

STATE OF ALASKA

ANILCA IMPLEMENTATION PROGRAM Office of Project Management and Permitting

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The State of Alaska reviewed the draft Foundation Statements for Noatak and Bering Land Bridge National Preserves. The following represent the consolidated views of the state's resource agencies.

We appreciate the opportunity to review these two Foundation Statements. We understand the effort stems from direction provided in the National Park Service 2006 Management Policies and that information included in Foundation Statements will provide a basis for future planning efforts. We also understand the Service intends to prepare Foundation Statements for all Alaska park and preserve units. With that understanding, some of our comments apply specifically to these two documents, while other more general comments may be useful to other Alaska Superintendents as they prepare their Foundation Statements.

Purpose Statement

We understand the purpose statement is intended as a general summary of why the park was established, based on enabling legislation. We request incorporating subsistence use and general hunting into the purpose statements for both Noatak and Bering Land Bridge Preserves, as provided in Sections 203 and 1313 of the Alaska National Interest Lands Conservation Act (ANILCA). Congress chose to place certain areas into "preserve" status specifically to allow general (sport) hunting, since most "park" areas in Alaska are only authorized for subsistence hunting. While Bering Land Bridge Preserve's purpose statement does reference subsistence, it does not include general hunting. The Noatak Preserve's statement does not reference either use; however, it includes a subsistence-related significance statement.

Special Mandates and Administrative Commitments

We recommend including a summary statement to explain why select ANILCA provisions were included in this section, especially in recognition of those that generally apply to all Alaska park units (e.g. it is unclear why Noatak includes Section 1010 when it is not specific to the Preserve). We also request cross-referencing the Appendix so readers are aware of other relevant ANILCA provisions cited elsewhere in the document.

Appendix A - Legislation

We recommend not including President Carter's Proclamation in Appendix A for the following reasons:

- An administrative Proclamation is not "legislation" as the Appendix describes.
- The Proclamation, which provided no accommodation for subsistence or other essential local uses, was entirely superseded by ANILCA.
- As a placeholder for eventual passage of ANILCA, the Proclamation is already appropriately addressed in context on page 3 in paragraph 4 for Noatak. The same reference can be added to Bering Land Bridge.
- The Proclamation was considered highly controversial by many Alaskans and there is little need to further emphasize that divisive point in Alaska's history.

As with Special Mandates and Administrative Commitments above, we recommend including a summary statement in the Appendix to explain the basis for selection of the provisions included.

We also request the Service add ANILCA Section 1314 to the Appendix, which addresses the State of Alaska's responsibility and authority to manage fish and wildlife on public lands.

Page-Specific Comments

Noatak and Bering Land Bridge

Page 3, fourth paragraph: Since this appears to be a boilerplate discussion, we suggest slightly modifying the third line to recognize some of the issues addressed by Congress apply in all parks, not just "many" – as follows: "~~But~~ Congressional debate on key Alaska issues such as subsistence use, existing and traditional uses, access, cabins, wilderness, and hunting and trapping resulted in ANILCA providing for many of these uses in many of throughout Alaska's parks units."

Noatak

Page 11, Public Law 96-487m (sic) Sec. 201(8): The word "specifically," along with the indented format, implies a direct quotation; however, the document (inaccurately) paraphrases ANILCA. For accuracy, we suggest the following revision, which would also require adding Section 201(8)(b) to Appendix A.

Section 201 (8) of ANILCA provides not only for the establishment of Noatak National Preserve, but also for the expansion of the Preserve's boundary near the village of Noatak. (see Appendix A for complete text) ~~Specifically, section 201 (8) (b) states that the following lands are to be added to Noatak National Preserve:~~

All lands located east of the centerline of the Noatak River, in an area withdrawn for selection by either the village of Noatak or the village of Kotzebue, adjacent to Noatak National Preserve, and not conveyed to either of these corporations or the regional corporation, NANA.

Please contact me at (907) 269-7529 if you have any questions or would like to discuss these comments further.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Magee". The signature is fluid and cursive, with the first letter of the last name being a large, prominent capital 'M'.

Susan E. Magee
ANILCA Project Coordinator

cc: Sally Gibert, ANILCA Program Coordinator