)

61. Add the following as new sections 710, 711, 712, and 713 respectively.

SEC. 710. Planning. Except as otherwise provided, within five years from the effective date of this section, the Secretary shall formulate (and he may from time to time revise) a detailed resource management and use plan for each unit of the systems established in titles I and II of this Act and associated and related areas of environmental concern. Where units of the National Wildlife Refuge System and the National Park System share important biological and physical characteristics which control the natural occurrence and the management of fish and wildlife and their habitat, and scenic, historical, and archeological resources within each unit, a single plan shall be developed for the management and use of such resources. Each plan shall identify management practices, which the Secretary shall adopt and implement, that will accomplish the specific purposes of the areas set forth in titles I and II.

The Secretary shall formulate each plan and any revision thereof only after holding one or more public hearings in the vicinity of the affected unit or units, and only after consultation with the appropriate agencies of the State of Alaska.

ANDRUS TESTIMONY AND H.R. 39 - NOT ADDRESSED

ADMINISTRATION AMENDMENT (page 89)

SEC. 711. Authority to construct capital improvements on non-Federal lands. Notwithstanding any other provision of law, the Secretary is authorized to construct, operate, and maintain, with funds appropriated for the purposes of this Act, such permanent and temporary buildings and facilities as he deems appropriate to provide visitor services and for administrative purposes, on lands within and outside the boundaries of the units established by this Act, without regard as to whether title to the underlying land is in the United States: Provided, That in the case of buildings and facilities constructed on non-Federal land, the owner shall have entered into a cooperative agreement with the Secretary, the terms of which shall assure the continued use of such buildings and facilities for the purposes of this section.

ANDRUS TESTIMONY (pages 31-33).

EXPRESS AUTHORITY TO EFFECT LAND EXCHANGES

Section 704(b) of H.R. 39 would revoke land selections by the State within areas added to the national land conservation systems, and it directs the Secretary to make available to the State other public lands of approximately equal acreage.

In general, the State has selected lands based on their known potential for mineral development, other commodity use, or for population growth. An equal-acreage formula would not therefore assure the State that its original purpose in selecting lands could be fulfilled.

We have drawn our recommended boundaries for the most part to exclude State-selected lands which have high development potential. Our boundaries do, however, include some areas of State-selected lands, some of which have been tentatively approved for conveyance to the State.

Mr. Chairman, we do not support the revocation provisions of H.R. 39. Within the boundaries of the proposed d-2 acres, the Department should be given express authority to acquire lands, waters, and interests therein by donation, purchase, or exchange. This authority should provide, however, that property owned by the State of Alaska or any political subdivision thereof may be acquired only upon the consent of the State. In this same regard, this express acquisition authority in the Secretary should provide that property conveyed under ANCSA to any Native corporation may be acquired only with the consent of the owner.

H.R. 39 (PAGE 24)

3 (b) Land selections by the State of Alaska which are
4 within the areas added to existing units or established by
5 titles I, II, III, and IV of this Act are hereby revoked:
6 *Provided*, That the Secretary shall make available to the
7 State other public lands of approximately equal acreage for
8 those State identified lands designated as units of the four
9 land conservation systems by this Act: *Provided further*,
10 That such other public lands shall not be taken from lands
11 within the boundaries of areas described in titles I, II, III,
12 and IV of this Act.

SEC. 712. State land exchanges. In the exercise of his authority to acquire lands, waters, and interests therein for the purposes of this Act, the Secretary may utilize the provisions of subsection 22(f) of the Alaska Native Claims Settlement Act, as amended. Property acquired within the boundaries of the areas added to the four conservation systems by this Act shall become part of the area within which it is located, and subject to the laws and regulations applicable to such area.

130
AUTHORITY TO HIRE LOCAL RESIDENTS

ANDRUS TESTIMONY AND H.R. 39 - NOT ADDRESSED

ADMINISTRATION AMENDMENT (PAGE 89)

SEC. 713. Authority to hire local residents. The Secretary shall give full consideration to employing qualified persons whom, by reason of their having lived, worked, or studied in or near the units of the national conservation systems established by this Act, the Secretary determines have special knowledge or expertise concerning the resources of such units and the management thereof, in accordance with applicable Civil Service Commission laws and regulations.

134
ACCESS TO NAVIGATIONAL AIDS

ANDRUS TESTIMONY AND H.R. 39 - NOT ADDRESSED

ADMINISTRATION AMENDMENT (page 90)

SEC. 714. Within areas added to the National Park, Wildlife Refuge, National Forest, and Wild and Scenic Rivers Systems by this Act, access to, and operation and maintenance of, air and water navigation aids and related facilities shall be permitted in accordance with the laws and regulations applicable to the National Park, Wildlife Refuge, National Forest, and Wild and Scenic Rivers Systems, as appropriate. Access to and operation and maintenance of facilities for national defense purposes and related air and water navigation aids within or adjacent to such areas shall continue in accordance with the laws and regulations governing such facilities notwithstanding any other provisions of this Act. Nothing in the Wilderness Act shall be deemed to prohibit such access, operation, and maintenance within wilderness areas designated by this Act.

135
MINERAL MANAGEMENT ZONES

ANDRUS TESTIMONY (pages 24 to 28)

Mineral Study and Extraction

All units of the National Park System in the United States are closed to mineral entry and location under the Mining Law of 1872. In those areas of the National Park System where valid mining claims existed prior to closure, activities on those claims would be strictly regulated under the terms of the Mining in the Parks Act, P.L. 94-429, 16 U.S.C. 1901 et seq., which would apply to valid claims within areas added in Alaska.

Within the proposed Wrangell-St. Elias National Preserve, we have recognized two areas containing potentially significant mineral resources. The possible importance of these two areas is such that further mineral study and controlled mineral extraction should be considered. Accordingly, this legislation identifies the land containing the mineral zones and authorizes the Secretary to conduct mineral studies and mineral extraction under a permit system, with environmental constraints.

We propose that the Department be authorized to make in-house exploration studies by the Geological Survey, or to issue study and exploration permits to private concerns, to undertake the necessary studies to determine the nature of the minerals in these zones, and the feasibility of extraction of the minerals in a manner consistent with the purposes for which the preserve was established.

Extraction Permits

After reviewing the information obtained as a result of this study and exploration in the mineral management zones of the Wrangell preserve, we would determine whether minerals could be extracted in a manner consistent with the purposes for which the preserve was established and whether reclamation were possible. If we found these criteria satisfied, we would have the discretionary authority to issue a mineral extraction permit. The permit would contain necessary stipulations and conditions to insure the protection of the environmental integrity of the area.

An extraction permit would be issued in one of two ways. If a private concern applied for and was granted a study permit and exploration permit, and as a result of such activities submitted a report and proposal to the Department that satisfied the statutory criteria, we would issue an extraction permit to that private concern, if a permit were issued at all.

It should be recognized, however, that an exploration or study permit would grant no extraction rights and no automatic right to an extraction permit. If, on the other hand, we made a decision to issue extraction permits on the basis of a U.S. Geological Survey study, we would issue permits on a competitive basis.

The only minerals available for extraction under this approach are hardrock minerals (those locatable under the Mining Law of 1872). Minerals covered under the Mineral Leasing Act (e.g., oil and gas), and the Materials Act (e.g., sand and gravel), are not included.

138

MINERAL MANAGEMENT ZONES (Cont.)

R. 39 (pages 22 and 23)

21 SEC. 703. (a) All lands designated by this Act as na-
22 tional parks, national monuments, national preserves, na-
23 tional wildlife refuges, national wildlife ranges, and, notwith-
24 standing the provisions of section (9) (a) (iii) of the Wild
25 and Scenic River Act (32 Stat. 907) as amended (16 U.S.C.
1 1274(2)), wild and scenic rivers are hereby withdrawn,
2 subject to valid existing rights, from all forms of appropri-
3 ation under the mining laws and from operation of the min-
4 eral leasing laws including, in both cases, amendments
5 thereto.

ADMINISTRATION AMENDMENTS (pages 91-93)

62. Add a new Title VIII as follows:

TITLE VIII-MINERAL MANAGEMENT ZONES

SEC. 801. (a) Within the areas identified as Mineral Manage-
ment Zones on the map referred to in section 2 designating the
boundary of the Wrangell-St. Elias National Preserve, the Secretary
is authorized to study, or to grant permits for study of these
zones to determine the mineral potential of the areas and to
determine whether further mineral exploration and extraction activities
may be conducted in the zones in a manner consistent with the purposes
for the which the area was established. Such studies may be conducted

139

MINERAL MANAGEMENT ZONES (Cont.)

only by means that do not substantially alter surface features of the zones.

(b) If, based upon the information obtained by any study authorized under subsection (a) of this section, the Secretary determines that there is a possibility that surface-disturbing exploration for and extraction of minerals within the zones may be conducted in a manner consistent with the purposes for which the area was established and that any surface disturbed by such activities may be substantially restored to its original condition, he is authorized to issue permits for such exploration and extraction.

(c)(1) If the Secretary determines, based on the information obtained as a result of study permit, that exploration and extraction permits may be granted in accordance with subsection (b) of this section, the study permittee shall be given the right of first refusal to receive the exploration and extraction permit. If the exploration and study permittee refuses the offer, the Secretary may offer the lands for lease on the basis of competitive bidding.

(2) If, as a result of information obtained by any means other than a study permit, the Secretary determines that mineral exploration and extraction should be permitted in accordance with subsection (b) of this section, the Secretary may issue mineral exploration and extraction permits on the basis of competitive bidding.

(d) For the purposes of this section, the term minerals shall include only those minerals that were subject to disposition under the Mining Law of 1872 on January 1, 1977.

MINERAL MANAGEMENT ZONES (CONT.)

140

(e) The Secretary is authorized to issue regulations to implement this section, which regulations shall include provisions for:

- 1) The duration, assignment, and renewal of any permit;
- 2) the establishment of a fee and royalty schedule for issuance and maintenance of permits;
- 3) the terms by which a permit under subsections (b) and (c) of this section may be issued;
- 4) stipulations to ensure that all activities undertaken under any permits shall be consistent with the purposes for which the area was established; and
- 5) for removal of associated minerals.

(f) Notwithstanding the provisions of section 5 U.S.C. 552(b)(4) and (b)(9) of the Freedom of Information Act, any information made available to the Secretary by an applicant or permittee under this section shall be available to the public.

1140

IDITAROD NATIONAL HISTORIC TRAIL

ANDRUS TESTIMONY AND H.R. 39 ÷ not addressed

Administration Amendment (page 94)

63. Add a new Title IX, as follows:

TITLE IX-MISCELLANEOUS PROVISIONS

SEC. 901. Iditarod National Historic Trail. (a) Section 5(a) of the National Trails System Act (82 Stat. 919; U.S.C. 1241) is amended by inserting the following new paragraph at the end of said section:

() The Iditarod National Historic Trail, including the main route (approximately 1,100 miles) and branch segments (approximately 930 miles), extending from Seward to Nome, Alaska, following the route depicted on the maps, identified as "Seward-Nome Trail" in the Department of the Interior Iditarod Trail study report dated _____, 1977: Provided, (i) That while this Act will commemorate the entire route of the Iditarod Trail by designation as the Iditarod National Historic Trail, only those segments which are within the exterior boundaries of federally administered areas and

94

142

IDITAROD NATIONAL HISTORIC TRAIL (cont.)

which meet the national historic trail criteria established in this Act, are established initially as components of the Iditarod National Historic Trail, and (ii) that the Secretary of the Interior may designate lands outside of the exterior boundaries of federally administered areas as segments of the Iditarod National Historic Trail upon application from State or local government agencies or private interests involved if such segments meet the national historic trails criteria established in this Act and such criteria supplementary thereto as the Secretary may prescribe, and are administered by such agencies or interests without expense to the United States, and (iii) that notwithstanding the provisions of section 7(c) of the National Trails System Act, the use of motorized vehicles on segments of the Iditarod National Historic Trail will be permitted in accordance with regulations prescribed by the appropriate Secretary.

929

(b) The responsibility for coordination of Iditarod National Historic Trail matters shall rest with the Secretary in consultation with the heads of other Federal and State agencies where lands administered by them are involved. Such responsibilities shall include:

- (1) Selecting the specific trail route, as provided for in section 7(a) of the National Trails System Act, within three years after the date of enactment of this section;
- (2) Developing a plan and guidelines for the acquisition, development, management and maintenance of the trail with the advice and assistance of other Federal, State, and local agencies and organizations; such plan and guidelines to include provisions for the acquisition, retention, or dedication of significant historic sites and for a right-of-way or easement along most or all of the route to protect historic values and segments for potential future recreational trail development and to ensure continued public travel along the various trail segments.

144
KLONDIKE GOLD RUSH NATIONAL HISTORICAL PARK

ANDRUS TESTIMONY AND H.R. 39 -- not addressed

ADMINISTRATION AMENDMENT (pages 96 and 97)

SEC. 902. Klondike Gold Rush National Historical Park. The Act approved June 30, 1976 (90 Stat. 717), providing for the establishment of the Klondike Gold Rush National Historical Park, is amended by revising the second sentence of subsection (b)(1) of the first section 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.

Provided, That notwithstanding the provisions of subsection 6(1) of the Act of July 7, 1958 (72 Stat. 339, 342), the State may include the minerals in any such transaction.

SEC. 903. The provisions of sections 2 and 8 of P.L. 94-429, 16 U.S.C. 1902, 1908, are hereby extended to all units of the National Wildlife Refuge System established by this Act. For the purposes of this section, the term "National Wildlife Refuge System" shall be substituted for the term "National Park System" and the Act of October 15, 1966, as amended (16 U.S.C. 668dd. et. seq.), for the Act of August 25, 1916, as amended (16 U.S.C. 1). wherever those terms appear in sections 2 and 8 of P.L. 94-429,

93

145

COOPERATIVE INFORMATION CENTER

ANDRUS TESTIMONY AND H.R. 39 --- not addressed

ADMINISTRATION AMENDMENT (page 97)

SEC. 904. Cooperative Information Center. The Secretary is authorized, in consultation with other Federal agencies, to investigate and plan for an information and education center for visitors to Alaska on not to exceed one thousand acres of Federal land, at a site adjacent to the Alcan Highway. For the purposes of this investigation, the Secretary shall seek participation in the program planning, and/or operation of the center from appropriate agencies of the State of Alaska and representatives of Native groups in Alaska, and he is authorized to accept contributions of funds, personnel, and planning and program assistance from such State agencies, other Federal agencies, and Native representatives.

196

60. Delete section 710, and redesignate section 711 as a new title X, reading as follows:

TITLE X-APPROPRIATIONS

SEC. 1001. There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Perfecting Amendment

With respect to section 710, the bureaus presently have Area Offices in Alaska which are carrying out the responsibilities of their respective agencies We see no necessity to change their status at this time.