



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

Department of Natural Resources

CITIZENS' ADVISORY COMMISSION ON  
FEDERAL AREAS  
Stan Leaphart, Executive Director

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August 2, 2012

Mr. Bud Rice  
National Park Service  
240 W 5<sup>th</sup> Avenue  
Anchorage, Alaska 99501-2327

Dear Mr. Rice:

The Citizens' Advisory Commission on Federal Areas (CACFA) has reviewed the *Hunting Guide Concessions Environmental Assessment* (EA) for Katmai National Preserve. We appreciate both the opportunity to provide comments and the extension of the public comment period. Please accept the following comments for consideration in making a final decision.

The Commission supports adoption of Alternative C. Our review of the EA and other available information indicates that this alternative is a reasonable and equitable approach to authorizing two guided hunting concessions and designating two guide use areas within Katmai National Preserve. With the current vacancy in the Moraine guide area and the contract in the Sugarloaf guide area expiring at the end of December 2012, a good opportunity exists to revise the existing guide area boundaries and reapportion the number of clients authorized in each area.

The Commission is particularly pleased to note that the National Park Service recognizes that guided sport hunting services are considered an appropriate and necessary means to provide hunting opportunities for both Alaska resident and nonresident hunters within the National Preserves created by the Alaska National Interest Lands Conservation Act (ANILCA).

The Commission is hopeful that the decision to prepare an environmental assessment in this instance does not signal a region-wide change in how future hunting guide concessions are awarded or renewed or in the way guide areas are designated within preserve units. If preparation of an environmental assessment becomes the new norm, then costs for awarding and administering guide concessions, as well as for preserve management, will increase considerably without any appreciable increase in benefits to the unit.

The Commission is not convinced that opposition to guided sport hunting in Katmai National Preserve by anti-hunting and other special interest groups necessitates preparation of an environmental assessment, particularly when hunting is clearly provided for by the preserve's enabling legislation. The proposed action clearly could have been handled as a categorical exclusion, as has been the practice

previously. There is no increase proposed for the number of guide concession contracts to be issued or in the number of clients each guide would be allowed. The only substantive change proposed is in the configuration of the two guide areas. Changing the boundaries of these areas will have no measurable adverse impacts on preserve resources.

As stated in the EA, ANILCA Section 202(2) directs that Katmai National Park & Preserve is to be managed for the following purposes, among others:

*“To protect habitats for, and populations of, fish and wildlife including, but not limited to, high concentrations of brown/grizzly bears, and their denning areas; to maintain unimpaired the water habitat for significant salmon populations; and to protect scenic, geological, cultural and recreational features.”*

During consideration of the different bills that eventually became ANILCA, Congress made several changes to the boundaries of the entire Katmai unit and to the internal boundaries between the park and preserve. In deciding how to expand the original Monument and configure the new boundaries, Congress clearly recognized the importance of protecting the region’s brown bear and other wildlife populations, consistent with the original proclamations that created and later expanded the Monument.

At the same time, Congress acknowledged sport hunting as an important activity in Alaska and attempted to find a balance between hunting and non-hunting areas in the new and expanded park system units in Alaska. Creation of the national preserves where hunting was statutorily authorized was quite controversial and opposed by many, even though there were at least two national preserve units outside of Alaska where hunting was allowed. The debate surrounding hunting in the Katmai region was extensive.

We have compiled the following legislative history for Section 202(2) of ANILCA to show the extent of the debate over how best to configure the internal and external boundaries of an expanded and redesignated Katmai National Monument. The history here is not exhaustive, but is representative of the extensive deliberations that took place and the compromises reached in creating this park and preserve unit.

The House Committee on Interior and Insular Affairs in reporting on H.R. 39, the bill which is the foundation for the final ANILCA, addressed the issue:

*The park preserve complex combines presently existing national monument lands with certain additions and designates the area as Katmai National Park and Katmai National Preserve. The existing monument is designated a part of the park.*

*Resources within the proposed additions include the headwaters of the Alagnak River and Nonvianuk Lake. Land between McNeil River State Bear Refuge and the present park boundary, also a part of the unit, will give the park a protected ecosystem sufficiently large to include a largely un hunted population of the giant Alaskan brown bear. The northern part of the park and the preserve will also offer many backcountry recreation opportunities amidst highly scenic and varied types of terrain from rolling tundra, wooded valleys, and alpine lakes to rugged snow and glacier-clad peaks. Pristine watersheds necessary for support of the red salmon fishery and water quality protection within the existing monument are included within the addition.*

*Katmai National Park and Preserve includes the following approximate acreages: 2,790,000 acres of existing national monument; 936,000 acres of public lands to be added to the present monument (redesignated National Park); and about 409,000 acres of public lands in national preserve status.*

*Hunting, trapping, and commercial fishing will not be generally allowed in the park, but appropriately-regulated sport fishing will be allowed. The preserve is to be managed in the same manner as the park, except that hunting, trapping and fishing shall continue, under regulation. Existing subsistence uses will continue in the preserve but will not be allowed in the park.*

***Kulik Lake, Nonvianuk Lake and Battle Lake were included in the preserve, rather than the park as recommended by H.R. 39 as introduced. The Committee recommended the preserve classification here in order to allow more sport hunting to occur in the region. The Committee, in making this recommendation did not imply that the 3 lakes or surrounding habitats are any less important to the unit. Rather the Committee recognizes that these lakes are valuable features and their natural recreation and watershed values should be protected.***

*Sport hunting is an important activity within the area designated as Preserve. Sportsmen hunt this area each year in pursuit of the highly prized brown bear and there are two lodges situated in this area which cater primarily to fishermen and hunters. The closure of sport hunting in this particular region, as proposed in H.R. 39 as introduced and the Gudger substitute would have adverse recreational and economic impacts. (Page 175, House Report 96-97, Part I, April 18, 1979. Emphasis added)*

The House Committee on Merchant Marine and Fisheries issued a similar report (House Report 96-97, Part II) on H.R. 39 on April 23, 1979. The acreage figures for Katmai in the version of H.R. 39 in this report were the same as those in the House Committee on Interior and Insular Affairs report, but the report offered no background information or discussion specific to Katmai.

The House of Representatives passed the so-called Udall Amendment to H.R. 39 on May 16, 1979. Section 201(a)(8) of this version of H.R. 39 contains no acreage figures for the park and preserve units in Katmai, stating simply, “*Katmai National Monument is hereby redesignated as Katmai National Park and Preserve, with boundaries as generally depicted on the map entitled ‘Katmai National Park and Preserve’, dated April 1979.*”

The Commission does not have access to the April 1979 map referenced in the Udall Amendment, but we have determined from subsequent statements in committee reports, Kulik Lake and Battle Lake and surrounding lands were again included within the park boundary, while Nonvianuk Lake remained in the preserve. The Udall Amendment included 1,160,000 acres of park and 210,000 acres in preserve for Katmai.

After the House passed H.R. 39 it was sent to the Senate and referred to the Senate Committee on Energy and Natural Resources on May 24, 1979. After hearings and mark-ups were completed, the Senate committee issued Senate Report No. 96-413 with its amended version of H.R. 39. The report has the following explanation for Katmai:

*Katmai National Park and Preserve includes the following approximate acreages: 2,790,000 acres of existing national monument; 936,000 acres of public lands to be added to the present monument (redesignated National Park); and about 409,000 acres of public lands in National Preserve status.*

*Katmai National Park/Preserve will continue to be managed as a natural area with the primary objective of insuring maximum retention of lands and lifeforms in a near natural state. Hunting, trapping, and commercial fishing will not be allowed in the park, but appropriately regulated sport fishing will be allowed. The preserve is to be managed in the same manner as the park, except that hunting, trapping and fishing shall continue, under regulation. Existing subsistence uses will continue in the preserve but will not be allowed in the park.....*



*The Committee generally agrees with the House passed bill concerning this area. **One change was made in the boundary between the Park and preserve. Kulik Lake, Nonvianuk Lake and Battle Lake were included in the preserve, rather than the park as recommended by the House. The Committee recommended the preserve classification here in order to allow more sport hunting to occur in the region. The Committee, in making this recommendation, did not imply that the 3 lakes or surrounding habitats are any less important to the unit. Rather the Committee recognizes that these lakes are valuable features and their natural recreation and watershed values should be protected.***

*Minor exterior boundary adjustments were made from the House passed boundaries to aid field location or to simplify land surveys.*

*The Committee recognizes the critical importance that the McNeil River State Game Sanctuary plays to the protection of brown bear in the vicinity of Kamishak Bay and the population of bear that seasonally inhabits the national park. Because of the existence of the Sanctuary, the Committee did not include the State lands at McNeil within the park. However, the Committee notes that some of the State lands in the McNeil River area are not in the sanctuary, leaving a narrow strip of State land open to bear hunting between the sanctuary and the park. (Page 165, Senate Report 96-413, November 14, 1979. Emphasis added)*

In July 1980, the Senate began debating passage of H.R. 39 as it had been reported by the Senate Energy and Natural Resources Committee. Following several days of debate and amendments from the floor, the Senate passed the Tsongas Amendment to H.R. 39 on August 19, 1980. The internal boundaries between Katmai National Park and Katmai Nation Preserve were again changed. The following explanation was included in the ***Congressional Record***:

*Katmai National Park and Preserve*

*The Committee recommended a national park of approximately 936,000 acres of Federal lands and a national preserve of 409,000 acres of Federal lands. In the substitute there has been a change in the internal boundary between the park and preserve, but the external boundary of the management unit is the same as recommended by the Committee. **The watersheds of Battle Lake and Kulik Lake have been added to the park rather than being part of the preserve, while lands in the northwest corner of the area, south of the Alagnak River, have been classified as preserve rather than park.** Thus, the substitute establishes a national park addition of approximately 1,037,000 acres of Federal lands and a national preserve of approximately 308,000 acres of Federal lands. The existing national monument and its park addition are re-classified as Katmai National Park. The purposes for the park and preserve and the intent of the Committee for the areas' management are retained in the substitute Act. (Page S11190, *Congressional Record*, August 19, 1980. Emphasis added.)*

On November 12, 1980, the House agreed to the Senate amendments to H.R. 39. The following discussion was included in the *Congressional Record*:

*Significant changes were made in several units established by the Senate bill compared with the Senate Committee recommendations.....**In Katmai, the park has been expanded over the original Senate Committee recommendations to include Battle Lake and Kulik Lake, like the House-passed bill. Unlike the House, the preserve was expanded to include lands south of the Alagnak River in the northwest corner of the park system unit.** (Page H10532)*

*The Senate recommended a national park of approximately 1,037,000 acres of Federal lands and a national preserve of approximately 308,000 acres of Federal lands in Katmai. **The watersheds of Battle Lake and Kulik Lake are now part of the park rather than being part of the preserve, while***

*lands in the northwest corner of the area, south of the Alagnak have been classified as preserve rather than park. The Senate adopted slightly different boundaries for the southern addition to the park but still serve to protect the critical values of the park. The purposes for the park and preserve and the intent of the House and Senate for the area's management are retained in the bill. (Page H10540)*

We believe that this legislative history illustrates the effort made by Congress to designate a park and preserve unit that would provide full protection for brown bears within the original monument area, as well adding lands to the national park system where existing bear hunting would continue.

Commission staff has discussed brown bear hunting and associated issues in the Katmai area with the Alaska Department of Fish and Game. The Department has indicated that brown bear populations in the Katmai region are healthy and harvest levels are moderate and sustainable. The EA presents no data which indicate that harvest of brown bears within Katmai National Preserve is occurring at levels that adversely affect the preserve purpose of protecting "high concentrations" of brown bear.

As the EA also points out, the Katmai region has historically had and continues to have some of the highest densities of brown bear in the world. The current regulatory structure provides sound management that is consistent with the purposes for which Katmai National Park and Preserve was created. The National Park Service should implement the proposal to award two hunting guide concession contracts for the preserve.

We again appreciate the opportunity to comment on this project. As we stated above, we hope that future hunting guide concession contracts can be solicited and awarded under a categorical exclusion. Please maintain our contact information for future notifications, and contact our office if there are questions about our comments. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Stan Leaphart". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Stan Leaphart  
Executive Director

Cc: Sue Magee – State ANILCA Program Coordinator