

# STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

## DEPARTMENT OF FISH AND GAME

333 RASPBERRY ROAD  
ANCHORAGE, ALASKA 99502

31 August 1982

Mr. John E. Cook  
Alaska Regional Director  
National Park Service  
540 West Fifth Avenue  
Anchorage, Alaska 99501

RE: Lake Clark National Park and Preserve General Management Plan/  
Development Concept Plan and Environmental Assessment; State of  
Alaska A-95 Review

Dear Mr. Cook:

The State agencies have completed the A-95 review of the above refer-  
enced combination document and have made the following determinations:

1. The document does not fulfill the requirements of Alaska National Interest Lands Conservation Act (ANILCA), P.L. 96-487, specifically Title XIII which outlines the requirements of a General Management Plan.
2. Insufficient information is provided for review of a Development Concept Plan.
3. Actions proposed are too superficially described to render adequate review of the document as an Environment Assessment, per the requirements of the National Environmental Policy Act.
4. The river management plans are basically nonexistent in the document. The few paragraphs which refer to the management of three wild rivers do not address basic management questions which the State has repeatedly asked.
5. The Summary also states that the document contains a Wilderness Suitability Review. The State finds the two paragraph review to be insufficient. The State has not been contacted for information regarding wilderness suitability nor has the State been requested to review previous determinations of wilderness suitability within this area. NPS based their decision on suitability primarily upon the 1978 report of the Land Use Planning Commission. Other organizations and agencies have current information and should have been consulted.

The State agency responses are discussed in this transmittal in the following format:

General Comments is a general discussion of the document's deficiencies in satisfying ANILCA requirements for General Management Plans. ANILCA, Title XIII--Administrative Provisions, provides the outline of information required by Congress; the State discusses each provision.

Detailed Comments includes page-by-page detailed comments, specific deficiencies and errors identified by the State agencies.

Supplement 1 is the State's General Issues List of concerns which the State has repeatedly requested the National Park Service to address in conservation unit planning.

Supplement 2 is a summary of Resource Management Recommendations prepared by the Alaska Department of Fish and Game in cooperation with several other State agencies for the Lake Clark Park and Preserve and surrounding area.

The State agencies recommend that the National Park Service select one of the following alternatives to correct the document's deficiencies:

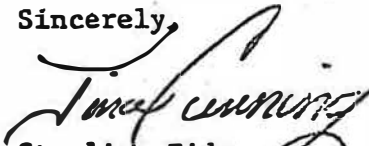
- 1) Prepare and submit a new draft document satisfying the requirements of ANILCA, NEPA, Wilderness Act, and Wild and Scenic River Act (as amended by ANILCA), or
- 2) Prepare a supplement to correct this draft and to satisfy the intent of the laws above, or
- 3) Prepare a Draft Environmental Impact Statement, which effectively would satisfy all the laws and public involvement requirements.

The document as presented is so general and incomplete that it neither meets the intent of applicable laws nor provides the public adequate information to assess probable impacts. For example, the public is vitally concerned with economic impacts on: local community businesses, guiding industry, and other rural activities by which the Alaskan people make a living. These concerns are not adequately addressed. The public should be clearly and fully informed of intended actions and the consequences to the people and resources of the area.

This letter, including the General Discussion, Detailed Comments and Supplements, provides information and concerns which the State agencies request be addressed by the National Park Service at a minimum to

correct deficiencies of the Lake Clark combination document. The State agencies look forward to working with you toward producing this document according to the intent of Congress.

Sincerely,



Sterling Eide  
State CSU Coordinator

By: Tina Cunning  
Acting State CSU Coordinator

Attachments: General Discussion  
Detailed Comments  
Supplement 1 - State of Alaska General Issues List  
Supplement 2 - Resource Management Recommendations

cc: State CSU Contacts  
Lisa Parker, ALUC Staff Coordinator

## GENERAL COMMENTS

Alaska Department of Transportation and Public Facilities notes that

"Based upon wording of the document, the document cover and the letter of transmittal, it appears that the material reviewed was the final plan and not a draft for review. Although written comments were solicited, there was no indication that the comments would be considered or what affect they would have on what apparently is the final plan which will be submitted to Congress."

Alaska Department of Natural Resources requests that

"...all future draft documents be clearly marked as such. We understand that the National Park Service (NPS) hoped that the GMP would not need to be revised and reprinted, thus saving funds. However, both agencies and the general public must be made aware that these documents are drafts and subject to revision. If no funds are available to revise and reprint the GMP in its entirety, the NPS may choose to publish those issues not covered in the draft in an addendum. We realize that the NPS' budget for planning is severely limited and that deficiencies we have identified may be due primarily to shortage of funds. NPS should make every effort in the future to secure adequate funding for management plans."

Alaska Department of Environmental Conservation followed up their letter of June 16, 1982 to you with the following additional observations.

"While this report, as drafted, represents a viable first step in the planning process for the conservation unit, it is not a "Master Plan," but rather a scoping document. A quick look at the Environmental Assessment demonstrates the limitations of the report, although it represents a necessary prelude to formulating the "Management Plan" that it purports to be. A viable environmental assessment cannot be effectively completed until a more detailed "Management Plan" is drafted."

"There are some notable omissions in the present document, e.g., with reference to the "Pollution Control and Abatement" statement. Nothing is said with regard to State Water Quality Standards, the Clean Water Act, the Resource Conservation and Recovery Act (solid waste) or oil spill contin-

gency requirements (fuel storage). Basic linkages between this scoping document and the ultimate administration of the conservation unit are missing, e.g., the caveats regarding inholders rights, access guarantees, valid mineral entry, and State land ownership patterns and regulatory prerogatives. Whereas the "Park" as a conservation unit is to be administered by the Park Service, there is a framework of State law and regulatory authority within which NPS management must be reconciled as follows:

- Energy planning and development
- Fish and wildlife management
- Public health/food service
- Transportation access and facilities
- Water quality and potable supply
- Water rights reservation and administration

"Although the language of ANILCA goes into some detail to describe cooperative resource management among the primary land managers in Alaska, Federal, State and Native, there is no emphasis given to cooperative and coordinated resource management to define and achieve planning objectives for the conservation unit." (within this plan)

"Although we recognize the value of this document as an initial step in defining a "Management Plan" for Lake Clark, the limitations and oversights as noted can best be addressed after a more detailed definition of park management objectives has been formulated. We would hope that these observations along with our comments of June 16, will aid the formulation of an effective Management Plan for Lake Clark National Park."

Alaska Department of Transportation and Public Facilities further notes:

"The plan is generally vague about access provisions and what constitutes traditional use. For instance, does the use of aircraft for access to Polly Creek for digging clams constitute traditional use?

"The plan should have addressed activities which may occur outside the park and how the management plan would respond. Feasibility studies being conducted by the Alaska Power Authority are mentioned but the document fails to address how the plan accommodates those studies or any subsequent hydropower development in the area.

"The document in general overlooks matters of great importance but details rather insignificant items such as what action will be taken if water seeps into the basement of a log cabin.

"The National Park Service should be encouraged to provide the detail which would be appropriate for a final document which will greatly affect use of the park and surrounding areas."

Alaska Department of Natural Resources further

"...reminds the NPS of its mandate to develop general management plans per Section 1301 of ANILCA. In spite of NPS' funding problems, because of the precedential value of this first plan, it is important that the Lake Clark plan fully meet the requirements of Section 1301 of ANILCA. Some of these requirements are largely procedural (such as the list of maps included), but others are more substantive. For example, the failure to discuss inholders' probable land uses could have serious consequences in the future for a unit as heavily impacted by inholdings as Lake Clark."

ANILCA Section 1301(b) outlines the basic requirements for National Park Service General Management Plans. The State finds that details which Congress intended to be included are wholly lacking and the required coordination has been minimal. According to House Report No. 95-1045 Part I, page 217, the intent of section 1208 (ANILCA Sec. 1301)

"...is to assure that such plans are sufficiently detailed so that all aspects of the units' development, management, and programs are clearly spelled out, and are coordinated with other Federal, State, local and Native interests and ...to make the plans as clear and concise as possible, and to afford ample opportunity for public participation, review and comment."

ANILCA Sec. 1301(b)(1) states that the Plan shall include:

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

Although these subjects are briefly described in the narrative portion of the Plan, few maps are presented describing these particular attributes. For instance, a map depicting wildlife should have such attributes as caribou wintering areas and calving areas, brown bear concentration areas during spring and fall and along fish streams, and so on. Much of this information is available through the Bristol Bay Cooperative Study currently being conducted and could have been incorporated.

The State of Alaska General Issues List for Conservation System Unit Planning (Supplement 1) specifically addresses historic and archaeological resource inventories, requesting that they be completed as an early part of NPS' planning process (Other, No. 5). This request is also in concert with Sec. 1301(b)(2); however, this information is not included by NPS in the Plan.

ANILCA Sec. 1301(b)(2) states that the Plan shall include:

"A description of the programs and methods that will be employed to manage fish and wildlife resources and habitats, cultural, geological, recreational, and wilderness resources, and how each conservation system unit will contribute to overall resources management goals of that region. Such programs should include research, protection, restoration, development, and interpretation as appropriate."

Further, House Report No. 96-97, Part I, page 312 requires that:

"..a high level of public participation including public hearings and consultations with Federal, State, and local agencies, Native corporations, and the public be accomplished during the preparation of these management plans."

Examples of the omission of such programs, descriptions, and intended coordination include:

One of the primary purposes of Lake Clark National Park and Preserve [ANILCA Section 201(7)(a)] is "to protect the watershed necessary for the perpetuation of the red salmon fishery in Bristol Bay;". A red salmon management program is not mentioned in the Plan and therefore is not "clearly spelled out" or coordinated with other agencies. Alaska Department of Fish and Game has a Bristol Bay management program in operation. National Park Service should reference ADF&G and state their intent to coordinate with this program. Alaska Department of Natural Resources and Alaska Department of Environmental Conservation have programs and statutory authority to regulate water uses, such that would protect watersheds. National Park Service should coordinate and communicate with these agencies so as to not duplicate existing laws, regulations and programs, as required by ANILCA.

The Alaska Department of Natural Resource's Division of Land and Water Management

"...suggests that NPS apply to DLWM for an in-stream flow reservation to ensure streams in Lake Clark National Park and Preserve remain free of impoundments and to preclude activities in the watershed from impairing the quality of the area by reducing the flow rate in the streams. Also, according to AS 46.125.180, an application for water right must be filed with DLWM to legally appropriate water for use at the headquarters or any other part of the park or preserve."

The Plan is also deficient in meeting the requirements of this subsection relative to natural resources. The "Natural Resources Management" portion of the Plan does not clearly indicate what and how management actions will be employed. There is no mention of cooperation with other agencies. This section does not consider the Lake Clark unit's relation to areas outside its boundaries. In many cases natural resources within the park and preserve are dependent on areas outside and, to be properly managed, the National Park Service should actively cooperate with other landowners and resource management agencies. Also lacking is a description of how the unit "will contribute to overall resources management goals of that region."

The Fisheries and Wildlife section of the State's General Issues List specifically addresses natural resource concerns expressed to NPS that should be addressed in the General Management Plan. In most instances, these issues are not addressed. For instance, the authority and responsibility of the Alaska Department of Fish and Game to manage fish and wildlife should be clearly indicated since ANILCA Section 1314(a) specifically protects the responsibilities and authority of the State:

"Nothing in this Act is intended to enlarge or diminish the responsibility and authority of the State of Alaska for management of fish and wildlife on public lands..."

Coordination, consultation, and cooperation with other resource managers and adjacent landowners should be addressed throughout all aspects of the General Management Plan. The BLM, State, Native Corporations and Fish and Wildlife Service all have programs for research, development, recreation, etc., which have not been addressed in the document. Most of these are being coordinated by means of the Bristol Bay Cooperative Study. This Study incorporates most lands adjacent to the west and south sides of Lake Clark unit. The Study also is coordinating all ongoing resource information. National Park Service has been remiss in not coordinating with this Study effort.



Sections of the Plan imply that the Lake Clark unit resources should be managed within the political boundaries of the unit rather than as elements of larger ecological areas subject to non-park management regimes. For example, Alaska Department of Fish and Game management units, based principally on hydrographic boundaries, incorporate portions of the Park unit and portions outside. The Plan should recognize that the Park is only a portion of much broader ecosystems and should address needs and opportunities for both common and differential management of resources.

ANILCA Section 1301(b)(3) requires:

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

The General Management Plan does not address cooperation or coordination with any of the State agencies in the "Development Concept" portion. Cost estimates are not adequately addressed for the Port Alsworth headquarters nor addressed at all for seasonal outposts. Descriptions of areas where such development may take place, other than the Port Alsworth headquarters, are also not included as required.

Development concerns of the State, also addressed in the State's General Issues List, have neither been discussed with the State nor addressed in the General Management Plan. The State provided this list several months prior to NPS's publication of this document. NPS is remiss in not responding to, or coordinating with, the State.

Alaska Department of Environmental Conservation reminds NPS that

"...we need to review water supply and waste water plans and specifications for all public facilities to be developed as well as solid waste disposal plans and specifications. We also will address, in cooperation with your offices, mining activities occurring within and adjacent to the park/preserve. The State issues list assembled by ADF&G addresses the majority of these concerns. As regards the air quality attainment designation, we will be happy to work with you through ADF&G, in that regard. As you may know, we are presently in the process of assuming the air quality program from EPA."

ANILCA Section 1301(b)(4) requires:

"A plan for access to, and circulation within, such units, indicating the type and location of the transportation routes and facilities if any."

House Report No. 95-1045, Part I, Sections 1202(b) and (c), Pages 212-213

"...directs the Secretary...to permit the customary patterns and modes of travel across the units, and provides that any conditioning of such travel may be made by the Secretary only under reasonable regulations adopted after advance notice and a public hearing in the affected area." and "assures that access will be provided for economic or other purposes, to State or private holdings...within one or more conservation system units." and that "... these provisions concerning access be liberally construed in favor of those seeking access."

Further ANILCA Section 1110(b) states:

"... in any case in which State owned or privately owned land, including subsurface rights of such owners underlying public lands, or a valid mining claim or other valid occupancy is within or is effectively surrounded by one or more conservation system units, ...the State or private owner or occupier shall be given by the Secretary such rights as may be necessary to assure adequate and feasible access for economic and other purposes to the concerned land..."

The section under Access in the State's General Issues List requests that specific existing and potential access sites be identified and that traditional access and access to inholdings be maintained. Access by state agencies for management, research, and enforcement activities is also requested and any permitting procedures be identified and coordinated.

The General Management Plan does not adequately address access for visitor use, private inholdings and state agencies as is requested in the General Issues List, Access, No's 1-8. There should be a more complete listing of access sites for visitor use. A clear indication of "traditional" means and types of access that NPS intends to regulate is needed. Very few specific types and locations of transportation routes, existing or potential, have been identified.

ANILCA Section 1301(b)(5) requires:

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

The Cultural Resources Management portion of the Plan briefly sketches an ambitious study of subsistence activities and local sociocultural systems in the vicinity of the park. The plan should contain a more explicit discussion of these studies and the cooperative relationships the National Park Service envisions. The Alaska Department of Fish and Game, Subsistence Division is mandated to conduct such studies and close cooperation with them in the designing and implementation of research concerning subsistence uses would be most beneficial. ANILCA Section 812 specifically requests such cooperation.

Although the plan indicates that "qualified" local residents will be recruited for park positions and ANILCA Section 1308(a) eliminates certain qualification requirements, there is no indication of what qualifications will be required. There is also no indication of what local expertise is sought by the National Park Service nor any other possible positions that might be available other than minimum staffing to carry out management of Lake Clark National Park and Preserve.

According to House Report No. 95-1045 Part I, Section 1207, page 217 concerning local resident employees:

"...the Secretary is expected to provide a program whereby such employees will, as they become more experienced, have the maximum possible opportunities to achieve higher-level positions."

Discussion of this program, if it exists, should be included.

ANILCA Section 1301(b)(6) requires

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

In the section of the plan titled "Boundary and Landownership Changes" the term "core ecosystems" is used in conjunction with consolidation of National Park Service management. It would be most helpful to have a clear definition of this term so that other agencies and private individuals could better respond to the validity of the proposed land acquisitions. It would be much easier for the public to respond if the National Park Service presented a preferred boundary with reasons clearly spelled out as to why the boundary adjustments would be beneficial to the people and natural resources in and around the park.

Consultation and cooperation with the State and other landowners is not addressed in the "Boundary and Landownership Changes" section. This section is one-sided, considering only what National Park Service envisions and excluding the needs and desires of other landowners and resource managers.

ANILCA Section 1301(b)(7) requires that the Plan include:

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

Very little is said describing privately owned lands and associated activities within the park. There is no discussion of how the extensive land selections within the park may effect the management or uses of the natural resources within the park. A discussion should include how native and private selections and allotments around Tuxedni Bay and Lake Clark would affect use and access in the park and what type of cooperative agreements would be desirable for these lands. An in-depth discussion of activities that do and may occur in these areas and how these activities affect the park is necessary to develop cooperative management schemes that would benefit the unit and surrounding region.

The Alaska Department of Natural Resources elaborates:

"The plan does not adequately deal with management of landholdings within the park and lands adjacent to the park. Section 1301(a)(7) and (8) of ANILCA specifically require that the plan describe these areas, existing uses for these areas, and any proposed uses for these areas. ANILCA further requires that the GMP address the mechanisms for cooperative management of these lands, where appropriate. The GMP does not discuss state ownership of submerged lands and how management of these lands will affect park management. The land status map which accompanies the plan shows extensive inholdings by village Native corporations, particularly in the vicinity of Lake Clark, but the GMP does not address how the use of these lands will relate to the management of the park unit. Further, the GMP does not address management on most adjacent state owned or selected lands, which are being planned for as part of the Bristol Bay Cooperative Management Plan. The NPS may wish to delay final revisions of the GMP until

the draft of the Bristol Bay Cooperative Management Plan is available in February 1983. The Cooperative Plan may make recommendations for cooperative management or land exchanges involving lands within Lake Clark National Park and Preserve."

The Alaska Department of Commerce and Economic Development's Alaska Power Authority advises NPS of the following projects being studied or proposed for the Lake Clark unit area:

"...the Kontrashibuna Lake-Tanalian River concept does not appear to be a likely candidate for development at this time. However, the Tazimina Hydroelectric Project concepts (both regional and subregional) are alternatives still under consideration and are located on native selected lands within the Preserve boundary, as indicated in your plan. Both the regional and subregional Newhalen Hydroelectric Project concepts are also likely candidates for development. It should be noted that neither of the Newhalen concepts would entail construction of a dam and fish ladder, as stated on page 73, second paragraph, of your Management/Development Plan. Instead, an instream diversion structure would be constructed on the side of the river channel. This correction should be made. All Newhalen Project concepts under consideration would be located outside the National Park and Preserve Boundary.

"The Chakachamna Hydroelectric Project should not have any adverse environmental impacts on the Lake Clark National Park and Preserve either. The project is located outside the Park and Preserve boundary on State and CIRI Native selected lands.

"Any Lake Clark National Park and Preserve Management/Development Plan should take into account possibilities for development of any of the aforementioned hydroelectric projects."

ANILCA Section 1301(b)(8) requires inclusion of:

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

Other than to briefly mention that plans are being developed for lands adjacent to Lake Clark National Park and Preserve, such as the Bristol Bay Cooperative Management Plan, there is no indepth discussion of activities occurring in or proposed for adjacent lands. Nor is there a discussion of how the Bristol Bay Plan may affect the Lake Clark unit. There should be a major discussion presenting the Lake Clark unit and its role as part of the much broader ecosystems of which it is part, and what its role is in the perpetuation and use of the natural resources present. This discussion should include the effects that activities outside the park might have on the park and what effect the allowed uses and restrictions in the park will have on surrounding lands (e.g., what differential pressures may occur because sport hunting is not allowed in the park portion of the Lake Clark unit).

There is no description of the types of cooperative agreements with landowners and managers of the surrounding region that could and should be considered. Such agreements should be a major concern to the National Park Service because they will play a large part in determining the continued viability of the park's natural resources.

## DETAILED COMMENTS

Page 1 (paragraph 6). Existing human uses are part of the ecosystem and would be significantly changed.

Page 8. The map shows a community south of Dillingham called Nashagak; the correct spelling is Nushagak. Nushagak is not a permanent settlement.

Page 9. In the quote of Sec. 101(b), the "wildlife species" qualifier was intentionally omitted: "..., wildlife species of inestimable value to the citizens of Alaska and the Nation, ..." What was the reason?

Page 9 (paragraph 3). NPS states that the general purposes of "units established under ANILCA are defined in section 101(a), (b), and (c) of the act:". Sec. 101(d) is also a purpose. Why was it not also acknowledged or cited? This purpose of the Act is no less important than the other three:

"This Act provides sufficient protection for the national interest in the scenic, natural, cultural and environmental values on the public lands in Alaska, and at the same time provides adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people; accordingly, the designation and disposition of the public lands in Alaska pursuant to this Act are found to represent a proper balance between the reservation of national conservation system units and those public lands necessary and appropriate for more intensive use and disposition, and thus Congress believes that the need for future legislation designating new conservation system units, new national conservation areas, or new national recreation areas, has been obviated thereby."

Page 10 (paragraph 1). A major omission occurs in the citation of Section 203 which directs the administration of the Park and Preserve "...pursuant to the provisions of the Act of August 25, 1916, as amended and supplemented...". The remainder of the section should have been included: "...and, as appropriate, under section 1313 and the other applicable provisions of this Act." These directives are much broader than implied by NPS' paraphrasing. Section 1313 provides "the taking of fish and wildlife for sport purposes and subsistence uses, and trapping shall be allowed" in the preserve. Consistent with section 816, "the Secretary may designate zones or periods when no hunting, fishing, trapping or entry may be permitted;" however, the "State agency having responsibility over hunting, fishing, and trapping activities" shall be consulted before regulations prescribing such restrictions are effected, except in emergencies.

Referencing the above stipulations on use is preferable to the statement, "Management and use of all NPS areas is [sic] directed by federal regulations..." This statement is somewhat misleading, given the qualifiers specified in Sections 203, 1313 "and other applicable provisions of this Act" (ANILCA). Management and use are "directed" by applicable laws, both State and Federal, whereas regulations are developed to implement statutory provisions. Federal regulations are not needed when State regulations, adopted by reference, can serve to implement federal laws if consistent with relevant statutes.

Page 10 (paragraph 2). This paragraph states that NPS "...is currently developing a general management plan..." and the "...intent of the plan will be to define..." According to the format of this document, this is the general management plan, beginning on page 7!

Page 12. The sections in the Management Objectives portion of the plan should indicate what research is needed to achieve and maintain these objectives. Cooperative management programs should be presented as a basic theme throughout all management objectives. Management objectives should be prioritized.

In the section titled "Visitor Use and Interpretation" there should be a management objective stating that new uses are not intended to replace existing uses.

Page 13. The section dealing with subsistence in the management objectives is vague although the concepts may be worthwhile. What "agreements" and "programs" are being referred to? What is meant by "management of subsistence activities?" How will the studies, agreements, and programs "guide" management? Similarly, in the second statement "as little as possible" is extremely general. This implies that NPS intends to restrict types or areas of visitor use to limit conflict. We can not comment without knowing what restrictions NPS is contemplating.

Page 14. The "Natural Resource Management" section should be expanded and cover in detail what management is being proposed, including what coordination and cooperation is intended with other resource agencies. The State's General Issues List, Fisheries and Wildlife, No. 8 specifically requests that Conservation System Unit management plans be in substantial agreement with the State of Alaska's fish or wildlife management plans if consistent with the purposes for which the unit was established.

Page 14 (paragraph 3). "All studies and management actions will be detailed, prioritized, and scheduled through the park and preserve's annual resource management program." ANILCA Section 1301 (b)(2) and House Report No. 95-1045, Part I Section 1208 require that management actions be clearly shown in the General Management Plan, not separately in the park and preserve's annual resource management program.



Page 15 (paragraph 5). There is no mention of who will conduct these studies; cooperation and coordination with Alaska Department of Fish and Game, Game Division should be included. Work by the Game Division on the Mulchatna caribou herd has been continuing and should be mentioned. In 1981-82 Game Division collected data on beaver caches on Chulitna River; fall and winter moose surveys in much of the Lake Clark Preserve; and observations of bears along the coast of ADF&G Game Management Unit 9(A). Much more efficient use of time and money would result from cooperative efforts with NPS. Most of the historical records on surveys and observations of wildlife are kept by ADF&G. To date the Lake Clark staff has not inquired about what has been done, what Game Division is doing or what is planned for the near future.

The goals of proposed studies to "establish the historic conditions of these animals and their preferred habitats, their birthing areas, population trends, and habitual patterns of movement," and a survey of all the species covered by the Migratory Bird Treaty Act, would require an investigation of the magnitude of the Su-Hydro project. Again, these studies are a part of the management responsibility of ADF&G and NPS should coordinate with them.

Page 16 (paragraph 1). "A survey will determine traditional and customary subsistence use areas and the amounts and types of present harvests." How and who will conduct the survey should be clearly indicated. National Park Service's reference to cooperating with the Department of Fish and Game is appreciated.

Page 16 (paragraph 2). Two specific fisheries studies are mentioned; by whom and for how long are these studies to be conducted? The statement "limnological and fisheries studies and management actions that require permanent structure, change the natural production...will not be permitted in the waters of the park and preserve," should be reconsidered to allow activities permissible under ANILCA and to reflect congressional intent as indicated in 1) House Report, No. 95-1045; Part II, Section 607, page 88:

"...the Secretary to permit fishery research and enhancement activities within National Park Wilderness area."

This section specifically addressed fishery enhancement within National Park wilderness area. Although this section did not allow for new permanent structures, it did allow for other aquaculture activities; and

2) Senate Report No. 96-413, Section 1315, page 308:

"Of particular interest to the Committee is the future of fish enhancement and aquaculture activities in the State. The Committee adopted language making it very clear that various fisheries enhancement activities could be permitted by the appropriate Secretary within wilderness or wilderness study areas, subject only to reasonable regulation."

Page 16 (paragraph 3). This paragraph should include a statement that the Alaska Board of Game's regulations on Defense of Life and Property will be followed in each case related to resolution of bear/human conflicts. This is also a specific concern in the State's General Issues List under Fisheries and Wildlife, No. 5.

Page 16 (paragraph 4). Research by whom? Coordination with Alaska Department of Fish and Game should be included.

Page 17. The Harvest Management Section should include a statement reiterating ANILCA intent that management of fish and wildlife resources will be conducted by the State within the park and preserve boundaries.

Page 17 (paragraph 1). Trapping should be mentioned as a subsistence activity. The discussion should include a statement that subsistence use will be allowed to grow with increased needs or remain static dependent upon decisions of the Boards of Game and Fisheries. Additionally please note that the Lake Clark subsistence program will be developed by the Commissions but implemented by the Secretary through Board action, not NPS.

Page 17 (paragraph 2). This paragraph suggests that the superintendent may unilaterally (subject only to consultation) prohibit, restrict, or otherwise control the taking of fish and wildlife. Such authority is contrary to provisions of ANILCA and other federal laws, wherein the authority of the State to manage resident fish and wildlife is affirmed and the conditions under which federal restrictions are imposed are limited. For example, ANILCA Sec. 816(b) states:

"...the Secretary, after consultation with the State and adequate notice and public hearing, may temporarily close any public lands....to subsistence uses of a particular fish or wildlife population only if necessary for reasons of public safety, administration, or to assure the continued viability of such population." (Emphasis added)

Further, ANILCA Sec. 1314(a) states:

"Nothing in this Act is intended to enlarge or diminish the responsibility and authority of the State of Alaska for management of fish and wildlife..."

The roles of the Alaska Boards of Fisheries and Game and their regulatory authority over fish and wildlife in Alaska should be clearly acknowledged. Although the Secretary has authority to close lands for emergency purposes, NPS has been requested to acknowledge

"...the Alaska Department of Fish and Game as the agency with the authority, jurisdiction, and responsibility to manage, control and regulate subsistence, commercial and recreational use of fish and wildlife on Conservation System Units, in a manner consistent with ANILCA" (General Issues List, Fisheries and Wildlife, No. 1).

The last two sentences of this paragraph are based on ANILCA direction. However, a description of what constitutes an emergency situation concerning habitat and public safety should be provided.

How does NPS define a species population? Does that refer to moose within the Park boundaries, within a particular harvest area, or within the entire "subsistence region" used by local residents?

Page 17 (paragraph 3). The Commercial Fish Division should also be mentioned in regards to management units. This paragraph implies that the park should be managed as a single unit rather than as a part of a much larger area. Managing the park as part of a much broader ecosystem is much more appropriate to the needs and uses of fish and wildlife and the intent of ANILCA. Alaska Game Management Units tend to more accurately reflect the needs and uses of fish and game resources. Also the section on harvest management reflects misunderstanding of the newly created regional boundaries which the plan terms "subsistence" management units. There are no special subsistence management units comparable to fish and game management units. There are portions of five Game Management Units that cross the Lake Clark Unit, not 6 as stated.

Page 18. The section on river management makes no mention of hydroelectric projects proposed by the Alaska Power Authority on the Tazimina River and Kontrashibuna Lake.

Page 18 (paragraphs 1-3). These three paragraphs are all that is written for proposed management of three wild rivers. This section should be expanded to more clearly describe these rivers, their resources and uses, and management.

Page 18 (paragraph 3). This paragraph illustrates a major concern of the State of Alaska: the Lake Clark General Management Plan is written from the position of how the Lake Clark unit can benefit from the State rather than how the State, public and resources can benefit from the park and preserve.

Page 20 (paragraph 2). Historic and present subsistence uses have only partially been documented for the park and preserve; not completely as implied. The National Park Service is committed to cooperate with the Alaska Department of Fish and Game, in conducting subsistence studies in Alaska, including planning and consulting with local residents (Senate Report 96-413 Section 802).

Page 20 (paragraph 3). NPS should cooperate with Alaska Department of Fish and Game Subsistence Division in conducting these studies. Portions have been, or are, underway already.

Page 20 (paragraph 5). These studies were to be detailed in this Plan, not at a later date (House Report 95-1045, Part I, Section 1208).

Page 21 (paragraph 1). Traditional means of access should be clearly defined. Snowmachines should be included as a traditional means of access. The type and location of transportation routes needs to be addressed in depth as required by ANILCA Section 1301(b)(4) and indicated in House Report 95-1045 Part I Section 1208. By prohibiting the construction of new landing strips on federal lands and docking facilities along the Cook Inlet coast, the opportunity for increased use or continuing existing use may be severely restricted. The State's General Issues List requests that specific existing and potential access sites and geographic areas be identified (Access, No. 3). In addition Senate Report No. 96-413, page 248 states:

"In order to prevent the land manager from using his discretion to unnecessarily limit such access, the Committee amendment provides that such access shall not be prohibited unless the Secretary finds after holding a hearing in the area that it would be detrimental to the resource values of the unit."

Page 21 (paragraph 2). This paragraph suggests that if a specific entrance point were available, user fees might be charged. According to ANILCA Sec. 203 this is expressly prohibited: "... no fees shall be charged for entrance or admission to any unit of the National park System located in Alaska."

Page 21 (paragraph 3). There should be some indication of the priority of uses and that existing uses will not be replaced by new uses through NPS management prescriptions.

Page 21 (paragraph 4). This paragraph implies that only nonconsumptive uses will be encouraged. Subsistence (consumptive) uses are a priority on federal lands where allowed (ANILCA Sec. 101(c)) and preserves were created specifically to allow other hunting. NPS should not promote nonconsumptive uses at the expense of traditional consumptive uses.

By definition of off-road vehicle (36 CFR 13), three-wheeled vehicles, which have been both flown in by sport hunters and used along the coast by commercial fishermen, would be prohibited. House Report No. 45-1045, Part I, section 1202(b) and (c) directs the Secretary to permit customary modes of travel across the units and that access be liberally construed in favor of those seeking access. As has been stated, a clear definition of what and how means of access become traditional would be appropriate.

The statement "...rental of these vehicles for recreational use or traditional use on nonfederal lands will not be encouraged." is not appropriate in the document. The State's General Issues List, Access, No's. 2 and 3 specifically requests that existing means of access be maintained, according to the intent of ANILCA.

Page 21 (paragraph 5). Existing trails and takeout points should be described and shown on a map in the General Management Plan as is requested in the General Issues List, Access No. 3, and required by ANILCA Sec. 1301(b)(1).

Page 24 (paragraph 3). The brochure should contain a section on avoidance of bear problems. Informational displays should be included at the Homer airfield.

Page 25 (paragraph 4). This paragraph depicts the National Park Service as conducting all management of Lake Clark National Park and Preserve with no cooperation with other resource management agencies other than on adjacent lands to the park and preserve. Cooperation and coordination with other resource managers should be incorporated as required by ANILCA, Section 1301 (b) (8) and delineated in Senate Report, No. 96-413, section 809, page 274:

"This section authorizes and encourages the Secretary of the Interior and the Secretary of Agriculture to enter into cooperative agreements and otherwise cooperate with other Federal agencies, the State, Native corporations, and other appropriate persons and organizations, including other nations, to manage and protect fish and wildlife resources utilized for subsistence purposes and to otherwise effectuate the purposes and policies of this title."

Page 25 (paragraph 5). NPS's reference to cooperative management is appreciated. However, it should be clarified that the State of Alaska has responsibility, not only to manage resources on adjacent areas, but also fish and wildlife resources within the park and preserve.

Page 26: Soldotna is misspelled on the map.

Page 27 (paragraph 2). There is no indication of what "special expertise" is sought nor what qualification will be required. Although descriptions of these job titles are probably available to existing NPS employees, they should also be available to the local public early. The local hire program should also be discussed. A description of the programs and methods is required to be part of this Plan by ANILCA Sec. 1301(b)(5).

Page 29-35. There should be a section in the "Development Concept" portion of the Plan indicating estimated costs of developments as is required by ANILCA Section 1301(b)(3).

The Development Concept portion should integrate coordination with the Alaska Department of Environmental Conservation and Alaska Department of Natural Resources especially in regards to State Water Quality Standards, the Clean Water Act, the Resource Conservation and Recovery Act (solid waste) and oil spill contingency requirements (fuel storage). The General Issues List, Facilities and Development, No. 4, specifically requests such cooperation.

Page 29 (paragraph 5). The statement "...four times greater than current construction costs in the Seattle area." Gives no indication of the cost of development as required by ANILCA section 1301 (b)(3).

Page 35 (paragraph 2). When considering the appropriate use or removal of existing cabins on federally owned lands, it should be noted in the General Management Plan that Senate Report, No. 96-413, section 1303, page 304 provides:

"..the Secretaries with authority to permit the continued use of cabins on [federal lands] in Alaska even though the occupants may not hold legal title to these cabins." and "...that the Secretary utilize this permitting system to permit the continuation of this life style wherever possible..." and that "The Secretary is directed to renew existing valid permits or leases unless he determines the use of the lease is a direct threat or significant impairment to the values of the units."

Page 36. The map presented here does not have a legend. Portions of Tuxedni Bay below mean high tide are inaccurately included in the park. It is unfortunate that NPS continues to distribute inaccurate maps, especially in a document intended to go back to Congress for adoption.

Page 37-38. The "Boundary and Landownership Changes" section does not mention provisions for park versus preserve boundary adjustments. There should be an expanded section providing clear reasons why boundary changes and land exchanges are or are not desired by NPS. This section should be developed in consultation and coordination with other landowners and managers in the area and in consideration of management plans affecting the unit and adjacent lands.

The Alaska Department of Natural Resources notes that the NPS proposed land exchanges

"...should be presented to the Bristol Bay Study Group. Furthermore, NPS should coordinate the entire planning process with the Bristol Bay Study Group. Also, the GMP should expand its Boundary and Land Ownership Changes section to address several additional areas. (See following a-d)

- "a) Chakachamna Lake/Mount Spurr: State-selected lands in this area, adjacent to the park, include the proposed site of the Chakachamna hydroelectric project. However, several heavily glaciated townships to the north and south of Lake Chakachamna, abutting the park, could be considered for potential exchange nomination and inclusion into the park. Any consideration of exchange proposed here is dependent upon the outcome of hydroelectric feasibility studies being conducted by the Alaska Power Authority at Lake Chakachamna.
- "b) Upper Stony drainage: These lands, which NPS has earmarked for possible exclusion from the preserve, may be desirable for state ownership and possible settlement under the state's disposal program.
- "c) Mulchatna/Chilakadrotna headwaters: Portions of these state-selected lands identified by NPS for possible inclusion into the preserve may be used for settlement under the state disposal program. Some land has already been surveyed for this purpose. No disposal activity is anticipated, however, until the Bristol Bay Cooperative Management Plan is completed.
- "d) Tazimina Lakes: Although much of the land surrounding Tazimina Lakes is Native-selected, the state is interested in obtaining any managable lands not conveyed to the Natives. This area is also being studied for future land pattern changes through the Bristol Bay Cooperative Management Plan scheduled for completion in December 1983."

Page 37 (paragraph 1). A definition of "core ecosystems" would be appropriate.

Page 37 (paragraph 2). An explanation why such land exchanges should take place would be appropriate, including what benefits there would be for natural resources and people in the area.

Page 37 (paragraph 3). This paragraph should include an explanation of why these lands have been selected for land exchanges and, should these lands not become available because of the native regional corporation selection, what alternatives might be considered. Further State land exchange alternatives are presented in the State's General Comments and Supplement 2, Resource Management Recommendations.

Page 38 (paragraph 2). Cooperation and coordination with adjacent landowners, land managers and resource managers should be a key component of the land protection plan as required by ANILCA Sec. 1301(b).

Page 38 (paragraph 5). Mineral development activities not only in the park and preserve but adjacent to it should be reviewed to document instances of potential water quality and quantity conflicts as is requested in the State's General Issues List, Facilities and Development, No. 1.

Page 43 (paragraph 3). This paragraph indicates that the major recreational demand will come only from Anchorage and Kenai Peninsula residents. As is indicated on page 60, paragraphs 2 and 3, tourism is an important industry in Alaska. Recreational demand will not only come from these two areas but also from the rest of Alaska and other states.

Page 43 (paragraph 5). One would have to assume that if recreational demand will remain constant over the next 10 years that no informational and educational effort would be made for the next 10 years.

Page 45 (paragraph 2). Bears and wolves also venture away from the low mountain passes into this montane region.

Page 52 (paragraph 1). Baneberry (Actaea rubra) may also have white berries.

Page 53. The list of mammals is incomplete without mention of river otters, mink, marten and others.

Page 53 (paragraph 2). Delete "except the high elevations."

Page 53 (paragraph 4). Residents of the area reported increasing numbers of coyote in the park/preserve in the late 1970's and early 1980's.

Page 53 (paragraph 7). The statement that porcupines..."are not sought after as game for subsistence purposes..." is inaccurate. In 1981, 63% of a sample of Nondalton households took porcupines and, in fact, the park is an important harvest area for this species. Behnke (1982, p. 46 and 48) reported that 50-60% of the households surveyed in Nondalton in 1973, 1980 and 1981 reported taking porcupine.



Page 53 (paragraph 9). The second sentence of this paragraph should read "this area is important to the herd for calving in some years and for grazing..."

Page 53 (paragraph 10). It should be noted that the park and preserve is at the western extent of Dall sheep range in southcentral Alaska. Numbers may fluctuate widely as a result of winter mortality during adverse years. It would be extremely difficult and not appropriate to manage sheep for stable numbers.

Pages 54-55. There is no discussion of the considerable subsistence fisheries that also occur in this area.

Page 54 (paragraph 4). Bald eagles prey primarily on fish not migratory waterfowl, as this paragraph implies.

Page 55 (paragraph 1). What is the reference for the "estimated 3,500 angler days." Alaska Department of Fish and Game personnel feel this is too low an estimate. This paragraph also mentions creel censuses done by the Sport Fish Division but fails to mention that tow netting is also done. ADF&G intends to continue these studies.

Page 57 (paragraph 3). The Nikolayevski Redoubt at Kenai was established in 1791, not 1845 as is stated. It is true that the orthodox mission in Cook Inlet was founded at that post in 1845.

Page 60 (paragraph 2). Snowmachines are used for trapping by other than subsistence users and should be considered an established "visitor" activity. This paragraph goes on to state that "Hovercraft have not been introduced into the area..." Since hovercraft are under the jurisdiction of the United States Coast Guard and are considered "boats" they would be allowed in the park and preserve according to the "Visitor Access and Use" section of the Plan.

Page 60 (paragraph 5). What are the references for the 3,500 angler days, 30 to 35 river trips, and 1,600 sport-hunting days? Personnel from the Department of Fish and Game believe these estimates are too low.

Page 62 (paragraph 1). The people of Lime Village on the Stony River have traditionally used portions of the park and preserve for subsistence activities. See, for example, "K'qizaghetnu Ht'ana." published by the National Bilingual Materials Development Center (Anchorage) in 1978. This section omits reference to use of the Lake Clark area by residents of Newhalen, Iliamna, and Lime Village.

This section also makes use of the vague, undefined, and misleading term "degree of dependence," and suggests that because local residents have cash income and "alternative harvest areas," areas within the park/preserve are less significant for subsistence purposes. Published reports on the area indicate that subsistence activities are very important to local residents and that park areas are particularly important in some years for certain resources.

By referring to subsistence activities strictly in economic terms, and noting that they "supplement" other sources of income, and suggesting that other sources of income could substitute for these activities, this section seems to be attempting to downplay the significance of subsistence activities and the park area to local residents. There is no mention in the Plan for example of the social-cultural role that resources and areas within the park may have for local residents.

From the perspective of ecosystem management, the traditional territory of the Lake Clark Dena'ina has all been important to the survival and maintenance of Dena'ina society.

Page 62 (paragraph 2). It would be accurate to state that most, rather than some local residents obtain fish.

Page 62 (paragraph 3). This paragraph refers to subsistence harvest of the large game species. From what reference does the information come indicating that subsistence harvest of black bear, grizzly and Dall sheep is significant? What is considered a significant number in comparison to the number of these animals that use the park and preserve? These animals, especially grizzly and Dall sheep, are rarely taken for subsistence purposes.

Page 62 (paragraph 4). This paragraph should be expanded to indicate the importance of furbearers not only as a source of income but as a source of food and recreation. There should be a more definite indication of user group harvests rather than using the very broad term "significant portions."

Page 67-69. The "Environmental Consequences" portion of the plan does not address environmental consequences but rather administrative consequences.

Page 68 (paragraph 2). The statement "Cession of the State of Alaska of concurrent jurisdiction..." should be worded "is being pursued."

Page 69 (paragraph 1). This paragraph indicates that cooperative agreements will be with adjacent landowners and land managers but does not mention cooperation with resource managers.

Page 69 (paragraph 5). Contrary to this statement and the U. S. Fish and Wildlife Service letter on page 91, peregrine falcons do live in, and depend upon, habitat within the Lake Clark unit. Records of sightings and active nests are available at Alaska Department of Fish and Game.

Back pocket. Both the land status and park boundary maps show portions of Tuxedni Bay below mean high tide as being in the park. This should be corrected to show the boundary following mean high tide.